

Laws of Shabbat, Chapter 11 (Auto Translated)

English

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Shiur Overview

Shiur Summary – Rambam Hilchos Shabbos, Chapter 11

General Introduction – The Rambam's Approach in Organizing Hilchos Shabbos

The Rambam's Structure of the 39 Melachos

The Rambam places in the first chapters only the Torah-level prohibitions (d'Oraisa) of all 39 melachos, and later (in several subsequent chapters) he brings the Rabbinic prohibitions (shevusin/d'Rabbanans) of all 39 melachos.

Explanation: The Rambam divides: first all the Torah-level prohibitions, then all the Rabbinic prohibitions – instead of organizing according to practical categories (like "dealing with animals," "dealing with the sick," etc., as other poskim do).

Insights and Explanations:

1. **Why doesn't the Rambam organize practically:** The Rambam gives the same attention to Hilchos Shifcha Charufa or Hilchos Beis HaBechira as to Hilchos Shabbos. He is not here as a "practical guide" – he is here to fulfill his mitzvah of Talmud Torah, which means covering all areas in kol haTorah kulah.

2. **Talmud Torah vs. Halacha L'Ma'aseh:** There is a distinction between two approaches: (a) learning Hilchos Shabbos so that one should not be mechalel Shabbos (the practical approach), (b) learning kol haTorah kulah as a mitzvah of Talmud Torah (the Rambam's approach). The Rambam in his introduction doesn't mention that the problem is that people are mechalel Shabbos – he only speaks about not being able to fulfill Talmud Torah, not being able to know from the Gemara what the din is. This is a more "theoretical" problem, not a practical one.

3. **Contrast with the Mishna Berura / Yaaros Devash:** The Mishna Berura brings the Yaaros Devash that someone who doesn't know Hilchos Shabbos is among the "shochechei haTorah" – because he transgresses every Shabbos Torah prohibitions (borer, etc.) that don't occur to people as questions. The Rambam's introduction, however, doesn't speak in this tone.

4. **The Shulchan Aruch HaRav's claim against learning Rambam as Talmud Torah:** The Shulchan Aruch HaRav argues that one is not yotzei Talmud Torah from learning the Rambam, because the Rambam doesn't bring the reasons and sources, only the halachic conclusion. Therefore one cannot pasken from the Rambam. The Rambam himself, however, doesn't agree – he wrote his sefer with the intention that this is sufficient for Talmud Torah. Rav Yerucham Meir says that the Shulchan Aruch HaRav is talking about learning the Rambam without looking at the Kesef Mishna – but most people do learn with Kesef Mishna (which is essentially the Beis Yosef).

5. **The Rambam's approach to Talmud Torah:** First a person should finish kol haTorah kulah – a broad view across

all areas – and afterwards one can delve more deeply into things that are more often nogeia l'ma'aseh.

Halacha: Shochet – Av Melacha

"HaShochet – chayav. And not only shechita, but anyone who takes the neshama from any type of chaya, behema, bird, fish, or sheratzim... whether through shechita, through nechira, or through hakaa – chayav."

Explanation: Shochet is one of the 39 avos melachos. The essence of the melacha is not specifically shechita k'hilchasa (with a knife on the neck), but netilas neshama – taking the life from a living creature. Therefore, any manner in which one kills – shechita, nechira (chopping off the head not according to hilchos shechita), hakaa (striking) – one is chayav.

Insights and Explanations:

1. **Netilas neshama is the essence, not hotza'as dam:** The Gemara asks what is the essence of shochet – whether it is the blood (hotza'as dam) or netilas neshama, and the conclusion is "mishum netilas neshama." Therefore, even if there is no blood, one is chayav, because the inyan hamelacha is the result – that the living creature dies.

2. **"Melacha d'achlich" – the result is the essence:** By shochet the inyan is not the action (spraying blood, cutting), but the result – netilas neshama. This is "inyan melacha d'achlich" – we look at the outcome.

3. **Why doesn't the Rambam bring "tzoveia":** The Gemara says that by shochet one is also chayav for tzoveia (coloring with blood), but the Rambam doesn't bring this here. One must understand why, but the Rambam brings the essence – that shochet is an av melacha which means netilas neshama.

Halacha: Chonek – Toldah of Shochet

"HaChonek [a living creature] until it dies – this is a toldah of shochet."

Explanation: Someone who chokes a living creature until it dies, this is a toldah of shochet, not an av melacha.

Insights and Explanations:

1. **Why is chonek a toldah and not an av:** By shochet the "form" of the melacha is killing through something similar to shechita (cutting, striking until blood comes, hotza'as dam). Chonek, however, kills through a different way – taking away oxygen, without blood. The result (netilas neshama) is the same, but the form is different. Therefore it is a toldah.

2. **The distinction between av and toldah by shochet:** All methods that have similarity to shechita in form (cutting, striking with blood) are all under the av melacha. But when the result (netilas neshama) comes through a different form (like choking), it is a toldah.

3. Chonek is not specifically – it includes all similar ways: The Rambam doesn't mean specifically choking, but any way that kills without the form of shechita – for example, giving medicine so he should die, poisoning, etc. Everything that "doesn't have the form of bringing out blood" is a toldah of shochet.

4. Fish: The Rambam lists fish – by fish, the natural way to kill them is through removing from water (which is similar to choking – taking away oxygen), not through shechita. This fits with the rule that the essence is netilas neshama, any method.

Halacha: HaMotzi Dag Min HaMayim – Toldah D'Shochet (Chonek)

The Rambam says: "Therefore, one who removes a fish from the water and leaves it until it dies" – is chayav for chonek, because its life is in water.

Explanation: When one takes out a fish from water and lets it lie until it dies, this is a toldah of shochet – specifically chonek (suffocation). Just as a person lives from air, a fish lives from water; removing it from its life-element is like suffocating.

Insights:

- **The chiddush that it's called chonek and not just "gorem":** One might have argued that the person doesn't actively kill – he only removes the fish, and the fish dies on its own a few minutes later. This would be a "gorem" (indirect cause) and not a ma'aseh shochet. The Rambam comes and says that it's still called chonek – it is a direct netilas neshama, because the removal from water is itself the act of suffocation.

Shiur – Kiyon Sheiyavesh Bo Kasela Etzel Snapirav

The Rambam says: He becomes chayav "kiyon sheiyavesh bo kasela etzel snapirav" – when an area the size of a sela (coin) dries by the area of the fins.

Explanation: One is not chayav when one removes the fish, but when it has been outside long enough that it can no longer survive. The sign for this is when by the fins an area the size of a sela-coin becomes dry.

Insights:

- **The shiur proves that "she'eino yachol lichyos" –** from this point onward the fish can no longer return to life, even if the death process (gesisa) still takes a bit. The Rambam says explicitly "she'eino yachol lichyos."

- **Nafka mina from this shiur:** (1) If a second person comes and kills the fish before the shiur – who is the killer? (2) If someone removed the fish with intention to return it to water and forgot – one needs to know at which point he is already chayav. (3) If one asks: Who says the fish can't return to life? – the Rambam answers that the shiur of "kasela etzel snapirav" defines the point of "she'eino yachol lichyos."

Halacha: HaShochet Yado L'Mei Behema U'Dildel Ubar

The Rambam says: "HaShochet yado l'mei behema u'dildel" – someone who sticks his hand into a pregnant animal and moves/dislodges the fetus, so that the fetus can no longer live with the mother – chayav.

Explanation: He is chayav for shochet (netilas neshama), because the fetus is a living creature with a living soul, and through the dislodging he has separated it from its life-source.

Insights:

- **The fetus is called a living creature for purposes of Shabbos:** Even though it is not yet born, it is a living creature that has a living soul, and killing it is chayav for shochet.

- **Distinction between Shabbos and murder (dinei nefashos):** By murder of a person there is a din that until thirty days the newborn is a safek nefel, and one is not chayav misah on the murderer. But by Shabbos, by an animal's fetus, there is no such safek – it is called a living creature and one is chayav for shochet. This is a chiddush that the definition of "living creature" for purposes of meleches shochet on Shabbos is broader than the definition of murder by people.

Halacha: Which Types of Living Creatures Have the Din of Netilas Neshama

The Rambam says: Living creatures "sheporin v'ravin mizachar u'nekeiva" (that reproduce from male and female), "o nivra'in min he'afar kemo hapre'oshim" (or are created from earth like fleas) – "hahoreg osan chayav k'horeg behema v'chaya."

Explanation: On such living creatures one is chayav for shochet, because they are true living creatures with netilas neshama – even if they are very small.

Insights:

- **The Rambam answers a question whether a large living creature (elephant) has more life than a small one (fly):** No – the elephant and the fly have the same life for purposes of Shabbos. Size doesn't matter; what matters is whether it is a "regular living creature" that is created in a natural way.

- **Parosh (flea) – a special case:** The Rambam says that fleas are created "min he'afar" (from earth), and nevertheless one is chayav for killing them. This is a chiddush – because one would have thought that only male-female-created living creatures would be considered.

- **The distinction in the Rambam:** Earth is a "normal" natural source – it is a legitimate way that nature creates living creatures. Therefore fleas (from earth) are considered like regular living creatures. But dung, rotted fruits, mud – these are not normal sources, and what comes from there is not called a proper living creature.

- **Note:** The parosh in the Gemara (Shabbos 107) is not the same as kina (lice). In Niddah (18?) it is explained that parosh is a type of fly that comes from earth.

Halacha: Sheratzim HaNotzrim Min HaGelalim – Patur Aval Asur

The Rambam says: "Sheratzim shenotzrim min hagelalim o min hapeiros shehevi'ishu, min hatit o min hapeiros shehisli'u v'chayotza bahen, k'gon tola'im shel basar – hahorgan patur."

Explanation: Sheratzim that come from dung, rotted fruits, mud, or wormy fruits (like worms in meat or in legumes) – one who kills them is patur (but assur mid'Rabbanan), because Chazal say they are not called true living creatures.

Insights:

- **Patur aval asur:** The Rambam says "patur" – this means patur mid'Oraisa but asur mid'Rabbanan. One may not kill such sheratzim on Shabbos, but one is not chayav korban chatas for it.

- **The foundation:** Such creations are not created through the normal natural process (not from male and female, not from earth), but from spoiled/rotted materials – therefore they lack the status of a proper living creature.

- [**Digression: Torah and Science**] – In reality we don't know of any spontaneous creation of living creatures from earth or from rotted fruits. This is a well-known question of Torah and science. The Sefer HaBris discusses this, but "ein kan hamakom l'ha'arich."

Halacha: HaMefale Kelav B'Shabbos – Molel V'Zorek

The Rambam says: "HaMefale kelav b'Shabbos – molel es hakina v'zorekah."

Explanation: Someone who cleans his clothes on Shabbos from lice – may he catch the louse, squeeze it a bit (molel), and throw it away. But he should not actually kill it.

Insights:

- **What does "mefale" mean?** The word "mefale" (from liflot) means to search through/clean. It is one of the rare words in Mishnaic language.

- **"Molel" – not actually killing:** The Rambam says one should "molel" (squeeze) and throw away, but not actually kill. This is because by "molel" there is only a doubt whether the living creature dies from this – it is not a certain netilas neshama.

Halacha: Mutar L'Harog Es HaKina B'Shabbos

The Rambam says (in the next halacha): "Mutar l'harog es hakina b'Shabbos" – one may kill lice on Shabbos.

Explanation: Lice come from human sweat, not from male and female – therefore they are not considered like a proper living creature, and one may kill them.

Insights:

- **Contradiction between the two halachos:** In the first halacha it says "molel v'zorekah" (only squeeze, not kill), and in the second halacha it says "mutar l'harog" (may actually kill). How does this fit?

- **Answer from Shulchan Aruch HaRav:** The distinction is between two situations:

- **"Mefale kelav"** – when someone is engaged in cleaning his clothes, he can encounter different species – lice (which are permitted), but also fleas (which are forbidden). Therefore Chazal said one should not rush to kill during "mefale kelav" – only "molel v'zorek" – so he shouldn't come to kill something that is forbidden (a flea or other sheratzim).

- **"Horeg kina"** – when he is not engaged in "mefale kelav," but he encounters a louse by itself, and he knows it is a louse – there is no gezeira, and one may kill it l'chatchila.

- **Another distinction – "patur" by sheratzim vs. "mutar" by lice:** By sheratzim from fruits the Rambam said "patur" (but asur mid'Rabbanan). By lice he says "mutar" –

l'chatchila permitted. The distinction: lice cause distress to the person (itching, discomfort), therefore Chazal did not make a gezeira on lice. On other sheratzim (which don't cause distress) they did make a gezeira.

Halacha: Chaya U'Remashim Noshchim U'Memisim – May Kill

The Rambam says: "Od yesh minim acherim shemutar l'harog osam b'Shabbos. Chaya v'remesh shehem noshchim u'memisim vadai, k'gon zvuv sheb'Mitzrayim, v'tzir'a sheb'Ninveh, v'akrav sheb'Chadyav, v'nachash sheb'Eretz Yisrael, v'kelev shoteh b'chol makom – mutar l'harog osam b'Shabbos k'sheyir'u osam."

Explanation: The Rambam brings a list of specific dangerous living creatures whose bite certainly kills. By such species one may kill them on Shabbos when one sees them, even if one doesn't know for certain that they are going to bite now – because since if they bite it is certainly death, it is a safek pikuach nefesh, and safek pikuach nefesh overrides Shabbos.

Insights:

- **The distinction between "vadai memisim" and "she'ar mazikim":** The Rambam makes a clear division between two categories. By creatures whose bite certainly kills – one may kill just because one sees them, even if they are not running after the person. This is because just their presence creates a safek pikuach nefesh. But by "she'ar mazikim" – creatures that can sometimes kill but not certainly – the din is different.

Halacha: She'ar Mazikim – Ratzin Acharav L'Umas Yoshev Bimkomo

The Rambam says: "Aval she'ar kol hamazikim – im hayu ratzin acharav, mutar l'harog. V'im yoshev bimkomo [or running away from him], asur. V'im dorsan l'fi tumo – mutar."

