

# Laws of Shabbat, Chapter 26 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Summary of Lecture – Laws of Shabbat, Chapter 26 (Rambam)

This chapter is the final chapter regarding the laws of carrying (muktzeh). It goes through various types of vessels, objects, and situations, and determines their status regarding carrying on Shabbat.

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#### Halacha 1: Weaver's Tools and Ropes

**Rambam:** All weaver's tools and ropes – are permitted to be moved. But the upper weight and lower weight are forbidden to be moved because they are placed and attached to the ground. Similarly, the weaving posts are forbidden to be moved lest one insert them into their holes.

**Explanation:** The tools of a weaver (oreg) – ropes, cords, reeds – are permitted to be moved because they are kli shemelachto le'issur (a weaver is an av melacha), and kli shemelachto le'issur may be moved for its own use or for its place. But the heavy parts (koved ha'elyon and koved hatachton) and the posts are forbidden.

#### Insights:

1. **Two different reasons for the prohibition of heavy parts vs. posts:** The koved ha'elyon and tachton are forbidden **not** because they are actually stuck in the ground, but because they are so strongly connected to the machine that they become "not a vessel" – they have the status of "davar she'eino nittal," something that always remains in its place as part of the system. Even when they are not actually stuck in the ground, because the practice is that they are usually "meshuka bakarka," one may never move them. This is different from a simple concern of a hole.

2. **Posts – a practical prohibition:** The posts of the weaver would in themselves be considered a vessel (they are nittal), but the prohibition is **lest one insert them into their holes** – a concern that he will put them back into their hole. This is a direct decree of "lest he level holes."

3. **Distinction between "nittal" and "lest he insert":** The koved is based on the principle that it is not called a vessel (batel mitorat kli), because it is part of the ground/machine. The posts, however, are indeed a vessel, but there is a practical decree.

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#### Halacha Regarding Brooms Made of Palm Branches

**Rambam:** Brooms made of palm branches and similar items used to sweep the ground are like kli shemelachto le'heter, since one is permitted to sweep on Shabbat.

**Explanation:** Brooms made of palm branches are kli shemelachto le'heter, because one may sweep a floor paved with stones on Shabbat (as the Rambam stated in Chapter 21 regarding the melacha of plowing).

#### Insights:

1. **Kli shemelachto le'heter even when for you it is forbidden:** Even if your own floor is made of dirt (where one may not sweep because of leveling holes), the broom is still kli shemelachto le'heter, because there are enough kosher floors where one may use it. **The status of the vessel is determined according to its general use, not according to the specific situation of the owner.**

2. **A vessel whose use is forbidden for some does not become kli shemelachto le'issur** – this is a general principle.

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#### Halacha Regarding Bricks Left Over from Building

**Rambam:** Bricks left over from building are like kli shemelachto le'heter, since they are suitable to sit on, as they are smoothed and prepared. But if he piled them – he has designated them and it is forbidden to move them.

**Explanation:** Leftover bricks from a building are kli shemelachto le'heter because one can sit on them (they are already polished and prepared). But if one piled them for future building, they are muktzeh.

#### Insights:

1. **Bricks are different from raw wood:** With regard to palm wood planks (raw wood), one still needs to do something (be metaken, remove splinters, designate for sitting) for it to be called a vessel. But bricks are **automatically designated for sitting** because the manufacturer/worker has already polished them (shafin otan umetaknin otan). The person doesn't need to add anything.

2. **"Hiktzah" – a new concept:** Here we see for the first time the concept of "hiktzah" – **not** muktzeh because it is not suitable bein hashemashot, but muktzeh because **the person actively decided** that he doesn't want to use it as a bench. By piling them (tzavar otan) he shows that he has designated them from the use of sitting, and it becomes "prepared for building" – batel mitorat kli. This is not kli shemelachto le'issur, but a type of muktzeh mechmat gufo through the person's designation.

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#### Halacha Regarding Small Pottery Shards

**Rambam:** A small pottery shard may be moved even in the public domain, since it is suitable in a courtyard to cover a vessel with it.

**Explanation:** A small piece of pottery may be moved even in the public domain, because it is suitable to use as a cover for a vessel.

#### Insights:

1. **"Even in the public domain":** We're not talking about carrying four amot in the public domain (which is a Torah prohibition), but about moving within four amot. The novelty

is: in a courtyard where there are vessels, a small pottery shard is automatically usable as a cover. But even in the public domain, where one doesn't usually move vessels, one might have thought it's not a vessel – the Rambam comes and says: **since it is suitable** (in a courtyard), it is always a vessel, everywhere.

**2. Connection to the broken barrel cover:** The Rambam learned earlier that a cover of a barrel that broke – one may continue to use the large pieces and the fragments. This is the same principle.

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#### Halacha Regarding a Vessel That Has Become Weak

**Rambam: A vessel that has become weak – one may not take a shard from it to cover the fire with it, because he is making a vessel on Shabbat.**

**Explanation:** A pottery vessel that has become weak/loose – one may not tear off a piece from it to use (for example to cover a light), because thereby one makes a new vessel on Shabbat.

#### Insights:

**1. The prohibition is not "detaching" but "fixing a vessel":** One doesn't actually have to break – the vessel is already weak (nitro'a). The prohibition is not about breaking, but about **making a new vessel** – the pottery shard that he takes out becomes a vessel (a cover), and this is tikun kli on Shabbat.

**2. Distinction between a pottery shard that is already lying alone vs. still in the vessel:** A pottery shard that is already lying alone is a vessel (as above – small pottery shard). But as long as it is still part of the broken vessel, it is not yet a vessel – and by removing it one first makes it into a vessel.

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#### Halacha Regarding Smooth Stones for the Bathroom

**Rambam: It is permitted to bring into the bathroom three smooth stones to clean oneself with them. And what is their measure? Such that the hand does not touch.**

**Explanation:** One may bring in three smooth stones to the bathroom to wipe oneself. The measure is as large as one can practically hold in the hands.

#### Insights:

**1. Why only three?** There is a long discussion. One side holds that stones are essentially **muktzeh mechmat gufo** (not a vessel), and the permission is only **because of human dignity**. Because the permission is limited, the Sages only permitted the **minimum** that a person needs – three stones.

**2. The second side** argues that three is not a minimum but a **maximum** – the Sages understood that three is **enough and more**, and whoever needs more has a medical problem. The Sages were experts in such measures.

**3. The first side answers:** Even if three is enough, the principle of the halacha is that **it is a permission because of human dignity**, and the permission is limited. If someone truly needs more, perhaps human dignity itself would permit more.

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#### Halacha Regarding Something That Is Close to Crumbling

**Rambam: Something that is close to crumbling – it is forbidden to move it to clean with it.**

**Explanation:** A stone that will crumble is not suitable for cleaning, therefore one may not move it.

**Insights:** Even if the person claims he has a way to prevent it from crumbling – the measure of suitable for cleaning is an objective measure, not subjective.

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#### Halacha Regarding Stones That Sank in Mud

**Rambam: If rain fell on them and they sank in mud – if their outline is recognizable, it is permitted to move them.**

**Explanation:** If one prepared stones and rain fell on them and they sank into mud – if one can still see their mark (rishumam nikar), one may move them. If not, not.

**Insights:** Digging out stones from mud has a problem (perhaps demolishing or a similar problem). Stones need to be **designated** for this purpose. Only when one finds a stone that is already designated for this may one take it. The Sages for this matter only permitted **if their outline is recognizable**.

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#### Halacha Regarding a Stone That Has Filth on It

**Rambam: A stone that has filth on it that was used for cleaning – it is permitted to move it even if it is large.**

**Explanation:** A stone that is already dirty (one sees that it was already used for the bathroom) – may be moved even if it is large, because it is already **designated** for this purpose.

**Insights:** The measure of only three small stones is only **as long as it is not designated**. But a stone that has already been shown to be designated (through the filth on it), is already a vessel for purposes of carrying, and one may even move a large one.

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#### Halacha Regarding Pebble vs. Pottery Shard

**Rambam: One who walks with a pebble and pottery shard in his hand – initially he should clean with the pebble.**

**Explanation:** When one has a stone (tzror) and a pottery shard, one should initially use the pebble, because pottery can cut (danger).

#### Insights:

- A **pebble** is muktzeh mechmat gufo (not a vessel), and a **pottery shard** is a piece of a vessel. Therefore one should initially use the pebble, because pottery is a danger (can cut).

- **But** if the pottery shard is already worked (the sharpness removed), it is better to use pottery than a pebble, because pottery is a vessel and a pebble is only a permission because of human dignity.

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#### Halacha Regarding Soft and Hard Grasses

**Rambam: Soft grasses – one may clean with them; hard grasses – one cleans with a pebble.**

**Explanation:** Soft grasses may be used (they are also animal food, thus a vessel/use). Hard grasses – not, because it is a danger (like pottery), so better a pebble.

**Insights:** It is asked whether the reason for hard grasses is **danger** (like pottery) or because they are **not suitable for animal food** (therefore not a vessel). Apparently it must also be a danger.

**[Digression: Tissues and things that fire consumes]**

The Gemara says that **something that fire consumes** (a dry thing that can be burned) one may not clean with, because it is a danger (can tear). According to this, tissue paper would also be forbidden. The custom, however, is to use tissues. **According to halacha** there is a question, but the custom is different.

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**Halacha Regarding Remnants of a Worn-Out Mat**

**Rambam: Remnants of a worn-out mat – it is permitted to move them, as they cover filth with them. But remnants of garments that are not three by three – it is forbidden to move them, as they are suitable neither for the poor nor for the rich.**

**Explanation:** Small pieces of a worn-out mat still have a use (to cover filth), but small pieces of garments (smaller than three by three fingerwidths) have no use at all.

**Insights:**

- The law is compared to the laws of tumah: a garment smaller than three by three does not receive tumah, because it is not suitable for the poor or for the rich – everyone throws it away. The same principle is applied to carrying.

- There can be a middle category – something that only the rich throw away but the poor use – which still has the status of a vessel. But when it is less than three by three, it is so small that no one uses it.

- "Three" here means three **fingerwidths**, not three tefachim.

- With mats, the remnants remain usable (to cover), but with garments below the measure there is no use at all.

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**Halacha Regarding Broken Oven Pieces**

**Rambam: Broken oven pieces are permitted to be moved** because an oven is called a vessel.

**Insights:**

- An oven is interesting because the Gemara treats an oven as attached to the ground, but for carrying we view it as a vessel.

- With vessels whose work is for permitted purposes, even the broken pieces remain suitable for use.

- **Question:** What types of things, if a piece falls off, is it forbidden to use? Answer: Something that was a vessel and broke **on Shabbat** – needs to be **designated** (ye'ud/preparation) before Shabbat.

- **A stove whose leg broke** – forbidden to move, not because it is muktzeh, but because **lest he insert** – we are concerned he will fix the leg, which is a toladah of building.

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**Halacha Regarding Ladder to the Roof / Ladder for Dovecotes**

**Rambam: A ladder to the roof is forbidden to move it, as it does not have the status of a vessel. But a ladder for dovecotes may be moved. But one should not go with it from dovecote to dovecote... lest young birds**

**be available to him... and he will come to trap. One may only move it by tilting but not by walking.**

**Explanation:** A ladder to the roof (aliyah) is not a vessel – it always lies in one place, one doesn't move it. But a ladder for dovecotes (pigeon houses) is made to be moved around, therefore it has the status of a vessel.

**Insights:**

- **Why is a ladder to the roof not a vessel?** Not because it is actually attached to the ground (it is not connected), but because it is **made to lie in one place** – it is never moved around, not on Shabbat and not during the week. It is "like attached to the ground" in its nature.

- **Ladder for dovecotes** – one may move it because it is made to be moved from one dovecote to another, therefore it has the status of a vessel.

- **The prohibition regarding dovecotes:** Even for a permitted purpose (like giving food to birds) one may not go with the ladder from dovecote to dovecote, because **lest he do as he does during the week and come to trap** – we are concerned he will come to trapping.

- **What does "by tilting and not by walking" mean?** There is a dispute in understanding. The simple meaning is: during the week one goes with the ladder systematically from dovecote to dovecote – this one may not do on Shabbat. But moving it with a change is permitted.

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**Halacha Regarding a Pole Used to Beat Down Olives**

**Rambam: A pole used to beat down olives – if it has the status of a vessel, it is like kli shemelachto le'issur** and one may use it **for its own use and for its place.**

**Explanation:** A stick/pole used to knock down olives – when it has the status of a vessel, it is kli shemelachto le'issur (because one doesn't knock down olives on Shabbat).

**Insights:**

- A pole not used for olives is just a piece of wood – not a vessel, forbidden to move.

- A pole used for olives becomes a vessel – but **the Rambam doesn't explain what exactly makes it "have the status of a vessel"**: whether it's enough that one used it once, whether one needs to have used it enough times, whether one needs to do an action to it.

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**Halacha Regarding a Pole That the Homeowner Prepared to Turn the Door Lock**

**Rambam: A pole that the homeowner prepared to turn the door lock with it – if it has the status of a vessel, it is like kli shemelachto le'issur.**

**Explanation:** A stick that the homeowner prepared to use instead of a lock (to insert into a bolt to close a door) – only when it has the status of a vessel.

**Insights:**

- **What does "if it has the status of a vessel" mean?** The Maggid Mishneh brings a dispute:

- **Tosafot:** It means it must be **suitable for another use** – one must be able to use it for something else.

- **Another opinion:** One must **do some action** to the pole (a scratch, paint, beautify) – merely using it for a lock doesn't

yet make it a vessel.

- **Question:** Is the practical difference whether one may **open and close** with it, or whether one may use it **for other things** (for its own use and for its place)? Opening and closing would apparently be permitted even as for its own use, and the question is about other uses.

- [**Digression: Carrying vs. use regarding doors**] – A door/window on its hinge – opening/closing is not carrying. But when it falls off the hinge, then it is already a question of carrying. The pole apparently lies **next to** the door (not in the door), therefore it is a carrying question.

- **Main insight:** Even if one uses the pole for something (like a lock), one still needs to have **something more** for it to become a vessel. Mere designation (designation for work) alone is not enough.

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#### Halacha Regarding a Door That Has a Hinge / Door Without a Hinge

**Rambam:** A door that has a hinge, even if it doesn't have a hinge now, but was placed in a muktzeh place – he has designated them from being moved.

**Explanation:** A door that has (or had) a hinge, but one put it away in a muktzeh place – is forbidden to move because one has designated it.

#### Insights:

- **What does "muktzeh place" mean here?** Not muktzeh from the prohibition of carrying, but **muktzeh from your mind** – a place that one doesn't use regularly (like somewhere in the yard). The concept "muktzeh" in its original meaning – put away, set aside.

- **Muktzeh is an action of the person, not of the Torah** – it is explicitly explained that muktzeh always means "put away" by the person – "he has designated them from being moved." This is an action that the person does, not a law that the Torah determines.

- **General observation:** All the laws in this chapter revolve around **what is called a vessel and what is not called a vessel** – these are basically laws of vessels in the context of the laws of carrying/muktzeh on Shabbat.

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#### Halacha Regarding Thorns, Dragging Mat

**Rambam:** Thorns (sharp pieces of wood/thorns) used to block a breach, and a dragging mat used to close a window – when they are tied and hanging on the wall, one may block with them. But if not, one may not block with them.

**Explanation:** When the items are tied and hanging by the wall/door, one may use them to block, because this being tied shows that it is designated for this purpose. If not – one may not.

#### Insights:

- When it doesn't lie in a muktzeh place (but next to the opening), it would be permitted because one sees that it is designated for the opening.

- **Being tied as a sign** – the being tied and hanging is not a functional necessity but a sign/proof that this is designated for the purpose of blocking.

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#### Halacha Regarding a Door That Is a Single Board

**Rambam:** A door that is a single piece of wood (single board), which one removes and replaces. If it doesn't have below it something like a threshold – one may not lock with it. If it has below a wider piece (like a threshold/stand) – one may.

**Explanation:** The "threshold" is a wider piece of wood at the bottom of the door that helps it stand. This shows that it is a vessel – a finished door, not just a piece of wood.

#### Insights:

- **Threshold on the door itself** – the "something like a threshold" is on the door board itself (at the bottom it is wider), not on the opening. This makes it a vessel.

- **Without it – it's like building** – without the threshold it is like "building in progress" (boneh), because it is not recognizable as a vessel.

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#### Halacha Regarding a Bolt That Has a Knob at Its Head

**Rambam:** A bolt (piece of metal/wood used instead of a lock) – if it has at its head a knob (a larger piece on top, a knob), it is prepared as a vessel and one may use it. If not – one may not, because it is muktzeh mechmat gufo.

**Explanation:** The knob (knob on top) shows that it is not just a piece of wood but a vessel made for this purpose.

#### Insights:

- **Bolt without a knob – if it was tied and hanging on the door** – if the bolt doesn't have a knob but is tied and hanging by the door, one may also use it. **But the Rambam doesn't say the word "vessel" about this** – he only says that one may use it. This means: it doesn't get "the status of a vessel" (one may not use it for other things), but it is permitted specifically for the door where it hangs.

- **Tied with it vs. tied fixed to the door** – when the rope comes with the bolt when one removes it – permitted. But when the rope stays by the door and the bolt comes out completely (detached) – **forbidden, because it doesn't have the status of a vessel, and it is like the dust of the earth.** The bolt without its connection to the door is like earth – not a vessel at all.

- **Practical difference:** A piece of wood that one inserts into a door as a lock – one must consider whether it is permitted. It must be either a knob (recognizable that it is a vessel), or tied and hanging. Today pieces of wood don't just lie around, so perhaps when a piece of wood lies specifically next to a door it is recognizable that it is designated for that – but one must still consider.

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#### Halacha Regarding a Segmented Menorah

**Rambam:** A segmented menorah, whether large or small – one may not move it, lest he reassemble it on Shabbat (lest he build).

**Explanation:** A menorah that is assembled from separate segments (pieces) – one may not move it, because we are concerned he will assemble it on Shabbat, which is building.

#### Insights:

- **Not just kli shemelachto le'issur** – according to the regular halacha, kli shemelachto le'issur would be permitted

for its own use and for its place. But here there is a **special decree because of building** – lest he reassemble it – which makes it forbidden even for its own use and for its place.

- With a true segmented menorah there is no distinction between large and small – all sizes are forbidden.

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**Halacha Regarding a Menorah That Appears Segmented**  
**Rambam: If it has engravings and appears segmented (it has scratches and looks like segments but is actually one piece): if it is large and moving it is difficult – it is forbidden to move it. If it is small – permitted.**

**Explanation:** When it is not truly segmented, the concern of building falls away. But a very large menorah (that one cannot take with two hands) is muktzeh mechmat kovdo.

**Insights:**

- **Two separate problems** – with a segmented menorah the problem is lest he build. With a menorah that is not segmented but large – the problem is muktzeh mechmat kovdo (something that one cannot take with two hands is never used as a vessel).

- With a menorah that only **appears segmented**: a **large** menorah one may, because everyone will think it is truly segmented (the homeowner is not concerned); a **small** one may not, because it looks like the homeowner is particular about it.

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**Halacha Regarding a Lock on a Shoemaker's Last**

**Rambam: A lock on a shoemaker's last – one removes it on Shabbat.**

**Explanation:** A last is a vessel (shoemaker's form) on which one shapes shoes. One may remove the shoes from the last on Shabbat.

**Insights:**

- **The last is kli shemelachto le'issur** – one uses it for melachot like tanning (working leather), one of the 39 melachot. When one removes the shoes, one moves the last a bit.

- The Rambam's permission is **not** only because he is unintentional (he doesn't touch the last directly), but because the last is a **kli shemelachto le'issur** – which one may move for its own use or for its place. Therefore one may touch the last in order to remove the shoes.

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**Halacha Regarding a Press – Homeowner's vs. Launderer's**

**Rambam: A homeowner's press – one may open it (one may open it to remove vessels). But a launderer's – it is muktzeh mechmat chisaron kis.**

**Explanation:** A home press (for ironing/smoothing clothes) may be opened on Shabbat to remove the vessels. But a professional press of a launderer is muktzeh mechmat chisaron kis – one may not open it at all.

