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Shabbos Daf 2

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Mishna

[One is prohibited to transfer an object from a public domain to a private domain or vice versa on *Shabbos*. To be Biblically liable, it is insufficient to merely transfer the object from domain to domain. One must also perform the lifting of the object, (known as the *akirah*) from its domain of origin, and the placing down (known as the *hanachah*) of the object in its new domain. If either of one of these elements is missing, the transfer is forbidden only Rabinically.]

The *Mishna* states: The transfers of the *Shabbos* (that are prohibited) are two which are four inside (when a person is standing inside a private domain), and two which are four outside (when he is standing in a public domain).

How so? [First, the *Mishna* illustrates two primary cases regarding a person on the outside, and then it illustrates two primary cases regarding a person on the inside.] The poor man stands outside (in a public domain) and the householder inside: [1] if the poor man stretches his hand inside and places (an object) into the hand of the householder, or [2] if he takes (an object) from it (the householder) and carries it out, the poor man is liable (for desecrating the *Shabbos*), and the householder is exempt. [The poor man, in both cases, performed the two acts which together constitute 'transferring' in the Biblical sense, viz., he picked up an object from one domain and placed it down in another. The householder, on the other hand, is quite passive, performing no action at all.] [3] If the householder (who is standing in a private domain) stretches his hand outside and places (an object) in the poor man's hand, or [4] takes (an object) from the poor man and carries it in, the householder is liable, while the poor man is exempt. [The householder, in both cases, performed the two

acts which together constitute 'transferring' in the Biblical sense, viz., he picked up an object from one domain and placed it down in another. The poor man, on the other hand, is quite passive, performing no action at all.]

[Now, the *Mishna* illustrates two secondary cases regarding a person on the outside, and then it illustrates two secondary cases regarding a person on the inside. In these cases, no one person performed both elements of the transfer – the picking up in one domain and the placing down in the other domain; therefore, there is only a Rabbinic transgression.] [5] If the poor man stretches his hand inside and the householder takes (an object) from it, or [6] (the householder) places (an object) into (the hand of the poor man) and he (the poor man) carries it out, both are exempt. [7] If the householder stretches his hand outside and the poor man takes (an object) from it, or [8] (the poor man) places (an object) into (the hand of the householder) and he (the householder) carries it inside, both are exempt. [Rashi explains that it is Rabinically forbidden for any of them to perform an *akirah* without a *hanachah*, for doing an *akirah* may lead to a Biblical transgression (by doing a *hanachah* afterwards).] (2a)

Two that are Four

The *Gemora* cites a *Mishna* taught elsewhere: There are two oaths which become four. [Two kinds of oaths of utterance are mentioned explicitly in the Torah. It is written: If a person swears, pronouncing with his lips to do evil or to do good. "Evil" refers to a negative oath, such as, "I will not eat." "Good" refers to a positive oath, such as, "I will eat." Both of those oaths concern the future. (In case he inadvertently fails to adhere to them, an offering must be brought.) The Sages derive from the verse two further kinds of oaths not mentioned expressly,



concerning past actions, e.g., “I swear that I ate,” or, “I swear that I did not eat.”]

There are two laws concerning the awareness of *tumah* (impurity) which become four. [A person who became *tamei*, but forgot it and entered the Sanctuary or ate sacrificial food; when he recognizes his transgression, he is subject to bring an offering. The *Mishna* uses the expression ‘awareness,’ because a person is liable to an offering only if he was initially aware of being *tamei*, but later forgot it. The Sages derived another two cases of *tumah*, namely, if he remembers that he is *tamei*, but he was not aware that he was entering the Sanctuary, or he did not know that it was sacrificial food.]

There are two types of *tzara’as* (a group of skin conditions, for which the Torah decrees *tumah*) which become four. [The *Gemora* elsewhere explains the different shades and colors which are *tamei*.]

There are two laws concerning carrying on *Shabbos* which become four.

