

Let every man remain where he is; let no man leave his place on the seventh day.

(Exodus 16:29)

Neither shall you carry out a burden from your houses on the Shabbat day, nor do any work, but you shall hallow the Shabbat day, as I commanded your fathers.

(Jeremiah 17:22)

Introduction to Perek I

The primary focus of this chapter is on the various details of the prohibitions of carrying out and moving objects on the Shabbat.

The prohibited labor to carry out a burden on Shabbat is alluded to in the Torah and explicitly stated in the Prophets. Although it appears in the list of prohibited labors in the mishna, it constitutes its own discrete unit, and its parameters are significantly different from those of the other prohibited labors.

There are two fundamental aspects to the prohibited labor of carrying out. The most significant of these is the prohibition to carry an object from one domain to another, e.g., from the private to the public domain. The definitions of these domains with regard to Shabbat are distinctive, and their parameters are by no means identical to the definitions of domains in other aspects of *halakha*, neither in terms of their ownership nor in terms of their use.

There are four Shabbat domains: The private domain, the public domain, an intermediate domain [*karmelit*] whose precise definition will follow, and an exempt domain, which is a neutral domain within which carrying objects is not prohibited at all.

Any area that is four handbreadths by four handbreadths and separated from its surroundings by ten handbreadths, either by a partition of that height that delimits it or because it stands on ground ten handbreadths higher or lower than its surroundings, is a private domain, even if legally it is publicly owned. The airspace of the private domain extends to the sky.

An area that is a minimum of sixteen cubits wide and which the public, some say at least 600,000 people, use regularly is a public domain. The airspace of the public domain extends only ten handbreadths off the ground.

To these domains, whose basis is in Torah law, the Sages added a third domain, the *karmelit*. A *karmelit* is defined as any place that is fit to be a private domain in terms of its area, but is not surrounded by an enclosure or is not sufficiently removed from its surrounding area to be an actual private domain. In addition, an area that is large enough to be a public domain but is not frequented by the public, e.g., a field or a body of water, is also a *karmelit*. The Sages decreed that those areas have the legal status of a public domain by rabbinic law.

An exempt domain is defined as a place that is set apart from its surroundings, has an area of less than four handbreadths by four handbreadths, and has airspace more than ten handbreadths above the public domain or *karmelit*. There is absolutely no prohibition against carrying or moving objects in that domain on Shabbat.

The other fundamental aspect of the prohibition to carry out is the prohibition to carry an object four cubits within a public domain. Carrying an object four cubits in a *karmelit* is prohibited by rabbinic law.

One only violates the Torah prohibition to carry out on Shabbat if he lifts the object from one place and places it in another place. As is the case with regard to the other prohibited labors, one who performs this action intentionally is liable for the punishment of *karet*. If he does so unwittingly, he is liable to bring a sin-offering.

Based upon these principles, the Mishna and Gemara discuss the prohibitions of carrying out on Shabbat, its parameters, and the safeguards decreed by the Sages.



The tractate opens with a discussion of the biblical prohibition of carrying out on Shabbat, a topic that is somewhat unexpected, in order to pique the interest of the reader. In terms of the overall framework of the tractate, it would have been more appropriate to begin with later *mishnayot*. Carrying an object from a public domain to a private domain, or vice versa, violates a biblical prohibition. When the entire act is performed by a single individual, it is punishable by *karet*. The prohibited act consists of lifting an object in one domain and placing it in another.

יצאות השבת שתיים שהן ארבע
בפנים ושתיים שהן ארבע בחוץ.

MISHNA The acts of carrying out from a public domain into a private domain or vice versa, which are prohibited on Shabbat,^{NH} are primarily two basic actions that comprise four cases from the perspective of a person inside a private domain, and two basic actions that comprise four cases from the perspective of a person outside,^N in a public domain.

ביצד: The mishna elaborates: **How** do these eight cases take place? In order to answer that question, the mishna cites cases involving a poor person and a homeowner.

העני עומד בחוץ ובעל הבית בפנים.
פשט העני את ידו לפנים ונתן לתוך
ידו של בעל הבית, או שנטל מתוכה
והוציא – העני חייב ובעל הבית
פטור.

The poor person stands outside,^N in the public domain, and the homeowner stands inside, in the private domain. The poor person lifted an object in the public domain, extended his hand into the private domain, and placed the object into the hand of the homeowner. In that case, the poor person performed the prohibited labor of carrying from the public domain into the private domain in its entirety. Or, the poor person reached his hand into the private domain, took an item from the hand of the homeowner, and carried it out into the public domain. In that case, the poor person performed the prohibited labor of carrying out from the private domain into the public domain in its entirety. In both of these cases, because the poor person performed the prohibited labor in its entirety, he is liable and the homeowner is exempt.

פשט בעל הבית את ידו לחוץ ונתן
לתוך ידו של עני, או שנטל מתוכה
והכניס – בעל הבית חייב והעני
פטור.

The mishna cites two additional cases. In these, the prohibited labor is performed by the homeowner, who is in the private domain: The homeowner lifted an item in the private domain, extended his hand into the public domain, and placed the object into the hand of the poor person. In that case, the homeowner performed the labor of carrying out from the private domain into the public domain in its entirety. Or, the homeowner reached his hand into the public domain, took an object from the hand of the poor person, and carried it into the private domain. In that case, the homeowner performed the labor of carrying from the public domain into the private domain in its entirety. In both of those cases, because the homeowner performed the prohibited labor in its entirety, he is liable and the poor person is exempt.