**Insights:**

- **Why may one not close (lay down) the press?** Because this is **tikun kli** – he smooths/irons the garment, which is a

rabbinic fixing. This agrees with what we learned earlier that one may not even fold clothes.

- **The permission of "opening"** means: even if the vessels lie in the press, they are not muktzeh – there is no such thing that a vessel becomes muktzeh merely because it lies in a press.

- **A launderer's** is muktzeh mechmat chisaron kis because: (a) it is an expensive machine, (b) he protects it, (c) he uses it only for forbidden purposes (his work), not for any other purpose. Therefore one may not open it at all, even not to free vessels from it.

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**Halacha Regarding Wool Fleeces**

**Rambam: Wool fleeces designated for business – he is particular about them. Therefore if he designated them – permitted.**

**Explanation:** Pieces of wool that one holds for business (to make clothes) – one is particular about them, they are muktzeh mechmat chisaron kis. But if one designated them for other use, it is permitted.

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**Halacha Regarding Hides**

**Rambam: Those who send hides – in the homeowner's domain permitted, in the craftsman's domain – he is particular about them.**

**Insights:**

- Presumably we're talking about small pieces of hide, not large pieces of leather. Because leather is a strong thing that one can use anyway afterward – it's not so sensitive. But small pieces are delicate and one must guard them.

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**Halacha Regarding Graf Shel Re'i**

**Rambam: Any disgusting thing such as excrement, vomit, feces and the like – if it was in a courtyard where there are people, it is permitted to take it out to the garbage or to the bathroom, and this is called graf shel re'i. But if it was in another courtyard – one covers them with a vessel so that children won't go out and get dirty with them.**

**Explanation:** A disgusting thing in a courtyard where people move around – may be carried out to the garbage or bathroom (this is called "graf shel re'i"). In a courtyard where one doesn't move around – may not be carried out, but one covers it with a vessel.

**Insights:**

- Vomit = throwing up; feces = what comes out (perhaps from an animal).

- The Rambam's advice "cover them with a vessel" is the alternative when one cannot use the permission of graf shel re'i.

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**Halacha Regarding Excrement on the Ground**

**Rambam: Excrement on the ground – one treads up and down (one steps on it while walking).**

**Insights:**

- One may not stand still and consciously tread on it (because it looks like he is engaged in leveling holes – making holes in

the ground level). But **while walking** one may tread on it, even with a bit of intention.

- The matter is not muktzeh, but **leveling holes**.

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### Halacha Regarding Ash Container

**Rambam: One may move the ash container even though there are wood chips in it, because it is like graf shel re'i.**

**Explanation:** An ash container (vessel for ash next to the oven) may be moved even if there are wood chips in it (which are themselves muktzeh), because the entire ash container is viewed as graf shel re'i.

#### Insights:

- Wood chips themselves are muktzeh (not suitable for anything). But because part of the vessel (the ash) is graf shel re'i, one may move the entire vessel together.

- **Practical difference:** Taking out garbage from home – in the garbage there is a mixture: things that are vessels (permitted), things that are garbage/graf shel re'i (permitted from the law of graf shel re'i), and other things.

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### Halacha: One Does Not Make Graf Shel Re'i Initially

**Rambam: One does not make graf shel re'i initially on Shabbat.**

#### Insights:

- **What does "one does not make" mean?** One may not **designate** a vessel on Shabbat that it should become graf shel re'i. For example: one may not place a vessel under a filthy place so it will fall in, because then one makes graf shel re'i initially.

- But what **happens by itself** (becomes on its own) – is permitted to carry out.

- The permission of graf shel re'i is only **after the fact** – after it is already there. One may not initially create the situation.

- **"Graf" means the vessel itself** – the shovel.

#### [Digression: Garbage on Shabbat – broad discussion]

- **Taking out** garbage is certainly permitted – it is graf shel re'i that disturbs.

- **Putting in** – this is the question of "making graf shel re'i initially." When one puts dirt into a clean garbage bag, one makes graf shel re'i initially.

- **But** – in a normal house there are always also permitted things in the garbage (food that is suitable for human/animal consumption). Can one say that this makes it permitted to carry?

- **Difficulty with this:** This is a "corruption for the sake of repair" – one throws good things into garbage so it will be permitted to carry?

- **Proposed answer:** Once one puts food in garbage, it becomes a type of "excrement" – it is no longer a good thing.

- **Difficulty with the answer:** This doesn't work – it is not worse than bland meat or raw meat that is suitable for a "survivor." Because one put it in garbage doesn't change the reality – it is still a thing that is permitted to move.

- **Practical conclusion:** That a person should leave dirt on the table – certainly cannot be. There must be a way that it is

permitted. But when the garbage already lies outside (not in a place that disturbs), one may not just move it around – this is not a need. Organizing garbage – that is for after Shabbat.

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### Halacha 14: Oil That Flows from Under the Beam

**Rambam: Oil that flows from under the beam on Shabbat, and honey that flows from its beehive, and date juice, and almonds prepared for business – it is permitted to eat them on Shabbat.**

**Explanation:** Oil that runs out from the olive press on Shabbat, honey from beehives, date juice, almonds that are put away for business – may be eaten on Shabbat.

#### Insights:

- **"Oil that flows" does not mean "oil that is squeezed"** – it only speaks when the squeezing already began **on Friday while it was still day**, and the oil runs out on Shabbat by itself. If one does the actual act of squeezing on Shabbat – it is forbidden.

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### Halacha Regarding a Storehouse of Grain

**\*\*Rambam:** Even a storehouse of grain, grain designated for business – one may take from it on

### Halacha Regarding a Storehouse of Grain

**Rambam: Even a storehouse of grain, grain designated for business – one may take from it on Shabbat.**

**Explanation:** Even grain that lies in storage for sale – may be eaten from on Shabbat.

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### The Great Principle: There Is No Food That Is Muktzeh on Shabbat

**Rambam: For there is no food that is muktzeh on Shabbat at all, rather everything is prepared.**

#### Insights:

- This is the Rambam's **fundamental principle:** Regarding **food** we do not say muktzeh. Every food we view as suitable for eating – we don't say "it's not suitable" or "he didn't plan to eat it on Shabbat."

- **A person can always eat food** – it is always prepared, no muktzeh regarding food.

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### Halacha Regarding Dried Figs and Raisins in Storage – The Exception

**Rambam: Except for dried figs and raisins in storage, for when they are being dried, since they become putrid in the meantime and are not suitable for eating.**

**Explanation:** When one dries out fruit (figs and raisins) for business, in the interim they become putrid and are truly not suitable for eating. This is the only case where food is muktzeh on Shabbat.

#### Insights:

- The distinction is: a piece of food that one doesn't want to eat but can – is not muktzeh; only something that is truly not suitable for eating. With dried figs and raisins – he put it away (muktzeh = put away) and it is strongly in his mind that he doesn't plan to eat it, **and** it is truly not edible food.

- **Distinction between Shabbat and Yom Tov:** Yom Tov indeed forbids food that is muktzeh (stricter). Shabbat there is no such thing as muktzeh food, except for this one exception.

- **An egg laid on Shabbat:** An egg that came out on Shabbat is also a problem, but this is not called muktzeh but **molad**, which is a separate category.

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#### **Halacha Regarding Vinegar That Was Uncovered and Watermelon That Broke**

**Rambam: Vinegar that was uncovered... watermelon that broke... one takes it and places it in a hidden place.**

**Explanation:** Vinegar that was open (the law of uncovering – concern that a snake put poison in) and a watermelon that broke (also has the law of uncovering because it is 90% water) – although it is not suitable for eating because of danger, one may move it and put it away.

#### **Insights:**

- **Why is it not muktzeh although it is not suitable for eating?** Two approaches: (a) because the principle that food is always prepared – it's not like dried figs and raisins where it is truly not suitable, here it is only a danger-prohibition but it remains food; (b) perhaps because of danger one may put away even muktzeh. The discussion tends to say that it's not because danger permits, but because it remains food.

- **Connection to a vessel that is not expert:** It is compared to a vessel that is not expert – one may not go out with it (forbidden in carrying out), but it is not forbidden in moving because one can still use it for other things. The same principle: just because a thing cannot be used for its main purpose doesn't mean it becomes forbidden to move.

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#### **Halacha Regarding Leftover Oil in a Lamp**

**Rambam: Leftover oil in a lamp in a bowl that was lit with it – it is forbidden to benefit from it on Saturday night, since it was set aside because of prohibition.**

**Explanation:** The leftover oil from a lamp that burned on Shabbat – even after it extinguished – is forbidden to use on Saturday night, because it is muktzeh mechmat issur (when it was burning one refrained because of extinguishing, and this makes it muktzeh for the entire Shabbat).

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#### **Halacha 15: Storehouse of Grain / Wine Jugs – Clearing for a Mitzvah**

**Rambam: A storehouse of grain, of wine jugs – even though it is permitted to take from it, it is forbidden to begin clearing it except for a mitzvah matter, such as for hospitality or to establish a study hall in it. And when clearing it – they should not do it in a manner where one or two do everything, but rather each and every one clears four or five containers until they finish. And one should not finish the entire storehouse lest he come to level holes. And one should not beat on the bottom of the storehouse.**

**Explanation:** A storehouse (large warehouse) of grain or wine that lies for business – on Shabbat it is not muktzeh (because on Shabbat there is no muktzeh regarding food), one may take from it. But to begin emptying the entire storehouse

one may only do for a mitzvah matter (hospitality, study hall). And even then – not one or two people should do everything, but each person takes out 4-5 containers. One should not empty everything because lest he come to leveling holes. And one should not beat/dig out the bottom of the storehouse.

#### **Insights:**

1. **Distinction Shabbat/Yom Tov regarding a storehouse:** On Yom Tov such a storehouse would be muktzeh because on Yom Tov everything that the person is not ready to use automatically becomes muktzeh. On Shabbat the law is different – fundamentally one may use it, only the exertion-prohibition limits the emptying.

2. **The main reason for the limitation of clearing the storehouse is not exertion, but concern for leveling holes** (leveling holes in the ground). This is shown by the fact that the Rambam says "lest he come to leveling holes" as the reason.

3. **Distinction between singular/plural language:** The Rambam uses two different expressions: "one should not finish the entire storehouse" – **singular language**, the one person should not finish the entire storehouse. "Until they finish" – **plural language**, several people should each take a bit until they finish. When one person alone carries out the entire storehouse, he will want to do a "perfect job" – he will level the bottom (leveling holes). But when several people do it together, there is less concern. This is attributed to the **Perush HaMishnayot** of the Rambam.

4. **"And one should not beat on the bottom of the storehouse" – "as we explained":** The Rambam explicitly connects to the earlier halacha of "not to clear the pile of stones." A storehouse usually has a sandy/soft floor, and there indeed is a concern of leveling holes (unlike a regular house where sweeping is permitted).

5. **Two new permissions:** (a) **Permission of division** – each person takes only 4-5 containers. (b) **Permission of "making a path with his feet"** – one may make a path with the feet in the manner of entering and exiting, but not actually sweeping the bottom.

6. **Relevance to muktzeh:** The chapter is laws of muktzeh, and the Gemara says that "clearing 4 or 5 containers" is "to exclude Rabbi Shimon" (who holds that muktzeh is forbidden on Shabbat). The Rambam, who holds that muktzeh is not forbidden on Shabbat (for ordinary people), needs another reason for the limitation – and this is **leveling holes**. The prohibition is on **dragging the boxes** which leads to leveling holes, not on muktzeh itself.

7. **Are 4-5 containers specifically?** It is discussed: if it is a huge storehouse with only three people, each person will need to take out a hundred boxes. The conclusion tends that it is according to the need – one clears space for how much one needs (for guests or students), not just emptying.

8. **The concern of "leveling holes":** It seems one may take out all the boxes, only one may not sweep the bottom.

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#### **Halacha 16: Things Suitable for Animal Food**

**Rambam: Anything suitable for food for domesticated animals, wild animals, and birds that are common... one may move it on Shabbat.**

**Explanation:** Everything that is good as food for animals, wild beasts, or birds that are **common** (not just hypothetical), may be moved on Shabbat, because it is not muktzeh mechmat gufo.

**Insights:**

- **"Common" does not mean "frequent":** "Common" means there must be a practical reality of such an animal/beast that eats this, not just a theory.

**Examples:**

- **Dry lupine** – may be moved, "for it is food for goats" (goats eat it). **But wet** – not, because even goats don't eat it raw.

- **Carob** (sugar sticks) – "for it is food for deer" (deer eat it).

- **Mustard** (mustard seeds) – "for it is food for doves" (doves eat it).

- **Bones** – "for they are food for dogs" (dogs eat them).

**Peels and Pits**

**Rambam: All peels and pits that are suitable for animal food – one may move them. And those that are not suitable – one eats the food and throws them behind him.**

**Explanation:** Peels and pits that are suitable for animals may be moved. What is not suitable – one should eat the food and throw away behind him.

**Insights:**

- It is asked what "throws them behind him" means – whether it means one should hold them less (throw away immediately), whether it means one may not place on a plate but specifically behind oneself, or whether it is only "present tense speech."

- Regarding halacha, when one eats and there is dirt (peels, bones), one may not directly move the dirt. The Gemara says one "shakes off" – one shakes off. With a plastic tablecloth one can remove it with the tablecloth.

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**Halacha Regarding Bland Meat, Raw Meat, Salted and Bland Fish**

**Rambam: One may move bland meat that is food for wild animals. And one may move raw meat whether bland or salted that is suitable for a person. Similarly salted fish... but the bland is forbidden to move it as it is not suitable for a person.**

**Explanation:** Bland meat (swollen, spoiled) – may be moved because wild animals eat it. Raw meat (salted or not) – may be moved because people eat it (carpaccio). Salted fish – permitted. But a fish that is not yet salted – forbidden, because it is not suitable for anyone.

**Insights:** "Bland" does not mean raw (because "raw" already means raw), but "swollen" – swollen, spoiled.

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**Halacha Regarding Glass Shards, Bundles of Branches, Arum**

**Rambam mentions:** Glass shards – even if ostriches eat glass, it is not suitable for moving. Bundles of branches – even if elephants eat them. Arum – even if ravens eat it.

**Insights:**

- [**Digression: Ostriches eat glass/stones**] – Ostriches eat stones and sharp things to help digest. Their stomach doesn't "chew" the food itself, they need sharp things. A story

is told of a diplomat who said that when speaking with other nations, one must first be sure that the other "doesn't eat glass" – i.e., he is a person, not an "ostrich."

- **"Common" does not mean the animal must be common with you or in your city.** It means there are animals that are generally more common in the world. Ostriches, elephants, ravens – are rare/uncommon animals (in this context). But a person who actually has an elephant will apparently indeed be able to move bundles of branches, because for him it is suitable for animal food.

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**Halacha Regarding Bundles of Straw, Wood, Twigs**

**Rambam: Bundles of straw, wood, and twigs – if he prepared them for animal food it is permitted to move them, but if not one may not move them.**

**Explanation:** Bundles of straw, wood, twigs – if one prepared them for animal food, may be moved. If not – it is muktzeh (because it is for kindling – for heating – or for nothing, muktzeh mechmat gufo).

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**Halacha Regarding Bundles of Hyssop, Ezov, Koranit**

**Rambam: Bundles of hyssop, ezov, and koranit – if he brought them in for wood one may not benefit from them on Shabbat... but for animal food it is permitted to benefit from them. And similarly with amita and similarly with fenugreek and similarly with other types of spices.**

**Explanation:** Leaves that can serve either for animal food or for heating – it depends on the purpose for which the person prepared them. If for wood (heating) – forbidden. If for animal food – permitted. The same with certain types of spices.

**Insight:** With certain things the law is not dependent (like glass shards – always forbidden), and with others it depends on the person's intention/preparation.

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**Halacha Regarding Care of Animal Food – One Does Not Sweep Before the Fattened Animal**

**Rambam: One does not sweep food from before the fattened animal, whether in a vessel trough or in a ground trough, and one does not move it to the sides – a decree lest he level holes.**

**Explanation:** One may not sweep the food from before an animal that one is fattening (fatten), whether from a vessel-trough or from a trough attached to the ground. Also one may not push away straw/hay to the sides so it won't get dirty from dung. The reason is a decree lest he level holes.

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**Halacha Regarding Taking Food from One Animal for Another**

**Rambam: One may give from before the donkey to before the ox, but one may not give from before the ox to before the donkey, for one does not feed before the ox what is dirtied with its saliva.**

**Explanation:** One may take food from before a donkey and give it to an ox, but not the reverse – not from an ox for a donkey.

**Insights:**

- The Sages knew precisely the nature of animals: the ox eats in such a way that everything gets smeared with its saliva (dirtied with its saliva), and other animals (like a donkey) will not eat such dirty food. The donkey is "refined" in its eating, the ox is not.

- **Muktzeh question:** The food from before the ox is not muktzeh because the ox itself can still eat it – it remains in the category of animal food. But one may not take it for the donkey because it is **excessive exertion** – it is not useful for any other animal.

- [Digression:] The verse from Parashat Balak "as the ox licks up the grass of the field" – the ox licks up everything and leaves nothing for anyone.

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### Halacha Regarding Leaves with a Bad Smell

**Rambam: Leaves that have a bad and disgusting smell and no animal eats them, it is forbidden to move them. Therefore a fish rack [is forbidden] and a meat rack is permitted.**

**Explanation:** Leaves that smell bad and no animal eats them – are muktzeh mechmat gufo. A "rack" (a stand/hook) used for fish – becomes stinky and one may not move it. But a meat rack – is permitted, because meat is not so disgusting.

#### Insights:

- The permission of "animal food" is not a sweeping permission on every type. It must **actually** be suitable for animal food. Even if the type (leaves) is generally animal food, if **the specific thing** has become dirty/disgusting and no animal will eat it – it is muktzeh.

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### Halacha Regarding Care of a Corpse on Shabbat

**Rambam: One may anoint it and wash it, provided one does not move a limb.**

**Explanation:** One may anoint a corpse with oil and wash it, but one may not move any limb – because moving a limb is a type of carrying, even without lifting.

#### Insights:

- **Carrying definition:** Carrying is not only lifting and carrying – even just moving a limb a bit is also forbidden. One may not lift or lower the hands during anointing.

**Rambam continues:** If the corpse lies on a pillow and it is getting warm, one may remove the pillow from under it – **so it will last until after Shabbat** (so it will hold until after Shabbat).

#### Insights:

- The Shulchan Aruch (subsection 49) brings the reason: a corpse doesn't have the mechanism that cools down a living person, therefore it gets hot and begins to putrefy. On the cold floor it will hold better.

- **Question:** What is the novelty? We already learned that moving from the side (another thing) is permitted even with a corpse! Answer: The novelty is that even with a corpse, where we are strict, moving another thing (removing the pillow) is permitted when it is for a need.

#### Other permissions with a corpse:

- **One places on its belly so it won't swell** – one places something cold on its belly so it won't swell.

- **One plugs its orifices so air won't enter them** – one stuffs the openings of the corpse so no air will enter.

- **One ties its jaws** – one ties its face (mouth) so it won't look distorted. The reason: "lest it rise" – so it won't frighten people, which is a matter of "and you shall guard yourselves."

- **Question regarding eyelid:** There is an opinion that on Shabbat, because one may not move a limb, one also may not close the eyes of a corpse.

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### Halacha Regarding a Corpse Lying in the Sun – Bread or Baby

**Rambam: A corpse lying in the sun – one places on it bread or a baby and moves it. If a fire broke out in a courtyard where the corpse lies – also one places on it bread or a baby. If one doesn't have bread or a baby – one saves it from the fire in any case. And one may only move with bread or baby for a corpse alone, because a person is distraught over his dead.**

**Explanation:** A corpse lying in the sun and will putrefy – may be moved by placing bread or a baby on it (moving via another thing). In a fire – initially one should do it with bread/baby, but if not available – may save it just like that.

#### Insights:

1. **The principle of "a person is distraught over his dead":** The permission to save a corpse from a fire without bread/baby is **not** based on honor of the dead itself. The Rambam's reason is: if we don't let him save it, he will be so distraught that he will come to desecrate Shabbat with Torah prohibitions. **Honor of the dead itself is not enough reason to permit moving muktzeh.**

2. **Practical difference:** If there is no person who is distraught (for example, the corpse has no relatives there), one would **not** permit moving the corpse without bread/baby.

