

HALOCHOSCOPE

This week's and next week's question:

When a woman gives birth, the hospital attaches a bracelet to the mother, father and baby, for security and identity. If a birth takes place on *Shabbos*, may the father wear this bracelet? The mother and baby will probably need it. However, the father can probably avoid it, at least until after *Shabbos*.

The issues:

In this issue:

- A) *Tofair, koshair, matir, makeh bepatish*, attaching the bracelet can involve *melachos* associated with sewing or tying a knot or finishing a utensil
- B) *Shtarei hedyotos* and
- C) *Muktzeh*, the ID aspect of the item can sometimes involve Rabbinic restrictions on mundane documents and moving a *muktzeh* item

In next issue:

- D) Types of *muktzeh* and the ID
 - E) *Hotza'ah*, if the husband plans on walking home where there is no *eruv*, wearing the band might violate carrying in a public domain. [He might not be permitted to break it off either. This could violate a *melacha* mentioned in issue A.]
 - F) *Malbush and tachshit*, clothing that is considered part of the body for *hotza'ah*
- A) *Koshair, matir, tofair, koraia*

There are generally two types of ID bands. One type involves a snap that will close but will not open without ruining the connection. The other is joined with adhesive. Before use, the material protecting the adhesive is taken off. This strip, too, will not be able to be separated without ruining the connection. Thus, the band will be kept in place as long as it is needed. It will not be possible to transfer it to another person. Some poskim have addressed the issue at hand. In general, having a non-Jew attach it. The non-Jewish staff will anyhow need to write the ID on the strip. Furthermore, they distinguish between the first type, which is preferable on *Shabbos*, and the second, which they say should be avoided. Unfortunately, there is not usually a choice. Our discussion is for academic purposes, to gain understanding of the background. One anticipating this situation should consult their rav for guidance. [See Nishmas Avrohom OC:340:14, note 8:2.]

There are thirty-nine *avos melachos*, main categories. Each of the *avos* can have *tol-dos*, sub-categories, that produce a result comparable in purpose and method to the *avos*. The ID band could be considered an item of clothing, and the activities required to make it usable resemble preparing a garment, finishing it, or readying it for use. A garment is closed with buttons, drawstrings, laces or ribbons. Buttoning is called *prifa*. The original buttons were coins wrapped in the fabric of the garment, and tied around with a string. The fabric was brought together from both sides, and the string was then tied around it.

This involves tying the string, yet is permitted. Drawstrings and laces also involve tying. Drawstrings also resemble sewing. Ribbons or tapes also involve tying. All of this can also involve finishing a utensil, if it is not quite ready for use, or if it is improved by the activity. Removing the clothing involves the reverse of these activities, respectively. Untying would be necessary in order to retie, and tearing would facilitate sewing smaller pieces together. An item of clothing could be manufactured with its openings closed, because this is easier during the sewing process. When finished, the neck hole is cut open. If it is perforated this involves an additional *melacha*, that of cutting something to a particular size. Having tanned a hide, before using it for writing, one must cut it to size. *Toldos* of this *melacha* include cutting a piece of paper along predetermined lines or perforations. In our case, if after attaching the bracelet, the ends are cut down to size, this involves *mechatech*.

To qualify as a Scriptural *melacha* activity, it must be done to produce a specific quasi-permanent result. Similar temporary activities can be forbidden as a Rabbinic extension of the *melacha*. In some cases, the temporary nature of the *melacha* makes it totally permissible. If an activity that is usually constructive is done for destructive purposes, it is often permitted. In some instances, an activity has both results. One might do something constructive for a destructive end purpose.

Koshair, tying, is part of the process of weaving and of the manufacture of nets. *Matir*, untying, was done when the trapped animal was taken out of the net. The consensus seems to be that it applies specifically to tying a knot. There is some discussion on braiding. Some consider braiding ropes a *tolda* of *koshair*. Others suggest that it is closer to *oreg*, weaving. Knots are tied for strength, albeit in a way that they could be untied later. Their entire purpose is to ensure that the item is secured. They will be tight and hard to untie. Therefore, a knot intentionally made easy to be untied is considered temporary. It is not considered the full *melacha*. The complexity of a knot is also a factor. The Talmud debates whether a knot that can be untied with one hand is considered *koshair*.

Matir applies to all the things that *koshair* applies to, in the reverse. If *matir* is permitted, one may also cut the string near the knot. Otherwise, cutting the string could involve this *melacha*, along with other restricted activity. When a garment is closed using a ribbon, the issues of *koshair* and *matir* arise. One may not tie the ribbons that are meant to remain this way quasi-permanently. When tying closures that are meant to be opened and closed regularly, one may tie temporary knots, such as a single knot, a bow, or a bow over a knot. All indications are that both *koshair* and *matir* do not have a *tolda* when the ribbon is attached with no knot. It seems that *koshair* does not apply here. Accordingly, *matir* does not apply either, when either peeling the tapes off or breaking the bracelet.

To qualify as *tofair*, thread must be secured to the cloth. The Talmud debates how many times the thread must pass through the cloth for this, two times or three. We follow the view that it is twice, or one stitch. Usually, this also involves pushing the needle through. However, the needle is not considered thread. The poskim ponder why a pin or needle going through the cloth should not be considered sewing in its own right. Sometimes, a pin is used as a button. In such instances, it could not be considered *tofair*.

Koraia is basically the opposite of *tofair*. Whatever is included in the restriction of

tofair when attaching it, is forbidden to tear apart. Scriptural *koraia* applies when the cloth is cut before sewing it. It can apply to a small tear made to prepare the cloth for sewing, and it also applies to removing the stitches from a seam in order to sew it again. Destructive tearing is not usually included in the Scriptural *melacha*.