פשט העני את ידו לפנים ונטל בעל
הבית מתוכה או שנתן לתוכה
והוציא – שניהם פטורים.

There are four additional cases where neither the homeowner nor the poor person performed the labor in its entirety, and therefore neither is liable: The poor person extended his hand into the private domain and either the homeowner took an object from his hand and placed it in the private domain or the homeowner placed an object into the hand of the poor person, and the poor person carried the object out into the public domain. In those cases and the two that follow, the act of transferring the object from one domain to another was performed jointly by two people, the poor person and the homeowner. Because each performed only part of the prohibited labor, both of them are exempt.

פשט בעל הבית את ידו לחוץ ונטל
העני מתוכה, או שנתן לתוכה
והכניס – שניהם פטורים.

So too, in a case where the homeowner extended his hand into the public domain and, either the poor person took an object from the homeowner's hand and placed it in the public domain or the poor person placed an object into the homeowner's hand and the homeowner carried the object into the private domain. Because each performed only part of the prohibited labor, both of them are exempt.

NOTES

יצאות השבת – The acts of carrying out on Shabbat – Several reasons were given for the fact that the tractate opens specifically with the prohibited labor of carrying out from domain to domain (see *Tosafot*). Some explained that the reason is because the tractate, in general, is ordered chronologically and begins with a discussion of matters prohibited immediately when Shabbat begins. One of the matters that requires immediate attention is the prohibition of carrying out, and therefore it was necessary to cite this *halakha* first (Rabbeinu Tam; Ran; Rashba). Others explained that since the matter of carrying out is derived from the verse, "A man should not go out of his place" (Exodus 16:29), which is mentioned in the Torah prior to the rest of the prohibited labors of Shabbat, the Sages introduced it earlier in the Mishna (*Penei Yehoshua*).

Inside...outside – בפנים...בחוץ – Some explain that the term inside is from the perspective of the object, which is taken inside. Accordingly, the continuation is clear as, indeed, the mishna cites an example of carrying an object into the private domain (Ramban).

העני עומד בחוץ ובעל הבית בפנים – It is surprising that the mishna did not cite the simplest case of transferring an object from one domain to another, i.e., a person walking from the private domain to the public domain with an object in his hand. Since the mishna's intent was to underscore the innovative aspects of this *halakha*, it cited a more complex case involving one standing in one domain who performed a prohibited labor in another domain and is, nevertheless, liable (*Tziyyun LeNefesh Hayya*).

HALAKHA

יצאות השבת – The acts of carrying out on Shabbat, etc. – By Torah law, one who lifts an object in the public domain and places it in the private domain or vice versa is liable. If he lifted the object and someone else placed it in the other domain, both are exempt by Torah law but prohibited to do so by rabbinic law. Even in a case where the passive participant did not perform a prohibited labor at all, i.e., if the one who carried the object out placed it in the hand of the receiver, or if the object was in the hand of the giver and the receiver took it from his hand without his assistance, although he is passive, he violates a prohibition. Although one of them performed the entire labor himself, the other violates the prohibition: "Before a blind person do not place a stumbling block" (Leviticus 19:14), since the active participant could not have performed the transgression without the collaboration of the other (Rambam *Sefer Zemanim, Hilkhot Shabbat* 12:9 and 13:2, 7; *Shulhan Arukh, Oraḥ Hayyim* 347:1).

NOTES

The mishna teaches the primary categories and it teaches the subcategories – תַּנִּי אֲבוֹת וְתַנִּי תוֹלְדוֹת: Primary categories and subcategories appear in various areas. In each area, problems arise with regard to the precise nature of the relationship between the primary categories and the subcategories. The general understanding is that primary categories are those written explicitly in the Torah and subcategories are the conclusions drawn from and fences constructed around the primary categories. However, in some cases, there is no halakhic distinction between a primary category and its subcategory. In those cases specifically, problems arise with regard to the definition of primary category and its implications. See Chapter Seven in this tractate and the beginning of tractate *Bava Kamma*.

גַּמְ' תַּנִּי הֵתָם: שְׁבוּעוֹת שְׁתַּיִם שֶׁהֵן אַרְבַּע.

GEMARA We learned in our mishna: The acts of carrying out on Shabbat are two that comprise four. Similarly, we learned in the mishna **there**, in tractate *Shevuot*: Oaths on a statement, which, when violated, render one liable to bring a sin-offering are **two that comprise four**. The first two cases, which are mentioned explicitly in the Torah, are: One who swore that he would perform a specific action in the future and one who swore to refrain from performing said action. Based on an amplification in the language of the Torah, two more cases are added: One who swore that he performed a specific action in the past and one who swore that he did not perform said action.

יְדִיעוֹת הַטּוֹמְאָה שְׁתַּיִם שֶׁהֵן אַרְבַּע.