Explanation: By other mazikim that are not on the list of "vadai memisim": if they are running after the person – one may kill them, because this is already close to pikuach nefesh. If they are sitting in their place or running away from people – one may not, because they don't present a danger. But if one "dorsan l'fi tumo" – that is, one steps on them as if innocently – it is permitted.

Insights:

- **The level of safek pikuach nefesh:** Seemingly everything is safek pikuach nefesh – even a mazik that "yoshev bimkomo" can sometimes kill! Why do the Chachamim say one may not? The Maggid Mishna struggles with this. The answer is that there are levels of danger: by "she'ar mazikim" that sit in their place the safek pikuach nefesh is so remote that the Chachamim were not matir. Only when they run after the person does the safek pikuach nefesh become strong enough that one may.

- **The issur by "yoshev bimkomo" – mid'Oraisa or mid'Rabbanan?** Mid'Oraisa it is probably permitted (because it's netilas neshama without a shiur, or because it's a safek pikuach nefesh), but mid'Rabbanan the Chachamim forbade it by such a remote safek.

- **The great discussion: What does "dorsan l'fi tumo" mean?** This is the central chiddush-discussion. Several explanations are brought:

- **Explanation 1 (an initial sevara, which is rejected):** "Dorsan l'fi tumo" means that the person goes to a place where there are mazikim on the ground, and he steps on them b'shogeg, not miskaven – a davar she'eino miskaven. This is rejected because the Rambam here is not discussing hilchos miskaven/eino miskaven, but hilchos pikuach nefesh.

- **Explanation 2 (the best explanation):** The person seeks to drive away the mazik, not to kill it. He pushes it, he wrestles with it, and if the mazik dies from this – it is permitted, because he didn't seek to kill but to protect himself. This is like a davar she'eino miskaven – he intends to drive away, not to kill. "L'fi tumo" means here that he did it innocently, not with intention to kill.

- **Explanation 3 (Rashi's shita, according to the Maggid Mishna):** "Dorsan l'fi tumo" means that he actually intends to kill it, but he makes it appear as if it's innocent – he does it with cleverness (a trick). "L'fi tumo" doesn't mean true innocence, but as if innocence. The heter is essentially pikuach nefesh – the Chachamim didn't want one to explicitly chase and kill such a mazik that is not certainly dangerous, but they did allow it in a manner that looks like innocence.

- **Question on explanation 3:** This doesn't fit with the language "l'fi tumo" – because "tumo" means innocence, and if he actually intends to kill it that is exactly the opposite of innocence, it is cleverness.

- **The Ramban's shita:** The Ramban learns in the Gemara that "dorsan l'fi tumo" actually means that he pushes it and wrestles with it to drive it away, and if it dies – it is permitted.

- **The conclusion:** "L'fi tumo" means that the person seeks to protect himself and drive away the mazik, not specifically to kill it. He pushes it, he wrestles with it, and if the mazik dies from this – one may, because he was not miskaven to kill. He need not fear that perhaps he will kill it – as long as he intends to protect himself, he may fight with the mazik.

Halacha: Mafshit – Skinning the Hide

The Rambam says: "HaMafshit min ha'or kedei la'asos kameia – chayav."

Explanation: After one has slaughtered the living creature, comes the melacha of mafshit – skinning the hide from the living creature. The shiur (minimum amount) for chiyuv is "kedei la'asos kameia" – enough hide to make an amulet.

Insights:

- **The shiur "kedei la'asos kameia" applies to all leather-melachos:** The shiur of "kedei la'asos kameia" applies not only to mafshit, but also to me'abed and other melachos that have to do with leather.

- **"Kedei" as a shiur-word:** The word "kedei" in such halachos means "the shiur of" – that is, enough to make an amulet. This is a language-formula that repeats in many halachos.

- **Only when he wants the hide:** The Rambam means when he skins the hide because he wants the hide. If he skins the hide because he wants the meat (not the hide), that is a different din.

[Digression: The Order of the 39 Melachos – Why Not Mevashel After Shochet?]

After one has already slaughtered the living creature, why doesn't the Rambam go directly to mevashel (cooking the meat)? The answer is that the 39 melachos come from meleches haMishkan, not from meleches haKorbanos. In the Mishkan they didn't eat meat – they needed the hides for the curtains of the Mishkan (oros eilim me'adamim). Therefore the order goes from shochet to mafshit (skinning the hide) – because that is the order of how they worked with the animals in the Mishkan.

Additional insights in the digression:

- **Ofeh in the order:** It is noted that "ofeh" (baking) appears in the order of the Mishna, but this doesn't fit with the order of meleches haMishkan. The order of the Mishna is a different sevara than the order of meleches haMishkan.

- **Kesiva in the Mishkan:** It is discussed what kesiva has to do with the Mishkan – the Gemara speaks of signs that were written on the beams of the Mishkan, to know what to place next to what.

- **Ofeh = Mevashel:** From Chassidus we learned that ofeh is essentially the same melacha as mevashel, but it says ofeh because it speaks of bread, which is "min ofeh."

Halacha: Toldos of Mafshit – Duchsustus

The Rambam says: that whoever divides the hide – separates the duchsustus from the klaf – "harei zeh toldah d'mafshit v'chayav."

Explanation: After one skins the hide from the animal, one can divide the thick hide into layers. One of them is called duchsustus (the side closer to the flesh) and the other is called klaf. This dividing of the hide into two is a toldah of mafshit.

Insights:

- **Parallel to Hilchos Sefer Torah:** Whoever followed the shiur in Hilchos Sefer Torah already knows what duchsustus is – from the hide one can make three types of format (duchsustus, klaf, gevil).

- **The av of mafshit is skinning hide from flesh; the toldah is dividing the hide itself – both are a type of "separating" one layer from another.**

Halacha: Me'abed – Shiur and Definition of the Melacha

The Rambam says: "HaMe'abed min ha'or kedei la'asos kameia – chayav."

Explanation: The melacha of me'abed (processing hide/leather) has a shiur of "kedei la'asos kameia" – enough leather that one could make an amulet from it. This is the minimum shiur to be mechayev.

Insights and Explanations:

- **Shiur kedei la'asos kameia applies to all leather-melachos:** The shiur "kedei la'asos kameia" is not only for me'abed, but for all melachos that relate to leather – mafshit, me'abed, and mochek – all have the same shiur.

- **How much is "kedei la'asos kameia"?** This is not precisely determined in the sugya here. An amulet can be with one letter or two letters – "one must ask the craftsmen who make amulets." The shiur is thus a practical shiur that varies in reality.

- **[Digression: What does "kedei" mean in the language of Chazal?]** There was a linguistic discussion about what the word "kedei" means. In our language (Yiddish/English) "kedei" = "enough to do so." In the language of Chazal, like "kedei achilas pras," it means a shiur – "as much as one needs to..." It was also compared to "kol ha'olam kulo kadai hu lo" – where "kadai" means "it is enough/worth." But here in halacha "kedei" certainly means a shiur – a minimum measure.

Halacha: Me'abed and Mole'ach is One Thing

The Rambam says: "V'echad hu hame'abed v'echad hamole'ach... shehamolchim me'abdim."

Explanation: Me'abed (processing hide) and mole'ach (salting) is essentially the same melacha. When one puts salt on fresh skinned hide, this is a way of processing – it makes the hide processed.

Insights and Explanations:

- **The Rambam wants to support his shita against the Mishna's enumeration:** In the Mishna "mole'ach" is listed as a separate melacha. The Rambam, however, says that mole'ach and me'abed is one thing – mole'ach is just the way one is me'abed. This is a well-known shita of the Rambam in counting the 39 melachos.

- **Melicha is not the only way of processing:** The Rambam first mentioned melicha as an example, but later it becomes clear that there are other ways – one puts lime, tanning agents, and other chemicals. Melicha is only one step in the process. First one puts salt, then one removes the salt, and then one adds lime and tanning agents. It is possible that melicha is a separate step of processing, or that melicha is me'abed in general.

Halacha: Ein Ibud B'Ochlin

The Rambam says: "V'ein ibud b'ochlin."

Explanation: When one puts salt on food (ochlin), this is not me'abed. The issur of processing applies only to hides (leather), not to food items.

Insights and Explanations:

| Full Transcript

Shiur on Rambam Hilchos Shabbos, Chapter 11 – The Melachos of Shochet and Beyond

Introduction: Hakaras Hatov and Kavod Talmidei Chachamim

We are learning Rambam, Sefer Zemanim, Hilchos Shabbos, and we are in the middle of going through the 39 melachos. And we are learning the eleventh chapter, Chapter 11, and we're going over eight melachos.

Before we continue with the shiur, we must express our hakaras hatov. Hakaras hatov is a fundamental principle in the Torah. We have tremendous hakaras hatov to our friend, the distinguished philanthropist Rabbi Yoel Wetzberger, the well-known builder and establisher of worlds of Torah. He has various Torah institutions and Torah shiurim that he has under his wing, and may he have nachas from the Torah that

- **Why not?** Although salt also changes the texture of meat (for example, one makes jerky – salted meat that can no longer spoil), just like salt changes the texture of leather, nevertheless this is not me'abed. The Rambam says clearly: "ein ibud b'ochlin."

- **Source in the Gemara:** There was a dispute in the Gemara. One opinion says that melachos on meat (salting meat) is not me'abed. The other says "ein ibud b'ochlin." The halacha is like the second – ein ibud b'ochlin, which excludes all ochlin, even meat, fish, poultry.

- **Is processing only on leather?** An interesting question: the Rambam doesn't say "ibud eino noheg ela b'or" – he only says "ein ibud b'ochlin." This leaves open the possibility that processing can apply to other things that are not ochlin and not leather. But in practice, since it's not by ochlin, it remains practically only by leather.

- **Shevi'is-parallel:** By Shevi'is there is a din when one may salt vegetables, but the Gemara says there that it's not Torah-level – that is because of metaken or another inyan, not processing.

Halacha: Toldah of Me'abed – HaDores Al Ha'Or B'Raglo
The Rambam says: "HaDores al ha'or b'raglo ad sheyiskasheh" – is a toldah of me'abed.

Explanation: Someone who steps on the hide with his foot until it becomes hard – this is a toldah of me'abed. This is another way of processing hide, not through salt but through physical pressure.

Chiddush: This confirms that me'abed is not limited to melicha alone – every method that makes the hide processed (hard, preserved) is me'abed or a toldah of it.

Halacha: Me'abed – Additional Toldos

**The Rambam says: Me'abed can be done through various ways – through chemicals, or manually: "he steps on the leather with his feet ad sheyiskasheh v'yis'ameitz," or "merakcho b'yadav" – he makes it soft with his hands. "Mosechu u'meshahehu kedei l'hachshir oros hatzenumim" – he stretches it

he strengthens, and he allows other people to become involved, to become sponsors.

Chavrusa: Yes, Reb Yisroel should pay them all.

We are in the middle of Hilchos Shabbos.

Chavrusa: Apparently it's not just a matter of hakaras hatov, there's also a matter of kavod talmidei chachamim, because one who supports talmidei chachamim is also a partner in the mitzvah of learning Torah, it's not just hakaras hatov, it's also a matter of Torah.

Wonderful.

The Rambam's Approach in Organizing Hilchos Shabbos

The Structure of the 39 Melachos in the Rambam

We discussed here that the Rambam, we're learning here the 39 melachos, but he only presents here the 39 melachos that

are d'oraisa. At the end he will have several more chapters on all the 39 melachos, the shevusin of all the 39 melachos.

We discussed that this is an interesting and unique approach of the Rambam, because for example we've seen, others when they organize Hilchos Shabbos, for instance they make sections on care – they'll make under one category: caring for animals, caring for clothing, caring for the sick – the most practical things one can think of.

But the Rambam doesn't think practically, and the reason is because the Rambam gives the same attention to hilchos shifchah charufah or something like the altars should be there in Hilchos Beis HaBechira, just like Hilchos Shabbos. Because the Rambam, when he learns Hilchos Shabbos, he is engaged in the mitzvah of talmud Torah.

Talmud Torah Versus Halacha L'maaseh

There are many people who say that Hilchos Shabbos is a wonderful thing to learn, because this way one will be saved from every concern of melacha. That's very good, but if one looks simply at Hilchos Talmud Torah, it's actually the opposite.

A Jew for whom it's not so important to learn about the altar, or I don't know about the laws of Mashiaich, like something that's relevant every Shabbos – he's very good, and the teacher is very good. The Jew only wants to learn, he wants to spend a whole year learning Siman 308, every detail in muktzeh that's relevant every Shabbos.

But according to the law of talmud Torah one must complete all 613 mitzvos and the entire Torah, and that's what the Rambam says – to complete Torah, and not as something practical. He's here to cover all areas of Torah.

So it's understood, there's no contradiction. The Rambam would also say that afterwards you should have something like a Kitzur Shulchan Aruch or a Shemiras Shabbos K'hilchasa, if there are any questions that don't become clear from within this.

Chavrusa: I'm not so sure about that. I mean, for practical purposes one must learn because it's practical, but one must learn.

Okay, I don't want to elaborate on this now. I have thoughts about this, with Hashem's help perhaps we'll begin each shiur to learn a bit about this.

The Rambam's Introduction Versus the Mishnah Berurah

I was thinking, and you're making a very good point. I was thinking we need to be precise – the Baal HaMaor has time to look inside, we won't look now. There's the introduction of the Rambam, we need to compare it for example to the introduction of the Mishnah Berurah in Hilchos Shabbos, which brings the Yearos Devash, that one who doesn't know Hilchos Shabbos is also among the shochechei haTorah.

I think there's such a phrase, "yichlu kol melacha rabta d'Shabbata" – I think he speaks this way, that whoever doesn't know the details of Hilchos Shabbos violates d'oraisa prohibitions every Shabbos, because there's borer and various questions that don't occur to people that they're questions.

It's very interesting – the Rambam wrote in the introduction, not just to Hilchos Shabbos, the introduction to the entire sefer speaks about the problem that one cannot extract halacha from the Gemara, and no one can, even the Geonim said we don't understand.

