

THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS

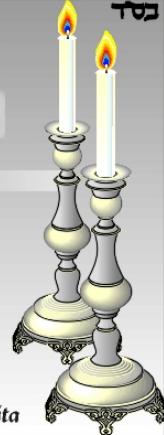
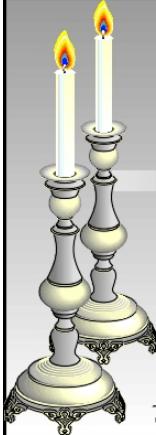
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With respect to these *halachos* it is necessary to declare that the *poskim* vastly differ in *p'sak* on almost every issue. We will present mainly only one school of thought – Rav Shlomo Zalman Auerbach's *Zt"l*. As to the practical side one must refer to one's *rav*.

Is one permitted to remove the paper stuck to a Band-Aid on Shabbos?

First, you may ask, since all the *melachos* of Shabbos are learned from the *Mishkan*, where did sticking or gluing take place in the *Mishkan*? The answer is that **תופר** – sewing is one of the 39 *melachos* of Shabbos and *Chazal* tell us that since sticking is akin to sewing it is ascribed a place of honor as a *toladah* (derivative) of *Tofer*.¹

The *Bi'ur Halacha*² explains that sticking is similar to sewing in the sense that both involve the joining of two items to each other and making them one.

Once sticking has been established let us consider separating or tearing.

The reverse *melacha* of *Tofer* is tearing. Just as *Tofer* binds two items, **קורע** or tearing severs the connection between two items.³

Tearing or separating two pieces of paper or two pieces of leather stuck together involves the *melacha* of tearing. (Tearing these items apart in a destructive manner is not a biblical prohibition, only a rabbinical one, but that is not our current subject).

¹ *Rambam* chapter 10, *Shulchan Aruch* *simon* 340:14. A *toladah* is also a biblical prohibition.

² *Simon* 340:14 "ז' חילדה תופר 'ה".

³ Tearing obviously applies to the tearing of a single item into two, under certain circumstances, but it also applies to the separating of items sewn together.

So far it seems that removing the paper from a Band-Aid should be forbidden on account of tearing, seeing that the paper is stuck to the Band-Aid.

There is another factor that we have not yet mentioned. We find a *machlokes Rishonim*⁴ as to whether there is a concept called temporary sewing, similar to temporary knotting. The *Rama*⁵ brings two opinions in this vein and concludes that there are those who permit (the undoing of a) temporary stitching but it should not be done in the presence of an ignorant person. The *Beis Yosef*, at the end of *simon* 317, also brought the various opinions and likewise concluded that it should not be done in the presence of an ignorant person. Many *poskim* learn that if the *Bais Yosef* and the *Rama* thus concluded, it is a sign that that is the *halacha* and a temporary stitching is not regarded in the same category as a permanent one.

What then is considered temporary, does it share the same definitions as tying?

The *Rama* is talking about shoes stitched together by craftsmen (and sold as a pair)⁶ and the *Ra'avya*⁷ says that one is permitted to tear the stitching because "on the day of

⁴ (A *halachik* dispute between early *poskim* circa 1200-1300).

⁵ *Simon* 317:3.

⁶ Similar to a pair of socks stitched together as we know it.

⁷ *Rabeinu Avi Ezri ben Yoel*, one of the *Rishonim* who permit the severing of the stitches binding the pair of shoes.

purchase they are intended to be detached". With this the *Ra'aviya* explains why the stitching is not permanent and may be cut. Obviously there is no specific time limit within which these shoes are to be purchased and nevertheless the *Ra'aviya* says that since they will surely be severed upon purchasing, because one cannot benefit from the shoes without separating them, the stitching is not deemed a permanent one and may be severed.

What if I buy the shoes on a Tuesday and I did not cut the stitching the same day. Will I be permitted to do so on Shabbos, which after all is not the day of purchase?

The *Ra'aviya* was being practical, as obviously the shoes were not purchased on Shabbos. Nevertheless he says the same day as purchase...therefore we must assume that he means that as soon as one will need to use them, the stitching will be severed. Twice the *Mechaber* mentions a similar concept: a) The *Mechaber* says that launderers would fasten a shirt's neckline which would require untying before use. The *Mechaber* says that this knot may be untied on Shabbos being that it is not a permanent knot, and the *M"b* explains (according to the *Levush*) that the knots are only tied until the owner takes his clothes back. B) In previous times an oven would be sealed by placing a board in front of the oven and sealing it (on Friday) with clay. The *halacha* is that one may break this clay and remove the board because 'it is not meant to last'.⁸ In the next sheet we will see *b'ez" H* how all this applies to Band- Aids etc.

⁸ *Simon* 314:10. Although this particular board would always be removed on Shabbos, in other words it was only sealed for less than 24 hours, nevertheless the reason it may be broken is because it cannot be used

Vort on the Parsha

We know that the first three plagues were inflicted upon the Egyptians through Aharon HaCohen and not through Moshe Rabeinu. *Rashi* tells us that since Moshe benefited both from the water and the sand, it was inappropriate for him to bring about affliction through these mediums.

We are all familiar with the famous saying 'one should not throw a stone into a well one has drunk from'. This is not because the well might take offense; rather the Masters of *Mussar* tell us that it is in order not to lower our standards of *Hakaras Hatov* – appreciating what others have done for us. The sand or water would not have taken Moshe Rabeinu to task had he caused affliction through them, but Moshe Rabeinu's superb *middos toros* would have been affected, and thus Aharon was commanded by Hashem to smite the sand and not Moshe.

Food For Thought

How does the above apply to a Band-Aid adhesive?

What is the halacha with regards to opening and sticking a baby's diaper?

Does Velcro have a status of 'sticking' or not?

After I am finished with the diaper, am I permitted to stick the tabs to the diaper to seal it?

Answers coming next week.

unless broken into, and that is the decisive factor. *Binyan Shabbos* page 62.
