

# THE SHABBOS WEEKLY

## HALACHA SERIES ON HILCHOS SHABBOS



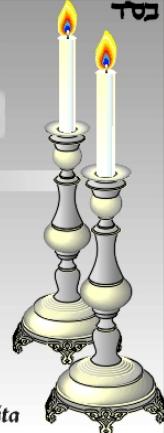
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**RABBI DOVID  
OSTROFF shlita**

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**כל המלאכה כולה –  
ובשיעורה, cont.**

In the previous shiur we learned that the Torah prohibits us to perform an entire *melacha*, not part of a *melacha* and *Chazal*, in many cases, prohibited performing part of a *melacha*.

**Is there a difference between part of a *melacha* and part of an amount?**

We differentiate between **חצִי מלאכה** and **שיעור**. Doing part of a *melacha* such as lifting an item in a *reshus harabim* and walking 4 *amos* and **not** setting it down is part of a *melacha*, because the *melacha* is comprised of the above **and** setting it down (or standing still). Such an action is *osur mid'rabanan*.

On the other hand, the *Rambam* writes<sup>1</sup> that one who bakes or cooks food the size of a *gorograh* is *chayav*, which means one has violated an *issur d'oraissa*. Cooking or baking less than that is also an *issur d'oraissa* albeit one is exempt from biblical punishment.

**Why this distinction?**

A **חצִי מלאכה** (part of a *melacha*) is not the *melacha* the Torah refers to whereas performing a *melacha* with less of the required amount - **שיעור** - is the *melacha* the Torah refers to.<sup>2</sup>

**What is the halacha if two people perform a *melacha* together?**

It depends on whether they could have performed it individually or whether it requires a joint effort, as follows:-

- ❖ One person is capable of turning on a light switch and two people turn it on at the same time, i.e. both press the switch. Both are *pottur* (exempt) from biblical punishment, even when done intentionally.<sup>3</sup>
- ❖ A heavy package is transported from a *reshus bayachid* to a *reshus harabim* and neither could have done it individually, both are *chayav*.<sup>4</sup>
- ❖ A heavy beam is transported through a *reshus harabim*<sup>5</sup> by Reuven and Shimon. Reuven could have carried it himself but Shimon could not have. Reuven is *chayav* and Shimon is *pottur*, because it is as if Reuven carried it himself and Shimon merely gave support – **מסיע**, which is negligible.<sup>6</sup>

**What is the reasoning behind these distinctions?**

The *posuk* in *Vayikra* (4:27) says **בעשותה** (when he does it...) and the *gemora Shabbos* 92b learns that one person must perform an entire *melacha* not part of it and when two people perform the *melacha*, neither is performing the *melacha* in its entirety.

When two people cannot perform the *melacha* individually and only a joint effort can

<sup>1</sup> *Shabbos* 9:1.

<sup>2</sup> The *Sfas Emes* in the beginning of *Shabbos*, in the *Mishna*, learns according to the *Rambam* that they are the same. See *Tikunim Umlu'im* page 12 footnote 69.

<sup>3</sup> *Rambam Shabbos* 1:15.

<sup>4</sup> *Rambam Shabbos* 1:16.

<sup>5</sup> E.g. lifted, carried over 6 *amos* and set down.

<sup>6</sup> *Rambam ibid.*

accomplish it, both are *chayav*. The *gemora* explains that the *possuk* only excludes the case when either person or both people could have accomplished it individually and not when both people could not have accomplished it.

### *Is it ossur mid'rabanan for two people to do a melacha together that they can both do individually?*

It is a *machlokes haposkim*. The common *p'shat* is that it is only *osur mid'rabanan*, as the *possuk* teaches us **בушותה**, do it individually otherwise it is not *osur*.<sup>7</sup> However, many *poskim*<sup>8</sup> learn that it is *osur mid'oraissō* and the *possuk* merely exempts the perpetrators from bringing a *korban*. The *Tosefos Shabbos*<sup>9</sup> writes<sup>10</sup> that when one can do a *melacha* with one hand, such as writing or drawing and one writes with both hands, it is included in this exemption of **בушותה**.

### *Of what importance is the above when it is always ossur, either mid'oraissō or mid'rabanan?*

There are several reasons why it is important to know the above.

Firstly, it is part of Torah, whether there is a *nafka mina* or not.

Secondly, it is important to know whether one is liable to bring a *korban* as a result of one's action, in the time of the *Beis Hamikdash*.<sup>11</sup>

Thirdly, and the most critical nowadays, is when dealing with *pikuach nefesh*, one must know that there are ways to circumvent a direct *d'oraissō* by doing a *shinui*.

For example, a doctor who must operate an apparatus that requires turning on a light. If it can be done by one person and two people turn it on they are minimizing the *issur* and must do so when speed is not a factor.

<sup>7</sup> See *Tikunim Umilu'im* page 13 footnote 77.

<sup>8</sup> *Meshech Chochma* end of *parshas Behar*, *Be'er Yitzchak Orach Chaim* 14.

<sup>9</sup> Rav Refael Meizlish, not one of the *ba'alei Tosafos*.

<sup>10</sup> In the introduction to *simon* 308 **ה ואגב**"<sup>7</sup>

<sup>11</sup> One would record the fact that one is liable to bring a *korban* when the *Beis Hamikdash* will be built *bimheira b'yameinu*.

*An ambulance was parked outside my building one Friday night and being involved with the Hachovesh (hatzolo) service in the neighborhood, I went to see the proceedings. The "chorshim" needed to operate certain machinery and since time was on their side, one called the other over and both men pressed the button together. It was indeed a kiddush Hashem to see how even during an emergency they were adhering to the halacha and knew how to apply it.*

(When speed matters, they would not hesitate at all to operate it individually, as the halacha requires).

### **Vort on the Parsha**

**ולא הריעותי את אחד מהם** - Neither did I cause a single person harm where **אחד** can mean even someone superior. The *Meshech Chochma* says that a humble person will show affection to people lower than him but people of his stature and level or higher will be scorned. Moshe was a true humble person and was not jealous of those who received visions in the camp and prayed that Hashem bestow on them a spirit of **נבוואה**. That is what he meant **ולא הריעותי את אחד מהם**, I never harmed even someone superior.

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**Note:** The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive *p'sak*.