But he doesn't say that the problem is that one is mechalel Shabbos. He says, he doesn't mention that this is a problem. He mentions that there's a problem – he says more of a theoretical problem: one cannot fulfill the mitzvah of talmud Torah, one cannot know from the Gemara what the law is. But he never says that consequently one is mechalel Shabbos.

It would have been, it would apparently fit according to the Yearos Devash's thinking, that one must know precisely how to put the cholent on the blech, because the Rambam says that no one knows how to put the cholent on the blech.

I don't know if that's really a problem, because one does know more or less, even not from the Shulchan Aruch, how one conducts oneself, how one has good chinuch, more or less he knows. Of course, when there's a question one must ask a rav.

If the rav has a problem, the rav doesn't know how to learn Gemara and it's difficult for him to figure out, he needs to look at the Rema and the Geonim, he becomes confused. So the rav – one can say that it's essentially a sefer for rabbanim, where the rav who needs to use judgment to know practically how to apply it.

The Rambam's Approach in Talmud Torah

Okay, the Rambam holds that first a person should complete kol haTorah kulah, and afterwards certainly one can delve more into things that are more frequently relevant. But the mitzvah of talmud Torah is that a person should know everything in kol haTorah kulah.

But our life isn't... our life is more similar to the Rambam, because we learn with our children Bava Kamma and Bava Metzia, we teach them lomdus. But you also see that we have separated that the mitzvah of talmud Torah is not dependent on halacha. No one has ever said that one must learn Torah in order to know how to conduct oneself. That's perhaps a branch – one must also have a connection to halacha l'maaseh, but first one learned to learn lomdus. That's how even the yeshivos are set up. It's simply not the way the Rambam writes.

Chavrusa: But what does the Rambam take from Klal Yisrael?

Okay, let's discuss the Rambam's argument. We're constantly talking about the inheritance that he stated. I'm not learning Rambam because I want to learn halacha l'maaseh. That's the argument here, as if someone says "you can't learn Rambam which isn't halacha l'maaseh". You can ask, what about the halacha of knowing the entire Torah? Why aren't you fulfilling the halacha? It's a halacha.

We're not learning Rambam as a practical guide. It's already been said several times that whoever writes the halacha in the newspaper, he already brings every recent authority. There's someone who says that the best two lines of the newspaper that went to print last night is the mussar of the week.

One must learn first talmud Torah to know what the Rambam says, to have a perspective on kol haTorah kulah. What does one understand from the Torah?

The Shulchan Aruch HaRav's Argument

Regarding this one can think like two arguments. Someone can say, "Okay, you want to fulfill the mitzvah of learning kol haTorah kulah? First one must agree with the Rambam that there is indeed such a mitzvah – because that's what talmud Torah means, to know the entire Torah."

The Shulchan Aruch HaRav, famously, agrees, but doesn't completely agree. The Shulchan Aruch HaRav explains, argues that one doesn't fulfill learning the Rambam, because one cannot pasken from the Rambam. Here this is somewhat of an argument.

Why can't one pasken from the Rambam? Because the Rambam doesn't bring the reasons, he doesn't bring the sources, he only brings the conclusion. Apparently one can say that the Rambam is indeed just so practical, and therefore one doesn't fulfill talmud Torah with this, and consequently one must indeed know and one must learn Gemara.

It doesn't start. He doesn't come to someone who learns for example Daf Yomi according to that approach, and he finishes, that he fulfills more the mitzvah of learning kol haTorah kulah than someone who learns the Rambam.

What a chain – did the Rambam say back what does that mean? The Rambam doesn't agree with this. The Rambam certainly holds that talmud Torah means knowing exactly what it says in the Rambam, and the proof – he wrote the sefer that way.

I saw Rabbi Yerucham Meir says that the Shulchan Aruch HaRav is talking about learning the Rambam when one doesn't look in the Kesef Mishneh. Most who look in the Kesef Mishneh – that's the Beis Yosef. You know, they say approximately the things that the Beis Yosef will establish.

But I think the Rambam said this is how they should learn, and they learn with this talmud Torah. So there is with this talmud Torah to have a broader perspective on Shabbos. That's also true, because learning Hilchos Shabbos there is much longer than learning the entire Hilchos Shabbos of the Rambam. It already lives, chas v'shalom.

So, it comes out that one has a broader perspective on Shabbos. How do you view the Rambam's Shabbos with the halacha? Afterwards one can go into the small details.

Chavrusa: Yes.

Okay. Let's go inside, because our length is getting too long about this.

Chavrusa: Okay, let's learn further.

Halacha 1: Shochet – Av Melacha

Chavrusa: A shochet.

Let's learn, and next time we can discuss further from the chakira.

A shochet. **Shochet – chayav.** One who slaughters an animal.

Chavrusa: Uhm. Yes, but a shochet means an animal. Earlier he had sochet as sochet, squeezing. A shochet is slaughtering.

Yes, chayav.

Netilas Neshama – The Essence of the Melacha

Says the Rambam, **v'lo shochet bilvad.** The essential word of shochet is not...

Chavrusa: Ah, that's so from the matter of melacha of food.

It's not the word that one sprays the blood or something the action. Rather it's the result from it. This is a murderer. One attacks a person. One makes a person no longer alive.

Chavrusa: Or an animal?

There's no difference whether one does shechita. There's no difference how one does it – whether it's shechita, whether it's nechira. Nechira also means chopping off the head, but not with a knife, not with the laws of shechita, that's what I think. Or when one removes with any other way – chayav. Because the word is removing the soul.

It's already in the Gemara this, a question what is the essence of shochet – whether the blood or this. The Gemara says because of netilas neshama. The word is there the netilas neshama. Consequently, any manner in which one removes, even if there's no blood on it, or no difference what.

Discussion: Why Shochet is an Av Melacha

Chavrusa: What do you say?

Yes, yes. It's one of the avos melacha. The Gemara says that they should all be in one type of melacha, not be a tolada. That's it. Shochet means killing.

Chavrusa: What?

Yes, yes, very good.

Chavrusa: No, there the Gemara wants to say that he's also chayav for tzovei'a and the like, but the Rambam brings...

We need to know why the Rambam doesn't bring it, but the Rambam brings the essence of this – that there's an av melacha called shochet, which means netilas neshama.

Chavrusa: Yes. Very good.

Chonek – Tolada of Shochet

Chavrusa: Yes. Now we can learn chonek.

So you see interesting – chonek, shochet, but it doesn't mean every way of killing. Something is similar to shochet.

Chavrusa: Yes, only a certain way of killing. Let's see.

Aha, interesting. A chonek is chayav, **ad sheyamus.** If someone chokes, he makes strangulation, that one dies another way, through not having oxygen, completely another way – **harei zeh toldos shochet.**

Why Chonek is a Tolada and Not an Av

One cannot say that it's the av of shochet, because it's a different way. All the previous things that he enumerated have some similarity to shechita – striking until blood comes together, or until he loses blood, and similar things.

He says like this: the word of it is the netilas neshama, but the form of it was in the manner of shechita. So the things where the form of it, the way how one does netilas neshama, is similar to shechita – that's the matter of the melacha. But when one makes the result that the soul should go out in another manner, it's also the same prohibition, it's a tolada, because it doesn't have the same form.

So choking kills through a different kind of way. **Harei zeh toldos shochet.**

And we understand that the Rambam doesn't mean specifically chonek, but any similar to chonek. But a person finds a way – he's going to take him, give medicine that he should die – that will also be the same as chonek. He'll say: it doesn't have the form of removing his blood, of killing through something similar to shechita.

Dag – Fish

Lefikach, the Rambam enumerated dag, fish. Generally, fish – the way how one kills a fish, the very catching is dag.

Tolada of Shochet: HaMotzi Dag Min HaMayim

Yes, the Gemara speaks about this. In short, catching the fish itself already kills generally. Actually in that it's not an av, it's a tolada.

Lefikach, hamotzi dag min hamayim v'hinicho ad shemes – is also the manner of choking, because its life is in water. Just as a person is from the water, one puts him into his own water, as we learned in the side. So here after one takes him out, one lets him die ad shemes, chayav for chonek.

What's interesting, the chiddush here is that it's chonek, because you could have said that it's only a gorem. Yes, he dies a few minutes later or whatever, but that's called chonek. That's the murder, shochet, chonek, whatever. Not exactly chonek, but it means to say, consequently it's a tolada of shochet.

The Measure of Liability: Keiyon Sheyeivash Bo K'sela

V'lo ad sheyamus – when does he become liable? **Keiyon sheyeivash bo k'sela etzel snapirav**. When the fish becomes dry, that means when he's been long enough outside the water that spots form that are dry.

How big must the spot be? As big as a sela by the area of the snapirim. What does that mean, the snapir, the feathers, the flat feathers that a kosher fish has, if it has become dry enough by the area of the fish by the snapir there, chayav, because from here and further he can no longer survive. **She'eino yachol lachayos** – when he's been so long outside the water that it has already begun to become dry, he can no longer live, even if the death throes will still last a bit, it already means that he's killing.

The Practical Difference of This Measure

What's the practical difference? A second person comes and kills him before, and we want to know who... Someone asks a good question, who says perhaps it can indeed live again? Ah, the Rambam says she'eino yachol lachayos. Or he took it out and he indeed intended to put it back and he forgot or whatever, so one should know at which, how long. It can be a fine bit relevant the halacha, yes.

Halacha: Hoshit Yado L'mei Beheima V'dildel Ubar

So, I want to know, **hashochet yado** – what happens if a person did such a thing, an animal that is pregnant, he pulled out the fetus, and the fetus dies from this.

Hoshit yado l'mei beheima v'dildel – what does dildel mean? Pulled out? I don't know exactly what the word dildel means, as it hangs, but it hangs off, he hooked it, I don't know, he took it down in short. V'dildel, moved it around so that it no longer remained with the womb and the child should no longer be able to live with the mother, chayav.

He is chayav, because the fetus is called an animal, there is netilas neshama on a fetus. It's interesting, we don't say how long, for example regarding murder until thirty days one is not yet called a full murderer. But regarding murder, yes. It's a doubt whether he'll live. It's a doubt of a nefel. But an animal, that's called a shochet. Yes, interesting thing. Chayav as shochet.

That's the shitas haRambam. There are other shitos how to learn the halacha, but the Rambam says this shita.

Halacha 2: On Which Animals is One Liable for Netilas Neshama

Okay. Good. Says the Rambam further, which type of animal is there shechita? One must know certainly that it's a true animal that has a soul that one can remove, netilas neshama. I don't mean the word neshama, but he has a life and he's not considered a weaker animal. Let's see him.

Animals for Which One is Liable

The Rambam enumerated what also means netilas neshama: **"she'ein parin v'ravin mizachar u'nekeiva"** – that they reproduce from a male and a female, **"o nivra'in min he'afar kemo hapir'oshim"** – or that come out from the earth like fleas.

A flea is a flea, yes, a flea is a louse. It's not a louse, because we say kinah. The Rambam won't say... No, what I remember yes, in Niddah eighteen it's called, a flea is not a louse. A flea is a type of flyer, a type of fly that comes from dust.

"One who kills them is liable like one who kills a domesticated or wild animal" – one who kills them is the same as if he killed a domesticated or wild animal.

Innovation: Size Doesn't Matter

The Rambam answered the question here. Someone asked whether an elephant has more life than a fly. The Rambam says, the elephant and the fly have the same life. Furthermore, because there's no difference in size, even if they are tiny.

The point is that they are a regular living creature that is created the way nature makes living creatures be created. But there is another way how living creatures can be created, says the Rambam, and this is in the Gemara, which is not called a living creature.

Vermin Created from Dung – Exempt

The Rambam says, **"Vermin that are created from dung or from fruits that have rotted"** – that come from dung or from fruits that have rotted, **"from mud or from fruits that have become wormy and the like, such as worms in meat"** – how does one see such a thing? Worms in meat, in meat it happens, meat becomes rotten, worms start coming on it, and also in legumes there are little worms.

"One who kills them is exempt" – the one who kills them is exempt, because Chazal say that they are not called a true living creature. A wondrous thing, there is much discussion about this, but we will move on. So the Rambam rules that they are not called a living creature.

The Difference Between Dust and Dung

The Rambam doesn't say that the difference is entirely whether it's born from male and female or from the earth. Because a flea, right, so the difference is that a flea which is also from dust, the Rambam says that nevertheless he is liable.

So the Rambam makes a distinction of something, the first category which are important, are from dust or from male and female, and the other which is from dung and from excrement and swamp, that is one must come from something human, from the rotten fruits, there's no father and mother, but dust is a normal thing, dust is still.

There is a dispute among the Rishonim who argue about this, but this is what the Gemara... The Rishonim say, also the flea is like the creeping things, what not? Right, they go with the proper definition of male and female.

Note: Torah and Science

Understand, we don't know of any reality that it should truly come from the dust, but it's already a question of Torah and

science, whoever is engaged in that topic should learn there. Yes. Yes. Sefer HaBrit speaks about this, but this is not the place to elaborate.

Halacha 3: One Who Cleans His Garments on Shabbat – The Law of Lice

The Rambam says further, "**One who cleans his garments on Shabbat**" – one who wants to clean. What is the word "mefaleh"? The language of "Ashrei yefale le'dal ve'evyon"? I don't know. Lefalot. Mefaleh means mefaleh. He says an alef. We have such words, "shavit", "kedeirah", "mefaleh", such words that we find rarely. He means cleaning the vessels from worms, from dirt or the like that is in the sides.

"One who cleans his garments on Shabbat" – ah, lice. When there weren't such good hygiene, it made lice in the laundry often. And if one searches it out... to clean his laundry on Shabbat, **"he may squeeze the louse and throw it"** – he may grab the louse and take it out, but the louse can quickly slip away from him, he must first give it such a good squeeze. He must squeeze it a bit.

May he give such a squeeze, or squeeze a bit the worm that he wants to take out from there, the louse that he wants to take out, excuse me, **"and throw it"** – and throw it away. It means, you shouldn't think that this means like he's killing it a bit. He may squeeze it, he doesn't need to be afraid of that.

