

This month's Daf Digest is dedicated
L'Ilu Nishmas Mr. Israel Gotlib of Antwerp and Petach Tikva, Yisrael Tzvi ben Zev
By Mr. and Mrs. Manny Weiss

OVERVIEW of the Daf

1) Deciding the disputed issue of the Mishnah

The Gemara answers: The Mishnah that was recorded anonymously, in R' Yochanan's version is recorded in the name of R' Yosi bar Yehudah.

The Gemara unsuccessfully questions R' Yochanan's lenient ruling from other anonymous Mishnayos that seemingly rule like the strict opinion of R' Yehudah.

2) Deciding the disputes between R' Yehudah and R' Shimon

R' Acha and Ravina agree that generally, halacha follows the lenient opinion of R' Shimon. They disagree regarding particular cases of muktza whether Halacha follows R' Shimon or not.

3) MISHNAH: The Mishnah contains rulings concerning vows, shuttering windows, measuring and tying.

4) Vows

Seeking release from vows may only be done if it serves a purpose on Shabbos. However, the Gemara asks: do annulments also require a purpose on Shabbos, or perhaps even if there is no purpose it is permitted?

The Gemara demonstrates from a Baraisa that an annulment may only be performed on Shabbos if it is necessary for Shabbos.

A second version of the inquiry is presented with a slightly different focus. The conclusion of the second inquiry is that an annulment of vows may be for twenty-four hours after they become known.

R' Ashi questions this conclusion from a Mishnah which clearly indicates that a person may only annul a vow on the same calendar date, and not for a full twenty-four hours.

The Gemara answers that the issue is a dispute between Tanaim.

The Gemara asks: Does the leniency to release someone from a vow on Shabbos apply only when it could not have been done before Shabbos, or even if it could have been done before Shabbos?

The conclusion is that the leniency applies even for vows that could have been released before Shabbos.

5) Clarifying the Mishnah

R' Yehudah in the name of Rav elaborates on the incident referenced in the Mishnah.

An incident is told that clarifies issues related to the prohibition against measuring on Shabbos.

הדרן עלך מי שהחשיך
וסליקא לה מסכת שבת



Distinctive INSIGHT

Annulling vows on Shabbos and Yom Tov

התרת נדרים בשבת ויו"ט

The Gemara states here that vows may only be annulled on Shabbos if their annulment is l'tzorech Shabbos – essential for Shabbos – i.e., if those vows affect the proper observance of that specific Shabbos on which they are to be annulled.

Hence, Teshuvos HaRivash #394 has difficulty with our recitation of Kol Nidrei on Yom Kippur. The vows that we ask Hashem to annul in the Kol Nidrei do not affect the observance of Yom Kippur in any way. Why, then, is it permitted to recite Kol Nidrei on Yom Kippur?

First, Rivash notes that the proper version of Kol Nidrei is the one in which it takes the form of a condition concerning future vows is mentioned (from this Yom Kippur until next Yom Kippur). This is the case, despite the fact that this request for forgiveness is for the future – and it would seem somewhat out of the ordinary to request forgiveness on sins not yet committed! (Rivash explains that this request pertains to possible cases in which a violation of a vow will be inadvertent, and that for which a person therefore might not realize he needs forgiveness.) He continues to prove from several aspects of the language used in Kol Nidrei that it is not an annulment, but rather a stipulation, or perhaps a request for atonement. Since that is the case, it is not an actual annulment, and therefore may be performed on Shabbos or Yom Tov.

He acknowledges that Rosh does maintain that Kol Nidrei pertains to past vows, and suggests that perhaps Rosh holds that since this annulment is meant to request atonement for violated vows, that it is tzorech ha'yom – i.e., essential for the day of atonement. Alternatively, the time for Kol Nidrei is generally fixed slightly before the actual onset of Yom Kippur – and thus the annulment is not taking place on Shabbos or Yom Tov.

(It is interesting to note that in the final analysis, Rivash is opposed to the recitation of Kol Nidrei altogether, as he fears that its recitation leads people to regard taking vows lightly. He notes that in Catalonia it was never said at all.) ■

REVIEW and Remember

- Regarding which type of Muktzah does R' Shimon agree should be treated stringently?
- Why is it permitted to measure a mikvah on Shabbos?
- What is the timeframe for seeking release from a vow?
- Under what conditions is measuring permitted on Shabbos?

HALACHAH Highlight

Hachono (Preparing for post-Shabbos Needs) ¹

מפירין נדרין בשבת ונשאלין לנדרים שהן לצורך שבת

The Sages forbade any extra effort or preparation (even minor) during Shabbos or Yom Tov on behalf of a following weekday. This holds true even if the effort involves no melacha or Rabbinic ordinance whatsoever. This Rabbinic ordinance, called "Hachono" (lit. preparation), was meant to preserve the serenity and restful character of Shabbos and Yom Tov.

