

# Laws of Shabbat Chapter 24 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Summary of Shiur – Rambam Hilchos Shabbos Chapter 24

#### General Introduction to the Chapter

**Rambam: "There are things that are forbidden on Shabbos even though they are not similar to melachah and do not lead to melachah"**

**Explanation:** Until now (chapters 1–23) the Rambam has gone through all 39 melachos d'Oraisa, and also the Rabbinic prohibitions that are connected to each specific melachah — either because they are **domeh l'melachah** (it looks similar to a melachah, people will get confused), or because they **mevi lidei melachah** (when one does this, one comes to do an actual melachah). Now begins a **new category**: things that are forbidden mid'Rabanan but not connected to any specific melachah of the 39.

#### Chidushim:

1. **Distinction between "domeh l'melachah" and "mevi lidei melachah":** "Mevi lidei melachah" means that the same person who does this will come to do a melachah (for example, if you let him do medicine — he comes to grind spices). "Domeh l'melachah" means that the action itself is not a melachah, but it looks similar — either to other people, or to the person himself — and this can lead to a zilzul (degradation) of the prohibition of melachah. In practice there is no nafka minah between them — they are two reasons for Rabbinic prohibitions.

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### Halachah 1 — Things Forbidden Because of "V'daber Davar" / "Mimtzo Cheftzecha"

#### A. The Source and the General Rule

**Rambam: "There are things that are forbidden on Shabbos even though they are not similar to melachah and do not lead to melachah... Why were they forbidden? As it says 'If you restrain your foot on Shabbos from doing your affairs on My holy day... and honor it by not doing your ways, from finding your affairs and speaking words.' Therefore it is forbidden for a person to go about his affairs on Shabbos or even to speak about them."**

**Explanation:** Chazal interpreted the verse in Yeshayah (58:13): a person may not be involved in his mundane matters on Shabbos, not even speak about them.

#### Chidushim:

1. **Distinction between this prohibition and masa u'matan (from previous chapters):** Masa u'matan — actually selling/buying — is forbidden as a branch of melachah ksvivah ("lest he write"), because business transactions are directly connected with writing. Here we are speaking of merely **talking** about business plans, "brainstorming" — which is not domeh l'melachah, not mevi lidei melachah, not

connected with writing. This is a **new category** of Rabbinic prohibition, based on the verse in Yeshayah.

2. **Distinction between this and "cheshbonos she'tzarich limsos":** In previous chapters it is forbidden to make calculations (of past or future) because this is **domeh l'melachah** — when one makes a calculation, one usually writes. Here we are speaking of even less than a calculation — just talking about future business plans, which has no connection to writing.

3. **The status of this verse — d'Oraisa or d'Rabanan?** The verse is from Yeshayah HaNavi — **divrei kabbalah**. According to the Rambam, a verse from Nevi'im/Kesuvim is **d'Rabanan**, not d'Oraisa. The Rambam holds very extremely that a navi cannot even be decisive in a halachah. The language "ne'esru" by the Rambam shows that **the Rabbanan** forbade it, and the verse is only the source/asmachta. Yeshayah HaNavi himself did not say a "lashon issur" — he speaks about the holiness of Shabbos, but not "lo sa'aseh."

4. **Three approaches regarding the relationship between Yeshayah's words and the prohibition:** (1) The Chachamim later forbade it based on this verse; (2) Yeshayah himself is the "chacham" who forbade it; (3) Yeshayah gave the general idea, and Chazal later specified what this means practically — for example, "Shabbos raglecha" means going to look at business, "v'daber davar" means actually speaking.

5. **The structure of the Rambam:** He begins with the **source** (the verse) and the **general rule** ("forbidden to go about his affairs... or even to speak about them"), which is essentially a **peirush of the verse** — not yet a practical halachah. Only afterwards does he go into practical examples. The language "lehalech b'chafatzav" does not yet mean actually **going/walking** — it means **being involved** in his matters, just as "v'halachta bidrachav" doesn't mean physically going, but rather a metaphor/simile.

#### B. Examples of Forbidden Speech

**Rambam: Examples: speaking with a partner about what we will sell tomorrow, what we will buy, how we will build a house, which merchandise we will bring to a certain place. "All this and similar things are forbidden, as it says v'daber davar. Speech is forbidden, thought is permitted."**

**Explanation:** Speaking about business plans is forbidden, but thinking about business is permitted l'chatchilah.

#### Chidushim:

1. **"Dibur assur, hirhurim mutarim" — what does this mean?** The Rambam focuses on the word "v'daber davar" — the verse says specifically **dibur**, not machshavah. Therefore: thinking about business is permitted l'chatchilah. This is **not** because we cannot force a person not to think (because there are hirhurim that are forbidden in Torah), but because the verse excludes it — **"assur" and "mutar" are technical**

**halachic terms:** assur = forbidden mid'Rabanan, mutar = completely permitted. It may be that there is a midas chasidus not to be meharher, but from the basic din it is permitted.

2. **The minimum "asiyah" of Shabbos is dibur:** The boundary of what Chazal forbade in this category goes until **dibur** (and also **halachah** — going to inspect property, which is even more asiyah). But **machshavah** is already further than what was forbidden.

3. **When does a conversation become a "chefetz"?** Just chatting about a business matter — without any commitment — is not forbidden. For example, asking "what do you think about this?" without intention to make a deal, is permitted. But when it becomes somewhat of an agreement — "you're really going to come" — it is already forbidden.

4. **A kula:** Even when one does speak about things, if it is "just talk" without any binding force — because most people talk this way without seriousness — it is not forbidden. It depends on whether the person is one who acts seriously.

C. "Assur l'adam lifkod ginosav u'sdosav"

**Rambam: "It is forbidden for a person to inspect his gardens and fields on Shabbos to see what they need or how their fruits are, for this is walking to do his affairs."**

**Explanation:** One may not go inspect/check out one's gardens and fields on Shabbos to see what they need or how the fruits are.

**Chidushim:**

1. **"Lifkod" = to check/inspect:** Not a permanent possession, but a temporary visit, like "pakod yifkod eschem" — a language of remembering/visiting from time to time. The distinction: someone who looks all the time is not "poked" — "poked" is when he remembers once in a while that he needs to go check.

2. **Distinction between going to inspect (forbidden) and just strolling to look at how beautiful it is (permitted).**

3. **Story of a certain chassid (Yerushalmi and Bavli):** A chassid went walking on Shabbos in his vineyard, saw a breach in the fence that needs to be fixed. He thought "motzaei Shabbos I will fix it," caught himself that he thought on Shabbos about fixing, and decided never to fix it. Hakadosh Baruch Hu made a miracle — a sycamore (tree) grew and closed the breach, and from this he had parnassah his whole life. **This is a midas chasidus, not a din.** The chassid wanted to retroactively nullify the sin — if he will never fix it, retroactively there was no chashivah la'asos chafatzav.

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**Halachah 2 — Machshich Al HaTechum**

**Rambam: "Similarly it is forbidden for a person to go out on Shabbos to the end of the techum and stand there until it gets dark in order to be close to doing his affairs on motzaei Shabbos... When does this apply? When he waits at the techum to do something that is forbidden to do on Shabbos. But if he waits to do something that is permitted to do on Shabbos — this is permitted."**

**Explanation:** One may not go on Shabbos to the end of techum Shabbos and wait there until motzaei Shabbos in order to be close to doing one's weekday matters. But this is only

when he is preparing for something that is forbidden on Shabbos; if he is preparing for something that is permitted on Shabbos, he may.

**Chidushim:**

1. **The rule of "machshich al hatechum":** He goes together with the sun, waits until it gets dark at the end of techum Shabbos. The prohibition is only when he is preparing for something that is **forbidden** on Shabbos (like cutting attached things, hiring workers). But if he goes to the techum because he wants to go soon after Shabbos to a melaveh malkah at the Rebbe's — this is permitted, because he is not preparing for a chilul Shabbos.

2. **Gemara's examples:** "We do not wait at the techum to bring attached fruits" (issur d'Oraisa) "or to hire workers" (issur d'Rabanan) — both are forbidden. "But we wait to guard fruits" — permitted, because guarding is permitted on Shabbos itself.

3. **Machshichin to bring an animal and detached fruits — permitted:** Because he doesn't need to go himself outside the techum; he calls the animal and it comes by itself. **Even if the animal is outside the techum** — permitted, because the person does nothing physical.

4. **Techum Shabbos and animals:** Why is this not a problem of shvisas behemto? Techum Shabbos is **not from the 39 melachos** — it is a "geder l'atzmo," therefore we did not learn that one must make an animal rest from techumin. This is different from "mechamar" (which is a geder on hotza'ah, one of the 39 melachos). If he himself would have had to go outside the techum to bring the animal, it would be forbidden even erev Shabbos, because he must do something that is chilul Shabbos.

**The Boundary of "Hachanah" — Must Be a Noticeable Action**  
**Chidushim:**

1. **Going outside the techum for detached fruits — permitted:** The Rambam says: **"If there were partitions there it would be permitted to bring them on Shabbos."** The heter is based on a special sevara — even though he goes outside the techum (which is forbidden), nevertheless, **essentially what he is going to do is not a melachah.** Because if they were within the techum or within his domain, he could pick up detached fruits. The prohibition of hachanah does not depend on him doing something forbidden, but on **the action itself** being a melachah-like thing.

2. **"Hachanah" must be noticeable:** We see that "mechin" must be when he does something **noticeable** — he goes to a place that is "not Shabbos-like", he does something that one sees is for motzaei Shabbos. But **just doing something at home** so that it will be ready motzaei Shabbos — we don't expand the prohibition that far. The main distinction: one must see **in his action** that he is doing something weekday-like, something that relates to chol.

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**Halachah 2 (Continued) — Saying to His Friend: "To Such and Such Place I Am Going Tomorrow"**

**Rambam: It is permitted to say to his friend "to such and such place I am going tomorrow" — because "if there were burganin they would go there on Shabbos."**

**Explanation:** One may say that he is going tomorrow to another city, because **going** is essentially permitted on Shabbos — it is only an incidental reason (techum) that makes it forbidden.

#### Chidushim:

1. **The same principle as detached fruits:** Just as by fruits — if there were partitions he could carry, so too here — if there were burganin he could go. He is not saying that he is going to do a melachah, he is only saying that he is going to go — and going is permitted on Shabbos.

2. **Question on the boundary of "burganin":** One could say such a sevara on almost any melachah — for example, when I go to dig motzaei Shabbos, if it would already be dug one could go! **Answer:** The distinction is that **going** is essentially not a melachah — it is a davar hamutar b'Shabbos, only it happened that techum Shabbos forbade it. But digging is a melachah essentially. The principle: **what I seek is not to go in a forbidden manner, but to go — which is permitted.**

3. **Distinction between going and driving:** If someone says "I am going to drive with my car motzaei Shabbos" — this would be forbidden, because **driving with a car is a melachah**, and he is speaking about doing a melachah. But "I am going home" — going home one may also on Shabbos, he happens to be going home with his car, but he did not speak about the melachah.

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**Halachah 2 (Continued) — "Hanir'eh shetaamod imi la'erev" vs. "Heyeh nachon li la'erev"**

**Rambam:** It is permitted to say "does it seem that you will stand with me in the evening?" but he should not say to him "be ready for me in the evening."

**Explanation:** When he asks in the language of a question without saying about what — permitted. When he commands him to be ready — forbidden.

#### Chidushim:

1. **The fundamental principle — hirhurim mutarim, dibur assur:** When he chats with someone, even though in his head he has that at the meeting he will speak business — "u'vlibo lev klum" — he did not speak. He speaks about things that one may do on Shabbos.

2. **"Heyeh nachon" = making an appointment:** When he says "heyeh nachon li la'erev", he is now doing a **chefetz** — he is making an appointment, he is doing something that has to do with his business. **One of the things that a person must do when he does business is make appointments** — and this he has now done on Shabbos.

3. **The Beis Yosef's explanation:** "Heyeh nachon" means "be ready to work". The distinction: "hanir'eh shetaamod imi" is **lashon hamishta'me'a litrei anpin** — it could be that they are going to meet for pizza. But "heyeh nachon li" is a language that one says only about business/work — like "**heyeh nachon li baboker**" (Shemos 19:15), "**u'l'Yishmael**" (Bereishis 17:20).

4. **The distinction in a deeper way (Har HaMoriah):** The speech that is forbidden on Shabbos is **primarily speech that does something** — speech that is po'el. When he says "hanir'eh shetaamod imi", even though in both their minds an appointment happened, but **in the speech itself**

**no appointment happened.** When he says "heyeh nachon li" — the speech itself did something.

5. **Two separate heterim from this verse:** (a) When one does not say clearly (the speech itself is not explicit about a prohibition) — even though the speaker knows very well in his head what he means. (b) When one speaks about something that is not clear that it is a prohibition — one can do it in a permitted manner.

6. **Philosophy of language — words vs. intention:** One could say that whatever brings out the hirhurim — you have "said" it. But we see in halachah that **words have a formal meaning:** "harei at mekudeshes" works, "harei at nesu'ah li" doesn't work — it's "the wrong lashon." So too by Shabbos-speech: the formal words determine, not just the intention.

**The Custom of the World — "Pictures" and "Not Spoken About on Shabbos"**

#### Chidushim:

1. **Lashon hamishta'me'a litrei anpin has a place:** The custom to say "pictures" instead of "money" has a foundation — because **hirhurim mutarim**, and if the speech itself does not say clearly "money", he is not transgressing "v'daber davar" even when everyone knows what he means.

2. **But with a limit:** When someone actually does business — "I am selling you the house for nine hundred thousand pictures" — he has actually done a **ma'aseh mekach u'memkar on Shabbos**, and the code word doesn't help. But when it is more of a conversation in lashon hamishta'me'a litrei anpin, he has not transgressed a clear "v'daber davar".

3. **Another chidush:** We don't say that every expression of a hirhurim with words is already "v'daber davar". **Only when in the speech itself — without the hirhurim — there already lie words of chol**, then it is forbidden. But if the speech itself is neutral, and only the hirhurim make it into business — it remains within the category of hirhurim which is permitted.

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**Halachah 7 (A) — Prohibition to Run and Jump on Shabbos**

**Rambam:** "And it is forbidden to run and jump on Shabbos, as it says from doing your ways — that your walking on Shabbos should not be like your walking on a weekday."

**Explanation:** Two types of fast walking are forbidden: **ritzah** (many small quick steps) and **dilugg** (large jumping steps). Shabbos walking should be calm, not like weekday walking.