It Is Permitted to Kill the Louse

He finishes the halacha, he finishes the halacha, because you shouldn't think that the Rambam will say, **"and it is permitted to kill the louse on Shabbat"** – one may kill lice on Shabbat, because lice are not like a living creature, like the creeping things that are forbidden, but like the creeping things that come from dirt. So it also comes from dirt, it comes from the sweat of the person, from that comes out lice.

Discussion: Contradiction Between the Two Halachot

So the halacha is a bit of a problem, because here it says in a minute, molel, meaning he may not kill, he may only as you say, squeeze it a bit and throw it away. The next line says that one may kill lice ab initio. So what is the difference between the two halachot?

So there are different answers in the commentators, I don't know.

Answer of the Shulchan Aruch HaRav

So let's say how the Shulchan Aruch HaRav says it, because it seems like it makes sense, and it just comes out that way in the topic. He says that when one is engaged in this and he's cleaning his laundry, besides lice he can also find other things, for example fleas, I know, things that are indeed forbidden. We say that one shouldn't rush to kill. Molel one should, which is not exactly killing, which perhaps is only a doubt whether it died from the taking of the soul, one may. But killing no, because perhaps he will afterwards kill something that one may not.

But if he finds a louse, when then he is not engaged, there is no decree, he finds a louse, he knows that it's a louse, one may kill it, because lice only come from sweat. So the Shulchan Aruch HaRav learns the halacha this way.

But this fits with the distinction, here it says "mefaleh kelav", and afterwards it says a separate halacha about "horeg kinah".

Distinction Between "Exempt" by Vermin and "Permitted" by Lice

But here there is another thing, that the Rambam said that the creeping things are exempt, one may not kill a creeping thing that comes from fruits, exempt but forbidden. Here it says permitted, lice one may indeed.

So they say that lice are a pain for the person, it's an itch, something that one must be freed from. Therefore they didn't decree on this, they only decreed on creeping things or other vermin.

Therefore, by "mefaleh kelav" one can understand the Shulchan Aruch HaRav's explanation. By "mefaleh kelav" there is the concern of lice or I know, fleas, so one is stringent. But when there is no concern, and there is a place of pain, yes.

Halacha 4: Wild Animals and Creeping Things That Bite and Kill

Very good. So the Rambam says further... now one can find another way that one may. Yes, types of animals.

The Rambam says like this: **"Wild animals and creeping things that bite and certainly kill"** – types of wild animals and creeping things that when they bite they certainly kill, they are truly dangerous, **"such as the fly of Egypt"** – a fly is a bee? No, ah, a fly is a fly.

Types That Are Permitted to Kill on Shabbat – Dangerous Animals

The Rambam says further: **"There are other types that are permitted to kill on Shabbat"**. Now one can find another way that one may indeed kill types of animals.

The Rambam says like this: **"A wild animal and creeping thing that bite and certainly kill"** – types of wild animals and creeping things that when they bite they certainly kill, they are truly dangerous – **"such as the fly of Egypt"** – the bee...

A fly is a bee? No, a fly is a fly I think. Hornet. A fly is usually a type of fly, a mosquito from Egypt, some type of flying creature from Egypt.

"And the hornet of Nineveh" – the hornet of Nineveh. In the Torah it says "Also the hornet Hashem will send against you until you are destroyed". It seems that in the Middle East, in those regions, there are very aggressive bees that can kill.

"And the scorpion of Chadyav" – sounds like an Arabic name of a city. A scorpion is a type... what is it called in English? A scorpion like that? Similar to a snake with several little legs, yes. A multi-legged creature.

"And a snake in the Land of Israel, and a mad dog everywhere" – and everywhere one knows that a mad dog is a danger to a person. If a person was bitten by a mad dog, yes.

All these things are harmful, it's a danger to people that they move around. **"It is permitted to kill them on Shabbat when they are seen"** – one may kill them on Shabbat when one sees them. Even if one doesn't know for certain that they will kill, but since if it bites it will kill, it's a possible life-threatening situation, one may kill on Shabbat when one sees them.

Other Harmful Creatures – Running After Him Versus Sitting in Its Place

"But all other harmful creatures" – all other harmful creatures, it is like this: **"If they were running after him"** – yes, then that is life-threatening. Permitted to kill, because they can sometimes kill. So if they are running, it seems that for one doubt one may desecrate Shabbat, but for multiple doubts not. If they are running after him, it's already very close that they should be a danger to the person, so one may kill them.

But if they keep away from the person, or sitting in its place – they are sitting, they mind their own business, they don't bother – or they run away from people, it is forbidden to kill, because then they are not a danger.

Discussion: What Does "Dorsan Lefi Tumo" Mean?

"And if he tramples them innocently" – if a person woke up in a place where there are... the Rambam already said a halacha that one may not kill a harmful creature. The Rambam says, what happens now if a person starts worrying that under his feet there are several creeping harmful creatures now? He walks on the harmful creatures, or he walks on all of them, and if he tramples them innocently – walks on harmful creatures? Seemingly, and if he tramples them applies to a harmful creature? And if he tramples them...

Ah, tramples – them, the harmful creatures. Okay, if there is a harmful creature that one may not kill, because it's a type of harmful creature that is sitting in its place, and he makes it crushed at the last... It's a continuation of the sitting in its place. **"And if he tramples them innocently while walking"** – if he kills, but if he... We learn it this way, because he seeks to kill them. But if they are exactly under his feet...

The Maggid Mishneh explains that it's a bit roundabout. That means, a harmful creature that is a possible life-threatening situation. It won't certainly... it's not among Egypt the list of animals... it's not on the list of dangerous animals, but it is indeed a bit dangerous. Not just a fly that does nothing. A small harmful creature it is.

So if it runs after you, one may ab initio. If it sits at home, one may not. Seemingly forbidden rabbinically, from the Torah one may also. Certainly from the Torah anyway, because it's... I don't know why one may from the Torah. It's taking of life, but that's a different part according to the Rambam.

In any case, it's a possible life-threatening situation, so it could be that from the Torah one may. So in this case, the Rabbis don't allow. The Rabbis say: "Come here, it's not exactly life-threatening." One must understand this, because it's very difficult to understand the definition here. Seemingly everything is a possible life-threatening situation. One must learn that the Maggid Mishneh struggles here. It's some level, it's not so dangerous. Okay, it runs away, so let it run.

Explanation 1: Unintentional Act (Gets Rejected)

I want to say this explanation, because I mistakenly thought differently, that the Rambam speaks of when we walk in places where there are animals, and you step on them often without stepping on them. Ah, it's no problem, because you didn't intend them.

So I think that what he says here is also like this – if the animal lies on the floor and you step on it, it's not certain that

you will kill it with this. Perhaps you will only harm it, which will only make it become harmful.

You're not speaking of the laws of unintentional act, because he didn't have it certainly in mind. It's a harmful creature, he speaks of this.

Explanation 2: He Seeks to Drive Away, Not to Kill

So, therefore he argues, so the Maggid Mishneh argues, that he speaks – he indeed intends to kill, but **"tramples it innocently"**. So it says in this language, "tramples it innocently". Not that he is walking, walking on floors, perhaps here it is permitted according to Rabbi Shimon, as is the halacha. But he tramples not in a way that he stands with nothing, he gives it a squeeze on the way – one may. So this is perhaps indeed the halacha.

Perhaps one can say that the reality means a bit differently. Think like this: let's say, such a wild kitten runs around you. You start pushing with your foot, yes, to scare it – that's like "fleeing before him". You start pushing, and make sure, you don't seek to kill it. You start pushing that it should run away, and if it didn't succeed, and you gave it a stronger push that it died, he is not concerned, because you didn't seek specifically to kill it.

Perhaps that's what he means. That means, when you seek to wrestle with it, to drive it away, and you killed it, it's an unintentional act, and perhaps not an inevitable consequence.

Dispute Between Rashi and Ramban

Okay, the Rambam brings that there is a dispute between Rashi and the Ramban. Rashi held that it means exactly as you say, that one may only when one intends exactly. And they learn that it means even intentionally. The permission is there's no real true work here. The permission is essentially life-threatening. The Sages didn't want that such a thing that is not completely dangerous one should explicitly chase and kill, but they did allow in a way that people don't grasp what exactly "innocently" means.

Question: What Does "Lefi Tumo" Mean?

That's the question of innocently, because the innocently that you say is exactly the opposite of innocently. It's more with cunning. Innocently means innocence. You say the opposite of innocence – that person should think that it was innocence.

Usually when one does something with innocence, when he harms someone: "Ah, I didn't mean to, it was innocently." Yes, yes, I understand very well.

Okay, up to here the laws of slaughtering. Where he means as if for his benefit, certainly not innocently. He tramples it, as today's Gemara brings.

The Ramban's Explanation

No, about this I think that the explanation is not held. I don't know if anyone learns this way, but because he seeks to drive it away and he kills it – tramples it means he pushes it. He stands, there comes to him under an animal under his... he goes to grab the animal and kill it. Sitting in its place.

But what he means to say here is that he may fight with it, he may fight with it and push it and trample it, and he doesn't

need to be afraid that perhaps I will kill it. Because as long as you intend to protect yourself and drive it away, you may trample it, you may fight with it even if perhaps it will die from this.

But the Rambam means to say that you don't need to be afraid of fighting with an animal if it's not life-threatening. What, you want to make new explanations, which is not worse than the previous explanation, but it doesn't fit, as we discussed, it doesn't fit.

Conclusion: The Best Explanation

But what does "tramples it innocently" mean? It's simply fake words. He tramples it to kill it and he makes himself innocent. That doesn't mean "innocently". "Innocently" means when he doesn't seek to kill, but he seeks to protect himself and he pushes it.

"Not this there isn't" is a bit of a difficult word. "Not this there isn't" – he wrestles around with it. "Not this there isn't" while he... one who kills it is permitted. That's what he means. "Innocently" means fake, exactly, it means fake. And the Ramban learned this way in the Gemara. I don't believe that there's a better explanation in the Gemara than the Ramban has.

Ah, you use a kind of non-wisdom sometimes. Yes, it falls out from time to time.

Mafshit – Skinning the Hide

Say the next one. The next three labors are three very similar labors. After one has already slaughtered the animal, we now seek to create a hide. This is the end of the section of labors that one does from the side of a deer.

Digression: The Order of the 39 Labors

It's interesting – this is the secret why, for example, you could now start to say cooking. I don't know, he will cook the meat. No, in the Mishkan they didn't eat any meat. It was only the hides that were made, one worked for the curtains. They made roasted, they roasted meat. One doesn't need... one didn't need meat hides.

This has nothing to do with the labor of the Mishkan. The labor of the Mishkan doesn't mean the labor of the sacrifices. This means once the labor of making the Mishkan. There is like the order – here it says by shearing that one had to shear the animals. So, the need from animals is only like the hides of red rams, I know what had to be processed. Or one had to write on the... the Mishkan had sections things that had to be written. There was writing that was needed in the Temple.

No, but preparing the Mishkan, there was... in the ark of the Mishkan there were sections that the priest must say, the section of the assembly and what is there...

No, no, no. The writing of the Mishkan is not truthful in the order. The order doesn't match completely with the writing of the Mishkan. Writing is like the signs that one writes on the curtains, the Gemara speaks something about this. What one writes on the beams, what to place next to what. The Gemara speaks about this, about the order, whether it's the order.

Anyway, no, I'm just saying, because from this stands here "ofeh." Because the order of the parsha speaks of ofeh. What did one... ofeh also means... yes, but this doesn't match with

the Mishkan. The order of the parsha is a different sevara than the melachos (work) of the Mishkan.

From Chassidus one learned that ofeh is the same thing as mevashel (cooking), but it doesn't say mevashel because it speaks of bread. Bread is from ofeh, but essentially it's the same thing.

Mafshit – The Shiur (Measure)

Okay, back to the matter of the... So, after one has the animal that one has slaughtered, one must remove the hide.

It is thus: "**Hamafshit**" – one who skins off the hide, even not the entire hide, he skins off a piece of the skin – "**kedei la'asos kamei'a**" – this is the shiur, right?

Yes, kedei la'asos kamei'a. He means to say, the Rambam, that when he does it because he wants the skin, not for example because he wants the meat. Someone who skins off hide because he wants to cook the meat...

There is a shiur. Every melacha, the first thing that stands is the shiur. This is the shiur. The shiur of hide... shiur, how big is a kamei'a? How big is the minimum amount of being mafshit that one transgresses? Just like me'abed – all the matters of hide have the shiur la'asos kamei'a.

Yes, the shiur of a kamei'a. Very good.

But it's interesting, but the shiur is also true that... on everything there is a shiur, shiur of glasses like water, yes. But he is destroying the hide, because he wants the hide.

Okay, but not about the three blemishes.

The Meaning of "Kedei"

"Kedei" – kedei means, almost all the places where we say kedei, means kedei shiur, the shiur. Kedei – many times one says kedei. For our language, one must just know, for our language kedei...

Shiur of Hide-Melachos: Kedei La'asos Kamei'a

Chavrusa A: That one should be obligated? All the laws of hide have the shiur kedei la'asos kamei'a.

Chavrusa B: Ah, shiur of a kamei'a. Very good.

Chavrusa A: But it's interesting. But what I'm saying is also true, that on everything there is the shiur. Shiur la'asos kamei'a.

Chavrusa B: Yes, but it must be mafshit the hide, because he wants the hide.

Chavrusa A: Okay, but not in the melacha.

Discussion: What Does "Kedei" Mean in Lashon Chachamim?

Chavrusa B: "Kedei" means, almost all the places where we've seen, "kedei" means kedei achilas pras, the shiur. "Kedei," many times one says "kedei"... in our language, just know, in our language "kedei" means like you say, a kind of... but I don't know if in lashon chachamim, one must think.

Chavrusa A: When one says "kedei hadavar," kedei to do thus... it's enough.

Chavrusa B: "Kedei to do thus" is enough? It's a melitza (expression), but it's built on the language just like kedei achila, like you say. It's sufficient the reason, so I mean. "Kedei hu l..." right? **Kol ha'olam kulo kedai hu lo.** It's enough,

ah, the person is enough something thus to create about the entire world. One must think.

Chavrusa A: Anyway, here it certainly means a shiur.

