

# CHAVRUTA

## SHABBAT – DAF AYIN TET

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“Before he paid” and “after he paid” means: **If he** (the debtor) **says: “I did pay the loan back,”** in which case the document is useless according to the first Tanna, **or “I did not pay the loan back”** in which case the document is still valuable because it proves that the loan is outstanding.

But Rabbi Yehudah says that the promissory note is relied on even if the debtor said, “I paid the loan.” Therefore the creditor is liable even in this case, if he takes it out to the public domain on Shabbat.

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The Gemara now offers a third explanation of the disagreement between the first Tanna and Rabbi Yehudah:

**Rava says: Everyone agrees concerning a document which he** (the debtor) **wrote, he** (the creditor) **has to confirm it** by proving the validity of its signatures. And the Baraita is speaking of a promissory note that was confirmed.

**And here they are differing over** the question of **writing a receipt**. What is the custom when a debtor repays a debt? Does the creditor return his promissory note, or does the creditor keep his promissory note and give him a receipt?

**The first Tanna has the view that we write a receipt** to debtors when they pay a debt. Therefore if the creditor took the promissory note out to the public domain on Shabbat, he is exempt, because it is useless. For he is not allowed to keep it to be used to cover the mouths of containers, since it is forbidden to keep a paid-up promissory note (lest he claim the debt a second time). And he doesn't have to return it to the debtor, because he gave the debtor a receipt.<sup>1</sup> Thus the document has no normal use, and is considered an object without any significance.

**And Rabbi Yehudah has the view that we do not write receipts** because then the debtor would constantly have to guard it from mice. Instead, the creditor simply returns the promissory note. Therefore if the creditor takes out the promissory note on Shabbat, he is liable—because he needs the note so that he can return it to the debtor.

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<sup>1</sup> If the creditor returned the note to the debtor and he took it out, he is also exempt, because debtors do not keep old notes, lest they get lost and fall into the hands of the creditor.

## **PEREK 8 – 79A**

The Gemara now offers a different reason why Rabbi Yehudah says one is liable:

**Rav Ashi said:** The Baraita is dealing with a case where the *debtor* took out a paid-up note (which the creditor gave back to him), and Rabbi Yehudah says he is liable **because he needs the note to show it to a second creditor** whom he wants to borrow from, **that he says to him: See! I am a man who pays his debts.**

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The Mishnah said: **Leather - enough to make** the container of **an amulet**. This is the minimum amount of leather that one will be liable for, if one takes it out into the public domain on Shabbat.

**Rava asked Rav Nachman: If someone takes out leather, how much** does he have to take out to be liable?

**He (Rav Nachman) said to him: As it was taught in the Mishnah: Leather - enough to make** the container of **an amulet.**<sup>2</sup>

Rava asked Rav Nachman another question: **If someone tans the leather, how much** is the minimum amount to be liable?

**He said to him: It makes no difference.** It is the same as taking out the raw leather.

Rava asked once more: Raw leather that one intends **to tan, how much** does one have to take out to be liable? (Rava is intimating that at the moment, it is not fit to use for an amulet.)

**He said to him: It makes no difference.** The amount is - enough to make an amulet.

Rava said to Rav Nachman: **And from where do you know** this?

He replied: **Because it was taught in a Mishnah: Someone who whitens** wool by washing it, **or combs it, or dyes it, or spins** threads from it, **the minimum amount** to be liable for doing these primary categories of work is: enough wool to make a thread that is **double the whole width of the *sit*** (the distance between the tip of the index finger and the tip of the thumb).

**And similarly, someone who weaves two threads, its amount** of each thread is **like [double] the whole width of the *sit*.**

**We see that because** these preliminary actions such as whitening and dying **are preparatory for weaving,** their **minimum amount is like** that of **weaving.**

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<sup>2</sup> Rava knew this answer and was leading up to his next question.

## **PEREK 8 – 79A**

Therefore, **here too**, concerning leather that one intends to tan, **because it is preparatory to being tanned, its minimum amount** to be liable for **is like tanned** leather.

