

# Laws of Shabbat Chapter 8 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Summary of Shiur — Rambam Hilchos Shabbos Chapter 8

#### Introduction and Structure of Chapter 8

In Chapter 7, the Rambam enumerated the 39 avos melachos and explained the categories of **avos** and **toladohs**. Toladohs are melachos that derive from an av melachah through abstraction (hafshata) of the essence of the melachah. For example, **boneh** doesn't only mean building a house, but assembling pieces — therefore making cheese is a toladah of boneh.

#### Important Innovation Regarding the Rambam's Structure

The Rambam **separated** melachos d'Oraisa (chapters 7-20) from melachos d'Rabanan/shevusin (from chapter 21 onward). When one learns about choresh here, one learns **only** the d'Oraisa laws; the Rabbinic decrees connected to choresh (like sweeping the ground, breaking clods) come only later. The Rambam holds that it is **very important** to know what is d'Oraisa and what is d'Rabanan, so one shouldn't confuse them.

D'Rabanan prohibitions are like "grandchildren" — more distant connections to the av melachah. If the connection were close, it would already be an av or toladah mid'Oraisa. But often it's not clear why something is only d'Rabanan and not a toladah.

It's also noted that **almost every melachah begins with its shiur** — how much one must do to be liable (although chatzi shiur is also forbidden).

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#### Halachah 1: Choresh — Hachoresh Kol Shehu Chayav

Av Melachah: Choresh

**The Rambam: "Hachoresh kol shehu chayav."**

**Explanation:** One who digs in the ground — even the slightest amount — is liable mid'Oraisa. Choresh has no minimum shiur.

#### Innovations:

- If it's kol shehu, what's the minimum? It must at least have a **shem guma** (name of a hole) — if someone moves a grain of sand, nothing has happened. "Kol shehu" doesn't mean literally every movement, but it must be **migdar choresh** — but there's no specific shiur.

Toladohs of Choresh

**The Rambam: "Hamenakesh b'ikarei ha'ilanos, v'hamekarsem asavim, v'hamezared es hasrigim — kedei leyafos es hakarka — v'shiuro kol shehu, chayav."**

**Explanation:** Three toladohs of choresh:

1. **Menakesh b'ikarei ha'ilanos** — clearing around tree roots.
2. **Mekarsem asavim** — uprooting bad weeds.

3. **Mezared es hasrigim** — cutting off small branches from trees.

All three are **kedei leyafos es hakarka** — to improve the ground, and the shiur is kol shehu.

#### Innovations:

1. **Why is mekarsem asavim a toladah of choresh and not kotzer?** Seemingly, when one looks at the **action** (uprooting a plant), it looks like **kotzer** (cutting from its place of growth). But we don't look at how the melachah **looks**, but at what it **accomplishes** (the po'el yotzei). By kotzer one wants the plant itself (like an apple); here one wants to **improve the ground** — therefore it's choresh.

2. **Why isn't mekarsem asavim a toladah of zore'a?** One could say that uprooting bad weeds helps other plants grow better, which is an inyan of planting. But here we're not talking about helping other plants, but about **improving the ground itself**.

3. **Mezared es hasrigim** — according to the Geonim, it means cutting off branches so they will **lie on the ground** (not for the tree's benefit, because that would perhaps be zeri'ah, but for the ground's benefit).

Meshaveh Pnei Hasadeh

**The Rambam: "Hameshaveh pnei hasadeh — kegon goren sheha'yah bo tel v'ridado, o sheha'yah bo gai u'mila'o — chayav mishum choresh. V'shiuro kol shehu."**

**Explanation:** One who levels a field — for example, a mound was removed or a depression was filled — is liable for choresh, kol shehu.

#### Innovations:

1. **Difference between meshaveh pnei hasadeh and the previous toladohs:** The previous three toladohs are **preparation for planting** — improving the ground so it will grow well. **Meshaveh pnei hasadeh** is also **leyafos es hakarka**, but it's a **broader** category — he levels the ground for any purpose.

2. **"Chayav mishum choresh" — is this a toladah or an av?** "Mishum" also means a toladah — the Rambam says "mishum choresh" because it derives from choresh, not because it's the av itself.

3. **Why does the Rambam repeat "shiuro kol shehu"?** He already said kol shehu by choresh! An answer in the name of Rav Bluming: Earlier the Rambam spoke of a **large** mound or depression; the "shiuro kol shehu" comes to say that even a **small** leveling — even filling a small hole — is also liable.

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#### Halachah 2: Zore'a — Hazore'a Kol Shehu Chayav

Av Melachah: Zore'a

**The Rambam: "Hazore'a kol shehu chayav."**

**Explanation:** Planting — placing a seed in the ground — even kol shehu, is liable.

#### Innovations:

- By choresh and zeri'ah we understand why kol shehu — placing one seed in the ground is already an act of planting, because even kol shehu already has benefit. But it must be **midgar zeri'ah** — not every movement, but something that has a name of planting.

- This is different from kotzer, where one needs a shiur of a grogeres — if one cuts less than a grogeres, one has performed an act of cutting but is not liable.

#### Zomer — Me'ein Zore'a

**The Rambam: "Hazomer es ha'ilan kedei sheyitzmach — harei zeh me'ein zore'a."**

**Explanation:** One who cuts off pieces from a tree so it will grow better, this is me'ein zore'a (a form of planting).

#### Innovations:

1. **Zomer can be one of three melachos**, depending on the intention/purpose:

- If he cuts **leyafos es hakarka** — it's **choresh**.

- If he cuts **kedei sheyitzmach** — it's **zore'a**.

- It can also be **kotzer**.

This is an important principle: **Melachos Shabbos are not determined by the form of the action (what one sees), but by the purpose — what he wants to accomplish.** The same act of cutting a tree can be three different melachos.

2. **Why is zomer "me'ein zore'a" (and not just a toladah)?** Because cutting pieces from a tree is actually **one of the ways of planting** — it's a direct action of growth, as the Rambam mentioned earlier (in chapter 7) various methods of planting (neti'as ilan, mavrich, etc.).

#### Mashkeh Tzemachim — Toldas Zore'a

**The Rambam: "Hamashkeh tzemachim v'ilanos b'Shabbos — harei zeh toldas zore'a, v'chayav chatas."**

**Explanation:** Watering plants on Shabbos is a toladah of zore'a, and one is liable for a chatas.

#### Innovations:

- **Why is mashkeh only a toladah, while zomer is me'ein zore'a?** Seemingly watering is more direct — without water nothing can grow! The answer: **Zomer (cutting)** is actually **one of the ways of planting** — a type of planting. **Mashkeh (watering)** is a **completely different action** — not a way of planting, but a way of **helping** it grow. The difference: cutting is a method of rooting/planting, watering is an accompanying action.

#### Soaking Seeds — Toldas Zeri'ah

**The Rambam discusses soaking seeds — beginning to ferment/sprout wheat before placing it in the ground.**

**Explanation:** This is a preparation for planting — one prepares the seeds so they will already begin to germinate, and this is a toldas zeri'ah.

#### Zomer with Two Chata'os

**The Rambam:** By "zomer" (cutting branches), if he only needs the tree to grow better, he is only liable for notei'a. But if he also needs the wood, he is liable for two chata'os — for kotzer (he cuts something from its place of growth) and for notei'a (he helps the tree grow).

#### Innovations:

- **Hilchos Shabbos is primarily about results, not actions.** "A person must accomplish, not just do" — doing is a means to accomplishing.

- **All the distinctions here are in chata'os** — Hilchos Shabbos speaks of honest Jews who acted b'shogeg, not of mezidin.

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#### Halachah 2 (continued): Kotzer

**Av Melachah: Kotzer — Shiur Grogeres**

**The Rambam: The shiur of kotzer is a grogeres.**

**Explanation:** One is liable for cutting a shiur of a grogeres (a dried fig).

#### Toldas Kotzer — Oker Davar Migidulo

**The Rambam: Toldas kotzer — oker davar migidulo.**

#### Innovations:

- The question was asked what is the difference between kotzer (av) and toldas kotzer. A possible explanation: **Kotzer means cutting with a tool, and toladah means pulling without a tool** — but this is not clear.

**Kol Zera Sheketziraso Mitzmicha'so — Chayav Shtei Chata'os**

**The Rambam: "Kol zera sheketziraso mitzmicha'so u'migadlaso, kegon aspasta v'silka — hakotzro b'shogeg chayav shtei chata'os, achas mishum kotzer v'achas mishum notei'a."**

**Explanation:** By certain plants (like aspasta — a type of grass, and silka — a type of vegetable) the cutting causes it to immediately begin growing back. Therefore one is liable for **two chata'os** with one action: one for kotzer, and one for notei'a.

#### Innovations:

1. This is a remarkable case where **one action** is **two melachos**: he cuts off (kotzer) and with the same action he causes it to grow back (notei'a).

2. **Seemingly this is only a po'el yotzei** — he wants to be kotzer, and incidentally it grows back. Why should he be liable for notei'a? The answer: **By aspasta and silka this is precisely the method** — everyone who cuts aspasta **wants** it to grow back, this is the entire purpose. He cuts it to give to his animals, and he wants it to continue growing for next time.

3. **Parable:** It was compared to cutting a person's hair — that also grows back, but it's **not** the same thing. By aspasta the cutting is **specifically a method of making it grow back**, while by hair it's only a natural result.

**Tolesh Me'atzitz — Tzroros, Chavaz, Atzitz She'eino Nakuv**

**The Rambam: "Asavim she'alu b'tzror, o asavim shetzmu agav hachavaz — hatolesh mehem chayav, shezeh mekom gidulo. Aval hatolesh me'atzitz she'eino nakuv — patur, she'ein zeh mekom gidulo."**

**Explanation:** When weeds grow on a stone or on chavaz (a type of moist material), this is their place of growth, and uprooting is liable. But an atzitz she'eino nakuv (a flowerpot without a hole) is **not** a place of growth, and one is exempt.

#### Innovations:

1. **Why is chavaz/tzror different from atzitz she'eino nakuv?** Chavaz/tzror is a **natural** thing — nature causes

weeds to grow there, it's a normal place of growth. But atzitz she'einu nakuv is **not a normal way of growth** — no farmer farms in such vessels, it grows weakly and only for a short time.

2. **What does "nakuv" mean?** Nakuv means that the pot is **connected to the ground** through a hole. Indoors on a stone floor it's certainly not nakuv. Outside one makes a hole from below — this is better for the plant.

3. **Shiur of nakuv:** Kedei shoresh katan — that a small root should be able to pass through and connect to the earth below. If yes — it's considered like earth.

4. **[Digression: Plants in the house in modern times]** It was discussed whether modern houseplants (in pots without holes) are a question of atzitz she'eino nakuv. A plant that one buys for decorating the house is not toras gidulo, but if one grows it l'chatchilah on a shelf — this can be a question that needs to be addressed.

**Asplanit with Weeds — Tolesh and Zore'a**

**The Rambam:** A piece of sand/bandage (asplanit) on which weeds have begun to grow — if someone **lifts it from the ground** (min ha'aretz), he is **liable for tolesh**, because he uproots the weeds from their place of growth. **Conversely**, if he **places it down on the ground**, he is **liable for zore'a**, because he connects it to the ground.

**Explanation:** The principle is that "mechubar l'karka" is not only directly in the earth, but also indirectly through a vessel that stands on the ground. Lifting = tolesh; placing down = zore'a.

**Innovation:** There's no contradiction that both laws (tolesh and zore'a) come from the same situation — because they are two different actions (lifting vs. placing down), each with its own result.

**Te'anim Sheyavshu — Dried Fruits Still Connected to the Ground**

**The Rambam:** "Te'anim sheyavshu ba'ilan, v'chen ilan sheyavash u'feirosav — hatoleh mehem b'Shabbos chayav." **Even though regarding tumah they are considered uprooted, regarding Shabbos one is liable as long as they are still physically connected to the ground.**

**Explanation:** Figs that have dried on the tree, or a tree whose fruits have rotted — although regarding tumah we consider them as already detached (and they can receive tumah), regarding Shabbos one is liable for tolesh if one pulls them off, because they are still physically connected to the tree.

**Innovations:**

1. **Question: Why is it tolesh if the fruit receives nothing from the tree?** If "tolesh" means detaching from a place of growth, and the fruit no longer draws sustenance — what's the difference between this and breaking a dead thing? Breaking a "prostop" (dead piece) is not tolesh, because there's no growth — it's just two things that are connected.

2. **Difference between peiros yavshu and ilan sheyavash:** Rav Blumenkrantz brings in the name of commentators that **specifically when only the fruits are dry** is one liable, but **if the entire tree is dead**, it's no longer a tree. If both sides (fruit and tree) are dead, you're not

detaching anything from anything — you're breaking a dead thing.

3. **Possible answer — doubt:** Perhaps the explanation is that even a fruit that looks dry, **perhaps still receives something from the tree** — one needs to be an expert to know. The Rambam goes l'chumra.

4. **Another answer — toladah of toladah:** Perhaps regarding Shabbos, even a "ke'ilu talush" (something that is similar to detached but still physically connected) is forbidden as a **toladah**. Proof: cutting hair from a person or animal is also tolesh from "place of growth," although it's not a classic plant situation.

5. **Difference tumah/Shabbos:** Regarding tumah we look at the functional status — if it no longer draws sustenance, it's already called detached. Regarding Shabbos we look at the physical status — as long as it's still connected, it's tolesh.

**Shiurim of Tolesh — According to Purpose**

**The Rambam:** "Im l'achilas adam — shiuro k'grogeres. Im l'veheimah — k'melo fi gedi. Im l'hasakah — kedei levashel beitzah kalah."

**Explanation:** By kotzer (cutting fruit) the shiur is a grogeres (a fig), because that's an average fruit. But by other toladohs of tolesh, we look at the purpose:

- **For human eating** — k'grogeres

- **For animal eating** — k'melo fi gedi (what a kid goat eats at once)

- **For heating** — enough wood to cook an egg (because an egg is "kalah l'vishul" — cooks quickly)

**Innovations:**

1. **The principle:** By **each thing one must look at what purposes it's used for**. The shiur k'grogeres by kotzer is because kotzer usually means cutting fruit, and a grogeres is an average fruit. But by other types of tolesh, the shiur is adapted to the purpose.

2. **Question on bishul:** If by eating matters the shiur is a grogeres, why is by cooking (mevashel ochel kedei l'ochlo) the shiur an egg and not a grogeres? **Answer:** We're not saying how much food one needs to cook, but what is the **minimal cooking** — and an egg is the smallest/quickest cooking. The shiur "kedei levashel beitzah" by hasakah means: how much wood one needs to make the minimal cooking (an egg), not how much food one needs to cook.