3. **Distinction between corpse lying in sun and fire:** With a corpse lying in sun – if one doesn't have bread/baby, the Rambam does **not** say that one may move it just like that. Because in sun it is not time-sensitive – one can wait until one finds bread/baby. But in a fire it is time of the essence – the fire doesn't wait, therefore the permission is broader.

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### Halacha Regarding a Corpse Lying in the Sun – Making a Tent

**Rambam: If a corpse was lying in the sun and he has no place to move it, or doesn't want to move it from its place – two people come and sit on both sides of it. If the sun is on them from below – this one brings his bed and sits on it, and this one brings his bed and sits on it. If the sun is on them from above – one brings a mat and spreads it over himself, and this one brings a mat and spreads it over himself. And this one stands up his bed and it slips away, and this one stands up his bed and it slips away – and a partition is found made by itself, for this mat and this mat their roofs are adjacent to each other.**

**Explanation:** A clever advice how to make shade for the corpse without directly making a tent for the corpse. Two people sit on both sides, each brings a bed (for himself), each spreads a mat (for himself), then they stand up their beds and

leave – and the mats fall together and make a partition/tent over the corpse "by itself."

#### Insights:

1. **"That he doesn't want to move it"** – there can be practical reasons – perhaps moving the corpse will make it putrefy more, or other reasons.
2. **The mechanism of "a partition is found made by itself"**: Each step is a permission for itself: (a) he brings a bed – for himself to sit; (b) he spreads a mat – for himself shade; (c) he stands up the bed – he leaves. The result – that the two mats lean one on the other and make a tent – comes "by itself," not through a direct action for the corpse.
3. **"Their roofs are adjacent to each other" – the measure of a tefach**: The measure of a tent must be a tefach wide on top. If the two mats make only a pointed triangle without any width on top – it is not a tent. Therefore the "roofs" must be adjacent – so there will be a piece of width on top.
4. **What is a mat?** A hard woven mat (not soft goods) – something that can hold itself upright.

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#### Halacha 26: A Corpse That Has Putrefied in the House – Human Dignity

**Rambam: A corpse that has putrefied in the house – it is found degraded among the living and the living are degraded by it – it is permitted to take it out to a karmelit... great is human dignity that it overrides a negative commandment in the Torah. And if people can go to another place – they go out, and if not – they take it out and place it in its place.**

**Explanation:** When a corpse begins to putrefy in the house, this is a degradation both for the corpse and for the living. One may carry it away to a karmelit (which is only a rabbinic prohibition), because human dignity overrides a rabbinic negative commandment. But if the living can leave themselves, they leave, and one leaves the corpse in its place.

#### Insights:

1. **"It is found degraded among the living and the living are degraded by it" – whose dignity?** "Degraded

among the living" is only relevant when "the living are degraded by it" – if no one is there, there is no degradation problem. The degradation is that someone passes by and holds his nose – this is embarrassment for the corpse's honor.

#### 2. **The principle of human dignity overrides a negative commandment in the Torah – the Rambam's opinion:**

The Rambam explicitly holds that transgressing a rabbinic law is transgressing lo tasur from the Torah. Therefore, human dignity overrides the rabbinic law. This is a novelty: if rabbinic is also "a negative commandment in the Torah" (through lo tasur), how can human dignity override it? It must be that there is a distinction between a rabbinic law (such as karmelit) and an actual Torah law, even when both have a "negative commandment" behind them.

#### 3. **Is human dignity a "mitzvah" or something else?**

Human dignity is so important that it overrides a negative commandment – it is a "very important matter." It is not just a free thing, it is a limitation on how much one can demand from a person. Met mitzvah and all similar laws – this is all human dignity.

#### 4. **Is there a special concept of honor of the dead from itself?**

The Rambam's language "and if people can go to another place – they go out" clearly shows that the entire matter here is the honor of the people around, not the honor of the corpse itself. Because if it were a matter of honor of the dead, one could not leave the corpse lying putrefied just because the people can leave. Generally there is indeed a mitzvah of burial – but that is a different mitzvah, not the matter the Rambam speaks of here.

5. **Practical note:** Today the problem of putrefaction is not so relevant, because we have air conditioning, we place ice, we make sure it is cool, we can bring a non-Jew – there are other solutions. The matter in the Rambam speaks of a situation where there is no longer any other solution.

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**With this ends Chapter 26 – the final chapter of the laws of carrying/muktzeh – with the principle of "great is human dignity that it overrides a negative commandment in the Torah."**

## Full Transcript

### Laws of Shabbat Chapter 26 – Details in the Laws of Moving Objects

#### Introduction to the Chapter

Yes, we are learning the laws of Shabbat in the Rambam, the twenty-sixth chapter. Baruch Hashem we are already very close to the end of the laws of Shabbat, and this will be the last chapter that discusses the laws of moving objects. There are three chapters that discuss moving objects, the world calls it muktzeh, which vessels one may or may not move. And here there will be various details in the laws of moving objects.

The Rambam says as follows: **kol klei ha'oreg** - one can say mostly a list of types of vessels that one may or may not move for various reasons. Basically, everything that one may not move because it is a kli shemelachto le'issur, but there are also those that one may not move because it can cause a prohibition, one can be transgressing something when one

moves it. Right, and also very many permissions of what one may do.

One must learn Torah to know what one may do, not to know what one may not do. What one may not do, one remains sleeping, one does nothing. True.

#### Law 1: The Weaver's Tools and Ropes

Yes, the Rambam says as follows: **kol klei ha'oreg vechavlav** - the tools that the weaver, the person who weaves, uses. Weaving is an av melachah. The tools that one uses for weaving, the ropes, the cords, the reeds, all these tools **it is permitted to move them**, one may move them. Why? Because it is a kli shemelachto le'issur, and we have learned that a kli shemelachto le'issur may be moved for the need of its body, for the need of its place. One may not use it for the need of the vessel, but for the need of the person one may.

#### The Upper Weight and the Lower Weight

These are the tools, the light tools, the tools like the ropes and the reeds. But **the upper weight and the lower weight** - a weaver has a large machine where there is something to press the garment when one finishes using it. These things one may not move. Why? Because this one cannot move, one may not move, and in the language of the Rambam: **because they are placed and attached to the ground**, they are stuck in the ground.

Therefore it is not called a vessel, it is called like anything that is attached to the ground that we have already learned, like the cover of a barrel that is sunken in the ground. They have already seen that something that is stuck in the ground one may not use. But he says that we are not speaking of when it is actually stuck in the ground, because when it is stuck in the ground one may not touch it because of a concern of making a hole, that when he takes it out he makes a hole or something. Rather, even now it is not lying in the hole, because the practice is that it is usually sunken in the ground, one may never use it, even when it is not.

Stuck does not necessarily mean stuck in the ground. Stuck means that it is something very strongly connected to the machine, so it does not become a vessel, it ceases being a vessel, it is not a thing, it is fixed. Not only on Shabbat is it fixed, fixed means that it is not a movable object, it is something that remains there as part of the system.

#### The Weaving Posts

Further: **and so the posts of the weaver**. The posts, it seems that the weaver has some little machine, and on this there are some poles. No, it says, excuse me, the posts are what one hangs on. There are two posts, and on them one hangs the merchandise. And the posts are, well, **it is also forbidden to move them lest one fix them in their holes**, because if he goes to move them, there is a concern that he will go back and make a hole, or he will go back and place it in the hole. So this is more like directly like the laws of lest one level holes.

So the upper beam and the lower beam one may not move even when it is not stuck, because it is very heavy, very heavy, therefore it is not called any leniency. The posts could have been called a leniency, but there is a practical prohibition of lest one fix them in their holes.

**The rest of the weaver's tools** - the other tools of the weaver are permitted, because it is indeed a kli shemelachto le'issur, which is permitted for the need of their body and their place, for whatever is permitted.

#### Law 2: Palm Brooms

**Palm brooms** - the brooms that one makes, one takes a branch from a palm tree, a date palm, **and the like, with which one sweeps the floor** - with which one sweeps the floor, **they are like a kli shemelachto le'heter** - it is like a kli shemelachto le'heter, **for it is permitted to sweep with it on Shabbat** - on Shabbat one may sweep, as the Rambam said in chapter 21, when the Rambam spoke about the melachah of plowing. The Rambam said that on a floor of sand one may not sweep because of leveling holes, but a floor that is paved with stones one may. So we are speaking here apparently, a broom is used in a place where one may, and a place where one may is a kli shemelachto le'heter.

**Innovation: A Kli Shemelachto Le'heter Even When For You It Is Forbidden**

First one must say that even a place that is only dirt, even there one may not do it, but the broom is still called a kli shemelachto le'heter, because there are enough kosher floors. Even if you don't have, in your floor you cannot sweep, but the vessel is called a kli shemelachto le'heter. This is how one must understand it. Yes, it makes sense. A vessel whose use is forbidden does not become a kli shemelachto le'issur. Right.

#### Law 3: Bricks Left Over from Building

Ah, good. **Bricks left over from building**. We spoke earlier about what one may sit on, we learned palm branches and other things that one must prepare beforehand. But this is when naturally it does not become a kli shemelachto le'heter. But bricks that remain from a building, the practice is always that with them one makes benches.

It enters into kli shemelachto le'heter because of the concept of, as it is called, muktzeh machmat gufo. Right, not because of kli shemelachto le'issur from building or something like that. Here we are saying that beforehand it was apparently melachto le'issur, because of building, that it becomes attached to the ground, which is not called a vessel. But the practice is that when bricks remain left over, he will now say, the bricks that remain left over from a building are like a kli shemelachto le'heter. Why? **For they are fit to sit upon**. They are fit to sit on them. **For they polish them and prepare them**. The bricks are always made so they should be nice boxes, one polishes them.

Therefore it is already standing, the person does not need to add anything afterwards, because the store that makes the bricks or the workers who prepared it have already done the work. Unlike as we discussed, some raw wood, one still needs to do something so it won't have any splinters, I don't know what, it must be designated for sitting. But this is automatically designated for sitting, one doesn't need to do anything.

#### And If He Piled Them – He Designated

On the contrary, there is still a way how it becomes forbidden. **And if he piled them**, if he piled up the bricks because he wants to put them away for a later building or for a store or what, **he has designated**, he has thereby designated it, he has shown with this that he does not want to use it now as a bench. It seems that bricks that remain left over are automatically a bench, but if one has said clearly I don't want it for a bench, he has designated it, so what may one not move.

#### Innovation: The Concept of Designation

It is an interesting thing, because here we see for the first time designation, but it doesn't mean muktzeh because it was not fit at twilight. Rather, designation means that he has determined that it is indeed a kli shemelachto le'issur, or he has determined that it is indeed stones that one will use for the next building, fit for building. It does not become melachto le'issur, it means designation, it is nullified from being a vessel and it has become... prepared for building.

#### Law 4: Small Pottery Shard

**A small pottery shard**, and we learned earlier about a vessel that broke, and the pieces from it how one can now use it. But here we are speaking when it is not necessarily that... a vessel broke. He has a small piece of pottery from an unfinished vessel or what. No, we learned earlier that it must be a first work, but now we are speaking of a piece of pottery. A piece of pottery is always called a vessel. Why? **One moves**

**it even in the public domain.** What does it mean to say even in the public domain? Because in any case... we are not speaking that one may not carry in the four cubits, but in the public domain, in the four cubits. Yes, why? **Since it is fit in the courtyard...** He says thus, a small pottery shard is always used as a cover on a vessel.

He says, not only in the courtyard where there are vessels and therefore the pottery shard automatically very quickly one finds how it is used as a vessel, but even in the public domain where vessels are not commonly moved, you would say that it is not called a vessel. No, it is indeed called a vessel, because since it is fit, whenever one finds a small vessel it is fit for a cover, it is always called a cover.

#### **The Barrel Cover That Broke**

We already learned **the barrel cover that broke**, the cover of a barrel that broke, **its height and its pieces one moves it**, one may continue to use the large piece of the cover or the pieces from it, because presumably it is the same thing as the small pottery shard, which is fit to continue to use as a covering for a vessel.

**But if**, but when does one say to teach us? Or it went out to its name, **it was taken as a stone**, he showed that he does not view it as a vessel, **it is forbidden to move it**.

#### **Law 5: A Vessel That Became Loose**

**A vessel that became loose**, a pottery vessel that became soft, he wants to take a piece from the pottery vessel to use for something else, he may not do this. **He should not take from it a pottery shard**, he should not tear off from it a piece of pottery to use for another thing, **to cover the fire with it**, because he makes a vessel on Shabbat when he does it.

#### **Innovation: Why Is This Making a Vessel?**

What is it that when he does it he makes a vessel? It is a whole broken vessel, or it is something weak, and now what one usually does with such a vessel is one breaks it up and one makes from it little vessels for various uses, but on Shabbat one may not make, then he is not fixing a vessel. It perhaps looked like fixing yesterday, but today it is not so.

Okay, now one can learn another thing, whether one may use the stones from the pieces, a piece of pottery one may indeed make for a cover, because a piece of pottery itself is already called a cover. But as long as it is still a whole vessel and it is now in the middle of being broken, then one may not make it for a cover, because with this you make it into a vessel.

Ah, one makes, one breaks now the pottery, before it was not any pieces. No, this is not the question of breaking, it is already loose. One doesn't need to actually break, it is not called the prohibition of detaching, because he needs to take something out. It is not called the prohibition of detaching, it is called the prohibition of making vessels. This he says, because it is the prohibition of making vessels, because it was not yet.

A piece of pottery, even if it is still a broken piece of pottery, is viewed as a vessel, but is viewed as a vessel that lies already in the vessel that became loose. Because of this, because it becomes a vessel, one may not make the vessel. But when can one think that from when a vessel is fit, all the pieces are already called vessels. The law does not say so.

#### **Law 6: Polished Stones for the Bathroom**

Further, **it is permitted to bring into the bathroom three polished stones to clean with them.** We must thank the Almighty that nowadays there are better solutions, but one used to use polished stones to wipe oneself. May one do this, because normally a vessel is muktzeh machmat gufo, but... I mean a stone is muktzeh machmat gufo, but a stone that one uses in the bathroom is a vessel. These are polished stones that are already prepared, ready. It is a type of stone. But only three, because one may only bring as much as one needs to use on Shabbat.

**And what is their measure?** How large should the stones be? **So that the hand does not touch.** I don't understand exactly what it says here. He cannot take three very large stones. He can only take something that one can use. If he grabs what he can hold in his hands, which is practical.

#### **Discussion: Why Only Three Stones?**

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

Why only three? What if he goes to the bathroom four times?

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

Each time he may bring three. That is, even if it doesn't turn out to be more than three stones. It is a weird law. What is weird? That's how much one uses, how much is a use. Are you going to ration me how much tissue I may use? Seriously? Yes, but that's the law. I don't understand exactly what the law is. You are funny because you are arguing with the Torah. Because the Torah holds that everything has a proper measure, and you hold as much as I want. You won't go ration me how much tissue you can use.

You have a fundamental dispute with the holy Torah. The holy Torah, I mean the halachah, the way that halachah always works, they say that more than this is not needed. If you are a crazy person who does need more, it's your problem. This is not how halachah works. Halachah always says how much is needed, and if someone wants more, he is a fool. One doesn't need to... the word is something not... I mean the simple meaning... but it has a better explanation. I wondered. And the better explanation is thus: We don't say that because one will use it in the bathroom it is called a vessel. It is not a vessel, it is muktzeh machmat gufo, but because of human dignity they permitted. And because of human dignity they only permitted the minimum. You cannot take more than you need. But they only permitted the minimum. If we would say that anything that one will use in the bathroom is called a vessel, you could start with twenty, thirty vessels, because the greatest thing is for the bathroom. The word is not so. The word is, they permitted to take stones into the bathroom, but they only permitted three, because this is the minimum that a person needs to have to...

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

This is not the minimum, this is the maximum.

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

This is the minimum that a person needs to have that the Sages permitted.

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

No, no. It is enough and more. The Sages are not bad, they don't make a minimum. It is enough and more. How much one needs. One never needs more than three. This is the reality. The Sages checked it. And if someone thinks he needs more

than three, something is wrong in his system. He needs a complete healing.

**Speaker 1:**

Well, well, your honor says so, but I hold differently. I say that the Sages only permitted a measure that is very important, because they permitted it because of human dignity. On the contrary, if there is a person who needs more, perhaps they permitted him because of human dignity.

**Speaker 2:**

He doesn't need more. It's three. He should go to the doctor. Done.

**Speaker 1:**

But if he needs, a question of life-threatening danger begins, he should go to the doctor.

**Speaker 2:**

Certainly.

**Speaker 1:**

Yes, send to the doctor everyone who doesn't use the exact amount of tissue that you measured out. It doesn't make sense. You are funny.

**Speaker 2:**

But wait, shh, let's finish. **But earth that is close to the ground**, but sand, but a piece of earth. A person wants to wipe himself with a piece of earth. Ah, you want to talk about the tissue. Because you hold that it is appropriate for the Sages to know how much tissue is needed in the bathroom. And the Sages were greater people than you, and they held that they know everything.

**Speaker 1:**

And you have more respect for the Sages than we do? Certainly, certainly, because you...

**Speaker 2:**

I mean you didn't have any history. It's a bit hard to understand, and I'm trying to make the reality. If they permitted because of human dignity, they only permitted the minimum.

**Speaker 1:**

No, that is what is hard to understand. It is the maximum. The Sages understand how much one needs.

No, the Sages were experts in how many stones all people in the world need to have in the bathroom. They visited millions of bathrooms, they had studies of how one does it.

**Speaker 1:**

Yes, yes, I mean seriously, because the whole time they keep saying such things. The Sages estimated in four things how much there needs to be, how much one needs to eat, how much one needs to drink, how many stones one needs. This doesn't fit you? I check it out, I don't want them to tell me how many stones I need to use in the bathroom.

**Speaker 2:**

But I have a better explanation. The Sages permitted it because of kavod habriyos (human dignity), and they didn't permit more than what they held was necessary.

**Speaker 1:**

That's true, but that's not your problem, that's a completely different topic.

**Speaker 2:**

There is no problem, because how much they permitted, they permitted as much as they held was important. He asked his son how much he uses, he said three. Okay, so they permitted three. If someone needs more, one would also seemingly, because the matter is kavod habriyos. They didn't permit with a broad range of how much one needs, rather they said a shiur (measure). One doesn't need more, three is already too much.

**Speaker 1:**

Very good. But you're not accustomed, I know.

**Speaker 2:**

No, because this is through the mitzvah. Four was too much, two is too little. Everything now needs to match your Rambam's shiur. But I'm not holding now in the shiur problem. I want to understand here the tissue sugya (Talmudic discussion).

**Speaker 1:**

It's already more than what one needs. You don't wipe at all with stones, you don't know at all how it works. You need to remember, you're the whole time putting out assumptions of how you use tissues that no one understands why.

**Speaker 2:**

You already know, the Mishnah Berurah explains that the Jews also held that one should only be allowed to use two tissues or four tissues.

**Speaker 1:**

No, he's talking about something that should be forbidden, it's not proper tissue. Okay, I'm already talking tissues. Stones is something where three is more than enough, and therefore more than that one doesn't need.

**Speaker 2:**

Very good, but...

**Speaker 1:**

But, very good.

**Adamah shehi kerovah lehitparekh**

These are stones that are fit to use in the bathroom. But a **davar shehu karov lehitparekh**, it will crumble and it's not practical to wipe with it, **asur letalteloh lekanech bo**. That means it's not rai lekinuach (fit for wiping). Therefore, the person cannot rationalize, he takes it into the bathroom and he says, "Okay, I'll use this, this is not rai lekinuach."

**Speaker 2:**

Very good, even if he's smarter than the Sages and he thinks he can.

**Speaker 1:**

No, you need to understand this. Everything goes like this, one can only...

**Speaker 2:**

He claims that it's not karov lehitparekh, he has a way that it shouldn't crumble. And it's his mother's mother's mother.