Similarly, with regard to awareness of ritual impurity, there are two cases that comprise four. It is prohibited for one who is ritually impure to enter the Temple or to consume a consecrated item. However, one who unwittingly violates this serious prohibition is obligated to bring a sacrifice for his transgression only if he was clearly aware of his ritually impure status both before committing the transgression and thereafter. The two cases of unwitting transgression in this area are: One who was aware and then forgot that he is ritually impure, and then either ate consecrated meat or entered the Temple, and subsequently recalled that he was ritually impure. Two additional cases are: One who was aware of his ritually impure status but was unaware that the food he was about to eat was consecrated and ate it, or he was unaware that he was about to enter the Temple and entered it.

מִרְאוֹת נִגְעִים שֶׁהֵן אַרְבַּע.

Signs of affliction by leprosy are two that comprise four. The Torah (Leviticus 13) mentions two types of signs of affliction with regard to leprosy, *baheret* and *se'et*. Two additional, secondary signs of affliction were added. They are not as white as those delineated in the Torah. Consequently, there are derivatives of both *baheret* and *se'et*.

יִצְאוֹת הַשַּׁבָּת שְׁתַּיִם שֶׁהֵן אַרְבַּע.

The mishna in *Shevuot* also mentions that the acts of carrying out on Shabbat are two basic actions that comprise four.

מֵאֵי שָׁנָא הֵכָא דְתַנִּי: "שְׁתַּיִם שֶׁהֵן אַרְבַּע בְּפָנִים וְשְׁתַּיִם שֶׁהֵן אַרְבַּע בְּחוּץ", וּמֵאֵי שָׁנָא הֵתָם דְתַנִּי: "שְׁתַּיִם שֶׁהֵן אַרְבַּע" וְתוֹ לָא?

The Gemara asks: What is different here that our mishna teaches: Two that comprise four inside and two that comprise four outside, and what is different there, in tractate *Shevuot*, that the mishna teaches with regard to transfers on Shabbat: Two that comprise four, and nothing more?

הֵכָא דְעִיקַר שַׁבָּת הוּא – תַּנִּי אֲבוֹת וְתַנִּי תוֹלְדוֹת, הֵתָם דְלָאוּ עִיקַר שַׁבָּת הוּא, אֲבוֹת – תַּנִּי, תוֹלְדוֹת – לָא תַנִּי.

The Gemara answers: Here, in tractate *Shabbat*, which contains the primary discussion of the *halakhot* of Shabbat, the mishna teaches the primary categories of labor that are prohibited on Shabbat, including carrying out from the private to the public domain, and it teaches the subcategoriesⁿ of labor that are prohibited on Shabbat, including carrying from the public into the private domain. But there, in tractate *Shevuot*, which does not contain the primary discussion of the *halakhot* of Shabbat, the mishna teaches the primary categories of labor prohibited on Shabbat but does not teach the subcategories of labor.

אֲבוֹת מֵאֵי נִהּוּ – יִצְאוֹת, וְיִצְאוֹת תַּרְי הוּיִין!

The Gemara asks: What are the primary categories of labor prohibited on Shabbat? They are acts of carrying out from the private domain to the public domain. However, the Gemara objects: The acts of carrying out are only two in number: There is the case of the homeowner who takes an object out of the private domain and places it in the hand of the poor person in the public domain and the case of a poor person who takes an object from the homeowner's hand in the private domain and takes it out into the public domain. What are the two additional cases referred to by the phrase: Two that comprise four, in tractate *Shevuot*?

Rather, Rav Pappa said, etc. – אֵלָּא אָמַר רַב פַּפְּא וכו' – Apparently, according to his opinion, there is no distinction between the prohibited labor of carrying out and the prohibited labor of carrying in, as both are considered the same prohibited labor and not a primary category and a subcategory respectively (Ramban). According to his opinion, there is no distinction, even linguistically, between carrying in and carrying out (Rabbi Betzalel Ronsburg).

One who carries out from one domain to another – הַמוֹצֵיא מִרְשׁוֹת לְרְשׁוֹת: If the language of carrying out was reserved exclusively for carrying in one direction and not the other direction, it would have been necessary for the mishna in Chapter Seven to say: One who carries out from the private domain to the public domain. Since it says: From domain to domain, apparently it does not distinguish between domains. Rather, every transfer from domain to domain is considered carrying out (Ritva).

He taught: Domains – רְשׁוּיֹת קִתְּנִי: Some explain that Rava did not actually emend the text. Rather, he reinterpreted the word *yetziot* in the mishna. Rather than interpret it in its standard sense, i.e., going out, he interpreted it in the sense of domain, as in the word from the same root, *totzeotav*, which appears in the Torah (Numbers 34:4) and means its domains (Rashba).

וְכִי תִּימָא מִהֵן לְחַיִּיב וּמִהֵן לְפִטוּר, וְהָא דּוּמְיָא דְּמִרְאוֹת נְגַעִים קִתְּנִי, מִהֵן הֵתֵם – בּוֹלְהוּ לְחַיִּיבָא. אִף הֵכָּא נְגַמִי – בּוֹלְהוּ לְחַיִּיבָא!

And if you say that the mishna in tractate *Shevuot* enumerates all four cases of carrying out, among them those for which there is liability and among them those for which there is exemption, including those mentioned in the second half of our mishna in which each individual performs only half of the prohibited labor, that is not feasible. The mishna in *Shevuot* teaches the prohibition of carrying out on Shabbat parallel to the signs of affliction by leprosy. Just as there, with regard to leprosy, all four of them are cases for which there is liability, so too, here, with regard to Shabbat, all four of them are cases for which there is liability.

