

Daf Review – Shabbos 107

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Mishna 106b: (continuation of trapping - there is a animal in the house)

- If a Reuven sat at the entrance of a home, but did not fully block it, then Shimon came and sat next to him to fully block the entrance. The Shimon is *Chayev*.
- If Reuven sat at the entrance of a home, and he fully blocked it, and then Shimon came and sat with him in a way that he too fully blocked the entrance; and then Reuven got up and left. Then Reuven is *Chayev* and Shimon is *patur*. (This, [Shimon] is compared to a situation where a deer was bound in the house and then one locked the door - he is not *chayev* because the deer was already considered trapped before the door locking)

Gemora: “If a bird flies into one’s garment on shabbos, he may sit and guard it until Shabbos ends.” (He may sustain the present situation just like the second case of our mishna with regard to Shimon).

- Rav Nachman bar Yitzchak says that our mishna disagrees with this psak, our mishna says regarding the similar case of blocking the entrance “*patur*”; and “*patur*” is “*Patur aval Assur*” exempt from a *karbon*, but it is rabbinically prohibited.
- Gemora states that the mishna means “*Patur uMutar*”; proof is from the locked door case in the mishna.
- Shmuel states that “*patur*” regarding shabbos always means “*Patur aval Assur*” except for three exceptions which are “*Patur uMuttar*”. A) our mishna. B) draining pus from a boil on shabbos. C) trapping a snake or scorpion to prevent it from biting someone. [End of Perek]

Mishna 107a

- The 8 *Shratzim* mentioned in the Torah: If you trap or bruise them on shabbos, you are *chayev*. (These animals are normally trapped; and these animals have a thicker skin which can bruise; and the bruise remains for a while).
- But regarding other *Shkatzim* (vermin) or *Remasim* (crawling things), if you bruise them then you are *Patur*, if you trap them for a positive purpose, you are *chayev*; not for a positive purpose, you are *patur*.
- Beasts and birds under your domain, if you trap them you are *patur*, if you bruise them you are *chayev*.

Gemora:

- We assume that if you are *Chayev* for bruising, that it is because the *sheretz* has a hide (as is R’ Yochanan ben Nuri’s opinion); The gemora attempts twice to prove that the Rabanan disagree with RYbN.
 - Rav says that this could even be the Rabanan’s opinion that they only disagree with R’ Yochanan ben Nuri regarding *Tuma* but not regarding Shabbos.
 - Furthermore, the *braisa* brought to show that there is in fact a *machlokes* between the Rabanan and RYbN regarding *shratzim* on Shabbos, should not be attributed to the Rabanan but rather to Rabbi Yehuda.
- The bruise must remain for a while (*chabura sh’aino chozeres*): We learn this from the *pasuk* in Yermiyahu, “*haYahphoch Kushi oro, vNamer chavar’b’rosav?*” (Can a Kushite change his skin color or a leopard his spots?). Instead of translating “*vNamer chavar’b’rosav*” as “a leopard his spots”. We translate *vNamer* as *Tmurah* (exchange), and “*chavar’b’rosav*” as “his wounds”. Hence it means, just as a Kushite’s skin cannot change color, so too his wound will not be exchanged (changed) either; The bruise/wound is irreversible (i.e. it will remain for a while). A *chabura* is an irreversible injury; and one is *chayev* on shabbos when one causes an irreversible injury.
- The second phrase of Mishna implies that one would be *chayev* for killing other *Shkatzim* an *Remasim* on Shabbos. The Gem assumes that this is only the opinion of R’ Eliezer who holds that killing a *kinah* (louse) is like killing a camel. Rav Yosef explains that the only rabannan dispute with R’ Eliezer regarding killing is with the *kina*, because they don’t reproduce, but otherwise there is no dispute. (The foundation of the dispute is based on understanding the source of the *melacha* of *shchitta*; what is learned from the rams whose hide was used in the mishkan; whether *shchitta* applies to a being whose life can be taken; or rather to a being who reproduces.) Rav Yosef also explains that any reference in *chazal* to *Beitze Kinim* (Lice eggs), actually refers to a species called *Beitzie Kinnim*.
- If you trap for a positive purpose (you want what is being trapped), then you are *chayev*, else you are *patur*. This is the opinion of R’ Shimon who says *Melacha shaino tzricha l’gufo is patur*. (You are *patur* if you do a *melcha* not needed for it’s defined purpose.)
- Two rulings (based on Shmuel): 1) If you remove a fish from water, as soon as there is a dry spot, or slimey spot on it’s fins, the size of a sela coin, then you are *chayev* for *shchitta* because the fish will surely die. 2) If you insert your hand into an animal’s womb and dislodge the fetus then you are *chayev* because of *oker davar maygidulo*, uprooting something from it’s source of growth;

Inspiration:

- Klal gadol: whenever you see a remedy in the gemara, never try it at home. Why, because that was reflective of chazal medicine of their time. Likewise other scientific ideas in the gemara are reflective of their contemporary science.
- A source for discussion of abortion is our gemora regarding dislodging an animal’s fetus from it’s womb. It is noteworthy that the gemora states it is *oker davar maygidulo*, uprooting something from it’s source of growth; yet the gm does not state that it is considered *shchitta*!