

CHAPTER XII.

REGULATIONS CONCERNING BUILDING, PLOUGHING, ETC., ON THE SABBATH.

MISHNA: (Among the forty, less one, principal acts of labor, building was enumerated.) What is the least amount of building which will make a man culpable? The least possible amount. The same applies to stone-masonry, smoothing with a hammer (at the close of the work); as for planing, he who planes the least bit, and for drilling, he who drills ever so little, is culpable. For this is the rule: He who performs any act of labor which is of permanent value is culpable. R. Simeon ben Gamaliel said: He who during his work strikes the anvil with his sledge is culpable, because he virtually brings about labor.

GEMARA: Of what use is so small an amount of building? Said R. Aha bar Jacob: "So small an amount of building is usually done by a householder who discovers a hole in the wall of one of his rooms and fills it up (with wood or cement). And the instance of such work having been performed at the (construction of the) Tabernacle is: When one of the boards contained a hole produced by worms, a little molten lead was poured into it and it was thus filled."

Samuel said: "One who places a stone in the street for the purpose of paving the walk is culpable." An objection was made. We have learned elsewhere: If one furnish the stone for paving and another furnish the mortar, the latter is culpable? [Says the Gemara:] If you base your objection to Samuel's decree upon this Boraitha, why do you not also cite the latter decree of the Boraitha which reads: R. Jose says: "One who picks up a stone and places it upon a row of stones is also culpable"? Hence we see that there are three different kinds of building. Building at the base, in the centre, and on the top. Building at the base only requires a solid foundation in the earth. Building in the centre requires mortar. Building on top needs only proper placing without the use of mortar.

"Stone-masonry." In what category of labor can stone-masonry

be placed, that its performance should make one culpable? Rabh said it comes under the category of building, and Samuel said under the category of smoothing with a hammer. The same difference of opinion exists between Rabh and Samuel in the case of one who bores a hole in a chicken-coop that was not previously perforated. The former holds this to be building, while the latter regards it the same as smoothing with a hammer. (It makes no difference to one who performs such labor unintentionally, for in either event he must bring a sin-offering, regardless of what class of labor he performed, if he does only *one* act; but when he performs two acts there is a difference. If they are both of *one* category, he is bound to bring only *one* sin-offering, but if they are of different categories, he must bring *two*; but in the case of one who performed such work with intention, even if he does only *one* act it does make a difference. The witnesses

to his deed when warning him--of his wrong-doing--must inform him just what class of labor he is engaged in executing. Should they tell him incorrectly, he cannot be held guilty. This applies to all cases where the Gemara asks as to the category of labor performed.) The same difference of opinion also exists in the case of one who affixed a handle to a pickaxe, Rabh classing such work as building, and Samuel as smoothing with a hammer.

A question was propounded by R. Nathan bar Oshiya to R. Johanan: "Under what category of labor is stone-masonry to be placed?" R. Johanan answered him by making the sign of hammering with his hand.

"*For this is the rule.*" What additional significance does the statement "for this is the rule" contain? It applies to the hollowing out of a block of wood capable of holding a Kabh (about four lugs), a cavity a good deal smaller.

"*R. Simeon ben Gamaliel said,*" etc. What labor is performed by striking an anvil with a sledge? The Tosephta in this chapter explains it as follows: "Said R. Simeon ben Gamaliel: He who during his work strikes the anvil with the sledge is culpable; because at the construction of the Tabernacle those that covered the boards with metal-plate would strike the plates with their hammers."

MISHNA: One who ploughs, grubs, weeds, or prunes ever so little is culpable. One who gathers wood for the purpose of using the space occupied by the wood is culpable if he gathers ever so little; but if he gathers it for the purpose of lighting a

p. 206

fire with it, he is culpable only if he gathered as much as is required to cook (an easily boiled egg). If one gathered grass for the sake of the space occupied by it, he is culpable for gathering even ever so little; if for the purpose of feeding cattle, he does not become liable unless he gathered as much as a goat's mouthful.

GEMARA: Of what use is a place where a man ploughed ever so little? It may be used to plant one seed of a cucumber in. This was also done at the Tabernacle, where one root was all that was necessary (for dyeing) and was pulled out of the ground, thereby making a hole. (This is not contradictory to what we have learned previously, that the minimum prescribed quantity for cucumber seeds was two, because a man will not take one cucumber seed out for sowing; but when sowing a separate hole is made for each seed and thus the prescribed quantity in this case is limited to one.)