אֵלָּא אָמַר רַב פַּפְּא: הֵכָּא דְּעִיקָר שְׁבֻת הוּא – תְּנִי חַיִּיבֵי וּפְטוּרֵי, הֵתֵם דְּלֵאוּ עִיקָר שְׁבֻת הוּא, חַיִּיבֵי – תְּנִי, וּפְטוּרֵי – לֹא תְּנִי.

Rather, Rav Pappa said^N that the difference between the manner in which the *halakha* is cited in tractates *Shevuot* and *Shabbat* must be understood as follows: Here, where it contains the primary discussion of the *halakhot* of Shabbat, the mishna teaches both cases of liability and cases of exemption, meaning cases of carrying out for which one is liable by Torah law as well as those for which one is exempt by Torah law. However, there, where it does not contain the primary discussion of the *halakhot* of Shabbat, the mishna teaches cases of liability but does not teach cases of exemption.

חַיִּיבֵי מֵאֵי נִיהוּ – יְצִיאֹת, יְצִיאֹת תְּרַתִּי הוּיִין! שְׁתֵּים דְּהוּצָאָה וּשְׁתֵּים דְּהִכְנֶסָה.

The Gemara asks: What are the cases of liability? They are acts of carrying out from the private domain to the public domain. The Gemara objects on the grounds that there are only two acts of carrying out: Carrying out while standing inside and carrying out while standing outside. What is the meaning of the phrase in *Shevuot*: Which comprise four? The Gemara answers: It is possible to arrive at a total of four. Cases of carrying in from the public domain to the private domain are also enumerated in tractate *Shevuot*. Consequently, there are two cases of carrying out and two cases of carrying in.

וְהָא יְצִיאֹת קִתְּנִי! אָמַר רַב אֲשִׁי: תְּנָא, הִכְנֶסָה נְגַמִי הוּצָאָה קָרִי לָהּ.

The Gemara objects: In *Shevuot*, the phrase: Acts of carrying out, is taught in the mishna, not acts of carrying in. Rav Ashi said: The *tanna* in *Shevuot* also refers to carrying in as carrying out.

מִמַּאי – מִדְּתַנֵּן: "הַמוֹצֵיא מִרְשׁוֹת לְרְשׁוֹת חַיִּיב", מִי לֹא עֲסָקִינָן דְּקָא מְעִיִּיל מִרְשׁוֹת הַרְבֵּים לְרְשׁוֹת הַיְחִיד – וְקָא קָרִי לָהּ הוּצָאָה.

From where do I know this? From that which we learned in a mishna: One who carries out an object from one domain to another^N is liable. Are we not also dealing with a case where he is carrying it in from the public domain to the private domain, and nevertheless the mishna characterizes it as carrying out?

וּטְעָמָא מֵאֵי – כֹּל עֲקִירַת חֲפֶץ מִמְּקוֹמוֹ, תְּנָא 'הוּצָאָה' קָרִי לָהּ.

And what is the reason that the term carrying out is used to refer to an act of carrying in? The *tanna* characterizes any act that involves lifting of an object from its place and transferring it to another domain as carrying out. Carrying out does not refer only to carrying an object out from one's house. Rather, it is a general depiction of moving an object from the domain in which it is located into another domain.

אָמַר רַבִּינָא: מִתְּנִיתִין נְגַמִי דְּיָקָא, דְּקִתְּנִי 'יְצִיאֹת' וְקָא מְפָרֵשׁ הִכְנֶסָה לְאִלְתֵּר. שְׁמַע מִיְנָהּ.

Ravina said: Our mishna is also precise, and its language leads us to the same conclusion, as the expression: Acts of carrying out on Shabbat, was taught in our mishna, yet immediately a case of carrying in is articulated. The first case listed in our mishna involves the poor person placing an object into the hand of the homeowner, which is a case of carrying in from the public to the private domain. The Gemara notes: Indeed, conclude from this that the term carrying out also refers to carrying in.

רַבָּא אָמַר: רְשׁוּיֹת קִתְּנִי, רְשׁוּיֹת שְׁבֻת שְׁתֵּים.

Rava said: The language of the *mishnayot* poses no difficulty. The *tanna* in both of these *mishnayot* did not teach: Acts of carrying out on Shabbat. Rather, he taught: Domains^N of Shabbat. The correct version of the mishna is: The domains of Shabbat are two that comprise four, and, according to this *tanna*, there are four instances of prohibited labor in these two domains, inside and outside.

אָמַר לֵיהּ רַב מַתְנֵה לְאַבְיֵי: הָא תְּמַנִּי הוּיִין? תְּרַתִּי סְרִי הוּיִין!

Rav Mattana said to Abaye: The mishna speaks of two that comprise four inside and two that comprise four outside, for a total of eight. Yet there is a difficulty: Are these eight cases? They are twelve. Upon closer inspection, in the four cases in the latter part of the mishna, the homeowner and the poor person each performs an individual action contributing to the overall prohibited labor of carrying in or carrying out. Consequently, there are four actions in the first part of the mishna and eight actions in the second part.