**Avanim sheyardu aleihem geshamim**

**Speaker 1:**

I say, the heter (permission) of carrying stones to the bathroom is even if it comes with effort, even if one needs to drag stones for this, **mutar letaltel avanim legag ulekarnei**.

He says further, **yardu aleihem geshamim venishtak'u batit**, on the stones that were prepared, **im rishumam nikar**, if one has a sign that these are the stones that were needed for the bathroom, **mutar letaltelam**, because these are the stones that were designated. Rishumam nikar means to say that he can still see the stones within the mud, the mire. If not, then first he starts to dig out stones. Digging out stones perhaps one may not do on Shabbos, it's perhaps a question of soter (demolishing) or something like that. The stones no longer have the heter. Why don't they need to have the heter? Why not? They're stones. It must be that there's some problem in taking out stones. They're stones, they need to be designated for covering. Anyway, when you find such a type of stone that is a type of stone that can be used for this, you may take it. It could be that there's a bit of making a hole in the mud. No, some such problem. But this is also seemingly a heter. It could be that for just so they didn't permit. The Sages, for this matter, they permitted if rishumam nikar.

#### Even sheyesh aleha tinuf

**Even sheyesh aleha tinuf, sheba'u lekanech bo, mutar letalteloh va'afilu hi gedolah.** That means, what we said before about the shiur that specifically so small and specifically so much, that's as long as it's not designated. But this needs the heter. If one sees that it's already dirty, one knows that it's designated for this, therefore one may even more. Because also probably because the Sages, because there's a gezeiras hakasuv (Torah decree), even sheyesh alav tinuf, the Sages wanted that one should specifically take that.

#### Tzeror veCheres – What to Use Lechatchilah

##### Speaker 1:

For **haholekh al hatzeror vecheres**, he has before him either a stone or a piece of pottery. And a tzeror is generally asur betelaltul (forbidden to move), muktzeh machmas gufo (set aside due to its essence). And a cheres we discussed that every large pottery is a piece of a vessel. So then **lechatchilah mekanech batzeror**, he should lechatchilah (initially) not wipe with a tzeror. And this fits very well in the halacha as I said that there's a heter from the Sages. On the contrary, a tzeror is more forbidden. **Annam kol zeh mekanech batzeror**, why? Because cheres is more of a danger. Cheres can cut his intestines, so the tzeror is more recommended to use. On the contrary, he means to say, you shouldn't think that you need to use something that is a vessel, you can use something that is safer to use than the vessel. Since a cheres is also a vessel, but if the cheres is already worked out, one has already made it like a vessel, the sharpness has been removed from it, there's no longer a concern that it will cut him, then indeed he should use a cheres rather than a tzeror. Because a tzeror is however the fact that they permitted it because of kavod habriyos, which is not a vessel, he should use something that is a vessel.

#### Asavim Rakim Va'asavim Kashim

**Hoil vehiflig al tzeror va'asavim**, and he now wants to know which to use, **imasai asavim rakim** soft grasses is also permitted for an animal, it's animal food, **he should rather mekanech bahem**, because also for the reason lechatchilah not to use stones like before, **but if it's hard grasses** there's also a danger, it seems, **then mekanech batzeror**. Also a danger? Or then it's not called animal food?

Again, the tzeror, he has grasses, soft grasses is somewhat easier, why? No, it's again danger, he shouldn't use the hard ones, because there's a danger like the cheres, or then it's not a vessel, it's not fit for animal food. Seemingly it should also be a danger.

Here there's a prohibition, the Gemara says that one may not use dry things to wipe oneself, because it can tear the shini bekarkashta, tear something, yes.

#### Digression: Tissues and Davar She'ha'ur Sholetes Bo

Yes, further. Shiurei machtzah lo shivlei, it's a prohibition because of danger, as if the whole thing is simply a prohibition because of danger. Shiurei machtzah, that we don't conduct ourselves to be careful not to wipe, the Gemara says "davar she'ha'ur sholetes bo," something that can be burned, that means it's dry, one may not wipe, and we do use tissues. According to halacha one may not use the sheets of paper in it, but the custom is anyway to use. Therefore if so one needs to ask about the halacha whether one can further use the grasses and not the tzeror, but okay, not for now.

#### Shiurei Machtzeles Shebalu

Yes, shiurei machtzah lo shivlei. From a machtzeles, a piece of a woven thing. Now one lives simply from such as broken vessels, which still have the laws of vessels.

**Shiurei machtzeles shebalu**, a machtzeles is something that one may move, but when it's already become balu, it's already become, the machtzeles has already become worn out, one can however use the pieces from it, **hare'uyim likli shemelachto leheter**.

#### Hilchos Shabbos Chapter 26: Details in Laws of Moving - Remnants of Vessels, Ladder, Reed, and Door

##### Shiurei Machtzelos and Shiurei Begadim

**Speaker 1:** But okay, you're right.

Yes, **shiurei machtzelos shivlei**. Remnants of mats, a piece of a woven thing. Now one lives in vessels, one lives simply from such as broken vessels, which still have laws of vessels. Shiurei machtzelos shivlei, a machtzeles is something that one may move, but when it's already become balu, it's already become, the machtzeles has already become worn out, one can however use the pieces from it. Entered a vessel of permitted work, the pieces from it are no longer a machtzeles, because someone thought that it becomes used to make with the body itself, no, it's a vessel of permitted work. Only **sheraui lechasos bo es hametunaf**, one uses it to cover things. That's shiurei machtzeles.

**But shiurei begadim she'ein bahem shalosh al shalosh**, small pieces of clothing that aren't three by three, **asur letaltelam**, forbidden to move them because they have no use at all, one doesn't use them, **she'einam re'uyim lo la'aniyim velo la'ashirim**. This is the language I think that one says regarding a garment that is smaller than three by three is not mekabel tumah (susceptible to impurity), because it's not fit neither for the poor nor for the rich, everyone throws it away.

If there are things that only the rich throw away, something that only the rich throw away, even by the rich it's not a vessel, but by normal people it is a vessel, but something that everyone throws away, because it's less than three by three and

not an important vessel, doesn't have the law of toras keli (status of a vessel), it's forbidden to move.

**Speaker 2:** Is there perhaps a level that is fit for the rich and not for the poor, that then perhaps there's a distinction, but now we're talking that it doesn't hold three fingers, that then it's...

**Speaker 1:** Yes, three means already three fingers, not three tefachim. Yes, then one cannot use it, it's not mekabel tumah because it's so small, it's so unimportant.

**Speaker 2:** Yes, but here we're talking about moving, not about tumah, by you it's the same thing.

**Speaker 1:** No, the language "she'einam re'uyim" is perhaps...

**Speaker 2:** Yes, but there is such a distinction in the laws of moving.

**Speaker 1:** Already, well okay, that's the point.

### Shivrei Tanur

**Shivrei tanur**, broken pieces of an oven, **mutar letaltelam**, because an oven is called a vessel. It's interesting, an oven, as the Gemara says, an oven is connected to the ground, but an oven one perhaps looks at as a vessel. Because in all vessels not their work for permitted use, breaking the vessels, the pieces from them are still fit. Not like I think not what is forbidden, what even the remnants are also not forbidden. Okay.

**Speaker 2:** What type of things, if a piece fell off is it forbidden to use?

**Speaker 1:** Something that was a vessel, and on Shabbos it broke, needs to be designated for use originally before Shabbos.

**Speaker 2:** Yes.

**Speaker 1:** Kirah is not with the special designation. And we're talking about a tanur, not about a kirah. I don't know if there's a distinction between tanur and kirah. But an oven that one of the legs - it stands on legs - one of the legs broke, asur letaltel. One may not move it for another reason. It doesn't have a vessel whose work is for forbidden use. There's a prohibition lest yiska, perhaps he'll quickly fix the leg and connect it, and it will be one of boneh (building).

### Sulam Shel Aliyah and Shel Shovakh

Now comes the law of a ladder. More matters of moving. There are many vessels, many things that turn on whether it has a vessel or not a vessel.

Okay, it needs to go in. Understand. All the laws until now in this chapter are laws of what is called a vessel, or there's permanence, for example like the stones of the bathroom, that one may anyway. But all laws of what is called a vessel and what is called not a vessel. It's basically the laws of vessels, which are the laws of moving muktzeh on Shabbos, one needs to make an effort.

**Sulam shel aliyah asur letalteloh, she'ein alav toras keli.** A ladder that was made to go up to a high place, on Shabbos one doesn't go up. He says it was made to go up on the roof to dry fruit, such types of things, or fix something. Asur letalteloh, because it's not toras keli. It's not something that one doesn't move on Shabbos. One doesn't move it the whole week either. It lies in one place. It's such a type of thing that perhaps now exactly it's not connected and one can move it without soter, but it's such a type of thing...

**Speaker 2:** Yes, yes, you're right.

**Speaker 1:** It's such a thing that lies still. So essentially it's not a building, but it's like attached to the ground, such a type of thing. It's made to be, not made to move. It's made to lie in one place, and with this one goes up on the roof.

But **shel shovakh** is made to move around from one dovecote. Dovecotes are small places that one makes for birds, bird houses. And this is made to move the ladder around, go from one dovecote to another, and with this ladder one may move it. **But lo ya'aleh ken mishovakh leshovakh**, on Shabbos one is not busy with any dovecotes, he may not go with the ladder to check the dovecotes. Even let's say he wants to do a permitted thing, he wants to give food to the birds, **shema yizdamnu lo gozalos**, that he should also not do this, **shelo ya'aseh kederekh shehu oseh bechol veyavo litzud**. If he will do this in a weekday manner, we're afraid that he'll be busy with the birds, he'll come to trapping.

**Discussion: What Does "Bederekh Hatayah Velo Behilukh" Mean?**

**Speaker 1:** He says that one may make it go leshovakh leshovakh, but only **bederekh hatayah**, not **behilukh**. This means that moving it is permitted, but placing it on the dovecote and taking from the dovecotes as he does during the week, that he may not, because he'll come to trapping.

**Speaker 2:** It's lying now by one dovecote, I may tilt it to another dovecote, but not lift and move? Or I may only take it to another place, not to a dovecote at all?

**Speaker 1:** We would have seen something from the language that one may do something by the dovecote, one just needs to do it with a change.

**Speaker 2:** No, I mean that during the week there's an order, he goes with the ladder from one dovecote to the second and he does his thing. On Shabbos one doesn't take from the dovecotes, if one goes around and checks each dovecote, because then yavo litzud. He says however that there's an advice, one may, only he'll do it with a change, he tilts it. **Mateh lehatosah velo yolikhah**, I don't know what he means, he pushes it and... I don't know, I mean that's what I would have thought, but perhaps I'm wrong. It doesn't say so.

**Speaker 1:** He explains something that one may move it to another place, but not to another dovecote. In short, it's a new prohibition that one doesn't deal with dovecotes. Yes.

### Kaneh Shemuskin Bo Hazeitim

Further, **kaneh shemuskin bo hazeitim**. A reed we've already had a few times this reed. Reed is a straw. One uses it when taking down the olives. You see how one puts it up on the olives and drags down the olives, or something like that. **Im yesh alav toras keli**, if it has a toras keli, it says that if it's a reed that one already uses for this, it's fit **kekli shemelachto le'isur**, and one can only use it **letzorekh gufo umekomo**, because one doesn't take down olives on Shabbos. That's the law. One may use it for its own use and its place.

It says that a reed that one doesn't use for olives, is permitted to make with it its body. One uses it for nothing, it's not a vessel, it's just a piece of wood. If one uses it for olives, it becomes a vessel. The Rambam doesn't explain what this becomes toras keli. It's an interesting thing. He says it over as "im yesh alav", or one has already used it once, or... One needs to know, if one has used it, that it needs to already have

enough support, it needs to be able to do an action with it. He doesn't say. But the next one he does say more.

### **Kaneh Shehetkinoh Ba'al Habayis Lisov Pesach Man'ul Bo**

"**Kaneh shehetkinoh ba'al habayis**" - a reed is... yes, the same thing. Reed, yes, reed, another reed. The straw that one can use like a lock, to insert in the bolt. "**Shehetkinoh ba'al habayis lisov pesach man'ul bo**", to stick in the bolt to close the door, "**im yesh alav toras keli oh lav**" - if it has upon it a toras keli. Simply, that the ba'al habayis has placed it lisov pesach man'ul bo, doesn't yet make it a toras keli. If not, one wouldn't be allowed to... He says however not what. "**Harei hu kekli shemelachto le'issur**". He needs to prepare it, I don't know, he needs to make it nice, or paint, something he needs to do.

#### **Discussion: Pose'ach Venoe'l Bo - Moving or Use?**

**Speaker 2:** Simply, to lock one goes because one may, even when it's forbidden in moving one will be allowed to lock. Because it's also learned by a door, that a door one may not move, it means that one may not close the door.

### **Laws of Shabbat: Moving Vessels and Muktzeh - Additional Details**

#### **Law 11: A Door with a Hinge (Continued)**

**Speaker 1:** Yes, when it's still in the door. But a kaneh shehetiknu (a reed that was prepared) seemingly means that nothing was done to it. It just lies there.

**Speaker 2:** It lies there, very good. So if one may not move it, one may not. I don't know if that's called moving it. Moving seemingly means that one may not handle it around, but to open a door like that or... a window is forbidden to move, but one may open the window on Shabbat. A window is forbidden to move when it falls off.

**Speaker 1:** Right, simple. But on the hinge, that's not called carrying, when one opens it on the hinge, on the spot it's because... But I think it lies there next to the door, not that it lies in the door.

**Speaker 2:** But Rabbi, that's a question of the reality.

#### **What Does "Torat Keli" Mean?**

**Speaker 1:** But the Tiferet Yisrael - the Rambam doesn't explain what "im yesh alav torat keli" (if it has the status of a vessel) means. I have to ask you for a second. The point is, the Maggid Mishneh, there's a dispute about what torat keli means. The Maggid Mishneh in the previous chapter about the metzachan, one should look there. It could be that the Tosafot say that it means it must be suitable for another use, one must be able to use it. That's how I think the Maggid Mishneh brings it in the previous chapter. One must be able to do something else with it. That's how the Maggid Mishneh brings it there. Others say that one must be able to do some action, one must make some scratch in the reed, that means, when one uses it for a lock it still doesn't make it a vessel. That's certainly not enough, because that means "there's no nullification of torat keli." The Gemara is also clear that there's perhaps an opinion that says it's enough, but no.

But I'm right that the question isn't whether one may be pote'ach venoe'l bo (open and close with it), but whether one may use it as a keli shemelachto le'issur (a vessel whose primary function is for a forbidden purpose) for other things. Because pote'ach venoe'l bo would seemingly be like letzorek

gufo umekomo (for its own use and place) which one may do just like that.

**Speaker 2:** Ah, that's what you wanted to mix. Because if it's gufo one wouldn't be allowed to do anything. On the door, that's not called moving, that's what I think. Like I'm telling you, a door that was...

**Speaker 1:** Okay, that's in reality. It's not clear what he means at all with "she'eino pote'ach venoe'l bo." Perhaps he means that it's with the latch also a door, or as you said, with the closed one.

**Speaker 2:** No, pote'ach venoe'l bo there are two... You put it in place of a lock.

**Speaker 1:** What do you mean in place of a lock? Like a bolt?

**Speaker 2:** A bolt. A hook isn't strong enough. You can put in anything.

**Speaker 1:** No, it holds together the two, you can put a rope, it holds together the two. In the hole where you can put in a lock, you put in the hook. Perhaps there once was such a thing. That itself didn't yet make the thing into a vessel. Even if one uses it for something, one still needs to have something more for it to become a vessel.

It's not clear to me what it means. I see that not everyone is clear what he means.

#### **A Door That Has a Hinge / That Doesn't Have a Hinge**

Okay. **Delet sheyesh lah tzir**. A door that has a hinge, that has a... it has a hinge. A hinge. But not a modern hinge, he only means such a stick that sticks down, that's what I think. **Even if it doesn't currently have a hinge**, even if now it doesn't have a hinge, but the door still remains there, **she'eino pote'ach venoe'l bo bemakam muktzeh**. She'eino pote'ach venoe'l bo bemakam is muktzeh.

**Speaker 2:** No, she'eino pote'ach venoe'l bo bemakam muktzeh. If the door... ah, one placed it in a muktzeh place? One placed it by the... by the doors, a door.

**Speaker 1:** So, the door is for a place that isn't a place to use, that's what I think. Makom muktzeh means not a place that one uses regularly, then it's not there to use. The word muktzeh here doesn't mean muktzeh because of the prohibition of moving. A place that is muktzeh mida'atcha, that you don't use. But in today's language, perhaps in the Piskei Teshuvot, in the Rema, never. No. Muktzeh has always been set aside.

Harei hiktzah otan meletaltelam (behold he set them aside from moving) previously, he made them muktzeh, and therefore it's forbidden. Muktzeh is something people do, not something the Torah does.

**A door that doesn't have a hinge, and even though it's not standing for a hinge**, now it doesn't have a hinge. **She'eino pote'ach venoe'l bo bemakam muktzeh**, he placed it not by a place where people go, but somewhere like in the, I don't know, in the courtyard he has a place.

### **Door, Bolt, and Segmented Lamp — Signs Indicating Torat Keli**

#### **A Door That Had a Hinge — Doors, Thorns, and Mats**

**Speaker 1:**

No, muktzeh always means set aside. Harei hiktzah otan meletaltelam previously, he made them muktzeh, and

therefore they're forbidden. Muktzeh is something a person does, not something the Torah does.

**A door that had a hinge, and even though it doesn't have a hinge now**, now it doesn't have a hinge. **Shehinichah lesham bemakam muktzeh**, one placed it not by a door, by a place where people go, but somewhere in the, I don't know, in the courtyards, in a place where the merchandise stands. **Harei hi kere'ash she'ein alav issur klal**, and now it doesn't have a hinge. So now, how does one use it now? Now it's a door that one lifts up and places it there where one needs to block an open... one uses it now to block a doorway. Yes? A door, yes, the door that became disconnected, and now one lifts it up and places it by the empty hole of the door.

Okay. So, **vechen**, he's going to say what the law is. Until now he told the story. **Vechen charakim shesotemim bahem hapertzah**, pieces of wood that... kotzim, one knows that he has thorny pieces of wood, and there's a breach in, let's say, in the gate of his garden, he places there thorny pieces as a door, as a window, as a door to close the breach, so that one shouldn't be able to enter there. **Vechen machtzelet hanigeret**, a mat that one drags on the ground in order to block an open place, to block a window or whatever.

So, all these things, **bizman shehem keshurot utluoyot bakotel**, when it's tied and hangs on the wall, **sotemim bahen**, one may block with them, because the fact that it's tied to the... near the door or near the open window, it's tied, makes the tying show that this is a door that's used. **Ve'im lav**, if it's not tied, but you're just now going to drag a large piece of wood to make a door, **ein sotemim bahen**, one may not block with it. This is all when it lies on the floor. If it was connected to the ground, if it lies having been hung connected to the ground is yes a sign, it's very clear that this was made and it lies here to block the window or the door, then in all cases one may use it to block the door.

Okay.

**Speaker 2:**

Right?

**Speaker 1:**

Yes.

**Discussion: What Is the Matter of Makom Muktzeh Specifically?**

**Speaker 2:**

What is the matter of makom muktzeh specifically? Does it mean if it weren't lying in a makom muktzeh it would be permitted because one uses it for a place that isn't muktzeh?

**Speaker 1:**

It seems so, yes.

Okay, interesting. Further, door, the whole problem is that it's not the door that's muktzeh, because you have a normal door, there you go in and out, can you say that the door is muktzeh because it's not tied? It's made for that.

**A Door That Is a Single Board**

**Speaker 1:**

**Delet shehi lu'ach echad**, a door that isn't assembled from many pieces of wood nailed together, but it's a lu'ach echad, a large piece of wood, **sheshomet veno'el bo**, one removes it

from the empty space of the chalal hapetach and places it back to the chalal hapetach.

