

TORAH & HORAHAH



Behar 5777

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Dear Reader,

We passed this week the day of Lag Ba-Omer, a day whose hidden elements by far exceeds its revealed ones.

On a revealed level, the joy of the day draws from the disciples of Rabbi Akiva, who ceased to die on Lag Ba-Omer. This, however, raises an obvious difficulty: The reason they ceased to die was because there was nobody left! How can this be a cause for celebration?

The answer to this can be found in the words of the Maharal (Nesivos Olam, Torah 12):

“On Lag Ba-Omer, which is the eighteenth of Iyar, they stopped dying – for the name Iyar has the same numerical value as orech, and the eighteenth of the month is chai,

This week’s article discusses the laws of Shabbos, and in particular the question of riding a bicycle on Shabbos. Is there a prohibition against riding a bicycle on Shabbos? What particular issues might be involved? Is there room for leniency in extenuating circumstances? What is the halacha concerning children? These questions, and others, are discussed in this week’s article.

This week’s Q & A addresses the question of whether there is a mitzvah of throwing tereifah meat to dogs.

Riding a Bicycle on Shabbos

Parashas Behar mentions the mitzvah of Shabbos in an unlikely context: “My Sabbaths you shall observe, and my Mikdash you shall fear—I am Hashem” (*Vayikra* 26:2).

According to one interpretation of Ibn Ezra, the Pasuk refers to the mitzvah of Shemittah which is mentioned at the outset of the parasha: It urges us to observe the Shemittah years, as recorded above. As for the Mikdash, Ibn Ezra explains that this refers to the Yovel years, which are *kodesh*—sanctified to Hashem.

His second and preferred interpretation is that the verse refers to the regular Shabbos at the end of each week. The previous Pasuk warns of idolatry, which we must eradicate from our land. Following this, the Torah instructs us to serve Hashem alone, and that the preferred time for strengthening this service is on Shabbos, a chosen time for the service of Hashem.

In the present article we will focus on a particular question concerning laws of Shabbos, which we are asked with some frequency: the issue of riding a bicycle on Shabbos.



forming *orech chai* (a long life). Therefore, they stopped dying, for the torah is “long life upon its right.” After they received their punishment in thirty-two days, corresponding to *kavod*, long life returned to them on the eighteenth of *Iyar*, which is *orach chai*.”

Based on the interpretation of the Maharal, we understand that the day of *Lag Ba-Omer* is not celebrated because the disciples of Rabbi Akiva ceased to die; on the contrary, the disciples of Rabbi Akiva ceased to die because of the special nature of *Lag Ba-Omer*.

During the count of the *Omer*, the disciples of Rabbi Akiva were punished for not showing appropriate respect to one another; they were found undeserving of receiving the Torah on *Shavuos*.

However, their deaths stopped on *Lag Ba-Omer*, following the completion of thirty-two days, as the numerical value of *kavod*, honor. On the thirty-third day, a new concept of life descended to the world:

Is there a prohibition against riding a bicycle on *Shabbos*? What particular issues are involved? Is there room for leniency in extenuating circumstances? What is the halacha concerning children? These questions, and others, are discussed below.

The Ben Ish Chai's Ruling

One of the earliest sources that addresses the question of bicycles on *Shabbos* is the Ben Ish Chai, in his *Rav Pealim* (Vol. 1, no. 25). After presenting the question of whether riding bicycles is permitted on *Shabbos*, he responds that in an area that is surrounded by an *eruv* it is permitted to do so, since no *melacha* is involved.

One of the issues he addresses is *uvdin dechol*. *Shabbos* must be distinct from weekdays in all ways, and activities that erode the distinction between *Shabbos* and weekdays are classified as *uvdin dechol* (*Ramban, Parashas Emor*). Thus, it is forbidden to engage in commerce, to weigh foods and to carry jugs of wine from place to place (in a weekday manner).