Halacha 5: Hame'abed Min Ha'or

Chavrusa B: Yes, yes. By every melacha he says the first thing the shiur.

Chavrusa A: Yes. How much is the shiur of hide? As big as it is to make a kamei'a.

Chavrusa B: We still don't know this either how long it is. Perhaps there is a kamei'a of one letter, of two letters. One must ask the ba'alei umanut (craftsmen) who make kamei'os.

Chavrusa A: Okay.

Me'abed: The Melacha and Its Process

Chavrusa A: Chaim, **hame'abed min ha'or**. The first thing is mafshit, when he skins off the hide. After skinning off the hide one is me'abed the hide. One fixes it, one puts things, one puts salt or whatever it is that one fixes it. One treats it, but he puts it into lime and spices and the like. **Kedei la'asos kamei'a**, the shiur is also kedei la'asos kamei'a, chayav (obligated).

Me'abed and Mole'ach Is One Thing

Chavrusa A: He says, **ve'echad hu hame'abed ve'echad hamole'ach**. Me'abed and mole'ach is the same thing. It's simply the Rambam wants to support here that in the Mishna is counted mole'ach. But the Rambam says that me'abed and mole'ach is the same thing. Because both, **shehamolchim me'abdim**.

What does one do with putting salt on fresh skinned hide? That it should become well worked. And how is one me'abed? With salt. Perhaps there are other ways, but mole'ach and me'abed is one thing. Done.

Ein Ibud Be'ochlin

Chavrusa A: The Rambam says, you should know that **"ve'ein ibud be'ochlin."** On hides that one salts so that it should become, something should happen with it, is called ibud. But he means, he puts salt on food, that is, this is not called ibud.

There is yes something, I mean by shevi'is there is something when one may salt vegetables, but the Gemara says there that it's not a de'oraisa, that is something because of metaken or what. But the word "me'abed" is, that which one puts salt and it changes the texture of the thing, is a law in hides and not a law on other things, on ochlin in any case there is no such law.

I don't know, the Rambam doesn't say for example if you are you salt it in so that it should be a jerky, I know what, it's not a transgression of me'abed.

Chavrusa B: Hides that one is going to eat, that's the word.

Chavrusa A: Yes, the Rambam is simple, he says that you shouldn't think that when one takes a thing and one changes it through salting, that is called ibud. Just like when one puts salt on meat or on a tomato, that is melicha, salt, and not ibud, that's the word.

Chavrusa B: True, but it speaks of the same cheftza (object), it doesn't speak of something else. It's a melacha of a hide.

Discussion: Is Ibud Specifically on Hide?

Chavrusa A: Is it specifically on hide?

Chavrusa B: I mean on hide, he doesn't say that it's specifically on hide. He says that it doesn't exist on ochlin.

Chavrusa A: Being me'abed means being me'abed a hide, what else can be me'abed?

Chavrusa B: Meat. One takes a fish, what happens? One puts it in salt and the texture changes from it. Just like the texture of the hide changes.

Chavrusa A: No, it changes the texture. It becomes something else, it becomes a... the same thing with the hide. Salt is a strong chemical, it can change things. It can change the same way how the salt changes the raw hide to a harder hide or whatever it is, one can do with a fish. One catches a fish and one surrounds it with salt, it changes the meat from it that it can no longer become rotten.

Chavrusa B: It's valid on the meat also, but not a tree. A tree one cannot be me'abed.

Chavrusa A: He doesn't say ochlin in any case. He doesn't say "ibud ino noheg ela be'or," this he doesn't tell us.

Chavrusa B: No, it's not.

Chavrusa A: Should I speak again? In practice yes it's only here by hide, because it doesn't exist be'ochlin. What means be'ochlin? In meat. So it remains only by hide. The shita was the Gemara one down that says that melachos in meat, salting a meat is not me'abed. The other says no, ein ibud be'ochlin. Indeed if one speaks in melachas hadag, salting a fish, a meat, a fowl, a fowl, ela mah ein ibud be'ochlin, so is the halacha.

Halacha 5 (Continued): Moche'ach - Smoothing the Hide

Chavrusa A: Okay. Read further. **"Vechen hamoche'ach min ha'or."** There is the next thing called moche'ach, the next av melacha, moche'ach. What is moche'ach? He removes the hair from the... the hair that is in the hide. The shiur is **kedei la'asos kamei'a**.

"Ve'eizehu moche'ach? Zeh hama'avir hase'ar o hatzemer me'al ha'or achar misa ad sheyachalik es ha'or kedei sheyihyeh or chalak."

Moche'ach doesn't mean erasing, but smoothing. Memache'ach. Like the Mishna says memache'ach.

Chavrusa B: Okay, by this it's the same word. In the Mishna it indeed says memache'ach, what does the Rambam write moche'ach. Memache'ach and moche'ach is the same root. It's from making it smoother. Apparently so the Rambam certainly thought.

Discussion: Is Moche'ach Relevant By Ochlin?

Chavrusa A: Okay. He asks whether for example pulling out hair from a chicken, or small pieces that are still on the skin of a chicken, whether that is also ein ibud be'ochlin, is moche'ach relevant be'ochlin?

Chavrusa B: What are you talking about?

Chavrusa A: No, the concept is... ochlin is also relevant such a thing as removing the hair. For example, a chicken can remain pieces on the skin of the chicken that are not out.

Chavrusa B: It's different, it's not memache'ach. It can be it's toldos gozez. But in any case he doesn't say on it like on both, ein ibud and memache'ach be'ochlin.

Chavrusa A: No, it's not so simple.

Distinction Between Moche'ach, Gozez, and Kotzer

Chavrusa A: Okay. Now toldos of moche'ach.

Chavrusa B: Yes.

Chavrusa A: And we already had gozez, shearing hair, and we had kotzer, cutting off a davar gidulo, that was only specifically on things that grow. And now we have moche'ach. There are three kinds of ways how to remove a thing from its place of growth, and there are three kinds of different prohibitions. It depends on the context.

Discussion: What Does Moche'ach Primarily Mean?

Chavrusa B: But it doesn't seem to me that moche'ach primarily means cutting off hair. I mean that moche'ach means smoothing. Precisely in hide, the thing that remains is hide, he brings that if there remained a bit of meat or other things, there is also moche'ach. Moche'ach doesn't mean specifically the hair, it's not a matter of cutting, it's a matter of smoothing the skin, the pelt, the hide, whatever it is.

Chavrusa A: But it's still remained, for example someone smooths wood, wood one smooths so that it should be smooth wood.

Chavrusa B: No, it's not wood. It's different.

Chavrusa A: Don't tell me that it's moche'ach, and moche'ach doesn't mean smoothing. It means smoothing skin.

Chavrusa B: And someone who rubs his face and makes it smooth, he has skin, is he then moche'ach?

Chavrusa A: Yes?

Chavrusa B: I don't know. He does have skin.

Chavrusa A: Has skin. Moche'ach means smoothing skin.

Chavrusa B: He brings that the Rema says that ein moche'ach be'ochlin.

Chavrusa A: Why not?

Chavrusa B: For example someone makes a cream, a cream should be smooth...

Chavrusa A: Cream is an addition, he doesn't make smooth.

Chavrusa B: Let's say, I mean that by ochlin, he says that he makes that from on top of the food should be smooth, should be creamy or what.

Chavrusa A: No, yes, but let's be clear. This I understand here. One must look at all the Rabbanim and things, and I still don't know to say halacha lema'aseh, they don't know at all.

But what stands here moche'ach, means that there is something that is on top of the skin, a hair or let's say perhaps something else, and he makes it smooth. When you spread out cream, it wasn't cream that made the thing not smooth, and you make it smooth. He doesn't speak of spreading, but for example someone, there is such a tool to make...

Chavrusa B: But what's the difference? It's not a tikun, one can eat it without this also.

Chavrusa A: So says the Rema. It's nothing at all, it makes it nicer.

Chavrusa B: But you say, he takes a piece of chicken and you make it smooth. The same thing, it doesn't disturb the eating, the Rambam says that one may.

Chavrusa A: But you'll ask a rav, very good, you should ask a rav.

Three Melachos - Three Steps of One Process

Chavrusa A: Okay. So, it's unfortunately so, the three melachos are essentially the same thing, right? Mafshit, me'abed and memache'ach are all stages of the same thing. It's like three steps.

Halacha 6: Toldos of the Three Melachos

Chavrusa A: Okay. Let's see further. The Rambam goes to count toldos of the three melachos.

Toldas Mafshit: Duchsustus

Chavrusa A: The Rambam counts duchsustus. Whoever followed our shiur in Hilchos Sefer Torah knows what it is. That hide, after one skins it off, one can divide it into several, because it's thick, and one can from this make three types of parchment. One of them is called duchsustus. Duchsustus, I mean, is the side that is closer to the meat.

If he removes the skin, he divides the skin from the duchsustus from the klaf, **harei zeh tolda demafshit vechayav**. It's a tolda of mafshit. The av of mafshit is one skins it off from the meat, and again the hide itself that one skins off one from the other, is a tolda demafshit vechayav.

Toldas Me'abed: Hadores Al Ha'or Beraglo

Chavrusa A: **Hadores al ha'or beraglo ad sheyiskasheh**. We learned me'abed is putting salt. There is another way of...

Chavrusa B: No, me'abed is not putting salt. One of the ways of me'abed is perhaps putting salt. Me'abed is whatever one puts. Me'abed is working out the hide of the animal, and the way how one does it, what the Rambam said, was through putting salt. The Rambam didn't say that this is the only way. He's telling you now another way.

Chavrusa A: Hamole'ach, one who is me'abed is mole'ach. It's one type of ibud.

Chavrusa B: Okay, one puts pepper or salt, I don't know what here he has many other things.

Chavrusa A: But the me'abed that we already know, that we were told what me'abed is, that one puts salt. Counting out the Mishna, because the way how one is me'abed is through putting salt. This is one way.

Chavrusa B: Do you know of other ways?

Chavrusa A: Yes. I have here the Rambam which is counted out.

Chavrusa B: We already learned in the kloiz, there are other ways. One puts wood and things.

Chavrusa A: Not only that.

Chavrusa B: Simply, melicha is another step of the melicha. It's not the same thing. First one puts salt, and afterwards one removes the salt, and then one adds lime and wood and other things. They're other things. It can be melicha is still part of ibud, it can be melicha is me'abed in general.

Me'abed: Melicha and Ibud

Yes, for this reason the Rambam had a problem to count out the Mishna, because the way how one is me'abed is through putting salt.

Chavrusa A: This is one way. Do you know of other ways?

Chavrusa B: Yes. Yes, the Rambam counted it out and they learned that there are other ways. One puts wood and things. And not only that, simply melicha is another step of the

melicha, it's not the same thing. First one puts salt, afterwards one removes the salt, and then one adds lime and wood and other things. They're other things.

It can be melicha is still part of ibud. Can be melicha and ibud means in general melicha is still part of ibud. I saw there are people who say translate thus here in the Gemara, there in the Gemara melicha and ibud. They're both the same av melacha, if you are counting the melacha, it's the same thing.

It's not really relevant, but further... I mean not relevant here. I can argue earlier, but I don't know what the wood is. Can be it's not the exact same time, can be that one does afterwards, I don't know. Okay, it's also not...

Me'abed: Toldos

Me'abed means working out through ways. You can do it through chemicals, or if someone does it manually, someone does it with his hands, with his feet, he treads on the hide with his feet ad sheyiskashev veyis'ametz, or merakcho beyadav, or there is a way to do it with the hands, making it soft. On the contrary, there is someone who wants to make it hard, and someone wants to make it soft.

Motcho umeshacho kedai lehachshir oros hatzenumim – one pulls it around and one makes it straight, one pulls it and one makes it straight through pulling, kedai lehachshir oros hatzenumim, so do shoemakers – **harei zo toldas me'abed vechayav**. These are toldos me'abed, the other ways of being me'abed a hide is chayav.

Toldas Moche'ach: Moret Notza Min Ha'evra

What is the tolda of moche'ach is thus: **Hamoret notza min ha'evra** – one who pulls out a feather, a feather, from the evra, from the wing.

Chavrusa A: From the evraso?

Chavrusa B: Yes, yes.

Chavrusa A: A makeh be'evraso?

Chavrusa B: No, that is with an ayin. Nu, "**Kenesher ya'ir kino al gozalav yerachef yifros kenafav yikachehu yisa'ehu al evraso.**"

Harei zeh toldas moche'ach vechayav. This is toldas moche'ach vechayav, pulling out feathers.

Discussion: Why Moret Feathers and Not Gozez?

And so, one must think why one says moret feathers and not gozez? Perhaps a living versus a dead one? Gozez is also a living one. I don't know.

And so, it can be that gozez is when one wants the hair, and here is when one wants the skin, one wants to remove the hair. Up and down can be a difference.

Toldas Moche'ach: Memare'ach Retiya

English Translation

And also, what else is included under the melacha (prohibited labor) of mochek (smoothing) is **hamemareiach retiyah kol shehu** – one who spreads around a retiyah, a cream, a medicine, but he spreads it so that it should be in a certain way, it should be smooth, or it should lie evenly, or in some certain way, with devarim hamitmarechim (things that spread), with things that spread, **ad sheyachalik pneihem**

– until it is smooth. **Chayav mishum mochek** – he is liable for mochek.

Chavrusa A: What does "until it is smooth" mean? Does that mean that simply when one applies a cream it's not memare'ach?

Chavrusa B: Memare'ach retiyah is not simply applying cream. It's when he spreads it. He applies wax with devarim hamitmarechim, yes? He has the thing that is hard, not hard, what's it called, it's a thick thing, and he smooths it out, he spreads it out on the place where it needs to go. Ad sheyachalik pneihem, he makes it smooth.

I think it means, versus if you just put it on as it is and you don't spread it around, then it's not memare'ach. It's not the applying, it's the spreading of the retiyah or wax. Simply to apply a retiyah is not a problem. Here it says that he makes it smooth. He has a problem that it's not smooth, and he makes it smooth. That's how I see what it says here.

Chavrusa A: I'm saying, wax or pitch with devarim hamitmarechim, that's the way how one applies it. One pours it out on the place where one wants to put it, and afterwards one spreads it around.