#### Chidushim:

1. **"Hiluchecha b'chol"** — during the week one also doesn't usually run! The answer: "larutz u'ldaleg" is a **weekday running** — from worry, from business, he needs to catch something. Shabbos is calm, one doesn't need to run anywhere.

2. **The prohibition is not to go far or with exertion:** The Rambam brings: "A person may descend to a hot bathing spring, even in Mei Amami, and climb and ascend" — a person may crawl down to a water spring, even though he must crawl very hard, and afterwards crawl back up. **The prohibition is only the manner of going (running/jumping), not the difficulty of going.**

**3. Distinction between medaleg and metapes:** Metapes (climbing on a mountain) is also not normal walking, but it is permitted — because it is not "ritzah v'dilugg" as a manner of walking, but rather a necessary exertion of the terrain.

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### Halachah 7 (B) — Prohibition to Increase Idle Talk on Shabbos

**Rambam:** "And it is forbidden to increase idle talk on Shabbos, as it says v'daber davar — that your speech of Shabbos should not be like your speech of a weekday."

**Explanation:** One may not increase idle talk on Shabbos. The speech on Shabbos should be different from weekday speech.

#### Chidushim:

**1. Distinction from the previous "v'daber davar":** Earlier we learned "v'daber davar" in continuation of "mimtzo cheftzecha" — speech about business. **Now** we learn a **separate halachah:** not only business talk, but **just idle talk** — talking for fun, for nothing — is also limited.

**2. It is not a complete prohibition, but a prohibition of excess:** The Rambam says "I'harbos" — a little one may, but too much one may not. The Rambam has **not given any measure** (not half an hour, not an hour). It remains open.

**3. What is "sichah betelah"?** It is **not about the topics** — one may speak about cars, about recipes, about what one wants. The prohibition is **the quantity** — too much idle chatter. Speaking about Rebbes or about cars — both are sichah betelah when it is excessive.

**4. Rema's heter:** If someone **has pleasure** from the conversation, it is **oneg Shabbos** and permitted. This makes the boundary very subjective.

**5. Why is sichah betelah forbidden on Shabbos?** It has to do with **shevitalh/menuchah**, not with learning. Sichah betelah is somewhat "tirchah" — it is not calm. Just as going to work is a type of melachah, talking nonsense is also a type of melachah — not melachah actually, but it disturbs the menuchah of Shabbos. The source is "tishbos" — "mimtzo cheftzecha v'daber davar" — don't do so much.

**6. Connection to learning:** The Rambam already said earlier that Shabbos is a time of learning, but **from here it appears** that the prohibition of sichah betelah stems more from the **topic of shevitalh** — the difference and calmness of Shabbos — not specifically because one must learn instead.

**7. Connection to previous halachos:** In a previous chapter the Rambam spoke about **reading shtarei hedyotos on Shabbos** (prohibition of mochek/lest he erase), and there also mentioned that one may not speak devarim betelim. But there it is brought in the context of writing-prohibitions, and here it is a separate halachah of shevitalh.

**Source from Yerushalmi — Rabbi Shimon bar Yochai and His Mother**

**Rabbi Shimon bar Yochai** saw his mother **"increasing in speech"** on Shabbos, and he said **"shtuki Shabbata yoma"** — "Mother, it is Shabbos."

#### Chidushim:

**1.** From this Yerushalmi we see that the prohibition of too much talking applies **also to women**. We answer that the

mother of Rashbi was a learned righteous woman who could learn, and she could put in hours in divrei Torah — so for her the standard is higher.

**2. This is the source for the custom to shout "Shabbos!"** — not when one sees a Jew driving on Shabbos, but when one sees a Jew talking too much nonsense on Shabbos.

[Digression: At a Shabbos seudah one must also let people feel free to open their mouth — pleasantness at the table is also part of oneg Shabbos.]

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### Halachah 8 — Permitted to Run on Shabbos for Matters of Mitzvah

**Rambam:** "It is permitted to run on Shabbos for matters of mitzvah, such as running to the synagogue or to the study hall."

**Explanation:** Although we learned that one may not run on Shabbos, for a davar mitzvah one may.

#### Chidushim:

**1.** The principle is that running on Shabbos is not forbidden simply because it is tirchah — because when one goes to a davar mitzvah, even if it is tirchah, there is a simchah shel mitzvah that makes it Shabbos-like. The rule: **both — talking a lot and running a lot — are only forbidden when it is for nothing. When it is for a good purpose, it doesn't look to a person like tirchah.** Many Rabbinic prohibitions are not decreed in a place of mitzvah.

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### Halachah 8 (Continued) — Calculations of Mitzvah

**Rambam:** "Calculating calculations of mitzvah"

**Explanation:** Although one may not make calculations on Shabbos (chapter 23), for a mitzvah one may — such as measuring a **mikveh** to know if there is the measure, or checking a garment whether it is mekabel tumah.

#### Chidushim:

**1. Where lies the prohibition of calculations?** There are apparently **two prohibitions** — (1) calculations (lest he write/erase), (2) speech/business. By calculations of mitzvah — how does the heter of mitzvah help on the concern of lest he write?

**2. The Rambam's language in 23:18-19:** Both times when the Rambam speaks about lest he write and lest he erase, he says **"shelo yihyeh k'chol, machshevosav b'Shabbos k'machshevei chol"** — we see that the Rambam even by lest he write/erase **also thought that it is a matter of asiyas chafatzim** (not just a technical decree). The explanation is: if a person conducts himself weekday-like, he can already take out his pen because he feels weekday-like. But when he speaks about tzedakah he doesn't feel weekday-like — therefore there is the heter.

**3. Calculation is not speech:** A calculation is not a conversation — it is not communication with another, it is not business. But it is also **more than hirhurim** — when a person counts in his head or says it out to remember, it is a special category. The Rambam put it in lest he write, but also said "sheyihyeh k'chol." By mitzvah it is only d'Rabanan which falls away in a place of mitzvah.

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## Halachah 8 (Continued) — Allocating Tzedakah to the Poor

### Rambam: "Allocating tzedakah to the poor"

**Explanation:** Although one may not give gifts on Shabbos (matter of business / financial exchanges), one may pledge tzedakah.

#### Chidushim:

1. **"Poskin" means only to pledge (not actually to give).** But since it is tzedakah, there is the rule of **"amirah l'gavoha k'mesirah l'hedyot"** — a pledge for tzedakah is as if one would now be makneh it to him. Both prohibitions (speech and kinyan) are connected, but both fall away for the need of mitzvah.

2. **Selling aliya on Shabbos:** There is a **dispute among Acharonim** about selling aliya on Shabbos. It is apparently actual business — one sells a "product" (shishi, maftir). It is **much more than pledging tzedakah to the poor**, because by tzedakah one "gives", but by aliya one "buys". The custom that one doesn't say "dollars" but rather "one hundred thousand, ten thousand" — this doesn't really help, because **the language is not the problem at all** — one may speak of dollars for the need of mitzvah. **The problem is the kinyan/sale itself.** But we see that the custom of Israel is lenient even there.

3. **By a mi sheberach** — "in merit of pledging" such and such — is actually pledging, and this is certainly permitted. But it is **for a shul**, not for a poor person — it is somewhat of a stretch to call it "tzedakah to the poor."

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## Halachah 8 (Continued) — Public Affairs

**Rambam: "And going to synagogues and study halls... to oversee public affairs on Shabbos"** — one may go even to **tratiyos** (theaters) or palaces of gentiles if it is for the need of public affairs.

**Explanation:** Although business is forbidden, and it is a weekday thing to speak about politics or city matters, one may be involved in public affairs on Shabbos.

#### Chidushim:

1. **"Lifkod" doesn't mean only to pray** — it means that **the city council can meet**, the planning board may meet on Shabbos in the study hall. Examples: speaking about how to improve the mikveh, making traffic lights work better, safety matters — **even just community needs that are not directly a mitzvah.** It can even be melachah-planning (going to fix the street, making a meeting about safety). The heter is because it is **for the need of the many.**

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## Halachah 8 (Continued) — Arranging Matches for Children, and for a Child to Learn Torah and to Learn a Trade

**Rambam: "And arranging matches for children, and for a child to teach him Torah and to teach him a trade"**

**Explanation:** One may speak about shidduchim on Shabbos, and discuss Torah learning or a profession for a child.

#### Chidushim:

1. **Language of "tinokos":** "Meshadchin" means **speaking** (not being mekadesh). This is like the concept "mekadesh b'lo

shidduchim" — shidduch is an agreement, a discussion. **Rabbeinu Avraham ben HaRambam** writes **"mekadesh b'lashon dica"** — "dica" means to chat/discuss.

2. **To teach him a trade — even weekday things:** One may speak on Shabbos with someone about teaching a child computers (a secular thing), because it is a **obligation on the father to teach his son a trade** — this is a mitzvah of a father for his child, whether Torah or a profession.

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## Halachah 8 (Continued) — Visiting the Sick and Comforting Mourners

**Rambam: "And visiting the sick and comforting mourners... and similarly one who visits the sick says to him 'It is Shabbos from crying out and healing is soon to come'"**

**Explanation:** On Shabbos one may visit the sick and comfort mourners. By visiting the sick one says a special formula: "It is Shabbos from crying out and healing is soon to come."

#### Chidushim:

1. **Nichum aveilim on Shabbos — what does it mean?** On Shabbos one does not conduct mourning practices **publicly** (one does not sit on a low bench), but Shabbos counts toward shivah, and the person is still a mourner. The **Darkei Moshe** (Darkei Shalom) says that by us we conduct that we do not comfort mourners on Shabbos. But it says in Shulchan Aruch / books of customs that on Shabbos in shul when mourners come one says "HaMakom yenachem."

2. **Formal formula vs. real comfort:** A distinction between (a) the **formal custom** — saying "HaMakom yenachem eschem" — and (b) the **essential mitzvah** — being with the person, being mekarev to him, being mesame'ach him. On Shabbos, even without the formal formula, one is yotzei nichum aveilim by being there and giving chizuk. "No one has ever been comforted from this [formula] in the history of comforting mourners" — the essential thing is **being there.**

3. [Digression: Nichum aveilim — formality vs. reality:] Often a person dies, and his **closest friend** is not considered a "mourner" (he is not from the relatives who sit shivah), but he is **more sad** than the sister who flew in from Eretz Yisrael. Whoever goes to comfort the friend does **the mitzvah of nichum aveilim mid'Oraisa** more than at the formal shivah. The point: one must go out from the formality to the reality of chesed.

4. **Bikur cholim on Shabbos — "Shabbos hi miliz'ok":** During the week one would pray with the sick person, listen to his troubles. On Shabbos the manner is different — one says "Shabbos hi miliz'ok u'refuah kerovah lavo." This is understood on two levels:

- **Formally:** Instead of the long mi sheberach formula one says only the short formula. The **Ba'al HaTanya** actually leaves out the entire long formula "mi sheberach avoseinu" and says immediately "Shabbos hi miliz'ok," because the long formula is actually crying out.

- **Broader:** The entire conversation on Shabbos goes more **in the way of chizuk** — instead of groaning together, one gives chizuk that it will be good.

- **A sick person who is in danger:** By danger one may indeed pray on Shabbos (already learned in Hilchos Tefillah).

5. [Digression: Chizuk during the week:] The "Shabbos hi miliz'ok" approach is **only good for Shabbos**. During the week, when someone is sad, one should **not** immediately jump to "it's going to be good" — this is a "quick ma'aseh Rabbi Elimelech Biderman" that pushes away the pain. During the week one must **listen, enter into his pain, be with him in his time**. People who say chizuk immediately do it because **they themselves** cannot bear the pain — they push it away for themselves, not for the other person.

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**Halachah 8 (Continued) — Preparing for a Mitzvah Matter, That He Should Not Mention the Sum of Purchase**

**Rambam: One may go on Shabbos to the end of techum in order to prepare mitzvah needs — for a bride, for a deceased (casket and shrouds). "And he says to him go to such and such place... or to bring him additions from there." But Rebbi says: that he should not mention to him the sum of purchase. For all these and similar things... your affairs are forbidden but Heavenly affairs are permitted.**

**Explanation:** For a davar mitzvah one may speak about weekday needs, but one should not mention a specific sum of money. The source is from the verse "asos cheftzecha" — your affairs are forbidden, but Heavenly affairs are permitted.

**Chidushim:**

1. **That he should not mention the sum of purchase — practical nafka minah:** From this stems the **custom** when selling aliyos in shul — one does not say the true price, one says "ten thousand" instead of "one thousand," because one does not say the sum of purchase. **However** when pledging for tzedakah one does say a sum ("so-and-so gave one thousand dollars for the appeal") — there one does not say "that he should not mention value."

2. **"Cheftzecha asurim aval cheftzei Shamayim mutarim":** This is the foundation for all the heterim that we have learned — shidduchim, bikur cholim, nichum aveilim, needs of a bride, needs of a deceased. But even within cheftzei Shamayim small limitations remain (not to say the sum, to say "Shabbos hi miliz'ok" instead of groaning) — there remains a Shabbos manner even by permitted things.

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**Halachah 12 — Reasons for the Prohibition of Muktzeh/Tiltul**

**Rambam:** The Rambam brings **three reasons** for the prohibition of tiltul on Shabbos: (1) **"Lema'an yanuach"** — so that it should not be like a weekday, that Shabbos should not look like a weekday, and one should have rest; (2) **"When they inspect and handle vessels whose work is for prohibition... he will come to do melachah"** — when one handles vessels of melachah one can come to do melachah; (3) **"Lest one of the craftsmen who are idle all their days go out with it... it turns out that he did not rest a noticeable rest"** — people who don't work (idlers and loiterers) also need to have a noticeable shevitah.

**Explanation:** The Rambam gives three separate reasons why the Chachamim forbade tiltul, and rules that one may only be metateil **"kelim hatzarich lahem"** — only vessels that one needs for Shabbos.

**Chidushim:**

1. **"Lema'an yanuach" as a Reason, Not as a Mitzvah in Itself — Distinction Between Rambam and Ramban**

A fundamental distinction between Rambam and Ramban. By the **Ramban** "lema'an yanuach" is a mitzvah in itself — one is obligated mid'Oraisa to rest on Shabbos (this is the foundation of the Ramban's approach that "tishbosu" is an asech of menuchah). By the **Rambam** however "lema'an yanuach" is **not a mitzvah, but a reason** — the Torah wants that one should rest on Shabbos, but this is the \*reason\* why the 39 melachos are forbidden, not a separate mitzvah. This means: **the action is not forbidden mid'Oraisa (more than the 39 melachos), but the reason for the matter is d'Oraisa** — the Torah's intention is that Shabbos should be a different type of day. If someone finds a way not to rest without doing melachah, he is not transgressing the Torah, but we see that the intention of Torah is "lema'an yanuach".

