



Animals Working on Shabbat

The fifth *perek* of *masechet Shabbat* discusses the limits on what an animal may wear or carry on *Shabbat* as it walks in the public domain. The content is important since one is commanded to rest his animals on *Shabbat*. What is the source of this law?

Rashi (*Avodah Zarah* 15a) understands that it is based on the *pasuk* – “you shall not do any *melacha*, you, your son, your daughter, your servant, your maid servant, your ox, your donkey and all your animals” (*Devarim* 5:15). It would appear that if one’s animals performed any *melacha*, the owner will have violated a negative commandment.

The *Tosfot* however understand that the source is “... so that your ox and donkey shall rest” (*Shemot* 23:12). The difference between *Rashi* and *Tosfot* is whether we are dealing with positive commandment or a negative prohibition. The *Tosfot* understand that the *pasuk* referred to by *Rashi* only refers to the prohibition of *mechamer* – driving a donkey with a load. Regarding all other *melachot*, or if the donkey was not driven, there is a positive *mitzvah* to rest one’s animals.

Based on the position of the *Tosfot*, the *Tosfot R’ Akiva Eiger* is unsure as to whether women are included in this *mitzvah* (provided it is not a case of *mechamer*). That is because according to the *Tosfot*, this would constitute a time-bound positive *mitzvah* of which women are exempt. While it is true that women are obligated in the *mitzvah* of *Kiddush* – a positive *mitzvah* – that is due to the *hekesh* (textual link) of *zachor* and *shamor*. It is possible that the *hekesh* only applies for *Kiddush*. The *Tosfot R’ Akiva* directs our attention to the *Beit Yosef* (OC 291:6) who cites the *Ran* that states that regarding *Shabbat*, women are obligated in all matters the same as men. The *Tosfot R’ Akiva Eiger* however leaves the question unanswered.

The student of the *R’ Akiva Eiger* adds a comment that while the *Pri Megadim* also raises this doubt, it appears that according the *Gemara*’s explanation of another *Mishnah* we learnt that women are certainly obligated. We learnt (5:4) that a cow may not go out on *Shabbat* wearing a strap or chain between its horns. The *Mishnah* continues that the cow

of *R’ Elazar ben Azarya* went out on *Shabbat* in this manner, which did not please the *Chachamim*. The *Gemara* comments that it was not really his cow, rather the cow in question belonged to a lady in the neighbourhood. Nevertheless, since *R’ Elazar ben Azarya* did not object to the practice, the cow is attributed to him. Since the story involve a woman, it is clear that they too are obligated in resting their animals on *Shabbat*.

In assessing why women would be obligated as well the *Tifferet Yerushalaim* (5:74) explains that at a first attempt one could differentiate between a positive commandment requiring one to take action (like *Kiddush*) and our case where the positive commandment is to refrain. Regarding the latter, it would appear it is closer to a negative commandment and therefore woman should be equally obligated in keeping it. Nevertheless, he continues, that the *Tosfot* (*Kidushin* 34a) explicitly rejects this suggestion. In other words, a positive *mitzvah* instructing restraint is the same as any other positive *mitzvah* in this respect.

The *Tifferet Yerushalaim* continues that, based on the *Tosfot*, he understands that when the *Ran* commented that men and women are obligated in all matters equally, he was only referring to positive *mitzvot* that required an action, e.g. *lechem mishneh* or eating three meals. He concludes that they are indeed exempt on a biblical level from this *mitzvah*. Nevertheless, on a rabbinic level they are prohibited from working their animals due to the general issue of *uvdin de’chol* (engaging in weekday activities). This then could explain the case involving the cow of *R’ Elazar ben Azarya*. The reason that the *Chachamim* were displeased, was not because it was a violation of a biblical *mitzvah*, but rather a rabbinic one.

The *Tifferet Yisrael* however finds this explanation forced and rejects it for several reasons. For example, one argument is that if she had violated a rabbinic prohibition, by attributing it to *R’ Elazar ben Azarya* it is as exacerbating the issue by portraying it as if he violated a biblical prohibition. The *Tifferet Yisrael* therefore say that case as solid proof that they too are obligated on a biblical level in this *mitzvah*.

Revision Questions

שבת ד' בי - ו' : ט'

- One is allowed to insulate their hot food with wool shearing, yet they are *muktza*. How does one retrieve their food if he insulated it in wool shearings? (ד' בי)
- One can only insulate his food before *Shabbat*. If it was insulated before *Shabbat* and one uncovered it during *Shabbat*, can he re-insulate the pot? (ד' בי)
- The first *Mishnah* in the fifth *perek* list things which an animal is allowed to wear on *Shabbat*. Why is this list important? (ה' א')
- When can a donkey go out wearing a saddle? (ה' בי)
- The *Mishnah* states that a camel cannot go out *akud* or *ragul*. What does this mean and why not? (ה' ג')
- Why can a donkey not go out wearing a bell even if it is plugged? (ה' ד')
- In what manner did “*Rabbi Elazar ben Azarya’s cow*” go out on *Shabbat* which was not to liking of the *Chachamim*? (ה' ד')
- The first *Mishnah* of the sixth *perek* list things which women cannot wear in the public domain on *Shabbat*. What is the reason why women cannot wear these things? (ו' א')
- When is one not allowed to walk with one shoe on and why? (ו' בי)
- Why is one not allowed to wear *tefillin* in the public domain on *Shabbat*? (ו' בי)
- What is the difference between when a woman walks in the public domain on *Shabbat* wearing a needle with a hole or wearing a needle without a hole? (ו' א, ג')
- Explain the debate regarding whether a man can carry weapons on *Shabbat*? (ו' ד')
- When can a woman walk on *Shabbat* with a pepper in her mouth? (Explain the reasons for when she can and cannot.) (ו' ה')
- Can one walk with a coin strapped to their foot? Why would they want to? (ו' ו')
- Can a woman who has wrapped her scarf and tied it around a nut or stone walk in the public domain in such a manner? What is the condition on this ruling? (ו' ז')
- What aids may a leg amputee wear in the public domain on *Shabbat*? (ו' ח')
- Who can wear bells on their clothing on *Shabbat*? (ו' ט')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
9:00am
Kollel Magen Avraham
Reemon Neighbourhood

ONLINE SHIURIM

Yisrael Bankier
mishnahyomit.com/shiurim

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

**SHIUR
ON KOL HALOSHON**

Rabbi Moshe Meir Weiss
In US dial: 718 906 6400
Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
12 March י"ד אדר	13 March ט"ו אדר	14 March ט"ז אדר	15 March י"ח אדר	16 March י"ח אדר	17 March י"ט אדר	18 March כ" אדר
Shabbat 6:10-7:1	Shabbat 7:2-3	Shabbat 7:4-8:1	Shabbat 8:2-3	Shabbat 8:4-5	Shabbat 8:6-7	Shabbat 9:1-2