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**Melachas Me'amer**

**Av Melachah: Me'amer — Gathering**

**The Rambam:** Me'amer means gathering produce from where it grows. The shiur is k'grogeres for food. When one gathers straw for animals, the shiur is k'melo fi gedi. When one gathers for heating (firewood), the shiur is kedei levashel beitzah — this means kedei levashel k'grogeres mibeitzah.

**Explanation:** Me'amer is the melachah of gathering produce. The shiur depends on the purpose.

**Innovations:**

1. **"Kedei levashel beitzah" — not a whole egg:** The shiur "kedei levashel beitzah" doesn't mean to cook a whole egg, but kedei levashel k'grogeres mibeitzah — a piece of the egg the size of a grogeres (which is echad misheloshah b'veitzah, a third of an egg). The Rambam says this is "karov" to a third,

"v'im ein mechuvvan" — it's not exactly a third, which is interesting.

2. **Beitzah binonis shel tarnegolim:** The Rambam specifies that "beitzah ha'amurah b'chol makom" means an average chicken egg. He quotes that everyone knows what a "beitzah binonis" is — it's a known measure.

3. **Not beitzah b'klipasah:** We're talking about an open egg (like scrambled eggs), not in its shell. The Rambam in chapter 18 says that "b'shiur beitzah" means actually scrambled eggs — one doesn't need to add oil etc., it takes very little time.

4. **Gedi — the smallest animal:** The shiur "k'melo fi gedi" is explained that a gedi is a small animal — not a chicken, not a large cow, but a small animal. Perhaps gedi is the smallest animal, parallel to grogeres which is the smallest shiur. When learning basar b'chalav we also learned that "gedi" means simply a small animal.

Toldas Me'amer — Igulei Devilah and Mecharozes

**The Rambam: "Mekabetz devilah v'hu sheha yihyeh me'ugal — he sticks together pieces of figs in a round form. Or: shenakav te'einah v'asah bah lula'ah — he makes a hole in figs and strings them on a string (mecharozes shel devilah). Harei zeh toldas me'amer v'chayav. V'chen kol kayotze bazeh."**

**Explanation:** Toldas me'amer is when one gathers produce in similar ways — for example, making igulei devilah or stringing fruits on a string.

**Innovations:**

1. **Why not boneh?** When one presses together devilos into a form, why isn't it boneh (like by cheese)? The answer: By igulei devilah the pieces don't become one — they remain separate (distinct pieces), they're just stuck together for convenience. This is different from boneh where it becomes a new unit.

2. **Is placing on a plate me'amer?** If one places fruits together on a plate or a platter, is this also toldas me'amer? "A Chazon Ish'nik would come grab you" with such a question — perhaps it's actually yes me'amer? The question remains open.

3. **Me'amer doesn't mean pressing together:** Me'amer doesn't mean pressing together (like a fruit salad), but gathering — bringing together separate pieces of produce to one place.

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**Melachas Dash (Threshing)**

**Av Melachah: Dash**

**The Rambam: "Hadash k'grogeres chayav."**

**Explanation:** Dash is opening sheaves so the wheat kernels come out. Shiur: k'grogeres.

**Innovation:** The Rambam brings dash without two separate statements (unlike earlier where he brought two statements with toladohs). The reason: Earlier it was connected to toladohs with "shtayim hen," but here he goes directly to dash.

**Toladohs Dash — Mefarek: Cholev, Chovel, Sochet**

**Cholev es Habeheimah**

**The Rambam: Toladohs dash: Hacholev es habeheimah — milking an animal.**

**Explanation:** Mefarek (a toladah of dash) means extracting something from where it's found — like milking (milk from an animal).

**Innovation — Cholev l'soch Ha'ochel: The Rambam: "V'hacholev l'soch ha'ochel... patur, v'eino chayav ad sheyachlev l'soch hakli."** When someone milks a cow directly into food, or sucks with his mouth (yonek b'fiv), he is exempt, because the liquid never became a separate thing — a "davar nifrad" — that is separated from the food. Only when one milks into a vessel is one liable for mefarek. The principle: mefarek requires a result of separate existence of the liquid.

**Chovel B'chayah — Mefarek Dam**

**The Rambam: "Hachovel b'chayah sheyesh lah or — making a wound in a living creature that has skin. V'hu shetzarich l'dam sheyotzei min hachaburah — only when he wants the blood. If he doesn't want the blood, he is exempt for mekalkel. Shiur: k'grogeres chalav o dam."**

**Innovations:**

1. **The mechanism of chovel as mefarek:** Blood flows around in small veins under the skin. When one makes a chaburah (wound/bruise), the blood gathers in one place — this is similar to mefarek, where one extracts something from where it's spread out.

2. **Sheyesh lah or — why specifically with skin:** Without skin the blood runs away (it doesn't remain gathered in one place). The skin holds the blood together in a bruise.

3. **Tzarich l'dam — mekalkel by chovel:** If he only wants to harm the other without any benefit from the blood, he is exempt for mekalkel — because all melachos Shabbos require a metaken, a positive result.

4. **Chaburah shelo yatza hadam — mefarek internally:** The chaburah of mefarek is **not dependent** on whether the blood completely exited the body or **shelo yatza hadam** — that the blood only gathered internally (a bruise with gathered blood) — **even shelo yatza chayav**, because it was mefarek internally.

**Chovel B'veheimah vs. Chovel B'chaveiro — Mekalkel vs. Metaken**

**The Rambam: By animal and chayah the chovel is a mekalkel, but "hachovel b'chaveiro — af al pi she'eino tzarich l'hazik, harei hu chayav mipnei shenitkarerah da'ato v'shachachah chamaso" — he is a metaken because he gets nachas ruach.**

**Innovations:**

1. **The difference between animal and person:** By animal the chovel is a mekalkel — he doesn't need the blood, it's a rare thing to want the blood, therefore he is exempt. But by chovel b'chaveiro he is a **metaken** — because the person had accumulated energy/anger that he needed to release, and through the hitting "nitkarerah da'ato v'shachachah chamaso." This is a tikun.

2. **Connection to melachah she'einah tzrichah l'gufah:** The Rambam holds that melachah she'einah tzrichah l'gufah is liable. By chovel b'chaveiro — he doesn't need the blood itself, but he performed a positive action with a result of mefarek. This is melachah she'einah tzrichah l'gufah, but he is liable. The key: **Mekalkel and melachah she'einah tzrichah l'gufah are two separate categories:** mekalkel means a mistake happened, a negative thing he didn't want; melachah she'einah tzrichah l'gufah means he did perform a positive action, he just doesn't need the specific result.

**Machlokas Rambam and Ra'avad — Whether "Nitkarerah Da'ato" is a Tikun**

**The Ra'avad: "Chachamim tamhu alav v'tamah ani al sofo."**

**Innovations:**

1. **The Ra'avad's proof from "kore'a begadav b'chamaso":** The Gemara says that one who tears his clothes in anger is **k'oved avodah zarah**. The Ra'avad argues: How can the Rambam call such a person a "metaken" when the Gemara calls him k'oved avodah zarah? If one satisfies the yetzer hara, that's not a tikun!

2. **The Rambam's answer:** The Rambam **learned differently** the Gemara — according to him it doesn't say that this makes him a mekalkel. The Rambam himself also rules that anger is k'oved avodah zarah (in Hilchos De'os), but nevertheless — since the person with his bad middos is calmed by it, it's a tikun in Hilchos Shabbos.

3. **The fundamental dispute — geder mekalkel/metaken:** The **Rambam** holds: when a person performs an action and he has some benefit/satisfaction from it, that's enough to be metaken — even if morally it's a kilkul. The **Ra'avad** holds: it must actually be a positive action; if generally it's a negative thing (k'oved avodah zarah), it's a mekalkel — the mussar lesson and the halachah lesson must go together.

4. **A formulation of the dispute:** The Rambam says: "When I give a mussar drashah I say that anger is a great kilkul, but in Hilchos Shabbos it's called a tikun." The Ra'avad says: "If in Hilchos mussar it's a kilkul, also in Hilchos Shabbos it's a kilkul."

5. **A question on the Ra'avad:** If we say that anger makes everything mekalkel, one could say by **every** melachah on Shabbos that the person is "kafuf b'yad yitzro" and therefore a mekalkel! **An answer:** Hilchos Shabbos speaks of shogegim. By a shogeg who forgets it's Shabbos but does a tikun — certainly he is liable for chatas. But here, he forgot it's Shabbos but he **didn't** forget that he's angry — that's the difference.

**Shemonah Sheratzim — Chovel B'sheratzim**

**The Rambam:** The eight sheratzim mentioned in the Torah — "**ho'il v'yesh lahem oros l'inyan Shabbos**" — they have skin, and when one strikes them mefarek happens (blood gathers), and one is liable like chovel. **But she'ar shekatzim u'remasim** that don't have skin — "**hachovel bahem patur**" — because by them no blood simply flows, their biological function is different.

**Sochet Peiros — Toladah D'dash/Mefarek**

**The Rambam:** Sochet (squeezing) fruits is also liable for mefarek — he extracts the juice from where it lies spread in the cells of the fruit. "**V'eino chayav ad sheyihyeh b'mashkin shesachat k'grogeres.**" The shiur is that the juice that is squeezed out should be k'grogeres (not the fruit itself).

**Innovation: "Eino chayav min haTorah ela drichas zeisim va'anavim bilvad"** — from the Torah one is only liable for squeezing olives (oil) and grapes (wine), because only their liquid is important enough to be called "derech" mefarek. Other fruits are only forbidden mid'Rabanan (but this chapter doesn't discuss d'Rabanan).

**Sochet L'soch Ochel — Mashkeh Haba L'ochel**

**The Rambam: "Mutar lischo'ach eshkol shel anavim l'soch ha'ochel, shemashkeh haba l'ochel — ochel hu."**

**Explanation:** One may squeeze grapes directly into food, because a liquid that comes into food is considered food.

**Innovation:** This is an innovative halachah — it's actually happened a mefarek! The juice came out of the fruit. But the answer: he doesn't make a **liquid** — he doesn't make juice. The juice was until now part of the food (grapes), and immediately after coming out it's part of the **new** food. It's not mefarek ochel me'ochel. The practical example: one squeezes a lemon into a salad — this is not sochet, because one doesn't make a separate liquid.

**"Aval hasochet l'chli she'ein bo ochel — harei zeh doresh"** — if one squeezes into a vessel where there is no food, it is doresh/sochet and one is liable.

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**Zoreh, Borer,**

**Zoreh, Borer, Meraked — The Connection**

**The Rambam: "Shalosh melachos eilu — zoreh, borer, u'meraked — domin inyaneihem zeh lazeh... mipnei shekol melachah sheha'yeseh b'Mishkan monim osah bifnei atzma."**

**Explanation:** The Rambam asks: Since all three melachos have the same po'el yotzei (separating food from waste), why do we count them as three separate avos melachah? The answer: Every melachah that was in the Mishkan is counted separately.

**Innovations:**

1. **The question:** According to the principle that melachos that have the same "inyan" can be "me'ein" one of the other (like choresh and chofer), one could say that borer and meraked are only me'ein hazoreh, not separate avos.

2. **The answer — and a question on the answer:** The Rambam answers that in the Mishkan all three were actually done, therefore we count each separately. But just the fact that in the Mishkan it was done doesn't yet explain why they are truly different melachos. There must be a real difference in the tzuras hape'ulah!

3. **The true difference:** In practice the difference is in the **tzuras hape'ulah** — zoreh is with wind (throwing in the field), borer is with the hand, meraked is with a tool (nafah/kevarah). The po'el yotzei is the same, but the forms of action are different. The Rambam's question, however, is that by other melachos (like choresh/chofer) we don't count separately even when the tzuras hape'ulah is different, because the inyan is the same. The answer remains: in the Mishkan each was a separate important melachah.

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**Melachas Borer**

**Toldas Borer — Mechabetz, Shemarim**

**The Rambam: "Hamechabetz harei zeh toldas haborer. Hanotel shemarim mitoch hamashkeh harei zeh toldas borer o toldas meraked."**

**Explanation:** Mechabetz (separating cheese from water by throwing in rennet) is a toladah of borer. Removing sediment from a liquid is a toladah of borer or meraked.

**Innovation:** The Rambam says "toldas borer o toldas meraked" — because the three melachos are so similar, by a toladah it's not always clear to which av it belongs.

**Borer with Vessels vs. B'yado**

**The Rambam:** "Haborer ochel mitoch psoles, o sheha'yu lo shnei minei ochlin u'virer echad mehem — b'nafah u'vkevarah chayav, b'kanon u'vtamchui patur (aval asur), v'im birer b'yado le'echol l'altar mutar."

**Explanation:** Three levels: (1) with a tool designated for selection (nafah/kevarah) — liable; (2) with a regular bowl (kanon/tamchui) — exempt but forbidden (d'Rabanan); (3) with the hand to eat immediately — permitted l'chatchilah.

#### **Innovations:**

1. By nafah and kevarah he means a tool that is specially made for selection. Kevarah is a coarser sieve for larger pieces. By apples and oranges there's no such kevarah — but in modern times one can also have such tools.

2. **Borer psoles mitoch ochel — liable even b'yado:** The Rambam says clearly that when one removes waste from food (instead of food from waste), one is liable even b'yado. The heter of "b'yado le'echol l'altar" only applies by ochel mitoch psoles.

#### **Turmusin — A Special Case**

**The Rambam:** "Haborer turmusin mitoch psoles shelahen chayav, mipnei sheha'psoles shelahen mamtikin osam k'shehen shelukhin imahen."

**Explanation:** Turmusin (lupin beans) are very bitter and one cannot eat them alone. One must cook them together with their "waste" in order to sweeten them. When one picks out the turmusin from their waste, one is liable.

#### **Innovations:**

1. **A difficult question:** Seemingly this should be ochel mitoch psoles, which with the hand le'echol l'altar should be permitted! Why is one liable?

2. **The answer:** Because the turmusin themselves are now still bitter and not ra'uy la'achilah, this is not "ochel mitoch psoles le'echol l'altar." On the contrary — regarding the current state, the "waste" (which sweetens them) is the main thing, and the turmusin themselves are like waste. Therefore it's like borer psoles mitoch ochel, which is liable even b'yado.

3. **Interesting point:** The Rambam clearly calls the turmusin "turmusin" and the other thing "psoles shelahen," but in practice the law is reversed — because the turmusin are not yet ra'uy to eat.

#### **Borer L'otzar — Putting Away for Later**

**The Rambam:** "Haborer ochel mitoch psoles b'yado aval l'hanicho l'achar zman, afilu l'vo bayom, na'aseh k'vorer l'otzar v'chayav. Kegon shebirer b'shacharit le'echol bein ha'arbayim chayav."

