

2 – Shabbos 2a1 line 2 A7  
Weinbach p21

הָעָנִי עוֹמֵד בַּחוּץ וְבַעַל הַבַּיִת בְּפָנָיו

The poor man stands outside and the householder stands inside.

Why does the Mishnah use the example of a poor person standing on the street and a generous householder taking food and giving it to the poor person? Any transfer of property between domains could have illustrated the prohibition.

In a later perek, (Mishnah 19:4) there is a discussion about a person who unintentionally violates Shabbos while in the process of performing a mitzvah as to whether he is obligated to bring a sacrifice. This example addresses that question.

## או שנתן לתוכה והוציא שניהם פטורין

The owner of the house takes the object in his hand and reaches out into the street, then the poor man takes the item from the owner's hand and puts it down.

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The law is that they are not liable, however, what they did is forbidden. Even though it is a Rabbinically prohibited act, they are exempt from punishment.

We could interpret this differently. If the house owner picked up the object on behalf of the poor man, technically acting as his agent, he performed an entirely permissible act. The poor man, when he puts the object down in the public domain, has had an agent for ½ the task and his own action is the second ½ of the task and therefore, should be liable. However, you can't have an agent commit a sin for you. So even though the first act, done by the house owner, is not sinful, when the activity is completed, it becomes an activity which is sinful. However, the home owner could not be an agent for an activity which is sinful. Therefore, since each party performed only a portion of the activity, neither is culpable.

2 – Shabbos 2a2 line 12 A11  
Weinbach p21

## שְׁנֵיהֶם פְּטוּרִין

Both are exempt.

Why should carrying a load all day in a private domain be permitted, but carrying a small item, even briefly, out into a public domain, be forbidden?

Because, (in Ex:36:6) the prohibition is “in bringing out”, specifically from one domain to a different domain.

2 – Shabbos 2b1 line 6 A18

Weinbach p21

## תְּנִי אֲבוֹת וְתִנִּי תוֹלָדוֹת

Teaching primary cases and teaching secondary cases.

Transferring an object from a private domain to a public domain is an AV Malachah, a primary case, because it is specifically prohibited in the Torah (Ex 36:6), “the people were prohibited from bringing out a gift to the sanctuary”.

-Taking something out from a private domain to the public domain is an AV Malachah.

-Bringing something in from the public domain to a private domain is not specifically prohibited but is inferred by the Rabbis and is a toladah.

2 – Shabbos 3b1 line 1 A2

Weiss #721

כִּי קָאִי רַבִּי בְּהָא מַסְכְּתָא  
לֹא תַשְׁוִּילֶיהָ בְּמַסְכְּתָא אַחֲרִיתִי

When Rebbe is engaged in the study of a particular tractate, one should not question him about another tractate.

Why?

Rashi and Ramban: to protect him from being embarrassed. He may not be conversant with the tractate and needs to review it.

R Yitchak Hutner: just the opposite, Torah study requires total concentration. Any extraneous question is a distraction. The greater the Rabbi, the more totally he is immersed in the thinking process.

2 – Shabbos 4a1 line 17 B36

Daf Digest

וְכִי אֹמְרִים לוֹ לְאָדָם חָטָא כְּדֵי שְׂיִזְכָּה חֲבִירָהּ

Do we ever say to someone, “sin so that your friend will benefit”?

A person forgot to unscrew the light bulb in the refrigerator before Shabbos. Others may, unknowingly, open the door and turn on the light multiple times on Shabbos, which is a Biblical transgression. Is a person permitted to unscrew the bulb with a shinui (in an unusual fashion), which is a Rabbinic prohibition and protect others from the more serious Biblical transgression?

It seems, yes, from the case where R Bibi permitted the bread attached to the oven be removed (4a2 line 21).

## שְׁלֹא הִיָּתָה עֲקִירָה מִשְׁעָה רִאשׁוֹנָה לְכָךְ

Without having the initial act intended to be a violation.

For example, he lifted the object in his private domain, intending to deposit it in another part of his private domain, but changed his mind and took it out to a public domain. He is exempt, because the initial lifting was not with the intent of taking it out to a public domain.

This is the reason given to allow children to carry on Shabbos. They are considered not capable of clear intent and without intent to violate a prohibition, they are not culpable. Therefore, they may carry the key and even more importantly the cholent from the baker's oven.

## וְאֵיזוֹ הִיא רְשׁוּת הָרַבִּים

What is considered a public domain?

There are 4 domains relating to the laws of Shabbos

1. private domain
2. public domain
3. karmelis
4. an exempt area

Public domain

Shulchan Aruch

public-Not roofed over.

-16 amos wide

i.e., 24-32 feet.

-Any street

traveled by 600,000  
people daily.

A distinction:

Carrying even “daled (4) amos” within any domain is forbidden, even if it has less than 600,000 people. But carrying from one domain to another domain is only forbidden if the public domain being carried to or from, is one that 600,000 people use per day. Most interpreters however, say there is no difference between carrying ‘daled (4) amos’ or changing domains. Both are forbidden in a public domain where 600,000 people pass per day.



וְהָא קָא מִשְׁמַע לָן הָא מִהֲנָךְ דְּלָא מְסַפְקָן

And this is what our Baraisa teaches us. Transferring from domain to domain is one of those activities about which we have no doubt: it is punishable by stoning.

Issi ben Yehuda concludes that there is one of the 39 Malachos which is not liable for stoning, but we don't know which Malachah it is. We know that carrying an object from one domain to another is liable for stoning but one of the remaining 38 is not.

This has practical ramifications. If you have a choice of feeding a seriously ill person by carrying food to him across a public domain or cooking food in his house, you should avoid carrying across the public domain. That is a violation that incurs the death penalty. Instead, choose to cook for him in his home. Perhaps that particular Malachah is the one that is not liable for stoning.

## מִפְּנֵי שְׂרִשׁוֹת הַיָּחִיד עוֹלָה עַד לָרָקִיעַ

A person drove a pole into the ground in a private domain and then threw something from a public domain which landed on the pole.

Even if the pole is 100 amos tall, the person is liable for transferring between domains because a private domain is considered to rise until the sky. It has no limit.

However, the air space, above 10 tefachim of a public space, is exempt space. So you could carry, for example, medication with your hand raised high and or in a unique fashion (a shinui), i.e., medications under your shirt, on Shabbos.

Presumably, if you threw something from a private domain and it landed on top of a pole higher than 10 tefachim in a public domain, you would have no liability.

2 – Shabbos 8a3 line 12 A12

Daf Digest

עמוד תשעה ברשות הרבים ורבים מכתפין עליו  
וזרק ונח על גביו חייב

A post of “9” tefachim – its top is considered a reshus harabim – a public domain.

- A post of “10” tefachim – its top is considered a reshus hayachid – a private domain.

Between 9 and 10 tefachim is considered a karmelis, since people won't use that height to adjust their packages.

Rashi accepts that the post keeps its status of a reshus harabim whether it is a wide top, greater than 4 x 4 tefachim, or a narrow top, less than 4 x 4 tefachim.

דָּאָמַר כָּל דְּבָר שֶׁהוּא מְשׁוּם שְׁבוּת  
לֹא גָזְרוּ עָלָיו בֵּין הַשְּׁמָשׁוֹת

Any activity forbidden by Rabbinic restriction is permitted during twilight on Friday.

The Rabbis placed restrictions only on the actual time of Shabbos, but were lenient in the period of time in doubt as to whether it was day or night.

However, only in certain circumstances:

1. For a matter of a Mitzvah – a need for his guests or for Shabbos itself, though not absolutely necessary, but would make Shabbos more pleasurable.
2. If it was for a pressing or disquieting matter – i.e., a need for light in the dining room or bedroom, (he may ask someone not Jewish to help him).
3. To avoid a great financial loss.

A woman who lights Shabbos candles, must also indicate that she accepts Shabbos, in order for Shabbos to start before twilight passes.

## טְרִיחוֹתָא לְמִיסַר הַמַּיְנוּיָהּ

Is it an inconvenience to tighten one's belt?

A belt must be worn when davening, in order that the heart not be in direct view of the private area below the waist. If one's pants are secured in a snug manner around a belt, this separation is satisfied.

Tosofos - there is no need for a special belt specifically for davening.

Ram – a special belt is appropriate – it is a beautification of the Mitzvah. It is a special dress code for the occasion. By wearing a belt (or gartel), we are showing that we want our heart and mind to be synchronized and focused and not have our thoughts stray during prayer.

2 – Shabbos 10a1 line 10 B10

Daf Digest

שָׂדֵי גְּלִימָיָה יָדָיָה וּמָצְלִי

He grasped his hands together and prayed.

Rambam - The proper position for Shemoneh Esrei is standing, with his right hand clasped over his left hand on his heart, and he stands with awe, reverence and fear.

The Beir Yosef says - the position of the hands differs in each country. In Europe with arms crossed, in Arab lands with hands behind one's back symbolizing that in front of this eminent person, he is powerless.

It is best to use the custom of the country he is in that conveys the posture used while standing before kings and great persons.

**מְנִיחִין חַיֵּי עוֹלָם וְעוֹסְקִים בְּחַיֵּי שָׁעָה**

Do they forsake eternal life and occupy themselves with temporal life?

Rava criticized Rav Hamnuna when he saw him prolonging his prayers at the expense of Torah study. While prayer is important, Torah study lies at the core of the existence of the universe. Without it, the universe would revert to nothingness.

A synagogue may be converted into a house of study, but not vice versa (Megillah 27A).

## כָּל דִּיּוּן שֶׁדִּין דִּין

Every judge who judges a true judgment,  
according to its truth, is as though the judge had become a partner in creation  
with the Holy One, blessed be He.

Such a judge introduces an additional amount of truth into the world, thus reshaping  
it into an improved creation with this added quality.

Every judge who is led by his experience, reason and insight, to true judgment has  
had Divine Assistance (Siato Dishmaya) and therefore in that manner, is a partner  
with the Almighty.

Evil destroys the world – every judge who thwarts evil, sustains the world by  
protecting it from the destructive influence of evil doers.



## הנותן מתנה לחבירו צריך להודיעו

If one makes a gift to a neighbor, he must inform the neighbor beforehand.

However, if one gives charity to another, it is better that the identity of the donor is not known. Why the difference? The person who needs charity will be embarrassed to know the donor. Every time the recipient sees the donor, he will recall his tough times and how beholden he is. However, every time the recipient of a gift, sees the person who gave him the gift, he will feel loved and will have a good feeling toward that person.

Man is blessed in that he is created in the image of God, but feels a special sense of God's love, by having been informed of that fact.

2 – Shabbos 10b1 line 15 B21  
Weiss #887

מִתְּנָה טוֹבָה יֵשׁ לִי בְּבֵית גְּנֹזִי וְשֶׁבֶת שְׁמָהּ

I have a precious gift in my treasure house and Shabbos is it's name.

The Shabbos is God's gift to us.

The non-observance of Shabbos is compared to a bride who returns her wedding gifts, indicating she is not willing to be married. It is a rejection of the gift.

2 – Shabbos 10b2 line 34 B26

Weiss #401

מִלְּתָא אֶלְבִּישִׁיהּ וְקִירָא

A garment is precious to its wearer.

That which is yours, is precious to you.

Every comment made by a teacher whom you respect, will be cherished and appreciated.

## לְעוֹלָם אֵל יִשְׁנֶה אָדָם בְּנוֹ בֵּין הַבָּנִים

A man should never distinguish one son among his other sons.

Jacob gave Joseph a gift in excess of his other sons and it resulted in 400 years of exile and slavery.

This exile was decreed anyway. Why do we blame the exile on Jacob and how he treated his sons? (Gen 15:13)

Because the decree referred to 3 periods:

- The first period was when the Israelites were considered foreigners.
- The second period was exile.
- The third period was servitude and oppression.

Had Jacob not acted the way he did towards his other sons, the last 2 periods would have been short and while the Israelites would still have been considered foreigners; they would at least have been in their own land for most of that 400 year period, instead of in the foreign land of Egypt.

כָּל עִיר שֶׁגָּבוּתֶיהָ גְבוּהֵינָּה מִבֵּית הַכְּנָסֶת לְסוֹף חֲרֻבָּהּ

Any city where the roofs of the houses are higher than the Synagogue, will ultimately be destroyed.

If people of the community place greater importance on their own physical comforts, rather than on their spiritual and holy activities, that community has demonstrated a priority system which is flawed and is doomed.

Deut 22:8 “when you build a new house, you should put a fence around its roof.” This effort should not be exaggerated and excessive, but within limits. If he does so, “no bloodshed will be placed on your home”. Peace and tranquility will be in your home, since a proper set of priorities has been established. Personal needs, certainly, but spiritual needs should be placed on a higher level.

2 – Shabbos 11a1 line 16 B11  
Weiss #764

כָּל מִיחוּשׁ וְלֹא מִיחוּשׁ רֹאשׁ

Any ache but not headache.

A headache symbolizes a distorted mental attitude, harboring non-beneficial thoughts.

For example, being disappointed that you were not chosen to be the head or leader. Remember, “Thirst for honor takes a man out of this world” (Avos 4:28).

2 – Shabbos 11a3 line 51 A21  
Weiss #801

וְלֹא יִקְרָא לְאוּר הַנֵּר

One must not read on the Sabbath by the light of a lamp.

When stated in the Mishnah, one reason is given, however, the Gemara explains: “lest he be tempted on the Sabbath to tilt it to bring more oil to the burning wick”. R Ishmael b Elisha said, “I will read and I will not tilt”, yet once he read, he wished to tilt. How great are the words of the sages (12a)!

The sages of the Mishnah gave no reason for this dictum. A reason can lead one to believe he can guard himself so as not to violate the Sabbath. If there is no reason given, the temptation to say the reason does not apply, is removed. This is more likely to result in avoiding the transgression.

וְלֹא נָגֵר בְּקִיסָם שְׂבָאִיןּוּ

Nor a carpenter with a clip in his ear.

Rashi – it was the custom in Rashi's day for men to wear earrings that were signs of their respective trades. There are references to ear, as well as, nose piercings in the Bible and Talmud. The only issue seems to be the fashion of the day. So there is no halachic prohibition to body piercings.

Arguments against this practice include:

- lack of aesthetic appeal
- concern regarding infection.

If private parts are pierced for fashion purposes, is there still an intent to keep them private? Modesty remains an important Jewish value. We are created in God's image and for many, piercing is not a practice consistent with that exalted image.



# וְהָא מִיבְעֵי לִיה כְּדֵי שְׁלֹא יִטְנָפוּ בְּלִיו

The sack is necessary in order that he not soil his clothes.

A covering which protects something from being soiled is not significant. However, if that covering is an actual garment which could be worn in a normal fashion, then it is not considered “carrying” if the item is worn on Shabbos.

For example, a raincoat could be worn to protect your clothes from rain. It could be worn even if it was not raining. So wearing a raincoat on Shabbos is not a problem. However, wearing a plastic cover so your hat does not get wet in the rain, is problematic.

R Moshe Feinstein says a plastic cover cannot be worn alone on Shabbos. It is usually worn to protect the hat and not to protect the person.

Are galoshes (rain-boots) acceptable to be worn on Shabbos? Yes, they are worn to protect shoes, but galoshes are also worn to protect a person’s feet from moisture and are therefore, considered garments.

One may wear a raincoat on Shabbos, however, wearing a blanket or plastic covering as protection from rain, is considered “carrying” on Shabbos

## יוצא אדם בתפילין בערב שבת עם חשיכה

It is permissible for a person to walk outside with his tefillin on Friday afternoon,  
We need not be afraid that he will forget he has them on.

He will remove them before Shabbos. We learn that a person is able to have his tefillin on for long periods of the day and also, is able to go out with them on into the street or marketplace.

Tefillin are worn in the manner of clothing and therefore, could be worn on Shabbos. However, the Rabbis restricted us from using them on Shabbos, concerned that we might take them off and carry them.

2 – Shabbos 12a2 line 16 B1

Weiss #687 Daf Digest

**חַיִּיב אָדָם לְמַשְׁמֵשׁ בְּבִגְדָיו עֶרֶב שַׁבָּת עִם חֲשִׁכָה**

A person is obligated to inspect his clothes on the eve of the Sabbath. It is a most essential obligation to fully benefit from Shabbos.

To best benefit from Shabbos, we should prepare earlier by reviewing our activities of the week and seek teshuvah for any mistakes. Our good deeds are like spiritual clothing that cover our souls. When the Gemara tells us to check our clothing, it may be referring to these spiritual clothes. We need to check that they are in order since Shabbos is coming.

הִתִּירוּ לְנַחֵם אֲבֵלִים וּלְבַקֵּר חוֹלִים בְּשַׁבָּת

They permitted consolation on Shabbos.

Rashi – consolation would cause pain, not only to the mourner, but also to the person extending consolation and diminish the joy of Shabbos.

Rambam/Rabbi Tzemach Duran – it is permissible to console a mourner on Shabbos.

Public mourning is prohibited, but greetings are permitted and words of consolation may be uttered.

נִדָּה מֵהוּ שְׁתִּישָׁן עִם בַּעֲלָהּ הִיא בְּבִגְדָה וְהוּא בְּבִגְדוֹ

May a Niddah sleep with her husband, she in her garment and he in his garment?