The Ben Ish Chai writes that riding a bicycle is not *uvdin dechol*. He argues that a person riding a bicycle is propelled forward by his own power. This distinguishes riding a bicycle from other forms of weekday transportation that use an external source of power. He concludes that it is permitted to ride for pleasure, and the more so for purposes of a *mitzvah*.

The Problem of Carrying

Where there is no *eruv*, raising a concern for the *Shabbos* prohibition against carrying the bicycle, the Ben Ish Chai is stringent for regular cases. However, he is lenient in certain cases if there are less than 600,000 people: for somebody who is going to teach Torah, to read the Torah in *Shul* or some other communal *mitzvah* requirement. He adds that even for fulfilling a personal *mitzvah*, one may ride a bicycle if he is weak and finds it hard to walk.

The rationale behind this is that on a Torah level, there is no prohibition of carrying in riding a bicycle, since the bicycle serves the person riding it, and is considered an extension of his person. Yet, there remains a rabbinic prohibition which, combined with

the rabbinic carrying prohibition in most areas (since there are not 600,000 travelers), is deferred for the purpose of a mitzvah (*shevus deshvus bemkom mitzvo*). In a full public domain where carrying is a Torah prohibition, he prohibits riding a bicycle under any circumstances, unless a non-Jew does the peddling.

He also explains that the person riding the bicycle is only performing an indirect action with respect to the wheels of the bicycle (*koach kocho*), which is another reason for leniency. This last reasoning is strongly disputed in *Shut Mishnah Halachos (11:408)*, who writes that since this is the ordinary way to ride a bicycle it is considered a direct action. He adds that in addition without the rider straightening the bicycle's wheels, it would fall immediately, so that he is surely carrying it.

Application of Rabbinic Decrees

Later authorities raise further concerns concerning riding a bicycle on Shabbos.

After citing the ruling of the Ben Ish Chai, the Kaf HaChaim (403:8) writes that some authorities are stringent on the matter out of concern that the person riding the bicycle will ride outside the *techum Shabbos* (the distance permitted to travel outside the city), which is easy to pass while riding a bicycle.

He adds that this concern is especially pertinent because most people riding bicycles are not *bonei Torah*, and not familiar with the particulars of *techum Shabbos*. If we permit riding a bicycle in town, people will come to ride even outside town, and transgress the prohibition.

An additional concern he raises is that while riding the bicycle might not involve a prohibition since a person is simply propelling himself, carrying a bicycle will certainly involve a prohibition in an area without an *eruv*. This being the case, there is a concern that a person may walk his bicycle up a steep hill where it is difficult to ride it. Halachically, walking is considered carrying the bicycle and he will thus transgress the prohibition of carrying on Shabbos.

This reasoning is in line with a number of rabbinic prohibitions we find against wearing items that might be carried on Shabbos.

The Kaf HaChaim concludes that the common custom is to refrain

the elevated life of Torah, which promises life to its adherents in this world and in the next (Avos Chap. 6).

The two halves of the Omer are represented by the words *lev tov*, “a good heart,” which Rabbi Yochanan b. Zakai saw as the choice disposition (Avos Chap. 2). The first half is a question of *lev*, of refining the dispositions required to receive the Torah. The second half is *tov*, the goodness of Torah itself, which begins to appear from the day of Lag Ba-Omer.

It is perhaps for this reason that the great light of Rabbi Shimon b. Yochai's Torah shone upon the world specifically on this day: The day of Lag Ba-Omer is the day of *lev tov*, a day that follows the refinement achieved in the first half of the count, and which leads directly to Shavuos.

May we make the most of the days that remain before the advent of Shavuos, and come to the great day with the perfection of a “*lev tov*.”

from riding bicycles, both on Shabbos and on Yom Tov, even in areas surrounded by an *eruv*.