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Rava asked Rav Nachman yet another question: **And leather that is not set aside to be tanned, how much** must one take out to be liable?

**He said to him: It makes no difference.** This, too, is enough for an amulet.

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Rava asked Rav Nachman: **Do we not make a difference between tanned leather and non-tanned leather?**

**He Rava contradicted him** from a Baraita:

**If someone takes out dissolved dyes** that are ready to dye with, the minimum amount to be liable is **enough to dye with them a sample.** And this amount of dye is the same as the small amount of dye needed to color the amount of cloth needed **for** sealing the hole of the **weaving shuttle.**<sup>3</sup>

**But concerning dyes that are not dissolved, it is taught** in the Mishnah:

Soft outer **shells of nuts, and pomegranate skins, *sitim* and *su'a*** (grasses used for dying), their minimum amount to be liable if one took them out is **enough to dye with them a small cloth for putting on the front of the hairnet.**

Thus we see that the minimum amount for an unprocessed product (non-dissolved dye) is more than for the processed product (dissolved dye).

Rav Nachman answers Rava: **But we learned concerning this** Mishnah:

**Said Rabba bar Avuha:** The reason that unprocessed dye has a different minimum amount is **because no one takes the effort to dissolve dye to color with it a sample,** which is the same as the small amount of dye needed to color the amount of cloth needed **for** sealing the hole of the **weaving shuttle.**

On the other hand, a person will indeed trouble himself to tan a small piece of leather the size needed for an amulet.

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<sup>3</sup> The shuttle that holds the thread that goes back and forth as one weaves consists of a roll of thread that is placed in a tube. The end of the thread emerges from a hole at the end of the tube. This hole is then blocked with a piece of cloth so that the roll of thread doesn't fall out.

## PEREK 8 – 79A

Rava raises yet another contradiction to Rav Nachman who did not differentiate between tanned and non-tanned leather.

**But garden seeds, that before their sewing we are taught** in a Mishnah: **Garden seeds**, the amount to be liable if one takes them out is **less than a dry fig**. **Rabbi Yehudah ben Beteira says:** The amount to be liable is **five seeds**.

**But after they are sewn it is taught** in a Mishnah: **Manure and fine sand, enough to fertilize with it a cabbage stalk, according to Rabbi Akiva. And the Sages say: Enough to fertilize a leek.**

So we see that once seeds have grown into plants, even one plant is significant. Whereas to be liable for seeds, one needs to take out a number of seeds. Why is leather different?

Rav Nachman answers: **But it was said concerning it** (that Mishnah): **Said Rav Pappa:**

**This** which one plant is significant is **when it is planted**.

But **that** which one requires many seeds is **when it is not planted**, because a person **doesn't trouble himself to take out one seed to sew it**.

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Rava asks raises yet another contradiction to Rav Nachman: **But note that clay, which before it is kneaded, it is taught** in a Baraita (78b):

**And the Sages agree to Rabbi Shimon in** a case of **taking out waste water to the public domain**, that their amount to be liable is a *revi'it*, because this is the amount needed for their normal function of kneading clay.

**But after it is kneaded, it is taught** in a Baraita: **Clay – enough to make with it the mouth of an** small earthenware **furnace** used by gold refiners, and this requires far less water than a *revi'it*.<sup>4</sup> So according to you, why does someone have to take out a *revi'it* of waste water to be liable?

Rav Nachman answers: **Here too, as we said: Because a person doesn't trouble himself to knead** the tiny amount of clay **to make with it the mouth of a gold-refining furnace**.

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<sup>4</sup> *revi'it*: 86.4 gm or 2.9 fl. oz.

## **PEREK 8 – 79A**

Rava contradicts Rav Nachman once again: **Come and hear a proof: For Rabbi Chiya bar Ami said in the name of Ula: There are three stages in making parchment.**<sup>5</sup>

They are called: *Matzah*, and *chifa* and *diftera*. Each one has a different minimum amount to make one liable if one takes it out on Shabbat.

The Gemara now explains what they are: *Matzah*: **As it sounds**, i.e. it is totally plain, as is matzah: **That** it is **not yet salted, and that** it is **not floured, and** it is **not** processed with **gall nuts**.

