



שבת דף ב' עמוד א'
הוצאה מלאכה גרועה היא (א)

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. This Shiur will focus on the various proofs which demonstrate that הוצאה is a מלאכה גרועה. The next Shiur will focus on the reasons that הוצאה is a מלאכה גרועה.

☛ **The proof from the תורה**

and all the ראשונים write that הוצאה is a מלאכה גרועה. They prove this from the תורה, albeit in different ways:

- (a) The fact that the תורה explicitly writes the מלאכה of הוצאה – as opposed to all the other מלאכות. Had the תורה not written the מלאכה of הוצאה, we would not have derived it from the fact that it was performed in the משכן, for הוצאה is a מלאכה גרועה.
- (b) The fact that there are two פסוקים in the תורה; one to teach us about הוצאה דעני, and the other one to teach us about הוצאה דבעל הבית. Had the תורה not specifically taught us about both עני and בעל הבית, we would not have derived one from the other, for הוצאה is a מלאכה גרועה.

The ר"י's opinion needs to be analysed: The two פסוקים are איש מן מקומו אל יצא איש and אל יעשו ... אל יעשו. Literally, both פסוקים seem to describe הוצאה דבעל הבית, for the subject of each פסוק stands indoors. How can the הוצאה of an עני be derived from these פסוקים?³

One answer may simply be that both פסוקים cannot be teaching הוצאה דבעל הבית, for then one would be superfluous. Rather, one of them must be applied to הוצאה דעני, even if that is not the simple meaning of the פסוק. [This is answered by the ר"מ קזיס, and fits nicely with תוספות who do not seem at all concerned about which דין is derived from which פסוק.]

Alternatively, the תוספות הרא"ש explains that the emphasis of the word "יצא" is on taking out of the רה"י, i.e. from the perspective of the בעל הבית, and thus teaches הוצאה דבעל הבית. The

¹ His opinion is not recorded in our תוספות. It is found further in our מסכתא (on דיבור הראשון) and in מסכת שבועות (דף צ"ו ע"ב דיבור הראשון) (at the beginning – דף ב' ע"א תוד"ה יציאות –).

² His opinion is presented in our תוספות.

³ Aside for the two answers presented here, see the end of Shiur 7 for another answer based on the פני יהושע.

emphasis of the word "מִקְבִּיא" is on bringing into the ר"ה, i.e. the perspective of the עני, and thus teaches the הוצאה דעני. [The תוספות הרא"ש explains that משה announced the latter פסוק whilst standing in the מחנה לוייה (i.e. the ר"ה), directing those standing there not to bring their possessions from their tents.]

☞ Understanding the מחלוקת between רבנו תם and the ר"י

רבנו תם holds that the mere fact that the תורה states הוצאה is itself proof that הוצאה is a מלאכה גרועה, whereas the ר"י holds that the proof lies in the fact that the תורה wrote **two** פסוקים. The מהרש"א asks: Why doesn't the ר"י adopt the simpler approach of רבנו תם?

The answer for the ר"י: Without any פסוק, one would have thought that הוצאה is not forbidden at all, being that it is a מלאכה גרועה. Had the תורה written only one פסוק, one would have gone to the opposite extreme, and concluded that the תורה wants it treated like any other מלאכה. This would have many practical ramifications, the primary one being that any act similar to הוצאה would be forbidden, as is the case with all other מלאכות⁴. With the second פסוק, the תורה indicates that although הוצאה is forbidden, one cannot and should not automatically derive the cases of הוצאה from each other. This is why the תורה had to explicitly teach both הוצאה דעני as well as הוצאה דבעל הבית. We see from this that we cannot rely on our own judgement to compare and derive the cases of הוצאה from each other. In this respect, הוצאה is unlike all of the other מלאכות⁴. This clearly points to the fact that הוצאה is a מלאכה גרועה.

This מחלוקת between רבנו תם and the ר"י is important: There is actually a מחלוקת הראשונים whether the מסכת in מחלוקת אמוראים is rooted in a מחלוקת of מלאכה הוצאה. This מחלוקת is rooted in a מחלוקת of פסוקים regarding whether the תורה talks about the איסור of הוצאה or the איסור of יצא. Over there, תוספות⁵ innovates that הוצאה of יצא certainly teaches the איסור of הוצאה, and the מחלוקת אמורים concerns only whether it teaches the איסור of הוצאה as well.