**Explanation:** Even when one selects ochel mitoch psoles with the hand, if one puts it away for later (even the same day), one is liable — it's considered "borer l'otzar."

#### **Innovations:**

1. **Question:** Why is b'yado l'haniach liable, but b'kanon u'vtamchui is only exempt (but forbidden)? Both are not the ideal way of borer! **Answer:** Perhaps b'yado is actually a normal derech berirah, only when it's le'echol l'altar is it "derech achilah" and not "derech berirah." But kanon v'tamchui is a shinui — not the normal way of selection — therefore it's only d'Rabanan.

2. **Shnei minei ochlin me'urbavin:** By two types of food that are mixed together, one may select one from the other le'echol miyad. But if one puts it away for later — even l'vo bayom, such as from morning until evening — one is liable.

3. **What does "l'altar" mean?** "Le'echol l'altar" doesn't mean literally at the mouth, but for **the current meal**. When one prepares for the meal one is about to eat now, this is "tikun ochel" (derech achilah). But for a later meal — even the same day — it looks like borer, and one is liable.

#### **Meshamer Yayin**

**The Rambam:** "U'meshamer yayin... b'mishmeres shelahem, chayav. V'hu sheyeshamer k'grogeres."

**Explanation:** One who filters wine sediment through a mishmeres (strainer/filter) is liable for borer — ochel mitoch psoles. The shiur is k'grogeres of the purified wine.

**Innovation:** The shiur k'grogeres applies to the tikun — how much pure wine he filtered out, not the entire amount of sediment.

#### **Mesaneim Yayin She'ein Bo Shemarim / Mayim Tzlulim**

**The Rambam:** "Mesaneim yayin she'ein bo shemarim, o mayim tzulim, b'sudarin u'vchfifah mitzris... kedei sheyitzolu b'yoser."

**Explanation:** One may pour wine without sediment, or clear water, through a cloth (sudar) or a kfifah mitzris (a basket with small holes) so it will be even more pure — but not through a mishmeres.

#### **Innovations:**

- The difference between mishmeres and sudarin/kfifah mitzris: a mishmeres is the normal tool for borer, therefore it's forbidden. A sudar or kfifah mitzris is not the derech of borer, therefore it's permitted when there's not actually sediment.

- When it's already clear water or wine without sediment, this is only an improvement, not true borer.

#### **Noten Mayim Al Hashemarim / Beitzah Al Chardal**

**The Rambam:** "U'mipnei zeh mutar litein mayim al hashemarim kedei sheyitzolu... v'noten beitzah terifah al gabei chardal kedei sheyatzuf."

**Explanation:** One may put water on sediment to squeeze out the bit of wine that's still there. Also one may put an egg on mustard so it will float up.

**Innovation:** This is connected to what we learned earlier regarding kiddush — that sediment with water is not really wine, it's a different thing. Therefore this is not borer — he's not purifying wine, he's making a new thing.

#### **Chardal Shelasho Erev Shabbos / Yayin Migito**

**The Rambam:** "V'chardal shelasho erev Shabbos, l'machar momcheh v'noten l'soch hakli... v'chen yayin migito kol zman shehu toseis, toref chavis b'shemareha v'noten l'soch hasudarin, she'adayin lo nifshu hashemarim min hayayin, v'chol hayayin kulo k'achur... v'ein al hashemarim shem psoles o shem yayin."

**Explanation:** Mustard that one prepared erev Shabbos, one may squeeze out the juice on Shabbos. Fresh wine (must) that's still bubbling — one may pour through a cloth, because the sediment hasn't yet separated from the wine.

#### **Innovations:**

1. **A great innovation:** In order for it to be borer one must have a geder of **ochel u'fsoles**. When the sediment is still mixed in the wine (during fermentation), it has no shem psoles — "v'ein al hashemarim shem psoles o shem yayin." The entire wine is like achur (cloudy), and this is its natural state. Therefore this is like mafrid bein ochel l'ochel, not borer.

2. **Question:** On the contrary, it's worse than achur — he's making an even greater selection! **The answer:** Because yayin migito one normally drinks with the sediment, this is not psoles. He only wants slightly purer must, but it's not true psoles — just like filtering water to make it clearer.

3. **The principle:** Borer requires a cheftza of psoles. If something is just "I prefer a bit better" but it's not really psoles, it's not borer.

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### Melachas Tochen

Av Melachah: Tochen

**The Rambam: "Hatochen... shiuro k'grogeres. V'chen hashochek tavlin v'samanim u'mechatechan, harei zeh tochen v'chayav."**

**Explanation:** Grinding — the shiur is k'grogeres of flour. Also grinding spices and herbs is tochen.

**Innovation:** Grinding spices/herbs is **actually av tochen**, not a toladah. The Gemara speaks a lot about a gezeirah of medicine — pesikas samanim — which is tochen.

Toldas Tochen — Mechatech Yerek, Noseir Eitzim, Shaf Matechess

**The Rambam: "V'hamechatech yerek talush... harei zeh toldas tochen. V'chen hanoseir eitzim leihanos b'nisores shelahem, o hashaf leshon shel matechess, chayav mishum tochen."**

**Explanation:** Cutting vegetables into small pieces is toldas tochen. Also sawing wood for the sawdust, or scraping metal for shavings, is liable for tochen.

### Innovations:

1. **Question:** Why is noseir eitzim a toladah? The shiur k'grogeres is a shiur of eating, and here he doesn't use it for food! The answer is not given explicitly, but it's understood that tochen doesn't only apply to eating — it applies to the act of making smaller.

Mechatech Eitzim — Shiur

**The Rambam: "Aval hamechatech eitzim... eino chayav ela im ken sheyadakdek mehem... v'hashiur kedei levashel k'grogeres mibeitzah."**

**Explanation:** One who cuts wood — the pieces are only liable if he cuts them very small. The shiur is enough wood to cook a

k'grogeres of an egg.

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### Melachas Meraked (Sifting)

**The Rambam: "Hameraked... shiuro k'grogeres."**

**Explanation:** Sifting — also a type of borer, as the Rambam mentioned earlier with a kevarah. The shiur is k'grogeres.

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### Melachas Lash (Kneading)

Av Melachah: Lash

**The Rambam: "Halash k'grogeres."**

**Explanation:** Kneading — the shiur is k'grogeres.

Toldas Lash — Megabel Es He'afar

**The Rambam: "Hamegabel es he'afar... harei zeh toldas lash. V'chamah shiuro? Kedei la'asos pi kur shel tzoreif hazahav."**

**Explanation:** One who kneads earth together with water to make a davar gush, is toldas lash. The shiur is enough to make the mouth (pi kur) of a goldsmith's small furnace.

**Innovation: Pi kur shel tzoreif hazahav** — a tzoreif hazahav uses a small kirah (furnace), and one must cover the open part with kneaded earth. This is connected to what we learned earlier by tanur — the inyan of tach (plastering).

Things Where Gibul Doesn't Apply

**The Rambam: "Aval eifer... v'chol hagass... u'morsan shehu lach v'lo kibutzo b'mayim — ein bahem gibul."**

**Explanation:** Ash, coarse sand, and morsan (clay) that is wet but doesn't come together with water — by them gibul doesn't apply, because they don't become a kneaded mass.

**Innovation:** The principle of lash: there must be a reality of lishah — that the material actually becomes a davar gush. If the material cannot become kneaded, there's no lash.

Shumshemin and Pishtan — Example of Lash

**The Rambam: "Hanoten zera shumshemin o zera pishtan v'kibtzam b'mayim, na'aseh mehem davar gushi u'mis'arvin v'nilashin zeh bazeh, v'na'aseh k'ein isah."**

**Explanation:** Shumshemin (sesame) or pishtan (flax) seeds — when one mixes them with water they become a kneaded mass, and this is lash.

**Innovation:** The Rambam brings shumshemin/pishtan as an example of things one might think lash doesn't apply (because it's not flour), but because they actually become a davar gush — it's lash.

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**Until here Chapter 8.**

## Full Transcript

### Rambam Hilchos Shabbos Chapter 8: Plowing, Sowing, Reaping, Gathering, Threshing, Winnowing, Selecting, Grinding, Sifting, Kneading

#### Introduction

**Speaker 1:** Yes, we're learning Rambam Sefer Zemanim Hilchos Shabbos Chapter 8. Before we begin learning, we want to thank the ba'alei hakemach (sponsors) who provide the flour so that there can be Torah, our friend the pious rabbi

Rabbi Yoel Halevi Wertzberger and all the other Jews who help out, umeihem yiru v'chein ya'asu (may others see and do likewise). If someone wants to sponsor a shiur, five hundred dollars a shiur, let him call out.

**Background: Avos Melachos and Toldos**

**Speaker 1:** Now, the previous chapter, Chapter 7, the Rambam enumerated the 39 melachos (prohibited labors), and he also gave us there the concept that besides the 39 avos

melachos (primary categories of labor) there are two more categories: the fathers have brothers and the fathers have children. That is, the fathers have... there are other ways of being zeri'ah (sowing), besides the literal meaning of zeri'ah which means planting seeds, there are other ways, every kind of way that one makes things grow, and this is called an extra thing called toldos (derivatives). Toldos means things that stem from... one abstracts the melachah, one looks at something that is similar to the melachah. For example, we say that not only is boneh (building) building a house, but boneh means putting pieces together, so also when one makes cheese and puts together many pieces, that is a toldah of the av (primary category).

Now, that was the previous chapter. In this chapter the Rambam begins with the first few avos melachos and gives us a bit of the toldos.

**Speaker 2:** Yes, there are also similar melachos. There is indeed meien (similar type).

**Speaker 1:** Ah, there is meien also.

**Speaker 2:** Yes, sometimes there is meien.

**Speaker 1:** Or we don't know what they are.

That is, if a person sees a melachah that didn't exist, that is, a new melachah, one must try to categorize it. For example, we say that electricity is boneh, it's meien, yes, such a kind of categorization. That is, the categorization doesn't have to be clearly derived.

**Speaker 2:** True, but now...

**Speaker 1:** Not every abstraction can a person make, to say that like taking crumbs of cheese and making from it is called boneh. Not everyone can make every kind of abstraction, but...

**Speaker 2:** Yes, we're learning what it says in the Gemara and in the Rambam.

#### Structure of Chapter 8: D'Oraisa and D'Rabbanan

**Speaker 1:** The Rambam says thus: Hachoshesh (the plow)... Yes, it begins with hachoshesh, the first one. The chapter goes until halachah 20, I think. Yes, choshesh is the first melachah, **hachoshesh kol shehu chayav** (one who plows any amount is liable). The Rambam said in the previous chapters that choshesh always means making a hole in the ground.

**Speaker 2:** Yes, it's good to know the structure here. Each, almost each melachah, the first halachah that we learn about it is the shi'ur (minimum measure). Because each melachah has a shi'ur, how much is one liable for. True, chatzi shi'ur (half the measure) the melachah is forbidden, but how much must one do to be liable? So, choshesh has various halachos here. One can see according to the shi'ur what sort of thing it's approximately talking about. So, choshesh has no shi'ur, kol shehu (any amount) one is liable. **Hachoshesh kol shehu chayav**. Now we'll learn about a few toldos of choshesh.

#### Halachah 1: Choshesh (Plowing)

##### Shi'ur of Choshesh

**Speaker 1:** The Rambam says, "**hamenakesh b'ikrei ha'ilanos**" (one who weeds around the roots of trees). The Rambam will bring three more examples of toldos of choshesh. He says, if someone tears off pieces, he cleans by the roots of the trees, he cleans around. Essentially he digs a bit, he digs down, he removes dirt, he removes things that lie on the ikrei ha'ilanos (roots of the trees). This is also a way of improving the ground so it will grow well.

**"V'hamekarsem asavim"** (and one who removes weeds), someone pulls out bad weeds, it's not kotzair (reaping) or... kotzair is a different sort of thing, this is a toldah of choshesh.

**Speaker 2:** Right, it could perhaps be a sort of zeri'ah that we're talking about, like fixing so the other weeds will grow better. Here we're not talking about that, here we're talking he does it so the ground will be better.

**Speaker 1:** Right, it's interesting, because seemingly when a person looks mainly at the action, he would say it looks like kotzair. Kotzair means cutting something from its place of growth. But here we look at the result. Ah, there it's usually kotzair, simply he wants an apple and he cuts it down. Here it's a different thing, here he wants to improve the earth, it's called choshesh. So, usually we don't look at how the melachah looks, but what the melachah does.

**"O hamazred es hasrigim"** (or one who prunes the branches), if someone... it's interesting that here there are also extra words, a verb for pulling out. This is a different kind of thing. Because here I think he cuts off pieces from the trees. He cuts twigs. He does something in the earth, but it's not exactly in the earth, but it's also **kedei leyafos es hakarka'a** (in order to improve the ground). I don't understand clearly what this means. He brings something from the Geonim, I don't know, that one cuts off twigs so the twigs will lie on the earth. It's not the point for the tree, because then it would perhaps be zeri'ah, but it's for the earth. It's also some purpose that one cuts off many little pieces of wood so there will be pieces of wood on the earth. As he says immediately, kedei leyafos es hakarka'a.

Rashi says toldas choshesh, because this is the melachah of choshesh, improving the ground so one can sow. And how much is the shi'ur of this? **V'shi'uro kol shehu, chayav** (and its measure is any amount, one is liable). Any of these things, kol shehu, chayav.

#### Meshaveh Pnei Hasadeh (Leveling the Field)

**Speaker 1: Hameshaveh pnei hasadeh** (one who levels the surface of a field). Here he will bring things that are not exactly the same thing. The previous things are more or less three ways of doing a similar action, which makes like... now comes a new sort of action which is also a toldah of choshesh. He will do a different action which is not... all the things that were enumerated is choshesh as preparation for zeri'ah, improving the earth so one can grow and so on. But if there is a different reason why a person wants to dig in the earth...

**Speaker 2:** No, here we're talking he wants to dig in the earth. You had a meshaveh pnei hasadeh because he wants to walk there.

**Speaker 1:** No, no, it's also about preparation for zeri'ah, there's no difference.

**Speaker 2:** No, but he wants to walk there. He is meshaveh pnei hasadeh for whatever reason.

**Speaker 1:** No, it's leyafos es hakarka'a, that's the difference. All charishoh (plowing) is for that.

**Speaker 2:** No, all the charishoh before are leyafos es hakarka'a. Now it's a completely different thing, he wants a straight path so it will be easy to walk.