וְלִטְעַמְיֵךְ שִׁיתְסְרֵי הַוּוּיִן!

Abaye responded: According to your reasoning, they are sixteen actions, as even in the first part of our mishna, the one who receives the object and the one who places the object each participates in the performance of a prohibited action. Therefore, there are a total of sixteen actions.

אָמַר לִיה: הָא לֹא קְשִׁיָּא: בְּשַׁלְמָא

Rav Mattana said to Abaye: That is not difficult, as granted,

Perek I

Daf 3 Amud a

NOTES

Exempt in the halakhot of Shabbat – פְּטוּר בְּדֵינֵי שֶׁבֶת: The commentaries explain that the general principle which states that all exemptions of Shabbat are exempt from punishment but prohibited does not apply universally. Essentially, it applies specifically to the laws of the prohibited labors of Shabbat, but not to all halakhot mentioned in the tractate (Ramban). Not all of the exceptions were enumerated, as in certain cases of full-fledged exemption with regard to several prohibited labors, the ruling is not based on the fundamental definition of that labor but on the overriding principle of saving a life (Ritva).

The tally of prohibited labors in the mishna – תְּשׁוּבֵן הַמְּלָאכּוֹת – בְּמִשְׁנָה: The expression: Exempt acts where one could come through their performance to incur liability to bring a sin-offering, is not unequivocal and has various interpretations. According to Rashi and Rabbeinu Hananel, only acts of lifting are enumerated in the mishna. Others explain that the reference is specifically to acts of placing (Ramban). Others hold that it refers to actions in which the object is transferred from one domain to the other, whether by means of placing or by means of carrying out (Rabbeinu Zerahya HaLevi; Rashba; Tosafot).

HALAKHA

Exempt and permitted – פְּטוּר וּמוּתָר: One who performs the act is exempt from punishment, as the act is permitted from the perspective of the halakhot of Shabbat. However, it is prohibited to do so by the Torah law: “Before a blind person do not place a stumbling block” (Leviticus 19:14). Even if the transgressor could have transgressed without the help of another, it is forbidden by rabbinic law to help him, as it was incumbent upon him to prevent the transgressor from violating the prohibition (Rambam Sefer Zemanim, Hilkhot Shabbat 13:7; Shulhan Arukh, Orah Hayyim 347:1).

בְּבֵא דְרִישָׁא – פְּטוּר וּמוּתָר לֹא קָתְנָ, אֲלֵא בְּבֵא דְסִיפָא דְפְטוּר אֲבָל אָסוּר, קְשִׁיָּא!

the first section of the mishna speaks of cases in which the one performing the actions is exempt from punishmentⁿ by Torah law, and even by rabbinic law he is *ab initio* permitted^h to perform those actions. When the poor person or homeowner neither lifted nor placed the object, i.e., the object was placed into or removed from their hands by others, their role is insignificant. Therefore, it was not taught in the mishna, and those cases were not factored into the total number of acts of carrying from domain to domain. However, with regard to the latter section of the mishna, where the person performing those actions is exempt by Torah law, but his actions are prohibited by rabbinic law, it is difficult. Since the Sages prohibited those actions, they should be included in the total in the mishna, which should be twelve, not eight.

מִי אֵיכָא בְּכוּלֵי שֶׁבֶת פְּטוּר וּמוּתָר? וְהָאָמַר שְׁמוּאֵל: כָּל פְּטוּרֵי דְשֶׁבֶת פְּטוּר אֲבָל אָסוּר, בְּרַ מְהֵי תַלְתָּ דְפְטוּר וּמוּתָר: צִידָת צְבִי, וְצִידָת נְחֹשׁ, וּמְפִיס מוּרְסָא!

Incidentally, the Gemara wonders: Is there, in all the halakhot of Shabbat, an act for which the mishna deems one exempt and the act is permitted? Didn't Shmuel say: With regard to all exempt rulings in the halakhot of Shabbat, although one who performs the action is exempt by Torah law, his action is prohibited by rabbinic law. This applies to all cases except for these three cases for which one is exempt and he is permitted to perform the action: Trapping a deer, where he does not actually trap it, rather he sits in the entrance of a house that a deer had previously entered on its own, preventing its exit; and trapping a poisonous snake because of the danger that it poses; and one who drains an abscess, meaning one who lances the boil of pus and drains the liquid from it. If so, the cases in the first section of our mishna, where the ruling is exempt, must be understood as exempt but prohibited.

כִּי אֵי צִידָתֵךְ לִיָּה לְשִׁמוּאֵל – פְּטוּרֵי דְקָא עֲבִיד מַעֲשָׂה, פְּטוּרֵי דְלֹא קָא עֲבִיד מַעֲשָׂה – אֵיכָא טוֹבָא.

The Gemara answers: In these cases, too, the ruling is: Exempt and permitted. When, though, was it necessary for Shmuel to cite specific cases as exempt and permitted? It was necessary in exempt cases where he performs a defined action. However, there are many exempt cases where he does not perform an action, which are completely permitted.

מִכָּל מְקוֹם, תִּרְתִּי סְרֵי הַוּוּיִן! פְּטוּרֵי דְאֶתִי בְּהוּ לְיָדֵי חַיִּיב חֲטָאָת – קָא חֲשִׁיב, דְּלֹא אֶתִי בְּהוּ לְיָדֵי חַיִּיב חֲטָאָת – לֹא קָא חֲשִׁיב.

