



Mechitzah Arai

The *Mishnah* (17:7) records a debate about using a board to seal a window on *Shabbat*. According to *R' Eliezer*, the border must be tied to the wall and be hanging above the floor in order to use it to seal the window. The *Bartenura* explains that were that not the case, *R' Eliezer* maintains that it would appear as though one was *mosif al ha'binyan* – adding to the construction – and even a temporary addition is prohibited. The *Chachamim* however disagree. The *Bartenura* explains that as long as the board was set aside for that purpose, it can be used to close up the window. The *Chachamim* do not forbid temporary adages.

The *Gemara* (125b) explains that everyone agrees the one is not allowed to construct a temporary *ohel* on *Shabbat*. The debate in our *Mishnah* is whether one can add to an existing one. *Rashi* (s.v. *she'ein*) comments that the issue of constructing a temporary *ohel* refers specifically to the addition of a roof. For example, placing a mat on top of four poles to create a shaded area. Erecting a makeshift wall for privacy however would be permitted.

The *Tosfot* (s.v. *hakol*) however ask that we find in *Eiruvin* (44a) that the *Gemara* prohibits adding a third wall to a *sukkah* (yet permits add a fourth). We find therefore that it is indeed prohibited to construct a temporary wall.

Rabbeinu Tam explain that it is prohibited to construct even a temporary wall. The difference between the third and fourth wall is that the third wall affected a legal change – it is now a *kosher sukkah*. Consequently, it is considered as if it is like the construction of an *ohel*. Regarding the addition of the fourth wall, since the *sukkah* is already valid, it is considered like an addition to an existing *ohel*.

Interestingly, one could defend *Rashi* based on his comment in *Eiruvin*. There *Rashi* explains that when the *sukkah* had only two walls it was not defined as an *ohel*. It is the construction of the third wall that defines it as an *ohel*. In other words, *Rashi* can still maintain that the issue is constructing a temporary *ohel* and not constructing a temporary wall. In this case however, when one adds the third wall, it defines the entire construction as an *ohel*.

The *Maginei Shlomo* explains that *Rashi* as follows. Even if there is a *sechach* above a *sukkah* that only has two walls, since it is not valid, it is not considered an *ohel*. The addition of the third wall defined that *sechach* above as *sechach* and the defines the construction as an *ohel*. In other words, when *Rashi* permits the erection of a temporary wall, it is only when it is not connected to the construction of an *ohel*, e.g. for privacy. If however the addition of the wall impacts the definition of the entire construction as an *ohel* then he would agree it is prohibited.

Even though the case of the *sukkah* was a *halachic* one, the *Maginei Shlomo* expands his understanding of *Rashi* further. The *Maginei Shlomo* understand that if a temporary *ohel* was constructed, but incomplete until the wall was added, then *Rashi* would agree that it would be prohibited. For example, if one placed a mat over four poles for shade, but it was insufficient until an additional wall is added, *Rashi* would agree that it would be prohibited to add that wall, much like the third all in the *sukkah*, since doing so would complete the *ohel*.

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Revision Questions

שבת י"ז: ג' – כ"ב

- If a stone is placed in a pumpkin shell (the purpose of which is to use the pumpkin shell draw water from a well) when can the shell be used on *Shabbat*? (י"ז: ג')
- Explain the debate regarding “plugging” up a window on *Shabbat*. (י"ז: ג')
- Which utensil covers are considered *muktza*? (Include both opinions) (י"ז: ג')
- What limitations are placed on clearing out food from a store room if the space is required for guests? (י"ח: א')
- Is one allowed to move *demai* produce on *Shabbat*? Why? (י"ח: א')
- Is one allowed to move *tevel* produce on *Shabbat*? Why? (י"ח: א')
- Explain the debate regarding when one can move *lof* on *Shabbat*? (י"ח: א')
- When is one allowed to move bundles of wood on *Shabbat*? (י"ח: ב')
- In what manner can one return a chicken that has escaped from its pen? (י"ח: ב')
- What restriction does *R' Yehuda* place on a parent walking with their young child? (י"ח: ב')
- In what manner is one allowed to assist an animal that is giving birth? (י"ח: ג')
- Do the same restrictions apply when a women is giving birth? (י"ח: ג')
- Is there a special manner in which one must carry a knife for the *brit millah* if he is carrying it on *Shabbat*? (י"ט: א')
- To what extent does *R' Eliezer* allow *melacha* to be performed on *Shabbat* for a *brit millah*? (י"ט: א')
- What general principle does *R' Akiva* make with respect to performing *melacha* for a *brit millah*? (י"ט: א')
- Are there any differences between a *brit millah* performed on *Shabbat* and a *brit millah* performed on a weekday? (י"ט: ב')
- On which day after the *millah* does *R' Elazar ben Azarya* permit the baby to be washed even on *Shabbat*? (י"ט: ג')
- Explain the debate regarding whether an *androginus* can have a *brit millah* on *Shabbat*. (י"ט: ג')
- The *Mishnah* described two cases where a person has two babies:
 1. One is meant to have a *brit* on *Shabbat* and the other on Sunday.
 2. One is meant to have a *brit* on *erev Shabbat* and the other on *Shabbat*.
 The *Mishnah* rules that if the wrong baby had its *brit* on *Shabbat* then in one case everyone agrees that the person would be obligated to bring a *chatat* while the other case is debated – which of the two cases is the subject of the debate and why? (י"ט: ד')
- The *Mishnah* explains that it is possible that a healthy baby can have its *brit millah* on the 8th, 9th, 10th, 11th and 12th day – how? (י"ט: ה')
- A *kohen* that has not had a proper *brit millah* is invalid from what? (י"ט: ו')
- *R' Eliezer* and the *Chachamim* debate setting up and using a *mashmeret* on *Shabbat* and on *Yom Tov* – explain the debate and state both opinions. (כ"א: א')
- Can one strain wine on *Shabbat*? (כ"א: ב')

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
15 January כ"ב טבת	16 January כ"ג טבת	17 January כ"ד טבת	18 January כ"ה טבת	19 January כ"ו טבת	20 January כ"ז טבת	21 January כ"ח טבת
Shabbat 20:3-4	Shabbat 20:5-21:1	Shabbat 21:2-3	Shabbat 22:1-2	Shabbat 22:3-4	Shabbat 22:5-6	Shabbat 23:1-2