**Speaker 1:** It says here, **hameshaveh pnei hasadeh**, yes, **goren shehayu bo tel** (a threshing floor that had a mound), there's a hole, a little hill, **v'riddo** (and he flattened it), or

there's a little hole, **u'milei hagai** (and he filled the depression), he filled in a place that is lower, **chayav mishum choresh** (liable for choresh), because it's also a concept of leyafos es hakarka'a.

**Discussion: "Chayav Mishum Choresh" – Toldah or Av?**

**Speaker 2:** I think so. But it says chayav mishum choresh, that's the meien, yes? That's not the toldah. Not meien, it's a toldah.

**Speaker 1:** Yes, chayav mishum choresh, he doesn't say toldas choresh.

**Speaker 2:** No, mishum usually... mishum is also the same thing? Mishum is also a toldah?

**Speaker 1:** I think yes, the Gemara usually says toldah. I think so. Yes, when the Rambam begins with an av melachah he says it directly. Because otherwise one is. So I think. It's not going on communities, it's just a word the whole difference.

**Discussion: Why Does the Rambam Say Again "Shi'uro Kol Shehu"?**

**Speaker 2: V'shi'uro kol shehu** (and its measure is any amount). What the **v'shi'uro** is. I don't know clearly. It could be that it means even not in a field, perhaps even in a house there's a shi'ur of kol shehu. Not clear, why the **v'shi'uro**. He already said it once.

**Speaker 1:** Yes.

**Speaker 2:** That before he said, ah, simply actually, it has to do more with a field, and even not a field?

**Speaker 1:** Rabbi Bluming says, in the name of someone, that before he said a large one, that it said a tel, the Rambam needed death, he had a little hill, and he made through the field. **Mishum v'shi'uro** means even a small one, a hole he had to make, not exactly, it was standing before in exactly, mishum of pnei hasadeh. It said in exactly, there are holes, and he fills it in, or so. It said **shi'uro kol shehu**, essentially it already covered that with the name shi'uro kol shehu. It's not a big chiddush (novelty) what's written in this piece.

**Summary of Hilchos Choresh**

**Speaker 2:** Until here are hilchos choresh, where will we learn this melachah of choresh?

**Speaker 1:** We've now learned all the halachos that are here about choresh. It's a small melachah. We can learn from the next melachah.

**Speaker 2:** Right, we've already learned a bit about choresh, when we learned that one may not drag a bench if it makes a groove in the earth, if it's even a year one choresh, if it will be a verse of a wicked person.

**Speaker 1:** Right, it's not written about a verse of a wicked person in the ground, it's written about melachah itself. Also one must think the higher melachos... the thing really doesn't have to mean new by, but we understood, that if it's a heavy bench, not to appear this is what the Rambam said is what he said so but he is with the thought when the thing we bring over he counted not but very well there's a reason we spoke about this.

**Chiddush: The Rambam Separates D'Oraisa Melachos from D'Rabbanan Melachos**

**Speaker 1:** No, the main thing that one must know about all these chapters that we'll learn until chapter I think not is that the Rambam tells us that here are all hilchos choresh d'Oraisa (Biblical law). About this it's a bit not so simple because the

Rambam separated d'Oraisa melachos from d'Rabbanan melachos. So the Rambam said all d'Oraisa until chapter 20, and from chapter 21 the Rambam goes through the same melachos and he brings the d'Rabbanan's and the shevusin (Rabbinic prohibitions).

So in a certain way it makes it more complicated to learn, because we learn here hilchos choresh, we'll go learn, for example there's a gezeiras d'Rabbanan (Rabbinic decree) of sweeping the ground regarding choresh regarding breaking clods. But the Rambam doesn't bring it here, because the Rambam wants to be very strict about the prohibition by what the Rabbis held. The Rambam held that it's very important to know what is d'Oraisa and what is d'Rabbanan, so one shouldn't mix up. So he separated it extra. Now we're only learning choresh mid'Oraisa (from Biblical law), except he takes here the d'Rabbanan's that are not toldah d'choresh, but like close to choresh or what brings to choresh, and that we'll learn much later.

I think that's the concept of why he began, the chapter was "melachos shechayavin aleihen sekilah v'kareis" (labors for which one is liable stoning and excision). He says, I'm now going to enumerate only the sekilah v'kareis, and it's only the fathers with the brothers and the children, not the grandchildren. The grandchildren are at the end, that's the d'Rabbanan's.

**Speaker 2:** Perhaps grandchildren even are d'Rabbanan's, are decrees, are distancings.

**Speaker 1:** Can you call it grandchildren?

**Speaker 2:** It can't be too close.

**Speaker 1:** No, you're saying an interesting thing, because a d'Rabbanan that's too close a connection would already be an av or a toldah. It's a bit of a further connection. It must be something that's not forbidden mid'Oraisa. True, many times, we'll see in the details many times it's not clear to understand why this is only d'Rabbanan and not a toldah. But in any case, what the Rambam brings, he has an explanation in the Gemara that this is the difference.

Now, until here is choresh d'Oraisa. Now comes choresh d'Rabbanan, one must wait for the chapter of us.

**Halachah 2: Zore'a (Sowing)**

**Shi'ur of Zore'a**

**Speaker 1:** Now. The second melachah is zore'a, the Rambam talks about zeri'ah. **Zeri'ah, kol shehu** (sowing, any amount). The shi'ur of zeri'ah is even a small shi'ur. There's no minimum.

Interesting, by choresh and by zeri'ah one understands that even without a minimum, it must... putting a seed in the earth is always an action. And also breaking clods doesn't mean just giving a scratch in the earth, because that's not included in choresh at all. It must mean something that's within the definition of choresh. But the exact shi'ur isn't there.

**Speaker 2:** The smallest scratch that you make with explicit intent for...

**Speaker 1:** What can be called a concept of guma (hole)?

**Speaker 2:** There's no shi'ur. Here there is yes, zeri'ah one must put one kernel in the earth. I say, but if it's really a kol shehu, it means it doesn't have the name of a guma, it doesn't have the name of having been dug out. If someone moves a

crumb of sand, nothing happened, but the shi'ur is kol shehu. He didn't make any charishoh.

**Speaker 1:** Didn't you make a kol shehu?

**Speaker 2:** But the shi'ur is not every sort wasn't become become.

#### Shi'ur Zeri'ah — Kol Shehu

**Speaker 1:** So until here is choresh d'Oraisa, and choresh d'Rabbanan we must wait for the chapter of us.

Now. The second melachah was hazore'a, the Rambam talks about zeri'ah. **Hazore'a kol shehu** (one who sows any amount), the shi'ur of zeri'ah is even a small shi'ur, there's no minimum. We'll say, by choresh and zeri'ah one understands that even without a minimum, one must put a seed in the earth is always an action, and also about this, it doesn't mean just giving a scratch in the earth, because there's no need at all for choresh, it must mean something that's within the definition of choresh, but the exact shi'ur isn't there. The smallest scratch that you make with explicit intent.

What can be called a concept of guma? There's no shi'ur. Here there is yes, zeri'ah one must put one kernel in the earth. I say, but if it's really a kol shehu, it means no, it doesn't have the name of a guma, it doesn't have the name of having been dug out. Someone moves a crumb of sand, nothing happened, but the shi'ur is kol shehu. He didn't make any charishoh.

Each, the word is, by the shi'urim it's actually clear. Kotzair must be a grogeres (dried fig's volume), if you cut smaller than a grogeres, you made ketziroh, but it wasn't a grogeres. A zeri'ah, you made zeri'ah even with a tiny bit of zeri'ah, because it's actually we bring this, because it already has benefit even with a kol shehu.

#### Meien Zore'a — Hazomer Es Ha'ilan (Pruning the Tree)

**Speaker 1:** Hazomer, now. And what is the, now the Rambam will bring a meien hamelachah, which is also an av, it means the same, it's another kind of way of saying zeri'ah. He already said, before he already brought us a few ways of planting, neti'as ilan (planting a tree), mavrich (layering). Here he says, **hazomer es ha'ilan kedei sheyitzmach** (one who prunes the tree so it will grow), he cuts off pieces from the tree so it will grow, **harei zeh meien zore'a** (this is similar to sowing).

Meaning, when someone sees someone doing zomer es ha'ilan, it can be one of two melachos that we already know. If it's leyafos es hakarka'a, it's choresh. If it's kedei sheyitzmach, it's zore'a. And another kotzair, it can be one of three.

It will be, because here we see our meleches Shabbos is not the form that you see, but what the purpose is that he wants to accomplish. Always, always. But it can be one of three, but that's how we'll learn it.

**Speaker 2:** Yes, but, kotzair, kotzair, kotzair zera'im, whatever, it's a k'zayis, a minute ago. Not one has mezamer. The conclusion is different. One cuts off the small pieces, the large pieces, whatever. Harei zeh min zore'a.

**Speaker 1:** Yes.

#### Toldas Zore'a — Hamashkeh Tzema'chim (Watering Plants)

**Speaker 1:** Further. But **hamashkeh tzema'chim v'ilanos b'Shabbos** (one who waters plants and trees on Shabbos), someone who gives to drink, he waters the tzema'chim v'ilanos b'Shabbos so they can grow, **harei zeh toldas zore'a** (this is

a derivative of sowing). This is not min zore'a, but it's toldas zore'a, **v'chayav chatas** (and liable for a sin offering).

**Discussion: Why Is Mashkeh a Toldah and Zomer a Meien Zore'a?**

**Speaker 2:** Why? What's the difference between zomer or mashkeh?

**Speaker 1:** Again, zomer is the same exact thing as zore'a. Go understand. But mashkeh is not the same exact thing. It's something that helps it to grow. Understand? It's a different action. It's a completely different sort of action.

**Speaker 2:** We see it exactly opposite. Water is exactly it makes it grow. Without water it can't grow. Zomer is something that makes the tree better.

**Speaker 1:** But what then, I already told you before. There are five ways how to plant trees. One of them is cutting off pieces. It makes it grow directly.

**Speaker 2:** No, zomer is not what you said before, mavrich. Zomer means that he cuts off a small piece, and that makes it grow better.

**Speaker 1:** And before you spoke by the date palm, a tree that has too many branches, he cuts off a few branches so the rest will grow well.

**Speaker 2:** And that's more direct than watering? Why is that more direct than watering? It's almost the same thing.

**Speaker 1:** Because that I told you, because the commentators saw that planting a small little tree you're counted, because that's another way of planting. In the previous paragraph they spoke about this, why zomer is a sort of cutting. Very good. You understand that watering is a completely different action. Certainly it helps it to grow, but it's not planting. It's a completely different thing.

**Speaker 2:** Why is cutting more like planting than watering? I don't know why.

**Speaker 1:** Very good. There's a concept of hashtarasha (taking root). One places a piece of the tree into the earth, that's called hashtarasha. They didn't talk about that back then. There are different ways how to plant trees. One of them is to cut the trees. But to water is not a way of planting a tree. It's a way of making a tree grow well. It's a completely different thing. It's a toladah, but it's different. I see that it's more different. I don't see that it's so obvious. It doesn't make any difference anyways. The difference is only in the toladah.

#### Toladot Zeria - Soaking Seeds

**Speaker 1:** And so, there's a way of planting wheat. And it's not through putting it in water. No, one plants it, it's prepared, it's a bit sprouted, the wheat is ready, it begins to ferment, and afterwards one puts it into the ground. A great toladot zeria and obligated. It's toladot zeria. Because it's a preparation for the sowing. This is the end of hilchot zeria.

#### Note About the Rambam's Language

**Speaker 1:** By the way, look, in the previous chapter we said that the Rambam made the entire zeria into zeria, and not once did he go back to the language of the Mishnah zeria. He doesn't say that soaking is zeria. No, he says like this, in my opinion, he talks about the people. Later is... but by the names of the melachot it's changed to subjects. No, he doesn't say a charisha in any way. Right. Okay.

#### Melechet Kotzer

#### Shiur Kotzer - Grogereth

**Speaker 1:** We're going to learn about... kotzer. Kotzer. Says the Rambam, toladah, if someone, one doesn't say... what is the shiur of kotzer. Ah, says the Rambam, kotzer. The shiur is a grogereth. A dried fig. A dried fig. We talk a lot about the shiur. Today is a smaller shiur than... the Rambam, one goes when... what the shiur has fallen. Kotzer grogereth. Obligated.

#### Toladot Kotzer - Oker Davar Migidulo

**Speaker 1:** Says the Rambam, what are the toladot of this? Toladot toladot kotzer. Kotzer means cutting grain. If one is toladot, one tears off any other things with davar gedulah. Yes. They, as if one doesn't know exactly what the difference is between kotzer and toladot. They should be the same - it seems to me to understand what they say that kotzer means with a tool, and toladot means without a tool. Not clear. Okay. It's that one gets the same thing. As if oker davar migidulo is a toladot of living and there kotzer, he says it means to say toladot kotzer. Yes.

#### Tolesh Me'atzitz - Tzeror, Chavaz, Atzitz She'eino Nakuv

**Speaker 1:** Then, he's going to say the Gemara. Then, he's going to say the Gemara about things that perhaps a person has they don't look like one is cutting, like something is in the family of kotzer. But it's that yes. **A stone that has grass growing on it**, a stone that has begun to grow grass on it, **or a bush that has something growing on a thorn bush**, on a thorn bush, on a small tree has begun to grow a plant, I know, it's a tradition, some plant, **or grasses that grew on the chavaz**, all these things is the makom gidulo of the grasses that grow. So **one who tears from them is obligated, because this is its place of growth**. The stone or the chavaz now becomes the place where it grows, because it's obligated. **But one who tears from an atzitz she'eino nakuv**, but in practice, he tears out from a planter that is not perforated which is not drawing from the ground, **is exempt, because this is not its place of growth**. This is not the place of growth.

**Discussion: Why is Atzitz She'eino Nakuv Different from Chavaz?**

**Speaker 2:** Perhaps, it's not normal, it's not the normal way to plant in an atzitz she'eino nakuv, because apparently it grows very weakly, and only for a short time. Unlike chavaz which is yes a normal way that grasses grow. That's how it looks. I don't know. It's a normal thing. Nature, what happens through nature is called normal, and when a person does things that there's a better way of doing, people almost never do atzitz she'eino nakuv. It's not common. If you have a planter at your house in your usual time, it will be an atzitz nakuv. That's the truth.

**Speaker 1:** What is something that is like indoors inside? Indoors is certainly not nakuv. Nakuv means that it should actually... the commentators say that eino nakuv means that it's connected to the ground. That it's not that it's connected to your parquet floor or stone floor. Indoors by me is certainly not a way of... ah, you mean outside it's an atzitz nakuv. But people have plants, that's an atzitz she'eino nakuv.