However, many ראשונים hold that this is not the case; i.e. the פסוק cannot possibly be talking about both. Rather, the מחלוקת אמוראים in עירובין concerns whether פסוק talks about the איסור of הוצאה and not the איסור of תחומין, or about the איסור of הוצאה and not the איסור of תחומין.

In other words, מסכת עירובין in תוספות holds that there are definitely two פסוקים which teach the מלאכה הוצאה, whereas the other ראשונים hold that there may be only one פסוק for הוצאה. These ראשונים would not be able to take the ר"י's approach – that הוצאה is a מלאכה גרועה due to the fact that there are two פסוקים. Rather, they would have to side with רבנו תם – that הוצאה is a מלאכה גרועה due to the fact that the תורה spoke about it at all. According to these ראשונים, the פסוקים themselves do not teach the cases of עני and בעל הבית explicitly, and there is no real reason to distinguish between the two. The תנא merely taught both to clear up any misconceptions. This is very different from the ר"י, who

⁴ With regards to all other מלאכות, any action similar to the אב is automatically forbidden, even if that action is somewhat different in method, function and/or result. For example: Planting, pruning and watering are all derivatives of the מלאכה זריעה (sowing), even though all of these actions differ slightly in method, function or result.

⁵ The מהרש"א explains that this is the intention of תוספות's words here "והתם פירשתי". [Conversely, the מהרש"א learns that תוספות is simply pointing out that they already explained in עירובין that הוצאה is a מלאכה גרועה, and that this is why we need one פסוק for עני and one פסוק for בעל הבית. The problem with the מהרש"א's explanation: Why does תוספות feel it important to mention that they explained it in עירובין as well; what is gained thereby?]

holds that there **is** real reason to distinguish between the two, and the פסוקים teach both בעל עני and בעל הבית explicitly to teach that both are forbidden⁶.

☞ משכן in the הוצאה

According to both ר"י and רבנו תם, had the הוצאה of מלאכה not explicitly been written in the פסוק, it would not have been derived from the fact that it was performed in the משכן. This poses a problem, for the גמרא tells us how the הוצאה was performed in the משכן. Although this fact may be true, why does the גמרא find it important for us to know? Why would the גמרא tell us this – if not to indicate that this is the source for the הוצאה of מלאכה?

answers that we need to know this fact for a different reason: Since the פסוק **explicitly** forbids the הוצאה, had we not known that it was performed in the משכן as well, one would have inferred that **any** act commonly regarded as מלאכה (manual labour) is forbidden – even if it was not performed in the משכן⁸. Therefore, it was necessary for the גמרא to verify that even the מלאכה of הוצאה was performed in the משכן.

☞ The proofs in ש"ס

In addition to the above-mentioned proof from the תורה, the ראשונים also bring a number of proofs from ש"ס that הוצאה is a מלאכה גרועה:

- (a) The fact that the משנה finds it necessary to teach about both הוצאה דעני and הוצאה דבעל הבית. Had the תנא not specifically taught both בעל הבית and עני, we might have thought to differentiate, for מלאכה גרועה הוצאה is.
- (b) Since הוצאה is a מלאכה גרועה, we cannot include similar forms of carrying without solid basis; they must either have been performed in the משכן, transmitted למשה מסיני, or have a סברה. This is quite different from all the other מלאכות, whose תולדות are not required to have been

⁶ Since the ר"י holds that they are derived from two separate פסוקים, why are הוצאה דעני and הוצאה דבעל הבית not regarded as two separate אבות? The רמב"ן answers for the ר"י that since the two are so similar, the intent of the תורה cannot be to treat them as two separate אבות, but rather, to teach that both are forbidden.

However, the רמב"ן himself argues and holds that there is really only one פסוק for הוצאה, for otherwise הוצאה דעני and הוצאה דבעל הבית would be regarded as two separate אבות. [See יחיאל מפריש who holds that הוצאה דעני and הוצאה דבעל הבית are in fact regarded as two separate אבות, since there are two פסוקים.]

⁷ On מ"ט עמוד ב' דף.