So, **im lo hayah lo lematah ken kemo askufah**, if it doesn't have below something an extra piece of wood on which it rests so the door will lie comfortably, kemo askufah, just as an askufah is the threshold of the door, the thing that lies below the door where one steps up, **shehemachzik alav shelo yipol milino'el ein no'alim bo**. I mean below, so the door should remain standing it has from below like a stand, so when one places it over it shouldn't fall down. From below it's thick and then it's narrower, and that shows, that piece shows that it's a door, not a door, that makes it into a vessel that one uses to block doors.

**Discussion: Where Does the Askufah Lie?**

**Speaker 2:**

So the askufah is on the door or on the door, on the opening?

**Speaker 1:**

No, ken kemo askufah. It has below, the door is a piece of wood, but below it has a wider one so it will lie well.

**Speaker 2:**

I understand what you mean, I'm asking you, that lies on the door, on the board?

**Speaker 1:**

Below the door there's a wider board. It's a narrow board and below there's a wider board. To hold strongly. If it doesn't have such a thing it's forbidden to use. If it has such a thing one can, one may, because that shows it's a vessel. But if it doesn't have that thing it's not a vessel and it's forbidden to use.

**A Bolt That Has a Glustra at Its Head**

**Speaker 1:**

**Vechen neger sheyesh berosho glustra**, a neger is a piece of iron, let's say a piece of metal that one wants to use to make instead of a lock, just as a lock is a piece of iron that makes the two pieces of the door and the wall hold together, yes, so one can't open it, such a sort of thing. So if it has berosho glustra, if on top it has a thicker piece, we don't have a picture here, but on top, glustra simply means on top it's thick, on top there's a ball, which makes it not fall out, like a... in short, you need to be able to explain, yes, so, such a piece of wood one uses to block the door, which this is yimchah al shloshah keli muchon le'olah, veheinu korin geshar gois, not just a piece of wood, let's say he takes a piece of wood and he puts it in to block the door. If higher the wood has such a thick piece, because you know it's not just a piece of wood, but it's made comfortably so one can block the door, then it's forbidden to use on Shabbat. But if it doesn't have the glustra, it means just like you take a piece of wood, and that one may not do, because it's not made for a vessel, because it was muktzeh because of its body.

**Discussion: A Practical Story with a Neger**

**Speaker 2:**

So I have such a piece by my back door, by the wide door, you know what it means? Such a piece of wood that one places, one sticks in, so one can't open it, yes, it's like a lock. One must do something with it on Yom Tov.

**Speaker 1:**

You should see, look, I'll tell you the advice. What happens with a neger she'ein berosho glustra, and how can one use it? **Im hayah kashur vetaluy badelet**, if it's tied and hangs by

the door, then further one knows that this is made for the door, and it's forbidden to use one may block. It's a bit interesting the language, he doesn't say here the word vessel, he says that even if it doesn't become a vessel it's forbidden to use, because it hangs. What's the word? What's designated for the thing? But it means taking away from there and using for other things. It didn't now become a vessel that it's called a vessel, it didn't receive torat keli. Things that have torat keli one may use also for other things. He only says it's forbidden to use, one may use it here on the door.

**Vechen im hayah dakar ve'igudo imo.** Let's say it's tied, but when one ties it it comes with it.

**Speaker 2:**

Aha.

**Speaker 1:**

Then one may use it. **Aval im hayah igudo kavu'a badelet, vehayah haneger nishmat kemavoy korah**, so, the igud, when one puts in the korah one gives it a bind with something an igud. If the igud is by the door, but the neger comes out completely, **mani'cho bezaviyot vechozer veno'el bo besha'ah sheyirtzeh, harei zeh asur lino'el bo, she'ein alav torat keli, veharei hu agad, veharei hu ke'afar ha'aretz**. When it has with it the rope, the rope that connects it with the door, and it shows that it's a part of the door, then one may take it. But if it doesn't have the piece, one may not.

**Discussion: How Does One Find a Heter Today?**

**Speaker 2:**

Interesting. One must find some other heter. Perhaps if one paints it. I mean, what's the glustra? It's something that's noticeable, right? That's the main thing. It's not something that's functional specifically. It says quite specifically which kind of noticeable. It doesn't just say noticeable. There was a custom, as the Rambam brings, to make a glustra on something that's made for that, or to tie it. This is all dependent on custom, no?

**Speaker 1:**

It says so, it's all very specific, but very specific within a context. There are three types of negerim that one uses to block doors. This one may, this one may not. But you're saying that someone wants to take the thing and use it for wood, it's not a neger and it's not a glustra. You need to find it in today's language.

But yes, one blocks a door with a piece of wood. But just taking out a piece of wood that you've now found one certainly may not. If it's designated for that, you need to know if it's correct. It means like kavu'a vetaluy. It says kashur vetaluy. It's not enough. It must be something permanent. Or it's a glustra. If it's a glustra, it's recognizable. It's, one sees that it's exactly, let's say, it's exactly cut, exact size for my door. You can say that in modern times, when no wood is rolling around, just like that, there lies a piece of wood right next to it, and the whole reality is when everywhere pieces of pottery and pieces of wood are rolling around. If a person doesn't just have such a piece of wood next to it, but for that, perhaps one needs to have a custom. One needs to know... yes.

Alright.

**A Segmented Lamp**

**Speaker 1:**

Another thing. **Menorah shel chulyot**. A lamp that's assembled from pieces. Yes, what's the holy menorah shel chulyot that's about? Ah, no, that one is the tana shel hachanvani. Yes, one needs to have such a sort of thing, something that's assembled from pieces. Chulyot is the chulyot shebeshidrah. Yes, the spine was also assembled with the trick of pieces, of extra bones that the Almighty assembled into one long spine. Yes.

So **bein gedolah bein ketanah, ein metaltelim otah**. Why? **Shema yachzirenah beShabbat**. It's assembled from pieces, and assembling the pieces on Shabbat is boneh, boneh de'oraita or boneh derabanan? Yes, yes, we learned about this. It's called boneh. So one may not use it even not to be boneh, one may not use it, not move it for other things. A Gemara says a keli shemelachto le'issur, perhaps one would have been able to use it letzorek gufo umekomo, but there's a new decree, not because of regular laws of moving, but as we learned before because of boneh, so there's here shema yachzirenah beShabbat.

**A Lamp That Looks Like It Has Segments**

**Speaker 1:**

**Hayu bah chakukim**, if the menorah shel chulyot is there, which the lamp is a large lamp, **hayu bah chakukim** which has scratches, **venir'it kebat chulyot**, that means it's not actually assembled from segments, but it looks like segments, **im gedolah unitilatah kashah, asur letaltelah**, because it's too big. It's not called a vessel, because it's something that when it's very large one can't use it as a vessel. Just as we learned before about this because of its weight on the wooden vessels, one doesn't use it. **Ve'im hi ketanah mizo**, if it's smaller than the one taken with two hands, because then one never uses it like a vessel, one only uses it as a lamp. Just as we learned before by the vessels of wood, because of its weight one never uses it.

**Discussion: Two Separate Problems**

**Speaker 2:**

The whole problem of the menorah shel chulyot is shema yavo livnot, right?

**Speaker 1:**

No, but now he's saying a new thing. Even when there isn't the concern of shema yavo livnot, there's a new thing, that a lamp that is either it's assembled from many pieces or it's very large...

**Speaker 2:**

No, if it's not made from chulyot, but it's chadashim.

**Speaker 1:**

Previous... again. A menorah shel chulyot there's no difference if it's small or large, because you can actually hold it. However if it's not truly shel chulyot, but it appears as if it has chulyot, because one didn't want... why doesn't one use large lamps? A new one wouldn't have needed to come to the whole chulyot before. Such a new one is a large lamp one may not use. No, he's explaining something that when there is...

**Laws of Shabbat: Moving Vessels and Muktzeh - Additional Details**

**Law 11: Segmented Lamp (Continued)**

**Speaker 1:** No, it's not assembled from pieces, but it has scratches.

Previous... again. A menorah shel chulyot there's no difference if it's small or large, because it could be that it's actually holdable.

### **Details in the Laws of Muktzeh: Muktzeh in Foods, Graf Shel Re'i, and Clearing Storage**

#### **Muktzeh in Foods on Shabbos**

**Speaker 1:** If it's not truly made of joints, but appears as if it has joints, a fake joints vessel, then there is a distinction between large and small. Why? Because one doesn't use large menorahs.

A new law - then one wouldn't have needed to come to the whole joints issue earlier. It's a new law that a large menorah is not permitted.

**Speaker 2:** No, he explains something that when it has the thin parts, it looks like the homeowner is concerned, but if it's large, no one will think otherwise, everyone will think it's a menorah with joints. If it's small, why? I don't know.

One must know the reality of the menorah. A menorah with joints, it sits in the house not like a vessel but like... I don't know. Okay.

#### **Law 12: A Shoe Last on Top of a Shoemaker's Block**

**Speaker 1:** A shoe last on top of a shoemaker's block. A block is a vessel on which one places shoes, one places the leather on it and on it one forms the shoes or whatever.

**May one move it on Shabbos** — may one drag off the shoes, remove the shoes from the block on Shabbos.

Why shouldn't one be allowed? Because... one actually may. Why shouldn't one be allowed?

**Speaker 2:** Does he mean here the first time when the shoe is now being finished?

**Speaker 1:** No, we're now talking about the laws of moving, apparently. We already saw in the Rambam's introduction in chapter 23 that one of the reasons for the prohibition of moving is that a keli shemelachto le'issur, it's used to do a prohibition.

It's not so strange that in the laws of moving one does all kinds of things that involve building and the like, right?

**Speaker 2:** Right.

#### **The Explanation: Keli Shemelachto Le'issur**

**Speaker 1:** It could be that the matter is as follows: the block is a keli shemelachto le'issur, yes, it's a vessel that one uses to make shoes, it's something with which one does one of the 39 melachos of processing leather or whatever.

So when he removes the shoes, he moves the block a bit. But since he doesn't intend it, he's not touching it, he's primarily engaged with his shoe, he may drag it along, he may drag it off even though he has on it, he's doing something with it...

But dragging along is a different matter. Dragging it off, not lifting up the block and already saying. If one can drag it off from the block without making extra movements on the block, one may.

But he says something else entirely, he says that the block is called a keli shemelachto le'issur, and therefore one may. Not that it's like muktzeh machmas gufo or machmas chesron kis, but it always lies there, and therefore one may only because you're not touching the block, you're only touching the shoe.

He says that therefore one may touch the block to remove the shoe.

#### **A Press of Homeowners**

**A press** — a press of homeowners, a press that people have at home to straighten clothing, to iron clothing.

**One may loosen** — one may loosen the press in order to remove. That is, one places for example two pieces of wood, one places one on the other, and one fastens them together with something, one may open whatever holds them together, so that one can remove the vessel.

But one may not do the opposite, one may not put down the press, because it's a tikkun keli, yes, it's ironing the garments. One may not be busy on Shabbos making the garments better. It's not a Torah prohibition, but it's something of a rabbinic prohibition of fixing vessels.

**Speaker 2:** Perhaps he's fixing the press?

**Speaker 1:** No, fixing the garments, in that he's putting them into the press. He's now ironing a garment, he's straightening out a garment.

**Speaker 2:** According to my previous learning, one may not even fold it.

**Speaker 1:** Right, so perhaps we're talking about there being no garments in it perhaps?

**Speaker 2:** Perhaps we're talking about there being no garments?

**Speaker 1:** No, no, he says "one may loosen." The permission is the loosening, that you may remove a garment, even though it's lying there, because there's no such thing that it's muktzeh because it's now lying in the press.

#### **A Press of Launderers**

And this is discussed regarding a press of homeowners, a weak press. But **of launderers** — a large major press that belongs to the washers, **it is muktzeh machmas chesron kis**, because he doesn't use it, he only uses it, he protects it, he sees that it's an expensive machine, he only uses it for the prohibited matter, he doesn't use it for anything else, and then one may not open it at all, not even to free garments from it.

#### **Bundles of Wool**

**Similarly bundles of wool** — pieces of wool, **that are set aside to hang them, to place them, he's particular about them** — he's particular to keep them for when he'll need to use them for a garment.

**Therefore, if he designated them** — if he did designate them, that he won't use them later in his business, but they're designated for whatever one uses them for now, and apparently apparently for cushions.

#### **And Those Who Send Hides**

**And those who send hides** — that have been flayed, that will later be made into garments, yes, it's permitted for many days, whether in the possession of the homeowner, in the possession of the craftsman, when someone is particular about them.

We're probably talking here about small pieces of the hide, not the hide that will be used. Because the hide is not so sensitive. I think the decree is because it's a delicate thing that must be guarded. A hide is a hide. At most one will use it, one will be able to use it anyway afterward to make with it a... it won't... leather is presumably a stronger thing, so it makes sense, no?

**Speaker 2:** Yes. Okay.

### **Law 13: Graf Shel Re'i**

**Speaker 1:** Ah, now we're going to discover the thing we already saw earlier, what's called graf shel re'i. Yes?

**Speaker 2:** Yes.

**Speaker 1:** He says, **any disgusting thing** — a thing that is disgusting, **such as excrement, and vomit, and feces**, whatever these things mean, **and the like**, it is so.

Vomit also means feces, no? Feces of an animal is excrement? I mean perhaps feces of an animal. Vomit means that one throws up, feces is what comes out.

So it is, **if there is a courtyard** — if the person sitting in the courtyard, and the disgusting thing bothers them, we permitted **to take out to the garbage or to the bathroom**. A special permission, one may carry it out as one must carry it out.

And he doesn't just say to carry it out so it won't be near them, but one carries it, one may already carry it to the garbage or to the bathroom, **and this is called graf shel re'i**.

**And if there is another courtyard** — where one doesn't turn around, so one shouldn't... we didn't permit carrying it. But what then? **One covers them with a vessel so that children won't go out and get dirty with them**.

What advice he's giving me here, I have no strength for the advice. He already said earlier that one may cover with a vessel.

**Speaker 2:** True. Perhaps he means to say, as he brings, that there's a permission to drag the vessel. But actually, the Rambam implied earlier that one may not simply move a vessel unnecessarily at all, even... but in practice the vessel one may. The question is, true, we already learned earlier that one may.

### **Excrement on the Ground**

**Speaker 1: Excrement on the ground** — so **one treads back and forth**. He was ruled that he may not stand and show that he's engaged in removal, but while walking he may tread on it.

What's the matter? Because it's muktzeh? The excrement is muktzeh? Or it's perhaps some matter of leveling holes?

Ah, I think they already learned about this even, about leveling holes somewhere. If he's going to move stones, it looks like he's making holes level, but when he walks, even if he steps on it more than just walking, he does it more with intention, but this one may do.

### **Kanunya — A Vessel with Ashes**

**One may move the kanunya** — kanunya is a vessel on which one keeps ashes, this is the vessel that lies next to the oven, next to the furnace.

One may move **its ashes** — one needs the ash from it, and the ash is permitted to use, as we learned earlier about ash that was designated for indoor use.

**Even though there are wood chips in it** — there are also wood chips there, because it's a vessel used by the oven. Wood chips yes, are not fit for anything, muktzeh machmas gufo.

But one may use the kanunya, **because it is like graf shel re'i**. The entire kanunya is viewed as a graf shel re'i. He wants to carry away the ash. So even though the wood chips are

prohibited to move on their own, and not graf shel re'i, but because there's a part of it that is graf shel re'i, one may.

### **Discussion: Garbage and Graf Shel Re'i**

**Speaker 2:** So very good. So taking out garbage from home is apparently also, there are in the garbage things that are permitted, that are a vessel, there are things that are garbage, that are graf shel re'i, and there are things that are generally permitted, that should be such a graf shel re'i that is permitted.

**Speaker 1:** But, **one doesn't make graf shel re'i initially on Shabbos** — one doesn't make on Shabbos a place where there should be graf shel re'i. Right.

**Speaker 2:** So how may one put things in the garbage? It was already there. Right. Ah, because it happened by itself.

What does "one doesn't make" mean? One may not add to it, and one may not make a... I don't know. One must go to the bathroom initially. How does it become a vessel?

I think that... "one doesn't make" means like designating, like... that is, in other words, the permission is only after there is a graf shel re'i may you carry it out. As we learned earlier, that for example placing a vessel under a dirty place one doesn't do, because then that becomes a graf shel re'i, and one doesn't do it initially, right?

I understand that "one doesn't make graf shel re'i" one may not designate a vessel that it should become the graf shel re'i. One may not put into a vessel a disgusting thing.

**Speaker 1:** Right, to put into a vessel. One may use an abscess, one may not now take a vessel and designate it for abscess.

Okay. But in practice, from this it's mixed up, so it's certainly prohibited. So graf means the vessel. Graf is the translation of the shovel that he said until now.

Okay.

### **Law 14: Oil That Comes Out from Under the Beam**

**Speaker 1:** Fourteen?

**Speaker 2:** Yes.

**Speaker 1: Oil that comes out from under the beam.** Okay, now we're going to learn more laws about things that come out from the muktzeh, from the prepared, from the prepared. Now one can learn about the actual muktzeh. Actual muktzeh, yes.

A person has an olive press, and oil runs out on Shabbos from the olive press, which now we already learned in the seventh chapter, yes, one may place fruit on an olive press on Friday so it will run on Shabbos.

So the oil that came out from the olive press on Shabbos, is **with dates and almonds that are prepared for commerce** — in both cases one may eat on Shabbos.

By the way, when Shabbos came it was, it was holding in the middle of being pressed, or it was prepared for commerce, but one may eat it. It means, eating one may on Shabbos, but what may one move?

One may even eat the dates or almonds that were put away, it was apparently muktzeh, he didn't plan to eat on Shabbos, he changed his mind, he goes home, he may. We don't say it was muktzeh.

**Explanation: Oil That Comes Out Doesn't Mean Oil Being Pressed**

He adds that in the seventh chapter that we learned, is only if the olives were already completely crushed, but if one does the actual act of pressing on Shabbos, it's prohibited. As we learned in the seventh chapter.

So what it says here "oil that comes out" means it already started on Friday while it was still day, oil that comes out, not oil being pressed. Not now being pressed.

#### A Storehouse of Grain

**Even a storehouse of grain** — even if he has a storehouse of grain, it means grain that lies for storage, storage to sell, a storehouse of grain, or grain that lies piled for commerce, **people may sustain themselves with it on Shabbos**. One may on Shabbos even if he wants to eat.

#### The Principle: There Is No Food That Is Muktzeh on Shabbos at All

He goes on, the Rambam says the principle on both these laws, **that there is no food that is muktzeh on Shabbos at all, but everything is prepared**. Regarding food we don't say that it's yes fit, it's not fit, it's for commerce, it's not for commerce. Apparently, every food a person can eat. Every food one looks at and says it's fit for eating. Except, except...

#### The Exception: Dried Figs and Raisins in Storage

Except, except, says the Rambam, there are things that are not, **except for dried figs and raisins in storage, that when they're drying them**, dried figs and raisins that were put away to dry for commerce, **when they're drying them they're not fit**, why? **Since they're putrid in the meantime**, in the meantime while it's becoming fit it's putrid, **and they're not fit for eating**, so it's prohibited on Shabbos, not because it's putrid, but because of muktzeh, because the only time it will become permitted is when it's already...

Sometimes, the large raisins that he wants to sell, in the meantime... no, it says "in storage." In storage means put away, muktzeh means put away. It's put away, he doesn't plan to eat it now, he plans to dry it. So since until it becomes fit it's strongly in his mind, because it's putrid... it's putrid, it's not fit for eating. But if he... it's food, if he wants to eat the stinking... what does "not fit" mean? All food is called edible food, but something that's really not edible food is yes prohibited.

Exactly, and this is Shabbos. Yom Tov we'll see, Yom Tov yes it's prohibited to eat food that is muktzeh, not all that is muktzeh, but on Shabbos there's no such thing as food that is muktzeh, except for the one exception of raisins and dried figs, things where one dries out the fruit. Also an egg that came out on Shabbos is food that is muktzeh, we learned this earlier about the vessel under the egg. An egg that came out on Shabbos, it's not called muktzeh, but nolad, nolad is muktzeh on Shabbos. Muktzeh means a thing that is put away.