The Gemara returns to Rav Mattana's question: In any case, there are twelve actions that should have been enumerated in the mishna. The Gemara answers: The mishna took into consideration cases of exempt acts where the one who performed them could come, through their performance, to incur liability to bring a sin-offering. The mishna did not take into consideration cases of exempt acts where the one who performed them could not come, through their performance, to incur liability to bring a sin-offering.ⁿ Here, only the instances where one lifts an object from its place are taken into consideration. Having lifted an object, if he continued, he could potentially incur liability to bring a sin-offering. Under no circumstances can one who merely places an object come to violate a more serious prohibition.

It emanated from the group – נִזְרָקָה מִפִּי חֲבוּרָה: The reason that the Gemara cited the anecdote by saying that this *halakha* emanated from the group, in addition to citing the explicit *baraita* of Rabbi Yehuda HaNasi's statements, is explained in various ways. Some explain that it was necessary because the *baraita* alone could have led to the conclusion that this is Rabbi Yehuda HaNasi's individual opinion, and the Rabbis disagree with him. The Gemara cited this anecdote to indicate that this is the consensus opinion (Rashba; Ritva). Others explain that the conclusion: An individual who performed it is liable, etc., is not part of the original text of the *baraita*. Rather, it is an elaboration by the Gemara. Therefore, the need arose to reinforce that conclusion with the statements emanating from the group (*Tziyyun LeNefesh Hayya*; see *Tosafot* for two additional explanations).

His hand is not at rest – יָדוֹ לֹא נִיחָה: The Gemara only said this in a case where one's hand and body are in different domains. However, if they are in the same domain, his hand is considered part of his body (Ran).

HALAKHA

Moving his body – עֲקִירַת גּוּפוֹ: Moving his body when it is laden with a burden on Shabbat is tantamount to lifting the object itself. Coming to a stop with the object on his body is tantamount to placing the object on the ground upon which he is standing. Therefore, if he were laden with an object and he carried it out from domain to domain he is liable (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:8).

HALAKHA

When Rabbi is involved in this tractate do not ask him questions in another tractate – כִּי קָאִי רַבִּי בְּהָא מְסַבְתָּא לָא – תַּשְׁיִילִיה בְּמַסְבְּתָא אַחְרִיתִי: It is improper for a student to ask his teacher a question dealing with a topic not included in the subject matter that he is studying. His teacher might be temporarily unable to answer and be embarrassed (Rambam *Sefer HaMadda, Hilkhot Talmud Torah* 4:6).

”שְׂנֵיהֶן פְּטוּרִין.” וְהָא אֲתַעְבִּידָא מְלֹאכָה מִבְּיַמֵּיהוּ! תַּנְיָא, רַבִּי אֹמֵר: ”יַעַם הָאֶרֶץ בַּעֲשׂוֹתָהּ – הָעוֹשֶׂה אֶת פּוֹלֵה וְלֹא הָעוֹשֶׂה אֶת מְקַצְתָּהּ, יַחֲדָי וְעָשָׂה אוֹתָהּ – חַיִּיב, שְׁנַיִם וְעָשׂוּ אוֹתָהּ – פְּטוּרִין. אֵיתָמַר נַמִּי, אָמַר רַבִּי חֵיִיא בַר גַּמְדָּא: נִזְרָקָה מִפִּי חֲבוּרָה וְאָמְרוּ: ”בַּעֲשׂוֹתָהּ” – יַחֲדָי שְׁעָשָׂה חַיִּיב, שְׁנַיִם שְׁעָשָׂאוּהָ פְּטוּרִין.

The Gemara asks about the mishna itself: In the latter section of the mishna, instances in which they are both exempt are enumerated. However, wasn't a prohibited labor performed between the two of them? Since together they performed an act prohibited by a severe Torah prohibition, how is it possible that their partnership will result in both being exempt? The Gemara answers that it was taught in a *baraita* that Rabbi Yehuda HaNasi said: It is written: “And if one soul sins unwittingly from the people of the land when he does it, one of the laws of God that should not be done and he is responsible” (Leviticus 4:27). The verse's emphasis on the words “when he does it” means: One who does all of it, i.e., the entire transgression, is liable and not one who does part of it. Therefore, an individual, and he performed an action in its entirety, is liable. However, two people, and they performed an action together, are not liable, as each one performed only part of the action. The Gemara comments: It was also stated in support of Rabbi Yehuda HaNasi's opinion: Rabbi Ḥiyya bar Gamda said: Amidst a discussion of these matters, it emanated from the group^N of Sages and they said: From the verse's emphasis on “when he does it” it is derived: An individual who performed it is liable. However, two who performed it are not liable.

בְּעֵי מֵינְיָה רַב מֵרַבִּי: הִטְעִינוּ חֲבִירוֹ אוֹכְלִין וּמְשַׁקִּין וְהוֹצִיאָן לְחוּץ מֵהוּ? עֲקִירַת גּוּפוֹ בַּעֲקִירַת חֶפֶץ מִמְקוֹמוֹ דְּמִי – וּמִחַיִּיב, אוֹ דִּילְמָא לָא? אָמַר לֵיהּ: חַיִּיב, וְאֵינוֹ דוֹמָה לְיָדוֹ. מֵאֵי טַעְמָא? גּוּפוֹ נִיחָה, יָדוֹ – לֹא נִיחָה.

