

## אתו אינהו גזור אגושא לשרוף כולי -

### They came and decreed on the earth to be burnt

#### Overview

The גמרא needed to reconcile the ברייתא which stated that יוסי בן יועזר ויוסי בן יוחנן were on ארץ העמים and glassware, and the statement of רב כהנא that eighty years before the חורבן they were on ארץ העמים and glassware. The גמרא initially answered that originally they (the two יוסי ר') were to burn, only something which came in contact with the ground of ארץ העמים but not on the airspace at all, and later (פ' שנה) before the חורבן the גזירה was to be תולה for the airspace of ארץ העמים. Our תוספות explains how is the question regarding כלי זכוכית answered.

תוספות asks:

וקשה דמכלי זכוכית לא תירץ כלום<sup>1</sup> אפילו<sup>2</sup> לפי המסקנא<sup>3</sup> -

And there is a difficulty, for the גמרא did not answer at all regarding כלי זכוכית, even according to the conclusion of the גמרא!

תוספות responds to an anticipated answer:

דהא ליכא למימר דמעיקרא גזור אזכוכית לתלות ולבסוף גזור לשרוף כדמסקינן אגושא<sup>4</sup> -

For we cannot answer that originally (by the two יוסי ר') they were to be גזור to burn for glassware and eventually they were to burn, as we concluded regarding גושא, this cannot be -

דאכלי זכוכית לא שורפים כדאמרינן לקמן<sup>5</sup> -

For we do not burn on account of the טומאה of כלי זכוכית as the גמרא states later - דעבוד רבנן היכרא<sup>6</sup> דלא לישרוף עליה תרומה וקדשים -

<sup>1</sup> Was it the two יוסי ר' who were on ארץ העמים, or was it לפני החורבן (much later than the two יוסי ר').

<sup>2</sup> (which is not such a big question, for we can say the גמרא addresses it later), but even at the conclusion of the גמרא the issue of כלי זכוכית is not addressed.

<sup>3</sup> The גמרא finally concluded; the two יוסי ר' were to be גזור on גושא, but nothing on אוירא, the רבנן of פ' שנה were to be גזור on both גושא and אוירא to be תולה, and in אושא they were גזור on גושא and אוירא remained לתלות. That does not address the issue of כלי זכוכית; only ארץ העמים.

<sup>4</sup> According to this proposed answer (which תוספות accepts later), the answer on כלי זכוכית (that first לתלות and later לשרוף) was only given later; however the first answer (אזכוכית לתלות and later אגושא לשרוף), does not address the issue of כלי זכוכית at all. See footnote # 13.

<sup>5</sup> טזא.

<sup>6</sup> The רבנן ruled that כלי זכוכית are not פשוטי טומאה. People will then realize that they are not מדאורייתא (otherwise כלי זכוכית would be פשוטי טומאה), therefore if תרומה וקדשים come in contact with כלי זכוכית טמאים, we will not burn the תרומה וקדשים. It is evident that there is no דין שריפה by כלי זכוכית טמאים.

**תרומה** That the **רבנן** made a distinction regarding כלי זכוכית in order not to burn **on account of it**. We see there is no כלי זכוכית by דין שריפה.

answers: תוספות

ויש לומר<sup>7</sup> דדוקא בטומאת גבן<sup>8</sup> אמר לקמן דאין שורפין תרומה וקדשים -  
And one can say; that it is only regarding טומאה which the כלי זכוכית acquired from their back (outside) that the גמרא states later that we do not burn תרומה וקדשים which come in contact with this type of כלי זכוכית -

דאינו טמא אלא משום דמדמי להו לכלי מתכות<sup>9</sup> -  
For כלי זכוכית are only because they were compared to metal utensils -  
אבל שאר טומאות המטמאין מתורת כלי חרס שפיר שורפין תרומה וקדשים -  
However if the כלי זכוכית became טמא with other טומאות, which are מטמא with the rules of כלי חרס, in those cases we will indeed burn תרומה וקדשים, which came into contact with those כלי זכוכית טמאים -

דהא דמו לגמרי לכלי חרס<sup>10</sup> -  
כלי חרס are totally similar to כלי זכוכית.  
וכן בלאו הכי<sup>11</sup> צריך לפרש כן לקמן<sup>12</sup> -

And even without this complication, it is necessary to explain it in this manner later in the גמרא.

offers an alternate solution for his question: תוספות

ולספרים דגרסי הכא אלא מעיקרא גזור ולא קבלו מינייהו -  
And according to those texts which read here, 'rather initially they (the two ר' )

<sup>7</sup> גזור accepts the 'דעה ליכא למימר', that initially they were only כלי זכוכית by תלות גזור and later they were גזור, for there are two types of טומאות which the כלי זכוכית can contract; if they become טמא from their outside we do not burn תרומה וקדשים which came in contact with them; however if they became טמא from the inside, we are שורף תרומה וקדשים, which came in contact with them.

