



## Behaving Stringently According to *Beit Shammai*

Many of the *Mishnayot* in the first *perek* of *masechet Shabbat* record the debates between *Beit Shammai* and *Beit Hillel* regarding activities performed prior to *Shabbat*. One debate (1:8) is whether one can give either a hide to a *nochri* tanner or clothes to a *nochri* launderer prior to *Shabbat*, if the work will not be completed prior to *Shabbat*. *Beit Shammai* forbid it.

The *Tifferet Yisrael* explains that *Beit Shammai's* position is consistent with their opinion, that one is commanded to ensure that his *keilim* "rest" on *Shabbat*. Even though, unlike the previous *Mishnayot* the *keilim* are not performing any *melacha*, since *melacha* is being performed on them, *Beit Shammai* forbid it.

In the next *Mishnah*, *Rabban Shimon ben Gamliel* states that his father's household were accustomed to send their clothing to a launderer three day prior to *Shabbat*. The *Bartenura* explains they were acting stringently in accordance with the position of *Beit Shammai*.

Recall when we learnt *Berachot* (1:3) that *R' Tarfon* put himself in danger when lying on the roadside to recite the evening *Shema*, in order to recite it in the manner required by *Beit Shammai*. The *Mishnah* was highly critical of his behaviour. How then, in our *Mishnah*, could they be stringent like the opinion of *Beit Shammai*?

The *Tosfot Yom Tov* initially differentiates between the two cases. In the case in *Berachot*, *R' Tarfon* did an action in accordance with opinion of *Beit Shammai*. In our case however, *Rabban Gamliel* simply refrained from sending his laundry in the days close to *Shabbat*. The issue of being stringent like *Beit Shammai* is only when one acts as *Beit Shammai* and not simply refrains.

The *Tifferet Yisrael* cites his son that explains in a similar manner, that this issue when being stringent like *Beit*

*Shammai* is only when it is clear that he is doing so. In our case however, their actions may simply be perceived as preparing in advance for *Shabbat*.

The *Tosfot Yom Tov* finds this answer insufficient as we find in the *Gemara* discussed the reward that in individual received for returning to the place where he ate in order to recite *birkat hamazon*. Returning to the location is required by *Beit Shammai* and doing so is an overt action aligning with their opinion. The *Tosfot Yom Tov* cites the *Rosh* who explains that in that case, even *Beit Hillel* would agree that it would be better to return where he ate, they simply do not demand it. Consequently, there is no issue with acting stringently. In the case of reciting *Shema* in the evening, since *Beit Hillel* has a different understanding of the *pesukim*, according to their opinion, there is no advantage in lying down.<sup>1</sup>

The *Kehillat Yaakov* takes issue with the assumption of the original question. Firstly there is another *Mishnah* that should have been more difficult than ours. We find in the second *perek* of *Beitzah* that there were three (other) *halachot* where *Rabban Gamliel* behaved stringently like *Beit Shammai* despite ruling like *Beit Hillel* for others. Yet, no question is raised by the *Tosfot Yom Tov* regarding that *Mishnah*. Secondly, regarding the incident with *R' Tarfon*, if he had always behaved like *Beit Shammai*, why did the *Mishnah* object only after that particular incident?

The *Kehillat Yaakov* therefore suggests that *R' Tarfon* had always acted according to *Beit Shammai* as is he was allowed to do (*Eiruvim* 6). The *Mishnah* was not critical of *R' Tarfon* acting stringently according to *Beit Shammai*. The issue was that he put himself in danger to do so. Consequently, since the issue was not relate to him acting stringently like *Beit Shammai* per se, there is no issue with our *Mishnah*.

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<sup>1</sup> See Volume 7, Issue 4, *Forgetting to Bench*, where we discuss the *Mishnah* (*Berachot* 8:7) and the *Gemara* in more detail.

### Revision Questions

ביכורים ג' א' ד' ג' ה'

- How is an *androginus* similar to women? (ד': ג')
- How is an *androginus* similar to both men and women? (ד': ד')
- How is an *androginus* different to both men and women? (ד': ה')

שבת א' א' - י"א

- List the cases where one is *chayav* for transferring from one domain to another. (א': א')
- List the cases where one is *patur (aval assur)* for transferring from one domain to another (א': א')
- What are the five activities listed in the *Mishnah* that one is forbidden from beginning 'close' to *mincha gedolah*? (א': ב')
- Concerning the previous question, what is the law regarding those that have already engaged in those activities? (א': ב')
- Why did the *Chachamim* prevent a scribe from travelling with his quill on *erev Shabbat*? (א': ג')
- What was the basis for the concern regarding people reading by candle light? (א': ג')
- How many laws were decreed on the day that the students of *Beit Shammai* outnumbered the students of *Beit Hillel* in the attic of *Chananya ben Chizkiyah ben Guryon*? (א': ד')
- Explain the debate regarding whether one can place ingredients in water to soak for the production of ink on *erev Shabbat* if it will not be completed until *Shabbat*. (א': ה')
- Explain the debate regarding whether one can setup up traps on *erev Shabbat* if it will catch animals on *Shabbat*? (א': ו')
- In what case do *Beit Shammai* and *Beit Hillel* argue about whether one can sell products to a *nochri* on *erev Shabbat*? (א': ז')
- In what case do *Beit Shammai* and *Beit Hillel* argue about whether one can give clothes to a *nochri* launderer on *erev Shabbat*? (א': ח')
- Which *Tana* was *machmir* to act like *Beit Shammai* in the previous case? (א': ט')
- What restriction does the *Mishnah* place on cooking meat, onion and egg on *erev Shabbat*? (א': י')
- One is allowed to place dough in the oven on *erev Shabbat* provided that it has reached which stage before *Shabbat*? (א': י')
- Which case is an exception to the rule described in the first question? (א': י"א)
- What is the difference between the restrictions placed on lighting his own fire on *erev Shabbat* and the lighting of the *Beit Ha'Moked* on *erev Shabbat*? (א': י"א)

### Melbourne, Australia

#### Sunday -Thursday

10 minutes before *Mincha*  
Mizrachi Shul  
Melbourne, Australia

#### Friday & Shabbat

10 minutes before *Mincha*  
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Melbourne, Australia

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*Shiur in English*

#### Sunday -Thursday

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Reemon Neighbourhood

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### SHIUR ON KOL HALOSHON

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### Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
26 February ל' שבט	27 February א' אדר	28 February ב' אדר	1 March ג' אדר	2 March ד' אדר	3 March ה' אדר	4 March ו' אדר
Shabbat 2:1-2	Shabbat 2:3-4	Shabbat 2:5-6	Shabbat 2:7-3:1	Shabbat 3:2-3	Shabbat 3:4-5	Shabbat 3:6-4:1