"*One who ploughs, grubs, weeds, or prunes.*" The rabbis taught: One who tears out herbs (which when damp are good for human food) for the purpose of eating them is culpable if the quantity equals or exceeds the size of a dried fig. For cattle the prescribed quantity is that of a goat's mouthful. If for the purpose of using for fuel, the prescribed quantity is as much as is used to cook an easily boiled egg with; if for the purpose of cleaning (weeding) his place, he is culpable even for ever so little. Is all this kind of work not done for the sake of cleaning the place? 1 Said Rabba and R. Joseph: The Mishna treats of a case where even if the man was not standing in a garden belonging to an individual, but even if he did it in a public field (if his intention is to clean the place he is culpable). Abayi said: (The same is the case) even if he did it in a private

field and had no intention to clean the place, as it did not belong to him but to some one else.

MISHNA: One who writes two letters, with the right or with the left hand, be they of one denomination or of different denominations, or be they written with different inks or be they letters of different languages (alphabets), is culpable. R. Jose said: The only reason that one is declared culpable for writing two letters, is because they can serve as marks; for thus the boards used at the Tabernacle were marked in order to be able to tell which fit together. Rabbi (Jehuda Hanassi) said: We

p. 207

also often find a short name which forms part of a long name, as Sam for Simeon and Samuel, Noah for Nahor, Dan for Daniel, Gad for Gadiel.

GEMARA: It would be right if the Mishna were to say that if one write with his right hand he is culpable, because writing with the right hand is the general way; but writing with the left is entirely out of the ordinary. Why should he be culpable? Said R. Jeremiah: "The Mishna also refers to a left-handed man." A left-handed man? His left is his right and his right his left hand. Let him then not be culpable if he use his right hand! Said Abayi: In the case of the Mishna a man is referred to who has equal strength in both hands; but R. Jacob, son of the daughter of Jacob, said: The Mishna stands according to the decree of R. Jose that the reason of a man's culpability is because of the letters standing for marks, and the making of marks with either the right or the left hand is prohibited. How can the first part of the Mishna be according to the opinion of R. Jose--it teaches further, "R. Jose said"? If the latter part is explicitly attributed to R. Jose, the first part cannot be in accord with him. Nay; the entire Mishna is in accord with R. Jose (say then *because* R. Jose said).

"*Rabbi said: We also often find a short name,*" etc. What does Rabbi mean by this teaching? Shall we assume that one is culpable only if he wrote two letters representing two different names, but if the two were merely an abbreviation of one name he is not culpable? Did we not learn in a Boraitha: "It is written [Lev. iv. 2]: And do (of) any (one) of them." One might assume from this verse that the man is not culpable unless he wrote the entire name, or wove the entire cloth, or he finished the whole length of the seam, therefore it is written "of any (one) of them." Now, if we take "of any (one) of them" literally, the writing of even one letter or the weaving of even one thread should make one culpable! Therefore it is written: "Of any (*one*) of them." How should this be understood? One is not culpable until he writes a short name which forms part of a long name, like Sam for Simeon or Samuel, Noah for Nahor, etc., etc. Rabbi (Jehudah) said: The two letters need not be part of a long name, but even if the two form a name (of a thing) in themselves like: Shesh, teth, red, gag, choch. (shesh--lion, teth--to give, red--go below, gag--roof, choch--nose band.) Said R. Jose: Is then the man culpable because of writing? It is only because of making a mark, for thus were

p. 208

the boards of the Tabernacle marked in order that one might tell which fit together. Therefore if one made but one scratch on two boards or two scratches on one board, he is culpable. R. Simeon quotes the same verse: "And do (of) any (one) of them." One might assume that the man is not culpable unless he wrote the entire name, etc. How should this be understood? One is not culpable until he has performed labor which is permanently fixed. Now in the Boraitha we see

that R. Jehudah said the two letters need not be part of a name, but even if the two form a name. (Does not R. Jehudah contradict himself?) This presents no difficulty. In the above Mishna he gives his own opinion, while in the Boraitha he cites his master's opinion, because we have learned in another Boraitha: R. Jehudah said in the name of R. Gamaliel: "Even if the two letters are not part of a long name, but form a name in themselves, he is culpable. For instance: shesh, teth, etc."

