

3.6.6

67b (אמר עולא) → 68b (קא מיפלגי)

Note: a woman is considered a חיה for the first 30 days after giving birth and is classified as a סכנה, such a person may have מלאכה violated for her care by asking a גוי to perform the

Note: we encountered a dispute (end of 2nd פרק) between ר"א וחכמים as to whether nullification of one's share of the חצר inheres nullification of his own house; ר"א takes the more expansive approach

I. יוחנן ר' ruling re: status of a קרפף בית סאתים (enclosed, but not for residence)

a. Ruling: considered full מדאורייתא רה"י (no matter how big) – and if someone throws in from רה"ר חייב – רה"י

b. Challenge: ברייתא regarding status of a boulder in the sea

i. If: it is 4x4, may not carry from sea to or from rock

ii. But if: smaller than dimensions of רה"י, may carry to and from sea

iii. Measure: up to בית סאתים

1. Proposal: cannot refer to ספיא; if rock is shorter, going from it to sea is כרמלית לכרמלית

2. Must refer to: רישא; if rock is 10x4, if greater than ב"ס, may carry to/from sea (→ כרמלית, not רה"י)

3. Reinterpretation1 (רבא): referent is רישא; inference is wrong – may carry on rock if ב"ס, no bigger

4. Reinterpretation2 (רב אשי): referent is רישא; all is דרבנן and they determined which is preferable

a) כר' יוחנן ב"ס may not carry in unresided area if greater than ב"ס

b) כרמלית <-> רה"י prohibited carrying from רה"י

i. Determined: if area is ב"ס, may not carry to/from sea, as it is a full רה"י

ii. But: if area is larger, may carry to/from sea (מרה"י לכרמלית) → won't permit carrying on rock

iii. Determinant: more common to carry on rock than to/from sea

II. 3 cases of infants who were each slated to have ברכת מילה בשבת and hot water spilled out that day

a. Case #1: happened in חצר רב'ה, where there was neither עירוב nor שיתוף

i. רב'ה ruled that they should instruct a גוי to bring the hot water

ii. רב'ה wanted to challenge, but had been instructed that in a דרבנן, we act first, challenge later (not בדאורייתא)

1. Challenge: since הזאה and אמירה לנכרי are both שבות, why is he allowing this violation?

2. Answer (רב'ה): here, there is no action – we didn't instruct the נכרי to heat up the water

iii. Tangential challenge: how could רב'ה and רב'ה both live in a מביי without collecting for an עירוב?

1. Answer (רב'ה): it is beneath רב'ה's dignity and רב'ה was too engrossed in his study – the rest didn't care

2. And: רב'ה couldn't use his own food, since he couldn't afford to share it, it wasn't a valid עירוב

a) Challenge: why not use a small amount of vinegar?

b) Answer: רב'ה rules that we may not use an אוצר for שיתוף מבואות (unclear which part is the שיתוף)

i. Challenge: רב'ה rules that we may use an אוצר

ii. Resolution: בית הלל vs. בית שמאי

1. Per: זג: אהלות; if we must decide which פתח to be used before death to clear rest (יש ברירה בד"ס)

b. Case #2: in חצר רב'ה – hot water was gone; רב'ה: ask mother if she needs, גוי may heat it for her (see note)

i. Then: he may heat up more for child

1. Protest: mother was eating dates (i.e. was perfectly healthy, didn't need חמים)

2. Defense: she must be confused (→ גוי may still heat it up for her)

c. Case #3: in חצר רב'ה; baby in 1 חצר and רב'ה in neighboring (accessible) חצר

i. And: חצר רב'ה includes publicly accessible room (בי גברי) and an interior room (בי נשי)

ii. Solution: רב'ה agreed to move to בי נשי and nullify his רשות to neighboring חצר – per יוחנן ר' (מבטלין רשות מחצר לחצר)

1. However: he didn't remain in his rooms, per שמואל (אין מבטלין וחוזרין ומבטלין) שמואל

2. Consistency: the reason for אין חוזרין is to keep הלכה from being ridiculed; may hold both

d. Tangent: reciprocal nullification (מבטלין וחוזרין ומבטלין)

i. רב'ה valid – since he isn't totally removed at the initial ביטול and may reclaim

ii. שמואל invalid – since original ביטול removes him totally and he may not reclaim

1. Proposal: this dispute aligns with ר"א/חכמים (see note) – ר' אשי confirms

a) רב'ה even matches ר"א; though we allow broader ביטול, ~ → more powerful one (full disengagement)

b) שמואל even matches חכמים – though he allows for סילוק גמור, wouldn't give up home w/o explicating

2. Attempt: to align with ר"מ/ר' יהודה re: dissolving nullification by later using the area

a) Rejection: all agree that there is total disengagement unless he later carries intentionally

3. Dispute: whether we expand it to include inadvertent carrying as a precaution