The *Gemora* asks: Now, why is it taught here: two which are four inside, and two which are four outside (which is a total of eight cases); whereas there it is simply stated: two which are four, and nothing else?

The *Gemora* answers that here, where the primary topic is the laws of *Shabbos*, the *Mishna* lists the two forms of work that are forbidden on *Shabbos*: *Avos*, primary acts of labor, and *Toldos*, secondary acts of labor. However, there, where the purpose of the *Mishna* is not primarily to discuss the laws of *Shabbos*, the *Mishna* lists only the main categories, and not the secondary acts. [There are two forms of work that are forbidden on *Shabbos* from the Torah: *Avos*, primary acts of labor, and *Toldos*, secondary acts of labor. With regard to the prohibition of transferring from one domain to another, the *Gemora* later on explains that the Torah explicitly states that Moshe instructed the Jewish People not to bring gifts for the *Mishkan* from their tents (private domains) to the camp of the *Levi’im* (public domain). Moshe made this proclamation on *Shabbos*, so taking something out from a private domain to the public domain is deemed an *Av*. Bringing something in from the public domain to a private domain, however, is not stated explicitly in the Torah, rather, the *Gemora* derives this

prohibition through logic: Since the Torah has forbidden the transfer between the private and public domains, what difference does it make which of the domains is the source and which is the destination? Since this form of transfer is not mentioned explicitly in the Torah, it is deemed a *Toladah*, secondary labor.]

The *Gemora* asks: Which are the main categories? Taking out. But the laws of taking out are only two, and our *Mishna* says that there are two which is four!? And perhaps you will say that our *Mishna* means that there are two cases of taking out which are punishable, and two which are not, that cannot be, for they are mentioned together with the laws of *tzara’as*, and just as those all cause liability, so are these!?

Rather, Rav Pappa said: Our *Mishna*, which deals primarily with the laws of *Shabbos*, mentions those which are punishable, and those which are not; whereas the other *Mishna*, which is not dealing primarily with the laws of *Shabbos*, mentions only those which are punishable, and not those which are not.

The *Gemora* asks: Which are those that are punishable? Taking out. But the laws of taking out are only two, and our *Mishna* says that there are two which is four!?

The *Gemora* answers: The *Mishna* means that there are two cases of taking out and two cases of bringing in.

The *Gemora* asks: But the *Mishna* says “taking out”!?

Rav Ashi answers: The *Tanna* calls “bringing in” also “taking out.” How is this known? It is because we learned in a *Mishna*: He who takes out from one domain to another domain on *Shabbos* is liable. And are we not concerned there also with “bringing in” from a public domain to a private one, and yet it is called “taking out”!

The *Gemora* asks: What is the reason for this?

The *Gemora* answers: It is because the *Tanna* refers to any removal of an object from its place as “taking out.”

Ravina said: Our *Mishna* also provides support to this view, for it states: Here are two laws concerning taking out on *Shabbos* which, in actuality, are four, regarding bringing things inside. There are two laws concerning taking out on *Shabbos* which, in



actuality, are four, regarding taking things outside. Although the *Mishna* uses the expression “taking out,” it nevertheless goes on to explain the cases of “bringing in.” This is indeed a conclusive proof.

Rava said: The *Tanna* means domains; there are two kinds of domain with regard to carrying on *Shabbos*. (2a – 2b)

INSIGHTS TO THE DAF

Beginning with Transferring

Why does Maseches *Shabbos* begin with the discussion of the labor of transferring from one domain to another when this labor is actually enumerated last in the *Mishnah's* list of the thirty-nine *melachos* (acts of labor) on 73a? There are various answers to this question:

Tosfos suggests that Rabbeinu HaKadosh, the author of the *Mishna*, commenced with the labor of transferring an article, because he favored this prohibition of labor. There are many laws that evolve from this *Mishna*, such as the laws of bringing in and taking out, the poor man and the householder, lifting the article (*akirah*) and placing the article (*hanachah*), two that performed the act together are exempt from punishment, and other concepts.