**Speaker 2:** If you're outside, it is yes nakuv. He makes a nakuv. He makes a hole from below. It's better that way. Very good. But it's still an atzitz she'eino nakuv, because there are some plants that can survive in a house. Atzitz she'eino nakuv is not a normal thing. The grasses are normal. The grasses, nature makes it grow. Okay. Yes. Because the chavaz has some moisture from which it grows, and the like.

**Speaker 1:** One must know the case of atzitz she'eino nakuv of what you're talking about. It's very possible that an atzitz she'eino nakuv is something that one cuts off, and for a piece of time it still holds in the house. You say that the piece of time, that it can hold in the container for a few weeks, doesn't yet make this the makom gidulo. It's already cut off from the ground. Not necessarily cut off. I have such plants. I don't see why. It's not a normal way. No farmer farms plants in... what's it called, the pot, yes? In today's times it's actually specifically a thing. Back then it's a question. Back then one must know on a shelf, if it's a thing, if it's a thing lechatchila one must ask the rabbis, it's actually a question. But I'm talking about what you buy a flower for whatever, some plant that grows by you in the study, that's not a torat gidol, that's not a question. It's a question. In any case, this is the halacha.

#### Atzitz Nakuv - Kedei Shoresh Katan

**Speaker 1:** Atzitz she'eino nakuv, what is perforated? Yes? Atzitz she'eino nakuv, it has a hole. How big must the hole be? **Kedei shoresh katan**, if it has a small hole, that a small root, a small shoresh, should be able to connect to the earth beneath it, **it is like the ground**, then this is not considered like an atzitz she'eino nakuv, but rather yes, it's connected to a makom gidol.

#### Kol Zera Sheketzirto Mitzmicho - Chayav Shtei Chataot

**Speaker 1:** Says the Rambam like this, **any seed whose cutting**, we said earlier by zomer, when one cuts off a piece, that's the way of making it grow. He says, the same thing, any grain whose cutting makes it grow more, **any seed whose cutting causes it to sprout and grow, like aspasta and silka**, are two types of vegetables. Silka we see many times, a silka as we learned it. Aspasta says the Shach, in short, some types of grasses that when one cuts off makes it immediately begin to grow back again. **One who cuts it inadvertently is obligated for two chataot, one for kotzer and one for notea**.

This is very interesting, with the same action the person does two things, he does kotzer and he does notea, because it's two toladot of the same action. He now has a piece of aspasta to give for his animal, that's kotzer, but also with the same action he's afraid notea, it grows again.

**Discussion: Is This Only a Side Effect?**

**Speaker 2:** But it's interesting, apparently one speaks in a manner when he wants both, because if not the other thing is more like a side effect, he's kotzer and incidentally it happens that it's going to begin to grow back. What he does, this is a thing that when one cuts it it grows more, that's what everyone wants. When he cut it off he didn't do an action that it should grow, he seeks to give to eat for his animals. And the other thing is, I can perhaps tell you a parable. When one shaves a person, his hair grows back.

**Speaker 1:** But if one shaves a person... that doesn't mean growing.

**Speaker 2:** Every thing in the world when one shaves it off, it grows back. That's not the point. There are things that one cuts them so they should grow back. That's the way. And there are things that that's not the way, it takes longer to grow, they're not connected like that, and the like.

#### Chayav Shtei Chataot Al Peula Achat

**Speaker 1:** He seeks to give food for his wife. The other week is a derech gedila. Every time one shaves a person, his hair

grows back. Very good. If one shaves a person, it doesn't mean growing. Every thing in the world when one shaves it off, it grows back. Not that is the point. There are things that one cuts them so they should grow back, that's the way. There are things that that's not the way. Presumably the difference is, it takes longer to grow, it's not connected like that, and the like.

Yes, but here stands the chidush, that when one does an action from which comes out two types of things, is obligated for two chataot.

'Cause like you said the whole time, hilchot Shabbat is mostly about results, not about actions. Yes. In general, actions of a person are more about the results than the actions. Not like the Rebbe told you, a person must do, not undo. Locks, a person must undo. Doing is a way how to undo. Yes, doesn't that mean danger. Hilchot Shabbat is only about... here he has after all done nothing. Right?

**Speaker 2:** I hear, I hear.

#### The Din of Zomer and Needs Wood

**Speaker 1: And what about zomer and needs wood.** If he does yes need the wood. It's usual, zomer one throws away the wood, so it's only a notea. Yes. But if he needs also yes the wood, **obligated for kotzer and for notea.** Very good. He brings two chataot.

You mean there were such lines of people in the Beit Hamikdash with two chataot because he made a mistake? I don't know.

Now we're going to learn apparently another toladah of kotzer. He says after all not Google apparently obligated for two chataot, because regarding punishment it's apparently not relevant. One is regarding to be a problem apparently with the warning, yes. If he has a punishment he's also not relevant. Good. All these differences are all in chataot. Hilchot Shabbat doesn't talk about Jews who are mechalel Shabbat deliberately. One must remember, one talks after all about honest Jews. Only inadvertently it happens.

#### Halacha 5 - Atzitz She'eino Nakuv

**Speaker 1:** Let's continue. So like this, **one who extends his hand into the mouth of an animal, a piece of sponge that he placed in it with aspasta,** which has begun to grow on it, little grasses, so if someone lifts it **from the ground,** when I **along with its base,** if he places it on something, **obligated for tolesh,** because when he lifts it from the makom gidulo, he tears out the grasses. Or conversely, it was **along with its base,** when I **on the ground,** he placed it down on the earth, so they should better be able to survive, so he **is obligated for zorea,** because he is connecting to the ground.

**Speaker 2:** So that's like a contradiction. On one hand it stands both ways, also that this is tolesh...

**Speaker 1:** No, it's correct, yes. This is tolesh and this is zorea. On the base it's not connected, that's the point.

**Speaker 2:** Okay.

#### Halacha 5 - Figs That Dried on the Tree

##### The Rambam's Halacha

**Speaker 1:** The next piece is a contradiction. So like this, **figs that dried on the tree,** dates that were not successful, it dried out before it became ripe. **And similarly a tree whose fruits dried,** a tree that rotted, whose fruits dried out. So a person could think that it no longer means really attached to

the ground, it's already a dead thing. But the halacha is not so, **one who tears from them on Shabbat is obligated,** because in practice, as long as it's still in practice attached to the ground, one doesn't go into how successfully it's still drawing from the ground. One looks at it on the main thing that it's still connected.

Even though there are other halachot where one looks at it as already torn off. Regarding tumah, **even though they are like uprooted,** it means already like torn out regarding tumah.

#### Explanation of the Difference Between Tumah and Shabbat

The explanation is like this, by tumah, only a cut-off fruit can receive tumah. If a tumah touched a torn fruit, it receives tumah, but a thing attached to the ground doesn't receive tumah. So what happens with the figs? Regarding tumah we say that it means already torn off, that it's already not attached to the ground, it's already not drawing. A person would think that this should also be said regarding Shabbat, that this means already not makom gidulo. But the halacha is not so, as long as it's still attached to the ground, one doesn't go into how successfully that is planted.

#### Discussion: Tree That Dried - The Whole Tree or Only the Fruits?

**Speaker 1:** He explains Rabbi Blumenberg in the name of the commentators, that this is specifically if only the fruits are weak. But if the whole tree has become dead, certainly it's already not a tree. But only regarding the fruits it's not...

**Speaker 2:** They have everything connected, if it's not attached to the ground, why is it a difference for Shabbat? We take them?

**Speaker 1:** Perhaps as long as it hasn't fallen from the place?

**Speaker 2:** But it will anyway fall. It's a matter of time. At a certain point it's going to fall.

**Speaker 1:** I say, as long as it's still attached to the ground, I'll say a chidush, I don't know. It looks like that from the language "its fruits dried". He says like this, "a tree that dried". I don't understand, it's hard for me to understand. What's the explanation that it's still a fruit? You are tolesh the fruit from the tree. That's the tolesh, right? But a whole thing, a dead tree is not a tree. What's the issue?

I want to tell you that if I say that "attached to the ground" means that it's drawing from a makom gidol, both are already not drawing. Certainly, the fruits are dried. The fruits are broken. But the fruits are still connected. It was yesterday a fruit. A tolesh is when one cuts the fruit. The fruit is already not drawing from the makom gidulo. What do I care where the tree is? The fruit already gets nothing from the makom gidulo.

I say, as long as it's still attached.

**Speaker 2:** Yes, but there must be a makom gidol. There must be some makom gidulo. To break a popsicle is not a tolesh, right? Because there's no gidol. It's just two things that are connected, right?

**Speaker 1:** Like you say, two dried things, to break when both sides are dried, so you're not tolesh anything from anything. You're breaking a dead thing. Somewhere must be alive.

**Speaker 2:** Okay, I don't see, I tell you the logic, one cuts off a dead thing. I don't see, I cut off a dead thing. Could be that there's some sugya in the Gemara, I don't know. If it's just logic, cutting dead things is not a tolesh. Tolesh is only when

one cuts off things from where they grew. This grew yesterday, fine. But that if it's actually a whole tree that is nothing, I don't know if it makes sense.

**Speaker 1:** "Its fruits dried" means I that the fruit is already not drawing anything. The fruit already gets nothing from the tree. Certainly, the tree is dried out. So, what's the problem? "A tree that dried and its fruits" is the same kind of thing. The fruit is regarding the tree the same as the tree regarding the ground, even when the ground is dry. The problem is not to cut off the tree. The problem is to cut off the fruit from the tree, right?

Could be that when one cuts off the tree it's something another issuer, not at all any tolesh. If he cut off a tree. It's another topic. Tolesh is when one cuts off a fruit from a tree, or perhaps to cut off the whole tree is also a tolesh. But now he's talking after all about... he says "a tree dried that draws from its fruits". He doesn't say after all the whole tree. He says after all only when he can still have benefit.

#### Possible Answers

**Speaker 1:** I'm just telling you what I wanted to understand a bit. Either regarding tumah, or tumah has other parameters than Shabbat. Regarding tumah it means yes not attached because it's already something finished, whatever. Regarding Shabbat no, or it's just a verse like a stringency. It's very possible that this is the explanation in this piece of doubt. That even a fruit looks dried, perhaps the fruit still gets something from the tree. One must be an expert for this. He is obligated. He goes stringently both ways. But he says obligated. Obligated means one brings a chatat. It's a matter that is a doubt in the Gemara.

Or one can say another answer. One can say, he brings a hint, I thought. It could be that tumah is simple, you know, detached, but who says that regarding Shabbos, a detached thing one may not cut? As long as it's still similar, it's as if it's still attached, it's a toldah. A toldah of a toldah. I saw he brings a proof, because cutting from a person is also called from a place of growth or from an animal, yes? Someone cuts hair from an animal, he's cutting it from its place of growth. So too is a person.

**Speaker 2:** That's what it says here?

**Speaker 1:** For now it doesn't say that. I don't know. Perhaps it's only rabbinic. I don't know.

**Speaker 2:** Okay. Okay.

### Halacha 5 – Measurements of Tolesh

#### Measurements According to Purpose

**Speaker 1:** Ummmm... tolesh. He says one is liable for tolesh. He says specifically, he says the measurements of tolesh. The Rambam says like this, ah, there's a different measurement for... not all types of tolesh. Let's say like this, kotzer, let's understand. Kotzer, the av melachah, had a measurement of k'grogeres. But now we're going to discover that not every type of tolesh which is a toldah of kotzer necessarily has the same measurement.

**Speaker 2:** No, I'll tell you. I think it's more general. For every thing one must look at what purposes it's used for. A fruit, you see what k'grogeres means? It means an average fruit. Kotzer usually means cutting a fruit, so one says it's the size of an average fruit. But if one cuts it for other reasons, then the measurement becomes according to the reason why one cuts.

**Speaker 1:** I don't know why he says specifically about olshin and zradim, it could be because that's the example in the Gemara. But the Rambam means here primarily that what he said about kotzer being k'grogeres is because that means cutting fruit. But if one cuts it for other reasons, any type of vegetation, one looks at what thing one is cutting it for.

For example, if someone cuts olshin, it's a type... we see it in the types of maror, we see it's from the cabbage family, it's a type of cabbage-like fruit. Or mezared zradim, someone cuts off small pieces of wood, I mean what one uses for heating.

#### The Three Measurements

So it's like this: **im le'achilah**, both things can be used, or these olshin can be used either for eating, or for eating for an animal. **Im le'achilah** for a person, **shiuro k'grogeres**, that's the accepted measurement of eating for a person. But **im livhemah**, it must be according to the measurement of a typical animal food, which is **k'melo pi gedi**, how much a kid eats at once, fills the mouth. **Im lehaskah**, if it's for heating, it must be enough a piece of wood to heat minimally, **kedei levashel beitzah**, an egg is easy to cook, an egg gets cooked faster, so that's the measurement of tolesh for heating.

#### Question: Why is Cooking Different?

**Speaker 1:** But I can ask you a question on this, it's really not an answer to your question. If we've now said that regarding matters of eating the measurement is a grogeres, then seemingly bishul, cooking food in order to eat it, should also have the measurement of a grogeres, not something like an egg. Because one says the minimum of the thing. The minimum eating means a whole fruit, and the minimum cooking means cooking a smaller cooking. Because let's say an egg gets cooked in a minute, and a fruit takes longer, but it was still important enough, it was still an important enough thing that you cut.

So we're going to discover in the next halacha that when one says "kedei levashel beitzah", it means regarding bishul that you say, because an egg has a certain time. It doesn't make sense that a time comes in. Ah, to cook an egg doesn't need much, a small piece of wood, but it burns out in a minute. It doesn't mean that one must eat, for example, when an egg like an egg.

#### Melachas Me'amer — Gathering Vegetation

We're going to discover in the next halacha, that when one says kedei levashel beitzah it means regarding bishul that you say, because an egg has a certain time, a certain... it doesn't make sense that a time comes in, a comes in a... aha, because for an egg one doesn't need much... aha, a small piece of wood, and it burns out in a minute. But it doesn't mean that one must eat for example an egg like an egg. One must for example an egg like a grogeres, which the Rambam says in the next halacha. I think that's exactly what the example of olshin and zradim stands for, because seemingly these things can be... he says that it depends on which state, sometimes it's when it's softer one can eat it, and later it will harden. Seemingly if someone takes just a thing that he's deciding will be, which doesn't go from thing like a regular date. It's such a type of thing that can be this way or that way. Types of olshin types of zradim or whatever. It's such a thing that isn't then an extensive thing. He took it and he decided for heating. I can't a meal a person.

One speaks about such a type of thing that perhaps according to the matter, or according to the custom of customs. Part is eaten, part is given for the animal, part is used for heating.