The Concern for a Breakdown

Shut Tzitz Eliezer (Vol. 1, no. 21, sec. 27) writes that it is obvious that one may not ride a bicycle on Shabbos, even inside the *techum*. He presents three reasons for this:

1. The concern that a person might go outside the *techum*—beyond the permitted distance one may travel outside the town;
2. Because of *uvdin dechol*, the prohibition against activities that are related to weekdays, and therefore forbidden on Shabbos (he supports this assertion based on *Shut Chassam Sofer 6:96*); the *Tzitz Eliezer* dismisses the lenient approach of the Ben Ish Chai, arguing that as a means of transportation riding a bicycle is certain a weekday activity (see further below);
3. The concern that a person might fix the bicycle if it breaks down.

The third reason is related to the rabbinic prohibition against playing musical instruments on Shabbos, which Chazal prohibit because of the concern that a person will come to mend the instrument if it breaks (see *Eruvin 104a*; *Shulchan Aruch, Orach Chaim 339*). The same applies to a bicycle, which at times needs repair e. g. tire punctures or problems with the chain.

It is possible that the Ben Ish Chai did not relate to the third reason given by the *Tzitz Eliezer* because he was referring to old, simple bicycles less likely to break down. For modern, more sophisticated bicycles the chance of a breakdown and the concomitant concern for mending it, are far more relevant.

Indeed, Rav Ovadya Yosef (*Chazon Ovadya, Shabbos Vol. 4, p. 40*) cites a rumor (from the *Yaskil Avdi*) that the Ben Ish Chai retracted his ruling after learning of the concern that bicycles can break down, and the concern for mending them on Shabbos. However, Rav Ovadya proceeds to defer this rumor, noting that in his later years the Ben Ish Chai confirmed the ruling.

At the end of his *teshuva*, the *Tzitz Eliezer* notes that *Shut She'elas Yaakov (45)* also discusses the issue, after somebody mentioned to him a lenient ruling on bicycles on Shabbos. The latter's conclusion is: "We have never heard of anybody riding a bicycle on Shabbos, other than the truly lightheaded, and how can any rabbi permit something that so unaccepted... may Hashem bring whoever permitted this to repent his error."

Uvdin Dechol: Weekday Activities

Is it worth dedicating some extra explanation to the matter of *uvdin dechol*, a weekday activity forbidden on Shabbos.

As noted, one of the reasons for stringency noted by the *Tzitz Eliezer* is *uvdin dechol*. *Shut Maharshag (2:13)* dismisses the concern, arguing that "the prohibition is unclear, since I cannot understand the logic of weekday activities here, and moreover we do not have the authority to issue new decrees and prohibitions." The *Maharshag* nonetheless prohibits riding a bicycle (where there is no *eruv*) because it is considered carrying.

However, there seems to be a clear weekday issue in riding a bicycle. As the Gemara (*Shabbos 113a*) teaches, even a person's walking on Shabbos should be different from his weekday walk, and it is therefore forbidden to walk briskly on Shabbos. Thus, Rabbi Ovadia Yosef (*Chazon Ovadia p. 43*

and *Yabia Omer* Vol. 10, in comments on *Rav Pe'alim*) writes that riding a bicycle is forbidden based on the directive whereby one's walking on Shabbos must be distinct from weekdays. Since bicycle-riding is meant for traveling long distances, which is not the usual way of walking on Shabbos, it follows that it is forbidden to ride a bicycle on Shabbos.

An additional line of argumentation forbids bike riding because it violates the spirit of Shabbos. Many argue that the strain of the activity, as well as its recreational purpose, are grounds for prohibiting riding a bicycle on Shabbos. *Shut Chaim Birtzono* (12) makes this point forcefully, arguing that "there is no greater *uvdin dechol* than this!"

Plowing

Another potential problem with bicycle riding stems from the grooves that the wheels create in dirt, which might be a violation of plowing (*charisha*) on Shabbos. Rabbi Azriel Hildesheimer (*Orach Chaim* 49) forbade bike riding for this reason.