The Rambam answers that transferring an article from one domain to another is least apparent as an act of labor, yet is still Biblically forbidden. For this reason, the *Tanna* wanted to stress that even such an act of “labor” is forbidden.

The Vilna Gaon writes that the exegesis of the Sages is based on the Written Law, and only concerning transferring an article is there an explicit reference in the Torah, when it is said: a man should not leave his place on the Seventh day. The *Tanna* therefore commenced with the discussion of transferring an article, which is mentioned explicitly in the Torah. [*The prohibition of lighting a fire on Shabbos, although mentioned explicitly on the torah, is only stated to teach that one who lights a fire on Shabbos merely transgresses a negative commandment.*]

Poor Man

The Bartenura asks, why did the *Tanna* use the example of the poor man and not merely state, “the person standing in the public domain?”

The Bartenura answers that the *Tanna* is teaching us that although the householder is giving the poor man charity, he has still violated the *Shabbos*, because this is what is known as a “*mitzvah haba'ah b'aveirah*,” a positive commandment that was fulfilled by committing a sin.

The Tosfos Yom Tov, however, contends that this idea only holds true according to the opinion in the *Gemora* that one who erred in assuming that he is performing a *mitzvah* is liable. This would not be reconciled, however, with the opinion that posits that one who erred in assuming that he did a *mitzvah* is not liable. The Tosfos Yom Tov therefore writes that only regarding *mitzvos* that one is allowed to perform on *Shabbos*, such as *Bris Milah*, can one suggest that if he performs the *mitzvah* through the means of a sin, he is not liable. Concerning the *mitzvah* of *tzedakah*, however, one is not allowed to give *tzedakah* on *Shabbos*, and therefore he is certainly deemed punishable for giving charity to the poor person. [*Rabbi Akiva Eiger, questions this, however, as we see that one is not allowed to fulfill the mitzvah of Lulav on Shabbos, and yet there is an opinion that maintains that one who was involved in handling a Lulav on Shabbos would not be liable a punishment.*]

The Chemdas Shlomo writes that the only case where we say that one may be exempt from punishment is when he is obligated to perform some act for the *mitzvah*. In such a situation we can seek leniency for someone who was involved in performing the *mitzvah* even at a time when he was prohibited to do so. Regarding charity, though, one is not obligated to hand the poor man the article. The householder can leave the article for the poor man, outside having to transfer the article from the private domain to the public domain. By transferring the article from one domain to another, the householder has incurred a sin that is liable a punishment.

Reb Aharon Leib Shteinman answers that we only say that one who erred in performing a *mitzvah* is not liable when the involvement in the *mitzvah* led the person to sin. In the case of

the *Mishna*, however, the *mitzvah* of giving charity did not distract the householder. Rather, the householder erred in not remembering that it was *Shabbos* or not being cognizant that this was a forbidden act of labor. In such circumstances one is not exempt from the punishment of having committed a sin.

An Overview of Maseches Shabbos

By: Meoros HaDaf HaYomi

Shabbos is the first tractate of *Seder Moed*, and not without good reason; Shabbos is the most common of all the holidays, and the penalty for its desecration is the most severe. Shabbos desecration is punishable by stoning – the most severe death-penalty administered in a *beis-din*, whereas even Yom Kippur is punishable only by the Heavenly Tribunal with *kareis*, and the prohibition against working on other Yomim Tovim is merely a *lo sa'aseh* (prohibitive commandment), punishable by lashes. Furthermore, no other *masechta* can compare to Shabbos in the huge volume of halachos that are found herein. For all these reasons, Shabbos was placed first in the order of *Moed*.

For the most part, this *masechta* deals with the details of hilchos Shabbos, both *midoraisa* and *midrabanan*. In their discussions of these halachos our Sages branch out to discuss topics throughout the entire width and range of Torah, as the Talmud is so often wont to do.