Therefore: By the Rambam **shevitah** (from "tishbosu") is a mitzvah — this goes on shevusin that are domeh l'melachah or ein melachah (as he wrote at the beginning of Hilchos Shabbos). But **"lema'an yanuach"** is a separate thing — this is the reason for **the prohibition of muktzeh**, not for the prohibition of shevus. This is **two distinctions between Rambam and Ramban:** (a) "lema'an yanuach" is a reason, not a mitzvah; (b) shevitah (tishbosu) goes on shevusin, not on muktzeh.

2. **Yeshayah HaNavi's Broader Understanding of "Lema'an Yanuach"**

Yeshayah HaNavi understood that "lema'an yanuach" is **broader than just the 39 melachos**. Yeshayah added speech, walking, and other things — he saw that the menuchah must be **noticeable/visible**. From this the Chachamim can also add tiltul. The kal vachomer goes like this: if Yeshayah already forbade speech (which is further from melachah), then tiltul — which is **closer** to actually "lema'an yanuach" because it makes one have no rest at all — is certainly also forbidden.

3. **The Third Reason — Shevitah Nikheres for Everyone**

The Rambam's third reason is that there must be a **shevitah hashavah l'chol adam**. For a hard worker Shabbos is noticeable because he doesn't work. But a talmid chacham or a kollel young man who does mitzvos also on Shabbos — by him **tiltul is essentially the main shevitah**, because this is the entire distinction between Shabbos and a weekday. Without a tiltul-prohibition one would not recognize at all by him that it is Shabbos. [The joke is brought: "How do you know that there is a distinction between Shabbos and Yom Tov? On Shabbos one puts the coffee into the hot water, and on Yom Tov one puts the hot water into the coffee — this is the noticeable difference."]

4. **All Three Reasons Apply to More Than Just Muktzeh**

**All three reasons are relevant not only to tiltul/muktzeh, but also to "lehalech u'ldaber"** — to everything that the Chachamim added from Yeshayah and further.

5. **The Meaning of "Nogea" — The Rambam's Language**

The Rambam says that from Yeshayah's words tiltul is **"nogea"** (not "muchach" or "mefurash"). This is explained that **it is not actually a proof, but a sevara** — it is like a "touching", a "hint", a "scent of the matter". By the Rambam there is a great distinction between something that one can speak of "rei'ach hadevarim" (which the Ramban takes

seriously as a source) and an actual proof. The Rambam means: this makes me think that one must make such a takanah, but it is not a formal source.

#### 6. Ra'avad's Hasagah – Reason from the Gemara

The **Ra'avad** criticizes the Rambam and brings that in the Gemara it says explicitly that tiltul is "**I'tzorech hatza'ah**" – a fence/seyag for hotza'ah (carrying in reshus harabim). The Ra'avad asks: Why did the Rambam think up new reasons when it already says in the Gemara?

#### 7. Maggid Mishneh's Answer

The **Maggid Mishneh** says: "**Rabbeinu kasav kan te'amim nechonim mida'ato v'lo nizkeru baGemara**" – the Rambam wrote here good reasons from his own mind. The answer is: what it says in the Gemara about "I'tzorech hatza'ah" was only **Nechemiah's original takanah**, which was already **nullified** (because they later changed and returned it). Therefore one needs a **new reason** for the prohibition of tiltul as it is today – and the Rambam gives the new reason that connects with the broader idea of Shabbos, "lema'an yanuach".

#### 8. Why the Rambam Brings Reasons at All

Why does the Rambam need to say reasons at all? He can just rule that the Chachamim forbade it! The answer: **The**

**Rambam wants his book to be built on Chumash** – he brings on each thing a verse. Here he only has a verse from a navi (Yeshayah), but he makes it that **Yeshayah HaNavi has a communication with the Torah** – Yeshayah comes after it says "lema'an yanuach" and the mentioned shevusin, and he expands it. This is interesting because **the Rambam is not accustomed to bring a verse from Nevi'im as a source for a prohibition** – but here he does it because Yeshayah speaks about Shabbos-prohibitions that are already included in the Torah. If a navi would say something completely new that is not at all in the Torah, the Rambam would not bring it. But Yeshayah also thinks from "lema'an yanuach" – **as if the Rambam sets up Yeshayah as the chacham who thinks of all these things.**

#### 9. The Rule of Tiltul

The Rambam rules: "**V'asruhu l'taltel ela kelim hatzarich lahem**" – the foundation of tiltul is that one may not be metateil any vessel, **only what one needs for Shabbos**. This means: it is not a list of forbidden things, but the opposite – **a list of permitted things** (davar hatzarich lahem), and everything else is forbidden. This will be further expanded in chapter 25.

## Full Transcript

### Rambam Hilchos Shabbos Chapter 24 – Things That Are Forbidden That Are Not Similar to Melacha and Do Not Lead to Melacha

#### Introduction to the Shiur

Good, we are learning Rambam Hilchos Shabbos, the 24th chapter, Chapter 24. Before we go and learn this Rambam, I want to thank all those who support our shiur, and who spread the shiur among their friends, lehagdil Torah ulehaadirah, and first and foremost for the main sponsor of this shiur, our friend, the well-known supporter of Torah, Rabbi Uri Englander, may he live, may Hashem his God be with him, may the merit come in Heaven completely, and may we merit leharchiv gevulei hakedusha, to spread more Torah in Israel.

#### General Introduction to the Chapter – A New Category of Rabbinic Prohibitions

Yes, we have learned, we are holding in the 24th chapter, we have already learned all 39 melachos, and we have even already learned all the rabbinic prohibitions that are connected to the 39 melachos. That means, on Shabbos there are many Torah prohibitions, there are also many rabbinic prohibitions. Many of the rabbinic prohibitions are directly connected to a certain Torah prohibition. Especially after the Rambam has done the job, because in Maseches Shabbos it's not clear, there are many rabbinic prohibitions where it doesn't say which melacha it's from, but the Rambam has done the work of attributing very many things that are forbidden to a specific thing. One may not, I know, do a... what's it called, fix a bubble, because it's a gezeira of boneh or of makeh bepatish. But one may here things... ah, yes, it's from the Torah, excuse me. Okay, there is, or one makes a hole in a vessel, because it's a... it's not called building, but it's a rabbinic building, and so forth.

But now, now the Rambam is going to begin a new category of things that are rabbinically forbidden, but not connected to one of the 39 melachos, but rather more generally rabbinically forbidden. For example, we learned yesterday that buying and selling, doing business, doing commerce, is forbidden on Shabbos as something connected to writing, "lest he come to write." But what about types of business that have nothing to do with writing? It's just somehow being involved in the business, it has nothing to do with writing, for example. So there are still things that are rabbinically forbidden, but for other reasons, not because of a branch of the melacha of writing, but for other reasons that the Rambam is going to enumerate here in this chapter and in the next chapters.

#### Discussion: The Distinction Between "Domeh Lemelacha" and "Mevi Lidei Melacha"

**Speaker 1:** You say the word "connected," presumably because you want to include two other ways. The first is what is actually a gezeira for a melacha, because when one does that, he may come to do a melacha. And the other is apparently also because eventually it will come to a melacha, but because it's similar to a melacha. Presumably because people will get confused. Not simply something that one does that is close to a melacha, but... sorry, the first type of things is things that when one does them one comes to do a melacha. The second type of things is things that people will get confused with a melacha. That's how one would apparently have to learn.

**Speaker 2:** So, in other words, it's a gezeira and a fence, just as the Sages made a fence for the Torah, it's a fence for the 39 melachos. Now one can learn things that are not a fence for the 39 melachos, but let's see what yes. It could be that these parts are also a fence, but it's a fence for a different aspect of Shabbos.

## Halacha 1 — The General Prohibition: "Asos Chaftzecha" and "Vedaber Davar"

The Rambam says as follows, "**There are things**" — until now the Rambam has said by each one of the rabbinic melachos that it's forbidden for one of two reasons, either because it's similar to a melacha, or because it leads to a melacha. But there are things that are forbidden even though they don't have both these categories. "**There are things that are forbidden on Shabbos even though**" — they don't have one of the two categories that makes them forbidden, which we've been taught until now. "**Even though they are not similar to melacha**" — it's not similar to melacha, "**and they don't lead to melacha**".

### Discussion: The Distinction Between "Mevi Lidei Melacha" and "Domeh Lemelacha"

**Speaker 1:** I mean what you're saying is correct. "Mevi lidei melacha" means that the person who does this will also do that. That is, if we let him do healing, he will come to grind spices. And the other thing is that it looks similar, not that he's going to do it. There's no concern at all that he's going to do it, but another person sees him, it looks to him like one is doing a melacha, or it has some similarity to the melacha, not that he's going to do it directly now.

**Speaker 2:** It could even be that the same person will get confused, but not because the things are like a melacha. It could be it's not a melacha at all, just as doing healing is not a melacha, but usually during the week when one does that, it comes to a melacha, so they forbade it. "Domeh lemelacha" can mean just as... "Mevi lidei melacha" means to say, maybe the person will do the melacha on Shabbos. "Domeh lemelacha" means eventually, or another person will do a melacha, or there will be a degradation of the prohibition of melacha. Because one does it, it looks similar. Like a practical difference that one can understand how there's a distinction, but there's no distinction, in practice there's no distinction, it's just two reasons. But the Rambam in practice there are things that are neither this nor that, and also forbidden.

**Speaker 1:** Yes, the word "forbidden" means the Sages forbade. The Gemara regarding Shabbos is exempt, okay.

### The Source of This Prohibition — The Verse in Yeshayahu

He says here as follows, because it says, there's a verse about this. He says as follows, it's a rabbinic prohibition. The rabbinic prohibition the Sages took from a verse. The Sages saw such a verse, in the prophet, in Yeshayahu it says as follows, the Torah speaks about Shabbos, and the verse ends with blessings, the prophet ends with blessings for those who keep Shabbos. But what is the language? He says as follows, "**Im tashiv miShabbos raglecha**", you will restrain on Shabbos your feet, or your habits, "**asos chaftzecha beyom kodshi**", you will restrain from doing your affairs on the holy day. And later in the verse it says again a similar "**beyom kodshi**", on the holy day which is holy to the Almighty. And the next verse continues, "**Vechibadetoh**", you will honor the Shabbos, how? "**Me'asos derachecha**", by refraining from doing your ways, from doing your things, "**Mimtzo cheftzecha**", from finding your affairs, it already says "doing" what you need, here it means to become from speaking, to refrain from certain speech.

### The Explanation of the Verse — Prohibition of Walking and Speaking About One's Affairs

So the Sages properly explained the verse and said as follows, therefore, here they saw as follows, **it is forbidden for a person to walk in his affairs on Shabbos**, a person may not go about his affairs. It doesn't mean physically going about his affairs, it means being involved, going in the way that leads to what he's seeking now in his affairs, and what he desires. Chefetz means to desire, or does that mean a thing? A chefetz is lent to me. Yes, a chefetz. A thing that one desires. A thing that a person has acquired. A person should not go about his matters on Shabbos, and not only that, but even **to speak about them**, even not to speak about his matters, which is stated "**vedaber davar**".

So he explains, **such as speaking with his partner what he will sell tomorrow or what he will buy**. For example, speaking with his partner about the future of their business. Or speaking with... not necessarily in the business, but "**how he will build this house**", how one will build such and such a house, "**and with what merchandise he will go to a certain place**", what it's worthwhile for him to do business in such and such a place. **All this and similar things are forbidden**.

### Discussion: The Distinction Between This Prohibition and Buying and Selling

It's actually all these things that are a bit similar to what we learned about buying and selling, but even if it's not in the category of buying and selling, it's not something that... buying and selling means selling, here it means speaking about commerce. But by selling we also had a bit more than actually selling. But buying and selling one can say is something that when a person is involved in that he will write, because it's really connected. This is more planning, matters that have to do with his business. It's not similar, it's not similar to melacha, it's not something where he's going to earn money.

**Speaker 1:** What about like calculating accounts that need to be carried, whether of the past or of the future?

**Speaker 2:** Accounts of the future is very similar to what's written here "with what merchandise he will go." But that is actually an account, which is why it's similar to melacha, because when he makes the account one writes. But here we're speaking more, even when it's much less than that. It's not actually an account, a plan that one is going to do, but one is brainstorming, one is speaking about something future in the business. Yes?

**Speaker 1:** Okay.

### Speaking Is Forbidden, Thinking Is Permitted

**All this and similar things are forbidden**, these things, **and similar things are forbidden, as it says "vedaber davar"**. Interesting that he focuses on the "davar" word immediately. Speaking is forbidden. That is, one should refrain from "**vedaber davar**". From speaking about what? About your affairs. You should not walk, your walking on Shabbos should not be like on a weekday, you should not go as it were about your affairs, and also not speak about them, as it says "**vedaber davar**" which refers back to your affairs. Okay.

So he explains, the prohibition here is on speaking. **Speaking is forbidden, but thinking is permitted**. A person may think. I don't know if the word is limiting, but one cannot prevent a person from thinking his thoughts, from thinking about his future. The prohibition is on speech.

**Speaker 1:** Permitted lechatchila, truly. Yes.

**Speaker 2:** So, it's not as you say that thinking is permitted because one cannot force a person. One can, there are thoughts that are forbidden in the Torah. Yes, but thinking is permitted means that it's fine, it's good.

**Discussion: Why Does It Say "Thinking Is Permitted" Here?**

**Speaker 1:** Yes, good. The prohibition is on speech. Forbidden and permitted are technical terms in Hilchos Shabbos. In Hilchos Shabbos, forbidden means rabbinically forbidden, and permitted means completely permitted. Right.

**Speaker 2:** Someone wants to say that there's a measure of piety that one should not think, one should not contemplate, but what it says... as if, he comes to limit piety. It doesn't mean about thoughts, it means in practice. Yes. Yes, it could be, but it's a bit funny why he puts it in here.

But he means to say, one learns from this also the permission, that it says specifically speech, not thought. I mean what he means to say is that the minimum action of Shabbos is speech. It says, he's going to say, going by the boundaries of the places to look at the properties is more action. The smallest type of action of Shabbos is speech. One would have thought that one may not even think, but that's already more than what was forbidden. The forbidden things are however until after speech, going and coming and speech.

Now we're holding at bringing the verse. It says in the verse, it doesn't say "vechashov chaftzecha," it says "**vedaber davar**". So already.