Fowl may not be set on a table with cheese – there might be a temptation to eat them. They should not be placed together. A person could forget and violate a restriction.

This situation is different – cheese and fowl there are inanimate objects, and there may be only one person involved in the temptation to violate a restriction. However, concerning a Niddah and her husband, each can remind the other about the restriction on their behavior to avoid temptation.

2 – Shabbos 13a4 line 40 A9  
Responsa 1991-2000 p 791

אַפִּילוּ שׁוּם קוֹרְבָּה אָסוּר

Even any sort of closeness if prohibited.

Not only sexual penetration, which is Biblically prohibited, but intimacy without penetration is also prohibited Rabbinically, if done for the purpose of gratifying sexual desire.

לֵךְ לֵךְ אֲמַרִי נְזִירָא סָחוּר סָחוּר לְבִרְמָא לֹא תִקְרַב

“Go away, go away”, we say to the Nazir, do not approach the vineyard.

It is not enough to resolve not to sin. Even a Nazir who has a heightened sense of obligation, needs to be cautioned to set up precautions and safeguards so he will not even be tempted. “Go away”, “Go around”, keep a distance from temptation.

Weiss #365, (Avoth 1:1) - make a fence around the Torah.  
Any prohibited activity should be widely avoided.

## וְהָבָא רֵאשׁוֹ וְרוּבּוֹ בְּמֵיִם שְׂאוּבִין

And in the case where one's head and shoulders entered into drawn waters.

Showering or rinsing off the Mikvah waters is prohibited while in the Mikvah building. People might think that it is not the Mikvah that purifies, but the rinsing afterwards, that purifies. People may then stop using the Mikvah altogether and only shower.

This concept is used by R Moshe Feinstein to rule that it is not appropriate for a bride to present a ring to her groom under the Chupah, even if the groom gives her the ring that establishes their Kiddushin, first. People might think that her act is necessary for the marriage to be in effect. This could lead to misunderstandings.

Therefore, it should not be allowed to occur.



## הַאֲחֻזָּה סֵפֶר תּוֹרָה עָרוּם

Whoever holds a Torah scroll when it is bare.

We are not to touch the Torah except through an intervening cloth. We cannot hold the unclothed Torah.

The person holding the Torah should be clothed in a respectful manner.

Some authorities concur that the roller poles also should not be touched without an intervening cloth. Therefore, the Sephardim keep the Torah in a box and do not touch the poles.

## גִּזְרוּ טוּמְאָה עַל אֶרֶץ הָעַמִּים

Decreed that the lands of the peoples was impure.

There is a Rabbinic decree that lands outside Eretz Yisroel are not pure and therefore a Kohen should not leave Eretz Yisroel to travel.

Unless the Kohen

- already lives outside Eretz Yisroel
- travels to get married
- travels to learn Torah
- travels for medical issues
- travels to recover from illness
- travels for respect to his parents
- travels to visit the sick

Some say that the holiness of Eretz Yisroel is not high in our day and therefore, this restriction no longer applies. Other contemporary authorities rule that a Kohen may not leave Eretz Yisroel unless it is for a Mitzvah.

2 – Shabbos 15a5 line 40 B2

Bleich 5:126

שֶׁלֹא דָנוּ דִינֵי נַפְשׁוֹת

They no longer judged capital cases.

Forty years prior to the destruction of the Temple, the members of the Great Sanhedrin left the Chamber of Hewn Stone (the lishkat ha-gazit). They left, because if they were not in their usual meetings site (the lishkat ha-gazit), they could not impose capital punishment. The Sanhedrin decided that there was so much crime, that the death penalty did not serve as a deterrent, even though if the law was broken the Sanhedrin would have had to enforce it,.

They could only avoid carrying out the death penalty, if they moved their chambers, and they did so.

## נָעֲצוּ חֶרֶב בְּבֵית הַמִּדְרָשׁ

They planted a sword in the house of study.

It was the custom at the time of a vote, that those who wished to enter could do so, but no one could leave while the sword was stuck in the floor..

However, it is prohibited (in Sanhedrin 82A) to bring a weapon into the house of study or a knife into a synagogue. Yet, we learn in our Gemara that “They planted a sword in the house of study.”

- Was it only in the entrance to the house of study?
- An ornamental dagger may be permitted.
- Prayer lengthens a person's life and a sword shortens it.
- If security purposes require weapons in the synagogue, the weapons should at least be covered with a garment or one's talis.

2 – Shabbos 17b2 line 19 B6  
Daf Digest

וְעַל יַיִן מְשׁוּם בְּנוֹתֵיהֶן

On their wine because of their daughters.

We are forbidden to drink alcohol with gentiles because this may cause families to grow together and have their children intermarry.

This may be a source utilized by Chassidim, who frequently will forge their friendships with a drink of Schnapps. Since this may forge friendships and that is what is desired between them, it is permitted. However, it is not permitted with gentiles.

2 – Shabbos 17b3 line 26 A10  
Daf Digest

## וּבֵית הַלֵּל מֵתִירִין

Beis Hillel permits.

Beis Hillel agrees that work, that was begun before Shabbos, can continue into Shabbos, to produce benefit on Shabbos, if no additional effort is added. The potential embedded in the system is allowed to continue on its own.

This is explained by Gen 2:3 though God rested after his work on the 6<sup>th</sup> day – his work continued to reap benefits on the 7<sup>th</sup> day. The plants grew and the animals thrived with no further input.

The potential had been placed in them to proceed automatically. So this is also permitted for us.

## פּוֹתְקִין מֵיָם לַגִּינָה

One may open a conduit for water from a spring to a garden on Friday and allow it to continue to flow and fill the garden with water throughout Shabbos.

Since the activity began before Shabbos, i.e., watering the garden, it can continue throughout Shabbos.

R Moshe Feinstein makes a distinction when it comes to Shabbos clocks since they start a process on Shabbos, i.e., turn on a fan or air conditioner, etc.; they are not allowed. A timer that turns on and off lights is permitted, because we have a tradition of non-Jews turning off lamps and that activity will not demean the Sabbath.

## אָבֿל אַיִן נוֹתֵנִין חֶטִּין לְתוֹךְ הָרִיחִים שֶׁל מַיִם

Watermills should not have grain placed into them on Erev Shabbos, if it will be ground on Shabbos.

- If people hear it, they might think that the grain was placed in the mill on Shabbos.
- Is it allowed to set up a chime clock or any clock to run on Shabbos or perhaps a video camera to record or transmit automatically on Shabbos? People know these were set up before Shabbos.
- There is concern that the equipment may break down and be repaired on Shabbos.  
We could have a qualified non Jew available to fix it if necessary.
- Use of video-audio equipment causes a violation of the prohibition of writing, if a taping is made. It also causes a violation of the prohibition of completing a creative act, therefore no taping would be allowed.



## משום שביתת כלים

### The idleness of utensils.

Use of utensils on the Sabbath:

You may permit a non-Jewish person to use your utensils to perform tasks which would be forbidden for you to perform on the Sabbath. However, not for purposes of transgression, i.e., to perform a crime.

You may not permit the use of your utensils to be used by a Jewish person to violate the Sabbath. The question arises regarding a Jewish bank, where the automated banking machine could be used on the Sabbath by a Jewish person. Are you facilitating that prohibited activity? Are you placing a stumbling block before him (Lev 19:14)?

The answer is learned from Avodah Zara 6b where it is prohibited to extend a cup of wine to a Nazir across a river. However, if both the wine and the Nazir are on the same side, the Nazir could get the wine without the assistance of the person. We view the person as not having facilitated the violation.

Here also, the Jewish person could use the ATM of a non-Jewish bank, so the availability of the ATM of a Jewish bank, does not create an enticement, a “stumbling block”, for him. The Jewish bank does not make possible, a transgression which could not otherwise be committed.

## משום שביטת פלים

The idleness of utensils.

Use of utensils on the Sabbath:

May a Jewish bank earn interest during the Sabbath, on money lent to another? Is this considered permitting his utensils (money) to “work” on the Sabbath? Is this considered a violation of the Sabbath?

Interest, if paid on a per diem interest rate, creates a problem.

Magen Avraham – not permitted to pay or charge interest for the use of money on the Sabbath day, even if the actual deposit or loan occurred on a weekday.

R Moshe Feinstein – interest is calculated from midnight to midnight, so part of the time of each period, will not be on the Sabbath. Also, a two day Yom Tov is really only one day. For example, if the 2 days of Rosh Hashanah or a Yom Tov falls on Friday or Sunday, interest must not be paid or charged, because there is an entire 24 hours that is within a holyday. Instead, give such monies to charity, anonymously, so as not to derive any benefit. Also, you could create a ‘heter iska’ stipulating that payments are deemed to be accrued on a weekly, rather than on a daily, basis.

## קַעֲבִיד מַעֲשֶׂה בֵּין דְּלֵא קַעֲבִיד מַעֲשֶׂה אָסוּר

Whether it performs an action or does not perform an action, it is forbidden.

Discusses the use of a fax machine or automatic answering device on Shabbos. We are not permitted to have our property utilized to perform an act of labor on Shabbos. A fax and/or an answering device does that, even if it is set up before Shabbos begins.

In addition, the message actually directs the caller to record a message, which is tantamount to “placing a stumbling block before the blind.” However, it is not certain that a Jewish person will call, so it is not a forbidden act. It is like the example of the Nazir and a glass wine, across the river. If he is on your side of the river, he could avail himself without your help, so your help is not considered enabling him at all.

2 – Shabbos 18b1 line 9 A23  
Responsa 1980-90 p 317N43

**לְמוֹצָאֵי שַׁבַּת אֶסוּרִין בְּכֵי שִׁיעָשׂוּ**

May we use products created on the Sabbath?

Yes, if enough time has elapsed after Shabbos for that item to be made fresh, it may be used; even if it was made on Shabbos by a non-observant Jew.

## נוֹתֵינַן מְזוֹנוֹת לְפָנֵי הַכֶּלֶב

We may place food before a dog.

Activities before Shabbos – which are permitted?

-putting food out in a courtyard for an animal	Yes	A7	
-renting utensils to a non-Jew on Erev Shabbos	No	A12	
-giving a letter to be delivered by a non-Jew	No	19a2	A9
-embarking on a boat trip (must start 3 days before Shabbos)	Yes	19a3	B11
-giving clothes to be laundered	No	19a4	line 6
-placing a beam on chopped fruit, so the juice will come out	Yes	19a5	A6
-starting to cook something that will not be fully cooked until the onset of Shabbos	No	9b3	A22

לֹא יִשְׁכִּיר אָדָם כְּלִיו לְנֹכְרִי בְּעֶרֶב שַׁבָּת

A person may not rent utensils or animals to a non-Jew,  
because if it is owned by a Jew, it must not do work on Shabbos.

Beis Shammai prohibits use of one's utensils, only if the work will be done on Shabbos for a Jewish person. However, if the work is done for a gentile, it is permissible.

Selling an animal just before Shabbos is Rabbinically prohibited. Due to the fact that others may not realize that the animal was sold. They may think that the animal was loaned or rented to a gentile, who will use it on Shabbos. However, if a Jew is only selling utensils, whose ownership would not generally be known, it is permissible to sell them just before Shabbos.

אֵין מִפְּלִיגִין בְּסָפִינָה פָּחוֹת מִשְׁלֹשָׁה יָמִים קֹדֶם לַשַּׁבָּת

We are not to go on a ship less than 3 days before Shabbos.

We are advised to avoid activities that will force us to violate Shabbos. This means that we should plan ahead and if possible, complete our activities in a manner that avoids Shabbos infractions.

A woman who is 9 months pregnant could be induced early in the week, so that delivery does not come naturally on Shabbos which would force care, travel, etc. for her family and the doctors. Is this advised? No. Delivery is dangerous and inducing labor increases that danger. It is not permitted – not for Shabbos or for personal or financial considerations.

אֵין מִפְּלִיגִין בְּסָפִינָה פְּחוּת מִשְׁלָשָׁה יָמִים קֹדֶם לַשַּׁבָּת

One may not embark on a ship less than three days before the Sabbath.

This rule is rooted in the concern that a person undertaking such a journey, seems to appear apathetic about the observance of the Sabbath.

This rule is extended to elective surgery, which some advise not be scheduled within three days of the Sabbath.

R Menachem Mendel Schneerson - no surgery on Wednesday, Thursday or Friday.

R Tam - unless it is for a mitzvah, and preservation of health is considered a mitzvah.

In fact, all voyages, other than a pure pleasure trip, are deemed to be taken “for purposes of a Mitzvah”.

Rav Gedalia Reder - does not permit a delayed Bris to occur on Thursday or Friday.

Shakh – permits a delayed Bris, even on a Thursday, because the Mitzvah is present, immediate and compelling and delay must be avoided. However, circumcision on Thursday of a proselyte, is not permitted, because of the absence of any immediate compelling Mitzvah.

However, if the surgeon who is most competent or in whom the patient has the most confidence, is not available early in the week, you may proceed on Wednesday, Thursday or Friday.



## אִין מִפְּלִיגִין בְּסִפְיָנָה פְּחוֹת מִשְׁלָשָׁה יָמִים קוֹדֶם לַשַּׁבָּת

Do you have a right to put yourself in a position where you have to violate Shabbos?

For example, you must do a Bris and after, you must heat up water to wash the baby as a threat on its life – may you do the Bris?

Rambam - says yes, it is permissible to do the Bris, and afterwards, you must wash the baby due to a threat on its life, that's also permissible.

Rasbah - says it is not permissible.

You are permitted to get on a ship just before Shabbos for a Mitzvah.

So in this circumstance, don't worry about Shabbos - do the Mitzvah then consider its effect on Shabbos.

Others say, No – you must plan ahead – i.e., the Mitzvah to eat matzo requires you to plan ahead. So to avoid a sin, you must plan ahead.

- not to do - you will have an onus

- to do - you will have an onus, but you will also have the Mitzvah!

2 – Shabbos 19a4 line 25 A16  
Bleich 3: p274

אֵין צָרִין עַל עֲוִירוֹת  
שֶׁל נִבְרִים פְּחוֹת מִשְׁלָשָׁה יָמִים קֹדֶם לַשַּׁבָּת

A siege may not be commenced within a three day period prior to Shabbos.

Rambam (Hil. Shabbat 2:25) and Rashi (Deut 20:19) agree that this restriction applies only to discretionary wars, Milchemet Reshut, but not to wars to deliver Israel from an enemy, i.e., a Milchemet Mitzvah.

2 – Shabbos 19b3 line 28 A23

Bleich 2:20

אֵין צוֹלֵין בְּשֶׁר בְּצֶל וּבִיצָה

We may not roast meat, onions or eggs

or place bread in an oven, unless there is sufficient time for them to cook prior to the onset of Shabbos.

We may:

- Lower the Pesach offering into the oven.
- Ignite the pyre of the Temple fire chamber.
- Light a charcoal fire.

# וְאִסּוּר לְהִשְׁתַּמֵּשׁ לְאוּרָה

It is forbidden to use their light.

If one used the light for personal use, it would not be apparent that the candles were lit for the Mitzvah, and to publicize the event.

It is forbidden to benefit from the light of the Chanukah candles.

What is the scope of that prohibition?

- Any usage is prohibited.

Rosh - Temporary use may be allowed.

- May use the light for a Mitzvah, i.e., eat a Shabbos meal or for learning.

Shulchan Aruch – Forbids any use.

## מִשֶּׁתִּשְׁקַע הַחֶמֶה עַד שֶׁתִּכָּלֶה רֶגֶל מִן הַשּׁוּק

We can light Chanukah candles from sunset. But how late in the night may we light them? Until the last person has left the market.

When the miracle can no longer be publicized, we are exempt from lighting the candles.

In times of danger, we are allowed to light the candles in our house, not in the doorway.

Logically, it seems the rules should be reversed. We should be exempt at times of danger, but should still be able to light late at night; perhaps some stragglers will see the flames and recall the miracle.

## נֵר אִישׁ וּבֵיתוֹ

One light each night for a man and his family.

Different customs:

1. Light one Menorah per family.
2. Light a Menorah for each person in the family, but the father adds a candle each night. Each family member's Menorah has only that night's candle.
3. Light a Menorah for each person and each person adds a candle each night.

The entire miracle of the oil is related to an enhancement of the Mitzvah.

If the Maccabees would have been satisfied with thin wicks, the oil would have lasted 8 days, but they wanted to enhance the Mitzvah and made thick wicks. That's why they needed a miracle to have the oil last 8 days.

2 – Shabbos 21b3 line 27 A8

Weiss #871

דמעלין פקדש ואין מורידין

We raise up on matters of sanctity but do not reduce it (see Menachos 99a for scriptural derivation of this principle).

This argument was used by Hillel in deciding to add an additional candle each night of Chanukah, which contrasted with Beis Shammai's suggestion that we start with 8 candles and reduce the number of candles each night.

Vilna Gaon - a person should constantly strive to ascend higher and higher.

## מַאי חֲנוּכָּה

### What is Chanukah?

Hallel is ordained to commemorate only a miraculous event. The Gemara only discusses the miracle of the cruse of oil, not the glorious military victory over vastly outnumbered forces.

Rashi – What miracle are we commemorating?