#### A Barrel That Was Uncovered and a Watermelon That Broke

Further, **vinegar that was uncovered**, there is a law of uncovering, that a drink that was open there is a concern, in the Gemara there is a concern one may not eat because we're afraid that a snake put in its poison. The same thing **a watermelon that broke**, a melon that broke, also has this law of uncovering, because a watermelon is also made from fruits, from liquid, and for eating, if you go up... one can see that something is there. But in a drink, no, the watermelon

opened, and a watermelon is ninety percent of it water, does it have the same law as a drink that must have uncovering.

So it is, so now it's not fit for eating, because one may not eat it due to danger. So the question is does it now mean prohibited to move because it's not fit for eating? So the law there, even though it's not fit for eating, **one takes it and places it in a hidden place** one may go and put it away. That is, apparently, why? Because the same law that food is always prepared. Why did it become not fit for eating? Is it perhaps like raisins and dried figs? No. Perhaps because it's a danger one may? Because it's a thing that one refrains from eating. I don't believe the matter here is about danger, because for danger one presumably may anyway, even when it was muktzeh one could have put it away for danger. It seems it didn't become truly prohibited to move.

#### Discussion: The Meaning of "Like One Goes Out With It"

Not clear. Okay. **And like one goes out with it**, let's see. What is "like one goes out with it"? Let's see. It means "like one goes out with it," similar to this. What is similar? Similar to this, **like a garment not made by an expert**. One may not go out with it, one may not carry on Shabbos. It's prohibited in carrying out, yes. That is like a garment that one makes not like an expert's work, one may move it. It didn't become prohibited to move. It still has a permission, one can use it for I don't know what. What is the connection to "like one goes out with it"? I don't understand my question. What does "like one goes out with it" mean? He's trying to say such an explanation, that although one will no longer be able to use the watermelon for the usual thing, watermelon made to eat, now one can no longer use it for eating. The same thing a vessel that is made to go out with, you can't go out with it. But in both cases we don't say that because one can't do with it the type of purpose for which it was made it becomes prohibited to move, because one can still do something with it. One will still be able to use the shards, or one could have given it to eat to an animal, to someone for whom it's not prohibited in benefit, or the watermelon one could still do something with the peel from it. The same thing a vessel that has no expert, that's how he translates it.

Or perhaps you would say that you shouldn't think it's forbidden to move something that's a revelation because it's so dangerous? No, it's not so dangerous. No.

#### The Remaining Oil from a Candle

**The remaining oil from a candle in a bowl that was lit on Motzaei Shabbos**, the leftover from the candle or from the bowl that was lit on that Shabbos, even after it has been extinguished, no, **it is forbidden to use it on Motzaei Shabbos**. One may not use it. Certainly, while it was burning one was careful that one may not extinguish it. One may not use the candle, the oil, the remaining oil on Shabbos, **and since it was set aside because of a prohibition**, it became muktzeh because of a prohibition. The Rambam has already enumerated a muktzeh because of a prohibition, a candle, on Yom Tov one may not move it on Shabbos or take from it because of extinguishing, it remains muktzeh because of a prohibition. I am here until today.

#### A Storehouse of Grain / Barrels of Wine

11. **A storehouse of grain**, a storehouse of grain **or barrels of wine**, storehouse means there where one puts away the larger amounts of grain or wine that one doesn't use for a

whole time, one puts away, usually it means for commerce. But on Yom Tov such a thing would be a problem of muktzeh, because on Yom Tov anything that a person is not ready to use becomes muktzeh automatically. But Shabbos, it's not forbidden in moving even if it's not prepared to eat, because on Shabbos there isn't the muktzeh like Yom Tov. The Rambam says, **even though it is permitted to use from it**, by the way, that one may go on top of it, **but it is forbidden to begin emptying it except for a matter of mitzvah**. One may not begin the great work of emptying the entire storehouse except for a matter of mitzvah. He says that for example the matter of mitzvah is **in order to clear it for hospitality of guests, or to establish in it a beis hamidrash**. He translates, he brings both, Torah and chesed. Two mitzvos that one might want to do with such a thing. To begin the work one may not because of exertion, just as the Rambam has said that one doesn't do on Shabbos things that are exertion, but from the essence of the law one may use it.

#### How One Clears the Storehouse

The Rambam says, **"And when they clear it, even though it's a matter of mitzvah, they should not do it in a way that one or two do everything, lest they exert themselves greatly on Shabbos, rather each and every one clears four or five boxes until they finish."** Each one takes a few times until they finish.

It's interesting, we had the same thing also by the fire and by the barrel that broke, that when each person does a little work, it means less work than when one person does it. Even though one might think, ten people should exert themselves is perhaps worse than two people should exert themselves, but the two people did truly work hard. It's different that each person should work a little hard.

There it was more a decree, one may not each person more than... ah, there it was "bal al mamono", not more than the need. There it was that the other people don't count toward the need. It could be that here it's also as if so. A large crowd comes, and each person makes himself space for his seat where he will sit, not that one person, the gabbai... One can learn, it's a storehouse of a beis hamidrash, it helps for each person.

#### Discussion: A Practical Application

I thought, after the meal there is the ezras nashim where the mother stands and cleans up the entire meal. He says, no one goes in with empty hands, each person takes in a few plates. This is the right way, because working on Shabbos is hard, you don't want the mother to work now. It must be five, each person must work five.

#### Discussion: Are Four-Five Boxes Specifically?

But the four five boxes is that specifically? I mean, it depends on the amount. It could sometimes be that each person must take out thirty, if it's a very large storehouse. It doesn't say here that it has to do with a measure of a storehouse. It's interesting that the Rambam says four five. The number is a weird number. It's like the Rambam is going to make an assumption how many people there are and how much storehouse there is.

#### Speaker 2:

I mean like this, because if it's a very large storehouse, they won't do the deed. Why? No, because it's according to the size. One clears according to the guests. One doesn't just empty the

entire thing, because perhaps three people need for their measure. Each person clears space. One is clearing space. I mean that the point shouldn't be that the storehouse should be completely empty. That the room should have enough space for how much one needs. That's what you mean only? Immediately one saw that there's a question, one may not sweep out either.

#### Speaker 1:

And yes, okay, and it seems to you, sweeping one may not, but one may take out all the boxes. One doesn't say only take out how much space you need. He wants it should be now a nice shul, he wants it should be a nice room for a guest. He takes out everything. It seems one may do that also. But it's a bit interesting to me that the Rama means to say four five. He means to say that not only one time may one tell him to carry out, to walk in with full hands with boxes, but he may even go a few times. He doesn't say. Four five means... again, it's perhaps takes one time or two times to take out the four the five. Because it's also... I don't know how big the boxes are, yes. A box is a size, there is a size. A box of vermin, a box of grain. There lies there a storehouse, it's boxes of whatever. No, yes, it's interesting, because if it's a huge storehouse and he has only three people, each person will need to take out a hundred boxes, and it doesn't say that it will be forbidden. But I don't believe one does so. I believe one does more... how is it called... it's according to the size how much need one has. It makes approximately sense that each person... each person is after all each person from the guests or from the students who come to learn in shul. So I don't see so... what do you say?

#### The Concern of "Leveling Pits"

#### Speaker 2:

So in 101 it was yes written about this. It was written... it was yes written that one may not empty the entire storehouse. It was written that if he goes, "he should not finish the entire storehouse". He says so, on Shabbos when one needs for a matter of mitzvah one may, but "he should not finish the entire storehouse lest he come to level pits". One should not empty the entire thing. It's interesting, because this looks like he should only not sweep, but like emptying the entire thing one may yes. But in 101 beginning, just like he says utensils, the first thing he says about utensils he says that one should not empty the entire thing "lest he come to level pits".

#### Speaker 1:

Now, isn't it for a need of mitzvah? No, he says yes, yes, yes, need of mitzvah. Otherwise one may not go in at all. He says, even when one does it because one wants... for a matter of mitzvah such as guests or beis hamidrash, "he should not finish the entire storehouse lest he come to level pits". Ah, it's interesting. He says there also that "he should not finish all the wood" means the one person, it could be that there also he's hinting "he should not finish", only a few people should do it together, because here he says yes "until they finish".

### Chapter 26: Details in the Laws of Moving – Continuation of Law 15 and Law 16

#### Continuation of Law 15 – Clearing the Storehouse on Shabbos

#### Discussion: Is the Prohibition Exertion or Leveling Pits?

**Speaker 1:** Isn't that for a need of mitzvah?

**Speaker 2:** No, he says yes, yes, yes, it's yes a need of mitzvah. So then it's not relevant at all.

**Speaker 1:** No, he says, even when one does it because one wants to do a matter of mitzvah, such as guests or beis hamidrash, **"and he should not finish the entire storehouse lest he come to leveling pits"**.

Ah, it's interesting, there he also says that "he should not finish the entire storehouse" means the one person. There he's also hinting, "he should not finish", only a few people should do it together. Because here he says yes "until they finish". The permission of a few people was written there. But the prohibition was written with such a singular language, the one person should not finish the entire thing. And here he says, only each person should take a little "until they finish". There he says, one person should not do, "he should not finish", and here he says, only each person should do a little "until they finish".

It's interesting, because he says the same law, and he says it in two slightly different languages. It's a contradiction. Here stands the same law. He says after all that it's a contradiction.

**Speaker 2:** No, because there he says that one person should not do the entire thing at once.

**Speaker 1:** No, it doesn't say that. Do me a favor, one can't say the idea here. "He should not finish the entire storehouse" – the person, the one person, should not do the entire storehouse "lest he come to leveling pits".

I heard in Steinernem, that also is very... what is? I don't know. It also comes out differently, that the reason why he wants a few people to do it and not one, is not because of exertion, but because there is a concern of breaking pits. Well, it's clear, when one person carries the entire storehouse he will want to do it perfectly, he will want when he finishes, it should also make a breaking of pits. As opposed to a few people, they will have other permissions.

**"And He Should Not Strike the Floor of the Storehouse"**

Let's perhaps clarify the further. **"And he should not strike the floor of the storehouse"** – when one finishes emptying the storehouse, one should not dig out the floor, **"as we explained"**. We learned after all that one may dig out. It was written that striking is a leniency in melachos for permission. But a storehouse, usually is a sandy floor, so if one goes there to dig out there is yes a concern of breaking pits. "As we explained" means exactly what he already said, that one may not clear the pile of stones. You can't make a contradiction. You must say that what it says "to clear the pile of stones" means "not to strike", or vice versa.

And here he says after all "until they finish". He himself points to "as we explained". The Riv, the Riv, that sweeping out such a storehouse is a breaking of pits apparently.

**Speaker 2:** No, I don't believe. Rather, only what does he do yes?

**Speaker 1:** Rather, let's go how I think. But one speaks already when there's already no storehouse. So now one speaks already of the sand. The simple meaning is, in the house one may sweep, because the house is small. Here one should not sweep out because it's a breaking of pits, but he wants yes to make a bit level the sand, one may do it in the manner of one who enters and exits in it, and makes in it a path with his feet in his entering and in his exiting. He may yes tread out somewhat a path in the dirty floor or the sandy floor.

**Speaker 2:** No, I don't agree. It must be that he means to say that he leaves a little over, and in what remains over he makes a path with his feet, not sweeping.

**Speaker 1:** But you can't say that the Rambam contradicts himself in one law. He points to it, he didn't forget. He explained this to you, and I'm giving you now a permission. Let's say clearly, here stands certainly two permissions that weren't written there. True? There it was written one may not clear except for a need of mitzvah, it wasn't written the permission that each person should take four-five boxes. Second, there it was written one may not finish, and here there is yes a permission how to finish. So two permissions were added here: one permission of five boxes each person, a second permission is one may yes sweep so in passing, in the manner of entering and exiting.

**The Mishneh Commentary of the Rambam**

So he brings it himself in the Mishneh Commentary. The Mishneh Commentary says the Rambam, that if the person goes himself to take out the entire storehouse, even during the work, I'm afraid that when the sun will rise he will see that the floor is not level, he will make a breaking of pits. Yes, but as opposed to when a few people are together, there is a bit less the concern, because he won't forget. And now he says, even so one should but yes deal with afterwards, one should also not do actually sweeping, even when there isn't the concern. The simple meaning is, when several people do it together, there's fear that he will actually make a breaking of pits.

**Speaker 2:** But it doesn't say here the distinction you're saying, and also not, I didn't look in the Mishneh Commentary, but I don't hear from what you're bringing me that there isn't a concern of a breaking of pits by a few people.

**Speaker 1:** You see that there is yes, there's only the permission. There are two permissions that became new here. Right? It would be a novelty to me that the permission is specifically when it's a few people. Here it says at all that one may not alone. Yes?

**Speaker 2:** Right. I brought that perhaps when it says earlier that one person may completely, that's the contradiction, right? Earlier it implies that one person may completely, perhaps it speaks when there aren't people, then one may yes one person completely.

**Speaker 1:** No, he must not finish. He asks after all, but he may the entire, almost almost the entire? Here it doesn't say that he may almost the entire alone. Right? Here stands a greater stringency. Here it doesn't say that he may almost the entire alone, here it says that he must call the people to do it.

**Summary: The Main Point is the Concern of Leveling Pits**

Okay, so let's again make a bit of order in my head. So the matter of the prohibition of storehouse is not exertion, the whole thing is the problem of leveling pits. And therefore one was only permitted for a matter of mitzvah one was permitted, and even then there's still always a concern of leveling pits. The concern goes away with what one says that one should not do it alone. Yes? Let's say so, that a few people do it, it's not the matter of exertion, but the matter is so there isn't one person who he will now do a perfect job and he will also make leveling pits.

Only one says after all another thing, one must actually remember that when one finishes and one sweeps out or whatever one does, when it's not leveling pits, leveling pits

means that he will forget and actually stand with a shovel and dig. When he does yes whatever that one may yes, he should also be careful, because it's easy to make leveling pits, it's easy to make even when one doesn't have so actually to stand and dig. Because he does a bit more than making a path with his feet in a place that he needs, he's already leveling pits. So when he makes there a path, he's not leveling pits, he makes that it should be smooth so they should be able to walk, he doesn't mean the pit, he doesn't mean anything to smooth the floor.

#### Connection to Muktzeh

**Speaker 2:** I know, you've added a whole story that isn't written. What's another thing that I know for certain is that the chapter is laws of muktzeh, and here stands the permission of laws of muktzeh. And the Gemara says that what it says one clears four and five boxes is to exclude Rabbi Shimon. Rabbi Shimon held that there is muktzeh on Shabbos, and here stands a permission that there isn't muktzeh, even a storehouse one may clear only for a matter of mitzvah. On this permission there is the limitation that we don't know. So certainly there is a matter of a limitation of leveling pits, but it also seems that there is... another limitation of specifically four amos, that doesn't have with breaking vessels. It's very difficult the year round. I didn't see that it says in their commentary, no, I wouldn't have checked. Let's go further.

**Speaker 1:** No, that's written there, the distinction that one person has less breaking vessels.

**Speaker 2:** No, I don't know. I mean perhaps the author adds that, the stringent one. What if he brings that. But it's not difficult, the Rambam doesn't need to tell us that muktzeh is not forbidden, because we haven't yet seen that muktzeh should be forbidden on Shabbos.

**Speaker 1:** But standing that he proceeded with the assumption that muktzeh isn't there on Shabbos, he didn't say what the other one said.

**Speaker 2:** Rabbeinu, the chapter is after all muktzeh, there's no doubt that this stands here, just as the Gemara says that this is to exclude whoever says that there is muktzeh.

**Speaker 1:** Yes, but I understand how that comes in, because the word is not muktzeh, the word is things that are forbidden in moving. Here one forbade moving vessels because of a breaking of vessels, that's not to move all the boxes because perhaps it will come to a breaking of vessels. Only how the manner of moving should be, with a translation the condition that there are a few people is a condition in moving. Not yet is it a breaking of vessels, and moving the boxes. It can well come in here, even without the novelty of muktzeh.

**Speaker 2:** I don't understand here is muktzeh. A storehouse means muktzeh, but we know too well on Shabbos, there isn't the matter of muktzeh. Rather we say here a permission that there should be a storehouse to move. That one person can't one move all the boxes. Why because of a leveling of pits. But the prohibition is not a prohibition is a leveling of pits, the prohibition is on the dragging the boxes for that, it falls in here everything it's divided I know he. And us, how is it one with moving a storehouse? Load him on me. It means, it's certain that the explanation, the piece, lies here?

#### Chapter 26: Details in the Laws of Muktzeh – Handling Animal Food and Death on Shabbos

**Speaker 1:** You ask a question, that the Rambam, whenever he says something, remember that the Rambam is built on the

Gemara, and the Gemara states that this means to say that it's not outside of the Gemara. You know, the Gemara says that it's a dispute of Tannaim, so a Tanna holds an entire position, that when they shouldn't have time to learn, the Rabbis ask that the Rambam, that it doesn't fit his explanation in the Gemara. If one would learn the entire thing, they would only ask the Tannaim's explanation according to the Rambam, but meanwhile one learns that how the Rambam said it, they learn to look in the Gemaras, and it doesn't know completely.

**Speaker 2:** Oh, he says the words well, "even if he permits it for ordinary people." This says the words that there's no muktzeh. And afterwards he says, "forbidden" for other reasons. Forbidden to use in the world for beauty, because of the gentile customs or whatever it is.

Okay.

#### Halacha 16 – Things Fit for Animal Food

**Speaker 1:** Sixteen. Yud-alef.

Um, yud-alef. The Rambam says like this, "**Anything that is fit for food for domesticated animals, wild animals, and common birds**" - that are common. Not that hypothetically if there were a giraffe it would be suitable. Common doesn't mean frequent, it has to be an example that doesn't appear in the Rambam.

And one only moves what is not muktzeh. What does "fit" mean? Because it's not muktzeh. Such a thing would be muktzeh machmas gufo if it's not fit. But if it's fit for a certain domesticated animal, wild animal, or bird that is common, then it's not muktzeh machmas gufo, yes?

#### Examples of Things Fit for Animal Food

In short, he says, one may move **dry turmus**, dry turmus. We already had turmus, whatever it is, perhaps a type of bean. Yes, yes, yes. "**Because it is food for goats,**" because goats eat this. "**But not the moist ones,**" moist turmus even goats don't like to eat. Only people after it's cooked. We're not talking about cooked now, right?

**Speaker 2:** We're talking here apparently.

**Speaker 1:** "**Chutzav**" - have you already had chutzav?

**Speaker 2:** No.

**Speaker 1:** Ah, he says it's sugar from the sugar pieces. That means only the canes with which one makes sugar canes. "**Because it is food for deer,**" deer eat it. "**Mustard which is food for doves.**" The mustard is food for people too. They learned earlier about what one may and may not do with mustard.

But here we're talking about the raw. So basically, if someone wants to say it practically, he would say that it's like raw fish from the freezer or raw meat from the freezer, one may only if there are animals and domesticated animals in existence that eat this.

"**And bones that are food for dogs.**" "**All the peels and pits,**" all the peels and pits, all shells with kernels, "**that are fit for animal food,**" so all these things that are fit for animal food. "**And those that are not fit,**" that which is not fit for an animal, what does one do with this? So here is the section, he's talking here about the peels and pits, the explanation is the fruit itself he may eat, and now suddenly he finds himself with something in his hand.

## **Laws of Muktzeh: Peels and Pits, Spoiled Meat and Salted Fish, Uncommon Animals, Graf Shel Rei, and Bundles of Straw and Wood**

### **Halacha 17: Peels and Pits Fit for Animal Food**

**Speaker 1:**

**And so all the peels and pits that are fit for animal food, it is permitted to move them, and those that are not fit, he should eat the food and throw them behind him.**

And so all the peels and pits, all shells with kernels, that are fit for animal food, it is permitted to move them, what is fit for animal food. And those that are not fit, those that are not fit for an animal, what does one do with this?

So here is a section, he's talking here about the peels and pits, that means the fruit itself he may eat, and now suddenly he finds himself with something in his hand. He should eat the food and throw them behind him, he throws away the peels and pits behind him.

**Discussion: What Does "Throw Them Behind Him" Mean?**

**Speaker 1:**

What does he mean he should hold it as little as possible? As if at the moment it becomes available he should throw it away? Or does he mean he may not put it on a plate, but specifically behind him? Or is he speaking in present tense? You need to give a throw away.