⁸ In the last line, when תוספות writes "הייתי מחייב בכל מלאכות הדומות למלאכה גמורה", the word גמורה refers to other מלאכות, and not to the מלאכה גרועה of הוצאה. In other words, there is certainly a difference between הוצאה and the other מלאכות in that הוצאה is a מלאכה גרועה, and needed to be written explicitly, whereas the other מלאכות are a מלאכה גמורה, and do not need to be written explicitly. However, at the end of the day, one would have derived from הוצאה that both categories of מלאכה גרועה and מלאכה גמורה need not have been performed in the משכן.

⁹ (עמוד 6) mentions this idea, but also presents another explanation, which does not involve the idea that הוצאה is a מלאכה גרועה. According to that explanation, one would have thought to distinguish between הוצאה performed by walking and the form of carrying known as הושטת יד – standing still and stretching out one's hand. Since the פסוקים discuss only הוצאה performed by walking, one might have thought that הושטת יד is permissible. Furthermore, even if הושטת יד was prohibited for the עני, I would not necessarily infer that this applies to the בעל הבית as well. Similarly, if הושטת יד was prohibited for the בעל הבית, I would not necessarily infer that this applies to the עני as well. Therefore, the תנא teaches all the cases of הושטת יד explicitly, to clarify that they are all forbidden. [This also explains why the תנא teaches only the הושטת יד דין, and not the regular form of הוצאה.]

performed in the משכן, nor do they require a סברא or משה מסיני to make it a תולדה of any given אב.

What is meant by saying that the תולדות of other מלאכות do not require a סברא? Is not the תולדה of every מלאכה based on a סברא linking it to the אב? For example, is there not a סברא linking the תולדות of pruning and watering to the מלאכה of זריעה, in that they all support plant growth?

Furthermore, within הוצאה itself, תוספות indicates that הכנסה is the only תולדה supported by a סברא (i.e. מה לי אפוקי מה לי עיולי – “what is the difference between taking out and bringing in”). What about the other תולדות of הוצאה, such as זורק? Is there not a logical link between these תולדות and the אב?¹⁰

The answer is that with regards to other תולדות, the סברא only demonstrates that it is **similar** to the אב, but not that they are exactly the same. In fact, as a general rule, there will always be minor differences between the אב and its תולדות. For example: Although the תולדות of pruning and watering are **similar** to the מלאכה of זריעה (in that they all support plant growth), nevertheless, all of these actions still differ slightly – either in method, function or result.

With regards to הכנסה and הוצאה however, the סברא does not just show that the two are similar. Rather, the סברא of 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, even though other forms of transfer cannot¹¹.

This is even more clearly understood when bearing in mind the thrust of תוספות – that since הוצאה is a מלאכה גרועה, one cannot rely on one's own judgement to derive **similar** forms of הוצאה from another, such as בעל הבית עני from סברא. Obviously, this limitation only applies to a סברא which demonstrates that two forms of הוצאה are **similar**. Conversely, the סברא of מה לי אפוקי מה לי עיולי demonstrates that הוצאה and הכנסה are **exactly** the same, and they may therefore be inferred from each other.

- (c) According to תם¹²: The fact that הוצאה begins with the מלאכה of שבת מסכת, purely as an introduction to the subsequent משנה (on דף ל"א עמוד א') which lists a number of things that tradesmen may not carry close to nightfall. Other משניות involving other מלאכות do not require a similar introduction. Only הוצאה requires it, for it is a מלאכה גרועה.
- (d) The fact that (according to רב אשי on ע"ב דף ב') the משנה of חסר אבות מלאכות ארבעים חסר אחת of משנה (דף ב' ע"ב) on רב אשי includes אב מלאכה of תולדות of any other הוצאה, although that משנה does not list תולדות of any other הוצאה as a תולדה of הכנסה. According to תם in שבועות, this is because הוצאה is a מלאכה גרועה.

¹⁰ This, in fact, seems to be the approach of תוספות on הכנסה ד"ה עמוד ב'. Over there, they explain that other תולדות of הוצאה have a סברא demonstrating their **similarity** to the אב. Nevertheless, these תולדות are not derived on the basis of סברא alone, unless they were also performed in the משכן (or unless there is a משה מסיני). If so, הכנסה is no different – it also cannot be derived on the basis of סברא alone, unless it was also performed in the משכן as well.

¹¹ This may also explain why the גמרא explicitly spells out only the סברא with regards to הכנסה, and not any of the other תולדות. This is because the סברא for הכנסה is a unique type of סברא, as explained above.

¹² At the end of the first תוספות of our מסכתא.