Muharoz – The military victory, amazing as it was, was achieved entirely in accordance with the laws of nature. It did not involve a suspension of the “order of creation”, as did the cruse of oil.

R Neriah – Hallel should, therefore, not be recited on Yom Haatzmaot or on Purim, those miracles did not suspend natural law.

The *miracle* of Purim is not the deliverance of the Jews from harm, but that God suspended the free will of Ahasveros and of the people. This is an interruption in the natural order and therefore, is a miracle which warrants the recitation of Hallel.



2 – Shabbos 21b4 line 37 A8

## **מַאי חֲנוּכָּה**

What is the reason for Chanukah?

Refers to the only reference to Chanukah in a Mishnah - see Bava Kamma 62b

Discussion of Chanukah begins in Gemara Shabbos 21a3 line 47 B4

2 – Shabbos 21b4 line 41 A21

Weiss #573

בְּדִקְוֹ וְלֹא מָצְאוּ אֶלָּא פֶּךָ אֶחָד שֶׁל שֶׁמֶן

They searched and found only one cruse of oil.

When the Chasmanaim entered the temple after it was defiled by the Syrian Greeks, it seemed clear that no pure oil was to be had. One of the eternal lessons of Chanukah, another of its miracles, is that there is no room for despair in Jewish life. One must search and if one seeks, he will find.

Where effort is expended, results will be achieved.

2 – Shabbos 21b4 line 42 B3  
Daf Digest

**נַעֲשֶׂה בּוֹ יֵס**

Made a miracle.

The miracle of Chanukah is celebrated for 8 days, yet there was enough oil for 1 full day. The miracle was only for the remaining 7 days. Why do we consider the miracle to have lasted 8 days?

There was a miracle even on the first day. Only  $1/8^{\text{th}}$  of the oil that would have been needed for one day, was used up!

2 – Shabbos 21b4 line 43 B5

Weiss #838

לְשָׁנָה אַחֶרֶת קָבְעוּם וַעֲשָׂאוּם יָמִים טוֹבִים

The following year these days were appointed a festival,  
with the recital of Hallel and Thanksgiving.

Why did the Rabbis wait a full year before requiring our people to observe this great event?

The truth is human beings often do not recognize the significance of events when they occur. It is only with the passage of time and the gaining of perspective that they can appreciate what occurred. The Rabbis knew human nature and allowed for some time to elapse for the people to understand the great miracle they experienced.

**וְהַבּוֹר יָרֵק אֵין בּוֹ מַיִם**

The pit was empty, there was no water in it.

Why does the Gemara follow the directive regarding lighting a Chanukah Menorah above 20 Amos, with this reference to Joseph's brothers throwing him into a pit? To tell us that there was no water in the pit, seems superfluous once the Torah states it was empty. However, to say it was empty and there was no water in it, emphasizes the word "empty", and permits us to include snakes and scorpions as being in the pit. If Joseph's brothers knew that their brother was not harmed by those dangerous animals; they would know that Heaven was protecting Joseph and they would have promptly snatched him out of the pit. However, the pit was so deep, they could not see those creatures.

Just as a certain depth escapes the notice of people, so a certain height will escape notice as well. That is why the two items, the height of the Chanukah Menorah and the depth of the pit, are put side by side in the Gemara.

**כְּדִי שֶׁתִּהְיֶה נֵר חֲנוּכָּה מְשַׁמָּאל וּמְזוּזָה מִיְמִין**

The Menorah should be on the left of the doorway, and the Mezuzah on the right.

The homeowner will be in the middle, wearing his Talis and Tzitzis – surrounded by Mitzvos.

However, the Chanukah candles are not to be lit until after sunset and Tzitzis are not worn at night.

The Rosh is of the opinion that the obligation of Tzitzis is on the function of the garment. A garment designated for daytime use needs Tzitzis, even if worn at night. Night clothes worn during the day, do not need Tzitzis.

## אָסוּר לְהַרְצוֹת מַעוֹת בְּנֶגֶד נֵר חֲנוּכָּה

It is forbidden to count money by the light of Chanukah candles.

One must not demean a Mitzvah. We must not treat disrespectfully old detached Tzitzis, or old schach, or lulav branches. We must not dispose of them where people could trample them, and so we must not count money in front of a Chanukah Menorah and certainly, not by its light.

It is forbidden to perform the Mitzvah of giving Tzedakah to the poor in a manner that is demeaning and humiliating to the poor person.. The poor person is the vehicle by which the Mitzvah is being performed and must be treated with respect.

2 – Shabbos 23a1 line 8 A25  
Weiss #157

## הַדְּלָקָה עוֹשָׂה מִצְוָה

The kindling constitutes the Mitzvah.

Rambam - ( Mishnah Torah Hil Chanukah 4:9) – since we say the bracha “who commanded us to kindle the lamp (L’hadlik ner) of Chanukah, kindling is the Mitzvah.

R Shlomo Brereu - “Kindling” is our duty, we may calmly leave the continued burning to God. If the light becomes extinguished, we are not obligated to rekindle it.



2 – Shabbos 23a1 line 10 B3

אִשָּׁה וְדַאי מְדִלִיקָה

A woman certainly lights Chanukah candles.

Megillah- a woman may not  
assist a man in his reading.

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Chanukah lighting - A woman  
may assist a man in fulfilling  
his obligation regarding lighting  
the Chanukah Menorah.

However, the custom in practice today, is that women do not light the Menorah.

-In Ashkenazic homes, each male lights a menorah.

-In Sephardic homes, the father lights for all.

## הַרְוֵאָה נֵר שֶׁל חֲנוּכָּה צָרִיךְ לְבָרֵךְ

One who sees Chanukah lights is obligated to say the blessing,  
“who has performed Miracles for our father in the days of this season.”

Is a person who is traveling obligated to light Chanukah lights? Is a homeless person obligated to light Chanukah candles also?

Rashi – suggests that a traveler on a ship need not kindle, but must say the Bracha when he sees lights in people’s homes.

Tosophot – (Sukkah 46a) if someone does not possess a home, it is not in their power to perform this Mitzvah. Does that mean they are exempt, by merely having obstacles, from performing the Mitzvah? If they could overcome the obstacle, they would be obligated. This question arises regarding travelers. Rashi’s traveler might have been in an open boat. However, in a closed boat or in an airplane, he should light, even if it is one candle in a glass, if permitted by the personnel.

2 – Shabbos 23a2 line 35 B28

Bleich 3:55

**וְהֵיכָן צִוָּנוּ**

Where in the Torah did He command us?

How can we say the words “and he commanded us”, ‘ve-tzivanu’, in regard to Chanukah; it is a Rabbinically ordained festival and not actually a command to us from God. The answer is that God empowered the sages to impose Mitzvot upon us and their authority is sufficient to allow us to say, that through them, God commanded us.

2 – Shabbos 23b1 line 12 B12

Daf Digest

**נֵר בֵּיתוֹ וְנֵר חֲנוּכָּה נֵר בֵּיתוֹ עֲדִיף מִשּׁוּם שְׁלוֹם בֵּיתוֹ**

If a person only has money for either Shabbos candles or Chanukah candles, the Shabbos candles have priority, for they assure tranquility in the house.

If your wife is late coming home, it is advised that you wait for her, so she can have the pleasure of being with you at Chanukah candle lighting, rather than lighting the candles earlier, at the prime time.

## נֵר בֵּיתוֹ וְנֵר חֲנוּכָּה נֵר בֵּיתוֹ עֲדִיף מִשּׁוּם שְׁלוֹם בֵּיתוֹ

If a person only has money for either Shabbos candles or Chanukah candles, the Shabbos candles have priority, for they assure tranquility in the house

A man is not customarily the one who lights the Shabbos candles. If he lights the Shabbos candles before the Chanukah candles, he may still light the Chanukah candles, as long as he did not specifically think of accepting the sanctity of Shabbos when he lit the Shabbos candles.

Regarding a woman however, we usually consider her lighting of the Shabbos candles, as an acceptance of Shabbos. If she mistakenly lit them first, she should ask someone else to light the Chanukah candles for her, and to say the first bracha for her. She should say the other bracha(s) (or two if it is the first night of Chanukah).

בִּי-קוֹלֶךָ עֶרֶב וּמִרְאִיךָ נָאוֹה”

For your voice is sweet and your countenance comely.

Rashi shows that a female voice is an object of desire to men - it is provocative. This phrase generates a discussion regarding women singing.

- May you listen to a woman singing? No
- May you read the Shema, as you hear her? No
- May you listen or sing with men and women together?

Singing together is accepted by some on the basis of the Talmudic principle, “two voices cannot be heard”, neither is clearly audible. Deborah and Baruch sang together (Judges 5:1) but that was an isolated event and Divinely mandated.

You may listen to a woman singing hymns to God, crooning to a baby or lamenting the dead. A female voice on a radio is considered a disembodied voice without visual stimulation and some say it is permitted.

2 – Shabbos 24b2 line 21 A8

Weiss #966

אֵין מִדְּלִיקִין אֶלָּא בְּשֶׁמֶן זַיִת בְּלֶבֶד

Rabbi Tarfon said only olive oil may be lit (in the Sabbath lamp).

The purest light is the light of Torah which is associated with the Sabbath day.  
The purest oil is olive oil, it burns with a better, brighter and more reliable flame than all other oils, so it should be used for the Sabbath lamp.

## הַדְּלָקַת נֵר בְּשַׁבָּת חוֹבָה

To light a candle for Shabbos is an obligation.

Note: It says candle in the singular and that is how the blessing for lighting the candle is also phrased. It is also in the singular in Rambam, as well as the Rif, the Rosh and the Ran.

Ravya - was the first to mention two candles

- a. one to light the room and the second is for the Mitzvah
- b. to recall both requirements: to heed, “Shamor”,  
and to remember, “Zechor”.

Rema - also writes that it is appropriate to light two candles but one can add more without losing the symbolism.

Chasam Sofer - disagrees and believes two should be the maximum.



## הָהוּא לְאַתְוִי בְּסוּת סוּמָא הוּא דְּאַתָּא

The extra phrase comes to exclude the garment of a blind person.

Is a blind person obligated to wear Tzitzis? He can't fulfill the requirement of "seeing them". We say, he can see them through the help of others [and could not 'Ureisem Osom' mean you (others) will see them?] The Rif, Rambam, Rosh all agree he is obligated. Shulchan Aruch agrees.

Rav Chaim of Faliji of Ismir suggests that he should not say a Bracha.  
Rav Yosef Chaim of Bagdad disagrees.

Rav Yaakov Reisher-suggests that a blind man should not pass the Tzitzis before his eyes at the designated time but the Kabbalists express the opinion that he should do so.

**וְכָל הַיּוֹצֵא מִן הָעֵץ אֵינוֹ מְטַמֵּא טוֹמֵאת אֱהָלִים**

Any roof that comes from a tree does not become Tamei.

However, other materials do become Tamei (unclean). In the discussion regarding a Kohen flying over a cemetery, the under surface of the airplane can serve as a “tent” covering the corpses below. However, the space above that lower level is Tahor (clean) and any Kohen sitting on the plane would not become unclean (Tamei).

If there is a corpse inside, everyone that comes into the tent and everything that is in the tent is unclean for 7 days. (Numbers 19:14) This tells us that the tent conveys defilement on everything under its roof. This also, informs us that defilement does not extend beyond the confines of the tent.

2 – Shabbos 27b3 line 33 B18  
Daf Digest

מִנָּלְךָ דִּפְשָׁתָן אִיקָרִי עֵץ

The hyssop is a bush, yet is called a tree,

to be compared with the cedar tree when speaking of a Metzora. The cedar symbolize haughty behavior and the hyssop symbolize the humility he has now learned.

If the hyssop would be a tree, it would be subject to the laws of Shmittah.

However, the designation of tree is not precise in the Torah. Flax is also called a tree, through it is only a seed, as it says “and Adam ate wheat, not fruit, from a tree” (see Berachos 40b). Hyssop is a bush and is not subject to the laws of Shmittah.

## לֹא הוֹבְשָׁרוּ לְמִלְאכַת שָׁמַיִם אֶלָּא עוֹר בְּהֵמָה טְהוֹרָה

For Mitzvah objects, we may only use items of Kosher origin.

Some say this applies only to those items on which there will be writing, i.e., Tefillin and Mezuzah, since we are “to have the Torah in our mouths”.

Others say, no – all the items used for a Mitzvah must be from Kosher origins. However, we know that people put a silk collar, an atara, on their Talis and that it is allowed to place silk strands for Tzitzis on a silk garment. Yet silk is produced by a non-Kosher animal, a worm! The Chasam Sofer explains that once an item has been converted from its original form, such as by weaving, it is no longer prohibited by reason of the limitation of using only a Kosher source.

## וְהָאָמַר אֲבִי שֵׁן שֶׁל תְּפִילִין הֵלָכָה לְמֹשֶׁה מִסִּינַי

The Shin that protrudes from the Tefillin is known as a law from Moses at Sinai.

To what is Reb Yosef referring when he says:

For “labor for Heaven” i.e., holy objects? We may only use materials from a Kosher animal. Anything written is controlled by the statement “you should have Torah in your mouth”. Obviously, if it is to be in your mouth, it must be Kosher. Perhaps the box of the Shel Rosh is being referred to, since it has a written letter Shin on it?

Perhaps the Shel Yad need not be made from Kosher materials since it has no letter? No, it would have the same rule as the Shel Rosh. It must be the straps of the Tefillin that R Yosef is referring to. It is from his statement, that we learn the rule, that the straps of the Tefillin must be made from a Kosher source.

## מַאי הָיוּ עָלֶיהָ דְּתַחַשׁ שֶׁהָיָה בְּיָמֵי מֹשֶׁה

What is the status of the Tachash that existed in the days of Moshe?

It was a unique animal and it could not be decided if it was a wild or domestic animal.

It had a single horn in the middle of his forehead. Horned animals are presumed Kosher – but that generally applies only if the animal has two horns.

Unkelos – translates Tachash as sasqavna, zerufah, hoshoh, (meaning silent, believing the giraffe to be mute).

It was originally Kosher, but due to cross breeding, the giraffe lost it's Kosher characteristics. It remains a ruminant, but it's hoofs are only incompletely cleft. Giraffes are regarded by scientists as a species of camel, which chews it's cud but does not have cloven hoofs.

In addition, there is no established tradition of considering the giraffe Kosher and so it is not considered Kosher.

## שלא יתבּוּין לַעֲשׂוֹת חֲרִיץ

There is no intention to make a rut.

When the forbidden consequence is unintentional, the act which creates it, is permitted. This discussion arises in the debate about the permissibility of converting to Judaism, a non-Jewish person who is married to a non-Jew, and who intends to continue the marriage. By converting one partner to Judaism, we have created an intermarriage. Have we violated the Biblical injunction, (Deut 7:3) of “lo titchatein bom” (don’t intermarry with them)? Does that require an act of marriage (which has already been done) and the intermarried status has come about indirectly?

However, an act is also forbidden if the consequence is inevitable. For example, cutting off a chicken’s head will inevitably cause it to die (the concept of Pesik Reishah).

Here, the consequence of creating an intermarriage may not be inevitable – there may be a divorce or the other partner may also convert.

שְׁלֹא יִתְבַּיֵּן לַעֲשׂוֹת חֲרִיץ

He did not intend to create a furrow.

May we use a security camera system on Shabbos? It can be made operative before Shabbos and requires no adjustment. The entry of a person into range causes no change in its mechanism, as would be the case if it was heat or motion sensitive.

Rambam - painting or creating a graphic image is prohibited as a form of writing.

R M Feinstein - the “script” is not durable (eino Mitkayem) and therefore constitutes, at most, a Rabbinic transgression. But in fact, the creation of an image on the monitor is a case of Pesik Reisha, de-lo ikpat leih, an act that

- a. has an unintended effect
- b. in itself is an entirely permissible act
- c. the actor is indifferent to the unintended effects.

The act may, in fact, be of importance to either the one who installed the camera or one who is seen - it provides security for one and entrance to the other. We may think of this TV system like it was a mirror. An image enters and leaves without effect.



## שְׂאוּל שְׂאִילָה זוֹ לְעִילָא מִר' תַּנְחוּם

R Tanchum was asked a question about the permissibility of extinguishing a flame to benefit a person who is ill on Shabbos.

He gives a long wide ranging response filled with stories and parables and at the end says, “yes, it is permissible”. The Tur quotes the Yerushalmi that whoever hesitates in a moment of emergency to ask what is permitted, is considered as if he had shed blood. He should have known ahead of time what the right thing was to be done. It was the responsibility of the teachers of that community to have taught them before the emergency occurred.

Here R Tanchum’s long answer is given because he realized he had the attention of the community and could take this opportunity to teach them how to deal with emergency medical situations on Shabbos and about the primacy of human life.

## שְׂאוּל שְׂאִילָה זֹו לְעִילָא מִר' תַּנְחוּם

In R Tanchum's answer he explains why it is permitted to violate Shabbos to assist an ill person.

The light that man fashioned is called a candle. Man's soul, created by God, is also referred to as a candle. It is preferable to extinguish the candle man has created, than the candle (soul), that God has created. Another reason given, is that it is better to violate one Shabbos now, in hopes of enabling the sick person to observe many future Shabbatot.

However, the main explanation (given in Yoma 85b) is that God's laws are given to us to "live by them" (Vayikra 18:5).