**Speaker 2:**

What does a plate mean? The plate will be in front of him.

**Speaker 1:**

He may put it on a plate in front of him, but he may not carry it out as graf shel rei or what? So that it shouldn't become graf shel rei he may not, he must throw it out immediately?

Apparently what is the garbage, so it was once such. It's there where one doesn't eat. Today one pushes it under the carpet.

### **Halacha in Practice: Dirt from Eating**

**Speaker 1:**

It is forbidden to move them.

Ah, I must say what we learned earlier about the peels. It comes out in halacha that if one eats, when one eats there becomes dirt, or from peels of nuts, things that one eats, or just dirt, one may not move dirt directly lechatchila. This is clear. The Gemara in Shabbos states that one shakes it off, one clears it off. So today when one has a plastic tablecloth, one can take it off with the tablecloth. Or you have another solution, there is in the dispute of the Acharonim how much one is permitted on this.

### **Halacha 17 (continued): Spoiled Meat, Raw Meat, and Salted Fish**

**Speaker 1:**

**And one may move spoiled meat, which is food for wild animals.**

Tapuach means raw meat.

**Speaker 2:**

No, tapuach can't mean raw, because chai is raw. What is tapuach?

**Speaker 1:**

What is already spoiled?

**Speaker 2:**

Yes, basar tapuach that has already become swollen, it has become bloated because it's not fresh.

**Speaker 1:**

Which is food for wild animals.

**And one may move raw meat, whether unsalted or salted, which is fit for people.**

One can eat raw meat. Today it has some fancy name, it's called carpaccio.

**And so salted fish**, a salted fish is also permitted because people eat it. **But the unsalted**, a fish that hasn't yet been salted, **it is forbidden to move it, because it is not fit for people.** It's not fit for anyone.

### **Halacha 18: Animals That Are Not Common**

**Speaker 1:**

But it's not so clearly stated what common means, it means that he shouldn't put it in a place where it will be common.

**Speaker 2:**

Ah, there is what not?

**Speaker 1:**

But one may move pieces of glass, pieces of glass, **even though it is not food for ostriches.** Ostriches are ostriches, supposedly?

**Speaker 2:**

Yes.

**Speaker 1:**

They eat glass? So they say.

**Speaker 2:**

Okay.

**Speaker 1:**

I never had a pet ostrich in my house, but ostriches eat glass. They are not common.

**Speaker 2:**

Ah, indeed.

**Speaker 1:**

**And not bundles of vine branches.**

**Speaker 2:**

Yes, they eat anything. They eat stones. It doesn't cut them the way down from...

**Speaker 1:**

Yes, their stomach lacks something. Usually a stomach crushes food. Their stomach lacks it, so they eat stones or sharp things so it should help digest the food.

So this is a phenomenon, there are people who are lacking something, and they eat in honor of that...

**Speaker 2:**

Sand. Not glass. Nobody eats glass.

**Speaker 1:**

I once heard someone who worked in... someone who worked in making peace with other peoples, he said that... when one speaks together, first one establishes that one knows that the other doesn't eat glass. He's a person. So one sees further, that he's not an enemy. He's a person, he's not an enemy.

**And not bundles of vine branches.** Not twigs. **Even though elephants eat them.** Even... elephants are... how do you say it, elephants eat it. **And not the luf.** Luf means it's one of the... well, which type of fruit that there are several types on one tree, and there are many types, how do you say it? That one makes a blessing. Tzalaf? Not from the tzalaf family?

**Speaker 2:**

No.

**Speaker 1:**

He says that luf is a type of onion.

**Speaker 2:**

Aha, okay.

**Speaker 1:**

**Even though ravens eat it.**

**Innovation: Definition of "Common"**

**Speaker 1:**

**It turns out that these animals are uncommon animals that are common to most people.** The animals are rare animals.

It's very interesting. It seems that common doesn't mean that it has to be common by you, or even in your city. It has to be common in your city. But animals that are more frequent, automatically. And a person who has an elephant, apparently he will be able to. But one who doesn't have, it must be common. Must one who doesn't have, it's called uncommon. Must dance. I think that...

**Long Discussion: Graf Shel Rei Lechatchila — Garbage on Shabbos**

**Introduction: What We Learned Earlier**

**Speaker 1:**

Ah, I must say what we learned earlier about the peels. It comes out in halacha that if one eats, when one eats there becomes dirt, or from peels of nuts, things that one eats, or just dirt, one may not move dirt directly lechatchila. This is clear. The Gemara in Shabbos states that one shakes it off, one clears it off. So today when one has a plastic tablecloth, one can take it off with the tablecloth. Or you have another solution, there is in the dispute of the Acharonim how much one is permitted on this.

**Definition of "Making Graf Shel Rei Lechatchila"**

**Speaker 1:**

In any case, I want to understand what does the concept of making graf shel rei lechatchila mean? It can be everything. When everyone has garbage that's out, no one makes it initially. There is garbage that's already ready, and one goes to take it out somewhere on Shabbos. That means to say, right, one makes graf shel rei lechatchila, that you shouldn't make something that you need to take out. But if there is a garbage bag that everything from this one will take out, you never make it lechatchila.

The problem of graf shel rei lechatchila is that there is a heter, essentially it's a thing that is not fit to move. If it's such a thing that one can't keep it here, there is a heter. But you can't go and make a thing that has this heter. This must be the same prohibition of putting things in the garbage.

**Distinction: Garbage Is Different**

**Speaker 1:**

But I say the distinction is very great, because here you create something that normally you may not move, you're going to move it with the heter of graf shel rei. But in every house there is garbage, and in the garbage there are things that are forbidden to move. One may not move it. When the garbage is empty, one may move it, it's not graf shel rei. You put into the garbage, it becomes graf shel rei.

**Innovation: Definition of Graf Shel Rei**

**Speaker 1:**

This is the meaning of graf shel rei. Graf shel rei doesn't mean making, designating a... This is the meaning! It's not the meaning of designating a vessel, the meaning is putting in the refuse. The vessel is not the problem.

So I think, a garbage bag is very different. What is already graf shel rei? Graf shel rei was you take a certain bowl and on this you put dirt. This is the prohibition. But garbage was before, the bag was clean, now you make it dirty, it becomes muktzeh.

**Question: If One Needs to Take It Out**

**Speaker 1:**

Okay, let's say one needs to take it out, put aside the heter. Let's say not a new garbage. You should say that once there is already something in the garbage, you don't need to be so busy with how you make the bones from the fish, because you have a whole garbage.

I don't understand what you need it for. The problem of the bones from the fish is that it's lying on the table, not in the garbage.

**Speaker 2:**

Good. You need to move it from the table.

**Question: Tablecloth and Graf Shel Rei**

**Speaker 1:**

And soon one will take away the tablecloth together with many good things that are not muktzeh and things that are muktzeh at once, and one will put it in the garbage.

**Speaker 2:**

With the tablecloth?

**Speaker 1:**

If this is called making it dirty, it's a concept that it becomes graf shel rei, because one makes the tablecloth dirty during the meal, and after the meal one will throw it away. Is this not making it dirty?

**Question: Permitted Items in the Garbage**

**Speaker 1:**

I mean that generally today with our abundance, in the garbage there are always forbidden things and permitted things. One also puts good things in the garbage that are fit for animal food, fit for human food.

**Speaker 2:**

You make such a corruption of the remedy, you say that one throws good things in the garbage makes it permitted to carry? They're not...

**Speaker 1:**

Yes, you told that they were very angry that one put good things in the garbage, but that's how it goes. One takes down half plates, yes, one serves already, not everyone eats the

whole thing. So there are good things that are fit for human food, for animal food.

**Proposed Answer: Once in Garbage It Becomes Refuse**

**Speaker 1:**

I mean that once one puts it in garbage it becomes an aspect of refuse, and it doesn't become a good thing.

**Speaker 2:**

I don't like the... It's not worse than raw animal meat, unsalted meat, all these things that you say are fit for a survivor. One may yes, that which are common animals. Not because one has already put it in garbage, no one takes out from the garbage, it changes the reality of it. One takes it out technically, but it's still a thing that is permitted in moving.

**Practical Conclusion: The Custom**

**Speaker 1:**

In short, the custom, all Jews that I know, except I once met Chazon Ish followers that I don't know the halacha, all Jews that I know make garbage and put it out on Shabbos, and one is certain that it's permitted because of one of the reasons. Exactly what the technical reason is I don't know, because I struggle here with the definitions.

One is the graf shel rei lechatchila on Shabbos, I think, is the thing. Right, it's certain that one may take it out because it's graf shel rei. It's not a mitzvah to sit in a stinking house on Shabbos.

**Note: Moving Garbage Around**

**Speaker 2:**

Except, this you can say, I want to tell you, if one doesn't move it from a place where it bothers a person, but from one place to another, one indeed may not. That means, if the garbage is already outside, you just want to organize there, one puts it in the bin. Again, you can put it directly. If you go out from the house and you bring, you can put it where you want. But the moment it's already put down, it's already not a place that bothers people, I mean that this is indeed the halacha. You may not just move garbage around, right? One just doesn't deal with things that are forbidden to move, there's no need.

**Speaker 1:**

In general, it's a good point, yes, in short, this is motzaei Shabbos, organizing the garbage. I understand it this way. But taking out is certainly permitted. The question is only from the lechatchila how one may put it in.

**Summary: There Must Be a Way**

**Speaker 1:**

But you're certainly right that what you say, a person must leave the garbage on the table, certainly can't be. There must be a way how it's permitted. If you want to find a spot on the side, they need to perhaps struggle, I don't know.

**Halacha 19: Bundles of Straw, Wood, and Branches**

**Speaker 1:**

Okay, further. **Bundles of straw**, bundles of straw, **wood**, wood, **and branches**, another type of part of the tree, also a type of straw from just. Branches are the things that horses eat, no?

**Speaker 2:**

Perhaps, I don't know.

**Speaker 1:**

Okay. It's not the same from the... Bundle is branches?

**Speaker 2:**

Yes, twigs, something like that. I think branches are earlier.

**Speaker 1:**

Okay. So like this, **if he prepared them for animal food, it is permitted to move them**, because it's not muktzeh machmas gufo. **But if not, one may not move them**, because why is it made? The wood is made if not for animal food, it's for burning, so it's muktzeh, or for nothing, so it's muktzeh machmas gufo.

**Bundles of hyssop and ezov and kornit**, bundles of leaves that one can use either for animal food or for heating, so like this, **if he brought them in for wood, one may not use them on Shabbos**, because it's like muktzeh machmas gufo, because it's not a vessel, and one keeps it only for something that one may not do on Shabbos. **But for animal food, it is permitted to use them**, because it's not muktzeh. **And so with amita and so with figam and so with other types of spices**, that one must look at what the purpose of it is, why the person prepared it. This is a list of things, like before, things that depend on what you prepared it for, and there are things that don't depend, and there are things that do depend.

**Halacha 20: Handling Animal Food — One May Not Sweep Before the Fattened Animal**

**Speaker 1:**

Further one learns about handling animal food, basically. So, there is a place called patem, there is the place where one stuffs the animal. So, and there is dirt there, there is food there that the animal ate a little and so on, and he wants to sweep it out. Don't, **"One may not sweep food from before the fattened animal,"** one doesn't busy oneself sweeping,

**Laws of Moving a Corpse on Shabbos**

**One may not sweep food from before a fattened animal. One is not busy clearing out, cleaning the food from in front of the animal that one is stuffing, that one is fattening. Whether in a feeding trough that is a vessel, or in a feeding trough attached to the ground, there is no difference whether the food is placed in a bowl, or in a trough that is attached to the ground, or simply a bowl that is a vessel. One does not clear it out there.**

Why? It's one of the... He goes on to say, **and one may not push aside to the sides, also one does not push the straw and the chaff to the side so that it should not become soiled with the excrement of the animal, it's a decree lest one level holes.** All these things, both regarding sweeping and regarding pushing aside, the matter is a decree lest one level holes, if the place is not paved, the place, but there is fear lest one level holes.

**One May Give from Before the Donkey to Before the Ox — But Not the Reverse**

**Speaker 1:**

He says, **one may give from before the donkey to before the ox, one may take food from one side and give it to the other side, give it to the ox, from a donkey to an ox, but not the reverse.** It's important, because there is fear that the ox will come there and it won't know whether it was prepared for the donkey or for the ox,

and it will die of hunger. Yes, there was the famous poor donkey that didn't... okay.

**But one may not give from before the ox to before the donkey.** The reverse one does not do, one does not take from the ox to give to the donkey. It's very interesting, he says something. The Chazal know precisely the nature of animals. The donkey and ox have different eating habits. The donkey is very refined, the ox is not civilized. **"For one does not feed before the ox that is soiled with its saliva,"** the way the ox eats is that everything becomes smeared with its saliva. Other animals are better people and they won't want to eat it.

It's fit for food for another animal. So, even if it was prepared for the ox, that doesn't mean it's not fit for another animal. So it doesn't become muktzeh, because it's still called fit for animal food. But to take it for the donkey, is that not an excessive effort for which...

**Discussion: Why Isn't It Like Graf Shel Rei?**

**Speaker 2:**

Why doesn't it become like graf shel rei? It became muktzeh on Shabbos.

**Speaker 1:**

It didn't become muktzeh, because the ox itself can still eat it, it's animal food.

**Speaker 2:**

Ah, ah, that's correct.

**Speaker 1:**

Okay, but indeed, it's an excessive effort.

**Speaker 2:**

It's an excessive effort, correct. Because we must be disappointed that the donkey doesn't work with it. Not the donkey, not the ox. The ox didn't want to eat, and not the donkey. It's simply causing.

**Speaker 1:**

Interesting. We learned that but if it's rejected, the animal rejects it, it doesn't matter to us whether the animal will still eat it on Shabbos. It's not that if you know that the ox won't eat anymore, it becomes muktzeh for everyone. It's not a muktzeh prohibition. He doesn't say, the Gemara doesn't say why one doesn't do it.

**Digression: "Like the Ox Licks Up the Grass of the Field"**

**Speaker 1:**

This week one learns the portion of Balak, **"like the ox licks up the grass of the field."** Ah, licking is the licking, the raw. It doesn't leave anything for anyone. Even the donkey won't eat from it afterward. Imagine that.

L'chaim. L'chaim.

**Leaves That Smell Bad – Muktzeh Because of Itself**

**Speaker 1:**

**"Leaves that smell bad and are repulsive, and no animal eats them, it is forbidden to move them."** Leaves that smell bad, and an animal doesn't eat them, it is forbidden to move them. Even if it's from the same species that is permitted, like leaves are a type of animal food, but these leaves are bad, it is muktzeh because of itself.

**"Therefore, a fish trap..."** I think it means a fishing net, something that one can use to catch fish, but which is made from grasses and things that are fit for animal food. He doesn't

say, does "hanging" mean one hangs up? In short, something that one uses for fish. Fish are stinking, everyone knows. Therefore, the thing that one uses for fish one may not move. But **"and for meat it is permitted,"** because meat simply from an animal is not so stinking. One notices. **And all similar cases.**

Obviously, hanging means the things on which one hangs the fish to dry or whatever. It's also for fish, so it is forbidden to move because of the smell. And for meat it is permitted. And all similar cases. Every thing that is repulsive that one doesn't use, even an animal doesn't use perhaps, so if an animal uses it one may move it for the animal. But every thing that is repulsive and one doesn't use it, one may not move it.

**Innovation: Animal Food Must Be Actually Fit**

**Speaker 1:**

Okay, now we're going to learn the laws of a corpse. I mean one can say this, that the things that were said to permit as animal food is not a blanket permission for every species. It must also be actually ready for animal food. I mean that's what...

**Speaker 2:**

Yes? No, already. I understand, but... ah, you're saying... what is obviously clear in the matter... when he says it's not clear, one would have thought that every thing is called animal food, even if the thing became soiled.

**Speaker 1:**

Already, but no, it must be truly fit for animal food. That it's indeed not, the animal won't eat it, I understand.

**Speaker 2:**

If you say it has nothing to do with the species, that every thing that is the species is fit, is... one must indeed know if the thing became soiled. It's a different thing.

**Laws of a Corpse – Permissions in Moving**

**Speaker 1:**

And we're going to learn more about a corpse. We already learned that a corpse is muktzeh, right? Now we're going to learn certain permissions that one may indeed do with a corpse, or how one may do it. Mainly the permissions, we learned earlier that it's muktzeh, and until here, until the end of the chapter, are methods how one may indeed be involved with a corpse, and be involved perhaps in certain ways, or to cover, we'll see.

**Discussion: Did We Learn Earlier About a Corpse?**

**Speaker 1:**

But that it is forbidden to move the corpse on Shabbos, did we learn that earlier? That if one wants to carry it somewhere, one may only do it with a non-Jew, or did we say, how did we have it? What one may and may not do with a corpse, did we have it earlier in the chapter?

**Speaker 2:**

One may for human dignity, then we learned that one may.

**Speaker 1:**

Yes. I remember, I saw it was written "the corpse does not move from its place." It was indeed written even earlier, I remember, something that one may do with a corpse.

**Speaker 2:**

Yes, there it was written in weeks, no? One may prepare a bed for a corpse or for a bride, do you remember? That's another thing. It was written even earlier that a corpse one may, if it's human dignity, remember? We learned about human dignity for the corpse.

**Speaker 1:**

Yes, yes, yes. If it will stink one may indeed do more.

But now it's talking about carrying out, right? Now it's talking about the prohibition of carrying out. One didn't talk about muktzeh in that, in that law, as far as I remember. Do you remember how it was written?

**Speaker 2:**

I don't remember at the moment, let's go further.

**One May Anoint It and Wash It – But So That No Limb Moves**

**Speaker 1:**

Okay. Now we learn this about moving, right? About muktzeh. That a corpse essentially is muktzeh. What may one indeed do? What may one indeed do with moving? So, even though it is forbidden to move a corpse on Shabbos, but **one may anoint it and wash it, one may indeed clean and smear oil and the like, but provided that one does not move a limb.**

Why? Because moving a limb is a matter of moving? Apparently yes. I mean so yes. That moving is not only forbidden when one lifts it up and carries it, even just moving a bit is also forbidden, one must wait.

Interesting. One may not move the limb, rather he means lifting the hands, laying down the hands during anointing and the like.

**One Pulls Out the Pillow from Under It – So That It Will Last Until the Weekday**

**Speaker 1:**

What seems and what may one do? Yes, Shulchan Aruch says in subsection 49, **so that it will last until the weekday, if the corpse is lying on a pillow and it's getting warmer, a corpse begins after some time, it doesn't have the mechanism that cools down a person, it becomes hot and begins to putrefy, so if it's lying on a pillow one may remove the pillow from under it.** It's even such a moving of another thing. One may do it if one does it for the reason so that it will last until the weekday, so that it will wait until one will attend to it, that it should wait differently on the cold floor rather than on warm vessels, one may do it.

My point was of course one may, what is the difference regarding another thing? Okay, they learned earlier moving another thing is permitted even without a corpse.

**More Good Advice for a Corpse**

**Speaker 1:**

And one brings in a small source in the Mordechai Katan, **"and one places on its belly so that it should not swell,"** and one brings, it seems all things seem like good advice, because I don't see that there should be a prohibition that one shouldn't be allowed to bring cold vessels and place on it, cold baths, cold rags.

On the contrary, what is not a corpse, you do for a thing that has no need. The moving... and the Mordechai Katan are things that not... you place under the corpse, you do... **One plugs its orifices so that air should not enter them. A**

person has orifices orifices, and when one stuffs up the orifices so that air should not enter them.

Another thing? **And one ties its jaws, one may close, tie up, um... bind its face, not that it should rise, not that it should not be frightening, because then one fulfills "and you shall guard yourselves."** It is not that it should rise, it is severely contorted, which is already even more, one may not frighten, which one may not frighten, but one can tie up, because this is already even more, this is fulfilling.

And also there is one who says that one on Shabbos, because Shabbos was anyway earlier, one may not touch a limb, one may also not touch the eyelid.

