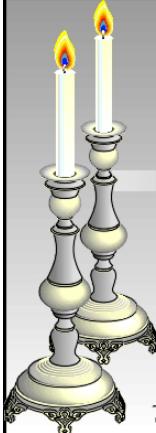


THE SHABBOS WEEKLY

HALACHA SERIES ON HILCHOS SHABBOS



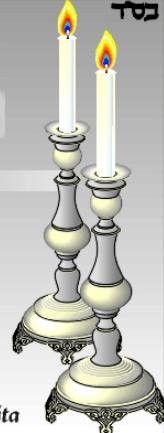
A Project of
The Shema Yisrael Torah Network

These halachos were shown by Rabbi Ostroff to HaGaon HaRav Moshe Sternbuch, shlita

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RABBI DOVID
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Parshas Pinchas 5766

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Introduction to Hilchos Yom Tov

How is it that certain melachos are permitted on Yom Tov and others are prohibited?

With respect to Yom Tov the Torah repeatedly states—¹ **כל מלאכת עבודה לא תעשו** (you shall not do any work) and being a negative commandment, its violation carries a penalty of lashing.

Not performing *melachos* on Yom Tov is a *mitzvas aseh* – a positive commandment, learned from the words *shabbaton* in the *posuk* – which means to rest.²

How do you define עבודה?

מלאכת עבודה refers to procedures with non-food items. For example, turning off a light (we will see the *halacha* when turned off in relation to eating); construction and demolition; digging a pit etc.

On the other hand, direct *melachos* with food³ such as reaping, threshing, gathering, winnowing, sorting, grinding, kneading, baking, shechting, cooking, picking fruit, capturing animals and transferring from one domain to another, are **מלאכת אוכל נפש** – *melachos* and performed for eating purposes on Yom Tov. The Torah permitted these *melachos* with food for the sake of eating on Yom Tov, as it says **אך אשר יעשה כל נפש הוא לבדו יעשה לכם** – *melachos*

performed for the sake of the physical part of a person (eating and drinking) are permitted. It is noted that this is *mid'oraisso* (biblically permitted) but *mid'rabanan* there are many restrictions, as we will see.⁴

So why is lighting a fire permitted?

That is true, but since one cooks **food** with fire it is also called **אוכל נפש** and permitted for cooking.⁵ We will also learn *be''H* that one may light a fire from an existing fire and may not strike a match to light a fire. However, it is *assur* to turn on an electric light, because amongst other problems, one is starting a fire from scratch and not passing fire from one place to another.

But I believe one may light a fire for warmth and to read even though it is not for food?

Also correct, but for another reason. The *gemora Beitzah* 12a tells us that a concept called **מתוך** is employed. Namely, any *melacha* that may be performed for **אוכל נפש** (eating and drinking) may be performed and even not for **אוכל נפש**, provided that:

- the benefit derived is *slightly* necessary on Yom Tov⁶
- it brings physical benefit or pleasure – **צורך הגוף** or for a *mitzvah* that must be done on Yom Tov.⁷

⁴ *Shulchan Aruch HaRav* 495:2.

⁵ Based on the *kuntres acharon* of the *Shulchan Aruch HaRav* simon 495:1.

⁶ *Rama simon* 518:1.

⁷ *Shulchan Aruch HaRav* simon 495:3. He explains that performing a *mitzvah* is equivalent to a physical

¹ *Pesach – Vayikra* 23:8-9. *Shavuot* – 23:21. *Rosh Hashana* – 23:25. *Sukkos* – 23:35-36. *Rambam Hilchos Yom Tov* 1:1.

² *Shulchan Aruch HaRav* simon 495:1.

³ Based on the *Rambam* 1:2-4.

- the physical comfort benefits most Jews. (This excludes burning incense, for example, a pleasure limited to a select portion of the populace).

Can you give an example of direct physical benefit?

Carrying an item from a *reshus hayachid* to a *reshus harabim*, such as carrying one's child in the street to take him for a walk or carrying a lulav through a *reshus harabim* to shul is direct benefit from the *melacha* of carrying.

Lighting a fire or candle to read or for warmth is permitted, even though it is not food related.

And indirect benefit?

Conversely, performing a *melacha* that is one step away (or more) from physical benefit is prohibited, for example, to craft a skewer or spit to roast meat. The physical benefit attained is from the roasted meat and not from the spit. A sharp knife is most appreciated for carving meat, but sharpening the knife is an indirect benefit because one physically enjoys eating the meat, not the sharp knife.⁸

Even though these actions and similar ones are performed to prepare food necessary for Yom Tov, since the *melachos* are not done to the food, rather stages preparatory to preparing the food, they are not *osur*. They are known as *ממשירין*, where *אוכל נפש* means preparatory.

But aren't there different types of *ממשירין*?

Yes there are, and the concept is as follows. *ממשירין* that **can** be done before Yom Tov may not be done on Yom Tov. *ממשירין* that **cannot** be done before Yom Tov, or due to extenuating

necessity, provided that the time for the mitzvah is on Yom Tov and cannot be postponed to after Yom Tov.

⁸ Although one would prefer to cut meat with a sharp knife, it is not called deriving benefit. Even if one would not be able to cut the meat at all it is still *osur* to sharpen the knife, *Shulchan Aruch HaRav simon 495:4*.

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circumstances could not be performed before Yom Tov, may be performed on Yom Tov. Since one can sharpen a knife, fashion a spit and chop wood for firewood before Yom Tov one may therefore not do so on Yom Tov.

The *Shulchan Aruch HaRav* writes that, if however, the knife became blunt on Yom Tov or the spit lost its point, one may sharpen the knife and the spit because these actions of *ממשירין* could not be done prior to Yom Tov.⁹ The *Mishna Berura*¹⁰ however cites *Rishonim* who disagree and say that sharpening is always *osur* on Yom Tov. We will be'H discuss this at a later stage.

Vort on the Parsha

The *Ohr haCaim hakadosh* points out that *Hashem yisborach* wished to extol Pinchas' action on three accounts. Firstly – בקנאו – he personally put his life in danger. קנאת – for my sake and for no other reason. The perfect mitzvah is performed when all personal gains are waived aside. בתוכם – in public, where everyone could see. *Chazal* tell us that the entire tribe of Shimon stood around and Pinchas put his life in danger on their account as well.

Food for Thought

Must one try and cook all food before Yom Tov?

Based on the above, one should be permitted to pick fruit on Yom Tov. How come I've never heard of that?

I also thought that one may not do melachos that precede kneading, what happened there?

Answers coming be''H next week.

⁹ *Shulchan Aruch HaRav* ibid based on the *M"Z*.

¹⁰ *Simon 509:6*.