2 – Shabbos 30b2 line 20 A9

Weiss #898

אַת־הָאֱלֹהִים יִרָא וְאֶת־מִצְוֹתָיו שְׁמֹר

Fear God and keep his commandments for that is the whole of man (Koheleth).

One might think that the fear of God is merely one among several human virtues, but Koheleth teaches that this is the main attribute of man and distinguishes him from being a mere animal.

The more fear of Heaven a person has, the greater a person he is.

2 – Shabbos 30b3 line 31 A9

Weiss #40

אֵלָא מִתּוֹךְ דְּבֵר שְׂמִיחָה שֶׁל מִצְוָה

The Shechinah does not rest on one, except who performs a commandment in a joyous spirit.

The service of God should be joyous. Fear or sadness may cause one to investigate his actions so carefully that he finds that he failed in the perfect prayer, thought or intention. Even if he sins, he should not dwell on that excessively, but quickly return to joyous service to God.

The Yetzer Hora wants you to sin and wants you to be depressed for having sinned. Defeat him even after he succeeded, by avoiding the sadness of depression and guilt.

2 – Shabbos 30b5 line 49 B10  
Weiss #829

לְעוֹלָם יִהְיֶה אָדָם עֲנוּוֹתָן כְּהִלֵּל

A man should always be gentle like Hillel.

Anger is an exceedingly bad passion and one should avoid it to the best of his ability. One should train oneself not to be angry even for something that would justify anger. Rambam (Hil Daiyth 2:3)

## לְעוֹלָם אַל יַעֲמֹד אָדָם בְּמָקוֹם סַכָּנָה

Never let a person stand in a dangerous place.

A person should not risk his or her life unreasonably. The day a woman gives birth is generally the most dangerous day of her life. A surrogate mother cannot justify that self endangerment. She has no legal obligation to give birth for another couple. In fact, a woman never has the obligation to procreate, the command is only binding upon men.

Yet we do permit risks. The fulfillment a woman gets by delivering a baby which enables another couple to be blessed with a child. We permit risk for employment purposes, for example, a sailor or astronaut. However, anyone whose risk is greater than average, should not participate in that activity.

In choosing to be a surrogate, that factor needs to be considered.

דַּעֲלֶךָ סִנִּי לְחֻבְרָךְ לֹא תַעֲבִיד

What is hateful to you, do not do to your fellow.

Any hateful or harmful act is actually a transgression of the positive principle,  
“Love your fellow as yourself (Lev 19:18).

Why was this cast in the negative rather than the positive? Why not say, “what is good for you, do for your friend?” because something may be good for you but not for your friend.

What is hateful to you in your fellow man – do not do yourself.

2 – Shabbos 31a2 line 29 B9  
Weiss 3196

וְאֵינְךָ פִּירוּשָׁה הוּא זֵיל גְּמֹר

And the rest is commentary, go and learn it.

Most people quoting Hillel neglect this most essential part, “go and learn”.  
Be careful not to merely learn the brief abstracted phrases that are quoted.  
Go to the source, the Book itself, and study the aphorism in context.  
Then you will more fully understand it and be a more scholarly person.



## גִּיּוּרִי עַל מִנָּה שֶׁתְּשִׁימַנִי בִּהְיִי גָדוֹל

Convert me on the condition that I am appointed High Priest.

Hillel converted him and told him to go and study.

Converts are not accepted if they have ulterior motives, yet Hillel converted him. Some say Hillel did not convert him until after he studied, yet we know that a gentile is not permitted to study Torah on pain of death. However, a prospective convert, in whom one has confidence, may be permitted to study. He must be made aware of some of the more difficult, as well as some of the lighter obligations of being Jewish, prior to his conversion.

## גִּיּוֹרֵנִי עַל מַנָּה שֶׁשִּׁימָנִי בִּהְיוֹת גָּדוֹל

Convert me to Judaism so that I may be a High Priest,  
and Hillel converted him after teaching him Torah.

Was it permissible to teach a non-Jew the Torah?

Sefer Hasidim #238 – you may not even teach the Hebrew alphabet, for fear that their superficial understanding of Torah will be used to persecute the Jews.

R Zvi Hirsch Chages – permits teaching written law but not oral law.

Since the Gemara (Sotah 35b) states that gentiles acquired knowledge of the Pentateuch even before the Israelites entered Eretz Yisroel.

Meiri – a non-Jew may study Torah if he intends to fulfill the precepts.

R Yehudah Berlin – (Rashi- Deut 1:50) Moses expounded the Torah in 70 languages, presumably for the edification of the 70 gentile nations.

Maharsha - permits teaching of Torah to a prospective proselyte.

Hagigah 13a – it is not prohibited to teach Torah to non-Jews. It is only prohibited to give over the words of Torah, the secrets of Torah. Intensity of study (Osek be' Torah), regularity of study with non-Jews is to be avoided, unless it is in preparation for conversion.

2 – Shabbos 31a4 line 47 A14  
Weiss #934

פִּלְפֻלֵת בְּחִכְמָה

Did you engage in the dialectics of wisdom.

Why does dialectics (pilpul) loom so significantly on the day of judgment?

R Eliyahu E Dessler - Novella and dialectics, chiddushim, awaken in us a love of Torah; without it, the Torah would seem old and archaic, rather than new and vital.

כָּל אָדָם שֵׁשׁ בּו תּוֹרָה

Any person who possesses Torah knowledge  
without fear of Heaven, is like a treasurer who has the inner key, but not the  
outer key. How is he to enter?

R Yosef Yozel Horowitz - without fear of Heaven a person is only “one who carries  
books”. The Torah remains external to him.

Ramban (Moreh Nevuchim 3:52) - the object of all religious acts is to produce in  
man, fear of Heaven and obedience to His word.

## בְּשָׁעָה שֶׁמִּכְנִיסִין אָדָם לַדִּין

When man is led in for judgment he is asked:

Did you conduct your business ethically?

Did you establish set times for Torah study?

In Kiddushin 40b, it notes that man's first question at judgment time on Rosh Hashanah is about Torah study. Then man is questioned regarding other matters. The contradiction is resolved. The first priority in one's life should be to study. That time can never be recovered, whereas illicit business practices can always be neutralized by monetary payments.

However, the judgment that occurs when a person dies, is in the opposite order. Financial misdeeds have no opportunity for recompense and since dishonesty hurts others, it takes precedence over neglect of Torah studies. Both are crucial in one's life and one's death -Torah study and integrity .

2 – Shabbos 31a4 line 46 A10  
Weiss #896

נְשֵׂאת וְנִתָּהּ בְּאֵמוּנָה

Did you conduct your business affairs with faith?

Note, it does not say with righteousness (b'tzedakah) or with justice (b'mishpat) but with faith (b'Emunah), faith in God. Knowing He is watching would prompt one to act with the utmost integrity and the highest sense of ethics. A person who is dishonest in business, does not have faith in God.

The essence of Judaism's greatness is 'choshin mishpat', civil and criminal law, and the areas of 'bein adam lechavero', inter-human relations. We must discipline our greed and recognize the rights and feelings of others.

2 – Shabbos 31a4 line 46 A11  
Bleich 2:120

## בְּאֵמוּנָה

When man is led to judgment he is asked, “Have you dealt honestly in business?”

Judaism does not recognize a distinction between private wrongs and a trespass against God. Dishonesty not only is a violation against one's fellow man but is a transgression against God, as well. A judgment against a litigant provides both justice for the plaintiff, (he receives the money he deserves), but also compassion to the defendant, who by paying, is absolved of the guilt of the theft he was perpetrating. The repayment of a creditor is a Mitzvah (Arakim 22a). A Bet Din that enforces its decree is not primarily concerned with enforcing the rights of the creditor, but with compelling the debtor to perform his religious obligations and comply with norms of ethical conduct.

2 – Shabbos 31a4 line 46 A11  
Weiss #950

קִבַּעַת עֲתִים לַתּוֹרָה

Did you establish set times for studying Torah?

This question seems directed to the layman. It follows the question about his business ethics and would not be a pertinent question to the typical Talmud student or rabbi whose main task is the study of Torah  
Earlier generations made their Torah study fixed and their work temporary.



2 – Shabbos 31a4 line 46 A12  
Weiss #922

עֲסַקְתָּ בְּפִרְיָהּ וּבְבִנָּיהָ

Did you engage in procreation?

Rambam: We are commanded to be fruitful and multiply (Peru-Urevu) (Sefer Hamitzvot #212) and to fulfill this Mitzvah, a man must beget as least one son and one daughter (Mishnah Torah, Hil Ishuth 15:4).

Minchas Chinuch - This mitzvah may be fulfilled with the birth of two viable children.

Reb Elya Pruzhauer - States that the essence of this Mitzvah, is the act of cohabitation itself, as the Gemara asks, “did you engage in procreation” and not “did you fulfill the Mitzvah of procreating”

Megillah 13a - Raising an orphan in his house is as if he had begotten him and fulfills the commandment.

## עֲסֵקְתָּ בְּפִרְיָהּ וּבְבִנָּיהָ

Did you engage in procreation?

We are asked at the time of judgment did we try to have children.

This Talmudic question is used in the discussion regarding homosexuality and that it is frowned upon in Judaism. A childless judge is excluded from adjudicating cases of capital punishment. Continuity is epitomized through having children. Judaism is a multi-generational process, as the Seder of Passover, the Bar-Bat Mitzvah ceremonies, etc., illustrate.

Judaism depends on it's members procreative processes.

פִּלְפֻלֵת בְּחִכְמָה

Did you engage in the dialectics of wisdom?

Why does this activity rise to the importance of the other questions a person is asked on judgment day? We are asked did we conduct our business with faith? Did we establish set times for Torah study? Did we engage in procreation? Did we hope for salvation and engage in the dialectics of wisdom?

The novel thought, when discovered during our learning, creates a love of Torah. It creates a personal attachment and makes the Torah new and vital. That is why dialectics, i.e., analysis and discussion, is so important.

Dialectic – dialogue between two or more persons with different opinions, who wish to establish the truth by reasoned arguments.

Debate is different. There the debaters are committed to their views and try to persuade the other to their view.

**מְעַרְב אָדָם קַב חוּמְטוֹן בְּכוֹר שֶׁל תְּבוּאָה וְאֵינוֹ חוֹשֵׁשׁ**

A person may mix a kav of chumton into a kor of grain.

A person may know a lot of Torah but needs to mix into it, fear of Heaven. That Yiras Shamayim is the preservative of his academic learning.

When a person purchases a kur of wheat (approximately 200 lbs/90 kilos) the seller is permitted to place into it, a portion of preservatives which weights approximately 3% of the total. That is not considered improper, even though it reduces the weight of the wheat he bought. Preservatives ensure the protection of the main product.

Study of Torah also requires preservative and that preservative is Yiras Shamayim, mussar humor or aggadic stories. These aspects should not be viewed as Bitul Torah but are an essential part of learning.

2 – Shabbos 31b2 line 25 A16  
Weiss #115

יֹדְעִין רְשָׁעִים שְׁדִּרְכָּם לְמִיתָה וַיֵּשׁ לָהֶם חֵלֶב עַל כִּסְלָם

The wicked know that their way leads to death, but their loins are covered with fat.

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The wicked know that their actions are self destructive. Nevertheless, their understanding is sabotaged by lust. Their passions overcome their reason, so that they cannot control themselves.

2 – Shabbos 31b4 line 36 A2

עַל שְׁלֹשׁ עֲבִירוֹת נָשִׁים מֵתוֹת בְּשַׁעַת לִידָתָן

For these three transgressions women die in child birth,  
niddah, challah and kindling the Sabbath candles.

**challah**

*niddah*

*hadlakat* ner

The first letters of each word spell the word, Chana; chet, nun, hey.

2 – Shabbos 32a1 line 10 A29

Weiss #501

אֵבֶב בְּזִיוְנִי לֹא אֶחָי וְלֹא מְרַחֲמִי

At the gate of loss, there are neither brothers or friends.

Prosperity attracts relatives and friends, whereas adversity has no friends.

The greatest university is adversity. “My best professor was Mr. Need”.  
(quote: Luiza Angelo, Holocaust survivor)

2 – Shabbos 32a1 line 16 B33

Weiss #833

לְעוֹלָם אַל יַעֲמֹד אָדָם בְּמָקוֹם סָכָנָה

A person should never stand in a dangerous place,  
and say that a miracle will be done for him.

If this is true for physical dangers, how much more so is it true for spiritual dangers.  
Do not purposefully put yourself in a battle with your evil inclination and hope that you will win the battle.



2 – Shabbos 32a1 line 16 B33

Responsa 1991-2000 p470 N22

לְעוֹלָם אַל יַעֲמֹד אָדָם בְּמָקוֹם סָכָנָה

A person should never stand in a dangerous place.

“You shall live by them” (Deut 18:5).

An infertile woman may consider using drugs to stimulate her ovaries. There is evidence that such drugs increase the risk of ovarian cancer, stroke and high blood pressure. These risks are modest. However, there is no risk to her by her infertility and since she is not subject to the command to procreate; she is not required by Jewish law to use such drugs. She has the option to use or not use the drugs, with the full endorsement of Jewish law, for either choice.

## לְעוֹלָם אַל יַעֲמֹד אָדָם בְּמָקוֹם סָכָנָה

A person should never stand in a dangerous place.

A person should not risk his or her life, unreasonably. The day a woman gives birth is generally the most dangerous day of her life. A surrogate mother cannot justify that self endangerment. She has no legal obligation to give birth for another couple. In fact a woman never has the obligation to procreate, the command is only binding on men.

Yet, we do permit risks for the fulfillment a woman gets by delivering a baby which enables another couple to be blessed with a child. We permit risk for employment purposes, like a sailor or astronaut.

However, anyone should not participate in an activity where risk is greater than the average. In choosing to be a surrogate, that factor needs to be considered.

## וְאִם עוֹשֵׂין לוֹ נֶס מִנִּפְיָן לוֹ מִזְכּוּתוֹ

If a miracle occurs for a person, it is deducted from his accumulated merits.

He is benefiting in this world from that which was reserved for him in the world to come. The supernatural benefit came to him from a supernatural source.

There are some great people for whom miracles are provided and no deduction in their cumulative merits occur. Such a person is one who sees the miracles surrounding him in his everyday life – a sunset, a sunrise, a flower. For him, life is a series of miracles. A miracle is not supernatural or rare and needs no source from a supernatural source of merits.

לְעוֹלָם יִבְקֹשׁ אָדָם רַחֲמִים שֶׁלֹּא יַחֲלֶה שָׂאֵם יַחֲלֶה  
אוֹמְרִים לוֹ הֵבֵא זְכוּת וְהִפָּטֵר

A person should always pray that he will not become ill, for once a person is ill, Heaven requires proof that he is worthy of healing.

Some Rabbis simply recite the name of the sick person without saying, “hacholeh”, the ill one. Announcing that a person is ill indicates that he requires a higher level of merit in order to be healed.

Some will refer to a person who is “kronk”, a Yiddish word less powerful than the Hebrew word “choleh”. This would avoid using the word indicating illness, saying instead; “not well”, or “feels weak”, but would not use the word “ill”.

2 – Shabbos 31a4 line 49 B20

Weiss #726

כָּל אָדָם שֵׁשׁ בּוֹ תוֹרָה

Any person who possesses Torah knowledge  
without fear of Heaven, is like a treasurer who has the inner key but not the  
outer key. How is he to enter?

R Yosef Yozel Horowitz - without fear of Heaven, such a person is only “one who  
carries books” and the Torah remains external to him.

Ramban-(Moreh Nevuchim 3:52) – the object of all religious acts is to produce in  
man a fear of Heaven and obedience to His word.

## **בְּעוֹן שְׁפִיכוֹת דָּמִים בֵּית הַמִּקְדָּשׁ חָרַב**

For the sin of murder, the Temple becomes destroyed.

Man is compared to the Beis HaMikdash: each person carries the Shechinah with him and serves as a vehicle for Kedushah. This is similar to the Beis HaMikdash wherein the Shechinah resided.

This is the underlying principle regarding the value of every human life. Aside from the tragic loss on a personal level, it represents the destruction of a human Beis HaMikdash and the loss of his contribution to Kedushah in this world.

2 – Shabbos 33b3 line 23 A22

Daf Digest

**יְמֵה נְאִים מַעֲשֵׂיהֶן שֶׁל אוֹמָה זוֹ**

How beautiful are the works of this nation (The Romans).

Sfas Emes notes the rule that we are prohibited from praising a foreign nation which was cruel to the Jews. The statement was said sarcastically, perhaps as a question, “are the works of the Romans truly beautiful?”

An entire people and culture could be praised, especially if, in that country, a segment of the Jewish people are still living. Peace between the people encourages everyone to pray on behalf of the welfare of the country.

## אִיתְּרְחִישׁ נִסָּא אִיבְרִי לְהוּ חֲרוּבָא וְעִינָא דְמִיָּא

A miracle occurred for them. A carob tree and a well of water was created for them from which they could derive sustenance.

How was it possible for Rabbi Shimon and his son to eat of the fruits of the carob tree? We have a Torah law that prohibits eating the fruit of a tree until its first three years have passed. Those rules constitute the law of orlah.