The first chapter deals with *melechtes hotza'ah*, the prohibition against carrying from one domain to another. While developing the topic, the *Gemara* proceeds to discuss in detail the four domains of Shabbos in regard to this prohibition. Subsequent *mishnayos* of this chapter discuss various Rabbinic prohibitions that were enacted to protect people from accidentally transgressing *aveiros* or forgetting to perform *mitzvos*. For example, a tailor must not thrust his sewing needle through his clothes and carry it outside on Friday afternoon, in order that he not accidentally continue to carry it in this manner on Shabbos.

The chapter then details the eighteen enactments that were instituted when the students of Beis Hillel and Beis Shammai convened. The students of Beis Shammai outnumbered Beis Hillel, and by majority vote these enactments, which mostly concern *taharos* (laws of ritual purity), were accepted. The

chapter concludes by detailing the activities that may or may not be started on *erev Shabbos*, for concern that one might inadvertently continue them on Shabbos.

The second chapter discusses the *mitzvah* of lighting Shabbos candles. Conjectively, the *Gemara* proceeds to discuss the *mitzvah* of lighting the Chanukah menorah, and in the process touches on other topics in halachah and aggadah as well. The conclusion of this chapter deals with defining *bein hashmashos*, (the questionable twilight period, in which it is uncertain whether daytime has ended and the next day begun), and the relevant halachos.

The third and fourth chapters discuss preparing for Shabbos; how one may prepare food and preserve its heat on a fire or by insulation. The *Gemara* also discusses here the basis of the *melachah* of cooking, and certain guidelines of *muktzah*.

The fifth chapter focuses on the *mitzvah* of *shvisas behemto*, the obligation to let one's animal rest on Shabbos. It discusses which items are considered a burden for the animal, and therefore must not be placed upon the animal for it to carry in the public domain. This chapter also discusses the obligation of a person to rebuke his fellow, and various other issues. The sixth chapter, "*Bemah Isha*," details articles of clothing and jewelry that may or may not be worn into the public domain on Shabbos; which articles are prohibited to go out with *midoraisa* and which are prohibited *midrabanan* for concern that the wearer might remove them outside and carry them. This chapter also contains various topics from the realm of *taharos*.

The seventh chapter, "*Klal Gadol*," lists the thirty-nine *melachos* that are prohibited on Shabbos, and details the circumstances under which a person would be liable to bring a *chatas* (sin-offering) for accidentally transgressing them. In certain circumstances a person would be obligated to offer one *korban*, while in others he must offer two or more. The chapter concludes with a discussion of the minimum size requirement of various objects that would require a person to offer a *korban* for carrying them into the public domain.

The eighth chapter continues this discussion, by detailing other objects and their minimum size requirements. For the most part, the ninth chapter does not discuss the laws of Shabbos at all, but rather discusses various halachos that are learned from



verses by means of *asmachta*. Among the topics discussed herein is the well-known account of *Kabbalas HaTorah*. The chapter then concludes by returning to the size requirements for carrying in a public domain.

The tenth chapter also focuses on the *melachah* of carrying; specifically, the manner in which one carries. Carrying in a certain manner would be prohibited *midoraisa*, whereas carrying in an unusual manner, *kil'achar yad* (literally 'backhandedly'), is only an *issur midrabanan*. The *Gemara* then continues with the fundamental principles of *kil'achar yad* and *melacha she'einah tzrichah le'gufah* (a *melachah* performed not for its characteristic objective). In the eleventh chapter, further details of the *melachah* of carrying from one domain to another are discussed; also the prohibition against carrying four *amos* in the public domain, various halachos that are learnt from the service of the Leviim carrying the beams of the Mishkan, and the definitions of the four domains. *B'ezras Hashem*, when we reach the halfway mark of this *masechta*, we will continue with an overview of its second half.