Now. One can learn about the melachah of me'amer. Yes, first let's say what me'amer is at all. Everyone who stands you. From where do we know me'amer... where is the language? It doesn't say me'amer in the Torah. Omarim? Omarim, alomim. Amorim? What does it say in the Torah? Me'amer means gathering a sheaf. Means gathering the amarim. Gathering wheat stalks. What is the measurement? Therefore, me'amer of food. Someone gathers together pieces of food, and the measurement is k'grogeres. If it's food, and if it concerns the thing that is me'amer, are things that are really food things, and it's k'grogeres. When more me'amer if he has gathered together, for example I know straw for an animal, and the measurement is k'melo pi gedi how much it eats for an animal, and which animal did they give a gedi? Interesting, gedi means they say a small or a smaller animal, that they don't say a chicken, they don't say a huge cow. That's the measurement that Chazal accepted. Perhaps it's the smallest, just as grogeres is the smallest. A gedi is the smallest animal. Okay.

**Ve'im lehaskah, shiuro kedei levashel beitzah.** That's the, kedei levashel beitzah is important enough, minimally important, so that means a piece of wood, one can cook something with it, one can be liable with it, it's a piece of fire.

I remember that we learned by Shabbos, gedi bechalav imo. A gedi means a small animal. It doesn't have to be a certain thing that means a gedi. It's just a small one. Gedayim, gedayim, gedayim.

**Explanation of the Egg Measurement — Kedei Levashel K'grogeres Mibeitzah**

Ah, says the Rambam, what is this egg? **Beitzah ha'amurah bechol makom hi beitzah benonit shel tarnegolim.** He notes that the Rambam in another place says that everyone knows what a medium egg means. Once you say medium egg, the world will already know. The eggs are the most common or whatever.

In any case, it says next to kedei levashel beitzah, **kedei levashel k'grogeres mibeitzah.** It doesn't mean that the whole egg should be cooked, but rather that a part of the egg, how much of the egg? The size of a grogeres, is cooked, that's already called cooked.

Seemingly in other words, because an egg really doesn't... and we're not talking about an egg in the shell, we mean to give a crack to an egg, seemingly. It will take as much wood as it takes to cook an egg, but not a whole egg, only a grogeres of an egg.

**Discussion: Egg in Shell or Not?**

No, when I thought of levashel beitzah, I thought somewhat more of an egg in its shell, but that takes much longer to cook. We're probably talking about not an egg in its shell. So it makes sense, that you see that a corner of it has already become cooked... I don't know. Or do you mean to say make an egg dish? No, in a closed egg the whole egg becomes bit by bit by bit. You can say when is it already called a loose egg, or when is it already not raw? No, grogeres isn't an egg. Grogeres means a piece of what is already cooked, a bit of what isn't white, it already has a color or... It's a question whether one takes lechatchilah, how should one be able to take lechatchilah? You're right, one takes a piece. I don't know.

How much is actually grogeres versus egg? He says that grogeres is a third of an egg, **echad misheloshah bebeitzah.** Yes, the Rambam disagrees, he says it's only close, ve'im ein mechuvvan. It's interesting. The Rambam said something that it's not exact? I don't know. Look at grogeres regarding the kaf. No, grogeres is echad misheloshah. It's interesting that it's not exact.

Ah, the Ayin Sham says that he brings in Rambam chapter 18 that he explains that the measurement of an egg means he actually means an egg dish, not a whole egg. You don't have to put in with oil and with everything. It takes less. Right, it takes two minutes, one piece, very a small measurement basically.

**Me'amer is Only for Vegetation**

And now the Rambam says, what he said about me'amer ochlin, gathering doesn't mean any food, any thing, but rather vegetation. It always means gathering vegetation from where they are.

**Toldah of Me'amer — Igulei Devilah and Charozos**

And then comes a toldah of me'amer? He says, what does toldah of me'amer mean? Says the Rambam, how is there a toldah of me'amer? **Hamekabetz devilah, vehu sheye'heh me'ugal,** he sticks it strongly together so that it should become an igula didevilah, a snack that we see in the Gemara a lot, becomes a large piece of a bunch of dried figs, he also did the same thing, ah, me'amer. Why isn't it called boneh? I don't know.

Okay. It should be together exactly like boneh the cheese. **O shenakav te'enah ve'asah bah lula'ah.**

What? It's not as good to squeeze as the cheese. He says only he puts it and takes it together. It doesn't become like one, it remains separate, but it's only stuck together so it should be easier to preserve.

Or a person has... he wants to make a string, how is it called in those findings there a... charozos? Ah, charozos shel devilah. He took figs and he put in them he made a small hole so one should be able to put in a string, which should go around all the stalks together, so it should become a gathered together thing. **Harei zeh toldas me'amer vechayav.** It's a toldah. The proper me'amer is gathering pieces of grain in the field, and the toldah is similar things when one puts together vegetation.

**Vechen kol kayotza bazeh,** it's any other fruits where the order is to gather them together and the like. For example, he says, for example today, one takes a toothpick sometimes and puts together fruits on it, it could be that it's a toldas me'amer for the same.

**Discussion: Is Putting Fruits on a Plate Me'amer?**

**Speaker 1:** He didn't say that.

**Speaker 2:** He didn't say that.

**Speaker 1:** One doesn't squeeze it together, it's only a more convenient way of eating it.

**Speaker 2:** He also has, it's another type of way of making a circle. Me'amer doesn't mean squeezing together, as you say by us.

**Speaker 1:** Gathering together.

**Speaker 2:** By us, here one speaks that one takes it together. One must know, perhaps differently, perhaps specifically because it's the order, it's a melachas uman.

**Speaker 1:** One wants to make a fruit salad.

**Speaker 2:** Not a salad.

**Speaker 1:** Aha.

**Speaker 2:** Squeezing together a salad is another matter.

**Speaker 1:** He takes together in one plate, but not like that.

**Speaker 2:** He puts on a toothpick.

**Speaker 1:** Not in one plate.

**Speaker 2:** Not in one plate.

**Speaker 1:** What's the difference? Because...

**Speaker 2:** Yes, you're asking a good question, why isn't putting on a plate any me'amer?

**Speaker 1:** A Chazon Ish person would come grab for a few years and ask such a type of question. Perhaps it is yes?

**Speaker 2:** Okay, one must know the halacha lemaaseh.

**Speaker 1:** Let's go further.

**Speaker 2:** Further, yes.

### Melachas Dash — Threshing

**Hadash**, the melachah of dash. Dash means beating open the husk, the wheat when it's still in the stalks, so the piece of wheat should come out. **Hadash k'grogeres**, the measurement is the size of a grogeres, one is liable. For one threshing in vegetation. And here he says it right away. Because the reason is, because always he brought two statements, and it was connected to toleh, two that are four, and even this is wheat amuri is essentially gone on whole, it was another wheat.

**Speaker 1:** Right.

Okay.

### Toldos Dash — Mefarek

What are the toldos of dash? Says the Rambam, what is mefarek? Always when someone is mefarek, he takes out a thing from where it belongs. We've already seen in the Gemara, these are toldos dash.

#### Cholev — Milking

For example, **hacholev es habehemah**. Until now the milk is in the animal, in another type of way, and he takes it out, he squeezes it out, he sucks it out, he is mefarek.

#### Chovel — Making a Wound

**Bachin, hachovel bechayah sheyesh lah or**. The blood runs around in the person in small veins under the skin. And the way that there should be a gathering of blood in the person is one makes a chaburah, then it runs together, it becomes a bruise. What is the bruise? That the blood which was spread in other types of ways comes together in one place. So it's also like mefarek, that one takes out the wheat from where it is, or one takes out the milk from the place where it was until now, and one takes them together in one place.

He says like this, what is the blood? He speaks now, yes, it's a **chovel bechayah sheyesh lah or**, a living creature that has skin, so blood runs under the skin. And if he makes a chavalah, he makes a wound, a bruise, how is a bruise? What happens? So he's liable for mefarek, because he takes together the blood should come together in one place. It must be an or, if it doesn't have skin, we'll see in a minute, the blood runs away.

#### Condition for Liability — Needs the Blood

**Vehu**, says the Rambam, but this becomes a mefarek, but one can only be liable for mefarek if **he wants the blood that comes out from the wound**, he actually wants the blood. Why? Because if **he's not interested to extract the blood**, but he just wanted to harm the other person, **then he's exempt because of mekalkeil**. Because there is a rule that all melachos of Shabbos are only when one is metaken, when one does something so there should happen a thing which is a result that one wanted, a result which is a positive result. But if one is just mekalkeil, like when a person is chovel bechayah and he has no benefit from it, he has no benefit from it, then indeed a deed of peruk happened, a mefarek happened, but it's a mekalkeil.

We already had this halacha by the way in hilchos milah. Do you remember we learned that milah on Shabbos if it's not bizmanah it's called a mekalkeil. And he's exempt. Seemingly that time was about this halacha.

#### Measurement of Milk and Blood

Says the Rama, **"Ve'ein chayah uvehemah chayav ad sheyetzei dam o chalav k'grogeres"**. How much is the measurement of the previous milk from an animal or from the blood from the chovel? Grogeres. The Rama speaks about wounds, that means that when one makes a wound in a chayah sheyesh lah or one is liable.

#### Introduction: Milah on Shabbos Not at Its Time

Remember that we learned that milah on Shabbos if it's not at its time, it means that he's a mekalkeil, therefore he's exempt. Seemingly this was about this halacha.

#### Halacha 8: Measurement of Mefarek — K'grogeres

Says the Rambam, **"Eino chayav ad sheyehem badam o bachalav shehotzi k'grogeres"**, how much is the measurement of the previous milk which is from an animal, or from the blood from the chovel? K'grogeres.

#### Halacha 9: Chovel in Animal vs. Chovel in Person — Mekalkeil vs. Metaken

##### Chovel in Animal and Chayah — Mekalkeil

Says the Rambam further, **"Udvarim amurim"**, what we have, when one makes a wound in a chayah sheyesh lah or, he's exempt. In behemah vechayah vechayotza bahem, it's called mekalkeil, if one doesn't want the blood, which is a rare thing that one should want the blood. Usually one is exempt because one is mekalkeil. So only by behemah and chayah is there the thing that it's simply mekalkeil.

##### Chovel in Person — Metaken Because of Pleasure

But when a person is chovel in his fellow, seemingly you could also think that he's a mekalkeil. But the Rambam doesn't say so. Look what the Rambam says, **"Af al pi she'eino tzarich lehazik, harei hu chayav min hanachas rucho"**, because the person has benefit. The person isn't a mekalkeil, the person is a metaken.

What is he a metaken? Because he had here, there was energy that he needed to expend, and with the hitting **"nitkarerah da'ato veshacha chamato"**, he calmed down, his heat and his anger became cooled. So he's a metaken, he expended with this what he needed to expend. There was here some matter of tikun, it wasn't completely a kilkul. Therefore it's called mefarek.

But I don't need the blood itself? Says the Rambam, **"Af al pi she'eino tzarich ledam shehotzi mimenu, harei hu"**

**chayav".**

**Explanation: Melachah She'einah Tzrichah Legufa**

### Translation

Because, let's discuss here the matter of melacha she'eina tzricha legufa (labor not needed for its own sake). We learned earlier, the Rambam holds that melacha she'eina tzricha legufa is chayav (liable). Because when a person strikes his friend and blood begins to come out, a wound happens, he doesn't need the blood, but he has indeed done here a positive action, and a result of mefarek (extracting) has occurred. It's indeed a melacha she'eina tzricha legufa, but melacha she'eina tzricha legufa is chayav.

So by an animal it is mekalkel (destructive). Mekalkel is a different kind of thing. Mekalkel means that he made a mistake, something happened, something occurred that he didn't want. He's not doing a good thing, he's just doing it randomly. But by a person he explained that it's not mekalkel, because there is nitkarerah da'ato (his mind was calmed). Therefore it is mefarek. Very good. This is the shita (position) of the Rambam.

### Dispute Between Rambam and Ra'avad: Whether Nachat Ruach L'yitzro Is a Tikun

The Ra'avad is very angry about this. The Ra'avad is one of those "**chachamim tamhu alav v'tamah ani al sofo**" (the sages were astonished at him and I am astonished at his end). Okay. The Ra'avad wasn't a writer of nitkarerah da'ato, no. No, but he wanted to bring out how incorrect the Rambam is.

### The Ra'avad's View: Kore'a Begadav B'chamato — Like One Who Worships Idolatry

But the truth is that there is a difficulty in the Gemara. The Ra'avad argues that in the Gemara it says, and this was actually not in that case, in another case, by kore'a begadav b'chamato (one who tears his garments in anger), which is the same question, we'll see it later in Hilchot Shabbat, another chapter, the same question, the Gemara says that he is **k'oved avodah zarah** (like one who worships idolatry). If he is oved avodah zarah, says the Ra'avad, how can it be that a Jew is k'oved avodah zarah and the Rambam calls him a metaken (one who fixes) because his yetzer hara, his anger, gets satisfaction? Certainly not a metaken.

### The Foundation of the Dispute: The Definition of Mekalkel and Metaken

There is some dispute between the Rambam and Ra'avad about the definition of mekalkel and metaken.

**The Rambam** held that when he does an action and he still had some certain benefit, it's enough to be metaken.

**The Ra'avad** looks at it somewhat that it must truly be a positive action. Even if he had from it some bit of nachat ruach, but if generally it was a negative thing that he doesn't want, it's called mekalkel. Not because he doesn't want it, let's understand it better. We're not talking about the matter of shogeg (unintentional), we're talking here about meizid (intentional). Because if you say because he doesn't want... no, the Ra'avad agrees that he wants it, because he is in the heat of anger.

### Explanation of the Dispute

The Ra'avad looks... first of all, one must say that there is a difficulty in the Gemara. The Gemara asks the question, and the Gemara, according to Rashi and the Ra'avad, the Gemara indeed says that because of this it's not a metaken, because he

is k'oved avodah zarah. The Rambam learned the Gemara differently. Therefore according to the Rambam it doesn't say this in the Gemara.

But if we want to understand the reasoning, one must understand that by the Rambam... by the way, the Rambam was very against anger, yes. The Rambam indeed ruled that it is k'oved avodah zarah. But nevertheless, since the person who has bad character traits, he becomes calmed from it, it means that he has a tikun.

The Ra'avad said that it's not a tikun. Since it is k'oved avodah zarah, it turns out to be a tikun. On the contrary, the person is now in a state of k'oved avodah zarah, I don't care. This is not a good thing. There is no such thing that a person calms his yetzer hara, he gave in to himself, as you say, he calmed himself. The Gemara calls it "nachat ruach l'yitzro" (satisfaction for his evil inclination). Or is one metaken yitzro (fixing his inclination)? One is indeed satisfying the yetzer hara, which is not a tikun. So is the ruling of the Ra'avad.