R Ovadiah Yosef says those orlah laws refer only to fruit trees that you plant, not to wild fruit trees such as these. In the posuk, Vayikra 19:23, “when you enter the land of Israel and you plant any tree producing edible fruit...”

Also, here the carob tree was produced by a miracle. No one planted it. It is therefore, not subject to the laws of orlah.

What if God had miraculously created meat? Is meat that comes from Heaven, kosher? Does it not require Shechitah? Could we mix it with milk?



2 – Shabbos 33b4 line 40 A37

Weinbach p30

יְהוָה נָקִיט תְּרֵי מִדָּאֵי אֶסָא

A Jew rushing home for Shabbos carrying two bundles of Haddasim, (myrtle branches) one is for Zachor and the other is for Shamor.

Zachor - commanded to us in Shemos 20:8

Shamor - commanded to us in Devarim 5:12

These refer to two dimensions of Shabbos.

Zachor refers to the positive actions we do on Shabbos to sanctify it:

Kiddush, Tefillahs, meals, zemiros.

Shamor refers to the large number of labors prohibited on Shabbos.

Lighting two candles and bringing two branches of Haddasim, also reflect these two dimensions.

2 – Shabbos 34a1 line 13 A24

Daf Digest

**שְׁלֹשָׁה דְּבָרִים צָרִיךְ אָדָם לומר בְּתוֹךְ בֵּיתוֹ  
עֶרֶב שַׁבָּת עִם חֲשֻׁכָה**

There are three things a man must say in his home on the eve of the Sabbath, just before dark.

Two angels accompany a person on his way home from Shul on Friday night; a good angel and a bad angel. They know that Friday night is special. There is a lot of stress getting ready for Shabbos. If they see that the house and family are not ready, the table is not set, there is impatience, or, God forbid, anger, the bad angel who stimulated the discord, wins. However, if all is calm and ready, and everyone is tolerant of each other, the good angel wins.

Knowing about this battle of the angels, the family can prepare themselves to resist the influence of the bad angel and have a beautiful Shabbos.

וַיֵּדַעַת בִּי-שְׁלוֹם אֶהְיֶה וּפְקֻדָּתְךָ נֹרָה וְלֹא תִחַטָּא

Even if you know things are under control, command your household and you will not sin (Job 5:24).

This halachah must be followed, even if you know that the tithe has been taken and the Eruv has been set. These questions must be asked, not because we need the answers, because they provide lessons for each of us.

When you ask, “have tithes been set aside?” Tithes are a portion of what you have earned. If God has been good to you, you have tithes to give.

When you ask, “Is the Eruv set?” It is to remind us to set boundaries in our lives, to have principles and goals and to live within a system that is set, safe, considered and planned out.

When we ask about the candles, it is to remind us to light a flame within ourselves and to be a light unto the nations.

These moral lessons need to be reiterated each week to keep us properly focused.

## אין טומנין בדרך המוסיף הבל

We may not insulate food with materials that tend to increase the heat.

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Fully prepared food may not be concealed in a substance that adds heat, i.e., ashes or sand (which retains heat) before Shabbos for fear that a person might rake the embers.

Rashba - even partial concealment is forbidden.

Rema - partial concealment is not a prohibited form of concealment, because it is not concealed on all sides.

Is the use of a crock pot permitted for the Shabbos cholent? Yes, if the food is more than 1/3 cooked before Shabbos. The top of the crockpot must not be covered with anything other than with a lid. The crock pot must be a double pot with the heating elements in the outside layer and the inner layer having some air all around it, i.e., shalit bah avira (the air seizes control). Then according to those who agree that partial concealment is permitted, the crock pot may be used.

2 – Shabbos 35b3 line 22 A6

Daf Digest

## מִנְהַג אֲבוֹתֵינוּ בְּיָדֵינוּ

The customs of our fathers are in our hands.

Why do we say Kedushah in Uva Letzion, when we have so recently said it in Bircas Kriyas Shema and Chazaras Hashatz?

Years ago, the authorities of certain foreign countries did not permit us to recite the Kedushah and they stayed in the Shul to be certain we did not do so. When the authorities left near the end of the service, we were able to recite the Kedushah. Today, although we have no such restraints, we follow the customs of our fathers from those times.

## לֹא שָׁנוּ אֶלָּא עַל גְּבִיּהָ אֶבֶל תּוֹכָהּ אָסוּר

It is only permitted to place the food on the kirah stove, however, to return the food into the kirah stove, is forbidden.

The fear is that, although covered, the coals may be moved or stirred, or that it appears to others as though he intends to cook.

The conditions needed for returning foods to our modern day ovens are:

1. He has clear intent to return the pot to the place of heat.
2. He does not release the pot out of his grip until he returns it to the place of heat.
3. The fire is covered.
4. The food is completely cooked.
5. The food is still warm when he returns it to the place of heat.

Can you take food that is fully cooked, out of the refrigerator and put it in an oven? No.

Can you pull out the rack in an oven, take food out of the pot and push the rack back in? Yes, because we recognize that the pot was not removed from the oven.

Covering the knobs that control the gas or electricity is part of the precautions taken to avoid violation of the prohibition of cooking on Shabbos.

## בֵּר מֵינִיָּה דְרַב יְהוּדָה

Ignore the practice of Rav Yehudah.

Things are not always what they seem, therefore, we should not judge a Talmid Chacham unfavorably.

Rav Yehudah was dangerously ill and it was permissible for him to cook on Shabbos.

Rabbi Meir (Avodah Zara 18b) was seen in a brothel eating non-kosher food. We later learn that R Meir was being sought by the Romans for attempting to bribe them to release his sister, (whom the Romans forced to serve in a house of ill repute). When the Romans saw a man in a brothel, eating non-kosher food, they presumed he could not be the venerable sage, R Meir. So they looked elsewhere. To escape the Romans, R Meir had slipped into this place. He placed his finger into the food, but sucked on a different finger to make it appear as though he was eating non-kosher food. This now made sense.

We must not judge another person until we know all the details.

## בְּחִמָּה דְּכוּלֵּי עֲלָמָא לֹא פְּלִיגִי

It is permissible to use the heat of the sun for cooking on Shabbos.

Rav Yose and the sages debate whether it is permissible for the sun to heat a material, i.e., metal, that will capture the sun's rays and cook the food. This is forbidden, because it might cause confusion between cooking with materials heated by fire.

Direct cooking with the sun would not lead to forbidden forms of cooking.

Rashi – direct use of the sun for cooking, is not the usual form of cooking and, therefore, is permitted.

R Moshe Feinstein – such cooking is not comparable to the cooking done in the construction of the Mishkan, i.e., boiling of dyes. Therefore, cooking in the heat of the sun is permitted.

Can we cook in a microwave? A microwave was also not used in the construction of the Mishkan. The oven has an electric current that heats a coil, which produces microwaves. The microwaves heat the food by causing the molecules within the food to vibrate. There is no transference of heat. However, closing the microwave door completes the electric circuit and causes the microwave producing coil to become heated. Therefore, use of a microwave oven is not permitted on Shabbos.



2 – Shabbos 40b3 line 31 A6

Daf Digest

וְשָׁמַע מִיָּנָה כָּלִי שְׁנֵי אֵינוֹ מְבַשֵּׁל

We learn from this, that a secondary vessel is not capable of cooking.

The Gemara says that R Yitzchak was preparing to place a jug of oil in the pool of a bath house on Shabbos, for Rebbe's use. While they were in the bathhouse, Rebbe instructed R Yitzchak to put the jug of oil into a second container of water, and not into the pool.

It is however, forbidden to even think about Torah in a bathhouse, yet Rebbe is giving Halachic instructions. He could merely have said, "Thanks, but I don't need oil today."

We learn that to prevent another person from sinning, we can talk in the bathhouse, even talk Torah, and even in a Halachic fashion.

## בּוֹלְשָׁת שְׁנִכְנָסָה לְעִיר

A band of marauding soldiers.

The Jewish people have had unfortunate contact with the military of many countries.

There is a story of the leader of the first crusade, Godfrey of Bouillon, asking Rashi's consul regarding his expeditions. Rashi told Godfrey he would succeed and be the conqueror of Jerusalem. However, after only three days Godfrey would be driven out and return with only three horses. This angered Godfrey and he swore that if Rashi's predictions did not come true, he would return, slice Rashi to pieces and feed him to the dogs. Four years later, Godfrey returned to punish Rashi. All that Rashi had predicted had come true; however, Godfrey had four horses with him, not the three that Rashi had predicted. As Godfrey crossed the gate of Troyes, a stone fell and killed the fourth horse and rider.

אִכַּל וְלֹא הֵלַךְ אַרְבַּע אַמּוֹת אֲכִילָתוֹ מִרְקָבָה

A person who eats but does not walk four cubits, his food does not digest.

This is one of the many dicta taught to protect our health.

The Chafetz Chaim would turn out the lights in his Yeshiva, urging the students to go to bed for their health.

The Sanzer Rav, Rabbi Chaim Halberstrom, was told that he should not eat maror on Pesach, which could be dangerous to his health. He took a large quantity of maror at the Seder, held it up and made a Bracha, “Blessed are you who sanctified us with his commandments and commanded us to guard our health”.

Then, he returned the maror to the table.

לֹא יִתֵּן לְתוֹכָן תְּבַלִּין

One may not put spices in them.

One may not add material to a boiling pot of water, but may one pour hot water into a container holding material, i.e., pour from a primary to a secondary container? Some say no, the hot water will cook the material in the second container.

How then, are we able to add hot water or hot coffee to a partially empty cup? The residual fluid will be heated up. If it was previously boiled fluid, it may be added to, but not if there are droplets left in the cup from rinsing it out. The droplets have not been previously boiled.

A remedy would be to shake out the droplets or rinse the cup with hot water and then add the coffee or tea fluid essence.

Muktzeh

אֵין נוֹתְנִין כְּלִי תַּחַת הַיָּד לְקַבֵּל בּוֹ אֶת הַשְּׁמֶן

The subject of Muktzeh

Muktzeh means set aside from use.

This refers to objects, which in the normal course of events, will not be used on Shabbos or Yom Tov.

For example, objects related to the 39 Malachos and therefore, must not be used on Shabbos.

The cut off moment for that designation is “bein hashemashos”, the twilight period preceding nighttime.

Everything must be prepared for Shabbos (Ex 16:5); “on the 6<sup>th</sup> day they shall prepare what they bring”.

Muktzeh is any item not prepared for Shabbos by bein hashemashos.

Prepared means, mentally, consciously setting aside this item from use during all of Shabbos; to abandoned hope of using this item for this Shabbos.

## שְׂמֵצִילִין אֶת הַמֵּת מִפְּנֵי הַדְּלִיקָה

We are permitted to move a corpse in case of fire.

It is forbidden to move a corpse on Shabbos, it is Muktzeh. However, one is permitted to move the corpse if the building is on fire. Later, on Daf 117b, we learn that a person whose home is on fire, may not rescue more than the food required for the remaining Shabbos meals. In the first case, we are lenient and in the second case strict.

In one case, if a person is not given permission to move his dearly departed from being consumed by fire; we fear that he would try to extinguish the fire, which is a great Shabbos violation .

In the other case, if we permit a person to remove more than the minimum essentials for the remaining Shabbos meals, we fear he will try to rescue them on Shabbos and may extinguish the fire to do so.

2 – Shabbos 44a1 line 1 A1

Daf Digest

אִי לֹא שָׂרִית לִיה אֶתִּי לְכַבּוּיִי

If you don't allow him to move it, he may come to extinguish the fire.

On Shabbos, a person is allowed to save the body of a dead person from being consumed by fire.

The situation is so stressful, that he might try to put out the fire. It is a less prohibition to violate “touching Muktzeh (a dead body)” than to put out a fire on Shabbos.

## מִטָּה שִׁיחָדָה לְמַעוֹת הַנִּיחַ עָלֶיהָ מַעוֹת אָסוּר לְטַלְטֵלָהּ

A bed that was designated, verbally, to be used for keeping money, is prohibited from being moved on Shabbos.

Mishnah Berura says - unless it was only designated, but never actually used for that purpose. Mere designation does not assign the intended status.

Is it permissible to move a candlestick on Shabbos?

Yes,

- if it was never actually used, it is not Muktzeh.

- if it was used before, but not for that particular Shabbos, it may be moved for a permissible usage or if the space it takes up, is needed.

Some say, however, that if the item has no other possible usage than the prohibited use, it is Muktzeh and may not be moved.

R Moshe Feinstein says - if the candlesticks were not used on that particular Shabbos, even though they are an object that has, as its primary purpose, an activity prohibited on Shabbos, they may be moved for a permissible usage or if the space the candlesticks takes up, is needed.



## דִּילְמָא בְּהָרִי דְּנִקִּיט לָהּ כְּבָתָהּ

Perhaps he will unintentionally, put out the flame.

A candle that was burning during twilight before Shabbos, may not be moved, for fear that, a transgression will occur. The flame may go out, or if it is an oil lamp, more oil may be presented to the wick. There is a rule that what was Muktzeh at the beginning of Shabbos, remains Muktzeh all through Shabbos. Even though the flame is out, we must not touch the candle. Even though we are not causing oil to burn or the flame to be extinguished, it is still considered to be Muktzeh.

Clothes that are wet at twilight, are they Muktzeh, as we might squeeze water from them? Do the clothes remain Muktzeh later, during Shabbos, even if they have entirely dried out? Some Poskim are strict on this topic. R Moshe Feinstein comments that if a person did an action, i.e., placed the clothes near a heater before Shabbos, the dry clothes are no longer Muktzeh.

## שָׂרָא לְאַהֲדוּרֵי אוֹדָרָא לְבֵי סְדִיָּא בְּשַׁבָּתָא

It is permitted to put stuffing into a pillow on Shabbos.

This is not permitted using a new pillow but it is permitted using an old pillow. On Shabbos, if one puts stuffing into a pillow that has never been stuffed, he creates a new pillow and as such, it is forbidden. If one replaces stuffing that has fallen out, he is not creating a new pillow and it is, therefore, permitted.

Can we blow up inflatable pillows on Shabbos? If the pillows are not new, we are merely replacing the air that it once had. Is this similar to the situation of refilling the pillow with the stuffing that came out? No, the air is clearly not the same air that was in the pillow before, unlike the stuffing from the pillow that is replaced.

Can we place a belt through hoops in a pair of pants? Yes, because it is not expected to remain there. The same could be said for placing air into an inflatable pillow and so it might be permissible.

## תְּפִילִין צָרִיכִין גּוֹף נָקִי

The wearing of Tefillin requires a clean body.

Abaye says- One must not experience flatulence and must not sleep while wearing Tefillin. The holiness of Tefillin is great.

Rambam says- One must have spiritual cleanliness as well. He is not to be drawn into laughter or frivolous speech or to think improper thoughts when wearing Tefillin.

Tefillin may be worn all day but is required when reciting the Shema and Amidah. If a person has a stomach ailment, he should not wear Tefillin. He is exempt. If he knows he can succeed in saying the Shema, even if he might have to stop in the middle, he may put the Tefillin on just before the Shema and proceed. But the Amidah cannot be interrupted and therefore, he should not start to say it, if he thinks he will have to stop before it is completed.

**מְגֵרֵר אָדָם גְּלִידֵי צוּאָה וְגְלִידֵי מִכָּה שֶׁעַל בָּשָׂרוֹ בְּשִׁבִּיל צַעֲרוֹ**

A person may scrape crusts from his flesh, because of his discomfort.

Psychological or physical discomfort that interferes with normal social interaction is to be avoided.

That is considered a cause of pain, and one is permitted to treat it, even on Shabbos. It is not viewed as a man grooming himself, as a woman might do.

This may be a source for permission to undergo cosmetic surgery to improve appearance in order to interact socially.

It may be permitted if the psychological problem is severe and related to the disfigurement.

**מְגִיר אָדָם גְּלִי צוֹאָה וְגִלְדִּי מִכָּה שֶׁל בָּשָׂרוֹ בְּשִׁבִּיל צָעֵרוֹ**

A person may scrape crusts from his flesh, because of his discomfort.

A condition that causes embarrassment and produces shame to such a degree that a person would not go out in public, is deemed grave pain. Such a situation warrants permitting the person to cover such a blemish.

If the application of colored powder will cover such a blemish, may it be applied?

If to do so was a violation of Rabbinic decree, the person could apply it themselves in an unusual manner, using a ‘shinui’, for example, using his left hand.

If, however, it was a violation of Biblical law, it could only be applied by a non-Jew.

The use of a material that changes the color of the skin and lasts for a period of time, is considered like dyeing and is a Biblical transgression.

**מְגַרֵר אָדָם גִּלְדֵי צוֹאָה וְגִלְדֵי מִכָּה שְׁעַל בְּשָׂרוֹ בְּשִׁבּוּל צָעֵרוֹ**

A person may scrape crusts from his flesh, because of his discomfort.

Tosophos teaches, that isolating oneself from people because of embarrassment is a form of pain and is a state of sickness and suffering, from a non-hazardous malady. On Shabbos, may a person carry items such as nitroglycerin or an identity card mandated by the authorities?

- He has the option of staying home and not having the need to carry the items on Shabbos.
- These are Rabbinic rules and they can be suspended by carrying the items in an unusual manner.