So now the Rambam is going to say further what else one may not do. I mean that it's more with the words of "**tashbos raglecha**", not going with the feet, or "**asos derachecha**", not doing actions that are weekday matters. So apparently, first one learned the source, both the source and also the idea, and now one goes in practically. That what it said "**forbidden to walk in his affairs**", but that was essentially the explanation of the verse and not any halacha. What does "to walk in his affairs" mean? He doesn't know anything yet. He's going to tell us various examples of this.

**Discussion: The Status of This Verse — Torah Law or Rabbinic?**

**Speaker 1:** One must mention, you spoke about this yesterday, that there's a verse, if so it's apparently from the Torah. But the Rambam holds that even Prophets and Writings is essentially rabbinic. It could be that it's a decree of Yeshayahu the prophet, there's no difference. A verse from the words of a prophet, divrei kabbalah, according to the Rambam, I mean according to most, almost always a verse from divrei kabbalah is rabbinic, yes? Except sometimes there are Rishonim who learn differently. There are places where one finds that it's more stringent because it's in the Prophets, but by the Rambam he certainly holds very extremely that a prophet cannot even decide a halacha, it doesn't come from the prophet. I mean the Rambam says this very clearly in his language, because he says "**ne'esru**". "Ne'esru" means he, when he says "ne'esru" afterwards it says what he means, the Rabbis forbade it. Why did the Rabbis forbid it? Because they found a verse. It's a rabbinic prohibition.

One can even say more than that. "Ne'esru" — the Rabbis, one of the Rabbis was called Yeshayahu the prophet, and he forbade it. Here it says that he forbade it.

**Speaker 2:**

No, it looks like later "**ne'esru because it says**", one of the Sages saw the verse in Yeshayahu, but the verse says that Yeshayahu didn't say an explicit prohibition. Yeshayahu also didn't say an explicit prohibition, yes, later he says a blessing about it, he doesn't say a language of prohibition. The Sages made a language of prohibition. Yeshayahu also doesn't say "lo ta'aseh," even by muktzeh.

**Speaker 1:**

"And from where were they forbidden"? This means like they saw in the verse that this is how Shabbos should look, but perhaps not in the form of a prohibition. Yeshayahu the prophet simply said a prohibition. Yeshayahu, part of his prophetic words there he speaks about the holiness of Shabbos.

It could be, I'm just saying, the Sages later forbade it based on the verse. Or it could be that Yeshayahu is the Sage who forbade it. Or it could be a third thing in between, that all Yeshayahu gives the idea that on Shabbos there must be "mimtzo cheftzecha," so there are things that are forbidden, which are like a fence for this. Or that there was a decree based on this later. There are certainly things that Yeshayahu didn't say everything, but...

It could also be that Yeshayahu said more general words. For example, "**lalechet bechaftzecha**" he means "la'asok bechaftzecha." Later the Sages explained more what this means. "**Vedaber davar**" means actually speaking, "**Shabbos raglecha**" means going to look at the business. It's really explained.

When the verse is read, one will see that it's a language of a verse that says that one may not go on Shabbos. It doesn't mean walking, it means going to be involved in my business.

**Speaker 2:**

Yes, but I mean also, as long as he says "**it is forbidden for a person to walk in his affairs on Shabbos**", he hasn't yet begun to say the prohibition of going. "To walk in his affairs on Shabbos" is really the same language as "to be involved in his affairs on Shabbos." Now he's going to say what the "to walk" means, because the "to walk" here doesn't yet mean walking, it means being involved. Just as "to walk in a good way" doesn't mean walking, it means being involved in something.

**Speaker 1:**

Exactly, it's certain that there are verses of tradition in us to walk on the paths that the good ones have walked, you know? "Vehadarta pnei zaken," "vehalakhta bidrachav," that's a thing. But yes, actually, it's a parable, yes, or less than a parable, it's called an image, right? An image, a simile. Yes.

**Halacha 1 (Continued) — "It Is Forbidden for a Person to Inspect His Gardens and Fields on Shabbos"**

**Speaker 1:**

Good, what is the prohibition of going to be involved in his affairs on Shabbos? "**It is forbidden for a person to inspect**". "To inspect" means to visit. To visit means from time to time. Well, an inspection, well, to inspect his affairs. "To inspect," "inspection after inspection," yes. The periodic thing. A person who has a business, has a field, from time to time he goes to visit.

**Laws of Shabbos Chapter 24 – Preparation from Shabbos to Weekday, Speech on Shabbos, and "Vedaber Davar"**

It's a time to time thing, it can be on a regular basis, but pekida (inspection) is checking, right? But checking at a certain time. If someone looks at something the whole time, he's not poked. Poked means when he remembers that he needs to once in a while, minimum once a year, maximum, he must go be poked. It says in this week's parsha, "yifkod es kol adam", "yifkod Hashem". The Almighty is a checker person. Ah, you know what, chayav misa. No, also Rishonim, "yifkod", yes. It says "lifkod". "Yifkod kol basar", "im kifkudas kol basar", yes. This we just discussed in Berachos. Pekida is a language of remembrance, like "pakod yifkod eschem", Zichronos. And here too is the language, it means to check out, as you say, it's implied from this that before you didn't, but simply it doesn't mean to visit exactly, it means more like to check. "To check" in English is a good word for us.

**"It is forbidden for a person to inspect his gardens and fields on Shabbos"**, to go check out, but not to stroll around looking at how beautiful it is. To go like an inspector goes down to inspect a place on Shabbos. "Inspect" is perhaps a good word, okay. **"In order to see what they need or how their fruits are"**, to check what the field needs or how the fruits turned out. **"For this is walking to do his affairs"**, this is literally the translation of the word, this is walking, he goes to do his affairs, to do, to know how his affairs are, to know what he has to do.

And seemingly, just to do would have been an unsustainable thing. Someone who is contemplating on Shabbos, may one just like that... Someone makes a big Shabbos meal, may he go look around in the kitchen? It means to do things that one does.

#### Story of a Certain Chassid

##### Speaker 1:

It's interesting, he brings here on the side a story, it says in the Yerushalmi and in the Bavli, that there was a certain chassid who went walking on Shabbos in his vineyard, and he saw something, a fence of the vineyard, a part of the gate. A vineyard has a fence, yes? It says in Yeshaya too. He saw a gate that needed to be fixed, so he thought, "Okay, motzaei Shabbos I'll fix it." Then he caught himself, "Oh, I thought on Shabbos to fix, I'll never fix it." This is already a midas chassidus, it's not a prohibition on such a thing.

##### Speaker 2:

No, he didn't mean from now to do, he wanted to make backwards that it was never a sin. The sin only took away from you to fix it, so retroactively he didn't have any sin. I thought it was like a fine, like someone who does a melacha on Shabbos may not have benefit.

##### Speaker 1:

And the Almighty made a miracle, there came some sycamore, some sort of plant, and grew there exactly and made the gate, and from that he had sustenance his whole life from it. Because he was concerned about opinions, but opinions is not according to halacha, but from there you see that there is a prohibition to go check the vineyard on Shabbos what it needs, and the like.

#### Halacha 2 — Waiting at the Techum

##### Speaker 1:

Right. **And similarly it is forbidden for a person to go out on Shabbos to the end of the techum.** A person may

not go on Shabbos until... Here we're talking he's not going to his field, just, he has somewhere he needs to go motzaei Shabbos, to travel somewhere, to deliver something, so he goes already on Shabbos as much as he can. That is, on Shabbos one may not go out from the techum, but within the techum he wants to go the maximum that he can, **and stand there until it gets dark**, and wait there, **in order that he should be close to do his affairs on motzaei Shabbos**, so it should be close to do what he has to do motzaei Shabbos. **And since he is found walking on Shabbos to do his affairs**, because he goes in order to be able to do his affairs, he goes in order to be able to do what he has to do.

#### The Principle: Under What Circumstances

##### Speaker 1:

The Rambam says a very important principle, **these words are said**, yes, **these words are said**, **when he waits at the techum**, when this is only when he went, this is called machshich al hatechum, he went before it becomes night, that means he went together, he waited together with the sun, the sun goes away, it gets dark, he waited along, he went there where it gets dark until the Shabbos techum, **to do something that is forbidden to do on Shabbos**, because then he prepared for something that is forbidden. **But if he waits to do something that is permitted to do on Shabbos**, even if he goes out from the techum to do it, he went to look at the end of the techum because he wants to soon go try a melaveh malka at the Rebbe's, **this is permitted**. Even though one may not go out outside the techum, but he didn't now go out for a forbidden thing, the prohibition is going out when he does it.

It's not like guarding, he's not going to check, for example earlier we said he goes to plant, let's say he wants to go plant, the prohibition is sowing, that he doesn't do. But he goes just because he needs to guard there, he's a guard, he needs to make sure that they don't steal during Shabbos too, he's a guard, it's forbidden to do on Shabbos, so that he may go, even he goes, interesting, a gabbai goes out outside the techum, so that doesn't mean that he goes out outside the techum, that's not a melacha that he saw.

Right, right. Or going out, it happens to be that it doesn't happen here, but interesting, it's only a hypothetical that he could do the thing. Aha, the Gemara brings the Gemara.

#### Examples from the Gemara

##### Speaker 1:

**One may not wait at the techum to bring attached fruits.** One may not go to the techum erev Shabbos before motzaei Shabbos, before it gets dark before motzaei Shabbos, to bring attached fruits, to go cut and bring fruits that are still attached, **or to hire workers**, or hire workers. Because these are, to bring attached fruits is a Torah prohibition, or even to hire workers is only rabbinic, this is forbidden.

**But one may wait to guard fruits.** But one may indeed go down there to guard the fruits, **for it is permitted to guard on Shabbos.** One may guard fruits on Shabbos. **One may even wait to bring an animal and detached fruits.** Why? Because he's not going to ride there on the animal, riding is not permitted, **but if the animal, he calls it and it comes.** There is a way of bringing the animal in a simple manner, he should call the animal and the animal will come. **Even if it is outside the techum**, even if the animal is

outside the techum and he will need to signal for the animal to come out.

**Speaker 2:**

On Shabbos may one do this too? An animal may come out outside the techum?

**Speaker 1:**

No. An animal, if it goes by itself, it can go as much as it wants, but if a person calls it, it is bound to his techum. I don't know. It seems that he may indeed. He says so. Why is this different? Not clear.

**Discussion: Why May One Signal for an Animal Outside the Techum?**

**Speaker 1:**

He says, **the animal, he calls it and it comes, even though it is outside the techum.** It seems that one may, because the person does nothing. Going outside the techum is not permitted, but signaling for an animal. It seems that it doesn't have to do with shevitas behemto. Techum Shabbos is perhaps a fence for oneself, it's not from the 39 melachos. It seems that one may make an animal do this. If he would have had to go himself to bring the animal by hand from outside the techum, one wouldn't be allowed to go even erev Shabbos, because he must do something that is a desecration of Shabbos of going outside the techum. But here where he only needs to basically signal for the animal, why is this not like a donkey driver and such things that we learned earlier?

**Speaker 2:**

A donkey driver is when he carries, that's a fence on carrying, but outside the techum is itself only a weaker prohibition. That one may. One didn't learn about techumin Shabbos because...

**Speaker 1:**

Okay. The same thing, **fallen fruits** one may also, because **if there were partitions**, even if it is indeed outside the techum, but if there would have been... or even from a karmelis to a reshus hayachid, or whatever. **But if there were partitions through their father on Shabbos**, which is not really a melacha, even he may not.

It's interesting the definition, as if it doesn't have to do with really a prohibition, because he goes on Shabbos, Torah, in melacha.

**Laws of Shabbos Chapter 24 – Preparation from Shabbos to Weekday, Speech on Shabbos, and "Vedaber Davar"**

**Continuation: Going Outside the Techum for Detached Fruits**

**Speaker 1:**

Have you already learned about techumin Shabbos?

**Speaker 2:**

Okay.

**Speaker 1:**

**Detached fruits went out** – one may also, because **if there were partitions there**, even if it is indeed outside the techum, but if there would have been partitions there, even from a karmelis to a reshus hayachid or reshus harabim, but **if there were partitions there, it would be permitted to bring them on Shabbos**, which is not really a melacha. Even if he may not.

**Innovation: The Definition of This Permission – It's Not Essentially a Melacha**

It's interesting the definition, as if it doesn't have to do with really a prohibition, because he goes indeed outside the techum, he won't go, and even not only a techum, it could be even a Torah prohibition, but still, essentially what I'm going to do is not something that is forbidden on Shabbos, for if they were within the techum or within my domain I would be allowed to pick up detached fruits, so I'm not going to do a melacha. It's an interesting definition, one must understand it.

**Definition of "Preparation" – Must Be a Noticeable Action**

**Speaker 1:**

Yes, and it seems here from all these things too that he must do something that is very noticeable that he is engaged in something for motzaei Shabbos.

**Question: Going to a Different Shul to Finish Earlier – Is This Preparation?**

Because I was thinking to myself, many times here a person knows where he davens shalosh seudos every week, and this week he needs to fly right after the time, so he goes to a different shul because there they finish earlier. He goes on Shabbos, doesn't that mean he's preparing to be able to fly, yes? It's also like preparing.

**Answer: Preparing Must Be When He Goes to a Place That Isn't Shabbos-Like**

But one sees that preparing must also be when he goes to a place where there are the fruits, he goes to a place that isn't Shabbos-like. Do you understand what I'm saying? If a person should do something at home so it should be ready motzaei Shabbos to do a melacha, we don't broaden the prohibition that far. That is permitted, that's for sure. He must also do something that is preparing.

**Speaker 2:**

Ah, you mean that he makes a techum?

**Speaker 1:**

One used to also make a techum, but he goes until there. But he does something a little bit, but when he should do something... as I say, I want to finish shalosh seudos earlier so I should be able to do motzaei Shabbos, that he may do.

**Example: Going to Sleep to Be Rested**

But for example going to sleep, people talk about this, yes, one shouldn't go to sleep because one wants to be rested motzaei Shabbos, or erev Pesach, I don't know what, Yom Tov. Then one starts to talk, but I don't know, not about preparation. There one starts to say preparation, one may not make preparation on Shabbos, yes? Even he doesn't do anything. That's not with this preparation. It's the same law, but one must see in his action that he does something weekday-like, he does something that has relevance.

**Example: Going to the Cigarettes**

For example, think, let's say a person, he must grab a cigarette motzaei Shabbos on time. So when it's still Shabbos, he starts to walk around in his house, so when it's his mentioned time, he can still grab the cigarettes. There you'll say, I'm going to the cigarettes. But he goes home, a person may go home. It's not... these are somewhat open things. I say, one must find the exact definition, but one sees this all the time. Someone goes next to his cigarettes, I don't want to say next to his phone, and he needs it very importantly. One must think. Clearly, it's

relatively permitted, but one sees enough that the prohibition... and here one sees it's not yet standing. It's not in the case, this we've already seen.