**And how much is its minimum amount** to be liable if one takes it out?

**Rav Shmuel bar Rav Yehudah taught: Enough to wrap a small weight in it.**

**And how much** is the weight?

**Said Abaye: A quarter of a *litra* of Pumbedita.**

The second stage, *chifa*, is **that** it is **salted and not floured and not processed with gallnuts**.

**And how much is its minimum amount? As it was taught in our Mishnah: Leather – enough to make an amulet.** This is less than what is needed to cover a weight.

*Diftera* – **that** it is **salted and floured and not processed with gall nuts**.

**And how much is its minimum amount** to be liable if one takes it out? **Enough to write on it a divorce document.**<sup>6</sup>

**But the Baraita taught** us that for *matzah* parchment, the amount to be liable is **enough to wrap a small weight in it, and Abaye said** that the weight is **a quarter of a *litra* of Pumbedita**, and that is more than is needed for a divorce document.

So we see that processed leather has a minimum amount that is less than that of unprocessed leather!

Rav Nachman answers: **There**, the Baraita is dealing **with soft** skin just after skinning, and in that case, we do not say that the unprocessed product is like the processed product. But when Rav Nachman discusses tanned and non-tanned leather, both are already dried out.

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<sup>5</sup> In Hebrew, parchment and leather are both called *ohr*. Thus this is a direct contradiction against Rav Nachman).

<sup>6</sup> The words, “Behold you are divorced from me,” and the man and wife’s name, the witnesses and the date.

## PEREK 8 – 79A

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Rava asks poses yet another contradiction to Rav Nachman: **But it was taught in a Mishnah** in Tractate Keilim:

A regular **garment** must be **three tefachs by three tefachs** to become impure through *midras*<sup>7</sup>, because that size is fitting to sit or lie on.

**Sackcloth** must be **four by four tefachs**.

**Leather** – **five by five**.

**A mat** made of woven reeds – **six by six**.

And from sackcloth onwards, all these minimum amounts are **both for** impurity of *midras*, **both** for impurity of touching a **corpse**.

**And it was taught** in a Baraita **concerning it**: Like the minimum amount of **the regular garment, the sackcloth and the leather, as regards impurity, so is their minimum amount for taking out** on Shabbat.

Thus leather will need five *tefachs*, which is much more than the amount needed to make an amulet. And we must assume that our Mishnah, which requires less, is dealing with non-tanned leather. And this contradicts Rav Nachman who says that non-tanned leather and tanned leather have the same minimum amount.

The Gemara answers: **That** Mishnah of Tractate Keilim is talking **about kortovla** – a boiled, hard leather that is only fit to sit on. That is why it needs a larger minimum amount than normal leather.

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### **Ammud Bet**

The Mishnah taught: **Parchment** – **enough to write on it the smallest passage** in the tefillin, which is the first of the four passages, that of *Shema Yisrael*.

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<sup>7</sup> The impurity that comes by an impure person sitting or lying on something.

## **PEREK 8 – 79B**

**And they** the scholars of the study hall **pose a contradiction** to this, from a Baraita:

To make parchment, leather used to be split into two. The outer layer is called *klaf* and the inner layer is called *duchsustus*.

**Klaf and duchsustus: enough** of each **to write on it a mezuzah** (i.e. the passages of *Shema* and *Vehaya Im Shamo'a*). This contradicts the Mishnah that says that the passage of *Shema* is enough.

The Gemara resolves the contradiction: **What is** the meaning of **mezuzah** in the Baraita?

**The mezuzah<sup>8</sup> in the tefillin** – the passage of *Shema* of tefillin.

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The Gemara challenges: **And are** the passages of **tefillin called mezuzah?**

The Gemara replies: **Yes!**

**And it is taught** so in a **Baraita** that says:

**Tefillin straps**, when they are attached **to the tefillin, render the hands impure**. This is due to the Sages' decree that holy books and writings render one's hands impure, when one touches them.<sup>9</sup> This impurity is only strong enough to disqualify *trumah* when one's hands touch the *trumah*. (This was one of the eighteen decrees mentioned above on *daf* 14a).