If he is carrying on Shabbos, he should not stop in a public thoroughfare. But, if he puts what he is carrying on a ledge higher than 10 tefachim above the ground, (since there is no domain above 10 tefachim and since the object is removed from the public domain before it was placed down) he minimizes the infraction.

**רוֹחֵץ אָדָם פָּנָיו יָדָיו וְרַגְלָיו בְּכָל יוֹם בְּשִׁבּוֹל קוֹנּוֹ**

A person should wash his face hands and feet every day for his master.

What is the purpose of this washing? If it was merely to be clean, why does the Gemara emphasize that it is “for his master”?

Rashi explains - since we are created in the image of God, proper grooming and clean clothes, shows that a person honors that image.

Hillel explains- (Midrash Vayikra Rabbah 34:3) that kings always had servants dust the statues in the palace that possessed the king’s likeness, so they would look clean. How much more so must we be certain that we, who are in the image of Hashem, should be careful to convey a clean and respectful appearance.

2 – Shabbos 50b2 line 28 A20  
Weinbach p35

בַּל פָּעַל ה' לְמַעַנְהוּ

All that Hashem did for his sake.

It is a Mitzvah to have a clean body, since we are made in the image of God.

Hillel instructed his disciples to note how the Roman bath attendants regularly washed the statues of their rulers. If this is how they honor the likeness of an earthly ruler, how much more so must we, who were created in the image of the King of Kings, be careful to wash ourselves.



## אָדָם חָשׁוּב

An important person.

The concept of an “important person” is brought up in the discussion, as to whether a member of an intermarriage may be hired by a synagogue or day school. Synagogue leaders, teachers, cantors, rabbi’s office personnel, whether “on duty” or in their personal lives, must represent the value system of the institution and observe Shabbat, the laws of Kashrut, prayer and charity. All who are role models for the community should adhere to these standards. One who maintains a marriage that is forbidden and that undermines the existence of the Jewish community, may not serve as a Jewish role model.

The Gemara notes that deference was to be given to an ‘Adam Chashuv’, an important person, and the ‘Adam Chashuv’, had to be more strict in his behavior because of that status or position in the community.

## לֹא אֶסְרוּ אֶלָּא אוֹתוֹ מִיָּחָם

It is not permissible to insulate a pot, in which the material was cooked.

However, if the material is transferred to a second pot, that pot could be insulated.

Rambam: because the Rabbis never prohibited insulating the secondary vessel.

Rashi: because the person demonstrated that he did not have any concern that the material would lose some of its heat, since he moved it into a secondary vessel.

Is it permissible to transfer the material into a thermos on Shabbos?

This is a secondary vessel and would be permissible according to the Rabbis.

However, according to Rashi, this demonstrates that he does not desire the material to lose any of its heat and therefore, would not be permissible,

The Shulchan Aruch says it is permissible.

## מַעֲשֵׂה בְּאֶחָד שְׁמִתָּה אִשְׁתּוֹ וְהַנִּיחָהּ בֵּין לִינֹק

There was an incident where a man's wife died and he did not have money to pay a wet nurse to care for his newborn baby.

This is used as a basis for a discussion regarding life insurance. Does it suggest a lack of sufficient faith that God will provide? Does it invoke misfortune on oneself, i.e., preparing for one's death?

Man is obligated to put forth effort and then God will respond. Man cannot sit back and pray for or expect a miracle.

Life insurance was invented as a means to direct that effort and makes it appropriate to be used to protect one's family. Preparing for the inevitable is never wrong and does not invoke misfortune.

## בְּמָה בְּהֵמָה יוֹצֵאתָ

With what may an animal go out?

This fifth chapter deals with accessories which an animal may or may not, wear in the public domain on Shabbos.

The sixth chapter discusses jewelry and the types of clothing which a woman may or may not wear on Shabbos.

Why does the Gemara discuss animals first, before it discusses human beings?

The Torah is telling us to see to it that our animals are at ease on Shabbos. This is a ruling from the Torah. The reason a woman cannot wear certain items on Shabbos is based on the Rabbinic concern that if these items fall, she may pick them up and carry the items more than 4 amos. The rules regarding animals are rules from the Torah and the rules for human beings are Rabbinic rules.

Therefore, the Torah rules are presented first.

## מַעֲשֵׂה בְּאֶחָד שְׁמִתָּה אִשְׁתּוֹ וְהַנִּיחָהּ בֶּן לִינוֹק

There was an incident where a man's wife died and he did not have money to pay a wet nurse to care for his newborn baby,

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so God preformed a miracle and the father was able to nurse his own child.

Rabbi Yosef exclaimed, “what a great man he must be, that God would make a miracle for him”.

Abaye said, “what a man lacking in merit he must be, that God would choose to merely provide him with the bare necessity to solve his problem. Had he been truly worthy, God would have granted him wealth and he could have purchased the services of a wet nurse, as well as anything else he might need”.

2 – Shabbos 54b2 line 27 A29

Daf Digest

**אם כן עשיתה מר עוקבא**

If so, you are treating a sheep like Mar Ukva.

Rav Acha Bar Ulla suggests that compresses of oil be prepared for sheep, so they would not be cold after shearing. “If you do that” said Rav Chisda, “you are treating the sheep like Mar Ukva”, (a wealthy man and who was the head of the Beis Din).

Is this comparison of such a great man and Torah Scholar as Mar Ukva, to sheep, an insult to him or to the Torah, or is it an acceptable reference as part of a discussion?

The fact that it is in the Talmud, suggests that it is acceptable.

**כָּל מִי שֶׁאֶפְשֶׁר לְמַחֹת לְאַנְשֵׁי בֵּיתוֹ וְלֹא מִיָּחָה**

Whoever can prevent his household from committing a sin, but does not,  
is held liable for the sin of the household.

The head of the household is punished as if he committed the sin, which he could have prevented. The same is true about his community and the world. Not protesting against a communal evil, is as though he encourages it. Silence is reprehensible for it implies support. We are commanded to eradicate evil from our midst.

## כָּל מִי שֶׁאַפְשֵׁר לְמַחֹת לְאַנְשֵׁי בֵּיתוֹ וְלֹא מִיחָה

Whoever can prevent his household from committing a sin, but does not.

A daughter worked as a nurse in her father's clinic. He took supplies from the hospital to use in his private clinic. Should she tell him that she knows?

Should she tell the hospital?

Shalmei Nissan – A daughter must not inform on her father. She must not degrade a parent.

Sefer Chasidim – Rachel told Yaakov, “my father Lavan is a swindler”. We learn from this, that a child may warn others, so they do not suffer a loss.

Rav Zilberstein – The daughter may inform on the father to save him from eternal retribution for his bad practices.

Rav Chaim Kanievsky – The hospital probably knows and has discounted those losses.

Rav Eliashiv – She must tell her father and refuse to work with the stolen objects.

A doctor who is dishonest will not have God's help in curing his patients, so their health is in her hands.



## שָׂאֵם מִיָּחוּ בָּהֶם לֹא יִקְבְּלוּ מֵהֶם

If they had rebuked them, the wicked would not have accepted the reproach.

What is our obligation to reproach someone? There is the concept that it is better for a person to sin without intention, than he be made knowledgeable and sin deliberately. He would then incur a more severe punishment. Some commentators apply this concept of withholding reproach only regarding obligations imposed by the Rabbis.. However, sins that are written explicitly in the Torah, must be firmly censured, even though they may be disregarded by the sinner.

Can you be certain that your rebuke will be disregarded? Moreover, if you don't rebuke the sinner, it may be considered that you approve, and you may be punished as though you did the sin yourself.

2 – Shabbos 55a2 line 38 B28

Weiss #213

חֹתָמוֹ שֶׁל הַקָּדוֹשׁ בָּרוּךְ הוּא אֱמֶת

The seal of the Holy One, blessed be He, is truth.

We read in Exodus 23:7, “from false speech keep you far”.

This may be interpreted as “your false speech will keep you far from God”.

## בַּל הָאוֹמֵר רְאוּבֵן חָטָא אֵינוֹ אֶלָּא טוֹעָה

Anyone who says that Reuven sinned, is mistaken.

(Gen 37:29) “Reuven returned to the pit” to find that Joseph was not there. Where had Reuven gone? The Gemara says he returned from doing Teshuvah for the sin he did with Bilhah. Some say he cohabited with her. Others say that he only moved her bed, and had gone to repent.

The Torah goes on to say that ‘never has anyone sinned, that has done Teshuvah, other than you’.

This is not true. The Midrash Rabbah 22:13, that tells us that Adam did Teshuvah for the sin in the Garden of Eden. However, the Teshuvah of Reuven was different. He did not actually sin, but merely reflected on his reactions and thoughts and did Teshuvah in an innovative and thoughtful manner.

## כָּל הָאוֹמֵר דְּיֹד חָטָא אֵינוֹ אֱלָא טוֹעָה

Whoever says that David sinned is simply mistaken.

“David was successful in all his ways and the Divine presence was with him”.

(Samuel II 18:14)

Could David have sinned and the Divine presence stay with him? Certainly not.

“David, you despised the word of God to do evil”, (Samuel II 12:9), to do in the future, but David did not do it.

“You struck Uriah with the sword of the Ammonites”, and just as you are not punished for killing the Ammonites, so too, you are not punished for killing Uriah. David ordered Uriah to return to his wife and Uriah refused, saying, “my master Yoav and your servants are encamped in open field and on your life, I will not do this”. This is rebellious speech for which the king has the authority to punish.

(Shabbos 56a3 A12)

Whoever goes out to war writes a bill of divorce. If he is killed, the divorce takes effect, retroactively, to the time he gave his wife the divorce papers. So, David did not commit adultery. Bath Sheba and Uriah had been retroactively divorced.

2 – Shabbos 56b1 line 18 B21

Daf Digest

כֹּל הָאוֹמֵר שְׁלֹמֹה חָטָא אֵינוֹ אֶלָּא טוֹעֵה

Anyone who says that Shlomo (King Solomon) sinned, is mistaken.

It is puzzling that the plain meaning of the texts, in regard to the sins of Reuven, the sons of Eli, of Samuel, of King David and of King Solomon, (where their sins are clearly delineated), we are told by the Gemara that the sins did not actually occur.

Rav Eliyahu Dessler learns from this that they did not sin according to our standards. So a person would be mistaken to say they sinned. However, the Torah with its high standards, could judge them as violating those high standards.

## שָׁפֵל דִּינָא שֶׁדָּן מִבֵּין שְׁמֹנֶה עָד שְׁמֹנֶה עָשָׂר הַחֲזִירָן לָהֶן

Every judgment that he judged, between his age of 8 to 18, he returned (the money) to them.

Yoshiyahu was shown a Sefer Torah that was discovered by Chizkiyahu. After studying it, he realized that as a judge, he had erred in many cases. Therefore, he repaid those, to whom he had caused an improper monetary loss. We learn from this, that at that time, in a monetary case, a judge could be younger than 18. In fact, he could start being a judge at age 8, if qualified. Various ages are suggested in the Gemara.

Bach – a competent minor may judge.

The Rabbis – he must be at least 13 and should appear as an adult.

The Tur, Yerushalmi and Rambam agree.

Rabbienu Yerucham – he must be 18, based on our Gemara.

Shulchan Aruch – he must be 18, but if he was younger, his ruling is nonetheless valid.

**בַּמָּה אִשָּׁה יּוֹצֵאתָ וּבַמָּה אֵינָה יּוֹצֵאתָ**

With which accessories may a woman go out on Shabbos and with which may she not go out.

Assuming there is no Eruv :

She may not go out with a ring or a non-pierced needle. The rabbis were concerned that she would take off her ring or broach show it to a friend and proceed to carry the item in the public domain on Shabbos.

Rabbienu Tam permits a ring or a non-pierced needle to be worn in a Karmelis. Our streets do not qualify as a public domain, they are not 16 Amos wide nor do 600,000 people traverse them every day. The streets have the status of a Karmelis.

The Rabbis agree, that since it is unlikely that the women would listen, it is better not to reprimand them, because then, they would sin with intention and incur a more serious punishment. Others say women no longer take off their jewelry to show their friends as they did in the past.

## יוצא העבד בחותם שבצווארו

A slave may go out into the public domain on Shabbos with a symbol around his neck.

May a soldier wear dog tags on Shabbos?

Dayan Yitzchak Weiss says –It is not permissible, dog tags are not a garment.

Others say – since a soldier wears his dog tags all the time, it gains the status of a garment and may be worn on Shabbos.

R Shlomo Zalman Auerbach rules- that the dog tags may be worn because they contain valuable information relating to the welfare of the person, i.e., name, blood type, etc. and may be life saving, if he is wounded.



## יוצא העבד בחותם שבצווארו

A slave may go out into the public domain on Shabbos with a symbol around his neck.

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Shmuel says:

1. A slave may go out on Shabbos with an emblem tied around his neck
2. A slave may go out on Shabbos with an emblem, if it is not attached to his clothing.

We speak of an emblem-

1. Made by his master: he will not remove it and will not end up carrying it.
2. Made by the slave himself: he may be more likely to take it off, to hide it.

What if the master made the emblem and attached it to the slave's clothing?

The slave still cannot wear the emblem on Shabbos. Perhaps the emblem will become detached and the slave will end up carrying it.

Also, if the emblem becomes detached, the slave may fold his cloak, to hide the emblem's absence from his master. Even if the emblem is not detached, the slave may fold over the cloak, so he may carry the emblem on Shabbos, and this is prohibited.

The final opinion is that the slave should not wear an emblem attached to his cloak on Shabbos.

## הַזֶּזֶק וְהַעֲיִנָּבֶל חֵיבוּר

A bell and a clapper are attached.

They are utensils and therefore, are susceptible to the laws of Tumah.

A bell with no clapper is not.

The fact that it has a voice, i.e., can make a noise, qualifies a bell to be a utensil. However, if the bell loses its clapper, the outside shell can no longer make a noise. However, it can still be sounded by being hit with a stone or piece of pottery and can still be functional.

A person can speak and teach while he is alive and living in this world. After he passes on, the body can no longer speak on its own. Yet, if students continue to learn from the lessons that he taught and the books that he wrote, it is considered as if the person continues to speak, even as he lies in the grave.

If a lesson is repeated and properly attributed to the one who taught that lesson, the “lips of the teacher quiver in the grave”, (Shir Hashirim 7:10) and he is credited with the Mitzvah of teaching in this world and in the next.

## קְמָרָא עֵילוּי הַמַּיּוֹנָא מַאי

What is the law if a person wants to wear an ornate belt over an ordinary belt onto the public domain on Shabbos?

Is the outer belt being carried as an unnecessary burden? Is there a second garment that separates the two? What is the law concerning a gartel worn for prayer? A gartel is not a garment. It serves no utilitarian function, since most of the time the gartel is worn only for prayer.

R Yitzchak Weiss, R Moshe Feinstein and R David Horowitz all conclude that one may wear a gartel over one's jacket on Shabbos, even where there is no Eruv.

## וְלֹא בְּשָׂרִיוֹן

One may not go out wearing a coat of mail, a helmet or shin protectors.

These items of battle gear are worn for war, which is not permitted on Shabbos and therefore, should not be worn on Shabbos. What is the law concerning items used for war which are not clothing, i.e., spears, and swords? Weapons are not ornaments, which are not worn and should not be worn on Shabbos. If you do so, you have violated a Rabbinic injunction and not a Biblical one. Therefore, you are not liable to bring a Chatas offering.

Is it permissible to wear collar stays on Shabbos? R Moshe Feinstein's opinion is that they serve a function for the garment. According to R Yehoshua Neuwirt, the collar stays are considered negated by that garment and may be worn on Shabbos in a public domain.

Ornaments are of concern, since they may be taken off to show others and then carried. Collar stays, shoulder pads and garters to help keep stockings, are not attractive items that people would remove to display and therefore, would not be prohibited on Shabbos.

## סִנְדָּל הַמְּסוּמָר מֵאֵי טַעְמָא

What is the reason we may not wear hob nailed sandals on Shabbos?

Rashi explains:

- 1) The people in the cave were trampled by the nails on the Roman soldiers sandals.
  - 2) The people noticed footprints in the mud leading out of the cave suggesting that their hiding place had been discovered and that a soldier might have gone to get reinforcements.
  - 3) The people heard a noise that they ascribed to marching sandals and feared they had been discovered or they saw feet outside their cave wearing hob nailed sandals and feared that they had been discovered. This greatly frightened them.
- All three of these possibilities occurred, causing the people to panic, pregnant women to miscarry and people to be killed in the rush to leave. It is in this sense that they were” killed by the shoes”. Not necessarily by being trampled to death by the soldiers.

For this reason the Rabbis prohibited wearing such sandals on Shabbos.

## בְּתַפִּילִין כָּךְ מְנַעֲלִין

As one puts on Tefillin, so should he put on his shoes.

Just as with Tefillin, put the left shoe on first.

The Tefillin goes on the left hand. How do we know?

(BT Menachos 37a Ex 13:16) Uhaya laasos al yodichah-

yodichah should be spelled yud, daled, chof.

Here, the unusual spelling of yud, daled, chof, hey, is interpreted as ‘your weaker hand’, meaning the left. With respect to Torah laws, it is more typical that the right side goes first. Either way is permissible, as long as the person is consistent. A person could compromise and put on his right shoe, then his left shoe, then tie the left shoe and then tie the right shoe.