**Example: Saying to His Friend – "To Such-and-Such Place I'm Going Tomorrow"**

In general, one sees another example that one may do so. Just like that you can also say the permissions. Ah, a cigarette is certainly forbidden to smoke on Shabbos. Okay, in general, another thing. In general, saying to his friend. A person may indeed say, **"To such-and-such place I'm going tomorrow"**. I'm going to such-and-such city tomorrow. Suddenly you know that one may not say also not. He'll catch you with. He's talking something practical. He'll make you business. He'll buy that right.

**Why May One Do This? "If There Were Burganin"**

Why may one do this? Because one may go to another city, technically. Because, **"if there were burganin there, they would walk there on Shabbos"**. If there would have been buildings, burganin means guarding, little houses where guards sit. Such a thing would make the Shabbos techum spread out. Because if next to a city there are such small houses close to the city, the Shabbos techum spreads out. So, someone needs to walk to the next nearby city, even if it's not in the Shabbos techum. But it's something that we would have had a way that it should be permitted, so it's not so extremely forbidden. Not only a bit, it's similar to the previous halacha of if the fruits would have been in a domain he would be allowed to carry, if the city would have been a bit closer he would have been allowed to go. As if he doesn't say that I'm going to do a melacha, he only says I'm going to go, going is permitted on Shabbos, it just happens that here is too far that city, imagine it wouldn't have been far.

**He Doesn't Say What Business He's Going to Do**

When he says **"to hire workers"** he doesn't say what business he's going to do, because then it would indeed have been forbidden. He only talks about the walking, and the walking is something that is permitted on Shabbos. It means, he doesn't say something clearly that techum Shabbos makes it not forbidden, it's only the steps in the field.

**Discussion: Why Does One Say "Because If There Were Burganin"?**

**Speaker 2:**

"Because if there were burganin" means to say, at least there wouldn't be any problem of techum Shabbos, yes?

**Speaker 1:**

It means, let's say, if he says I'm going to travel with my horse, which is rabbinically forbidden, or I'm traveling with my car, which is perhaps forbidden by Torah law, I don't know, that he certainly wouldn't be allowed to talk, because if I say I'm going to travel motzaei Shabbos, it means I'm going to do a melacha, one may not talk about doing melachos.

**Distinction: Talking About Going vs. Talking About Traveling**

One may not say motzaei Shabbos I have a car, so it comes out here. If I say motzaei Shabbos I'm going home, it happens I'm going home with my car, you don't need to know, you don't need to talk, I didn't talk about the melacha. Going home one may indeed on Shabbos too. Ah, even if it's outside the techum I may indeed arrange, like there where there is an eruv one may. I can even say "because of eruv techumin", but he doesn't

say. The burganin is simply that it's already become so you say the distance of the techum.

**Question: One Can Say "Because If There Were Burganin" on Every Melacha!**

**Speaker 2:**

No, one must understand not "because if there were burganin", because one can say it on almost every melacha. When I'm going to go motzaei Shabbos to dig, if it would already have been dug out one would be allowed to go, what's done here?

**Speaker 1:**

"Because if there were burganin", it's not there.

**Answer: Going Is Essentially Permitted, Digging Is Essentially Forbidden**

There is something that is indeed permitted. You see that the things that are essentially previous things, that means going is not a melacha, going is permitted. If there would have been burganin they would have been allowed, only it happened that here one forbade. You see that what I'm seeking is not to go in a forbidden manner.

**"It Seems That You'll Stand With Me in the Evening" vs. "Be Ready for Me in the Evening"**

**Speaker 1:**

Further what else one may, **it is permitted for a person to say to his friend**, for a person may not hire a worker, he already said, yes, he said **"to hire workers"**. One may not even go to a place that is prepared, a person may chat with someone and say so, **"It seems that you'll stand with me in the evening?"** Do you think we can meet tonight? If he doesn't say about what he's talking. **But he should not say to him "Be ready for me in the evening"**, he may not tell him in a manner he commands him.

**Distinction: In the Language of a Question vs. In the Language of a Command**

When he says it in the manner of a question, in the manner he's chatting, "What do you think, can we meet tonight?" He doesn't tell him about what. But when he says it in a manner, "I want to make with you tonight an appointment", it turns out your affairs on Shabbos, because when he does that, he does something.

**Explanation: Thought Is Permitted, Speech Is Forbidden**

I would perhaps say it like this: One didn't forbid thought, one only forbade speech. So when he chats with someone, even in his head he has that at the meeting he'll talk business, so he has a thought, **"and in his heart, heart at all"**, he didn't even speak. He talks, he says things that one may do on Shabbos.

**"Be Ready" = Making an Appointment**

But when he says, "I want to make an appointment", he now does an affair. One of the things that a person must do when he does business is make appointments. When he chats off with someone when they'll meet, he has now done some preparation for something that isn't Shabbos-like.

**Discussion: What is the Difference Between the Different Expressions?**

**Speaker 1:**

The expression "hevei nachon" sounds very weak. I once thought that it simply means to say, "be ready to work." If you add the one word "to work," everyone understands why it's

forbidden. The problem is that it says that a little less is also forbidden. This is hard to grasp - what is the difference between what is in question form or what he says "heyey nachon," something like "hanir'eh" - the simple meaning is you want, perhaps also the reason is to me.

**Explanation: "Heyei Nachon" is an Expression of Authority**  
 "Heyei nachon li la'erev" is, I think, there is an authority here, he says it like an authority, like a boss says to his worker. He must agree, but by hint. Good, but he says, do you see how he makes an appointment? He says to his worker, "Tonight, be ready, I need to talk to you." He has now made an appointment, he has now done something boss-like, he has now done something that has to do with his... he has done his will, as you say. But when he says, "Perhaps you can come tonight?" "Heyei nachon li," what we're going to do is work... something is not exactly clear about the difference, I haven't brought out the example so well, the expression that the Gemara's world made between the difference of the expressions, I don't understand it so well.

#### **The Beit Yosef's Explanation**

He says that the Beit Yosef says "vehayeim im nachon" means be ready to work. He says, when he says "shetimta demilta" he means it can be a way that people speak. That is, perhaps it is so, if it's "mishtama litrei apei," it could be that they're going to meet to eat pizza. Precisely, you can't, you won't meet him for pizza, you'll meet to do business. Or according to our explanation there is indeed a revelation of intent, whatever you know, but "heyey im nachon" is more an expression that is only said about business, you're just coming to a meeting. The expression of "heyey im nachon li le'et erev" is truly such an expression, "heyey im nachon li baboker," "velishma'el achi."

#### **Speaker 2:**

Yes, he says, also a condition, it's also a condition. There is a halachic ruling. Okay.

#### **Conclusion: The Custom of the World - "Little Pictures" and "Not Spoken About on Shabbat"**

#### **Speaker 1:**

So, we have discussed here about... if people want to be careful about the laws, they need to know the detailed laws. We see from here that the custom of the world to say "bilderlech" (little pictures) instead of money, or even to say the words "nisht um Shabbos geredt" (not spoken about on Shabbat), is often a funny thing, because often it doesn't help, but we see that an expression that has two meanings has a place in the prohibition of "vedaber davar."

#### **Speaker 2:**

Yes. Yes, yes, true. Because hirhurim (thoughts) are permitted.

#### **Hirhurim are Permitted Even When Everyone Knows What is Meant**

#### **Speaker 1:**

Hirhurim are permitted means even in a manner where everyone knows what is being discussed. That is, the bilderlech means money, but he didn't say money. Okay. But when someone actually makes business, "I'm selling you the house for nine hundred thousand bilderlech," okay, we've closed the deal, he has actually made an act of buying and selling on Shabbat. But when it's more an expression with two meanings, he hasn't transgressed a clear "vedaber davar," only a hirhur.

#### **Speaker 2:**

Right. Right. Okay.

#### **Additional Explanation: Hirhur vs. Dibur (Speech)**

#### **Speaker 1:**

One can perhaps say a bit more. We don't say that when someone speaks something about hirhur on Shabbat... We can say it this way, hirhur is permitted, but anything that you bring out the hirhur with words, is no longer good, because it's already "vedaber davar."

#### **Innovation: Only When the Speech Itself is Forbidden**

But I would say no. If in the "vedaber davar" itself, without the hirhur, there are still no words there... even let's say the person who said "nir'eh shetimta demilta le'et erev," he made an appointment now, yes? Because in both their thoughts an appointment happened, but in the speech no appointment happened.

#### **Speaker 2:**

Right. I think there is such a reasoning, that the speech that is forbidden on Shabbat is primarily speech that does something. That's how he brings it in Har HaMoriah.

#### **Example: Talking About a Meeting vs. Making an Appointment**

#### **Speaker 1:**

That is, if I, as you say, if I talk and it becomes a bit of a deal, or you're actually going to come, but just talking, "What do you think about this?", it becomes fantasies because you want to talk. Work that isn't work, that he needs to make more appointments? It becomes for him a certain dream, or a sign that something isn't happening. I didn't say that this is the word, because when he says that he says yes, they've discussed it, he doesn't need to... no, but it's not necessary, because it's not necessary.

#### **Idle Talk, Walking, and Speech on Shabbat - Laws of Shabbat Chapter 24 (Continued)**

#### **Law 24 (Continued) - Clarification in "Speech" About Objects: When Does a Conversation Become a Prohibition?**

#### **Speaker 1:**

That is, if I, as you say, if I talk and it becomes a bit of an agreement that you're actually going to come, but just talking like that, "What do you think about this?" It becomes fantasies because you're talking to someone from Chaim Stein.

"What do you say to a nice beautiful work job? So, you'll make more appointments?" It becomes in this a certain decision, there lies in this something or a shadow that something will be taken. Someone goes... because he says a foolish student the work, when he says yes, they've discussed it, he doesn't need to... no, it's not obligatory to me, because it's not obligatory. He doesn't want to come, the other one can't come, or... aha. I'm saying a leniency for myself, I want to say a leniency, that if even one speaks yes about things, if it's only spoken, not because I spoke must the other one do it. Because we see people can do, very many people do almost all masses, because usually this is only spoken. One must know here exactly everyone. It matters if one is someone who does seriously. Again, even as one speaks only holding still we're just the first stage, but essentially it's seriously spoken. It's spoken, but if it's just chatted, that's just chatted. One must know, you don't know.

#### **Example: Looking for a Ride on Shabbat**

But for example, I'm looking for a ride on Shabbat, you've perhaps understood Monsey tomorrow, it counts that it's ten, because if driving, I can say to myself, driving, I'm not talking about starting the car, I'm talking about the driving. Imagine you would have had a way to go to know, you don't know. That would go the leniency. But here comes in, if a person finds a creative way, that he asks, he makes a conversation, and he asks people, when are you going home from here? He doesn't say the word driving, and he doesn't say the word, even in his head he's now making, he's now building that tomorrow when he goes inside he should approximately know when the people go how, as long as it's not said, it remains a way everyone thinks underneath. Maybe.

#### Two Leniencies in "Vedaber Davar"

And also by me is the other leniency, that other leniency, not about the thought with the other leniency. There are two leniencies that have been learned until now thought, when one doesn't say clearly, and second said when one says about a thing that it's not clear that it's a prohibition, one can do it in a permitted manner. I say, when it's not clear, even the thought is in back of the whole thing clear, but in the speech itself it hasn't yet stood clear.

#### Speaker 2:

Okay, or do you want to say that the previous leniency is also about this? That is, I can say "limtzo chaftzecha ani holech" (I'm going to find my objects), that although he's going to do it in a forbidden manner, but he hasn't said it. He said that he's going to go, it's not a prohibition to go.

#### Speaker 1:

Ah, precisely there there isn't the lack of chofetz (object/desire). I didn't speak about that. Perhaps that is the reason why it's a leniency.

#### Philosophy of Language: Words vs. Intent

It's interesting, it has to do with how we look at language a bit, and I'm not going to go into philosophy of language now. Because once one could say that whatever brings out the hirhur you've said it, no difference which words you say. But we see yes, there are expressions that work, "harei at mekudeshet" (behold you are betrothed) works, "harei at nesu'ah li" (behold you are married to me) doesn't work, whatever, it's the right expression.

#### Speaker 2:

Okay, very good.

#### Law 24 (Continued) - Prohibition to Run and Jump on Shabbat

##### Learning the Verse "Im Tashiv MiShabbat Raglecha"

#### Speaker 1:

The verse says "**im tashiv miShabbat raglecha**" (if you restrain your foot from Shabbat), literally every word is explained and learned from. It's like this, we have already learned one meaning of "**me'asot derachecha**" (from doing your ways), that one may not go outside the techum (boundary). This is the "lalechet" (to go), we learned from "**lalechet bechafzecha**" (to go in your desires) or "**im tashiv miShabbat raglecha**", holding back the feet on Shabbat from going. But the feet from going. Yes, it specifically spoke about the expression of "walking." But we learn out something more from the feet, that besides the prohibition of going for the sake of work from here, no, from the expression

"derech." No, it could be that "**me'asot derachecha**" we have already learned out that one may not go to the techum. But "**me'asot derachecha**" means something more, that one may not run.

#### The Rambam's Language

What do we learn out this way? "**Ve'asur larutz uledaleig beShabbat**" (And it is forbidden to run and jump on Shabbat). Two types of ways of running fast: one can through many small steps but very fast, or one can make very large steps, yes? **Shene'emar "me'asot derachecha"**, you should restrain yourself from going your ways. What does this mean? "**Shelo yehei hiluchecha beShabbat kehiluchecha bechol**" (That your walking on Shabbat should not be like your walking on a weekday). On Shabbat you should only go the calm way of walking, not like the way of walking of running.

#### Question: "Hiluchecha Bechol" Also Isn't Usually Running

It's interesting, because "hiluchecha bechol" also isn't usually "larutz uledaleig." But "larutz uledaleig" is a weekday running, a running of worry, of business, he needs to catch something, he needs to do something. Shabbat is calm, one doesn't need to run anywhere.

#### The Rambam's Explanation: The Prohibition Isn't Exertion, But the Manner of Walking

Says the Rambam, but it doesn't mean to say that one may not walk a lot. It means the manner how one runs should not be in the manner of running and jumping, but a person may walk even if he exerts himself very much with the walking. **Veyeired adam** (And a person may descend), a person wants to go down to drink water from a lake, from a spring of water, he needs to crawl very far for this. **Veyeired adam, be'er, rechitzah, chamah, aflu ein mei amami, aflu hu dakak mei amami, umtapes** (And a person may descend, a well, washing, sun, even if there's no people's water, even if he needs to hack people's water, and climb), he needs to crawl and go down and drink, **umtapes ve'oleh** (and climb and ascend), and crawl again up the way, all these things one may do.