But if the tefillin straps are **by themselves**, they **do not render the hands impure**.

**Rabbi Shimon ben Yehudah says in the name of Rabbi Shimon: If someone touches the strap**, his hands are **pure**, even if the strap is attached—**unless he touches the tefillin box** itself.

**Rabbi Zakai says in his** (Rabbi Shimon ben Yehudah's) **name: Even if someone touches the box**, he is **pure—unless he touches the mezuzah** (passage of the tefillin) **itself**.

Thus we see that the passages of tefillin are called a *mezuzah*.

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<sup>8</sup> It is called *mezuzah* because one hides it (*gonzah*) in the box of the tefillin. *Ritva*.

<sup>9</sup> With impure hands, one cannot eat. Therefore, by decreeing 'impurity' on holy books, people will be discouraged from keeping holy books next to food, and this diminishes the chances of mice damaging the holy books. This is the reason for the Rabbinical decree.

## **PEREK 8 – 79B**

The Gemara poses another difficulty: How can you claim that the *klaf* and *duchsustus* spoken of in the Baraita was meant for tefillin?

**Rather, because it is taught in that Baraita in the end: *Klaf* – enough to write the smallest passage in tefillin, which is *Shema Yisrael*,**

**we can deduce that the beginning** of the Baraita, which states: “*Klaf* and *duchsustus*: enough to write on it a mezuzah,” is talking about a regular mezuzah.

But if so, the Baraita is self-contradictory, because in the beginning it states that *klaf* must be the size of a mezuzah, and in the end it states that *klaf* must be the size of *Shema Yisrael*!

The Gemara answers all this by altering the text of the Baraita: **This is how it** (the Baraita) **was taught:**

**How much is the minimum amount of *klaf* and *duchsustus* to be liable? *Duchsustus* – enough to write on it a mezuzah,** because *duchsustus* cannot be used to write tefillin on.

***Klaf* – enough to write on it the smallest passage in tefillin, which is *Shema Yisrael*.**

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Rav disagrees with this distinction: **Said Rav: *Duchsustus* is like *klaf*. Just as *klaf*, one can write on it tefillin, so *duchsustus* one can write on it tefillin.**

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The Gemara challenges Rav: But **it is taught in our Mishnah: *Klaf* (parchment) - enough to write on it the smallest passage in the tefillin, which is the first of the four passages, that of *Shema Yisrael*.**

And we can infer from that: ***Klaf*, yes! But *duchsustus*, not!**

Rav answers: **For the mitzvah** to be performed in the best possible way, one should use *klaf*. Therefore, in practice, people do not use *duchsustus* to write tefillin. So to be liable for taking out *duchsustus* to the public domain, one has to take out the larger minimum amount used for writing mezuzot.

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The Gemara again challenges Rav: **Come and hear a proof: The following is a Halachah of Moshe, passed down from Sinai<sup>10</sup>:**

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<sup>10</sup> I.e. a Torah law whose source is in what Moses was taught by G-d on Mt. Sinai, although this law has no source at all in the Written Torah.



## **PEREK 8 – 79B**

- a) **Tefillin** are written on *klaf*.
- b) **And a mezuzah** is written on *duchsustus*.
- c) *Klaf* is written on **the** inner **side** facing the flesh.
- d) *Duchsustus* is written **on the** outer **side** facing the **hair**.

We see once again that only *klaf* may be used for tefillin.

Rav answers: Here, too, **for the mitzvah** to be performed in the best possible way.

The Gemara challenges this: **But it is taught in that Baraita: If he altered, it is invalid?**

Rav answers: That clause of the Baraita refers only **to a mezuzah**, that if one wrote a mezuzah on *klaf*, it is disqualified. But if one wrote tefillin on *duchsustus*, it is kosher.