Chavrusa B: That's not what it says here.

Chavrusa A: That's written between the lines, in the white letters.

Chavrusa B: In your letters. I have different letters. I say like this: He has wax, he has wax like a havdalah candle, it's not nice for him, it's not straight. So he makes it straight. He needs it to be smooth, he's interested that it should be straight. Chayav mishum mochek.

Toledah of Mochek: Shaf B'yado Al Ha'or

And also, **hashaf b'yado al ha'or hamatuach bein ha'amudim** – a way how one works out leather is that one places it hung up on two posts and stretches it, one makes it tight. You know, sometimes seen, one can see how they do it with animals even, they make it tight. And on this he goes with his hands and he rubs it, so that it will help the process, in order to be mochek, to make smooth.

Mechatech: Geder Hamelacha

Now we're going to learn the av melacha of mechatech. Mechatech means to cut leather into sizes. That is, after one has already made a leather that one can work with, one now needs to cut it into sheets, into certain sizes.

The Rambam says like this, what is the av melacha? "**Hamechatech min ha'or kedai la'asot kamei'a – chayav.**" And the condition in this obligation is, "**sheyitkavein l'midat arko u'midat rochbo, v'yachatoch b'kavanah.**"

Mechatech doesn't mean simply when one cuts randomly, it's only when one cuts with precision, one cuts off a piece to a certain size, "**v'yachatoch b'kavanah**". B'kavanah means b'kavanah according to its length and width measurements. Making a size essentially is mechatech, not cutting. Cutting is kotzer, perhaps we'll get to that. Cutting a certain, with precision.

"She'hi melacha" – otherwise it wouldn't be a melacha, otherwise it wouldn't be a ma'aseh uman (skilled work), it

would be a simple thing.

But he says, "**aval hamechatech derech hefsed, o b'lo kavanah l'midato, ela k'mit'aseik o k'mesachek – harei zeh patur.**"

Discussion: The Gap Between "Mechavein" and "Mit'aseik"

It's very interesting to me, because between "being mechavein to length and width measurements" and "mit'aseik u'mesachek" there's still a lot in the middle. There's when he needs an approximate piece, he needs a piece, he knows I need a piece. But it's not "ela k'mit'aseik o k'mesachek."

I'm saying, "kavanah l'midato" is one thing, "mit'aseik u'mesachek" is a completely different thing. "Mit'aseik u'mesachek" means simply he's playing around with leather and he's cutting it into pieces because he's bored. But there's still somewhere in between, when he needs to have a piece without knowing a measurement. And he's called "mechatech kedei l'hafsid."

Chavrusa A: What?

Chavrusa B: That he cuts off the skin that he doesn't need. For example, he wants a large box, he cuts off somewhere by the corner, that the cut-off piece is not important to him. He needs to cut off what he does need, not what he doesn't need. That apparently means "derech hefsed."

But it's interesting to me, because "mit'aseik" and "mesachek" is one extreme, and "mechavein" and "metakein" is the other extreme, and "yodei'a shehu mechavein" is the other extreme. The Rambam puts in here a "ma'aseh umanut" of cutting into certain sizes.

Discussion: Whether "Mit'aseik" and "Mesachek" Are Separate Exemptions

Also, it's not clear to me. It must be less than... It's not clear. The Rambam's language is not clear. One can say that this is simply talking about a matter of "mekalkel" which is exempt. It's a bit funny. It could also be that it's a matter of "mit'aseik" which is exempt.

Every "mit'aseik" in the laws of Shabbat, we see in the Mishnah in the first chapter, I think already, that "mit'aseik" is exempt. "Mit'aseik" doesn't talk about this. "Mesachek" simply like here is already someone who is mechavein. So both things he should have been exempt for other reasons.

Chavrusa A: No, it doesn't mean that. It means that here there's something more. There's a type of cutting that he's not careful, he doesn't care... It's not clear. We need to understand it. He doesn't care about cutting a measurement, that's for sure.

Chavrusa B: I made it more local, entirely... This is all exempt in any case. One may not, but...

Example: Cutting for Tefillin

The distinction here is apparently, that he cuts, he needs a size. Let's say what problem does he have. The "mechatech" who is liable, he has a problem. He has a piece of leather, he wants to make tefillin, but it's too big. He measures it out so that it should be the size of his tefillin, it should match with the other parshiyot that he has for the tefillin. That is liable.

Someone who doesn't need any measurement, it doesn't matter how big it is, he gives a cut – that is exempt. That's what I would say. Although the language doesn't fit so well.

He says that this should be called mit'aseik. That when someone cuts seriously, he cuts in a style. That someone cuts

off because he wants to play with a piece of leather, or because he wants to give his son a piece of leather, he wants to have a piece of leather, but without an intention that he wants to cut a certain way or a certain place, and because he wants to have a piece – ah, that's a mit'aseik.

It's a bit interesting. The language doesn't fit, yes. It's a bit interesting, because the first piece that the Rambam makes, really that we're talking here about a craftsman who does with real intention, and the other side of this is not a weaker craftsman, but even someone who is completely random. That's interesting. Okay, until here is the work.

[Digression: Cutting Tissue Paper on Shabbat]

But it's really relevant, for example, because we tear ourselves apart trying to learn practical halacha, but cutting uncut paper is that it's a mechatech and a concern of mechatech. Because you know, it was in the very million things matter, because it's not the real mechatech, because he's clearly dirtier only in the east. It's today more than mit'aseik or mesachek, even if there are dots and he cuts sort of by that place. It's a recommendation of cutting.

On the contrary, it can be made, that once there is that opinion, it means not an opinion cut. I don't need to cut from there in white. It's certain that the dots is not because it stops a matter that it's such a measure of tissue paper. How big, simply!

In general, the Rambam hasn't said yet mechatech apparently means with a knife. I don't like it so much when someone tears that down with his hands... It sounds like someone is cutting. A mechatech means with a knife and with length and width measurements. I don't like it so much tearing off a piece from a tissue, one can categorize under the definition, but it doesn't seem so straightforward in the way of ruling.

It must be that one may not because like a not because I don't want to say a pshat for Shabbat paper. I here Shabbat paper is a stringency. I may stringency, certainly. But whether it's a stringency, because the acharonim and the Rabbanan are not clear.

Because if it's... That's in other words, I need to remember. If it's d'oraita, then it is. If you say that it's exempt, then there's a rule that because of human dignity the Rabbanan permit many things. I'm saying, the moment that the Rabbanan have for us is a need, then if there's no need, you can buy pre-cut paper before Shabbat. Because what you want to buy, over is a place that he doesn't have... Ah, perhaps the Rabbanan have it be much easier.

Chavrusa A: Yes.

Chavrusa B: Okay, but that's not our shiur. Yes.

Mechatech: Toledot

What are the toledot of mechatech? He says like this, let's say, **hakomet mechatech et hakanaf** – he cuts off a wing, he doesn't pull it out entirely. That is, instead of pulling out the wing from the leather so that it should no longer be entirely out...

Melachet Mechatech – Toledot (Continuation)

Introduction – Buying Pre-Cut Paper Before Shabbat

You can buy pre-cut paper before Shabbat, because you want to buy it, but there's a place that he doesn't have. Once it's rabbinic it's much easier. Yes, okay, but that's not our shiur.

Toledot of Mechatech

What are the toledot of mechatech? The Gemara says like this: **hakomet et hakanaf**. What does this mean about the touch? He cuts off the wing, he doesn't pull it out entirely. Instead of pulling out the wing from the leather so that it becomes such a small lump, he cuts off the wing, so there remains still a little bit of the wing below. That's what I think it means, yes, correct. It's different from moret, where he pulls it out – he comes, he cuts off.

Okay, he says that a tailor has a feather and he cuts, because he wants the feather. He perhaps wants a different size of the wing, yes.

V'chein hamegared rashei kelunasot shel erez – he needs to have pieces of wood from a cedar, from a beautiful tree, and he cuts off a certain place so that all should be the same size. He wants to file it down so it should fit into his hole, whatever. Yes. Also liable for mechatech, because he cuts with measurement.

V'chein kol chatichah sheyachatoch charash ha'etz – the master of wood, the wood-master – **min ha'etzim, o charash matachot** – or a blacksmith, one who deals with hot metals, a master of iron. Charash, well, how does it say in the verse? Charash etz, yes, let's mean here that verse: charash etz v'even. When a master cuts off, he cuts with precision, he's liable for mechatech, because he wants such a piece to fit into his bench that he's building now, whatever.

Distinction Between Mechatech and Scraping Off Metals

Interesting, because the question – when someone scrapes off pieces from the metals, he's not called mechatech. Because then he wants... That one he spoke that the crumbs you should use for something, here he speaks that he wants to make it a certain size. Yes.

Kisem – Toothpick and Key

Wait, **hanotel kisem shel etz milfanav** – if someone takes a piece of wood, he has a piece of wood, and he wants to take off from it a tiny piece for a toothpick – **u'ketamo** – he cut off a piece – **lachatzotz bo shinav** – or to make such a small key – **liftoach bo et hadelet** – liable, because he also cut off with precision.

Mechatech – "Ein Mechatech B'ochlin"

Wait, **kol davar shera'ui l'ma'achal behemah** – a thing that is fit for animal food can go – **teven v'asavim lachim v'etzim** – etzim we find this many times. I think that etzim means like thorns, something like that. Okay, **v'chayotzei bahen, mutar liktom meihen b'Shabbat** – because once it's fit for animal food, we don't look at this as wood which is a vessel, we look at it as food. It's not relevant to fixing vessels.

Mutar, not patur – mutar. It's not called fixing vessels, rather it's a matter of foods. On foods, it appears here indeed that on foods there is no mechatech, all these things don't exist by foods.

Discussion: Why Is There No Mechatech by Foods?

And the point is also that it's not... Nothing becomes. It's a piece of food, it's soft, one gives it... He cuts it, he makes a nice piece, even he makes a nice piece. So perhaps that's what the

Rambam said "**ein ibud b'ochlin**" – he perhaps means on all these "ein ibud u'mechayev."

But here we have this again, "liktom." True. So I hold that the point is indeed for all these things, because that's the order. With food everyone can play around a bit. It's not a vessel, you don't make anything. You make a piece, you have a piece... I don't know.

Give me a second. Yes. So that's simple, things that are not... I think it's indeed one, because nothing becomes. You take grass and you cut it, it became shorter grass. That's all that happens. It doesn't become from something.

And I think all these things we discussed on foods. So the thing is, "ein b'ochlin" there's no mechatech, there's no ibud. Why not? Because these things are ma'aseh umanut. On a field, every thing that one does is ma'aseh umanut. Food is taken, one spreads it, one does all kinds of things with food. There's no melacha of... It doesn't become a tikun. There's no melacha. Nothing becomes.

Question: What If Something Does Become?

And if it does become? You should say a pickle it becomes. Yes, it becomes... That's indeed a question. That's a different question. That's not d'oraita, right?

Umm. Meanwhile it was stated that one may, because someone wants to eat. That was the halacha. Well, and here we're talking about animal food, he also goes into a nice fixing of vessels, he finishes it. Why? He says, very good, because nothing becomes. Okay.

Mechatech – Atzei Besamim

Further, let's learn further. **Mutar lilkot atzei besamim l'hariach bahem** – one may cut off fragrant woods, it's not from the tree. That was about kotzer. Lilkot means to break off. Many times one needs to rub it, like people rub the hadas leaves so it should smell.

Aflu shehu kasheh v'yaveish – even if it's hard and dry. Not a lach which he just said that lach is certainly permitted, because it's animal food. Even if it's hard, it looks like a piece of wood which we said before that one may not, further for the thought, one may break off from it.

Kol shehu l'tzorech rei'ach, bein shepotze'o etz gadol – whether a small piece, whether a large piece. Because that's not a tikun. A toothpick one may not take, one may not take a piece of wood and take off from it a toothpick. But by making it smell good it's not called fixing a vessel, it's only a way of smelling. Right, he makes smell, he doesn't make the wood anything, he doesn't care about the wood.

Yes. Until here laws of the melachet mechatech.

Melachet Kotev U'Mochek

Now we're going to learn about writing and erasing, a bit together. Yes.

Shiur Kotev

Kotev. Hakotev shtei otiyot – chayav. One writes two letters, the measure is – how much is the measure of kotev? Two letters.

Shiur Mochek – "Al Menat"

And mochek, with kotev comes the opposite – mochek. What is the measure? The same thing. **Hamochek ketav al menat**

lichtov bimkom hamachak – how much? Here there are two things: one, he erases in order to be able to write, and also how much does he erase? He erases space for two letters – liable.

Different from before where it said "kedei la'asot kamohu," which only meant the measure. Here it means the measure and the "al menat."

Distinction Between Kotev and Mochek – Large Letter

Already. The Rambam says that the measure of two letters is not a measure in size. **Hakotev ot achat gedolah kishtayim** – if someone writes a large letter that is as big as two letters, you shouldn't think that it's still the same size – patur. Because two letters means that by two letters it's an important writing, less than two letters is a weaker writing.

But mochek, but by erasing it's different. **Mochek ot achat gedolah** – he erased a large letter – **aval yesh bimkomah lichtov shtayim** – once he erased it one has now created a space to write two letters, it means yes like erasing two letters. Because by mochek the point is what one prepares, and when one prepares it yes, it can be even if later one will actually write one large letter, but you made a space to write two letters.

Discussion: Size of Letters

Chavruta A: We don't yet know of what size we're talking, because every single letter can be two letters if one writes it small.

Chavruta B: Okay, I'm saying that there's a certain normal way of writing or what. What he's writing now perhaps.

Chavruta A: Hard to say so. What does "ot achat gedolah" mean? How many times does it need to be how big it is?

Chavruta B: I'm saying that a shiur hadn't yet been established. It could always be smaller and it could always be larger. That's what R' Yitzchak was mechadesh - a shiur.

Chavruta A: If a person was a scribe who writes large and now he wrote smaller, he wasn't mechadesh.

Chavruta B: Absolutely correct. I didn't say there is no shiur, I said here there is no shiur.