#### Speaker 2:

That means, the prohibition isn't to go far? Although outside the techum one may not go, but a well is a hypothetical case that as an opening of the techum he may go, even if it's difficult. It's not a prohibition to go on a difficult walk, the prohibition is to run.

#### Speaker 1:

He also says that basically being medaleig (jumping) and being metapes (climbing) isn't the same thing. A person who... one can say that being metapes is a type of way...

#### Speaker 2:

Yes, because a person climbs on a mountain, it's a type of way of... it's also not normal walking.

#### Speaker 1:

True, he needs to crawl because he's crawling on a mountain. Yes. But he means to say that it's not the word "walking with exertion," because walking with exertion is also entering into the cave. It's the manner of walking of running. The Rambam is going to explain it more.

#### Why Does a Person Run? Business vs. A Matter of Mitzvah

Why does a person run? He needs to catch the bus. On Shabbat one doesn't catch a bus. He doesn't need to catch business. But soon we'll see, to a shiur (Torah class) to learn one runs. This will be soon. For a davar mitzvah (matter of mitzvah) they permitted it.

## **Law 24 (Continued) - Prohibition to Increase Idle Talk on Shabbat**

### **The Rambam's Language**

#### **Speaker 1:**

So, it was added from this verse that the essential thing that it means to be engaged in business on Shabbat, it was added walking like on weekdays. And something more was added, speaking like on weekdays. Not speaking about business, but the way how one speaks. What is to increase idle talk on Shabbat? One may not increase idle talk on Shabbat. **Shene'emar "vedaber davar"** (and speak a word), **shelo yehei diburcha shel chol kediburcha shel Shabbat** (that your speech of weekday should not be like your speech of Shabbat). Your speaking on Shabbat should not be like your speaking on Shabbat. What does this mean? That there should not be an abundance of idle words.

#### **Difference From the Previous "Vedaber Davar"**

It's going to be clarified the difference from the earlier verse that brought **"vedaber davar,"** which brought **"vedaber davar"** in continuation to **"mimtzo cheftzecha"** (from finding your desires). Speech that is not of weekday. Now we're already not only speaking about speech about business, but just to speak for fun and for nothing. Is there a measure how much one may speak on Shabbat? Because he doesn't say how much. This can't be a complete prohibition, because sometimes it says to increase, when a person needs to have it for important, you know, he needs to spend time with his child, there is very much idle talk, also not any abundance.

#### **Speaker 2:**

That's not idle talk, that's actually a mitzvah.

#### **Speaker 1:**

Here he's speaking about some sort of idle talk that is generally permitted, true? On weekdays, because it's speech of weekday as if, and on weekdays one may, but on Shabbat one may not. It's very unclear what this means, but that means, it's like a little. The idea is, according to how much one talks on weekdays, he should talk less.

#### **Explanation: It's Not About the Topics, But the Abundance**

Without the words "leharbat besicha beteilah" (to increase idle talk), one would have said "shelo yehei diburcha shel chol," as if one would have said something the topics should not be topics from weekdays. But we don't see such a thing. It's not the simple meaning that on Shabbat one may not speak about cars or about recipes. But that is idle talk. But idle talk one may not. I mean to say, there isn't a prohibition of speaking about non-Shabbat things. Speaking about rabbis or about cars, both is idle talk that one may not have that it's an abundance of speaking too much.

#### **Speaker 2:**

Speaking about rabbis is a mitzvah.

#### **Speaker 1:**

Or is it a mitzvah, or is it a mitzvah to speak lashon hara (evil speech) about them. One of the two.

#### **Speaker 2:**

But don't you know that it's a tradition in Ropshitz that one must before davening speak about enemies of the righteous?

#### **Speaker 1:**

Anyway, I'm not saying so, it's very important, there's an obligation on the community to trample its leaders, I don't know his language.

#### **Speaker 2:**

No, no, I know what you want to say, but what I mean to say is that it's not about the topics, it's about the abundance of idle talk. It's an abundance, also the prohibition is the abundance.

#### **The Rambam Didn't Give Any Measure**

#### **Speaker 1:**

He brings here from the Gemara, a little one may, a little one may, but a lot one may not. So, at some point one must stop the conversation. I don't know when it's a lot.

#### **The Rema's Leniency: If Someone Has Pleasure**

And the Rema has a leniency that if someone enjoys it specifically, this is oneg Shabbat (Shabbat pleasure). Interesting. Because as if you could be abundance of idle talk, so also the leniency is oneg Shabbat. This speaks about a person, that a normal adult doesn't truly enjoy speaking nonsense. You know, sometimes on weekdays he needs to... he speaks nonsense and afterwards he feels funny about it, yes. Even during the act.

#### **Speaker 2:**

I hear. Regret afterwards, even if he has pleasure during the act, but regret is to him afterwards.

#### **Connection to Previous Laws: Reading Secular Documents**

#### **Speaker 1:**

But I see, he notes that in the previous chapter we learned about reading secular documents on Shabbat. That was actually the prohibition of erasing, but we had the language that one may not read even in Ketuvim (Writings), a decree lest he tilt.

#### **Speaker 2:**

Yes, okay, he needs to think to... during the time of the study hall.

#### **Speaker 1:**

Right, so on Shabbat there are two prohibitions, the prohibition of speaking or even reading things during the time when the community learns.

#### **Speaker 2:**

Interesting, there he brought it in precisely right after speaking about the prohibition of erasing.

#### **Speaker 1:**

Yes, okay, but after speaking about writing, nonsense, he said what one may not speak idle words, idle words.

#### **Why is Idle Talk Forbidden? Rest, Not Just Learning**

#### **Speaker 2:**

But I understood that the Rambam already said that Shabbat is a time of learning.

#### **Speaker 1:**

It's not clear. It seems, we, I would have thought, presumably certainly you're right that Shabbat is a time of learning, or even not speaking, speaking of righteous people, most righteous people, something. But from here it seems more

from the topic of the rest of Shabbat. It has to do with the difference of Shabbat. Shabbat should be calm. It seems somehow idle talk is not calm. It has to do with the rest, like tashev (you shall sit), yes? Tashev, tishbot (you shall rest), from finding your desires and speaking a word. Don't do so much. Idle talk is a bit of a sort of work. I don't know why it's a melacha (work). It's not an actual melacha, but like going to work is a sort of melacha, so talking nonsense is also a sort of melacha. I never understood, what do all those people do whose job is to make podcasts and talk for one evening? On Shabbat he's surely exempt, he doesn't need to make a podcast.

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It's interesting, because here it says that what one has pleasure from is permitted. Normally, his pleasure is from the Rebbe. There is indeed a normal person who has pleasure the first ten minutes, and afterwards he's already talked too much. The person who speaks for an hour, he needs an hour.

It's difficult, and because of this the Rambam left it open. Also, the Rambam didn't grasp it, he didn't say, I don't know, a half hour, it's not an amount. But it seems to me from the context that it's a burden, it's somewhat like not rest. What is rest? Don't speak too much. To us it seems perhaps it's not speaking too much.

#### **Again: Shabbos Rest, Not Just Learning**

But even here it can also be that it's connected with what the Rambam already said that Shabbos is a time for learning. It's not clear. It seems, we, I would have thought, presumably certainly you're right that Shabbos is a time for learning, or even not speaking, speaking tzaddikim, most tzaddikim, something. But from here it seems more from the topic of the rest (shevisa) of Shabbos. It has to do with the difference of Shabbos. Shabbos should be calm. It seems somehow idle talk (sicha betela) is not calm. It has to do with the rest, like "tashev," yes? Tashev, tishbos, mimtzo cheftzecha vedaber davar. Don't do so much. Idle talk is a bit of a sort of work. I don't know why it's a melacha. It's not an actual melacha, but just as going to work is a sort of melacha, so talking nonsense is also a sort of melacha. I never understood, what do all those people do whose job is to make podcasts and talk for one evening? On Shabbos he's exempt, he doesn't need to make any podcast.

It's interesting, because here it says that what one has pleasure from is permitted. Normally, his pleasure is from the Rebbe. There is indeed a normal person who has pleasure the first ten minutes, and afterwards he's already talked too much. The person who speaks for an hour, he needs an hour.

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#### **Conclusion: One Shouldn't Look at It This Way**

It means that on Shabbos we are truly limited with what one can speak, yes? If it's interesting, it's apparently a story and a story, or words of Torah, and all other things are idle words (devarim betelim). One shouldn't look at it this way.

#### **The Rambam in Peirush HaMishnayos: Five Types of Speech**

The Rambam in Peirush HaMishnayos, again and again, he is very lengthy a bit about the topic of speech, yes? You remember the five types of speech: mitzvos, sins, and vows, and hated ones. The Rambam was very interested particularly in the topic that most people are

### **Halacha 7-8: Things Permitted on Shabbos for the Sake of a Mitzva**

#### **Halacha 7 — Continuation: Idle Talk on Shabbos**

##### **Speaker 1:**

If it's interesting, if it's a Chassidic story and wonder, or words of Torah, and all other things are idle words (devarim betelim). It may be that one needs a certain edge to look at it this way. The Rambam in Peirush HaMishnayos again and again is very knowledgeable, he is lengthy a bit about the topic of speech, yes. I remember there are five types of speech: mitzvos and sins and vows and lashon hara. The Rambam was very interested in general in the topic that most people speak too much nonsense. So on Shabbos is a bit less nonsense, nu? So it's simple.

Very good. So when are all these things permitted? Yes. I also think the obligation is perhaps only for men, for adults. One can say children and women, children yes, all their talk is idle talk, because they're not engaged in maasei merkava, they're not engaged in Torah. Everyone has his level. Everyone has his situation. Someone who speaks a lot, on Shabbos a bit less.

#### **Source from Yerushalmi — Rabbi Shimon bar Yochai and His Mother**

They bring that in the Yerushalmi it says that Rabbi Shimon bar Yochai saw his mother speaking on Shabbos. But it doesn't say speaking, "marbe bedibur," speaking too much. "Shtuki Shabta yoma." He would have said that once it becomes a burden for her she should stop. Ah, very good. You see that it's also for women. For a woman.

##### **Speaker 2:**

No, but there you see, according to the woman is a rabbi, it's already a thing even for a woman.

##### **Speaker 1:**

That's the source for shouting "Shabbos." When should one shout "Shabbos"? Not when one sees a Jew driving on Shabbos, he's not standing here. When one sees a Jew speaking too much nonsense on Shabbos, "Shabbos!"

##### **Speaker 2:**

No, he didn't God forbid shout at his mother. He didn't shout at his mother.

##### **Speaker 1:**

No, he said very nicely, "Mommy, let's speak Shabbos." Let's say it's good Shabbos. There the language is, "shtuki Shabta yoma." He didn't shout God forbid, it's not right. He said nicely Shabbos. He said Shabbos. It's not a matter.

It may be that the point is, regarding the mother of Rabbi Shimon bar Yochai was certainly a learned righteous woman, who yes knew how to learn. She could have put in five-six hours Shabbos afternoon in words of Torah, things that are relevant for women. It says yes, "Yom Tov is given for women." Okay, let's learn further. And this speaking is already almost doubled.

##### **Speaker 2:**

Yes.

**Speaker 1:**

No, but he certainly didn't shout. He said "Shabbos hayom," one remembered that he speaks, but not too much.

**Digression: Conversation at the Meal**

**"One may run on Shabbos for matters of mitzva."** No, I say it for a reason, because I'm an agitated person. There are people who shouldn't talk at the meal. A meal is also part of the meal that everyone should feel free to open their mouth. If there's a certain tension at the table, that means it's idle words. That means people should have pleasantness.

**Speaker 2:**

Yes.

**Halacha 8 — One May Run on Shabbos for Matters of Mitzva****Speaker 1:**

**"One may run on Shabbos for matters of mitzva."** We discussed that one may not run on Shabbos. Now he goes in to speak the details of the prohibition. He says, what we said that one may not run on Shabbos, that's not for a matter of mitzva, but for a matter of mitzva one may run on Shabbos. **Such as, he may run to the synagogue or to the study hall.**

It means, running on Shabbos is not the prohibition simply because it's a burden, because when one goes to a matter of mitzva, even if it's a burden, but there's perhaps a joy of mitzva, therefore one may.

This is to note, the entire reason is essentially ways that one may indeed run or speak or do one of the things that we discussed that it's not Shabbos-like. When it's a mitzva it is indeed Shabbos-like.

**Speaker 2:**

No, I mean to say that one can say it this way: speaking a lot is a burden, running a lot is a burden, but both are only forbidden when it's for nothing. Both things, when it's for a good purpose, a person doesn't look at it as a burden.

**Speaker 1:**

Okay, in any case. And in any case it's because a mitzva overrides the matter of the talking.

**Speaker 2:**

Yes, true. Many rabbinic prohibitions are not decreed in a place of mitzva. **Such as he may run to the synagogue or to the study hall.**

**Calculations of Mitzva****Speaker 1:**

And what else may one do? **Calculate calculations of mitzva.** We learned that one may not make any calculations on Shabbos and Yom Tov, or, here was also "vedaber davar." Yes, but to think calculations of mitzva. We also learned that one may not make measurements, check how much things weigh. That was in the previous chapter 23. But in measurement of mitzva one measures, **such as a mikva, to know if it has the required amount.** A mikva to know if there's a measure. It means that one is learning laws of mikva, or that it's relevant for prayer on Shabbos. One needs to check the mikva, see if it's kosher. **If a garment unfortunately receives impurity,** these things also require measurement, but ordinary measurement one may not do because of lest he write, lest he erase. But this one may, because by mikva mitzva the Sages didn't decree.

**Discussion: Where Lies the Prohibition of Calculations?****Speaker 2:**

Yes, I just want to say, there are apparently two prohibitions, both on calculations, and also because we're speaking about allocating charity, the next piece, it can be a prohibition of business dealings, which is lest he write or erase. And here we're apparently only speaking about the running and talking. One needs to understand how went the concern that he'll write. It may be that when it's a mitzva that too is permitted, just as we see that many things are permitted for the sake of mitzva. Or it may be for the sake of mitzva one doesn't come to write, because one takes a mikva, it's already kosher. One needs to understand.