However, this reasoning is rejected by other authorities, who argue that this unintentional and undesired consequence occurs too infrequently to be considered a problem. Just as it is permitted to push strollers and wheelchairs, riding a bicycle will

not involve a problem on account of sometimes creating a groove.

Children and Bicycles

Many of the concerns noted above do not apply to simple tricycles that do not have a chain. *Shemiras Shabbos Kehilchasa* (16:18) writes that it is permitted for children to ride a tricycle where there is no prohibition against carrying.

However, concerning bicycles with chains and proper wheels, the universal custom is that even children refrain from riding them.

Conclusion

As we have seen, the halacha concerning riding bicycles has developed over the years, and involved a number of disputes and debates, and a range of reasons.

Today, however, it has become the universal consensus to prohibit the riding of bicycles on Shabbos, and no respected rabbinic authorities permit doing so.

Nonetheless, it is important to understand that the prohibition is far removed from the Torah prohibition of driving a car, and other Torah mandated restrictions. While the basic *halacha* and custom is that riding a bicycle is prohibited, in extenuating circumstances one may ask a proficient rabbinic authority for guidance.

Halachic Responsa

to Questions that have been asked on our website dinonline.org



The Question:

It says in the Torah that a tereifah must be thrown to the dog. Is this a full mitzvah?



Answer:

This is a good question. From the sources below, we will see that although the Torah writes it as an obligation, the instruction was interpreted not as a command, but as permission to give the meat to the dogs.

There is therefore no special mitzvah of throwing tereifah meat to dogs.



Sources:

The Minchas Chinuch (73:3) asks this question: Surely the Torah writes that a tereifah must be thrown to the dogs. Why, if so, do the Poskim in general, and those who list the mitzvos in particular, make no mention of this mitzvah?

Indeed, the Rema (based on the Tur), Yoreh De'ah 117, writes that one can sell a tereifah to a non-Jew, clearly implying that there is no obligation to give the tereifah to a dog. The Chikrei Lev (Yoreh De'ah 19) expounds on this matter at length, and explains that there is no obligation to give the non-kosher meat to a dog.

The Darchei Teshuvah (29:2) explains that according to the Poskim who make no mention of the obligation, the verse does not mean to imply an obligation to give the meat to a dog, but only to permit the meat to be fed to dogs. This interpretation is also given the Ibn Ezra (Yesod Morah, Sha'ar 2), as cited by Rav Yerucham Perelow (intro. to Mitzvos of Rasag, no. 6).

The Gemara (Pesachim 22a; Kiddushin 58a) uses the verse “you shall throw it to the dogs” to derive a halachah concerning the laws of kodshim: Only a tereifah can be thrown to the dogs, but chullin that were disqualified by being slaughtered in the Sanctuary cannot be thrown to the dogs.

Although Rashi (Pesachim) writes that without the word “oso” the Pasuk would refer to the mitzvah of giving the tereifah to the dogs (their reward for not barking in Egypt), the Sefas Emes explains that this should not be understood to mean that there is actually a mitzvah to feed the meat to the dogs.

It is noteworthy, however, that Tosafos (Yomah 36) implies that there is a concrete mitzvah to feed the tereifah to a dog, and this is mentioned by the Minchas Chinuch.

Another possible source for the mitzvah is the teaching of the Yerushalmi. Speaking of somebody who used to feed tereifos to Jews, and when he fell off the roof to his death, dogs gathered round and licked his blood, the Yerushalmi (Terumos 8:3) writes that the person “stole from the dogs, and fed Jews.” However, this is not a strictly halachic source, and it does not constitute a full proof.

Assuming, as all Poskim do, that there is no actual mitzvah of feeding tereifah meat to dogs, we find an interesting example of how the Sages can treat similar-sounding verses very differently: One becomes a Torah obligation, whereas another is merely “permission” to do something.