Rav raised a dilemma before Rabbi Yehuda HaNasi: One whom another person loaded with food and drink on his back in the private domain on Shabbat, and he carried them out while they were still on his back, what is the *halakha* with regard to the prohibition of carrying out on Shabbat? Clearly, one who lifts an object with his hand in the private domain, and carries it out into the public domain is liable, as he performed the complete act of carrying out. However, in the case of one who is laden with an object; is moving his body^H from its place in the private domain considered like lifting the object itself from its place? In that case, he would be liable. Or, perhaps it is not considered like lifting the object from its place, and therefore he would not be liable. Rabbi Yehuda HaNasi said to him: He is liable, and it is not similar to the *halakha* of one who had an object placed in his hand and carried it out to the public domain, with regard to which we learned in the mishna that he is not liable by Torah law. What is the reason for the distinction between these two apparently similar cases? His body is at rest, in a defined place. However, his hand is not at rest.^N Since a hand is not generally fixed in one place, moving it and even transferring it to a different domain without a bona fide act of lifting is not considered lifting. However, the body is generally fixed in one place. Moving it from its place is considered lifting in terms of Shabbat, and he is liable for doing so.

Perek I

Daf 3 Amud b

אָמַר לֵיהּ רַבִּי חֵיִיא לְרַב: בַּר פְּתִיתִי! לָא אָמִינָא לָךְ: כִּי קָאִי רַבִּי בְּהָא מְסַבְתָּא לָא תַּשְׁיִילִיה בְּמַסְבְּתָא אַחְרִיתִי, דִּילְמָא לָאו אֲדַעֲתִיהּ. דָּאִי לָאו דְרַבִּי גְבָרָא רַבָּה הוּא – כְּסַפְתִּיהּ, דְּמַשְׁנֵי לָךְ שִׁנְיָא דְלָאו שִׁנְיָא הוּא.

Rabbi Ḥiyya said to Rav, his sister's son: Son of great men, didn't I tell you that when Rabbi Yehuda HaNasi is involved in this tractate do not ask him questions in another tractate,^H as perhaps it will not be on his mind and he will be unable to answer? The dilemma that Rav asked was not related to the subject matter of the tractate which they were studying. As, had it not been for the fact that Rabbi Yehuda HaNasi is a great man, you would have shamed him, as he would have been forced to give you an answer that is not an appropriate answer.^B

BACKGROUND

An answer that is not an appropriate answer – שִׁנְיָא דְלָאו – שִׁנְיָא הוּא: The answer [*shinuya*] is one of the common forms of talmudic discourse. In general, a *shinuya* distinguishes between the case under discussion and the case upon which the question is based. Many times the answer is merely an attempt to stave off

that difficulty. If that is the case, even if the attempt to stave off the difficulty is successful, it is not viewed as a definitive explanation of the matter at hand. Consequently, at times the Gemara emphasizes that a certain answer is not merely an attempt to deflect the question but an actual explanation.

קידוש ליל שבת

According to some traditions, we stand for Kiddush.
The first line is recited quietly.

וַיְהִי עֶרֶב וַיְהִי בֹקֶר יוֹם הַשְּׁשִׁי.
וַיִּכְלֹו הַשָּׁמַיִם וְהָאָרֶץ וְכָל־צָבָאָם. וַיְכַל אֱלֹהִים בַּיּוֹם
הַשְּׁבִיעִי מְלַאכְתּוֹ אֲשֶׁר עָשָׂה, וַיִּשְׁבֹּת בַּיּוֹם הַשְּׁבִיעִי,
מְכַל־מְלַאכְתּוֹ אֲשֶׁר עָשָׂה. וַיְבָרֶךְ אֱלֹהִים אֶת־יוֹם
הַשְּׁבִיעִי וַיְקַדֵּשׁ אֹתוֹ, כִּי בּו שְׁבֹת מְכַל־מְלַאכְתּוֹ,
אֲשֶׁר בָּרָא אֱלֹהִים לַעֲשׂוֹת.

סְבָרֵי חֲבֵרִי\חֲבֵרוֹתֵי:
בְּרוּךְ אַתָּה יְהוָה אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרֵא פְרֵי הַגֶּפֶן.

בְּרוּךְ אַתָּה יְהוָה אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם,
אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְרָצָה בָּנוּ,
וְשִׁבֹת קִדְּשׁוּ בְּאַהֲבָה וּבְרָצוֹן הַנְּחִילָנוּ
זְכוֹרֹן לְמַעֲשֵׂה בְּרֵאשִׁית,
כִּי הוּא יוֹם תְּחִלָּה לְמִקְרָאֵי קִדְּשׁ,
זְכוֹר לִיצִיאַת מִצְרַיִם,
כִּי בָנוּ בְּחֵרֶת וְאוֹתָנוּ קִדְּשָׁתָּ מְכַל־הָעַמִּים,
וְשִׁבֹת קִדְּשָׁךְ בְּאַהֲבָה וּבְרָצוֹן הַנְּחִילָתָנוּ.
בְּרוּךְ אַתָּה יְהוָה, מְקַדֵּשׁ הַשְּׁבֹת.

of that custom is this shortened passage. Since this verse does not speak of Shabbat, the custom is to recite it *sotto voce*, in an undertone. We then continue with the verses describing Shabbat, "The heavens and the earth ..." (*va-y'khulu*, Genesis 2:1-3).

