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www.rabbinicalcollege.edu.au/Shiurim ✉ shiurim@rabbinicalcollege.edu.au

שבת דף ב' עמוד א'

הוצאה מלאכה גרועה היא (ב)

and the ראשונים write that הוצאה is a מלאכה גרועה (an inferior מלאכה). Although this has many practical ramifications, the main application is that one cannot rely on one's judgement to equate similar forms of הוצאה to each other. In other words, one cannot infer that a certain form of carrying is prohibited purely on the basis that another similar form of carrying is prohibited as well. The previous Shiur focused on the various proofs which demonstrate that הוצאה is a מלאכה גרועה. This Shiur will focus on the reasons that הוצאה is a מלאכה גרועה.

☞ The reasons

What is it about הוצאה that makes it a מלאכה גרועה?

- (a) תוספות – The fact that it is forbidden to carry from a רה"י to a רה"ר, but permissible to carry from a רה"י to a רה"י. This distinction, which does not seem to have much logic to it, illustrates that הוצאה is a מלאכה גרועה.

From the approach of תוספות we can infer that:

- ✧ הוצאה is a מלאכה גרועה because it contains a basic **inconsistency**.
- ✧ The core definition of הוצאה is **transferring across domains** (which is why the מלאכה of הוצאה should technically apply equally across all types of domains).

- (b) רשב"א – The fact that it is forbidden to carry even something very light from a רה"י to a רה"ר, but permissible to carry a very heavy load within a רה"י. This distinction, which does not seem to have much logic to it, illustrates that הוצאה is a מלאכה גרועה.

From the approach of רשב"א we can infer that:

- ✧ הוצאה is a מלאכה גרועה because it contains a basic **inconsistency**.
- ✧ The core definition of הוצאה is **carrying loads** (which is why the מלאכה of הוצאה should apply regardless of whether one is transferring the object into another domain). At the surface, this would also explain why הוצאה is deemed a מלאכה, which is usually defined as manual labour.

- (c) אור זרוע – The fact that the item did not physically change as a result of the מלאכה. [Other מלאכות involve a physical change in the object, such as cooking, lighting a fire and writing.]

The אבני נזר asks¹: The מלאכה of צידה (hunting) also does not appear to cause physical change in the actual object, yet it is treated just like any other מלאכה. How is it any different to הוצאה?²

The Rogatchover Gaon answers³: Although צידה does not effect a physical change in the actual animal, nevertheless, it has a lasting effect on it. When an animal has been trapped, this remains recognizably evident even after the actual act of צידה concluded. [In other words, were someone to arrive on the scene after the animal was trapped, it would be apparent to him that it had been trapped.] With regards to הוצאה however, the transfer from one רשות to another is not recognizably evident after the actual act of the הוצאה concluded. [In other words, were someone to arrive on the scene after the item was put down in the רה"י, it would not necessarily be apparent to him that it had been brought in from the רה"ר.]

The approach of the אור זרוע is different to the opinions of תוספות and the רשב"א in that:

- ✧ He does not focus on any inconsistency **within** the מלאכה of הוצאה.
- ✧ One cannot necessarily derive from his opinion what the core definition of הוצאה is. [Perhaps he views the core definition of הוצאה simply as transferring from one **type** of רשות to another **type** of רשות, which would explain why he does not necessarily see any inconsistency within the מלאכה of הוצאה.]

On a deeper level, perhaps תוספות and the רשב"א agree with the אור זרוע's explanation to some degree, but find that it does not sufficiently address the issues in our גמרא. For, there is an important difference between the אור זרוע's explanation and that of תוספות and the רשב"א. The אור זרוע's explanation clarifies what **intuitively** makes הוצאה a מלאכה גרועה, regardless of what the הלכות of הוצאה actually are. Conversely, the explanations of תוספות and the רשב"א focus on how the הלכות of הוצאה themselves indicate that הוצאה is a מלאכה גרועה.

Accordingly, we might say for תוספות and the רשב"א that **without** the תורה explicitly prohibiting הוצאה, one would have thought to permit it on the basis of the אור זרוע's explanation – that הוצאה is **intuitively** a מלאכה גרועה. However, once the תורה forbids הוצאה, one can no longer treat it as a מלאכה גרועה based on mere intuition. Rather, תוספות and the רשב"א derive that הוצאה is a מלאכה גרועה from the fact that there are inconsistencies within the הלכות of הוצאה.

