

HALOCHOSCOPE

This week's question:

In cold weather, one's nose runs down into his beard or mustache. In really cold weather, it freezes. On *Shabbos*, may one defrost it and wipe of the liquid, or does this violate a *melacha*? May one also wash the area and dry it afterwards?

The issues:

- A) *Sechita*, squeezing; *sechitas saar*, squeezing hair
 - B) Melting ice on *Shabbos*
 - C) *Gozaiz*, shearing, removing hair
 - D) *Kavod habriyos*, human dignity
- A) *Sechita*

The *melacha* of *sochait* can be considered a *tolda*, sub-category of two different *melachos*. *Dash umefarek*, threshing, is one of the processes in the production of grain and flour. The edible grain is separated from the inedible stalk which is attached to it. Similarly, squeezing grapes to extract the wine separates a part that is wanted from the other unwanted part. Scripturally, it applies to wine and oil. Other fruits are subject to debate. Rabbinically, any time one squeezes out a liquid from something in which it is trapped, one violates *sochait*. This would apply to a cloth with a liquid that is needed, such as a mop to wash a floor. Moreover, many poskim maintain that even if one does not need the liquid squeezed out, he violates a Rabbinical prohibition.

There is a major Talmudic debate on squeezing brine from pickles. At one end, there is a view that considers it a Scriptural violation. At the other end, a view permits it totally, which is the view we follow. There is further debate on squeezing cooked foods. They are somewhat less stringent. The poskim debate the reason for the opinions. In one view, it is due to the fact that this liquid does not occur naturally within the pickled item, but is absorbed later. Another view maintains that it is in line with the view that only grapes and olives are included in the Scriptural *melacha*. Other fruits and vegetables are included in a Rabbinical extension of the *melacha*, and pickle 'juice' is the same as juice of other berries or fruits. In addition, normally, one does not need the juice.

Based on *libun*, bleaching wool, which is part of the production of clothing, laundering clothing is forbidden on *Shabbos*. Included in the process of laundering is squeezing or wringing the water out of the clothing. Thus, in this case, the unwanted liquid is squeezed out. By extension, any time water or other liquid is squeezed from an item in which it is trapped, it can involve *sochait*.

Does this apply to hair? Hair can be woven into fibers for clothing, especially the hair of camels and goats. In modern times, cashmere is spun and woven from goats or rabbits. However, in these situations, the hair is a cloth. What about hair that is still loose,

or on the body? The liquid is not trapped in it in the same way. Rather, it is contained similar to being in a solid container.

The Talmud discusses a midwife on *Shabbos*. She may perform *melachos* if they are needed in the process of delivering the baby. However, as much as possible, she should avoid performing them in the normal way. If she needs oil, she can bring it in her hair. Presumably, this means that she soaks it up in her hair and later squeeze it out. One view proves from here that there is no *sechita* from hair. The other view maintains that there might be *sechita* from hair, but that the discussion focuses on her carrying it through a public domain. Bringing it in her hair is an unusual way to carry, whether it is soaked into the hair, or in a receptacle lodged in her hair to carry it. