

## **And he brought in his bed there. – ועייליה לפורייה להתם**

### Overview

אשי wanted to be sure that there would be no laxity in the rebuilding of the ביכנ"ס, so he placed his bed and slept in the ביכנ"ס until the entire construction (including the setting of the drain pipes) was completed. תוספות will be discussing whether it is permissible to sleep in a ביכנ"ס.

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asks: תוספות

**And it is astounding! For you know that it is stated<sup>1</sup> concerning synagogues, that –**

**we do not sleep in them – אין ישנים בהם**

**neither a (fixed) [normal] sleep – לא שינת קבע**

**nor a temporary sleep (a nap). How was אשי רב permitted to sleep in this ביכנ"ס (that they were building<sup>2</sup>)?**

offers a possible answer and rejects it: תוספות

**and we cannot answer that he was permitted to sleep in the ביכנ"ס, since it was in בבל –**

**and אשי רב said in the last פרק of מגילה (דף כח,ב ושם דיבור המתחיל בתי) – מסכת מגילה**

**בבל of בתי כנסת – בתי כנסיות של בבל**

**are made with certain provisions.** These provisions allow the ביכנ"ס of בבל to be used for purposes other than a ביכנ"ס.

**and רש"י explained there** in מסכת מגילה that the fact they the ביכנ"ס were made תנאי –

**has a relevance concerning that which was previously taught** there in a ברייתא concerning a ביכנ"ס, namely that–

**one may neither eat nor drink in a ביכנ"ס – אין אוכלין בהן ואין שותים בהן**

**and one may not enter into them in the summer time to protect himself from the heat;** nor may he enter a ביכנ"ס -

**in the rainy season to shelter himself from the rain;**

**however in the ביכנ"ס of בבל he is permitted** to do the aforementioned acts. The בתי כנסיות in בבל were built with the provision that one may conduct himself there in a manner prohibited in other בתכנ"ס. It would seem from רש"י that in the בתכנ"ס of בבל one is permitted to sleep there as well, since it was built with the provision that people may sleep there. This would seemingly explain why אשי רב was permitted to place his bed in the ביכנ"ס.

<sup>1</sup> See תוספתא מגילה ב,יא. It does not mention however 'שינת עראי'. See מנחת בכורים there.

<sup>2</sup> See, 'Thinking it over'.

rejects this explanation:

**for the גמרא in מגילה subsequently relates that -**  
**רב and רבינא - רבינא אדא הווי קיימי ושיילי שמעתא מרבא**  
**standing and asking a הלכה question from רבא**  
**a downpour of rain fell upon them -**  
**so they entered into the ביכנ"ס to continue their discussion.**  
**However, they did not enter the ביכנ"ס to protect**  
**themselves from the rain -**  
**rather they entered the ביכנ"ס because**  
**learning תורה requires a clear mind<sup>3</sup>. This concludes the story. continues -**  
**but now let us see; this was a ביכנ"ס in**  
**רבא, and according to רש"י -**  
**they would be permitted to enter the ביכנ"ס**  
**on account of the rain.** The fact that the גמרא makes it clear that they did not enter the ביכנ"ס on account of the rain proves that even in בבב, one is not permitted to derive personal benefit from the ביכנ"ס<sup>4</sup>. The question therefore remains; how was רבא permitted to sleep in the ביכנ"ס.

answers:

**we can say that he did not**  
**bring his bed into the ביכנ"ס proper -**  
**but rather in a room adjacent to the ביכנ"ס**  
**in the place where the guests**  
**customarily sleep and eat there.** תוספות will now show that it was customary to have a room adjacent to the ביכנ"ס for guests.  
**as the גמרא states in פרק**  
**ערבי פסחים - כדאמרין בערבי פסחים (פסחים דף קא,א ושם דיבור המתחיל דאכלי)**  
**ערבי פסחים -**  
**and according to שמואל<sup>5</sup> why do they**  
**make קידוש in the ביכנ"ס?** The people go home to eat. There is no סעודה.  
The גמרא answers קידוש is made in order that -  
**the guests fulfill their obligation** to make קידוש.  
Since there are guests -  
**who eat, drink and sleep in the ביכנ"ס.** It seems obvious that these guests did these activities in the adjacent guest room provided for them, not in the ביכנ"ס proper. Similarly רבא placed his bed and slept in the adjoining room.

בתי כנסיות שבבב על תנאי הם עשוין תוספות deals now with the statement that

<sup>3</sup> רבא would not be able to come to the right decision, since they are being distracted by the downpour.

<sup>4</sup> תוספות disagrees with רש"י as to the meaning of עשוין תנאי הם עשוין, and will shortly give his interpretation.

<sup>5</sup> שמואל maintains that אין קידוש אלא במקום סעודה.

**and concerning that** which the גמרא states that the **על תנאי** **were made** it does not mean that one can arbitrarily make a provision permitting usage of the **ביכנ"ס** for personal needs (as **תוספות** previously proved from the story of the downpour); but rather the **תנאי** was made – **concerning that if** the **בתכנ"ס** **became destroyed** – **they can utilize** the destroyed **ביכנ"ס** **as they see fit** – **except** that they cannot utilize it **for light headed** purposes as the גמרא states there in מגילה.<sup>6</sup>

### Summary

It is forbidden to do any secular activity in a **ביכנ"ס** even in בבל. The provisions that were made for the **בתכנ"ס** of בבל was that one may make respectful use of them once they are destroyed, and no longer function as a **ביכנ"ס** proper; placed his bed and slept in a room adjoining the **ביכנ"ס** **אשי**; not in the **ביכנ"ס** itself. [רש"י maintains, on account of the provisions – **על** – **תנאי**, one may utilize an existing **ביכנ"ס** for personal needs.]

### Thinking it over

One would assume that the prohibition against sleeping, etc. in a **ביכנ"ס** is limited to a functioning **ביכנ"ס**. Here however **אשי** seemingly slept in a **ביכנ"ס** during construction<sup>7</sup> when it was not in use. How can we justify **תוספות** question?

<sup>6</sup> The גמרא there gives an example of **קלות ראש** to mean that it is forbidden to use the **ביכנ"ס** for **חשובות**.

<sup>7</sup> This should be perhaps considered **בחורבנן**, where everything besides **קלות ראש** is permitted.