WITH THE ASSENT סְבָרֵי. The leader recites the blessing for everyone, and so each person present is asked to quietly assent and be conscious of the blessing being said on his or her behalf.

LOVINGLY . . . LOVINGLY בְּאַהֲבָה . . . בְּאַהֲבָה. The words of Kiddush emphasize Shabbat as an expression of the love between God and Israel.

FIRST OF SACRED TIMES תְּחִלָּה לְמִקְרָאֵי קִדְּשׁ. Although all festivals are sacred time, Shabbat is accorded a special place. In the list of holidays delineated in Leviticus—the most elaborate of the Torah's festival lists—Shabbat is listed first and the enumeration of the festivals follow. Additionally, the instruction to observe Shabbat was given in the desert march leading up to Sinai, before the great revelation on Sinai itself.

A SYMBOL OF THE EXODUS FROM EGYPT זְכוֹר לִיצִיאַת מִצְרַיִם. The two different versions of the Decalogue in Exodus and Deuteronomy offer different explanations of the symbolism of Shabbat. In Exodus, Shabbat is said to be a commemoration of the creation of the world; in Deuteronomy, however, Shabbat is said to symbolize the exodus from Egypt. The text of Kiddush incorporates both ideas.

KIDDUSH literally means "sanctification" and refers here to the dedication of the day of Shabbat as holy. The sanctification consists of two *b'rakhot*, the first over wine and the second remarking on the holiness of the day. Sacred times and sacred occasions are marked with wine, symbolizing the joy of the moment. Each sacrifice offered in the Temple was accompanied by a libation, and the ancient rabbis later remarked that since the destruction of the Temple, the table at home is an altar.

In the Ashkenazic rite, Kiddush is recited while standing, to mark the holiness of the moment; in the Sephardic rite it is recited while seated, to emphasize the fact that it is the beginning of the meal.

THE SIXTH DAY יוֹם הַשְּׁשִׁי. Genesis 1:31. Originally the entire creation story of the first six days in Genesis, leading up to Shabbat, was recited as part of Kiddush; however, that proved too cumbersome. The remnant

Kiddush

God makes Shabbat holy, and in response Israel acknowledges Shabbat's holiness.

—BASED ON A
TALMUDIC TEACHING

I Lift My Cup

על אהבתך אשתה גביעי
שלום לך שלום יום
השביעי
מה נעמה לי עת בין
השמשות
לראות פני שבת פנים
חדשות
באו בתפוחים הרבו אשישות
זה יום מנוחי זה דודי נרעי.

I lift my cup to celebrate
my love for you,
and to say:
shalom to you,
shalom, seventh day.

How pleasing to me
this moment of twilight,
ushering in Shabbat,
the world's new face, beginning
tonight.

Come, enter this orchard,
eat of its fruit,
for this is my companion,
my friend,
my time of quietude.

Al ahavatekha eshteh g'vi-i
shalom l'kha shalom yom
ha-sh'vi-i
mah na-amah li eit bein
ha-sh'mashot
lirot p'nei shabbat panim hadashot
bo-u v'tapuhim harbu ashishot
zeh yom m'nuhi zeh dodi v'rei-i.

—YEHUDAH HALEVI

Kiddush for Shabbat Evening

According to some traditions, we stand for Kiddush.
The first line is recited quietly.

And there was evening and there was morning, the sixth day.
The heavens and the earth, and all they contain, were completed. On the seventh day God finished the work, ceasing from all work on the seventh day. Then God blessed the seventh day, making it holy—for on it, God ceased from all the work of creation.

With the assent of my friends:

Barukh atah ADONAI, our God, sovereign of time and space,
who creates the fruit of the vine.

Barukh atah Adonai eloheinu melekh ha-olam, borei pri ha-gafen.

Barukh atah ADONAI, our God, sovereign of time and space,
who has desired us and has provided us with a path to
holiness through the observance of mitzvot,
and who lovingly and willingly has bestowed on us Shabbat,
a measure of God's holiness, a symbol of the work of creation.
For it is the first of sacred times,
a symbol of the exodus from Egypt.

You have chosen us, and sanctified us among all peoples by
lovingly and willingly bestowing on us Your holy Shabbat.
Barukh atah ADONAI, who makes Shabbat holy.

*Barukh atah adonai eloheinu melekh ha-olam,
asher kid'shanu b'mitzvotav v'ratzah vanu,
v'shabbat kodsho b'ahavah u-v'ratzon hinhilanu
zikaron l'ma-aseih v'reishit,
ki hu yom t'hilah l'mikra-ei kodesh,
zeikher litziat mitzrayim,
ki vanu vaharta v'otanu kidashta mikol ha-amim,
v'shabbat kodsh'kha b'ahavah u-v'ratzon hinhaltanu.
Barukh atah Adonai, m'kadeish ha-shabbat.*