Sticking two things together with glue, such as leather, parchment or paper, is considered by many poskim a *tolda* of *tofair*. The poskim maintain that it does not apply to gluing hard items, like wood and stone. Nowadays, *tofair* applies to plastics and the like. Since no thread is used for this, there seems to be no minimum. Rather, any time one sticks the two sides together securely, it involves *tofair*.

In our case, the bracelet is stuck with adhesive or with a permanent snap. This should involve *tofair*. Removing the backing and breaking the bracelet later on should involve *koraia*. *Tofair* is defined as connecting two things to make them into one. Buttoning does not make the two sides into one, but joins the two separate pieces for the time-being. *Tofair* is meant to be irreversible. *Koraia* is a new activity. By comparison, *koshair* is also permanent in the sense that it is secure. However, the knot is made in a way that the same string can be untied later if necessary. Our case is *tofair* not *koshair*.

The glue in our case is meant to be permanent. There is no plan to open and close the bond. Although it could be argued that it is not permanent, but for a few days, this is considered long enough to be *miskayem*, a lasting activity. Removing the tabs from their backing raises *koraia*. It is meant to remain attached until needed. However, this is also less stringent than regular *koraia*. The backing is not placed there to connect the two, but to stop the glue from sticking to other things, or to keep it moist. There is no interest in the backing *per se*.

Makeh bepatish, literally beating with a hammer, is Scripturally forbidden. One beats out the kinks in a metal pot as the final stage in its production. Any time one finishes a utensil, he violates this *melacha*. Thus, opening the neck of a garment (or the pockets) is forbidden for this reason as well. Making the strip into a bracelet would appear to involve this *melacha*. [See Shabbos 74b-75a 105a-b 111b-113a, poskim. Tur sh Ar OC 317:esp. 3 322:5 340:6 7 14, commentaries. Igros Moshe OC II:84. Tzitz Eliezer XIII:43 XVI:10. Minchas Chinuch, melachos 21-24 27 33.]

B) Shtarei hedyotos, muktzeh

"Mundane documents" may not be read on *Shabbos*. These are primarily business documents or other material that one reads in connection with his finances. In one view, this is part of a Prophetic, or quasi-Scriptural restriction on performing mundane weekday activities on *Shabbos*. This is based on the words *mimzo cheftzecha*, [if you desist from ..] seeking your affairs. In another view, it is a separate precautionary decree to prevent possible *mechika*, erasing, which is forbidden Scripturally.

Igros shalom, casual, friendly correspondence, is the subject of debate. Some maintain that there is no prohibition against reading such letters, especially if they contain important information, such as that relevant to *pikuach nefesh*, life-threatening situations. Many others maintain that it is forbidden to read these letters. They are not *shtarei hedyotos* in the true sense. However, they were either included in the original decree, for consistency, or they are part of an extension of it.

Certain seemingly mundane matters may be attended to on *Shabbos*, such as arranging a *shiduch*. However, there is a debate on the permissibility of reading a letter relating to these matters. Thus, though *mimtzo cheftzecha* does not apply to these matters, including their financial issues, *shtarei hedyotos* (that might be a sub-category of it) does apply. Many poskim permit reading such letters, according to some, even if they arrive on *Shabbos*. A third view permits reading them silently while they are being held by a gentile, but forbids handling them or reading them aloud. This also reduces the concern about crasing. From here we see that letters that are forbidden, whichever opinion is followed, are also *muktzeh*. [See *Shabbos* 116b 149a 151a, poskim. Tur sh Ar OC 247 306:3 307:1 6 12-14, commentaries.]

C) *Muktzeh*

"*Muktzeh*" is short for *muktzeh midaato*, literally, cut off from one's mind. The Rabbis instituted the rules of *muktzeh* over the generations, in stages. The earliest recorded forms of *muktzeh* are attributed to the times of King David. However, they might have been in place from the earliest times, and the issues of record were raised at this time.

The Torah discusses something being *muchan*, prepared for use on *Shabbos* from before *Shabbos*. *Aino muchan*, not prepared, lacks this quality, and can be forbidden to use. In some cases, the reason the item is not *muchan* is because it did not yet exist. This might apply in our case. Before the childbirth, the ID bracelet was not yet made.

Anything that has no permissible positive use on *Shabbos* is, sometimes unconsciously, put out of one's mind for the duration of *Shabbos*. According to some, this touches on the Scriptural concept of *aino muchan*, as a Scriptural model for the Rabbinical institution. Sometimes one is consciously, or even actively, *maktzeh*, puts the item out of mind. He knows that he does not intend to use them on *Shabbos*. This is the general definition of *muktzeh midaato*. Specific categories have their own additional reasons.

The specific reasons for the institutions ranged from protecting *kavod*, the honor of *Shabbos*, to *hotza'ah*, prevention of violation of the Scriptural *melacha* of carrying from domain to domain. One original institution was made when it was clear that observance of the prohibition of *hotza'ah* had sunk to a low, due to apathy, carelessness or ignorance. To distance people from the mistake or the urge to carry in a public domain, the Rabbis forbade moving anything at all with no purpose in mind. This temporary decree to renew awareness of the *melacha* applied to anything not being used directly. Before moving anything, one had to think. This was relaxed once it has the desired effect. In its wake a hierarchy of types and levels of *muktzeh* were left to us. [Refs in next section.]

To be continued

On the parsha ... Fifty loops ... Make fifty gold fasteners to connect the curtains each woman to her sister with the fasteners, and the Mishkan shall become one. [26:5-6] Fasteners, buttons [Targum Yonasan/Yerushalmi]. A body is made up of parts. The Mishkan, ten curtains, encompasses all. Hashem encompasses all ... [Ibn Ezra]. While they are joined as one, they are still separate sisters. Buttons do not make a permanent connection.

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