<sup>8</sup> Something טמא touched the backside (the outside) of the כלי זכוכית; in this regard כלי זכוכית are different from כלי חרס, for כלי חרס (earthenware) do not become טמא if their outside came in contact with a טמא (even if it is a טומאה), rather כלי חרס become טמא only מתוכן; if the טומאה entered their airspace

<sup>9</sup> See footnote # 10.

<sup>10</sup> גזור are very similar to כלי חרס since they are both made from earth/sand. Therefore the רבנן initially were גזור like חרס (so people would not be lenient by חרס) and that would only be by a טומאה מתוכן. However since כלי זכוכית can be reformed after they are broken just as כלי מתכות can (they are both melted down and recast again), therefore the חכמים were also גזור on טומאה מגבן. However in this גזירה they limited it (that טומאה מגבן is not כלי זכוכית) in order (מקבל טומאה) for a טומאה מגבן. However for a טומאה מתוכן since they are גזור, דמי לגמרי לכלי חרס, the גזירה is even לשרוף.

<sup>11</sup> Even if there would not be the question how to resolve the contradiction as to who was גזור on טומאה, we would still need to differentiate whether the כלי זכוכית became טמא מגבן (where we are not שורף) and where they became טמא מתוכן (where we are שורף תרומה וקדשים).

<sup>12</sup> See (בע"ה [footnote # 11] and in TIE there [footnote # 11] תוס' טז, ד"ה עבדי).

**but the people did not accept it from them** (יוסי) -

**ואתו רבנן דשמונים שנה וגזרו וקבלו מינייהו -**

**And the רבנן of שנה פ' decreed and they did accept it from them';** that was the answer. To which the גמרא challenged -

**למימרא דחדא גזרה הואי לשרוף והאמר אילפא כולי -**

**'do you mean to say that there was one גזירה to burn, but אילפא taught, etc.** that only גירסא was ידים and ארץ העמים, but not תחלת גזירתן לשרוף ידים -

**אתי שפיר דכלי זכוכית נמי בשינויא קמא<sup>13</sup> תירץ:**

**It works out well for the question on כלי זכוכית as well, was answered with the first answer.**

### **Summary**

The answer regarding כלי זכוכית that למסקנא may be only לתלות ואח"כ (since we are שורף for זכוכית by אילפא), or the answer could have been given initially if we are גורס that קבלו ואח"כ קבלו.

### **Thinking it over**

1. However it is asks that the גמרא does not address the issue of כלי זכוכית. However it is possible to say that there was no need to give an answer to this question since we can use the same answer<sup>14</sup> that was given regarding ידים, <sup>15</sup> that first they were as well.<sup>16</sup> only for קדשים and later they were גזור (כלי זכוכית on) גזור טומאה.

2. According to the ספרים דגרסי is the final answer of כלי זכוכית the first answer (לא קבלו) <sup>17</sup> or they also agree that the final answer is first לתלות and then <sup>18</sup> לשרוף?

3. According to the ספרים דגרסי, why did the גמרא assume that the תחלה גזור ולא קבל was for שריפה, so there is the question of אילפא, perhaps the תחלה (and the תחלה גזור ולא קבל) was just לתלות?<sup>19</sup>

<sup>13</sup> According to the ספרים דגרסי the גמרא initially in its first answer addressed both ארץ העמים and כלי זכוכית that first גזרו וקבלו and later גזרו ולא קבלו; that answer applies to כלי זכוכית as well. See footnote # 4. See 'Thinking it over' # 2.

<sup>14</sup> This answer will not apply to ארץ העמים for it is highly unlikely that קדשים (in the ביהמ"ק) will be in contact with עפר ארץ העמים. Therefore the גמרא had to find another answer, but not regarding כלי זכוכית.

<sup>15</sup> on the very top. א, ט.

<sup>16</sup> See מהרש"א (הארוך).

<sup>17</sup> The difficulty with this option is the question based on אילפא that only ידים was לשריפה.

<sup>18</sup> The advantage of the ספרים דגרסי is then limited since ultimately they agree that it is the final answer which resolved the כלי זכוכית issue.

<sup>19</sup> See מהרש"ל, מהרש"א הארוך וכו'.