

HALOCHOSCOPE

Congregation Shaaray Tefillah, Pittsburgh, PA

The question:

On YomTov, may one carry a key-chain that has on it some keys that will not be needed, or should one remove those keys? In a related case, why is one permitted to carry home his Machzor from Tashlich if he will not be using it again on that day of YomTov?

The issues:

- (A) *Meleches Ochel Nefesh*, the Melachos performed in the processing of food, that are permitted on YomTov.
- (B) *Mitoch*, the extension of these Melachos to purposes other than food preparation.
- (C) *Hitiru Sofo Mishum Techilaso*, when something is permitted because otherwise people will be deterred from doing a Mitzvah.

(A) *Meleches Ochel Nefesh*

Melacha is forbidden on YomTov in the same way as on Shabbos. However, the Torah specifically permits Melacha performed in the preparation of food. This is called *Melacha LeTzorech Ochel Nefesh*. This means that of the thirty-nine Melachos forbidden on Shabbos, a number of them are directly involved in the preparation of food, and may be done. There are some Melachos that are needed for the early stages of food production, that are not directly done in the food preparation, although they eventually lead to it. These are not permitted. For example: one may not harvest grain or pick fruit, which are both included in the Melacha of *Kotzer*. These will eventually lead to the food preparation, but were not included in the dispensation because they are indirect, and according to some, because they are *Meleches Avoda*, a different kind of Melacha. [See Halochoscope Vol 1 No 11].

Most Melachos are grouped in various series: Those performed to produce food, to make clothing, to build and to write. There are two explanations of the meaning of *Meleches Ochel Nefesh*: Some say the Torah means to permit only the series of Melachos specifically performed in food production. Others say all the Melachos are permitted by the Torah if they are directly needed for the production of food. An example of the difference between them is making cheese. Curdling milk and then collecting the curds is forbidden on Shabbos: it is called *Megaben* and is a *Toldah* (subcategory) of the Melacha of *Bonch*, building. *Bonch* is not one of those Melachos specifically associated with food preparation, yet it would be permitted here, if the Torah permits all Melachos needed to prepare food.

Hotza'ah, carrying where there is no *Eruv*, is forbidden on Shabbos. It



is not part of a series, but is a Melacha that could be included in any of the series. For example, one would carry food from one domain to another to cook it. Hotza'ah is also permitted on YomTov for Ochel Nefesh, even according to the first opinion mentioned above. [See Parshas Bo 12:16, etc. Beitzah 36b, 12a, etc. Shabbos 134a, 95a Tosafos. Rambam Hil YomTov 1:4, Magid Mishna and 3:12. Tur O.C. 495, Bach. Shulchan Aruch Orach Chaim 511:5 commentaries.]

(B) Mitoch

Once a Melacha was permitted for the preparation of food, it was permitted for other purposes also. This is known as Mitoch, from the term, "*Mitoch Shehutra Letzorech Ochel Nefesh Hutra Nami Shelo Letzorech*", since it was permitted for the preparation of food, it was also permitted when not needed for the preparation of food. There are basically two views to explain this. One could say that the Torah specifically excluded these Melachos totally from the general prohibition of Melacha on YomTov. The reason the Torah did so was so that food would be prepared; but in the process, they were permitted totally. The other view is that they were only permitted for the purposes of filling YomTov needs, but when performed with no purpose, or for the needs of another day, they are forbidden. The Torah allowed preparation of food, and in doing so, also allowed the same activities for other YomTov requirements. The difference between the two is whether the Torah permits a Melacha with no purpose, such as carrying something which one does not need. Even the first opinion agrees that it is forbidden, but not Scripturally.

Accordingly, there are two ways to understand this restriction on carrying a useless or unnecessary item. It could be Scriptural- the Melacha was never permitted for this. Or it is a Rabbinical ordinance in order to minimize unnecessary activity that is considered *Tircha*, bothersome, on YomTov. There is also an opinion that only activity performed in preparation for the following day is forbidden. [See Beitzah 12a, Rashi, Tosafos, Ran, Poskim.]

Either way, only an activity that is *K'tzas Tzorech Hayom*, somewhat necessary for YomTov, is allowed. What does this include? The Mishna mentions a few cases: carrying a child, a Lulav, or a Sefer Torah. One commentary says that all are permitted for Mitzvah purposes: A child for his Bris Milah, etc, but would not be permitted otherwise. However, others disagree and allow any purpose remotely connected to enjoying YomTov. For example, if one wishes to go for a walk but cannot leave the child at home alone, one may carry him along. Accordingly, with regard to carrying keys, not only are the keys to any place where food is stored allowed, but also keys to a place where one wishes to go on YomTov for recreation. There is, however, some discussion about the manner in which they are carried. Some Poskim are of the opinion that they may not be carried in the normal manner, such as to wear them on one's belt, because of *Uvda Dechol*, the appearance of a weekday (non-YomTov) activity. Obviously, this does not refer to a "Shabbos belt". However, this is not mentioned by the majority of Poskim. [See Beitzah 12a, Rosh, etc. Tur & Sh. Ar. O.C. 5:10:8-10, 518:1 Aruch Hashulchan 4-6]

(C) Hitiru Sofo Mishum Techilaso

What if one wishes to keep his keys with him even if he does not intend to use them, but because he does not want to leave them at home in case they are

stolen? Does this constitute a K'tzas Tzorech Hayom? Similarly, if someone took a Machzor to shul, may he take it home although he will not need it, because he does not want to leave it behind in case it is stolen or lost? To take it further, may one leave the house locked and take his keys with, or do we say that it is unnecessary; he could either leave the house unlocked or stay home?

