

2.17.3

124b (משנה ה) → 125a (כראב"י)

7. וְכָל אֲשֶׁר יָפַל מִנְבֵּלְתָם עָלָיו וְטָמְא תַנּוּר וְכִיּוֹרִים יִתֵּן קַמָּאִים הֵם וְקַמָּאִים יִהְיוּ לָקָם: וְיִקְרָא יֵא, לָהּ

- I. שברי כלים about using חכמים /ר' יהודה משנה ה
- a. **חכמים**: broken vessels/tools may also be moved as long as they continue to serve *some* function
 - i. *Examples*: shattered basket – could be used to cover barrel; shattered glass could cover a vial
 - b. **ר' יהודה**: must perform some form of their original function
 - i. *Examples*: broken basket – to pour in some soup; shattered glass – to pour in some oil
- II. Analysis (two versions of שמואל, as reported by רב יהודה)
- a. **Version 1**: dispute is only if they broke on ע"ש – whether we require the שבר to perform original function
 - i. *However*: they agree that if broken on שבת, may be moved as they were מוכן as part of original כלי
 1. **Challenge** (ר' זוטראי): ברייתא - we may kindle כלים but not שברי כלים יום טוב on שברי כלים
 - a. *Note*: when were they broken? If on עיר"ט – they were just wood (and מוכן for use in a fire)
 - i. *Rather*: they must have broken on יר"ט (→we are more מחמיר about that broken on שבת/יר"ט) → נולד or מוכן they are consider שבת – whether they are
 - b. **Version 2**: dispute is only if they broke on שבת – whether they are consider מוכן or נולד
 - i. *However*: if broken on ע"ש, they agree that they may be used, as they were already מוכן for use
 - c. **Three ברייתות**: 1 rules that we may kindle כלים but not שברי כלים; 1 rules that we may use both – and one – neither
 - i. **גלים**: ר' יהודה (who accepts מוקצה but allows for varied use)
 - ii. **Both**: ר"ש – (who rejects מוקצה)
 - iii. **Neither**: ר' נחמיה (who requires כלי to be used only for its original purpose)
- III. Assorted rulings from בבל חכמי
- a. **ל"ג**: bricks that remain from building are בטלטול – since they could be used to sit on
 - i. *However*: if they were lined up (for building) – certainly מוקצה
 - b. **שמואל quoting ר"ג**: permitted to pick up a shard in חצר, but not in כרמלית (where כלים aren't commonly found)
 - i. **ר"ג** (his own opinion): permitted in כרמלית, but not in רה"ר (since they are sometimes found there)
 - ii. **דבא**: even in רה"ר (since they are permitted in חצר – to cover כלים – they are permitted everywhere)
 1. *Story*: רבא cleaned off his muddy clothes with a shard (response to students who criticized him)
 - c. **שמואל**: if the seal of a barrel is broken, it may be moved (supporting ברייתא)
 - i. *But*: he may not deliberately cut off a piece to cover a כלי or prop up a bed-leg
 - ii. *And*: if he threw it in the dung-pile, it is אסור בטלטול
 1. **Challenge** (ר"פ): if he threw his shirt out, it wouldn't be אסור בטלטול
 2. *Rather*: if he threw the shard into the אשפה before שבת, it would be אסור (מוקצה)
 - d. **שמואל**: the tatters of a mat may be moved – just as mat may be used to cover dirt, tatters may cover filth
 - e. **דב**: tatters of clothes may not be moved
 - i. **אב"י**: that is only if they are less than 3x3 אצבעות – unfit even for עניים
- IV. תוספתא שבת יד:ג – dispute about moving pieces of broken oven
- a. **ד"מ**: like any other שברי כלים – may be moved in חצר
 - b. **ר' יהודה**: ד' may not be moved in חצר
 - c. **ד' יוסי**: testified in ר'אב"י's name that a broken תנור may be moved and that its cover requires no handle
 - i. **Analysis** (אב"י): they disagree about שברי כלים – each follows his own approach – if they require מלאכתן
 1. **Challenge** (דבא): if so, why disagree about שברי תנור – let them disagree about שברי כלים
 - ii. **Rather** (דבא): they disagree about an oven over a cistern held down with rocks (כלים ה:ו)
 1. **ר' יהודה**: if he heats it above and it heats up below – טמא; else – טהור
 2. **חכמים**: in either case, it is טמא
 - a. *Note*: they disagree about interpretation/application of v. 1
 - i. **ר' יהודה**: only if it מחוסר נתיצה (i.e. only breaking it would keep it from operation properly) טמא
 - ii. **חכמים**: end of verse extends to all ovens – even if they aren't currently positioned to work
 1. **מקבל**: they interpret – even though סד"א it is לקרקע and not מחובר לקרקע טמא
 2. **ר' יהודה**: reads end of verse per שמואל – only at first firing must it be set, afterwards – טמא
 - a. **עולא**: maintain that even first firing could be anywhere (even on “camel's neck”)
 - b. **Challenge** (ר' אשי): if so, why disagree about שברי תנור – let them disagree about תנור

- iii. *Rather*: as per אב"י's understanding - but ר"מ is challenging ר' יהודה according to his own approach
 - 1. *Case*: it cooks on tiles (מעשה טפקא)
 - 2. *To wit*: according to ר"מ, it serves a function (at all) → טמא;
 - a. *But*: according to ר' יהודה, it should be considered מעין מלאכתן, as it cooks
 - b. *ד' יהודה* not the same
 - i. *Here*: here it cooks outside (not inside, like in oven)
 - 1. *And*: lying down (on shard/tile, not standing up like in oven)
- iv. *Comment on יוסי's testimony*: based on ר"אב"י's report, we may move oven covers which have no handles