Furthermore, we must keep in mind the thrust of תוספות – that since הוצאה is a מלאכה גרועה, one cannot rely on one's judgement to derive similar forms of הוצאה from each other, such as עני from בעל הבית. Now, the fact that הוצאה is inferior to the **other** מלאכות (the reasoning of the אור זרוע) is not necessarily a reason to negate comparing the different types of הוצאה to each other. However, the fact that הוצאה itself contains inconsistencies (the reasoning of תוספות and the רשב"א) is a strong reason to negate deriving the different types of הוצאה from each other.

עני ובעל הבית **versus** הוצאה והכנסה

explains that תוספות the הכנסה cannot be derived from the fact that it was performed in the משכן, because then, עני העומד בחוץ would only be forbidden if performed by the לויים loaded the

¹ See אור"ח סי' קפ"ט אות ז'.

² The same question may arguably apply to the מעמר of מלאכה (collecting grain into a smooth pile).

³ See מבוא in the צפנת פענח – דברים.

עגלה with the קרשים of the משכן, they stood outside the עגלה, and passed the קרשים into the עגלה. In other words, הכנסה in the משכן was performed only by the עומד בחוץ, and not by the עומד בפנים.

Rather, we must derive that הכנסה is a תולדה of הוצאה from the סברא of עיולי מה לי אפוקי מה לי עיולי ("what is the difference between taking out and bringing in"). Since הוצאה is forbidden for both the עני as well as for the בעל הבית, and the סברא of עיולי מה לי אפוקי מה לי עיולי equates הכנסה with הוצאה, we can prove that הכנסה is forbidden for both the עני as well as for the בעל הבית. The fact that הכנסה was performed in the משכן is not really the source for הכנסה being a תולדה, and the גמרא tells us that הכנסה was performed in the משכן purely as a lead-up to the גמרא's next statement – that הוצאה was performed in the משכן – and not because this fact actually matters. (תוספות continues to explain why the גמרא needed to inform us that הוצאה was performed in the משכן – see previous Shiur.)

It emerges from תוספות that we cannot logically develop בעל הבית from עני (which is why we need two פסוקים), but we can logically develop הכנסה from הוצאה (which is why the סברא of עיולי מה לי אפוקי מה לי עיולי is sufficient). How is this to be explained?

The פני יהושע expands on a number of important distinctions between an עני and בעל הבית, by invoking the concept of מלאכת מחשבת אסרה תורה – "The תורה prohibited only calculated labour". This sweeping principle has very broad application in הלכות שבת, and is the basis of a number of other principles which branch forth from it. One of the concepts conveyed by this rule is that a מלאכה needs to be purposeful and meaningful, and it must fulfil an objective. When bearing this in mind, it is easy to find differences between an עני and בעל הבית:

- ✧ On the one hand, the הוצאה and הכנסה of the עני is more significant, for he requires or desires the transfer, being that it is for his benefit. He is the one who wants his receptacle transferred inside (הכנסה) for the בעל הבית to deposit a loaf, and he is the one who wants the loaf of bread transferred outside (הוצאה). This act of הוצאה is very meaningful for him. However, the בעל הבית does not carry for his own sake; he does so solely for the sake of someone (or something) else. This act of הוצאה is not so meaningful for him.
- ✧ On the other hand, the הוצאה of the בעל הבית is more significant, for he accomplishes his entire objective (giving the object away) through this one act of הוצאה. The עני however does not fulfil his entire objective (benefiting from the object) through the act of הכנסה or הוצאה alone; receiving the loaf of bread is merely a step toward consuming it.

Since the two are significantly different, had the תורה only told us that it is forbidden for an עני to perform הוצאה [or הכנסה], we wouldn't have automatically extended this איסור to include the הוצאה [or הכנסה] of a בעל הבית. Similarly, if the תורה were only to tell us that it is forbidden for a בעל הבית to perform הוצאה [or הכנסה], we wouldn't have automatically extended this איסור to include the הוצאה [or הכנסה] of an עני.

When it comes to הוצאה and הכנסה however, the גמרא does not just demonstrate that the two are similar. Rather, the סברא of עיולי מה לי אפוקי מה לי עיולי (as the phrase suggests) goes a step further and demonstrates that there is virtually **no difference** between the two. They are virtually one and the same, both in method, function and result. Therefore, הכנסה may be derived from הוצאה.

⁴ דף מ"ט עמוד ב' On.

☞ The meanings of בחוץ and בפנים

As discussed in a previous Shiur, there are two explanations for the words **בפנים** and **בחוץ** in our משנה. According to רש"י in מסכת שבת, the word **בפנים** refers to the בעל הבית, and the word **בחוץ** refers to the עני. According to however, מסכת שבועות in רש"י, **בפנים** refers to הכנסה and **בחוץ** refers to הוצאה. The previous תוספות concurs with רש"י in מסכת שבת.