**Speaker 1:**

I mean the point is, look in 23:18-19, the Rambam has a very interesting language. Both times when he speaks about lest he write and lest he erase from writing and calculations, he says "so that it shouldn't be like weekday, his thoughts on Shabbos like weekday thoughts." It's something, you see that the Rambam even by the lest he write and lest he erase he also thought that it's a matter of doing one's affairs, you see? Both times, he says again... I thought that he means to say that if he conducts himself weekday-like, he can already take out his pen, because he feels already weekday-like. And you want to argue that when he speaks of charity he doesn't feel weekday-like. Perhaps so.

Perhaps the Rambam held, he was in doubt where to place the calculations of mitzva, whether in lest he write, lest he erase, or it's what is indeed very close, yes, making calculations. It may be making calculations perhaps, but I don't think it's a prohibition of speech, because he can even make the calculations in his head. Let's say he says it out of his mouth, but it's not a matter of conversation. When a person counts, yes, he stands and he makes in his head the calculations of the size of his fields, how much he'll make, it's not a matter of talking, it's a matter of... But it's more than thought. When a person makes a calculation, let's say he needs to say it because that way he'll remember it, but it's not something he needs to do in communication with another, it's not conversation, it's not business dealings, it's a calculation. But it's also not thought, it's more than thought, it's a calculation.

So, he placed it in lest he write, but he also said "like weekday," you see, both times he said. At least, and calculations of mitzva, the unique name is also only rabbinic which is in a place of mitzva.

**Speaker 2:**

Okay. It's actually interesting, because the other prohibitions that the Rambam said, all these rabbinic prohibitions he didn't say that one may in a place of mitzva, only the "doing your affairs," because the matter is the object of prohibition.

**Allocating Charity to the Poor****Speaker 1:**

Okay. **Like allocating charity. Allocating charity to the poor,** we learned yesterday that one may not give any gift on Shabbos, because it's a matter of commerce, it's a type of financial exchange. Here too, here would apparently be a matter of commerce, but allocating means only one says to. But because it's charity there's the thing of saying to the Most High is like giving to an ordinary person, as if one would now be transferring to him.

**Speaker 2:**

Right. It can be both. The two things are connected. One may not transfer, but it's very good. Either way, one may not transfer, but giving charity to the poor one may indeed.

**Discussion: Selling Aliyos on Shabbos****Speaker 1:**

Right. I saw in the previous, there's a dispute among the later authorities about selling aliyos on Shabbos. It's apparently commerce. There are those who say it's not real commerce, one can't go to court over it. Perhaps yes? Or one can say that here there's the leniency that for the sake of mitzva one may. But this is dependent on the inquiry, whether for the sake of mitzva is also actually permitted commerce. We're only speaking that the topic of speech is permitted.

There are shuls where one conducts oneself to say, one doesn't say dollars, one says one hundred thousand, ten thousand. What does it help? It's very interesting, because one can truly see a place to forbid this selling of aliyos, because it's much more than pledging charity to the poor, because it's as if one is selling a product. One is selling charity, one says he gives charity. Here he's buying shishi, he's buying it, it's actual commerce. But one sees that the custom of Israel is that even there one is lenient. I know that actually there one said a different language, I know.

**Speaker 2:**

Yes, but the language is only a topic of speech. On the contrary, it's a trick that we say, the language is generally not the problem. You can speak of dollars as much as you want for the sake of mitzva. The problem is the selling. On that it doesn't help that you say thousand instead of dollar. And the question is also later, when one makes the Mi Sheberach, "in merit that he pledged" such and such, the language is actually allocating. Yes, that's certainly permitted. But it's charity to the poor. But it's for a shul. It's a shul, it's not for a poor person. It's a bit of a stretch to say it's a mitzva.

**Speaker 1:**

Yes. You're asking a question. Hekdesh. But hekdesch is not permitted. It happens to be that it's indeed a shul, and one needs now to consecrate it to something. Okay, I mean the next piece will perhaps speak about a shul. **"And one may go to synagogues and study halls..."** No, one needs strength. Yes, but not to pray, but let's see. **"And even... one may go either way to be engaged in communal affairs."** That is, although business dealings are forbidden, a person will think that going to meet politicians, speaking about the city, speaking about politics, is forbidden. But one may go, if the political rally is in a study hall, in a synagogue, and it's speaking about this rabbi or that rabbi, or it's speaking about gentiles, this politician and that politician, even if it's in theaters, it doesn't happen among gentiles, even in theaters or in palaces of gentiles where one must go, **to oversee communal affairs on Shabbos**, to be engaged in communal affairs. Although there's also the matter of weekday-like activity, yes, one speaks about, let's say, one speaks about business, but when one has already gone for the sake of the public, the community has gone, one may go.

**Communal Affairs**

It can be even melacha, one goes to fix the street, I don't know what. One goes to make a meeting on Shabbos about, I don't know, about safety of drivers during the week. Although it's

not a Shabbos-like thing, but it's a matter of communal affairs. Whatever it is, I don't know. To oversee doesn't mean simply, the city council can meet, the planning board may meet on Shabbos in the study hall. There the Jews meet at shalosh seudos, they speak about how they'll improve the mikva, I don't know what, whatever. Mikva is anyway a mitzva, but for the sake of the public, even simply, the traffic lights should work better, other things.

We learned yesterday that one doesn't consecrate on Shabbos, which also has a matter of acquisition. But one may indeed speak of matches. But here one speaks of improving the wells. But it's more closely connected. Yes? It's forbidden to consecrate, forbidden to give for consecration, but permitted. It's forbidden to calculate calculations, forbidden to speak in commerce, but such types of acquisitions or such types of conversations one may indeed.

**Arranging Matches for Children**

**"And one may arrange for children to be betrothed"**, one may, the language is somewhat interesting. **"One may arrange for children to be betrothed"**. Are there children? Arranging means speaking. Yes, just as one consecrates without matchmaking, there is indeed a matter of a match, it's an agreement. No, I mean, here, according to the languages, here the language as you say, the language that we saw, as I said, it says in Rabbeinu Avraham ben HaRambam "consecrates with language of discussion," discussion means talking, discussing.

**Halacha 24 (Continuation) – Arranging for a Girl to be Betrothed, Visiting the Sick and Comforting Mourners on Shabbos****Explanation of "Arranging for a Girl to be Betrothed"****Speaker 1:**

The language is somewhat interesting. **"Arranging for a girl to be betrothed"**. The father goes to shul and he says that there's a girl in court. No, not there's a girl. "Arranging" means speaking.

"Arranging" means speaking? Yes, just as "consecrates with language of matchmaking." What is a match? What we call a match? A match means an agreement? No, I mean that here, according to the opinions, here the language, just as the same thing the language that we saw, as I said, it says in Mareh HaPanim that one consecrates with language of matchmaking, "matchmaking" means talking. One may talk, discuss that one will have a wedding, one will be betrothed, consecrated.

So "arranging," I mean that the word "arranging" applies to all the things afterwards. One may make plans, be engaged between people. Just so one may sit together a few activists, I know, "for a girl to be betrothed," to arrange a match, because a child. He may be engaged because a child to teach him a book, he may discuss on Shabbos with a teacher who should learn with the child. Or even to teach him a craft, he may speak with someone about teaching his son computers, which is a weekday thing. This comes into this matter because there's an obligation on a father to teach his son a craft.

This is a mitzva, simply the mitzva of a father for his child is to teach him either a book, that is Torah, and also to give a profession.

**Visiting the Sick and Comforting Mourners – Distress on Shabbos**

**Speaker 1:****And visiting the sick and comforting mourners**

On Shabbos one may not be occupied with things that involve distress. Have we already had this clear? We haven't yet had it clear, but we already know that one may not... On Shabbos it was nullified, we learned in Hilchos Tefillah, on Shabbos one does not occupy oneself with troubles. On Shabbos one does not occupy... The Rav does not stand up on Shabbos to recount all the troubles that exist in the world, that one should pray about them, because that will bring in distress. But that doesn't mean that the mitzvos of chesed are not still there. Visiting the sick, one must indeed go visit a sick person, and one indeed comforts a mourner. Even on Shabbos, the mourner doesn't sit shiva, one doesn't perform public mourning practices on Shabbos, but one may comfort. One sees that he is a broken Jew, one comforts him.

**Discussion: Mourning on Shabbos****Speaker 2:**

Who says one doesn't sit shiva on Shabbos?

**Speaker 1:**

One sits, one doesn't observe public mourning practices. But sitting shiva one does sit. That means that he is a mourner. One goes to see him at home, one comforts him. I have never yet seen anyone comfort mourners on Shabbos, because there is a text for comforting mourners, one doesn't say "Hamakom." One doesn't say it on Shabbos. But here one sees that yes, but the person is in mourning, Shabbos is still a meal of Shabbos.

I think that comforting mourners here doesn't mean the mitzvah that one goes to say "Hamakom yenchem eschem." No one has ever been comforted by that in the history of comforting mourners. That is a mitzvah, but the main thing is being there. In any case, I think it's a strengthening for people - I haven't spoken with many mourners - that he is not alone in his days of mourning. Everyone who has a connection with him comes over. But here comforting mourners doesn't have to mean the form that one sits low. No, comforting mourners can also mean he speaks to a broken person, I comfort a person who is sad. On Shabbos he is also sad, and if one comes to him on Shabbos one does the mitzvah of comforting mourners.

**Speaker 2:**

It is said that one doesn't say it.

**Speaker 1:**

People know, it's not instituted, I don't know why. I mean, there are places where on Shabbos mourners come to shul and one says "Hamakom yenchem" - not more critical places.

**Speaker 2:**

But do you know about this?

**Speaker 1:**

Well, but I mean to say that the comforting mourners of Shabbos doesn't have to be the saying, but the comforting mourners is not that. A person comes who is in the midst of his days of mourning, you bring him close and you gladden him, that is the manner of comforting mourners on Shabbos. Because on Shabbos there is indeed a custom that one doesn't perform mourning practices, but he is sad and you do the mitzvah of comforting mourners.

It's the same comforting mourners on Shabbos, it doesn't mean something different than the whole week, except for what... no, let me explain better. A person can either he has some friend who is very depressed lately, he can go spend time with him, or he can go to some shiva house to comfort someone whose sister passed away. The first is a mitzvah d'oraissa, that means true comforting mourners, comforting a person who is sad. The second is a custom, a custom that after a person is a mourner one does such a form of custom. So even if one doesn't do the form of custom of comforting mourners, but there is something called the mitzvah of chesed.

**Discussion: Custom vs. Mitzvah D'oraissa****Speaker 2:**

But that's exactly what I come to argue about. First of all, I don't know what you mean, it's not a custom to go sit by the mourner. It's a social thing, it's comforting, that's how one comforts, it's an order. It's not asked, the people come. So they come, and when comforting mourners means that, it doesn't mean the other thing you're saying. Actually, all comforting mourners means what you're saying in the first case. That's why one comes, in order to provide for him, one is with him. But there are many people, it becomes such an order, it's like that. One says some verse because it's written on a card, one doesn't have to say it, one fulfills it without saying that verse also, not the words. But the main comforting mourners, that means the normal comforting, goes on Shabbos also. Mourners don't sit, you say that one doesn't say shiva on Shabbos, that's not true, on Shabbos one doesn't conduct mourning practices, Shabbos overrides all the... but you say public mourning, he doesn't sit on a low bench, but there's no difference, one comes in and says to him "Hamakom yenchem," exactly like during the week.

And you say that there are places where there is literally such a custom that on Shabbos in shul, when the mourners come to shul, one says "Hamakom yenchem." I think it's even brought in the Shulchan Aruch or in the books of customs. We think, as you say, we think that comforting mourners is some formal thing, that if he's not sitting I can't do comforting mourners. One can very well. You know that someone is sitting shiva, you can go to him on Shabbos, and one fulfills it. He should be happy also, also not.

**Speaker 1:**

At the same time I also want to say, that when one doesn't say the specific verse, and one is simply nice to him because one knows that he is now in his days of mourning, one has also fulfilled comforting mourners. Because the plain meaning of comforting mourners doesn't mean to say a certain verse, it means to comfort a person who is a mourner. It doesn't mean comfort, it means indeed to go to his house, and I don't know whatever one does.

**Digression: Formality vs. Reality of Comforting Mourners****Speaker 1:**

I have some side agenda. Often there is a person who died, and he had a very close friend, who is literally his closest friend, no one looks at him. He has some sister who came the day before from Eretz Yisrael, because that's the halacha. So seemingly to accept the custom-law, the sister is a mourner, and the friend is not. But if someone goes to comfort the friend, he will do the mitzvah of comforting mourners d'oraissa even more than he

comforts the sister who is not really sad. But that's not relevant, those are the laws about mourners.

**Speaker 2:**

But what is there sad?

**Speaker 1:**

Anyway, why should he be sad? You understand what I mean to bring out, to take out from the formality to the reality of the... be well, continue.

**Speaker 2:**

True, true. Here it also says this, but what do I say? Yes.

**Visiting the sick on Shabbos - "Shabbos hi milizo'ok"**

**Speaker 1:**

Further the Rambam now says, one goes to visit a sick person on Shabbos, he does the mitzvah. But usually when one goes to visit a sick person in the middle of the week, what would the person have done? He would have prayed with the sick person, or he would have listened to the details of his troubles, that's the manner. But on Shabbos there is indeed a concept that one should not be occupied with asking for needs on Shabbos, one should do the mitzvah differently. **"And so one who visits the sick says to him Shabbos hi milizo'ok, Shabbos is not a day that one cries out, u'refuah kerovah lavo, and the healing will soon come."** It must be a manner that the form of visiting the sick should look different on Shabbos. I would say it's also more of a recommendation, because if the sick person is indeed one who is crying now and he's screaming and you need to listen to him, the mitzvah of visiting the sick will indeed be to... Here one can also come to the formality. There is a formal way how one usually goes, one would have said a chapter of Tehillim, one would have said the long prayer for healing, and now one says the short version Shabbos hi milizo'ok. If you want to say it not formally, you can translate this into the broader conversation. The conversation on Shabbos goes more in the way of strengthening, on Shabbos one doesn't cry out, on Shabbos a healing will come, instead of "Oy, Ribono shel Olam, help already." You can say it, both can work the same thing.

We already learned, as you say, we already learned in Hilchos Tefillah the law that one doesn't cry out on Shabbos. That's why indeed the Mi Sheberach that one makes in the beis midrash, afterwards one still says Shabbos hi milizo'ok. It's a bit funny, because it means one doesn't say any Mi Sheberach, one only says Shabbos hi milizo'ok. The Baal HaTanya actually leaves out the entire text of Mi Sheberach "Mi sheberach avoseinu yevarech es hacholeh," and he says immediately Shabbos hi milizo'ok, because the long version is indeed crying out. Of course, if there is a sick person who is in danger, we learned one may indeed pray on Shabbos.