Did not R. Simeon say the very same thing as the first Tana? Perhaps one might say that R. Simeon refers to one who wrote two letters that have no meaning and are part of a long word. For instance, Aa from Aazreko (I assisted you). In such a case R. Simeon would be the stricter and the first Tana the more lenient. Is this not contrary to R. Simeon's wont, as we have learned in a Tosephta further on: "If one bore a hole with a drill, be the hole ever so small, he is culpable," etc.? R. Simeon however declares him free until the hole made was as large as it was originally intended to be. Answer and interpret R. Simeon's words thus: One might say that one is not culpable until he writes the whole verse; therefore it is written "of any one," signifying that one word is sufficient.

"*Rabbi said: We also often find,*" etc. How can the name of Sam be equal to Simeon? The (letter) Mem in Sam is an end (closed) letter, while the Mem in Simeon is an open (middle) Mem. 1 Said R. Hisda: From this we may infer that if one write by mistake an open Mem instead of a closed Mem in the scroll of laws, the scroll may be used.

The rabbis said to R. Jehoshua ben Levi: There were some young men at the schoolhouse to-day, and they related such wonderful things as were never taught before even in the time of Joshua the son of Nun. These are they: Aleph, Beth

p. 209

means Oliph Bino (go and teach knowledge). Gimmel, Daled means Gmol (be bountiful) Dalim (to the poor), Why is the foot of the Gimmel pointed toward the Daled? Because so should be the feet of those who are bountiful--ever ready to seek beneficiaries. Why is the foot of the Daled pointed back toward the Gimmel? In order that the poor man may know that he must not conceal himself from his benefactor. Why does the Daled turn its face from the Gimmel? In order to teach us that the benefactor should give to the poor without ostentation and that the poor man be not abashed. Hey, Vav, Zayin, Cheth, Teth, Iod, Khaf, Lamad means: Hey Vav, which is the name of the Holy One, blessed be He; (Zayin) Zon--He will feed thee; (Cheth) Cheyn--will be gracious unto thee; (Teth) Tov--will be good to thee; (Iod) Ierushah--He will make thee inherit in the world to come; (Khaf) Khesser--He will give thee a crown; (Lamad) Leaulim haboh--in the world to come.

Mem open (middle) and Mem closed (end) means Meimar (sayings) Pathuach (open) [implying that there are such sayings of God as are open to every one]; but Meimar (sayings) Sathum (closed) [implying that there are sayings of God which are hidden to most men]. Noon curved (middle) and Noon straight (end) means Neamon (an upright man); Khaph (curved) [should be (curved) bowed down, modest in this life, and in the life hereafter he will become a Neamon] (an upright man) Pashut (straight). Samach means Smohch (assist). Ayin means anaim (the poor). Peh round (middle) and Peh straight (end) means Peh (a mouth) Pasuach (shall be open [to teach]); and Peh (mouth) Sasum (shall be closed [to slander]). Tzadi round (middle) and Tzadi straight (end) means Tzadik (a righteous man) should be modest and fearless (straight).

Quph means Qodosh (holy), implying who does all, that has been mentioned, is holy. Resh means Roshoh (wicked), implying, who does the contrary is wicked. Why does the crown of the Quph look down upon the Resh? just as the Qodosh (Holy One, blessed be He) looks down upon the Roshoh (the wicked), saying: Turn from thy ways and I shall also give thee a crown. Why does the foot of the Quph hang unsupported? In order to admit of the wicked entering into the Qudoshim (holiness) if he turn from his ways. Shin means Sheqer (a lie) and Thaph means Emeth (truth). Why are the letters of Sheqer so near to one another (the order of sequence in the alphabet is Resh, Quph, Shin) and

p. 210

[paragraph continues] Emeth so far from one another (being the first, middle, and last letters of the alphabet)? Because lies are very frequent, while truth is very scarce. Why have the letters in Sheqer but one foot while those in Emeth have so many? Because lies will finally totter, while truth will stand supreme.