**Practical Difference: Whether Mussar and Halacha Go Together**  
It's a dispute between Rambam and Ra'avad, whether what one says in mussar (ethics), what it says in Hilchot De'ot that anger is like avodah zarah, whether this makes a difference in Hilchot Shabbat. This is what I said. Do you agree?

A person can say, yes, it's very good, when I give a mussar drasha (ethical sermon) I say that it's a great kilkul (destruction), but in Hilchot Shabbat it's called a tikun. So is the Rambam's shita. But the Ra'avad says no, that the mussar shiur (ethical lesson) with the halacha shiur (legal lesson) must go together. If in Hilchot Mussar it's a kilkul, also in Hilchot Shabbat it's a kilkul.

### Question: Why Wouldn't Every Melacha Be Mekalkel

One must bring back a question to this, so is every Hilchot Shabbat. The question when by shechita (ritual slaughter) the question arises that his shechita becomes invalid with the fact that he is a mechalel Shabbat (Shabbat desecrator). But with the Ra'avad you could say by every melacha that he is kafuf b'yad yitzro (subjugated by his evil inclination), and therefore it means that he is a mekalkel.

### Answer: Hilchot Shabbat Are for Shogegim

But one can say from this an answer, because we're talking about a mistake. All Hilchot Shabbat, they made a rule, Hilchot Shabbat is for shogegim, because meizid, no Jew is mechalel Shabbat b'meidid. So, the whole thing is for a shogeg. If b'shogeg, when he does any melacha, he does a tikun, certainly, he forgot that it's Shabbat, he forgot that it's forbidden, he must bring a chatat (sin offering). But here, he also forgot that it's Shabbat, but he didn't forget that he is in anger.

I see Rabbi Akiva Eiger, and the Rambam asks why isn't every shochet (slaughterer) also mefarek. Ah, okay, this thing, let's learn.

### Halacha 10: The Eight Sheratzim — They Have Skins Regarding Shabbat

Okay, the Rambam says another... eight sheratzim (creeping creatures), one minute. Ah, sorry. The Rambam says thus, one must know when it's called that every time one makes a chaburah (bruise), a choveil (one who wounds), is mefarek dam (extracting blood).

The Rambam says thus, that there are eight sheratzim that are mentioned in the Torah, they are the types of sheratzim, they

are the animals that if one strikes them there is a prohibition of mefarek, "**ho'il v'yesh lahem orot l'inyan Shabbat**" (since they have skins regarding Shabbat). They have hair, they have skin, and when one strikes them a mefarek happens, that the blood collects together. And one is chayav, like choveil. Which works such that blood comes together.

But other shekatzim u'remasim (detestable and creeping things) don't have skin, they don't have the nature of these things, so even if it's relevant to be choveil by them, but blood doesn't just flow. The way that the other shekatzim u'remasim operate is different, therefore **hachoveil bahem patur** (one who wounds them is exempt).

#### The Measure of K'grogeret by Every Animal and Beast

But it's something interesting that the Rambam says, one must anyway check by every chayav v'of (wild animal and bird) whether the chaburah was the measure of k'grogeret (like a dried fig), it shouldn't be a tiny little animal, it must be that there was a measure of k'grogeret of mefarek. Other shekatzim u'remasim also, if one sees some blood collected, this is indeed the halacha, a normal thing. There is a rule, if one sees that it's mefarek, there is a rule, it's not said that it's a reality, but this is not the rule. The eight sheratzim have the distinction that they have skin, and only hachoveil bahem is chayav, other shekatzim u'remasim is patur. By other animals one must check the measure, fine, it's not now the topic of the measure.

#### Chaburah Where Blood Didn't Exit — Mefarek Internally

**V'ika d'amri hachoveil bahem chayav afilu b'shemonah sheratzim, v'hu she'asah chaburah** (And some say one who wounds them is liable even by the eight sheratzim, and this is when he made a bruise) **shelo yatza hadam** (where the blood didn't exit). He says, the chaburah that we're talking about here that the collecting of the blood is called mefarek, is not dependent on the blood, one was mefarek the blood and it indeed completely exited from the body, **o shelo nitzrar hadam** (or the blood wasn't collected), it happened that the blood collected and it became a wound or a bruise where blood is collected, even if it hasn't completely come out yet, it's also called mefarek, **afilu shelo yatza chayav** (even if it didn't exit one is liable), because so he says, it's mefarek, it was mefarek internally.

#### Halacha 11: Sochait Peirot — Tolda of Dash/Mefarek

Now one can take another tolda (subcategory) of dash (threshing). The Rambam says, hasochait (one who squeezes), let's say right after the shochet, one who squeezes a fruit, one who squeezes is also chayav because of mefarek, because he takes out the juice from the place where it lies, it lies spread out in the small cells in the fruit or wherever it is, and he takes it together and he takes it out.

#### The Measure of Sochait — K'grogeret in Liquids

The Rambam says, how much is the measure? **V'eino chayav ad sheyihyeh b'mashkin she'sachat k'grogeret** (And one is not liable until there will be in the liquids that he squeezed like a grogeret), not that the fruit is as large as a grogeret, but the juice that was extracted is a grogeret, the juice that was extracted is a grogeret.

#### Drichat Zeitim V'anavim — From the Torah

The Rambam says, which fruit has this squeezing and mefarek? **Eino chayav min haTorah ela drichat zeitim va'anavim l'vad** (One is only liable from the Torah for pressing olives and grapes alone). Only olives and grapes is the

liquid from them important enough that it's called as if one was mefarek in the proper way. It's the proper way. It's interesting, because here one will immediately see that rabbinically one is indeed forbidden others, but it doesn't say here, because the chapter is not about rabbinic laws, so from the Torah is only this. Eino chayav min haTorah, he says, is a hint to the fact that there are more laws.

#### Sochait Into Food — Mashkeh Haba L'ochel Ochel Hu

The Rambam says further, what may one do l'chatchila (initially) in the field of squeezing? The Rambam says, the squeezing that one may not do is only when one squeezes out a liquid and after squeezing there continues to be liquid.

But what one may indeed do is, **mutar lisochot eshkol shel anavim l'toch ochel** (it's permitted to squeeze a cluster of grapes into food). One may squeeze grapes directly into the food. Why? **She'mashkeh haba l'ochel ochel hu** (because liquid that comes into food is food). A liquid that comes into food, excuse me, it was until now in the grapes as part of the food, and immediately after coming out it's part of the new food. So he's not mefarek ochel me'ochel (food from food).

It's an interesting novel halacha, because something of mefarek happened here, it's just that it immediately became nullified. He squeezes it with the food, right? He sits at the table and he puts into his compote some bit of juice from the grapes, I don't know. Or like people have another, with a lemon, he squeezes it into the salad. Why is this not mefarek? Because he's not making a liquid. Mefarek means that he's making juice. He's not making juice, you sprinkle a bit of lemon from the lemon, you put lemon this way into the salad. So one can look at it this way.

#### Sochait Into a Vessel — Doresh and Chayav

**Aval hasochait l'chli she'ein bo ochel** (But one who squeezes into a vessel that doesn't have food in it), but if he squeezed into a vessel where there isn't any food there, **harei zeh doresh** (behold this is doresh). It's called properly doresh. Doresh drichat zeitim va'anavim. You said drichat zeitim va'anavim, interesting. Harei zeh sochait, okay, we'll see what the word doresh means. It's not drichat zeitim va'anavim. It's in the category of what I just said, it's called doresh. Drichat zeitim va'anavim. And a community. This is the only one who puts in a small difference, he looks like once. Okay, yes. Wine for a sick person and to grind food, if one changes one has also discussed it as mefarek, if one however milks milks milks—

#### Melech Mefarek (Continued) — Cholev Into Food

**Speaker 1:** Okay, he means to say the word here sochait, zeh zoreh, he doesn't have... the winds know my name. It's in the category of what I just said, it's called zoreh chayav. What he means here to say is, he has now said, even if later one will put food in the vessel, or whatever. Or even if he makes it for his meal, but here it's being done into a vessel. This is the... even if he puts in a small difference, he doesn't look at it like once. Okay, yes.

**V'hacholev l'toch ha'ochel** (And one who milks into food), if one, chalav (milk) we discussed also mefarek, if one however milks a cow directly into the food, **o hayonek b'fiv** (or sucks it with his mouth), or he sucks it out but directly into the mouth, it also never became a liquid that is a davar nifrad (separate entity) that was extracted from the food, **patur. V'eino chayav ad sheyachlev l'toch hakli** (exempt. And

one is not liable until he milks into the vessel), because then one has truly taken out the liquid from the place where it was. Very good.

### The Connection Between Zoreh, Borer, and Merakeid

So also there is dash, dash is one way of... It's interesting, because dash we learned that it's more of a general thing, it's something like more mefarek, not just dash, because dash is such a kind of action that one squeezes something the... how is it called? The wheat, until it comes out from the chaff, or something like that. Both are similar to all these things. Now we'll see the Rambam will say why there is separate dash, separate zoreh and borer. Further, but this is also, according to what he just said, dash is a bit different, it's a tolda of something else, but zoreh and borer the Rambam counts as one.

**Hazoreh v'haborer, k'grogeret** (One who winnows and one who selects, like a grogeret), the measure is k'grogeret **chayav** (liable). The Rambam says, **hamechabetz** (one who curdles), mechabetz we already had, mechabetz means making cheese separate from the water that is in it. We had earlier that one throws in a piece of rennet, it's a matter of borer, because one makes the cheese separate from the other parts. **Harei zeh toldot haborer** (behold this is a subcategory of borer). The Rambam says, what else is there? If one has liquids and there are in them sediments, there are in them bits of chaff, and one takes them out, he is also borer the not-good from the good, one takes out the sediments from the liquid, **harei zeh toldot borer, o toldot merakeid** (behold this is a subcategory of borer, or a subcategory of merakeid). The Rambam, we'll see another melacha which is the same kind of thing, taking out to separate good from bad, and the like.

### Why Are Zoreh, Borer, and Merakeid Three Separate Melachot?

The Rambam says, how can it be that it's either borer or merakeid or zoreh? He says, I'll tell you why. Because zoreh, the three melachot, zoreh, borer and merakeid, **domin inyeneihem zeh lazeh** (their matters are similar to each other), they are very similar to one another. All of them is separating the flour from the dirt, or separating the wheat from the kernels. The Rambam asks, **minah amru aleihem shlosa?** (why did they count them as three?) Why did one divide them at all into three? One could have said one, and the others would have been similar. The Rambam said earlier that there is similar, there can be more than one av (primary category) from the same family.

So he says here such a thing, he says, it's clear, inyeneihem, similar. Why shouldn't I say that borer is similar to zoreh, not a separate melacha? Why is it separate? He says, Chazal already counted it separately. Why? **Mipnei shekol melacha shehayeta bamishkan monim ota bifnei atzma** (because every melacha that was in the Mishkan we count it by itself), every melacha that was in the Mishkan one counts separately.

### Discussion: The Difficulty of This Answer

**Speaker 2:** This is a very difficult answer, but a good question. How did one distinguish that in the Mishkan there was such a melacha? Because you don't know what was in the Mishkan, it was a fact. In the Mishkan one used all these things. I agree. But my question is something else. But there was separate importance. In the Mishkan did one also do borer with step 1 and step 2? I don't know what. Twice with

the first hand and the right hand? There must still be some reality that divides it.

**Speaker 1:** And with this they become separate. Only now you hear that they become separate with this. Because zoreh is one kind of action with the wind, and borer is another action with the bread. You dance in the field with the song, and afterwards one dances it in another kind of way in a vessel which is merakeid. If so, the difference is the kind of way. But the Rambam has a question, the Gemara has a question, that it's the same matter. It could have been like choresh and chofer. The matter is always when the result has happened. What happened the result? That the waste and the food have become separated. So all three are indeed ways of separating the waste from the food. And why does one say three kinds of things?

To this the answer is that it's indeed echad meino shel sheni (one is similar to the second), three results, but they are three different forms of actions of things. One does with a sieve in the way, one shakes on the floor in the field, and they look different. What there is separate, there isn't one of the...

**Speaker 2:** Yes, so is the winnowing after the grain. But truly, the separate melacha was indeed, therefore it's understandable what he asks on himself.

**Speaker 1:** Yes, okay.

### Laws of Borer in Detail

#### Borer With Vessels vs. By Hand

The Rambam says further, the Rambam will tell us here a bit of laws of borer. All the laws of borer with the concern, taking out the bones from the fish, and one has the five different concerns. Yes, but the Rambam makes it very briefly. The Rambam says, **"Haborer ochel mitoch psoles, im beirar ochel mitoch psoles, o shehayah lo shnei minei ochlin"** (One who selects food from waste, if he selected food from waste, or if he had two types of food), one has two types of food, and he selected one from the other.

This means, even they are not one is food and one is waste.

**Speaker 2:** No, both are food.

### Lecture on Melachos of Shabbos - Borer, Tochen, and Lash

**Speaker 1:** So, if he did it with the vessels that are made for being borer (selecting), **"binafeh uvichvarah"** (with a sieve and a sifter), he did it with a sifter. He also automatically means that when we're talking about a type of borer, he means to say that we're talking about something that is dust, yes. He throws in that the real borer can only be a type of borer.

**Speaker 2:** Yes, I think a kvarah is also a type of tool that selects larger things a bit, no? Okay. A vessel that is made for this. But you don't have apples and oranges, there isn't on this kvarah. True.

**Speaker 1:** In short, by us there is a type of sort of kvarah something that can separate apples from oranges. So, if one does it **"beganon uvitamchui"** (with vessels), with just a bowl that isn't the normal way to...

It's not the way. He pours it like this, and the lighter falls down, but it's not a vessel that is designated for this. That means, it's not the way of selecting, this is not the way of doing it, it is **patur** (exempt). It's patur, it's not a Torah prohibition. The Rambam will later count it among the rabbinic melachos.

**Speaker 2:** Yes, it's patur but forbidden. "Eino patur" means patur but forbidden.

**Speaker 1:** Yes, yes.

But what is permitted? "**Ve'im birer beyado le'echol le'altar**" (and if he selected by hand to eat immediately), there are two conditions, both by hand, but in a manner of selecting to eat immediately, it's eating right away, that means not selected, this is derech achilah (the way of eating), and this is **mutar** (permitted). If it's immediately, it's the second, both by hand, that means even not with a tamchui, he does it with his hand, and also he does it in order to eat right away, then this is permitted.