DAILY MASHAL

Learning Maseches Shabbos during the course of the Seudos Shabbos: There is a widespread custom among Jews of many communities to learn the entire *masechta* of *Mishnayos Shabbos* over the course of each Shabbos: eight chapters during each meal. Some *siddurim* actually include *Mishnayos Shabbos* together with the *zemiros*.

Let us conclude by citing the words of the Chafetz Chaim in his introduction to the third volume of *Mishna Berurah*, which discusses the halachos of Shabbos: "The author of *Urim V'Tumim* (Rav Yonason Eibeshitz zt"l) writes in his work *Ya'aros Dvash*, that it is utterly impossible for a person to avoid transgressing the laws of Shabbos unless he learns all the relevant halachos clearly and accurately."

Two Bishliks That Are Four

Once a woman came to the *Sdeh Chemed*, who was known for his kindhearted generosity, and requested a donation for Shabbos costs. "How much do you need?" he asked.

"Two *bishliks*," she replied.

He gave her four *bishliks*. His pupils thought that maybe he was so engrossed in his learning that he didn't even recognize the value of the different coins. They remarked, "She only requested two whereas you gave her four!"

He smiled and said, "The costs (*yetzios*) of Shabbos are two, which are four" (*Ma'yanah shel Mishnah*).

The Poor Person Is Never Inside

The *Divrei Yechezkel* of Shinava zt"l was asked by one of his *chasidim* about buying an expensive house.

"Will you have any money to live on after the purchase?" asked the Rebbe.

"No, I'd have to invest my entire wherewithal in it."

"If so, don't buy it! We find in the Mishnah that the *ba'al habayis* is inside but we never find the pauper inside..." (*Admorei Beis Tzanz*).

<i>Halachah</i>	<i>Melachah</i>	Act of hand	Who # 2?	Act of hand	Object's direction	Who # 1?	Case
Poor man is liable for a Biblical transgression of <i>hachnasah</i> – bringing in	Poor man brought in with <i>ekirah</i> and <i>hanachah</i> .	Received object in private domain	Householder	Lifts object Extends hand Places into householder's hand	Transferring object from public to private	Poor man	1
Poor man is liable for a Biblical transgression of <i>haza'ah</i> – taking out	Poor man took out with <i>ekirah</i> and <i>hanachah</i> .	Held out object in private domain	Householder	Extends hand Lifts object from householder's hand Places in public domain	Transferring object from private to public	Poor man	2
Householder is liable for a Biblical transgression of <i>haza'ah</i> – taking out	Householder took out with <i>ekirah</i> and <i>hanachah</i> .	Received object in public domain	Poor man	Lifts object Extends hand Places into poor man's hand	Transferring object from private to public	Householder	3
Householder is liable for a Biblical transgression of <i>hachnasah</i> – bringing in	Householder brought in with <i>ekirah</i> and <i>hanachah</i> .	Held out object in public domain	Poor man	Extends hand Lifts object from poor man's hand Places in private domain	Transferring object from public to private	Householder	4
Both exempt Poor man violates a Rabbinical transgression	Poor man brought in and householder placed down	Removes object Places down in private domain	Householder	Lifts object Extends hand	Public domain	Poor man	5
Both exempt Householder violates a Rabbinical transgression	Householder picked up and poor man took out	Extends hand Receives object Withdraws hand & object Places down in public domain	Poor man	Lifts object Places into extended hand of poor man	Private domain to a public domain	Householder	6
Both exempt Householder violates a Rabbinical transgression	Householder took out and poor man placed down	Removes object Places down in private domain	Poor man	Lifts object Extends hand	Private domain to a public domain	Householder	7
Both exempt Poor man violates a Rabbinical transgression	Poor man picked up and householder took out	Extends hand Withdraws hand & object Places down in private domain	Householder	Lifts object Places into extended hand of householder	Public domain	Poor man	8