Discussion: By Erasing - What Letters He Plans

Chavruta A: If you write, you erased one large letter, and you're now going to write in its place two small ones, is that chayav?

Chavruta B: No, even if you're not actually going to write two small ones, you made space for two small ones.

Chavruta A: Why did you make space? Because you have a plan. Without a plan it's nothing. Erasing where there is space is not a melacha.

Chavruta B: If one erases so that another should write, that's also mochek.

Chavruta A: Further, it depends on what letters he planned to write. It's always mochek only when he plans something. "Al menas" - there is "al menas."

Chavruta B: Here it doesn't say "al menas lichsov bimkom hamachak."

Chavruta A: I hear.

Writing - One Letter That Completes a Sefer

Now, but there is a way that one letter should be chayav for writing. It's brought like this, the matter of two letters is... let's see what the Rambam says.

Kotev os achas v'shilam bah es hasefer - if a person wrote one letter - **v'shilam bah es hasefer** - he completed the sefer with that letter, he wrote the last lamed of "l'einei kol Yisrael," now it became a Sefer Torah. He only wrote one letter, but that one letter had significance, it was a shiur - so he is indeed chayav.

Discussion: Only Completion of a Sefer, or Any Significant Letter?

Chavruta A: I don't know if we can say that every time when a letter is significant, or specifically when it's completion of a sefer?

Chavruta B: He finished, that's the matter. Because it's significant, yes, that's the point. Because automatically it's called kesivah because it's significant.

Chavruta A: If someone for example writes his initial, he has on all his things a lamed, on all his sefarim, that's his sign. It's significant.

Chavruta B: My question is every time when it's significant, or only when it completed a sefer.

Chavruta A: Sefer perhaps also means a letter, it completed the note. Could be?

Chavruta B: Well, but you'll say that's very significant, because we can find in the Gemaras of less significant, because it's a sign that it's his, let's say.

Connection to Weaving and Makeh B'patish

This is similar to what we learned by weaving, that it needs to be two finger-widths, but at the end even one, because with that he finishes the... the entire makeh b'patish is essentially like this. Just hammering a hammer for example, even a melacha that normally wouldn't yet be a melacha, but the melacha that finishes, that makes the thing... then however one does need an extra melacha for that, not the same melacha. There needs to be something, the something can be either hammering with a hammer or something. There needs to be something at the end.

Chavruta A: But I'm saying that makeh b'patish is an extra melacha, it's not boneh which is the end. Boneh, the end will also be boneh, that's at the end, like with the bricks that we learned for example. But the question becomes if it's the last letter of the sefer, because that itself perhaps needs to be, one needs to know the laws of makeh b'patish.

Chavruta B: Not really?

Writing - Intending to Ruin

Now. **Hakotev umiskavein l'kalkel** - there's such a thing that usually if someone is ruining he's exempt. So **hakotev umiskavein l'kalkel** or he's still chayav, even if he writes letters because he wants to dirty up the blank paper that he has in front of him, you'll say it's ruining the paper? No, chayav.

Because he's still writing, he's still chayav on the place of writing. Writing isn't simply that I'm making the paper nicer, I'm making that the paper should have letters, rather the writing itself.

Hakotev Al Menas L'kalkel

Speaker 1: Hakotev al menas l'kalkel. There's such a thing, that usually when someone is ruining he's exempt. So hakotev al menas l'kalkel or he's still chayav. Even if he writes letters because he wants to dirty up the blank paper that he has in front of him, you'll say it's ruining the paper? No, chayav. Because he's still writing, he's still chayav on the place of writing. Kesivah isn't simply that I'm making the paper nicer, I'm making that the paper should have letters, rather the writing, just the writing itself. It doesn't matter to me that with this you ruined the leather, because the letters didn't belong there, but rather what, in practice you did writing. Interesting. Very good.

Mochek Al Menas L'kalkel

Speaker 1: But, it comes in also like erasing all this, but writing doesn't hold with that, it's not another step in the leather, it's a thing in itself, it's writing. But erasing is al menas lichsov. So erasing al menas l'kalkel, because he wants to ruin, someone wrote and another goes and erases it, not that one should rewrite there, is exempt. Or even al menas l'kalkel es ha'or, ah, that doesn't really make sense. But he said to himself mochek shelo al menas... mochek indeed shelo al menas lichsov is... perhaps that means, that's how he explains the shelo al menas lichsov means al menas l'kalkel. L'kalkel es ha'or. Shelo al menas l'kalkel es hakesav.

How the leather becomes ruined through that, I don't know, but that's how he explains it also. Ah, al menas l'kalkel es ha'or. But if he does al menas l'kalkel es hakesav, does that also mean al menas lichsov? No. He's ruining.

Speaker 2: You already said that before.

Speaker 1: Ah, I said it to myself like that. Okay.

No, I'm saying here, a mochek al menas l'kalkel is certainly not mochek al menas lichsov. I'm saying, it's simply exempt because he's not erasing al menas lichsov.

Speaker 2: True. Yes, he only says it because he wants to say to exclude from hakotev al menas l'kalkel.

Discussion: What Does Erasing Mean?

Speaker 1: I think that erasing can be even if there's no letter there, one goes to scratch the leather a bit, which ruins it.

Speaker 2: I don't believe that's called erasing. That would be from machak or some such thing. Machak is from the language of ruining. Other things. That's all we're talking about. Mochek means erasing a letter.

Speaker 1: Okay.

Ink Fell on a Sefer

Speaker 1: Now. **Nafal dyo al gabei sefer**, ink spilled on a sefer, **umachak osah**, he erased it. **O nafal sha'avah al gabei pinkas umachak osah**. A pinkas is something one writes with wax, right? One writes with wax or covers it with wax? One uses wax there somehow.

Speaker 2: Ah, one scratches into the wax. A pinkas is a tablet of wax, and one scratches in letters.

Speaker 1: And erased it, he erased it. **Im yesh bimkomah kedai lichsov shtei osiyos**, if the place that he erased has space to write two letters, he's also chayav. Because that's also called erasing al menas lichsov. Right? Even though he didn't erase letters, but he erased like dirt.

Writing a Double Letter

Speaker 1: Now. The Rambam says like this: **Hakotev os kefulah**, if someone writes the same letter twice, **kefulah pe'amim**, that means he writes it four times. He explains, kefulah pe'amim like one name, such as he writes two reishes, two tav's, two gimels.

We learned that writing needs to write two letters, right? Now, the two letters usually means that the two letters have a meaning, not just two letters that mean nothing. That's what's implied. Right, right, he says here like one name. And not, perhaps there's a time when he said earlier the clear thing that two letters need to have a meaning, like a word "gad," I know, some name, the word "shem" for example is two letters, means something. Now he teaches that even if one writes the same letter twice, but it means something, if it has no meaning he's exempt. If someone writes alef alef, beis beis, he's exempt. Because it has no meaning. Perhaps there's a time when alef alef does have something.

Speaker 2: Yes. Because all these words have a meaning. The word reish-reish is a word in the Torah, "rar zav rar bivsarrah" or something like that, or tav-tav - to give, gimel-gimel - roof. All these things are words. Therefore, even though there's a deficiency that it's not two different letters, the same letter twice, but it's indeed a significant writing because it has a meaning. Which is not so with a letter that one writes twice is not significant, it's like once, it's like one letter.

In Any Script and Any Language

Speaker 1: The Rambam says, which language or which script makes no difference, **"b'chol kesav uv'chol lashon chayav"**. **Afilu misheni simyonos**, even two different types. That means, a letter from one type of alphabet, with signs that have a different sign in writing. That means, one letter in Chinese and one letter in Russian, which are different types of alphabets.

Or he says, or two signs, even when it doesn't mean a word, it's a sign for something. An X. An X is also one of the ABCs, but an arrow, some accepted writing that's a sign.

Discussion: What Does "Simyonos" Mean?

Speaker 2: What does he say? Not sure. Perhaps he means with different, that's a deduction. I thought simyonos means different types, not just two languages, but it has letters, forms of letters. Even if it's very different like Chinese, which is a very different type of writing. That's a difference, it's a different language, that's not a question. It's a difference, it's two different ones. I thought simyonos means apparently that he writes two letters, one in Yiddish and one in English, but they connect like that.

Speaker 1: Ah, they connect like that. That's what I thought. I thought simyonos is a language that's composed of signs, like hieroglyphics, how do you say that word. What's the novelty? That's simple. Because he makes a picture of a bird and next to it a picture of a duck. It's not letters. Bird and duck in Egyptian means "I'm going to hit you," I don't know what it means something.

One Letter Next to Writing, Writing on Top of Writing

Speaker 1: Now, writing... yes, the Rambam says further, another way. He says like this, **hakotev os achas samuch l'chesav**, he writes one letter, even if he writes it next to writing and it fits with the word before it, there's an opinion that with this he made a word, like the last letter of a sefer, that doesn't have the same melacha.

Or **kesav al gabei kesav**, he wrote more than one letter, but he wrote over it, it was already written, he went over the letter on the word again.

Or **hamiskavin lichsov ches v'chasav shnei zaynin, v'chen kiyotze bo bish'ar osiyos**, I wanted to write a ches, but a ches in Ashuris script is two zayins. Two zayins alone would be like "zaz," yes, would be a name, it would be two letters that make a word. But here he didn't have in mind at all to write two letters, he wanted to write a ches altogether. By mistake he made a weak ches so it became two zayins.

V'chen kiyotze bo bish'ar osiyos, which other letter can you think of? It became broken, he wrote a shin and it became three vavs, which I don't know. But it would be exempt, because... because... because there's no letter of three vavs, there's no word of three vavs.

Discussion: The Word "Vav"

Speaker 2: The word "vav," "vav" means a hook. The word "vav," two vavs, I don't know if it's called a word. I don't know. "Vav" means a hook, "like the pillars."

Speaker 1: Ah, "vavei." "Vav" one... "vav" is a "vav." Okay. Doesn't an alef come in between? It's something... or a yud in between?

Speaker 2: No, certainly not.

Speaker 1: Well well.

Two Letters in Different Places

Speaker 1: **Hakotev os achas b'kosel zeh v'os achas b'korah, she'eino ro'eh**, the phrase "she'eino ro'eh" is interesting, the Gemara says "she'eino ro'eh," exempt, she'eino ro'eh in hagag zeh es zeh. That means, when you write on one wall and right next to it on the next wall, one can read it. But when it's on the roof and on the beam, there's no connection between the two.

O shekasav shtei osiyos bishtei dapei pinkas she'ein nohagin zeh im zeh, two different pages that aren't one next to the other, he's exempt.

Aval kasvan bishtei koslei zavis, which one can indeed look at as a continuation, a letter here and the next wall the other, if one cuts on a pinkas, to one eye one sees that one can place one next to the other, or one can look at it as a continuation, is chayav.

Speaker 2: Ah, good. This is all details and opinions that the two letters need to be together like this, it needs to be a word. So, there are different, many high principles of opinions.

Two Letters in Two Cities

Speaker 1: The Rambam says, what I said that if two pages one can read one with the other, doesn't only mean if the two pages lie one next to the other, but if they can be one next to the other. Therefore he says an interesting high principle: a person took a scroll and he wrote one letter in this city, and he left it there, **v'halach b'ir acheres**, he went to another place, another city, and he wrote on another note, another scroll, one letter, chayav. Even if they're not one next to the other, but they can be one next to the other.

She'achar shemikravin v'nohagin zeh im zeh, when one brings them together they can indeed be read, one can indeed say it. Read here doesn't mean like thinking, like "hegyon libo."

Speaker 2: Means to read. One can read it. That's the correct translation.

Speaker 1: That must be, that must be able to say. "Hogeh es hashem" in Beis Yosef, it means to say something out.

Speaker 2: Okay, yes. I'm saying to the language of that.

Speaker 1: V'einam mechusarin ma'aseh l'karev osan. One doesn't need, when one needs to tear out, he'll ask like this, and what happens if it's a few pages later bound in? One can also bring close and tear out. But that's still lacking an action, one needs to cut it. That's not like a word, but it's given, one can place one next to the other.

One Letter That They Read as a Complete Word

Speaker 1: The Rambam says further like this: **Hakotev os achas**, when someone writes one letter, **af al pi shekora'in bo teivah sheleimah**, even if that letter, usually people know that it's a sign for a whole word, yes, that's the meaning. For example, when someone writes a hei, which people know means Hashem, yes? He's exempt, because in practice he only wrote one letter.

Keitzad? One who writes mem, here he gives the example, and likewise **hakotev os ma'aser**, a person gave you ma'aser, he was a baker, for whom the sign was a mem, a ma'aser, hakotev os ma'aser. Or mem for number, for a number, mem 40, "and Moshe remained writing forty," and whoever goes to read it will say 40, but he's exempt.

Correcting One Letter

Speaker 1: The Rambam says like this, **"magiah os achas v'hu sofer sta"m"**, a person corrects written things, he fixes, and...

Fixing Letters: Ches to Two Zayins

Like we learned earlier, with the ches it was, he was set up like this before. The one who made the two zayins, now he fixes it. The one who made the mistake is exempt, but the one who fixes it is chayav, because he wrote two zayins. He's chayav, even though he didn't write out, but he made that there should be two zayins with his action.

"V'chen kol kiyotze bazeh" - that means, any other letter that one can fix and make into two letters. Yes. Now. **"Chayav kol kiyotze bazeh"**.

Writing with a Change

Now, now he's going to say if one writes with a change. So far we haven't yet had simply by other melachos a change, true? Here we're going to say changes, things with changes.

"Hakotev bismo'lo" - what? There were things that are exempt, which is not the way.

Chavruta: Like "l'fi sumo" and "darso l'fi sumo."

Chavruta: No, like baking with heat of the sun.

Chavruta: No, that was that it's not fire. Not about it's a change, but it's not the way of the melacha. Not exactly. Here he's doing the same thing, just he's doing it a bit differently. But cooking that the Torah speaks of is fire, and heat of the sun is a different thing.

Writing with His Left Hand, Back of His Hand, His Foot, His Mouth, His Elbow

"Hakotev bismo'lo, o l'achar yado" - someone writes with his left hand, or with the back of his hand, like who stands there? One can't write a few letters at once.