The basic concept of Hachono; "Minor Tircha"

Hachono is actually a sub-category of the general principal of Tircha; Hachono is forbidden because, by definition, any effort (even minor) that one expends on Shabbos for the sake of post-Shabbos needs, constitutes a mild form of Tircha, and is therefore forbidden under the general concept of Tircha.

One may not wash dishes on Shabbos afternoon (e.g. after Sholosh Seudos) that he will no longer need during Shabbos.

As explained earlier, effort or arrangement made on Shabbos for the sake of post-Shabbos needs detracts from the honor and restful character of Shabbos. Therefore, any effort or even mild "bother" that is expended on Shabbos or Yom Tov for the sake of a weekday can come under this prohibition, even if the effort is a very lightweight activity and is completely unrelated to any melacha. In fact, even a verbal expression that affects a Halachic condition (for a post-Shabbos need) may also be considered Hachono because even this is considered a sort of "bother" for post-Shabbos needs:

Releasing a Halachic vow (Hatoras Nedarim) on Shabbos is Hachono: The words used by the Rav to release the Neder (vow) are effectively a verbal expression that causes a Halachic change (and is prohibited when done for the benefit of the following weekday).

The principles of Hachono

As explained, almost any type of preparation can be Hachono. Nevertheless, not every act of preparation is necessarily prohibited.

As a general rule, only an effort whose non-Shabbos purpose is self-evident and obtrusive is restricted under Hachono. If the nature of a Hachono activity is such that it does not express even a modicum of exertion (Tircha), it is not a contradiction to the serenity and honor of Shabbos and is therefore not prohibited.

1) Commonplace activities

Simple, non-strenuous activities that are done routinely and effortlessly by people as a matter of course (without any conscious thought that the act is a beneficial act of preparation) are in fact not Hachono, even when intended for post-Shabbos needs.

One may return food to the refrigerator (even if the food is not likely to spoil if left out until after Shabbos). Returning food to the refrigerator is basically an effortless act done by people as a matter of course, without any conscious thought that they are preparing the food (by preserving its freshness) for a later time.

Hachono is forbidden only when the Hachono-activity, by its very nature, bespeaks preparation. Commonplace activities in which the concept of preparing for anything is remote from people's minds are not Hachono. In such situations, there is no perception of Tircha.

2) Preventive measures (to avoid loss)

Preparations (involving modest efforts) made solely for the purpose of preventing a loss from occurring are not considered Hachono, even if anything spared through the effort will only be used and felt after Shabbos. Apparently, non-melacha preparation (of minor exertion) to avoid privation is not a detraction of the honor of Shabbos.

For example, annulment of a Halachic vow (Neder) by a woman's husband (though a process called "Haforas Nedarim") on Shabbos is Hachono if the restrictions of the vow will not affect that Shabbos. However, the time-frame allotted for the husband's annulment is limited to the very day on which he first became aware of the vow. Because waiting until after Shabbos will exceed the deadline (thereby binding the vow), the husband may annul the vow even on Shabbos to preclude this detrimental situation.

It must be noted however, that only light-labor activities are permitted for loss prevention. Heavy exertion is not permitted even for the prevention of a loss. Such extreme Tircha efforts seriously detract from the Honor of Shabbos and are generally forbidden even in the face of substantial loss (and even for Shabbos needs).

3: Activities not causing any change in an item

According to some Poskim, only an activity of preparation that causes a corrective physical change in an item itself can be Hachona. However, an activity that causes no visible change in the state of an item is not Hachono according to some views. The one example of this that is mentioned by Poskim is the transporting of an item. This lenient view is only relied upon in difficult circumstances. ■

1 The 39 Melachos, by Rabbi Dovid Ribiat, pages 110-113. Used with permission of the author

Gemara GEM

Measuring on Shabbos for a mitzvah

אימור דאמרי רבן מדידה דמצוה - קנז

I would say that the Rabbis only permitted measuring for a mitzvah. – 157b

We find in our Gemara that measuring on Shabbos for the purpose of a mitzvah is permitted, and this is why measuring the water in a mikveh is permitted. Accordingly, it would also be permitted to measure the

diameter of a hole in a wall to determine if it is large enough to allow tum'ah to transfer through it. Tosafos (126b) explains that the reason it is generally not allowed to measure things on Shabbos is that doing so a weekday activity (uvda d'chol), which is a rabbinic restriction. The rabbis did not apply this limitation in a case of mitzvah.

Rambam (Hilchos Shabbos 24:5) explains that measuring falls into the category of "pursuing one's own interests," which the posuk (Yeshayahu 58:13) prohibits. When measuring is done for a mitzvah, the activity

becomes "the pursuit of heaven" which is not prohibited. This implies that measuring for any mitzvah would be allowed. Yet, Ritva clearly writes that measuring for a mitzvah is only permitted for the needs of Shabbos, and not for any mitzvah. Other mitzvah pursuits such as conducting an appeal for tzedakah are permitted when they only involve thinking or speaking. Measuring, which involves an action, is only permitted when the mitzvah cannot be delayed until after Shabbos. ■