Rav Kahana – is not particular about right or left and states that consistency is not required either.

The Rabbis comment:

- The right shoe should be the first to be put on.
- The left shoe should be the first to be taken off.
- The right hand should be the first to be washed with water and/or oil.

When you anoint the whole body, anoint the head first.

## יִרְאָ שָׁמַיִם יוֹצֵא יְדֵי שְׁתֵּיהֶן

Fear of Heaven dictates that we adhere to both opinions.

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In the discussion regarding which shoe we should put on first:

Rabbeinu Yona, the Tur, Shulchan Aruch and R Nachman bar Yitzchak all agree that we should put on the right shoe first, because the right has precedence by Chalitza and by sprinkling on the finger and the toe of the Metzora.

However regarding tying, the left shoe should be tied first, as we do with Tefillin. What is the connection between Tefillin and shoe laces? When Abraham was offered the spoils of war by Malachi Tzedek, he said “not a thread or a shoe lace will I take” and thereby merited the Mitzvot of Tzitzis and Tefillin for his property. Even when putting on shoes without laces, the right shoe should be put on first.

**Plan:** Put on the right shoe first, and then the left shoe. Tie the left shoe first, then tie the right shoe and reverse the order when you remove the shoes.

Women need not be particular about which shoe they put on first.

2 – Shabbos 61a2 line 21 B8  
Weinbach p 38

וְסִיִּים דְּשִׂמְאֵלִיָּה וְקָטָר

And then he would put on the left shoe and tie it.

What if you wear shoes that have no laces? The left arm is used to tie on the Tefillin. If no tying is involved, the right side takes precedence and the right shoe goes on first.

Similarly, at a wedding where the groom crushes a glass at the end of the ceremony, he does so with his right foot. No tying is involved and therefore, this task is the domain of the right foot.



**אַנָּא מִשְׁאֵי מַלְא חֲפָנַי מֵא וַיְהִיבּוּ לִי מַלְא חֲפָנַי טִיבוֹתָא**

Rav Chisda said, “I used handfuls of water and have been given a lot of handfuls of Goodness”.

This is the reason that the Gemara praises the use of an abundance of water poured over our hands for Netilas Yadaim, washing our hands before meals.

A story is told about Rabbi Israel Salanter who was a guest for dinner. The people present noticed that he used only the minimum amount of water to wash each hand. When later asked, he told them that he observed that the water required the work of a housekeeper to pump and then carry the heavy bucket from the yard to the house. Rabbi Salanter said, “I have no right to enhance my Mitzvah at the expense of another person’s hard work”.

## לֹא יֵצֵא הָאִישׁ לֹא בְּסִיּוֹף וְלֹא בְּקֶשֶׁת וְלֹא בַּתָּרִיס

A man may not go out with a sword, bow, shield ...

A discussion occurs regarding wearing weapons on Shabbos. If considered ornamental (that is, they will be abolished in the future when Moshiach comes), they would not be allowed.

What is the discussion regarding pagers for Hatzolah team members (ambulance team members) on Shabbos? Pagers will be also be obsolete when Moshiach comes, since everyone will remain healthy. Should we consider pagers ornamental or part of the uniform which the ambulance team member wears?

R Moshe Feinstein writes that it is a badge of honor to wear this pager, both during the week and on Shabbos. The pager may become obsolete in the future but is needed now.

2 – Shabbos 63a1 line 26 B25

Weiss #813

אִינִישׁ וְהֵדֵר לִיסְבֵּר

A man should study and subsequently he will understand.

Rav Nachman of Breslav said, “You should read the words of Torah even if you do not understand them. After you read them several times, they will appear simple to you”.

דַּאִין מִקָּרָא יוֹצֵא מִיָּדִי פְּשׁוּטוֹ

A text cannot lose its literal meaning.

No interpretation can deprive a text of its literal meaning. It however, can also be interpreted midrashically and it can be interpreted beyond its literal meaning.

For example, “don’t place a stumbling block before the blind” (Lev 19:14). Its interpretive meaning is, “don’t mislead others who might not know the facts as you do”.

2 – Shabbos 63a3 line 4 B34  
Weiss #186

**הַקָּדוֹשׁ בְּרוּךְ הוּא גּוֹזֵר גְּזִירָה הוּא מְבַטֵּלָהּ**

The Holy one blessed be He, makes a decree and the Tzaddik annuls it.

The righteous, through prayer, have the power to move God to change his adverse decree. They are able, as did Moshe, to negate certain negative decrees and prevent bad things from happening.

The Chozeh of Lublin believed that in a time of distress the Tzaddik had to stand up to Heaven and had to nullify the evil decree.

# פֶּלַם הַמַּגִּיד לְכָל רֹעַ בְּתוֹךְ בֵּיתוֹ מוֹנֵעַ חֶסֶד מִתּוֹךְ בֵּיתוֹ

Whoever raises a bad dog in his house, prevents kindness in his home.

Levels of damage caused by dogs:

1. Dogs that bite – just as one must prevent one's ox from goring; one must prevent his dog from causing damage by biting. Such a dog must never be left unchained day or night, on his property or in the public domain.

Except for a watch dog; a watch dog may be unchained at night, to do its job.

2. Dogs that bark, but don't bite – may cause indirect injury to a pregnant woman who might miscarry, may cause discomfort by awakening people from sleep or may cause people to be frightened.
3. A dog that neither bites nor barks – may be kept unchained.

2 – Shabbos 64b1    line 8    A12  
Daf Digest

נְכִרִית לְחֵצֵר

or with a wig

This may be a source of the prevalent custom of married women, who must cover their hair, to do so by wearing a wig.

Literally translates as, “a foreign lock of hair”.

Rashi - This is a plait of hair, of another woman, piled upon her own hair.

## הַקִּיטֵּעַ יוֹצֵא בְּקַבְּ שְׁלוֹ

An amputee may go out on the Sabbath with his wooden foot, since it is considered his shoe.

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However, the shoe is not used to support his weight; it is used to conceal that he is a cripple. The prosthetic is not an article of clothing, but something he might remove and carry, as he propels himself with crutches, etc.

- R Meir - considers the prosthetic as his shoe and says it is permissible to wear it on Shabbos, even if it is a wooden shoe.
- R Yose - says it is permissible only if the shoe is made from the customary materials, i.e. leather. Wood is not a customary material used to make shoes and therefore, a wooden shoe cannot be worn on Shabbos.



## הַקִּיטֵּעַ יוֹצֵא בְּקַב שָׁלוּ

An amputee is permitted to walk with a prosthesis on Shabbos.

Rashi – because it is regarded as his shoe.

Shulchan Aruch – he may walk on leather pads, they are his feet.

Is the use of a wheel chair permissible on Shabbos?

Rabbi Zeve Pesach Frank – a wheelchair is not worn and therefore, cannot be considered a shoe. A wheelchair does not assist a person in walking.

He may not push his own wheelchair and others may not push him. Even a non-Jew may not push him.

May a wheelchair be used if it is for the purpose of a Mitzvah, i.e., to go to Shul?

Shulchan Aruch – permits a non-Jew to perform a Rabbinically proscribed act, when it is necessary to fulfill a Mitzvah!

R Moshe Feinstein rules- that the wheelchair is the shoe or the garment, if a person incapable of walking, and he may wheel himself in his wheelchair on Shabbat.

## סְחוּפֵי כָּסָא אֲטִיבוּרֵי בְּשַׁבָּתָא שְׁפִיר דְּמִי

It is permissible to place a drawing cup on one's navel on Shabbos.

It is prohibited to use medications on Shabbos, for fear that people will grind the ingredients, which is forbidden. However, a treatment that never includes medication, i.e., cupping to draw out illness, is allowed.

This relates to the question as to the permissibility of wearing orthodontic devices on Shabbos.

R Shlomo Zalman Auerbach - orthodontic devices never involve medications and is therefore, permitted. In addition, it is a slow process and the insignificant increment of straightening on Shabbos, is infinitesimal.

כָּל מְנַיִנִי בְּשֵׁמָא דְּאִמָּא

All incantations are recited with the name of the sufferer's mother.

Abaye advises that when we pray for a person to recover from an illness, we should mention his name and the name of his mother, as King David said in Tehillim 116:16, “I am your servant, the son of your maid-servant.”

Rav Yehuda Leob Tzirilzohn teaches that we do so, because we want to be sure we say the person's true name, so that healing will be directed accurately. A person's mother is certain.

Magen Avraham writes that when we pray for an acquaintance in his presence, we need not mention the name at all, but when we daven elsewhere, it is appropriate to mention the person's name.

When we call a person to the Torah, we use the person's name and his father's name. He is immediately present and there can be no confusion as to whom we mean. In fact, no name is actually needed when being called to the Torah.

יוצאין בביצת החרגול ובשן שועל  
ובמסמר מן הצלוב משום רפואה

Going out on Shabbos with a locusts egg, a fox's tooth or a nail from one who was hanged, for purposes of healing, is permitted.

Folk medicine used for healing, i.e., copper or magnetic bracelets, etc., are permitted to be worn on Shabbos and are not considered superstitious therapy, even though their efficacy is based on a questionable theory.

**”וְטָמֵא טָמֵא יִקְרָא”**

“I am Tamei, Tamei”, he calls out.

A Metzora who has been punished, not only has a special leprosy-like skin condition, but he must tear his clothes, let his hair grow long and call out to others that he is impure (tamei).

The reasons given for a Metzora’s need to call out are:

1. Others will keep their distance and avoid contamination.
2. To warn others to avoid the sins he committed.
3. To inspire compassion, so that others will pray for him.

Why can he not pray for himself? In fact, he has reduced the effectiveness of his prayers by his antisocial behavior. The prayers of others on your behalf, are more powerful than prayers for yourself. Recall how Moshe had to pray for Miriam’s release from the status of a Metzora.

## וְגֵר שֶׁנִּתְּגַיֵּיר לְבֵין הַנִּכְרִים

A child who was captured and raised by gentiles.

What is the mechanism of readmitting an apostate into the Jewish community?

In Sanhedrin 44a, it states that “even though he sinned, he remains an Israelite”.

So technically, he needs to do nothing, to return to the Jewish community.

What about the child of an apostate Jewish woman, who was raised and baptized in the church? The child of an apostate is Jewish. If he/she marries a Jewish person, they need a Get (a writ of divorce), their children are Jewish and can marry another Jewish person. However, we speak of a child of an apostate who is not fully committed and is socialized in a church. Such a person is treated very leniently, as a ‘Tinok Shenishba’, a child who was captured by non-Jews and could not know the proper path to follow.

A formal educational process, immersion in a Mikvah, circumcision or ‘hatafas dam Bris’, may be needed. A letter renouncing the former faith, and reading the Shema prayer before the Aron HaKodesh are all amongst the considered mechanisms to suggest in these circumstances.

## בְּתִינוּק שֶׁנִּשְׁבָּה לְבֵין הַנֹּכָרִים

A child who was captured and lived among non-Jews  
is not liable, even if he performed many forbidden activities.

Rambam - Categorizes children who were raised among elements of society who were not knowledgeable about Jewish practices, i.e., non-observant Jewish environments, as children who have no way to know the law, and therefore, cannot be held liable.

R Moshe Feinstein - Believes that in this day and age, even non-observant Jews have enough contact with the observant community, that they cannot claim they do not know the correct way to behave. Especially, those non-observant Jews who live in Israel.

Still, it is wisest to consider those people as ‘Tinok Shenishba’, a person regarded as one who did not willingly break the law. Treat them kindly and perhaps this will bring them closer to observance.

## וְגֵר שֶׁנִּתְּגִייר לְבֵין הַנִּכְרִים

A convert (to Judaism) who continued to live amongst gentiles.

This represents a case of an irregular conversion, in which the officiating Rabbi did not teach the convert about the basic laws of Judaism, especially Shabbos.

If the convert violates that which he was never informed about, he would not be liable for punishment. In such a circumstance, we could question how halachically correct the conversion process actually was. It must at least consist of ‘Mila or hatafas dam’, plus immersion in a mikvah. Even after circumcision, a person is not considered to be a Jew until he has immersed in a mikvah, and the immersion must be specifically for conversion purposes. It cannot be combined with the immersion required of a Niddah or a zav. Proven ‘kavannah’(intention), is needed.



## בְּתִינוּק שֶׁנִּשְׁפָּה לְבֵין הַנָּכָרִים

A child who was captured and lived among his captors.

Rav and Shmuel - Considered him an unintentional sinner. He had no opportunity to learn the facts of Jewish life. He is still responsible, however ignorant, and must bring a sin offering.

Rav Yochanan and Rav Lakish - Agree that he is acting from coercion and therefore, has no liability.

The halachah is that it is forbidden to provide food to a person who will not wash his hands before eating bread or who will not make a bracha on the food.

Rema – If a person is poor, we can offer him food as tzedakah.

Mishnah Berura – But only if we are in doubt as to whether he will say a Bracha. If we know he won't say a Bracha, we cannot feed him.

Magen Avraham – Giving a person food that he will not say a bracha over, is assisting him in violating the halachah, i.e., placing a stumbling block before him. The Mitzvah of tzedakah does not out-weight the violation of 'Lifnei Ever'. We don't feed him if the person is defiant and refuses to say a Bracha. However, if he refuses due to ignorance, we can feed him.

## וְאֵינוּ יוֹדְעִי אִמָּתִי שַׁבָּת

And he doesn't know which day is Shabbos.

If he lost count because he was stranded in the desert or lost at sea, he should count six days and keep the seventh day as Shabbos.

Rashi-He may work minimally every day to survive. He also may work minimally on his designated Shabbos day and say Kiddush and Havdalah.

Sfas Emes-He may say Kiddush and Havdalah but without mentioning God's name.

Rambam-Doesn't say not to mention God's name, but one should recite those prayers normally.

R Yaakov Emden-Says to say God's name. The Rabbi's have authority to introduce blessings as they did for the second day of Yom Tov.

Regarding the Amidah-some say use the weekday Amidah. Some say you may use the Shabbos and Mussaf Amidah on the day you designate as Shabbos.

Regarding Tefillin – some say don't put on Tefillin on that designated day. Others say put them on, but take them off when saying the Shabbos Amidah.

A state of doubt cannot absolve one from the Torah level obligation of putting on Tefillin each day.

## מוֹנֶה שְׁשֶׁה יָמִים וּמְשַׁמֵּר יוֹם אֶחָד

He should count six days and observe one (day).

The sanctity of Shabbos is not something we are able to declare or control. Its sanctity was established from the time of creation.

However, here we have an instance where a person decided when to observe Shabbos. He counted six days and designated the 7<sup>th</sup> day, as Shabbos. He is “Mikadesh Shevii”, and as he follows the laws of Shabbos, he is considered a “Shomer Shabbos”.

In the Friday night song, we have a seeming redundancy. One who sanctifies Shabbos, and one who guards the Shabbos. In most cases, it is the same but not in the case of the person who is lost in the desert.

הַבְּעָרָה לֵאלֹהֵי יִצְחָק

Kindling was singled out to be a mere prohibition.

The labor of igniting fire is highlighted to teach that a person is liable for a separate Chatas offering for each and every labor of Shabbos that he violates inadvertently.

Fire is unique in that:

1. It is the only item created after the time of creation. Fire was kindled first after Shabbos by Adam.
2. The Heavens (Shamayim) are composed of a combination of Aish, (fire), and Mayim (water).
3. Fire may be used for food preparation on Yom Tov, but not on Shabbos.

## אֵילִימָא בְּסָבוּר בֵּית הַכְּנֶסֶת הוּא וְהַשְׁתַּחֲוָה לָהּ הָרִי לָבוּ לְשָׁמַיִם

He ate two portions of chilev (forbidden fat), the size of an olive, in one lapse of awareness.

If a person eats a little bit and then eats a little more, the time between the eating is critical. If the time between eating is longer than the time it takes a person to eat food that has a similar volume to four eggs, i.e., “achilas peras”, the ingestions do not combine. This is important because two portions of Matzo, each a  $\frac{1}{2}$  kezayis, might not combine to fulfill his obligation to eat matzo on Passover.

- Two portions of forbidden fat might combine to create a violation.
- Two portions of food eaten on Yom Kippur, might combine to make a violation of eating on Yom Kippur. So timing is important.

When we use the term “between”, do we mean from the beginning of the first ingestion to the end of the second ingestion? Or do we mean only the time between the completion of the first ingestion and the start of the second? We refer to the 10 days between Rosh Hashanah and Yom Kippur, but there are only 7 days from the end of one to the start of the other.

We mean from the start of the process.

Daf Digest

אֵילִימָא כְּסָבוֹר בֵּית הַכְּנָסֶת הוּא וְהַשְׁתַּחֲוָה לָהּ  
הָרִי לָבוּ לַשָּׁמַיִם

A person bows and worships while in a pagan place of worship. However, he was under the mistaken belief that he was in a Synagogue and that he was serving Hashem.

Is he liable for the sin of Idolatry?

Gemara - No, his heart was on serving Hashem.

Rashi - Even if he knew that he was in a pagan house of worship, he would be exempt since his intention was to serve Hashem.