In this last case, it is easier to see the Tzorech Hayom. A person will feel uncomfortable if he leaves his house unlocked, so he will not enjoy his walk, therefore in order to fulfill *Oneg YomTov*, the Mitzvah to enjoy YomTov, he must be allowed to lock up and carry his key. In the same way, if one is afraid that his key or Machzor might be stolen, this will disturb his *Oneg YomTov*. Indeed this theory is accepted by many Poskim, but another factor is added to make it fully permissible.

There are a number of things listed by the Talmud that are permitted on YomTov only because if they were forbidden, people would refrain from Simchas YomTov. For example, treading on the hide of an animal helps in the tanning process, but it is forbidden to spread out a skin as a rug on YomTov. Slaughtering an animal on YomTov is allowed and when it causes Simchas YomTov, is encouraged. If, however, we forbid spreading out the fresh hide, people would be hesitant to slaughter the animal in the first place, and refrain from Simchas YomTov. Therefore, although it is a forbidden activity, spreading the hide was permitted. Sofo, the end activity was permitted, Mishum Techilaso, because the beginning activity is a Tzorech YomTov.

In the same way, if one is told that he may not take his Machzor home, he will rather not take it to Shul in the first place, for fear it will be stolen. The fear of loss or theft must be reasonable and realistic. For example, if one has a safe place to keep his Machzor in Shul, or a safe hiding place in his home for the key to his safe-deposit box, the above dispensation does not apply. Understandably, one may take a Machzor home from Tashlich. [See Beitzah 11b-12a, commentaries. Sh. Ar. O.C. 518:1, commentaries.]

We now come to our She'ela, if one is carrying keys that he will need or are otherwise permissible, on the same chain as unneeded keys, must he remove the unneeded keys? Although we find that when cooking for YomTov, one may add more to be cooked at the same time, this generally applies only when the extra will improve all the food. Besides, any of the food cooked can be eaten on YomTov. Here, the unneeded keys are definitely not being carried Letzorech Hayom at all. According to the opinion that when there is no Tzorech it is Scripturally forbidden, one may not carry the extra keys. According to the other opinion, that it is only forbidden Rabbinically because it is considered a burdensome activity and not in the spirit of YomTov, this would only apply if one is carrying the unneeded object by itself, but if it is secondary to something else that may be carried and adds no extra *Tircha*, it is not forbidden. Accordingly, it would depend on how big the unneeded keys are and how much extra effort is needed to carry them. Furthermore, we find that when cooking on YomTov one may not cook extra to feed a gentile, but in certain cases where there is no extra *Tircha* it is permitted.

However, it is possible that the majority of Poskim follow the opinion forbidding unnecessary Melacha Scripturally. It is best, therefore, to remove the unnecessary keys. [See Tur, Bais Yosef, Bach Sh. Ar. O.C. 518:1 Biur Halacha 512:1 commentaries.]

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ANNOUNCEMENTS

SCHEDULE:

ROSH HASHANA

REMEMBER ERUV TAVSHILIN!!

MINCHA - MAARIV	7:15 PM
SHACHARIS BOTH DAYS	8:30 AM
MINCHA 1ST DAY	7:15 PM
MINCHA 2ND DAY	7:10 PM
Candlelighting/Earliest time for Melacha 2nd day	8:08 PM
CANDLELIGHTING EREV SHABBOS SHUVA	7:08 PM
SHABBOS SHUVA SHACHARIS	9:00 AM
SHABBOS MINCHA	7:05 PM
SELICHOS SUNDAY	7:20 AM
SELICHOS MONDAY - FRIDAY	6:20 AM
MINCHA SUNDAY - THURSDAY	7:10 PM

The annual Shabbos Shuva Droscha in conjunction with Poale Zedeck will take place at the Poale Zedeck Shul, Phillips and Shady Aves, beginning with Rabbi Silver's Halacha Shiur at 5:30 followed by Rabbi Miller's talk on "The Commandment to Believe" at 6:00.

SHIURIM:

GEMORO MAKOS	Please Inquire
HALACHA B'IYUN	MONDAY 9:00 PM
HALACHOS OF BUSINESS	Please Inquire
HILCHOS SHABBOS	SHABBOS 8:15 AM
DAF YOMI	ROSH HASHANA - Please Inquire
	SUNDAY 8:50 AM
	MON-THURS 8:00 PM

This issue of HALOCHOSCOPE has been sponsored by Martha, Betty, Judy and Tom Kane in memory of their husband and father, Yisroel Meir ben Akiva Dov, whose Yortzite is on the first day of Rosh Hashana.

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Comments and suggestions are welcome and can be addressed to :

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