This is usually the custom that one

**Laws of Moving a Corpse on Shabbos**

**A Corpse Lying in the Sun – A Loaf or a Baby**

**The Rambam says: A corpse lying in the sun – one places on it a loaf or a baby and moves it. And similarly, if a fire broke out in a courtyard where there is a corpse – one places on it a loaf or a baby. And if there is no loaf there nor a baby – one saves it from the fire in any case. And they only permitted moving with a loaf or baby for a corpse alone, because a person is distressed about his dead.**

**Speaker 1:** One may not move, because then one may. We learned that one may not move, because then it is not loose, should not become contorted. Should not open more. One may not move, because one may not move. But to tie up so that it should not open more, that one may.

And also there is a matter, that one who died on Shabbos, for the same reason as we spoke earlier that one may not touch a limb, one may also not touch the eyelid. Usually the custom is that one closes the eyes of a corpse, but one doesn't do it on Shabbos.

A corpse lying in the sun, a corpse lying in the sun and it will putrefy. Until now we spoke when there is no crisis, one can survive the twenty-four hours with cold vessels and with lying on the sand. But if it is lying in the sun, that is a problem, the dignity of the corpse, it will putrefy, so one places on it a loaf or a baby and one may move it. One may place a loaf or a baby and one may move it by means of another thing. As we learned about moving another thing together with another thing that should be a permission. The permission here became the muktzeh. Usually one may not move two things at once, except for things that one needs very importantly, we saw cases where one indeed could. But here by a corpse one may by means of a loaf or baby.

And in such a case, if a fire broke out in his courtyard where there is a corpse, and the person is quite nervous, he doesn't want the corpse to be burned, also one places on it a loaf or baby and one takes it out with that. And if one doesn't have a loaf or baby, then one saves it from the fire in any case. Then one may. That means, initially one should do it with a permission of a loaf or baby, but if not one should save it anyway. Why? Because if not, if one won't let him save it, it will bother him so much that the corpse will be burned, and he will transgress for its honor, "because he is distressed about his dead so that it should not putrefy." He doesn't want his dead to be burned, he is distressed about his dead, because here one permitted him to save even speaking thus.

### **Innovation: The Honor of the Corpse Itself Is Not Enough Reason**

It's not that the prohibition of burning a corpse itself the Sages didn't allow in the prohibition of moving on Shabbos. There is indeed a prohibition. There is indeed a prohibition like burning a corpse, you know yourself. Not so, but from the person, a person is distressed about his dead. A person is distressed about his dead, one permitted further because of a concern in the laws of Shabbos, not because of a concern in the laws of honoring the dead.

But the person being distressed about his dead is not simply madness, the person is right to be distressed about his dead. A person must indeed take care of his... no, but I'm saying, it's interesting, because we would have been able to hear here that it's a kind of mitzvah matter, it's a kind of matter of honoring the dead, for which the Sages permitted when there is a concern of burning. One doesn't say so, one only says so that he should not come to desecrate Shabbos. Honoring the dead was not enough reason by itself.

No, a greater practical difference emerges. It's when the person is not distressed, the person is not distressed, there is no concern at all of a person being distressed about his dead, one would not have permitted for the corpse itself. That is indeed interesting.

### **Discussion: Why Isn't the Law of Honoring the Dead Itself Enough?**

**Speaker 1:** There is a matter, I always look for how one may not. Why don't I look for how one may? No, I'm not looking for how one may not, I'm asking you here a good analytical question. Why isn't the law of honoring the dead itself enough reason? There is no such law of honoring the dead. They learned, all the laws are, one thinks they are honoring the dead, but they learned earlier, also regarding this corpse lying in the sun he didn't have. What happens if there is no loaf or baby? He didn't say that one may. Right, only regarding a fire he says that one means already loaf or baby. I can understand, because when it's in the sun, it will last another half hour, a loaf or baby will be found. But a fire is time of the essence, because the fire will already start burning.

**Speaker 2:** I want to show you, yes? We did indeed learn. Ah, here we're going to learn, we haven't learned this yet? We're going to learn it soon. Let's see. It was written again earlier, I thought. Okay, I don't know. I think there's a better reason, because it's no proof.

**Speaker 1:** Yes, but I'm telling you, when one is already lenient because a baby won't go up on the corpse lying in the sun. I can tell you that I know why. You're going to see, you're going to see. I can tell you that I know why. But they haven't finished the whole law yet. It's written explicitly, let's say, let's say, because there is further something another interesting trick that one can do, make a tent. But I think that... okay. It's not so simple. Corpse lying in the sun one doesn't say without a baby, because everywhere one finds something that permits moving. By a fire there is indeed some panic, one fears that all the lamps will catch fire. Then it is permitted because the person is distressed about his dead. But earlier there is always the advice of a loaf or baby, as long as there is no fire that starts burning. Makes sense.

He says, **"and one may not move with a loaf or baby except for a corpse alone, because a person is distressed about his dead."** Ah, you see yes. Again,

distressed about his dead is indeed the reason why one may use with a loaf or baby. No, no. They say such a thing. Distressed about his dead is a good answer. Here where there is a corpse lying in the sun, not distressed about his dead, earlier you may even take with a garment without a loaf or baby. But I think you're right that there is no garment, so here one needs a loaf or baby. Good. Yes, what I think is that it must be specifically a loaf or baby, it must be a vessel whose primary function is for permitted use, yes.

### **A Corpse Lying in the Sun – Making a Tent**

**The Rambam says: If a corpse was lying in the sun and there is no place to move it, or one doesn't want to move it from its place – two people come and sit on its two sides. If it's hot for them from below – this one brings his bed and sits on it, and this one brings his bed and sits on it. If it's hot for them from above – one brings a mat and spreads it over it, and this one brings a mat and spreads it over it. And this one raises his bed and slips away, and this one raises his bed and slips away – and a partition is found made by itself, for behold this mat and this mat their roofs are close to each other.**

### **Chapter 26: A Corpse That Has Begun to Smell in the House – Human Dignity Overrides a Negative Commandment in the Torah**

#### **Law 23: Machtzelet – The Mechanism of the Partition**

**Speaker 1:** Okay. What else is a solution, right? So, the candles came there, the candles didn't light themselves. I see that the picture, the fact is not in the picture. **"Hayah met mutal bachamah ve'ein lo makom letalteloh"** – the corpse is lying in the sun, they don't have a place where it's cool and they can keep him. **"Oh she'ein rotzeh lehazizo mimkomo"** – what does "lo rotzeh" mean? They don't want to. It doesn't say why, they don't want to. Okay.

They shouldn't, maybe it's not healthy, maybe it can make him more putrid. There can be a reason, they don't want to. Okay, there can be a reason. He says an interesting leniency that the Sages made specifically for a corpse. What do they do? **"Ba'im shnei bnei adam veyoshvim mishnei tzedadav"** – they sit around on both sides, and they go sit in the sun next to a corpse, they'll get hot somewhere. **"Cham lahem milmatah, zeh mevi mitato veyoshev alav"**, he dragged a bed. Normally, why would you drag a bed? For a corpse, for a bed. For a corpse perhaps you can't, but for a person himself you may. For the person. They say even if it's a very heavy bed, and there's the matter of four cubits. The point is, he brings it for himself. A bed is not a vessel whose primary function is for prohibited work. They mean to say that even if it's forbidden because it's very heavy, he should make a leniency here of bringing a bed.

**Zeh mevi mitato veyoshev alav, zeh mevi mitato veyoshev alav.** The leniency is to make a partition. But the part about the partition I understand, but the bed doesn't yet need to be cham lahem. A bed can simply be brought like that for the honor of the corpse. Why shouldn't one be allowed? It's a vessel whose primary function is for permitted work, a bed. Listen to this. Perhaps he's speaking in a manner where the bed is in a manner when one drags it four cubits.

#### **Discussion: Why Do We Need the Bed?**

**Speaker 2:** We want to play a game, right? We're playing a game. I understand the game with the second part, that one should make a tent. Explain the game.

**Speaker 1:** No, the game is that he brought the bed for himself, and he just gave a lift to the bed so it should be lifted. If he doesn't need the bed for himself, the whole game doesn't start. I don't understand, he brought the bed why? To make a partition? One may not make a partition for the corpse. But the bed is still nothing like a partition. The partition becomes with the machtzelet. What's a machtzelet?

Okay, cham lahem milma'alah. It will be both. Cham lahem milma'alah. The bed... he sits on the bed, he sits on the floor, the floor is ice, he brings a bed, a bench, whatever, and he sits on it. Two Jews from both sides, yes. **Cham lahem milma'alah, mevi machtzelet uforesh al gabav.** He lays a nice machtzelet on the bed, to make himself a bit of shade. And the second person does the same thing, **vezeh mevi machtzelet uforesh al gabav.** And afterwards, how do they make a tent from this? If both go away, and they make it so the two machtzelot should lean one on the other, it will become a tent.

**Vezev zokef mitato ve'eino nishen aleha,** he stands up his bed so it should become a... the bed should become like a partition on which one can lean, yes, zokef means he stands it up. I don't understand exactly how there's length here in the Gemara.

**Vezev zokef mitato ve'eino nishen aleha.** He has a bed, and the bed when he sits isn't high enough that the machtzelot should lean on it. But he can lay, before he goes away he can stand up the bed, the bed should be such a strong bed. He lays it, yes, so that it can lean on it when he was sitting there.

**Venimtzet hamechitzah asuyah me'elah,** when the machtzelot lean one on the other, and the beds hold them higher. **Shehrei machtzelet zo umachtzelet zo gageihem semukhim zeh lazeh.** The two machtzelot are indeed their roofs close one to the other. I think it has to do with the fact that, as we learned earlier that if there's a measure of a tefach was the measure, then it's called a tent. But if it's such a triangle at the top at the point it's absolutely not, it's not called a full tent, it's called only a piece of a tent.

**Speaker 2:** Are you learning the law of tent today?

**Speaker 1:** Yes, but the Rambam doesn't come to explain the law, the Rambam comes to explain how it works. You cut it into the ground and you cut it to the truth. You're asking another question, why is the death? First about what is the death. What the Rambam described is reality. Each one brought himself a bed. The bed itself perhaps isn't needed here at all. The bed is only needed so the people should have where to sit as if. And afterwards, when... what does the partition do with the bed? The bed doesn't do anything.

He also says "zokef mitato". He goes away. No, he says "zokef mitato" means something, he stands up the bed in a way that the machtzelot... he says something, he says something, he stands up the bed... he goes away, that's what it means. He goes away. He doesn't need to do anything, the bed doesn't need to stay there. It doesn't say anything in the Rambam that he does anything for the corpse. Are there commentators who interpret it differently, but I don't see it in the language of the Rambam. What he says is he goes. "Zokef mitato" is some

language when one goes away from the bed, I don't know. He goes away.

Or the point is that the machtzelot, which until now were like this, I don't understand exactly how the machtzelot were until now. It seems that the machtzelot were somehow like this... each person had higher than him. How? In the air? So he sits on a bed, he lays the bed next to him, and he leans on his back, it should make him a bit of shade.

**Speaker 2:** I don't know what a machtzelet is at this point. What is a machtzelet?

**Speaker 1:** A machtzelet is a piece of sechach, a woven piece of hard merchandise. A hard rug. A hard rug. Yes. Is it hard or is it merchandise? Hard merchandise. It's not merchandise. He made a deal with everyone.

#### **Law 24: A Corpse That Has Begun to Smell in the House – Whose Honor?**

**Speaker 1:**

Machtzelet is a distort. What is a machtzelet? Machtzelet is a piece of sechach, a woven piece of hard merchandise. A hard rug, yes. It's hard merchandise. It's not merchandise, it's a hard thing. It's a hard thing. It's not merchandise, it's a hard thing.

Again, you can stand by yourself, right? Machtzelet is something you can make a tent with. Machtzelet is something that's woven, it's thick hard merchandise. You're asking if it can stand alone? Yes, it seems so. But here it stands on the bed that was zokef. It doesn't stand, it stands "**techilah al hakarka**". It doesn't say anything about the bed, right?

A machtzelet is something that has a roof. I don't know what that means. Now it became a roof because it lies as a roof. In short, the point is, two people come, each one uses his machtzelet, somehow they go away, and one of the machtzelot falls out. One is laid on the other. It's not laid, asuyah me'elah. Or you can lay, you can lay lechatchilah. And when the people are there there's no tent, it's not on top of the corpse, right? It happened by itself. I don't know what, in short, the reality here isn't clear to me.

#### **The Question of the Bed**

Also the part about the bed is very unclear. What's missing the bed? What is the leniency? Why should there be a leniency for this? I don't understand what the people... why is he telling me this? He wants to say a novelty here about the machtzelet. A bed one may simply drag like that, a bed is a portable object, one may always drag a bed.

If the explanation is "zokef mitato" means that afterwards one lays the machtzelet on the bed, I can understand why the bed is missing here, as if because one makes a tent with both things, with the bed with the machtzelet together. But if the machtzelet itself makes the partition, as it seems in the language of the Rambam that both stand al hakarka, it must be that somehow, as if when the people go away, the partition just remained by itself, but it's not as if intended. That's the whole game they're playing. They brought for themselves two extra people, not one person, one person doesn't do enough yet, two extra people. I know, this is an iron trick. One should lechatchilah try not to have such a situation with a corpse that's putrid. Today there isn't this problem, there's air conditioning with things, one knows. Around a corpse one lays strong... one always lays ice, one makes sure it's cool. Okay, bring a non-Jew. There are indeed other solutions too. Not

about the solution, this is a solution that's a situation where there's already no other solution.

**Speaker 1:**

Wait, **met shehisriach babayit**, a corpse has indeed begun to become putrid, "**nimtza mitbازه bein hachayim vehachayim mitbazim mimenu**". He becomes shamed among the living, and they are shamed by him. What does this have to do with honor? What is this, are you waiting for his honor or for the honor of the living? Both. That's indeed the main thing, the honor of the living. Both, they are shamed and he is shamed. Yes, but the mitbازه... "**mitbازه bein hachayim**" is only relevant when "**hachayim mitbazim mimenu**". It means when he's putrid in the house, and there isn't there any... any filth, nothing, no one sees it, there's no problem. The problem is, there's one person, there's one person, but there is indeed a person who sees it, or who smells it. He's now going to become putrid in the road, he's indeed also going to become putrid. Earlier we learned laws how he's also going to become putrid, but you protect him a bit. Now we learn like this, he's putrid. The problem is that it's not fitting for a corpse, the father of this person, now someone goes next to him and he closes his nose when he goes through. That's shame for him, between him and them is this shame. I don't know exactly where the shame is.

**Gadol Kevod Habriyot Shedocheh Lo Ta'aseh ShebaTorah**

In any case, **met lehotzi'o lekarmelit** one may, and one normally may not be motzi, from the Torah one wouldn't have permitted. But to carry to a karmelit is rabbinic, but they permitted it. Why? Because "**gadol kevod habriyot shedocheh lo ta'aseh shebaTorah**". It means, although a karmelit is rabbinic, and a rabbinic always borders on some negative commandment from the Torah. For the Rambam says, for every rabbinic prohibition, **kol divreihem asher yagidu lecha**, it means the Rambam says that everyone who transgresses a rabbinic law transgresses the Torah prohibition of lo tasur. The Rambam truly holds like this, he says it clearly. But this doesn't override. The Rambam says it like this, and one of his sources is the Gemara that says this. This says that kevod habriyot... this is further a bit of a novelty for one who understands a bit of Gemara. In the Gemara there's such a statement, "**gadol kevod habriyot shedocheh lo ta'aseh shebaTorah**". Does this mean that for kevod habriyot one takes on the Torah law? No, one takes on the rabbinic law. But the rabbinic laws are also the "**lo ta'aseh shebaTorah**". The scholars need to struggle, if it's "**lo ta'aseh shebaTorah**" it's still a Torah law. It seems there's some distinction between rabbinic and Torah law, and afterwards there's "**lo ta'aseh**". Anyway, this overrides.

**Discussion: Is Kevod Habriyot a Mitzvah? Is There a Mitzvah of Kevod HaMet?**

**Speaker 2:**

Do you remember something? I've never learned. But, is there laws of kevod hamet that are a rabbinic mitzvah?

**Speaker 1:**

It seems that the whole thing is only kevod habriyot. If there were some matter of a mitzvah of kevod hamet, one could say that the mitzvah of kevod habriyot is exactly as important as the mitzvah of karmelit. It seems it's not so, because kevod habriyot doesn't have to do with mitzvah. Kevod habriyot

means when a person is shamed. But if there's some matter, a mitzvah of kevod hamet...

**Speaker 2:**

What makes that worse?

**Speaker 1:**

Here it says that kevod habriyot is greater than a rabbinic mitzvah. You're asking me, perhaps there's also a mitzvah to honor the corpse? Yes, but is it a mitzvah greater than a mitzvah to have kevod habriyot? Right? Kevod habriyot is greater than a mitzvah, certainly greater than a rabbinic mitzvah. Kevod habriyot is such a compulsion such a... what does compulsion mean? No, kevod habriyot is a compulsion. One can't hold back the person.

**Speaker 2:**

No, no, no, why are you looking like that? But if there's a mitzvah of kevod hamet...

**Speaker 1:**

Kevod habriyot is a mitzvah! What are you talking about? Kevod habriyot is an extremely important thing, it's so important, it overrides a negative commandment. Kevod habriyot isn't a free thing, it's not a problem.

I told you that perhaps kevod habriyot is such a matter of compulsion. No, no, no, there's a measure of how much you can demand from a person. If there's kevod habriyot, you can't demand from a person there. Met mitzvah, all these things, that's kevod habriyot. Kevod habriyot is a mitzvah. It's an extremely important thing, it's a good thing. I don't know how to call this. It's so important, it's greater than any mitzvah... not any, it's greater than a rabbinic mitzvah. I can prove it to you exactly like this, that it's a rabbinic mitzvah.

**Speaker 2:**

It's also relevant, for example, that one shouldn't shame the living.

**Speaker 1:**

I don't know what you're talking about, then it's not the case. If you won't shame the living, but there's still a matter of kevod hamet, no? That's kevod habriyot, also called kevod habriyot. What's the problem? I say, that a corpse shouldn't be putrid, and there isn't a certain person, there's one son there who can go to the other room, he's not shamed.

**Speaker 2:**

No, no, no, it's not a problem.

**Speaker 1:**

No, but here there's a matter of kevod hamet, that it shouldn't wash on the corpse, that the corpse shouldn't be putrid.

**Speaker 2:**

No, no, there's a matter of kevod hamet.

**Speaker 1:**

No, no, that's already so. The corpse, it doesn't save him from being putrid. He's still putrid. The novelty here is that one moves him away from people, that's all, right? One doesn't solve the being putrid now, one only moves him away that it's not fitting. One lays him in another place. For that one lays him even in the... why does one bury him?

**The Proof from "Ve'im Holikhuhu LeMakom Acher"**

**"Ve'im holikhuhu lemakom acher, tzo'ez lo, im bnei adam yecholim lalechet lemakom acher, tzo'ez lo,**

**ve'im lav, ein motzi'in oto, umanihin oto bimkomo veyotz'in hem".** Ah, here it's very clear that it's not the honor of the corpse, it's only the honor of the people around.

**Speaker 2:**

I'm asking if there's a matter of kevod hamet from itself, that one should bury him before he starts to stink.

**Speaker 1:**

One can't bury on Shabbat. But generally, someone passed away on a Tuesday, and the son says I don't care, my father can lie here a few days, I can bury him next week when I just have a chance. Why is he? There's a mitzvah to bury a corpse.

**Speaker 2:**

Okay, so I'm asking, is there some matter? We didn't learn recently laws of kevod hamet, I don't know.

**Speaker 1:**

But it seems here that the whole matter is the kevod habriyot around. I'm asking if there's kevod hamet. Why are we talking here? We're not talking here about something else. There's a mitzvah to bury a corpse, that's another mitzvah. I think there's such a mitzvah in the Rambam, in Kitzur Nachalat Shiv'ah, I don't remember. Yes, yes, Nachalat Shiv'ah, the end of the Rambam, we talk there about the four around, yes. There comes the end.

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**End of Chapter 26**

Okay, until here chapter... what's it called? Twenty-six? We finished with gadol kevod habriyot. Very good.