Halachah - However, it is not always sufficient to merely have the correct thoughts and intentions. If a person is being coerced to show honor to pagan idols, he must resist on pain of death. He cannot merely go through the motion and have in mind to serve Hashem and be absolved of the sin.

## אֵלָא מֵאַהֲבָה וּמִיִּרְאָה

Out of love or out of fear.

Rava – a person who worships idolatry out of love or out of fear of a person, is exempt.  
Why did Mordechai not bow down to Haman?

- Haman wore two idols on his chest.
- Haman required people to bow down to him publically.

Tosophos - Even though it would be clear that he was bowing out of fear, Mordechai concluded that to sanctify God's name, he would not do so.

Rama - If a priest or a noble have forms of idolatry on their clothing, it is forbidden to bow down before them or to remove one's hat before them. You can show honor in a less obvious manner.

Others however, are lenient in this matter, because everyone knows that even non-Jews are not bowing to the symbol, but to the person. It is not considered worshipping idols to give honor to an important person.

## Daf Digest

דְּנִתְּבוּן לַחֲתוּךְ אֶת הַתְּלוּשׁ  
וְחָתַךְ אֶת הַמְּחוּבָּר פְּטוּר

He thought he was cutting something detached from the ground, but it was still attached.

Mitasek – a person performed a permitted activity on Shabbos, which resulted in a prohibited act.

Rashi :

- 1) A knife fell in a vegetable patch on Shabbos. A person bent over to pick it up, an entirely permitted act. However, as he lifted the knife out, a nearby vegetable was cut. This is an unexpected violation of Shabbos. He is not liable.
- 2) A person intended to pick a particular cucumber that he thought was already detached from the ground. However, it was actually still attached. This is not a case of Mitasek because the intention and the surprise result occurred with the same object.
- 3) A person meant to cut an attached vegetable, which is a prohibited act, but he cut a different one from the ground. He is guilty, but this is not a case of Mitasek. His original intent was to violate the Shabbos.



## אַבוֹת מְלָאכוֹת אַרְבָּעִים חָסֵר אַחַת

The primary labors are forty minus one. There are eleven labors necessary for baking of bread.

1. Sowing - necessary for seeds to produce plants, from which dye is produced, and used for the colors of the Mishkan.
2. Plowing - to make the earth more likely to grow the plants.
3. Reaping - detaching any growing plants.
4. Gathering - into groups – bundles of plants.
5. Threshing - separating kernels of grain from the husk.
6. Winnowing - wind blows away the chaff, leaving the heavy kernels.
7. Selecting - sorting edible food from inedible matter.

see next card>

## אַבוֹת מְלָאכוֹת אַרְבָּעִים חֲסֵר אַחַת

8. Grinding - wheat into flour, mincing beets.
9. Sifting - loosening the flour.
10. Kneading - causing particles to stick together using a liquid.
11. Baking - herbs were cooked to produce the dye.

The minimum amount required for liability is the volume of a dried fig, except that any amount of plowing incurs a liability for a Chatas.

### The thirteen labors involved in preparing clothing (curtains for the Mishkan)

12. Shearing wool.
13. Whitening.
14. Disentangling wool by hand or by comb.

see next card>

## תְּצוּבָה

15. Dying wool.
16. Spinning - twisting fibers together to make threads.
17. Mounting the warp - two rollers. The far one is called the warp beam, the closer one is called the cloth beam. Weft threads are without stretching the warp thread on the loom.
18. Placing two heddles - the heddle is 2 threads on a harness frame, tied together.
19. Weaving two threads - the weaver “sheds” the two frames; first raising the odd warp threads, passing a weft thread from side to side and then raising the odd warp threads. This is the ‘AV’ of weaving, if it is done twice.
20. Removing two threads – that are too tightly packed.
21. Tying a knot - on nets used for fishing for the chilazon that contain blue dye for techeles.

Tying curtains to the pegs of a tent is not a permanent tie, therefore, it is not liable. Permanent means a knot intended to last a full day. Tying shoes is permissible. Is tying the gartel on a Sefer Torah at Minchah on Shabbos permissible? Yes. A different minyon may use it, so it is not considered a permanent knot.

see next card>

Daf Digest

שְׁתֵּי תַפִּירוֹת וְהַמָּתִיר

- 22. Untying a knot – to rearrange the nets used for fishing for chilazon.
- 23. Sewing two stitches – 2 passes of a needle, one in and one out, creates liability. Tightening a thread to make a seam also creates a liability.
- 24. 75a1-Tearing in order to sew two stitches. In the Mishkan, the tailor would enlarge a moth hole in order to fix it more neatly without a crease. Tearing for a constructive purpose is forbidden. but if for destructive purpose, one is not liable for punishment.

Seven labors in preparation of hides for writing:

- 25. Trapping – a deer or any commonly trapped animal.
  - 26. Slaughtering it – taking the life of any living thing, domestic, beast, fowl, fish or reptile.
  - 27. Skinning the hide.
  - 28. Salting is part of tanning-Tracing lines, to know where to cut the hide is considered part of Malachah #28. The two are one Malachah. (Salting for food to be eaten may be done.)
- see next card>

## וְהִמְעִיד אֶת עוֹרוֹ

- 29. Tanning the hide.
  - 30. Smoothing it - scraping hair off the hides.
  - 31. Cutting it into specific sizes.
- 

### Two labors regarding writing;

- 32. Writing two letters.
- 33. Erasing in order to write two letters.

### Final 6 labors building;

- 34. Building.
- 35. Demolishing – in order to rebuild.
- 36. Extinguishing- regarding the fire to cook dyes.
- 37. Kindling a fire.
- 38. Striking the final blow – administering a finishing touch at the completion of a job.
- 39. Transferring-taking out from one domain to another domain.

## וְהָאוֹרֵג שְׁנֵי חוּטִין וְהַעוֹשֶׂה שְׁתֵּי בָּתִּי נִירִין הַקּוֹשֵׁר

Of the 39 prohibited forms of work, five are specified regarding the amount that is considered a violation:

1. Constructing two heddles on a loom.
2. Weaving two threads.
3. Detaching two threads from a fabric.
4. Sewing two stitches.
5. Writing two letters.

If there is less than this amount, the Malachah is not complete and it is considered as if he did nothing. He is not liable. In these particular cases, the rule that even less than a ‘shiur’ is prohibited (chatze shiur osur min haTorah) does not apply, because the Mishnah specifically excludes them.

If someone did all of them with one lapse of awareness.

The minimum amount to be obligated to bring a Chatas is the size of a dried fig.

Exception: plowing – any amount of plowing is forbidden.

Why does the Mishnah have to tell us there are 39? We could count them.

It is to teach us that even if a person had only 1 lapse of memory and performed more than one of the prohibited acts he would be liable for a Chatas, for each act. Each is separate.

However, if he violates an AV Malachah and its toladah, that is considered only a repeated transgression of the AV Malachah.

For example: pruning, planting, propagating, bending over a vine, planting and burying a plant and grafting, are all derivatives, i.e., Toladot, of sowing. All are performed to promote growth.

If a person dug a hole in his house but had no purpose for the hole, he is not considered liable.

Big discussion regarding a situation where there is no definite planned benefit, but a person derived inadvertent benefit. If he dug a hole and benefited by obtaining the dirt, he is liable. In a case of absolutely no benefit, and instead, it harms him, he is not liable.

## מְכַרֵּב כְּרֵבִי בְּרִישָׁא

One generally plows first.

Why does it specify sowing before plowing?

The usual farmer first does the plowing and then places seeds. Our Mishnah mentions sowing before plowing. Why?

The hard land in Israel requires sowing, i.e. spreading the seeds on the earth, then plowing the ground to bury the seeds.

Plant, spread, and plow a second time in Israel. The Mishnah teaches us that the second plowing is also included in the Malachah of plowing.



# אֵין דֶּרֶךְ תְּלִישָׁה בְּכַף וְאֵין דֶּרֶךְ פְּרִיקָה בְּכַף

It is not a normal manner of plucking and it is not a normal manner of extracting.

A person who obtains fruit on Shabbos by throwing a clump of dirt at the tree is, according to Rav Ashi, not liable for breaking the laws of Shabbos, because that method of plucking is not a normal method.

What about eating the fruit off the vine? For example, biting it while it is still on the bush or tree.

Rashi – that is an even more severe form of plucking.

Magen Avraham – Torah law is violated only when the fruit is plucked by hand or by a tool – as proven by our Gemara. BT Menachos 70-71 discusses eating something still attached to the ground as being aberrant behavior, i.e., not a normal way to eat. A person, however, is forbidden to bite or even smell fruit connected to the ground, for fear that he will pluck it in the normal way. All agree that would be a violation.

## וְכִי מוֹתֵר לְאַפּוֹת פְּחוֹת מִכִּשְׂיעוֹר

But is it permitted to bake less than the amount?

Certain amounts of a prohibited activity are needed to make them a Torah level prohibition. We have a rule however, that even half of that amount is prohibited, yet would not be punishable.

Rishonim - rule that any amount is a Torah violation.

Avraham Teumin - rules that it is not a Torah violation.

Chacham Tzvi - rules that this rule that prohibits even smaller amounts, relates only to forbidden foods.

Rashbam rules that the rule applies to all prohibited conditions. However, it does not apply to violations of Shabbos. On Shabbos, we need an act of a constructive nature, a ‘Maleches Machshoves’, which is thought out, complete and a full amount of the forbidden activity, to create a Torah violation. A partial amount of forbidden activity would only be a Rabbinical violation. However, even the smallest amount of a prohibited activity or food, is prohibited but not punishable until the full ‘shiur’ is reached.

## הָאִי מֵאֵן דְּפָרִים סִילְקָא חֵיִיב מְשוּם טוּחֵן

Someone who minces beets is liable, on account of grinding.

The grinding of vegetables is prohibited on Shabbos. However, this applies only to beets. Because beets are not eaten whole, but are usually sliced up and doing this provides a substantial improvement. Other vegetables which can be eaten whole, even if a person would slice it up, is not a violation.

Rishonim - some consider that cutting any vegetable into small pieces is considered grinding.

Shulchan Aruch - agrees.

Therefore, be careful, since we do not know how small would constitute grinding.

Rabbienu Chananel and the Rosh – are of the opinion that grinding does not apply to vegetables at all, not even to beets. However, the restriction relates to crushing and pureeing of beets. This would be considered by them to be grinding (Tochain).

## קְשִׁירָה בַּמִּשְׁכָּן הֵיכָל הָאֵל

Was there tying in the Mishkan?

Yes, for the nets of those who fished for the Chalazon.

Tying of a permanent knot is prohibited on Shabbos. A permanent knot is one that is meant to last more than a full day.

Rema – permits a single knot, like those which usually tie shoes, which is meant to be temporary.

Minchas Shabbos and Ketzos HaShulchan prohibit tying a knot around the Sefer Torah on Shabbos Minchah or for Thursday Torah readings, since, on Shabbos, you should not tie nor untie a permanent knot (a knot in place for more than a full day).

Perhaps this is permissible, if it is for a Mitzvah?

Shulchan Aruch says Yes, but Mishnah Berura says No.

Nimukei Orach Chaim based on the Taz, permits tying the Sefer Torah, since it is possible that the Torah will be used within the proper time, i.e. less than 1 day, to be read from by another group or to be checked. Therefore, the knot is not definitely a permanent knot and may be placed and untied on Shabbos

## הַמֻּתֵּחַ חוּט שֶׁל תְּפִירָה בְּשַׁבָּת חַיִּיב חֲטָא

One who tightens the thread of a stitch on Shabbos, is obligated to bring a Chatas offering.

Sewing which closes an opening in a garment is forbidden on Shabbos.

However, may we use pins or safety pins?

Rav Avraham Halevi of Egypt – Pinning is forbidden. Just as gluing 2 pieces of paper to join them, is forbidden (even though in each case, no thread is used).

Rav Josef ben Joya – Gluing is the usual way to join paper and therefore, it is forbidden. However, sewing, not the use of pins, is the usual method by which cloth is joined. Therefore, since it is not the usual way, pins are permissible.

Chazon Ish – Pins are temporary and therefore, are not like sewing and are permissible.

Rav Moshe Feinstein – Defines sewing as totally joining two pieces of cloth together, as if they were one. Buttoning and pinning, although they join two sides of a garment together, both sides remain separate. Therefore, using pins is allowed.

Using pins for diapers, etc. is permissible on Shabbos and is not considered sewing.

**כִּי הוּא חֲכָמְתְּכֶם וּבִינַתְּכֶם לְעֵינֵי הָעַמִּים**

Because it is your wisdom and discernment in the eyes of the nations.

If someone knows how to calculate the seasons and the movement of astronomical objects and refuses to involve himself in discussing these matters, we should not speak to him.

The movements of the heavenly spheres have awed the people of the world and some have created a culture of worship around them. If someone could show that the constellations and other movements are predictable, it would prove they are not set in motion by magic and they do not predict the future. They are part of the plan of nature. There is no basis for the pagan beliefs that comets, eclipses, etc., are supernatural.

A person who is able but will not help teach the world such an important lesson, should not be honored by our conversing with him.

## בְּפֶסֶק רִישָׁא וְלֹא יָמוּת

Can you cut off a chicken's head and it will not die?

May a doctor administer doses of morphine to a patient to control pain that poses a risk to the patient's life?

To give even a small dose of morphine with the intent to end a patient's life is a violation and may be considered murder.

To give morphine to relieve pain within standard dosage range is accepted medical practice.

To give a dose so large that the patient's pain is relieved, but it is considered inevitable that the patient will die from it, i.e., 'could you expect to use that amount and not have the patient die?' It was inevitable. This is considered murder, since the amount given is, beyond all reasonable doubt, a dose that will inevitably kill the patient.

## בְּפֶסֶק רִישָׁא וְלֹא יָמוּת

Can you cut off the head of a chicken and it will not die?

This used to be an easy question to answer, but not today.

After the guillotine has cut off the criminal's head, it is now possible to keep the heart and lungs working for days. Is that person living or dead?

A legal case, Gray vs. Sawyer 247 S.W. 2<sup>nd</sup> 496 kg 1952 “newly discovered evidence that blood was gushing from decedents decapitated body is significant proof the she was still alive ..”

Brain death is a new concept, but we see it was anticipated by our Gemara. If you cut off its head, is it still to be considered alive? The answer is, no. Cutting off its head results, inevitably, in its death.



2 – Shabbos 75a2 line 31 B23

Weiss #977

## שׁוֹחֵט מִשּׁוּם מַאי חַיִּיב

One who slaughters (an animal on Shabbos), on what basis is he liable?

Rav says because the blood discolors the flesh.

Shmuel says because he took a life.

The evil inclination is the slaughterer, by diverting man from the path of life, to a path of death. He is guilty, according to Rav, because of dying, (i.e., changing the color of sin) to make us not see its true colors.

Shmuel adds, the evil inclination takes the life of the individual, causing him to sin and to forfeit his life in the world to come.

**מִחַק אוֹת גְּדוּלָּה וַיֵּשׁ בְּמִקּוֹמָהּ לְכָתוּב שְׁתֵּי חֲזָיִב**

He erased one large letter and made a place for two smaller letters, he is liable.

All of the forbidden acts on Shabbos reflect constructive, planned and complete actions performed while building and using the Mishkan in the wilderness. Here, we have a Malachah created by a mistake. Erasing means a mistake was made and that letter or word or line needed to be taken away. This does not sound like a constructive planned and completed action to warrant being listed as a Malachah Machshoves'.

However, the Malachah of writing is different. Every writing utensil is built with an eraser, or white out or back-space. Since erasing is a normal part of writing and is always anticipated, it is part of the plan, and therefore, is considered a constructive act.

## וְאֵין מִצְטָרְפִין זֶה עִם זֶה מִפְּנֵי שֶׁלֹּא שׁוּוּ בְּשִׁיעוּרֵיהֶן

You cannot combine these items because they do not share the same measuring methods.

If a person ate ½ the requisite measure (½ a Kezayis) and drank ½ a requisite amount (½ a Nevis) do they combine to create a full measure that would obligate one to recite a Bracha Acharona? Would it violate the rule against eating on Yom Kippur?

R Avraham Levi of Egypt (the Magen Avraham) - No

Mishnah - No

R Yehoshua - No

Rabbis - Yes, but it would not violate Yom Kippur. On Yom Kippur we only violate the rule if we eat enough to ease our mind, and such a small amount, even combined, would not do that. However, the amounts would combine to make one eligible to say the closing blessing (Bracha Acharona) after a snack.

R Moshe Feinstein- you can't combine them. They use different systems of measurement, therefore, you never get a full measure to make you liable.

## המוציא אוכלים בגרוגרת חייב

One who carries out food the volume of a fig.

The law prohibiting transporting an item from one domain to another on Shabbos (is derived from the verse in Shemos 16:29), which describes collecting manna in the desert. The amount of food prohibited to transport is the volume of a fig. This does not seem to make sense. The manna was granular, like coriander seeds, and any amount collected would miraculously become the volume of a tenth of an epha which is 42.5 eggs. So even a single seed should have been prohibited to carry on Shabbos.

In actuality, the posuk says, “let no man go out”. Meaning go out, carrying the pot in which he will transport the manna back to his tent. The Torah is not speaking about the volume of food in this instance but is admonishing us “not to carry on Shabbos”, even an empty pot to collect manna.