



## Cases of Musical Instruments

The *Mishnayos* toward the end of the sixteenth *perek* of *Mashechet Keilim* discuss the *tumah* status of various bags and cases. The *Mishnah* (8) refers to the case for a musical instrument by the name of *symponia*. When the instrument is placed in the bag from the top – it contracts *tumah*, whereas if it is placed in the bag from the side it is *tahor*. The *Mishnah* then refers to the case of a flute and states that *R' Yehuda* rules that this case is *tahor* as the instrument is inserted into the case from the side. It is unclear from the *Mishnah* however, how the *Tana Kama* would rule with regard to the *tumah* status of the flute case. The *Tosfot Yom Tov* comments that according to the common stylistic flow of the *Mishnah*, it would seem that the *Tana Kama* would disagree with *R' Yehuda* and rule that the flute case would be *tameh* even though the instrument is usually placed in the bag from the side. This is difficult as it seemingly contradicts the *Tana Kama's* opinion in the earlier example of the *symponia* case.

The *Tifferet Yisrael* explains that in the example of the *symponia*, the instrument is placed in the bag from its top and therefore the bag itself has a *beit kibul* and subsequently is able to contract *tumah*. However, if one had a bag where the whole side is open and one placed the instrument into the bag from its side, then this bag is rather considered as a covering rather than a *kli* with a *beit kibul* and will be *tahor*.

In the example of the flute, the *Tifferet Yisrael* explains that the bag is one with two openings – one from its top and the other from its side. The *Tana Kama* in our *Mishnah* holds that usually one would put the flute into the bag from its top opening, meaning that the *kli* would have a *beit kibul* and be susceptible to *tumah*. *R' Yehuda* disagrees and states that it is more common for a person to use the side opening for the flute and therefore the bag is considered a covering and is *tahor*. This argument seems to be one of *metzius* – i.e. what is the common practice.

The second answer of the *Tifferet Yisrael* defines the case of the flute as a long, thin cylindrical object. The common way of using this case is to insert the flute from the top and then to store the case containing the flute on its side in

order to keep it protected. The *Tana Kama* holds that since one usually inserts the flute into the case from its top, it should be considered a utensil with a *beit kibul* and be able to contract *tumah*. *R' Yehuda* disagrees and holds that since this case is never held or used when it is upright, rather it is commonly kept on its side, when using the side opening the bag is to be considered a covering and remains *tahor*.

The *Mishna Achrona* cites another answer to this question. He explains that the *symponia* was an instrument that could only be played while upright. In most circumstances, in order to bring the instrument closer to the musician they would elevate the *symponia* on a stool or table. If these tables were too low, the case could actually be used as a stand. Since this case had a dual purpose – for use as a case as well as a stand it can contract *tumah*. This is based on the *klal* stated by *R' Yossi* in the previous *Mishnah* (*Keilim* 17:7) that a utensil is *tameh* when it has a purpose whether 'in use' or 'not in use'. However, when the *symponia* case is used from the side, i.e. when it is not needed for use as a stand and is solely used as a cover for the instrument, it remains *tahor*. This logic would also explain the rationale for the case of the flute remaining *tahor* and imply that the *Tana Kama* of the *Mishnah* was in fact reflecting the opinion of *R' Yehuda*, rather than arguing with him.

The *Mishna Achrona* offers another answer. He states that the flute cases could be used to carry numerous flutes at the one time. The *Tanna Kama* hold that since it is convenient for a person to transport many flutes in the one case, it therefore becomes a receptacle and is no longer subject to the *klal* mentioned by *R' Yossi* in the previous *mishna* and can become *tameh*. This would apply irrespective of whether the case was predominantly used from the top or from the side.

*R' Yehuda* on the other hand, holds that despite the flute case being able to hold many flutes, the case was not used predominantly to transport the flutes. Since this is not their purpose, they are not viewed as a receptacle when used from the side and remain unsusceptible to *tumah*.

## Revision Questions

סילכו: רי"ט – י'ה: ז"י

- Which of the seven liquids is not susceptible to *tumah*? (וי: רי"ט)
- Which of the books of *Tanach* is not *metameh* hands? (וי: רי"ט)
- Which animal trap is *tameh* and which is *tahor*? (וי: רי"ט)
- What is the law regarding a wooden utensil that is broken in two? (אי: ז"י)
- What is the exception to the previous question? (אי: ז"י)
- When is a wooden utensil considered complete? (אי: ז"י)
- When are the following wooden utensils considered complete:
  - Wooden *salim*?
  - *Kalkala*?
  - *Beit Haleginim*? (יב: ז"י)
  - Small and large *kenonim*?
  - *Arak*? (יג: ז"י)
- When are the following leather utensils considered complete (include both opinions):
  - *Turmel*?
  - *Skurteya*?
  - *Ketavulya*? (יד: ז"י)
- When is a *chatol* susceptible to *tumah*? (יה: רי"ט)
- What is the general rule regarding the susceptibility to *tumah* of leather gloves? (וי: ז"י)
- Provide some examples to the rule in the previous question. (וי: ז"י)
- What is the general rule regarding the susceptibility to *tumah* of accessories to essential tools? (ז: ז"י)
- Provide some examples to the rule in the previous question. (ז: ז"י)
- What is the general rule regarding the susceptibility to *tumah* of bags of utensils? (ח: ז"י)
- Provide some examples to the rule in the previous question. (ח: ז"י)
- How large would a hole in the following wooden and leather utensils be such that they are no longer susceptible to *tumah*:
  - Household utensils? (יא: ז"י)
    - Include both opinions in detail.
    - Explain the debate regarding small utensils (יד: ז"י)
  - A gardener's *kupah*? (יא: ז"י)
  - A *chemet*?
  - A pot-chest?
  - A *beit ha'rei*? (יב: ז"י)
  - Bread baskets? (יג: ז"י)
- Explain the debate regarding how *apifyrot* can become susceptible to *tumah*. (יג: ז"י)
- How large is a dimension described as a *rimon*? (יה: ז"י)
- What are the four opinions regarding the importance of *rimonei badan*? (יה: ז"י)

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Rabbi Mordechai Scharf  
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### SHIUR

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## Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שדוק תבש
18 <sup>th</sup> January כז" תבש	19 <sup>th</sup> January כח" תבש	20 <sup>th</sup> January כט" תבש	21 <sup>st</sup> January יא" טבש	22 <sup>nd</sup> January יב" טבש	23 <sup>rd</sup> January יג" טבש	24 <sup>th</sup> January יד" טבש
Keilim 17:6-7	Keilim 17:8-9	Keilim 17:10-11	Keilim 17:12-13	Keilim 17:14-15	Keilim 17:16-17	Keilim 18:1-2

