



Volume 2. Issue 5.

Carrying on with *Hotza'ah*

It was previously defined that *hotza'ah* is transferring an object from a private domain to the public domain, or from the public domain to a private domain. A private domain is an area that is at least 4 *t'fachim* (handbreadths) by 4 *t'fachim* and surrounded on all sides by a wall at least 10 *t'fachim* high. The entire enclosed volume (of infinite height) is considered part of the private domain. Conversely, in the public domain, only the area from the ground up until 10 *t'fachim* is considered part of the public domain. The space above 10 *t'fachim* is defined as a *makom patur*. (See *Bartenura Shabbat* 11:1 for a definition of these and other *halachic* domains.)

The eleventh *perek* begins by confirming that just as one may not carry from a private domain to the public domain, one cannot throw an object in such a manner. The *Mishnah* however then raises the case where one throws an object from one private domain to another via the public domain. *R' Akiva* maintains that one has transgressed the biblical prohibition of *hotza'ah* while the *Chachamim* disagree.

In the *Gemara* (*Shabbat* 97a) *Raba* asks whether the debate concerns a case where the object travels via the public domain below ten *t'fachim* or above ten *t'fachim*. Recall that when the object passes below ten *t'fachim* the object passes through the public domain. On the one hand, if the *Mishnah* is discussing a case where the object is thrown below ten *t'fachim*, then they are really arguing about whether an object passing through the space is equivalent to resting in that domain (*kluta k'ma she'huncha*). This could also mean that everyone agrees that if it the object was thrown above ten *t'fachim* (through the *makom patur*) then the biblical prohibition has not been transgressed. On the other hand, the *Mishnah* may be referring to when the object is thrown above ten *t'fachim*. All may accept the principle of *kluta k'ma she'huncha* and agree that if one threw the object below ten *t'fachim* he is *chayav*. However when an object is thrown above ten *t'fachim*, perhaps *R' Akiva* compares this act of throwing to another similar activity where one is *chayav* even if it occurs above ten *t'fachim* – *moshit*.

What is *moshit*? The *Mishnah* (11:2) explains that the *levi'im* would pass the beams of the *Mishkan* from one wagon to another, each higher than ten *t'fachim* from the ground. Each wagon was considered a private domain, with the region in between being the public domain. Since the

melachot are learnt from the activities performed in the construction of the *Mishkan*, this activity would be forbidden. Therefore, according to *R' Akiva* just as *moshit* is prohibited above ten *t'fachim* so is throwing the object, where as the *Chachamim* maintain that one cannot compare the two cases.

The *Gemara* brings three different responses to *Raba's* question (see *Shabbat* 97a for more detail). Yet, before one can understand the responses, one must understand the question. According to the latter alternative, why would *R' Akiva* and the *Chachamim* argue whether throwing can be compared to *moshit*? Perhaps analysing another debate in the *Rishonim* may shed light on this question.

Can one take an object from one private domain and place it in another private domain, via the public domain above ten *t'fachim*? *Rashi* (*Eruvin* 33a) maintains that this is the classic case of *moshit* and one would clearly transgress the biblical prohibition. The *Rashba* (*Eruvin* 33a) argues that this is not so. The way *moshit* was performed was that beams were slid across from one wagon to the other such that at some point, one end of the beam would be in contact with one wagon and the other end with the other wagon with the centre of the beam over the public domain. If an object is completely removed from one private domain before entering the next, then it is not defined as *moshit*. While *Rashi* uses *moshit* to more broadly define *hatza'ah*, the *Rashba* adopts *moshit* in its most literal sense. The *Rashba* strengthens this image of *moshit* as a specific case by quoting the *Yerushalmi* (*Shabbat* 11:2) that states while in general one is *chayav* for performing a *melacha* if they did it on their own, when it comes to *moshit*, one is only *chayav* if they did it with another person.

Returning to the debate between *R' Akiva* and *Chachamim*, perhaps they argue about the extent that *moshit* is considered a model for the *melacha* allowing it to be extended to throwing as well or whether it is a strict definition of a prohibited activity precluding it from being extended to another area. This debate highlights the difficult task given to the *Chachamim* when defining the *melachot* of *Shabbat*. When analysing a particular activity, how broad or restricted is the definition? Granted that the *avot melacha* are models or examples, the mission is to provide a coherent technical definition so that one can assess other activities with clarity.

David Bankier

Revision Questions

שבת ט' א' – י"א א'

- *Tumat Niddah* is transferred through carrying (*masah*) – which other form of *tum'ah* can be transferred in such a manner? (ט' א')
- What *pasuk* is the law in the previous question learnt from? (ט' א')
- Can a boat become *tameh*? (ט' ב')
- From where do we learn that one may wash a child on the third day after the *brit millah*, even if it is *Shabbat*? (ט' ג')
- From where do we learn that a red thread is tied to the *se'ir ha'mishtaleach* on *Yom Kippur*? (ט' ג')
- To what is the act of anointing on *Yom Kippur* compared? (ט' ד')
- What is the minimum measure that one is liable for carrying when carrying:
 - Wood?
 - Spices? (ט' ה')
 - Pepper?
 - Worn-out books? (ט' ו')
- Explain the debate regarding how many *chata'ot* one must bring if they carried a sampler box contain many different spices? (ט' ט')
- What is the minimum measure that one is liable for carrying when carrying pumpkin seeds? (ט' י')
- Explain the debate regarding the minimum measure of a dead non-kosher grass-hopper. (ט' י')
- Read the first *Mishnah* in the tenth *perek* – in which previous *Mishnah* was this principle learnt? (ט' י')
- If someone took an object from their house and placed it on the threshold, then later took it from the threshold and placed it in the public domain, would they be obligated to bring a *chatat*? (ט' י')
- In which of the following manners of carrying would one be *chayav* for carrying on *Shabbat*? (ט' י')
 - In his mouth?
 - In his left hand?
 - On his shoulder?
 - On the back of his hand?
- If one intended to carry a satchel on his back, yet when walked into the public domain the satchel had swung around to the front, would he be *chayav*? (ט' י')
- If two people carried one object, when would they be *patur*? (ט' י')
- Explain the debate regarding biting one's nails on *Shabbat*? (ט' י')
- Explain the debate regarding throwing an object from one private domain to another via the public domain. (ט' י"א א')

Local Shiurim

Sunday -Thursday
Between mincha & ma'ariv
Mizrachi Shul

Friday & Shabbat
10 minutes before mincha
Mizrachi Shul

Audio Shiurim on-line!

- 613.org/mishnah.html
- www.shemayisrael.com/mishna/

**GET THE
MISHNAH YOMIT
DELIVERED TO
YOUR MAILBOX!**

Well... to your electronic mailbox. Just subscribe at the *Mishnah Yomit* website.

www.mishnahyomit.com

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
2 nd October כ"ח אלול	3 rd October כ"ט אלול	4 th October א' תשרי ראש השנה א'	5 th October ב' תשרי ראש השנה ב'	6 th October ג' תשרי צום גדליה	7 th October ד' תשרי	8 th October ה' תשרי
Shabbat 11: 2-3	Shabbat 11: 4-5	Shabbat 11:6 – 12:1	Shabbat 12: 2-3	Shabbat 12: 4-5	Shabbat 12:6 - 13:1	Shabbat 13: 2-3

