

7.1.6

9a (משנה ג) → 10a (אבל התם לא)

- I. מְשֻׁנָּה ג' moving a ladder from one dove-cote to another
 - a. ב"ש forbid (but allow moving it from window to window within one cote)
 - b. ב"ה permit
- II. Analyses
 - a. רה"י in רה"ר #1: dispute only in רה"ר (all permit in רה"י)
 - i. ב"ש concern is מראית העין (moving the ladder for work in the garden e.g.)
 - ii. ב"ה the cote indicates his purpose
 1. Challenge: doesn't מראית העין extend to situations beyond real concern (רב)?
 2. Answer: that is subject to dispute, as per ר"א ור"ש against חכמים
 - b. רה"ר in רה"י #2: Dispute only in רה"י (all agree that it is forbidden in רה"ר)
 - i. Dispute: revolves around extension of מראית העין to private areas
 - ii. Challenge: is ב"ש ruling like רב?
 - iii. Answer: issue is subject to dispute of תנאים רב. רב would maintain that ב"ה permit even in רה"ר
- III. Related ברייתא
 - a. ב"ה and ב"ש agree that a ladder may be moved from cote to cote; dispute re: returning it
 - b. ד' יהודה only regarding a cote-ladder; they agree to forbid a loft-ladder
 - c. ד' דוסא it may be moved from window to window
 - i. (בשם ר' דוסא) אחרים: the base may even be adjusted a bit
 - d. ד' חייא sons (version1): they permitted a loft-ladder to be moved
 - i. Reasoning: since ר' יהודה claimed that ב"ש/ב"ה agree about it, ת"ק must hold
 1. That: their disagreement is maintained vis-à-vis a loft-ladder
 - ii. חייא's correction: ר' יהודה was explaining the reasoning of ת"ק
 - e. ד' חייא sons (version2): they permitted it to be leaned from one window to another,
 - i. Reasoning: דוסא came to permit what ר' יהודה forbade (moving a loft-ladder);
 - ii. But: the opposite is true (ר' יהודה allowed moving a cote-ladder)
 1. דוסא limited permission to window-to-window, never relating to a loft-ladder
- IV. Clarifying ב"ש v. ב"ה throughout the chapter
 - a. suggested switching ב"ש → ב"ה in משנה ב', keeping לחומרא ב"ש in all cases
 - b. Each case: from later משניות is raised against משנה ב' and the distinction is defended:
 - i. ב"ש only allows covering the blood because the shovel is plugged and ready
 - ii. ב"ה allows in each case due to a local reason