

OVERVIEW of the Daf

1) Writing rulings (cont.)

A Baraisa rules: If a person intended to write one letter and ended up with two, e.g. he intended to write a ches and wrote two zayins he is liable. This, however, is only true if the zayins do not need to be crowned.

2) Acronyms

The Gemara presents a number of examples where words in the Torah are expounded as acronyms.

3) **MISHNAH:** The Mishnah concludes its discussion of the melacha of writing.

4) The dispute between R' Gamliel and Chachamim is explained

הדרן עלך הבונה

5) **MISHNAH:** Details concerning weaving, sewing and tearing are presented.

6) Clarifying the Mishnah

R' Yitzchak presents a Baraisa in which R' Eliezer holds a person liable for weaving two thread at the beginning of a fabric rather than three as the Mishnah records.

The Gemara answers: The difference is whether the threads are thick or thin. According to one explanation one is liable if he weaves three thick threads and according to a second explanation he is liable for weaving three threads if they are thin.

Two Baraisos are presented, one of which is anonymous, in accordance with R' Eliezer's view, and one of which is anonymous in accordance with Rabanan's view.

The terms **בנירין** and **בקיורס** are explained.

The reason sewing is repeated without introducing any new halachos was to be able to mention tearing which was itself necessary to introduce the halacha of one who tears in anger.

The circumstance where one would tear in order to sew is explained.

7) **MISHNAH:** The issue of performing a melacha for a destructive purpose is presented. The minimum amount for other wolle preparations is spelled out.

8) Tearing for the dead

A contradiction is noted between the Mishnah and a Baraisa concerning one who tears for the dead. The Mishnah exempts him from liability and the Baraisa rules that he is liable.

A distinction is drawn between one who tears for a relative for whom he must mourn, where he will be liable, and one who tears for a relative for whom he does not mourn, where he will be exempt.

9) Tearing out of anger

A similar contradiction is noted between the Mishnah and Baraisa concerning one who tears out of anger.

The Gemara explains that the Baraisa represents the opinion of R' Yehudah who holds a person liable for a **צריכה לגופה** מלאכה and the case refers to where he ripped the item to instill fear upon the members of his family. The Mishnah, on the other hand, represents the opinion of R' Shimon who takes a lenient position regarding מלאכה שאינה צריכה לגופה.

10) Mourning and eulogizing

The Gemara tangentially discusses that it is appropriate to mourn for a decent person, and the necessity to properly eulogize a talmid chacham. ■

Gemara GEM

Tears of Tribute

כל המוריד דמעות על אדם כשר הקב"ה סופרן ומניחן בבית גנזיו שנאמר נודי ספרתה אתה שימה דמעותי בנאדך

The Mishnah deals with the halacha of tearing one's clothes on Shabbos, and under what conditions this is considered a destructive act. Obviously, if the tearing of the clothes is done as a required sign of mourning, it would be considered a constructive act, and would be פטור on Shabbos. Therefore, in our Mishnah where tearing is חייב cannot be speaking where the person who died was a relative of the one who is tearing his clothes, and we are also not dealing in a case where the one who died was a **אדם כשר** or **חכם**. We are also not dealing in a case where the one tearing was present when the **אדם** died. In all these cases, the tearing as a sign of grief is required, and the act is constructive.

The verse brought to prove that everyone should mourn when an **אדם כשר** dies describes how Hashem counts the tears which Dovid HaMelech shed. Sfias Emes asks how does the Gemara know that the verse is discussing Dovid HaMelech crying for a "good person" who died? Even if we would say that Dovid was crying for Shaul and Avner who had died, we can still only prove that it is appropriate to cry for a king or prince who dies. Where do we see any indication that the crying should be done for any good person who dies?

Maharsha explains that Bar Kappara, who taught this lesson, realized that Dovid HaMelech would not have cried without a legitimate reason. It is actually prohibited for a Jewish person to be distressed and to cry unless this reaction is warranted, and this is only justified when crying for the dead. Although the simple meaning of the verse is that Dovid cried tears as he davened and learned Torah, Bar Kappara understood that Dovid HaMelech was not telling us about the tears he shed for his own self, but rather tears he shed for someone else's plight.

The placing of the tears in Hashem's treasure house represents the fact that these tears are manifestations of yiras shomayim. The Gemara (Berachos 33b) teaches that Hashem keeps only yiras shomayim in his treasure house.

Sfias Emes concludes that our Gemara also understood that it would not be reasonable for Dovid HaMelech to ask for a reward for his having cried due to his own condition. Therefore, these tears were probably a collection of those which Dovid HaMelech shed for others, referring to the sorrow he felt whenever he heard about the death of an **אדם כשר**. ■

REVIEW and Remember

1. Explain **יש ידיעה לחצי שיעור**.
2. How many relatives does a chacham have?
3. How should one look at a person who acts destructively out of anger?
4. What is the difference between "length of days" and "length of years"?

HALACHAH Highlight

Mekalkel (Destructive Act)

כל המקלקלין פטורין

A) The basic premise

The melachos performed in the Mishkan had a constructive purpose. Therefore, a melacha performed as a completely destructive act is Mekalkel (i.e. with absolutely no constructive purpose) is not similar to its counterpart in the Mishkan. It is therefore not a melacha M'deoraisa, even if identical to the labor in the Mishkan in every other respect.