"Or with his foot, or with his mouth, or with his elbow" - that means he bends his hand, he places the pen between the two parts of his hand, and that's how he writes.

All these ways - exempt.

Discussion: What is the exemption?

Chavrusa: What is the exemption? He did make it so there would be two letters. The Rambam didn't say it. The Rambam should have figured it out from the general rules, that all melachos, only when you do it in the normal way, and with a shinui...

Chavrusa: No, but he says that the law of shinui is a law in all 39 melachos, and this is a special law here.

Chavrusa: We actually saw, for example, bole lefanav, which was the gavra noseh of... because he wanted excellent guarding, and there happened to be inferior guarding.

Chavrusa: Yes, but you see actually aspects, that there it was about the subject of intention. But we saw such things. Okay.

Explanation of "le'achor yad"

The expression "le'achor yad" is from the type of writing, yes? He wrote with the back, instead of writing like this, he writes like this. Something like that. Do you understand what I mean? That's what I mean is the explanation.

Chavrusa: He says it's lacking in meleches machasheves.

Chavrusa: No, it's not the way. It has to be the way.

Chavrusa: What does it say here in it? It's a compulsion.

Chavrusa: That's what it says in the holy books.

Discussion: Do we look at the action or at the result?

Chavrusa: But it's interesting, because you have to think about the... the point is usually that two letters happened. We don't usually look so strongly at the action.

Chavrusa: No, we always look at the action. I know you only said it by two things, but I think you're not right. Pe'ulah is something that does something. He said "opening," but it doesn't mean he couldn't do it. He did it in a strange way, and it became opened. That's not done. It's both. It's always both.

Chavrusa: Yes, but for example, an eraser took off a bit of the ches, and it became two zayins. He didn't write with a shinui.

Chavrusa: No, he didn't write the way one writes. He made it so there would be two letters.

Chavrusa: No, no, not just. This is a different way of writing. One of the ways of writing. It's a normal way of writing, to fix. Being a magiah is part of the matter of writing. It's not some new strange way of writing.

Chavrusa: But what do you say if he scratched off a little bit? He says he created that there should be two letters. And what he did with his left hand he also created two letters.

Chavrusa: I can't argue with you now, because I have to finish the chapter. I have two other people now.

Iter - Left-handed person

"Iter shekasav bimino, shehi lo kismol kol adam" - a left-handed person, a person who is a lefty, who didn't write with his left hand as usual, but with his right, which is for him like the left of every person - he is exempt, just like kosev bismalo. And he is only obligated with his right hand. Kosev bismalo is obligated. Yes.

"Aval sholeyt bishtei yadav beshaveh" - that means he is only here on writing, if he does any other thing with the left also actually, I don't know, it's hard to say. Because sholeyt bishtei yadav beshaveh, one who has control in both hands, then he is obligated, there's no difference, it's even let's say usually he does it with the right, but if he does it with the left also in a comfortable way - obligated.

Katan ochaz bekulumus / Gadol ochaz beyado

"Katan ochaz bekulumus" - a minor holds the pen, he can't yet write by himself, **"vegadol ochaz beyado vechosev"** - the adult is the one who leads around his hand and writes with his hand - obligated. So the adult is obligated, yes.

And conversely, **"gadol ochaz bekulumus vekatan ochaz beyado vechosev"** - is exempt.

Again, the ochaz, he is the writer. That's the halacha. The point of the halacha is that the one who holds the pen is not the writer, but rather the one who writes, the one who pushes it, the one who is ochaz beyado.

Chavrusa: He says that apparently the same thing, two adults, when one pushes and the second holds the pen, only the first is obligated.

Chavrusa: Yes, the chiddush is only that...

Chavrusa: But what is the difference in gadol vegadol not?

Chavrusa: Okay. Yes.

Davar haroshem ve'omed / Davar hamiskayem

Okay, further. Hakosev al besaro... ah no, down down. We took that yesterday.

Now we're going to take another rule. That writing has to be a davar ha'omed, it has to be a davar hamiskayem, it has to be with ink, it has to be something real.

"Ein hakosev chayav ad sheyichtov bedavar haroshem ve'omed" - something that... haroshem ve'omed, something that makes an impression on the paper and it stays. It's something that lasts.

"Kegon deyo, veshachor, vesikra, vekumos, vekalkantos" - he lists types of ink that is something that lasts. Deyo, veshachor, vesikra, vekumos, vekalkantos - types... a few of them we've already bumped into in... types of ink.

"Ve'al davar shemiskayem kisvo alav, kegon or, vekelaf, veneyar, ve'etz, vechayotza bahem" - and it also has to be written al davar shemiskayem kisvo alav, kegon or, vekelaf, veneyar, ve'etz, vechayotza bahem.

"Aval hakosev bedavar she'ein rishumo nikar ve'omed" - something that won't last, **"kegon mashkin umei peiros"** - which will last for a bit but afterwards it will be erased.

"Hakosev bedeyo al kol davar she'eino miskayem, al aleh shel yerakos" - because kol davar she'eino omed, this won't hold the writing for long.

The list speaks of the ink, that if you also mean the paper, it has to be such paper that lasts. If the paper won't last, very good - exempt, because it will become dry and it will disappear.

Incidentally, because it has to be davar omed al davar omed. You have to write with ink that lasts long, on something that

lasts long.

So too by erasing, it has to be kesav omed al davar omed. This has to be something that is with proper ink on proper paper, and only there is there erasing.

Hakosev al besaro

Let's go further.

"**Hakosev al besaro**" - apparently it comes out that if someone writes on his flesh, he has indeed listed one of the things that do last, that or is obligated for writing, because on a person's skin the writing can last.

But in practice not. He says here, in practice even "**chamimus besaro me'aviro le'achar zman**". An explanation, even a living person is different from dead skin, that it will indeed be erased from the warmth of the person, from the warmth.

"**Harei zeh domeh lechesav she'eino miskayem**" - it's not simple that this is a davar she'eino miskayem that one cannot write on, but it's like something that gets erased.

Chavrusa: It wasn't said that if something gets erased it's retroactively not writing. I didn't so precisely... we know in reality that it will be erased. What is the difference?

Chavrusa: The cause is the chamimus besaro.

Chavrusa: I don't understand the difference. We can talk about this and say three times I don't understand, I don't understand, I don't understand, I don't have time.

Chavrusa: Okay, but...

Chavrusa: I don't have a process meanwhile. We'll finish the chapter in three minutes.

Hamesaret al besaro / Hakores al or

"**Aval hamesaret al besaro tzuras kesav**" - if someone scratches in, he doesn't do it with any ink, that's not called writing. If someone scratches in, he doesn't make any scratching. We'll learn about scratching. Mesaret. But this is not direct writing. That's not called writing in the skin, it's not direct writing.

Chavrusa: If you have the written cake, if you wanted to remove something?

Chavrusa: No, we'll already see how it's different from that.

"**Hakores al or kesavnis kesav**" - is indeed obligated for writing. But if someone scratches into his flesh, is exempt. But if someone scratches into a torn-off skin, and it's actually the way of writing is through cutting out the letter, and scraping out letters on the skin, is indeed like some writing.

"**Veroshem al or kederech hakasavnim kasher**" - that he makes a mark kederech hakasavnim kasher, kederech kasavnim kesav he is exempt. That means if it's a tear, it won't last, the mark won't last, he is exempt.

So he says, so he brings from the Shulchan Aruch.

Discussion: Why is keriah al or obligated?

Chavrusa: But why, what is the difference between, why is keriah al or obligated? That means yes derech kesivah?

Chavrusa: Keriah al or apparently means he cuts through. He cuts through, he makes it so the writing comes from the hole, instead of from the writing.

Chavrusa: I have proof, that means writing, because the luchos were, so it says, kesivah mishnei evreihem.

Umm, okay.

Hama'avir deyo al gabei sikra

"**Hama'avir deyo al gabei sikra**" - one puts one type of ink on another type of ink - "**chayav shtayim, achas mishum kosev ve'achas mishum mochek**" - because with the same action you erased the old writing.

Chavrusa: Different from what we learned before, someone writes over, he fills in the letters that are already there. This is only when he does it with the same ink or what?

Chavrusa: But when he puts a different color ink...

Chavrusa: But specifically deyo al gabei sikra, we'll see next shiur. Because sikra is a weaker type of ink, it's red, it's not any... existing sikra is red.

Chavrusa: Is the bottom one weak, or because he puts a new color?

Chavrusa: He fixes it with that.

"**Aval deyo al gabei deyo, o sikra al gabei deyo**" - is worse. If sikra al gabei deyo, he didn't make it stronger now, he didn't make it weaker perhaps even - he is exempt. Perhaps he's not a mochek either, and not a kosev, he did nothing, understand?

If you make it better, it was the wrong color, you make it better from red to black, he is obligated two - mochek. With the same action he does kosev umochek. They've already seen that one can do two melachos with the same action.

"**Aval deyo al gabei deyo, sikra al gabei sikra, sikra al gabei deyo**" - is exempt because he didn't make anything better. It's just waste of time.

Toldas kosev: Roshem

Further.

"**Roshem**" - what... now he's going to say the toldos of kosev.

Roshem, when he is roshem, he doesn't write with ink, but he scratches strongly in.

Chavrusa: Roshem means coloring, painting.

Chavrusa: Roshem means painting? Not scratching?

Chavrusa: No. The Gemara says, roshem al or was paint, not scratching on the skin.

Chavrusa: Ah, I thought it's kesav.

Roshem, yes. Roshem is the translation.

Melech roshem - toldah of kosev

But the law regarding sikra - sikra, sikra, sikra - is simple because it doesn't make anything better, it's just waste of time.

Further, roshem. Now he's going to say the toldos of kosev.

Roshem is when he is roshem - he doesn't write with ink, but he scratches strongly in. Roshem is the translation painting. Roshem means painting, not scratching. It was "**roshem al ha'or**" - was painted, not scratched on the skin. Just kesav.

Roshem is the translation... because they look at kosev, they say like this: roshem and kosev - the difference is that kosev means to write letters, writing. Roshem means to make a

picture. It can be a picture, or... I call it painting - I don't mean the word painting, I mean like he makes a line, he does something else, something not letters. He makes something that has meaning, but not kosev.

In short: **Haroshem reshomim vetsuros bekochol uveshasar**. Hebrew translation, but I see it means made forms.

Discussion: What does "roshem" mean?

To me it looks like roshem means scratching out.

No, it certainly doesn't mean scratching out. It was earlier - a roshem was... it was mesaret, and it was kore'a. He said a roshem. Ker'iah meant tearing out. Roshem they said - why isn't it... what isn't mekayem? Roshem... because it's scratched in not deeply. Not scratched in, not cut in, not scratched in. It's written with something, but it's not...

Perhaps there it means yes. Here it certainly means painting, because he says **bekochol** - kochol means blue, yes, some ink, some type of paint. Shasar - we already had the shasar stripes, I remember. It's a type of paint.

Kederech shehatsayarin roshemin - like painters do - **harei zeh chayav mishum kosev**. It's a toldah of kosev.

What does painting mean? I don't know.

Shiur of roshem

He doesn't say the shiur. By letters it's two letters. By reshomim vetsuros it has to be a whole form, or a piece of a form - he doesn't say very clearly.

Perhaps the opposite - perhaps only by letters is two letters relevant, because one letter usually has no meaning. They learned: one letter with meaning is indeed obligated. A roshem, even a small roshem, a small sign, is indeed obligated, because it already has some meaning.

Do you need to know what is a meaning? What does any mean? Anything with meaning. Mashma kosev is something that he can say a shiur. Perhaps it's kol shehu? We don't know.

Okay. He doesn't say that, he perhaps wants to say kol shehu. He doesn't say kol shehu either.

Mochek es haroshem lesakkno - toldah of mochek al menas lichtov

And therefore: **Hamochek es haroshem lesakkno** - if someone erases what was painted or what was drawn, and he does it lesakkno - to redo it better or what - it's called like mochek al menas lichtov, **vechayav**. Toldos - it's a toldah of mochek al menas lichtov.

Melech mesaret

Okay, the last of the category of things were mesaret. And they also already had in hilchos sefer Torah - a sefer Torah you have to scratch, that means make a line on which to write, so you should write in order.

Hamesaret - the one who scratches into a parchment and makes a line to write on - **shtei osiyos tachas oso sirtut, chayav**.

By the way, shiur he says: the scratch is big enough that one should be able to write above it shtei osiyos. Shtei osiyos means - he means letters, that it should be a lot.

By the way, I already know - I mean, in the custom by sifrei Torah one writes scratches, but it can be that he makes a line with a pen, and it also has the same prohibition of sirtut. It's a toldah of another melachah. He doesn't write any letter, he makes a line - this is a preparation for sirtut, which is a line to be. Look, it can be.

Toldas mesaret - chut shel sikra

Charshei ha'etzim shema'avirin chut shel sikra al gabei hakoreh kedei sheyinsor beshaveh - what they still have today these tricks, a good trick, they make it so straight - **harei zeh toldas mesaret**.

There's already such a person has such a painted thread, a string, and he gives it such a flick - you release it so it should go on a straight place when you want to make a straight line. This is a toldas mesaret.

Although he's not going on writing, he's going on cutting - but it's still a way to make yourself like guidance for whatever you're doing, it should be straight.

Gavlim - stone cutter

By gedid is achdus - the one who is chores, kesirtut a scratch, kesirtut a scratch.

He says, this means gedidah and gozez. Do you know what is a gevel? A gevel is something of dough, no? But in... it says "**vehagavlim**" - it says in the verse in Melachim "vehagavlim" - and here the Rambam understood that this means a stone cutter. There's a name stone cutter, no? Yes. What is that? It's a stone cutter, nu? In Hebrew they gave themselves a name "gavli."

Betzeva o belo tzeva

Vechen hamesaret betzeva o belo tzeva - the mesaret is only that there's no difference whether you make a scratch without color or you do it with color - **harei zeh chayav**.

Only the point is that he makes some certain mark on which one should be able to write or cut or follow the line.

End of Chapter 11

Until here chapter 11.