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The Gemara challenges Rav once again: **But it was taught in a Baraita: If one altered in this (mezuzah) or that (tefillin), it is invalid.**

Rav answers: **This and that** both refer **to a mezuzah**, because there are two disqualifications in a mezuzah: **This** refers to:

- a) **When one wrote it on klaf** (incorrect parchment) **on the** outer **hairy side** (which is the correct side for a mezuzah).
- b) **Or also** if he wrote the mezuzah **on duchsustus** (correct parchment) but **on the inner side, of the meat** (incorrect side for a mezuzah).

But with tefillin, one may use *duchsustus*.

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Rav gives yet another answer: **And if you wish, I could say: “If he altered with this or that”** does indeed mean that tefillin may not be written on *duchsustus*.

Nevertheless, this Baraita does not disprove Rav’s view, because:

**It is a disagreement between the Tanna’im**, and Rav rules like the lenient opinion.

**Because it was taught in a Baraita: If one altered in this (mezuzah) or that (tefillin), it is invalid.**

## PEREK 8 – 79B

But **Rabbi Acha** says it (tefillin written on *duchsustus*) is **kosher**. He says this **in the name of Rabbi Acha bar Chanina, and some say, in the name of Rabbi Yaakov b'Rabbi Chanina.**

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**Rav Papa said: Rav says as it was taught in the House (academy) of Menashe:**

**For it was taught in the House of Menashe: If one wrote it on paper or a strip of cloth it is invalid. On *klaf* and on *gvil* (tanned parchment that has not been split into *klaf* and *duchsustus*) and on *duchsustus*, it is kosher.**

**What was written** on these materials?

**If you say a mezuzah**, this is impossible. **Do we write a mezuzah on *klaf*?**

**But no**, it must be that someone wrote **tefillin** on these materials. So we see that this Baraita allows tefillin to be written on *duchsustus*, in accordance with the view of Rav.

The Gemara rejects Rav Papa's answer: **And according to your rationale**, the Baraita is still not properly explained, because **do we write tefillin on *gvil*?** Therefore the Baraita cannot be speaking about tefillin, and cannot be used to support Rav.

**But when that Baraita teaches us**, it is teaching us **concerning a Torah scroll**, that it can be written on *gvil*.

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The Gemara tries to bring support for Rav from another Baraita:

**Let us say it** (the following Baraita) **supports him:**

The rule is that the more holy tefillin of the head cannot be downgraded and turned into the less holy tefillin of the hand.

**Similarly, tefillin that wore out and a Torah scroll that wore out, one may not make from them a less holy mezuzah, because one cannot lower an object from a greater sanctity to a lesser sanctity.**

The Gemara infers from this: **The reason** that one may not downgrade tefillin into a mezuzah is because **one cannot lower** their sanctity. **But if we could lower** their sanctity, **we would do it.**

## **PEREK 8 – 79B**

And we can infer further: These tefillin that we would turn into a mezuzah (if not for the sanctity problem) – **are written on what?**

**Are they not written on *duchsustus*?** Because if they were written on *klaf*, everyone agrees that a mezuzah may not be written on *klaf*. Thus this Baraita expresses the view of Rav, that tefillin can be written on *duchsustus*.

The Gemara rejects this: **No!** We can argue that here we are dealing with a case **that it is written on *klaf***, since tefillin cannot be written on *duchsustus*.

And if you ask: **But can one write a mezuzah on *klaf*?**

We answer: **Yes!** Because there is such a view.

**And it is taught** in a Baraita that such a view exists:

**If one wrote it** (a mezuzah) **on *klaf*, on paper, and on a cloth strip, it is invalid.**

**Said Rabbi Shimon ben Elazar: Rabbi Meir used to write a mezuzah on *klaf* because it lasts** longer than *duchsustus*.

The Gemara concludes: **Now that we have reached to this** conclusion, that a mezuzah can be written on *duchsustus* according to Rabbi Meir, we can now understand Rav's original statement differently.

**According to Rav, too, you do not have to say** that he said: *Duchsustus* is like *klaf* and tefillin can be written on *klaf*.

**Rather, you can say** that Rav said as follows: *Klaf* is like *duchsustus*. Just as with *duchsustus*, one can write a mezuzah on it, so with *klaf*, one can write a mezuzah on it.

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The Mishnah says: **Ink – enough to write** [two letters.]