B) The practical applications of Mekalkel

Mekalkel (i.e. performing a melacha destructively) is generally prohibited (Rabbinically) on Shabbos because of its similarity to an actual melacha. However, in some instances (where there is a combination of factors), Mekalkel may be permitted.

C) The complexities of Mekalkel

Although the basic principle of Mekalkel is simple, the concept is actually complex. Thus, there are many instances where an act may appear to be Mekalkel but actually is not:

1: Ripping a garment or destroying furniture in a fit of rage (i.e. to pacify his anger)

The desired effect of assuaging his anger is halachically regarded as a constructive byproduct of an otherwise destructive act. Therefore, the fact that the garment and furniture was destroyed does not mitigate the constructive aspect of the melacha act. Ripping the garment is therefore Koraya, and destroying the furniture is סותר (this conduct is reprehensible and forbidden even during the week).

2: Tearing a seam to widen or narrow it; demolishing a building to rebuild

The act of tearing and demolishing is initially destructive, but is essential for a greater constructive purpose. It is therefore not classified as Mekalkel.

3: Killing dangerous animals

The act of killing is in and of itself Mekalkel. However, the immediate relief and safety that results from exterminating the animal is a form of constructive purpose. Therefore, the sanction to kill dangerous animals on Shabbos is based only on the principle of "melacha Sh'aino Tzrichah L'gufah", and not Mekalkel.

4: Scratching letters into a fine-finished table top or scribbling letters (with an ink pen) on an expensive curtain

Although the table and curtain are ruined, the letters themselves are intact. The destructive byproduct of the writing (i.e. the defacement of the furniture or curtains) is irrelevant to the melacha act itself.

D) Mekalkel is only restricted as a melacha

Mekalkel is primarily an exemption, that is to say, where a melacha act performed constructively is liable, performing the same act in a destructive manner is not liable. However, it has been noted that a melacha performed destructively is Rabbinically prohibited. In this sense, Mekalkel is also a restriction.

The restriction of Mekalkel applies only where a melacha is involved. The mere act of destroying or ruining an object or substance (where no melacha is involved) is not in itself a Rabbinic prohibition of Shabbos and where necessary, is permissible. Following are some examples of this:

1: Spoiling a food or drink

There is no Shabbos restriction against spoiling a food (e.g. spilling water on challa, pouring wine into chicken soup etc.) because destroying a food for even constructive purposes is not a melacha and is unlike dismantling furniture to repair, which is the melacha of סותר.

Therefore, where necessary, it may be permitted to spoil food. However, one must be aware that carelessly destroying good food is generally prohibited under the prohibition of Baal Tashchis (a fact that is unfortunately not widely recognized in our affluent society).

2: Wiping muddy hands on a clean new towel

Wiping one's muddy or greasy hands on a clean paper towel is permitted even though the paper becomes completely ruined. Because the paper is neither a structure nor is it an assembled utensil, ruining it (and thereby rendering it a useless item) is not Sossair (Demolishing) or any other melacha. However, deliberately tearing it, even in a destructive manner, is prohibited because it is similar to the melacha of Koraya.

3: Breaking a dish, glass or pitcher

According to some Poskim, destroying a dish is not Sossair (nor any other form of melacha). This is because Sossair applies only to structures or items that are prohibited to be created under Boneh. However, many Poskim identify the prohibition of making chinaware or glass not as Boneh, but as Makeh B'Patish (see Boneh, Makeh B'Patish). Because the creating of these items is not Boneh, their destruction is not Sossair, nor any other melacha (there is no "twin melacha" to Makeh B'Patish as there is with Boneh). ■

1 The 39 Melachos, by Rabbi Dovid Ribiat, pages 208-211. Used with permission of the author.

Distinctive INSIGHT

Length of Days, Length of Years

אלא מעתה למען ירבו ימיכם

R' Yochanan taught that the nation had neglected to eulogize Yehoshua properly when he died. The appropriate punishment (מדה כנגד מדה) for such an oversight is the shortening of one's days here on earth. Yet R' Chiya bar Abba presents a challenge to this statement. The verse that tells us that the people at that time enjoyed "אריכות ימים" – length

of days." How could these same people live long lives if they were guilty of not appreciating the life and death of Yehoshua?

The Gemara answers that the people enjoyed "long days", but not "long years." Rashi explains that this means that although they did suffer in having their life spans shortened, yet the days that did remain were enjoyable and good days. This is also something we can call "אריכות ימים" – length of days.

Maharsha uses this insight to help understand the exchange between Yaakov Avinu and Pharaoh when they first met (see Bereshis 47:8-9). Pharaoh noticed that Yaakov Avinu ap-

peared to be a very old man. He then asked him, "כמה ימי שני חייד" – How long are the days of the years of your life?" There would seem to be a redundancy in the words of Pharaoh. Why did he ask both about the days and the years of the life of Yaakov's life? What this means, explains Maharsha, is that Pharaoh was actually asking Yaakov two things. He wanted to know if Yaakov had lived many years, and also if those years were filled with enjoyable experiences. Yaakov responded to both of these questions when he answered "מעט ורעים היו ימי שני" – that his life had been short, and the years were filled with difficult events. ■