**Discussion: Prayer for the sick**

**Speaker 2:**

And further, what else does one do? You should know that it agrees with the Rambam in Hilchos Talmud Torah, I don't know about saying a verse for the sick person.

**Speaker 1:**

Ah, it's not... we're talking here about prayer, we're talking here about prayer.

**Preparing for a mitzvah - needs of a bride and needs of a deceased**

**Speaker 1:**

**One may prepare initially**, we learned earlier that one may not go to the edge of the techum on Shabbos in order to be able to go out immediately after Shabbos for weekday matters. But one may indeed, for example, a groom or a bride, he is waiting for the bride's dress to arrive, or for a deceased person, and an aron and shrouds. **And one says to him**, one may say to a worker or to whom, **go to such and such a place**.

**Speaker 2:**

"To him" means to a non-Jew? If one does it through a non-Jew?

**Speaker 1:**

I think one says one to the other, tomorrow, he's talking about tomorrow. Or one may do the weekday matter for a bride or for a deceased, **or to bring additions from there, or to bring from such and such a place, or to bring additions of a maneh, or to bring finishers. But Rebbi says, that he should not mention to him the sum of the purchase.** It means, one permitted for a mitzvah matter, but also still one should... ah, that's it, not say the sum of the purchase. It remains indeed more forbidden, some such thing. Not a number, buy for two hundred dollars. I think that's why the custom when selling the aliyos one doesn't say the amount. He says ten thousand instead of a thousand, because he doesn't say the sum of the purchase. But when one decides on tzedakah one indeed certainly speaks of a sum, because one says, so-and-so gave a thousand dollars for the appeal. And there one doesn't say not to mention value.

**Conclusion - "Your affairs are forbidden but Heavenly affairs are permitted"**

**Speaker 1:**

He says that the Rambam, the conclusion, is on all these things that we just learned. **All these and similar things**, all these things, **even to run for a mitzvah matter, a well and similar**, all these things, **it is a mitzvah for him, as it says "me'asos chaftzecha."** **Chaftzecha**, that's what you desire, **are forbidden, but chaftzei shamayim**, that's Heavenly matters, **are permitted**.

I see here he brings down, that later... there is a question, how does one comfort mourners on Shabbos? Must one say a similar thing, like "Shabbos hi milnachem," some such thing. And the Darchei Shalom says that one conducts that one doesn't comfort mourners on Shabbos by us. Anyway, there is what it says.

Well, we're flying, but the foundation is the same thing. What is the plain meaning of the permission "me'asos chaftzecha"? One can learn further on both our ways. It's not decisive, it's only a precision in the verse. But it's interesting, the Chazal permitted here, but there are still the small limitations of not saying the sum, or only saying "Shabbos hi milizo'ok" versus really groaning along.

**Digression: Strengthening on Shabbos vs. during the week**

**Speaker 1:**

But it seems to me from the matter of the sick person, that in the middle of the week one should not go with the approach of "Shabbos hi milizo'ok," because there are people who when someone is sad one says, it will be good. I say to that that it's terrible, and one says it's a quick act of Rabbi Elimelech

Biderman, because one doesn't want the time to come in, that's good for Shabbos. But in the middle of the week one must hear his time, put into his time. Again, the reason why people say strengthening is because they, he doesn't renew for you, he asks himself, it's hard for him to be with time, so he says strengthening, understand? He quickly pushes away from there. True, on Shabbos it's true, on Shabbos one doesn't want to despair, so one indeed says so. But during the week is indeed as you say, it's indeed a mitzvah to despair in a measured way.

## Chapter 24, Law 12 - Reasons for the prohibition of carrying/muktzeh (continued)

### The Rambam's three reasons for the prohibition of carrying

#### Speaker 1:

Because the Sages didn't want Shabbos to look like the weekdays. And the prophets, and the Rambam explains, he even adds, because there is even a danger from this. Because on Shabbos one doesn't do any melacha, one doesn't go to work, a person will say, "Ah, today is a good day to organize my garage." He will be busy every Shabbos, what is there like Sussex Boy, and the Torah says indeed **"lema'an yanuach"**, so he won't have any rest on Shabbos.

#### "Lema'an yanuach" - reason, not mitzvah

But again, the whole piece of "lema'an yanuach" doesn't really fall out, because he already said enough that it's a kal vachomer from **"vedaber davar"**. Right, but I think the prophet itself is "lema'an yanuach." Why does he say it here specifically? Why doesn't he say as an explanation for the prophet right when he says, the "lema'an yanuach" also goes up on speech and walking also? Perhaps when speech is not relevant. I want to tell you that it's harder than speech and walking. Because speech won't make "she'lo yanuach," but if he will be carrying he won't rest at all. It could be that speech is also because it's like a fence for "lema'an yanuach," but it's even further. And here you're even closer, it's literally "lema'an yanuach."

I would say perhaps an approach like this: that it says in the Torah "lema'an yanuach." So someone will say, "lema'an yanuach"? Obviously one may not carry. Someone will ask, isn't it true that "lema'an yanuach" only goes on the 39 melachos? Why all other things may one not? He will say, "No, you see that the prophets forbade more than the 39 melachos for the reason, that it should look Shabbos-like." So you see that "lema'an yanuach" is broader than the 39 melachos.

Right, but it's still not d'oraisa. "Lema'an yanuach" still doesn't mean that it's a prohibition d'oraisa. It's still not d'oraisa. "Lema'an yanuach" from the Torah only goes on the 39 melachos. But you see that the Torah wants one to rest, the reason why the 39 melachos are forbidden is so that one should have rest. So the act is not forbidden mid'oraisa, but the reason for the matter is d'oraisa. The picture of the matter is that the Torah wants Shabbos to be a different kind of day. And you see that even that Yeshayahu Hanavi learned the verse this way, Yeshayahu Hanavi understood that "lema'an yanuach" is not only the narrow meaning of the 39 melachos, he added speech and other things that it shouldn't look like, one should see that the rest, the rest should be visible. So certainly one can add carrying also. One doesn't need any... I don't know why he says that word "visible." I don't know

where it says. One accepts three. I don't mean specifically that word "visible," but...

**Discussion: "Lema'an yanuach" - reason for muktzeh, not for shevus**

#### Speaker 2:

The Rambam says later shevus and nikeris, but that's another thing.

#### Speaker 1:

You're putting... I'm still at the first reason. I think that yes, but one must only mention that we remember, we spoke at the beginning of Hilchos Shabbos, the Rambam, what the Rambam wrote that **"tishbosu"** means that he should not do all these labors, not nullify the rest. And the Rambam said that this means rest. One sees from the Rambam that no, rest is certainly a general rest, but it's more similar to melacha or resembling melacha. "Lema'an yanuach" is a reason for the prohibition of muktzeh, not for the prohibition of shevus. Indeed "lema'an yanuach" is a two... first thing, first difference between Rambam and Ramban. And the second difference is that the Rambam doesn't say that it's a mitzvah to rest on Shabbos. Rest is indeed a mitzvah, and perhaps here like what the Rabbis call shevus, is an obligation of that. But "lema'an yanuach" is not a mitzvah, rather it's the reason. That means, the Torah wants one to rest on Shabbos. Although the Torah didn't command to rest on Shabbos, if someone finds some way, he doesn't transgress the Torah, but one sees that the intention, the reason, is "lema'an yanuach." And regarding this reason the prophets and the Sages added the prohibition of carrying. Right?

#### The second reason - he will come to do melacha

**"Furthermore,"** says the Rambam, **"there is another reason for the prohibition of carrying. That when he will inspect and carry vessels whose work is for prohibition,"** he inspects and touches the vessels whose work is for prohibition, he is very close, as part of the inspection, he wants to check the whatever, the drill works, he will quickly give it a turn on. First he is occupied with them a lot, **he will come to do melacha.**

#### The third reason - recognizable rest for everyone

#### English Translation

**"And furthermore,"** says the Rambam a third reason, **"perhaps one of the craftsmen who are idle all their days will go out."** There are people, a portion of the nation, who are not craftsmen and are idle all their days, **"such as the idlers and those who sit on street corners,"** whom the Rambam says are enjoying themselves all their days. The only hard work they have is there in Sefer Nashim that the idlers and those who sit on street corners must do every day. **"For all their days they do no work,"** they do nothing. **"And if it were permitted to walk and speak and carry as on other days,"** if one would be allowed to walk, speak, and carry as on other days, **"it would turn out that he did not rest a recognizable rest."** One would not see upon him that he is resting. The hard workers, one sees that they don't work on Shabbos, but the respectable Jew, the distinguished talmid chacham, one doesn't see any rest upon him. **Therefore, rest from speech and carrying is a rest that is equal for every person.** The Sages said that there must also be a rest that is visible by everyone.

In other words, he also says that there is a prohibition for the craftsman. Yes, he has another reason. But the Rambam adds a third reason, that there is a person who does work all week. Certainly in truth Shabbos is different, but one needs Shabbos to be different from the entire week. If someone who is a kollel young man, he also does mitzvos on Shabbos, he doesn't have, one doesn't recognize any difference between Shabbos and the entire week. Why must there be a recognizable rest? Also because it says "so that he may rest." He doesn't say why, but it's somehow obvious that Shabbos is different from the entire week. It cannot be that Shabbos is basically the same. Ah, a question arises, what will be with the people who don't work? Do you know what is the essence of their work? So, in carrying is essentially the main Shabbos for the people who don't work, because that is the entire difference that he makes Shabbos different from the entire week.

As I once told my friend, he said, "How do you know there's a difference between Shabbos and Yom Tov?" On Shabbos one puts the coffee into the hot water, and on Yom Tov one puts the hot water into the coffee. That is the recognizable difference. So, if one doesn't do any work, that is the main thing. But you've seen very clearly that all three reasons are not only on muktzeh, but also on **"walking and speaking."**

#### **All Three Reasons Apply to Everything the Sages Added**

So, he comes back again to Yeshayahu, that Yeshayahu had all three things in mind. Perhaps the second is not clear, **"from finding your needs,"** but it could be, because the first and the last are relevant to everyone, and the middle one is specifically on carrying, so the Rambam's order is a bit difficult. Nevertheless it fits because he says, "Apparently he wants to say this, that this is all still one thing that is essentially included in the words of Yeshayahu, although it doesn't say there 'to carry,' but the Sages understood that this was also so."

#### **"They Practiced Not to Carry" — Levels Upon Levels**

He says, **"And from these matters they practiced not to carry..."** they spoke. I mean "they practiced not to carry" he means to say this, because in carrying there were levels upon levels. First they had forbidden everything. The Rambam says that it is relevant, meaning the entire topic of carrying, and in carrying there are several phases. The entire topic of carrying begins with this.

#### **Discussion: What Does "Relevant" Mean?**

##### **Speaker 2:**

The Rambam says relevant, both. Let's talk about this in a minute. When the Rambam says by Nechemiah they forbade everything... wait, wait, it says thus, "they returned and permitted." The Rambam doesn't say it, but it could be that he says the word "relevant" because it happens to be from that. Wait me a second.

##### **Speaker 1:**

I would say that "relevant" means that it's not stated. It's not really a proof, it's a reasoning. It's not that carrying is stated here. By the Rambam one must remember that there's a great difference from something that one can speak of the scent of the matter, which the Rambam takes seriously. By the Rambam however it says. If it's relevant, it means, this makes me think that one must make such a thing. There's no source in me for this. It's about the reasoning, it comes relevant, as opposed to how we see "for what reason," there's no source. It's only like a

touch, there's a thought, like the scent of a journey, so one should say smelling.

#### **The General Rule of Carrying — "Vessels That Are Needed"**

**"And they forbade carrying except vessels that are needed for them,"** which is very important. As the Rambam says that there is a prohibition to carry, the general rule of carrying is that one doesn't carry any vessel except what one needs on Shabbos. Not only that there is a list of things that are not, but you essentially have a list of things that you may yes, "a thing that is needed for them." We will see in the next chapter more clearly. This must be the last three reasons is really interesting, the language of the Rambam and the way he sets it out.

#### **The Raavad's Objection — The Reason from the Gemara**

The Raavad says that there is another giant, and it says in the Gemara explicitly that carrying is "for the need of spreading," that carrying is a fence for hotza'ah. Says the Raavad, in the Gemara it says this, and the Maggid Mishneh and all the commentators here are amazed that the Rambam has... the Maggid Mishneh is, **"Our teacher wrote here correct reasons,"** the Rambam wrote here very beautiful reasons, **"from his own mind and they are not mentioned in the Gemara."** How did the Rambam make an entire beautiful story about carrying, and in the Gemara it doesn't say anything at all? And the Raavad already brings what it does say in the Gemara.

#### **The Maggid Mishneh's Answer — Nechemiah's Enactment Is Nullified**

The Maggid Mishneh argues what you wanted to say, that what it says in the Gemara about carrying, that is only when Nechemiah's was the original enactment. But essentially that is already nullified, because they already changed it. Therefore one must say that the Rambam gave a new reason for carrying, which has more to do with the broader idea of Shabbos, "so that he may rest." All the reasons that he says. And it is certain that it comes out from this verse, because that is the topic of this chapter, your needs, and speaking a word, etc.

So basically, I mean that all three reasons are so relevant to everything that the Sages added.

#### **Discussion: Why Does the Rambam Bring Reasons?**

##### **Speaker 2:**

What does it mean the Sages added?

##### **Speaker 1:**

To all that from Yeshayahu and further. Yes, yes.

##### **Speaker 2:**

Yes. It's interesting that the Rambam has the idea that one can sometimes say his own reasons. In general, why must he say reasons? He can simply say that the Sages don't allow.

##### **Speaker 1:**

It has to do with the fact that the Rambam essentially wants his book to be built on the Chumash, he brings on each thing the verse. Here indeed he only has a verse from a prophet, but somehow it helps also. And it's extremely interesting, because the Rambam is not accustomed to bringing a verse from the prophets to make a source for a prohibition. But here he makes it as if Yeshayahu the prophet already has a communication with the Torah. Yeshayahu the prophet comes after it says "so that he may rest" and the mentioned rests. That is, when a prophet says something new that is not

included at all in the Torah, the Rambam would not have brought it here. But Yeshayahu speaks from here about the prohibition of Shabbos, and Yeshayahu the prophet also already thinks about the "so that he may rest." As if the Rambam puts in here that Yeshayahu is the sage who thinks about all these things.

**Speaker 2:**

Yeshayahu is simply one of the sources. Interesting.

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**Speaker 1:**

Okay, until here chapter 24. We are in chapter 25.