MISHNA: One who through forgetfulness at onetime wrote two letters is culpable. He may have written with ink, paint, dye, gum, or vitriol, or with anything making a permanent mark. Further, one who wrote on two walls forming a corner, or on two covers of an arithmetical book, so that the two letters can be read together, is culpable. One who writes on his own body is culpable. One who tattooes letters in his flesh R. Eliezer holds him culpable for a sin-offering, and R. Jehoshua holds him to be free. If one write with dark liquids, with fruit-juice, or in road-dust, in fine sand, or in anything that does not retain the writing, he is free. If one write with the back of his hand, with his feet, with his mouth, with his elbow; or if one write one letter to another letter (that had already been written), or writes over letters that had been written before; or when one's intention was to write a Cheth and wrote two Zayins; or if one write one letter on the ground and another on the wall, or on two separate walls, or on two separate pages of a book, when the two letters cannot be read together, he is free. If one wrote one abbreviated letter, R. Jehudah ben Bethyra holds him culpable and the sages hold him free.

GEMARA: "*Or with anything making a permanent mark,*" etc. What other additional things does the Mishna mean to express by this? R. Hananyah taught: It means if one wrote with berry-juice or with gall-nuts, he is also culpable. R. Hyya taught: "If one wrote with graphite, soot, or black ink, he is culpable."

"*One who tattooes two letters on his flesh,*" etc. We have learned in a Boraitha: Said R. Eliezer to the sages: "Did not the son of Sattadai 1 bring witchcraft out of Egypt, through tattoooing on his flesh?" Answered the sages: "He was a fool and we do not cite single instances of fools."

"*If one write one letter to another letter,*" etc. According to which Tana's opinion is this? Said Rabba bar R. Huna: "This is not according to the opinion of R. Eliezer, for R. Eliezer said that if one add another thread to one already

p. 211

woven, he is culpable." We have learned in a Boraitha: "If one wrote one letter at the end of any scriptural book, thereby finishing that particular book, or if one added another thread to one already woven, he is culpable." According to which Tana's opinion is *this*? Said Rabba bar R.

Huna: "This is in accordance with the opinion of R. Eliezer, who said that if one add another thread to one already woven he is culpable." R. Ashi said: We may assume that the opinion of the sages does not conflict with this opinion, because the case of finishing a book differs from that of adding another thread; hence, according to their opinion, one is also culpable (for finishing a book by adding one letter).

We have learned in a Boraitha: "If one corrected one letter in the Scroll of laws, he is culpable." How can this be? One is not held culpable for writing one letter; how can the Boraitha hold one culpable for merely correcting one letter? Said R. Shesheth: "Here a special case is treated of; *i. e.*, if one take off the top bar of the Cheth and make two Zayins out of it." Rabha said: The same is the case if, for instance, one remove the square portion of a Daled and form a Resh therefrom.

"If one wrote one abbreviated letter," etc. R. Johanan said in the name of R. Jose ben Zimra: "Whence do we know that there are abbreviated letters in the Scriptures? As it is written [in Gen. xvii. 5]: Khi Ab Hamaun Goyim Nsathicha (For the father of a multitude of nations have I made thee). In the word Ab the Aleph is the abbreviation of Ab--father, and the Beth stands for bachur--selected; Hamaun stands for haviv--lovely, Melech--king, vathig--modest, neamon--upright. All this I have made thee among the nations." R. Johanan declares of his own accord: "The ten commandments commence with Anauchi when it could be Ani (meaning I am). The Anauchi is an abbreviation for Ano (I), Naphshi (my soul), Kthovith (I have written), Yehovith (and have given)."

MISHNA: If one, through forgetfulness at two different times, write two letters, say one in the morning and the other toward evening, R. Gamaliel holds him to be culpable and the sages declare him free.

GEMARA: On what point do R. Gamaliel and the sages differ? R. Gamaliel does not consider the consciousness (of its being Sabbath) during the time intervening between the perpetration of the two acts (each of which executed only half the

p. 212

prescribed deed) as being of any consequence (but considers the two unfinished acts as one prolonged act done unintentionally and making the perpetrator culpable). The sages, however, consider the consciousness (of Sabbath) during the period intervening between the two unfinished acts as a neutralization of the unintentional character of the unfinished acts and thus make the perpetrator not culpable.

Footnotes

[206:1](#) This means that taking the things away cleans the place even unintentionally.

[208:1](#) The five Hebrew letters Khaf, Mem, Nun, Peh, and Tzadi are written differently at the end and in the centre of words.

[210:1](#) As to who Ben Sattadai was, see the works of Prof. Derenbourg.

[Next: Chapter XIII: Regulations Concerning Weaving, Tearing, Hunting, etc., on the Sabbath](#)