#### **Borer Psoles Mitoch Ochel — Chayav Even By Hand**

But this is only, there's another condition, let's learn a bit further, this is only when one does ochel mitoch psoles (food from waste). But **borer psoles mitoch ochel, afilu beyado chayav** (selecting waste from food, even by hand he is liable). On this it doesn't help, psoles mitoch ochel is worse, then he is chayav even by hand, it doesn't help that this is by hand, or bekanon uvitamchui is patur, it doesn't exist by psoles, because one takes out the psoles.

#### **Turmosin — A Special Case**

Says the Rambam, therefore it comes out such a halacha, that **borer turmosin mitoch psoles shelahen** (one who selects turmosin from their waste), if someone picks out a turmosin, which is a type of bean, and he picks it out from the shells thereof, he is **chayav** (liable). Why? Seemingly one could have said that borer ochel mitoch psoles le'echol le'altar should be permitted. The **psoles shelahen mantikin osan keshehen shelukin imahen** (their waste sweetens them when they are cooked with them), the waste is not really waste, in practice it's used, one cooks it together, and it makes them better when one cooks it together. Therefore, are they both called like foods? No, it's worse, it should be like food, no?

#### **Discussion: Why is Turmosin Chayav?**

**Speaker 2:** Why does the turmosin become according to this psoles? Why does the turmosin become psoles because of their psoles? They're similar. It's a good question. I only understood it this way, that therefore doesn't it mean like one takes out the food from waste? But he should have said that it becomes like borer ochel mitoch ochel, two types of food. It's something more than this, it's something worse, one wasn't borer psoles mitoch ochel.

**Speaker 1:** He says because the turmos itself is very bitter, one doesn't eat it at all now, one can, seemingly it's not food to eat immediately, because it's still bitter. So the psoles, it's called the food relative to the turmos, so he says. Interesting. That which is called turmos and that is called psoles, he says clearly that this is the main thing. But he says something that in practice when a person is borer mitoch psoles, and the turmosin is not yet fit to eat. So it's the opposite.

#### **Borer Le'otzar — Putting Away for Later**

**Haborer ochel mitoch psoles beyado** (one who selects food from waste by hand), he takes it indeed by hand, but **lehanicho** (to put it away), it's to put away for later, **afilu bo bayom** (even on that day), **na'aseh kevorer le'otzar vechayav** (it becomes like selecting for storage and he is liable). It's very interesting, because in practice he didn't do it with any vessel. Why shouldn't it be at least like bekanon uvitamchui? This doesn't help.

**Speaker 2:** Ah, why doesn't it help? So kanon vetamchui also doesn't speak when it's borer le'otzar? Perhaps by hand is indeed the way. Perhaps kanon vetamchui is not a normal way, but by hand is a way. Kanon vetamchui is a type of change like that? It's like that. Perhaps, I don't know.

**Speaker 1:** If one has two types of foods mixed, two types of food, one may select one from one and leave the other to eat immediately, if he's going to eat it right away. But to eat later, "**ve'im birer vehiniach le'achar zman**" (and if he selected and put away for after time), if he selected between the two foods that are mixed to put away for later, **afilu levo bayom** (even for that day), even he put it away for that day, **kegon shebirer beshacharit le'echol bein ha'arbayim** (such as one who selected in the morning to eat in the evening), he is **chayav** (liable).

#### **Discussion: What Does "Le'echol Le'altar" Mean?**

**Speaker 2:** Right, so which one must he eat? He doesn't have to eat both, right? He eats one of them. Borer echad mehem umaniach echad mehem le'echol miyad. That means, he must take... he must remove the psoles from the food indirectly, no, he eats ochel mitoch ochel. He doesn't eat from both. He can eat one. But here you see that the Rambam says, if he doesn't eat immediately, then bein ha'arbayim...

**Speaker 1:** Therefore the commentators say that if someone prepares now for the meal that he's going to eat now, and the poskim say until the next hour, this doesn't mean next to the mouth. This doesn't mean for the current meal, not for Sunday lunch. This means for the meal is just a tikun ochel (food preparation). But what is not so, it looks more similar to borer, it is borer, it is chayav.

**Speaker 2:** Right. Very good.

#### **Melachas Mesamer — Filtering Wine**

We will learn about mesamer (filtering) wine. Mesamer wine, what is it? A primary or a derivative? It's borer.

**Speaker 2:** No, it's a derivative. I don't know. I hold that it's a proper borer. It doesn't look like it should be only... no difference.

**Speaker 1: Hamesamer yayin** (one who filters wine)... **Hamesamer yayin**, if one puts the wine in a sieve so it should become clear. **Vechen she'ar hamashkin bemishmeres shelahem** (and so other liquids with their filter), bemishmeres, in their filter that one uses for that drink. And so, when one learns from a student in a manner... in a manner of expansion, one must know that...

#### **Borer — Mesamer Yayin (Continued)**

**Speaker 1:**

No, it's a derivative. I don't know. Seemingly this is proper borer. It's not like it's only a... no difference.

**Umesamer yayin** (and one who filters wine), when one puts the wine dregs in a sieve so it should become clear, **vechen she'ar mashkin bemishmeres shelahem** (and so other liquids with their filter), in their filter that one uses for that drink, **chayav** (liable). **Vehu** (and it is), when do we learn this from a student? **Be'ofan ochel mitoch psoles** (in the manner of food from waste). One should know, whom did he compare there? One of the rabbis, to mishmeres. **Vehu sheyesamer kigrogeres** (and it is that he filters a grogeres amount), the measure of pure wine dregs, or the whole

measure? Seemingly the measure that he filtered. Like all measures, the tikun is a grogeres.

**Borer — Mesanenim Yayin She'ein Bo Shemarim / Mayim Tzulum**

But, says the Rama, it seems this is forbidden specifically through a mishmeres, but one may not pour wine through a strainer to make it very clear, if there aren't really actual dregs. **Mesanenim yayin she'ein bo shemarim, o mayim tzulum** (filtering wine that has no dregs, or clear water), or clear water that one wants to purify a bit better, **besudarin uvichfah mitzrit** (with cloths and an Egyptian basket), in a cloth. It's not in a mishmeres, because then this is something that is not in the way, so it sounds. In a mishmeres one may not. But in sudarin or a kfifah mitzrit, which kfifah mitzrit means like a basket sort of, that has such small pieces, small holes, **kedei sheyitzulu beyoser** (so that they should be clearer), so it should be more clear, it's only better purified, no melacha was done.

**Borer — Nosen Mayim Al Hashemarim / Beitzah Al Chardal**

**Umipnei zeh mutar litein mayim al hashemarim kedei sheyitzulu** (and therefore it is permitted to put water on the dregs so they should become clear), so it should come out... become clear. Become clear what? The water. Does it mean one pours the water through the dregs? I mean one wants to take out the bit of wine that still lies in the dregs. No, like we learned earlier regarding kiddush, remember? That the afuvei is... yes, the dregs should be very fine. One wants to squeeze out how much wine there still is, but this doesn't mean... this is not purified wine. Indeed not, it's something else. I don't grasp the whole topic. Through this he does what? He takes out the wine from the dregs a bit, but this doesn't mean any borer.

**Speaker 2:**

Yes.

**Speaker 1:**

Okay.

The same thing, **venosen beitzah terifah** (and one puts a beaten egg).

**Speaker 2:**

Yes.

**Speaker 1:**

**Venosen beitzah terifah al gabei chardal kedei sheyatzuf** (and one puts a beaten egg on top of mustard so it should float).

Also, because it's something cloudy, but it's not a problem. I don't know, I don't know.

**Borer — Chardal Shelasho Erev Shabbos / Yayin Migito**

**Vechardal shelasho erev Shabbos, lemachar memacheh venosen letoch hakli, ve'ein omrim lo harei atah borer** (and mustard that was kneaded on Friday, tomorrow he strains and puts into the vessel, and we don't say to him behold you are selecting).

Memacheh means that he should take out the thinner pieces, the softer pieces, a portion should remain. Looks something like this. He squeezes it, and from this comes out, let's say, the juice thereof or what. And what could have been looked at as borer, doesn't mean borer.

**Vechen yayin migito** (and so wine from its press) — fresh wine that was just made, what is called must — **kol zman shehu tos** (as long as it is fermenting), one may also. How long is it still tos, what does tos mean? It's still bubbling, it's not yet become wine, it's still in the middle of becoming wine. **Toref chavis beshemareha venosen letoch hasudarin** (he pierces the barrel with its dregs and puts into the cloths). Why? **She'adayin lo nifshu hashemarim min hayayin, vechol hayayin kulo ke'achur** (because the dregs have not yet separated from the wine, and all the wine is entirely like cloudy). When the wine is still mixed with the dregs, it doesn't mean borer. Only when the dregs are already separate, understand?

**Discussion: Why is Yayin Migito Not Borer?**

**Speaker 2:**

What does it matter to me? It's worse than cloudy, you make a greater borer then. I don't understand.

**Speaker 1:**

**Vechen hachardal kiván sheyatzaf zeh** (and so the mustard since it floated this), I'm so confused. Does it mean, when he's going to filter it, will still everything come out dregs? Is that the point? He won't actually separate the dregs from the wine in this case? It will remain together because it's still fermented? So what's the point of the cloth? Something does it on the cloth? I'm missing basic information about the cloth. How can it be? He's doing borer. What's the difference between a small borer and a large borer? Understand my question?

**Ve'ein al hashemarim shem psoles o shem yayin** (and the dregs don't have the name of waste or the name of wine). Ah, it's something slight, one doesn't call the dregs dregs. It's just, he separates one piece from the other piece. It's funny to me, I don't understand the sugya clearly.

**Speaker 2:**

It's complicated.

**Speaker 1:**

No, but it has to do with the lifestyle. You see that yayin migito one does drink with the dregs. But he makes the cloth for a reason, right? What is the cloth? He just puts it to the side. He wants, for some reason, he wants to drink a bit clearer must, but he knows that it doesn't mean any filtered, it means like he filters water when he makes it become clearer. It's not yet any psoles. So therefore it's just like separating between ochel mitoch ochel.

**Speaker 2:**

Okay. I hear.

**Speaker 1:**

And already, and therefore, a chardal that is older than four weeks, is not any psoles. In other words, it means that for it to be borer it must have a status of psoles. It must be ochel upsoles. If it's just I like a bit better, one likes the more juicy part, I know what, it doesn't mean any borer. This is the chiddush (novelty) he says. It must be a thing that has a definition of psoles and ochel.

**Speaker 2:**

Okay.

**Hatochen — Av Melacha**

**Speaker 1:**

Already. Hatochen (grinding). Let's learn hatochen. Food, the measure is a grogeres. Sometimes, you know that it should become a grogeres of flour, yes. **Vechen hashocheck tavlin vesamanim umechatechan** (and so one who grinds spices and herbs and cuts them), if one grinds any spices and herbs, not necessarily flour he means to say. One who creates something should become powder from a fruit or whatever it is, spices, **harei zeh tochen vechayav** (behold this is grinding and he is liable). It's simple seemingly, this is an av tochen, this is not a toldos tochen. This is actual tochen. The Gemara speaks a lot, there's a whole decree of medicine, of grinding herbs, this is tochen.

#### Hatochen — Toldos

Now what is a toldos tochen? **Vehamechatech yerek talush** (and one who cuts detached vegetables), if one cuts vegetables as we already said earlier, into small pieces, **harei zeh toldos tochen** (behold this is a derivative of grinding). It also means a toldos tochen. **Vechen hanoser etzim leihanos benisores shelahem** (and so one who saws wood to benefit from their sawdust), if one cuts wood to have benefit from the chips, from the powder as it were, the crumbs from the wood, **o hashaf leshon shel matechess** (or one who files a tongue of metal), if one scrapes off crumbs from a piece of metal, **chayav mishum shuf kol shehu** (liable for filing any amount). Yes, the Rama brings the two interpretations, right.

**Discussion: Why is Noser Etzim a Toldah?**

#### Speaker 2:

But seemingly why is this a toldah? Not any food, a grogeres is only a measure of eating. Here he doesn't use it for his, I don't know what.

#### Speaker 1:

Says the Rambam, **aval hamechatech etzim** (but one who cuts wood), one cuts up wood, and by cutting wood there also come out crumbs, but the wood is already not a significant thing, there's no prohibition of cutting. The crumbs he is only liable once, at shidakdek mehem, only if he cuts actual small pieces. So the crumbs and small pieces of wood is also a type of tochen, and the measure is **kedei levashel kigrogeres mibetzah** (enough to cook a grogeres amount from an egg).

#### Hameraked

Already, the next melacha is **hameraked** (sifting), also a type of borer, like the Rambam said what one does with a kvarah. Meraked is also the measure a grogeres of a living thing.

#### Halash — Av Melacha

And the next melacha is **lash** (kneading), also lash means kneading, **halash kigrogeres chayah** (one who kneads a grogeres amount is liable). Now the Rambam will give things that are similar, the toldos of lash. Says the Rambam, **hamegabel es he'afar** (one who mixes the earth), if one kneads together earth and makes from it a solid mass, **harei zeh toldos lash** (behold this is a derivative of kneading). **Vechama shi'uro?** (And how much is its measure?) How much is the measure of the mixing that it's called toldos lash? **Kedei la'asos pi kur shel tzoref hazahav** (enough to make the opening of a crucible of the goldsmith). That means, when does one use a small piece of kneaded earth? To make a mold for the crucible. We learned earlier, one of the, there is a tanur vekirayim. Ah, I don't know. I think I should say. Pi kur, a small vessel that the goldsmith uses underneath... kur is a type, kur means an oven, like a kirah, but a small one. It must be that a goldsmith doesn't use much, a small one. And one wants to cover the open part, one covers, like we learned by... if one covered the... by a tanur the plaster. The same thing, because the corner is also, but one will just use a small amount so they shouldn't be expensive.

#### Halash — Toldos

Says the Rambam, the mixing that is pure is only with earth, but ash, what is the problem with ash? It doesn't become a kneaded thing. The same thing chol hagai (valley sand) also doesn't become a kneaded thing, or mursan shehu lach velo kibbutzo bemayim (bran that is moist and doesn't gather with water). It must be something that is relevant to make lash. Says the Rambam, **hanosen zera shumshemin o zera pishtan vekibetzan bemayim, na'aseh mehen davar gushi umis'arvin venilashin zeh bazeh, vena'aseh ke'ein isah** (one who puts sesame seeds or flax seeds and gathers them with water, a solid mass is made from them and they mix and are kneaded one with the other, and it becomes like dough). Unlike the other things not, but the sesame seeds do become. Very good. Until here chapter eight.