It can be said that our תוספות adds insight to the previous תוספות. Our תוספות clarifies that **הכנסה** and **הוצאה** are virtually one and the same, whereas **עני** and **בעל הבית** – despite their similarities – are somewhat different. Since **הוצאה** and **הכנסה** are alike, it is unlikely that the תנא would have categorized the cases of the משנה along these lines, when there are other far more distinctive factors in the משנה, such as **עני** and **בעל הבית**. Accordingly, the categories of **בפנים** and **בחוץ** must be referring to **עני** and **בעל הבית**, and not to **הכנסה** and **הוצאה**.

☞ The פני יהושע's explanation answers other questions

It is important to note that the פני יהושע's approach represents a significant shift from our understanding of **עני** and **בעל הבית** thus far. At the simplest level, **עני** and **בעל הבית** are merely examples of someone standing inside and someone standing outside. The פני יהושע innovates that this is not really the crucial difference between an **עני** and **בעל הבית**. Rather, the real defining factors are whether the person carries for his own sake or not, and whether the person has fulfilled his final objective or not.

This innovative approach allows us to answer several questions discussed in previous Shiurim:

1. In a previous Shiur we asked: The ר"י holds that one פסוק teaches הוצאה דעני and the other teaches הוצאה דבעל הבית. The problem is that both פסוקים (i.e. the פסוק of מִמְקוֹמוֹ אִישׁ יֵצֵא and the פסוק of וַיִּצְוּ מֹשֶׁה וַיַּעֲבִירוּ ... אֶל יַעֲשׂוּ עוֹד מִלְּאֲכָה ... וַיִּפְלֵא הָעָם מִהִבְיֵא הַבַּיִת, i.e. the בעל הבית. How can the הוצאה of an עני be derived from these פסוקים?⁵

According to the פני יהושע, the key element is not where one is actually standing. Rather, **עני** is merely an example of someone who transfers an item for his own benefit, and **בעל הבית** is an example of someone who transfers an item for the sake of someone or something else. Similarly, the פסוק of מִמְקוֹמוֹ אִישׁ יֵצֵא is an example of one who transfers an item for his own benefit (i.e. he carries a receptacle within which to collect the מן), and the פסוק of וַיִּצְוּ מֹשֶׁה וַיַּעֲבִירוּ is an example of one who transfers an item for someone (or something) else's sake (i.e. he gives a donation to the treasurers in the משכן).

Alternatively, **עני** is merely an example of someone who **does not** fulfil his entire objective through this one act of הוצאה, and **בעל הבית** is an example of someone who **does** fulfil his entire objective through this one act of הוצאה. Similarly, the פסוק of מִמְקוֹמוֹ אִישׁ יֵצֵא is an example of one who does not fulfil his entire objective through this one act of הוצאה (i.e. he carries a receptacle merely in order to gather the מן), and the פסוק of וַיִּצְוּ מֹשֶׁה וַיַּעֲבִירוּ ... אֶל יַעֲשׂוּ is an example of one who does fulfil his entire objective through this one act of הוצאה.

⁵ The fact that so many other מפרשים give different answers to these questions may signify that they completely disagree with the innovative approach of the פני יהושע.

⁶ See Shiur 6 for two other answers.

⁷ The ספור echoes this as well. [See רמב"ן – perhaps this is the explanation of what he means.]

אל יצא איש ממקומו פסוק of הוצאה of an עני, and the פסוק of מהביא פסוק of הוצאה of the בית⁸.

According to both of these approaches, the פסוק of מהביא פסוק of הוצאה of an עני, and the פסוק of מהביא פסוק of הוצאה of the בית⁸.

2. In a previous Shiur we asked: Why does the תנא of our משנה discuss an עני and a בעל הבית?⁹

According to the פני יהושע, the answer simply may be because the משנה thereby illustrates the important details; i.e. for whose sake is the person carrying, and does he thereby fulfil his entire objective.

⁸ This conclusion is the exact opposite of the תוספות הרא"ש's opinion – cited in Shiur 6 – that the פסוק of מהביא פסוק of הוצאה of the בית, whereas the פסוק of מהביא פסוק of הוצאה of the עני. The תוספות הרא"ש comes to this conclusion by focussing on who is standing where in each פסוק. [See Shiur 6 for details.] Perhaps, this signifies the תוספות הרא"ש's general disagreement with the approach of the פני יהושע, who holds that the crucial difference between עני and בעל הבית does not hinge on where they are standing.

⁹ See Shiur 1 for many answers.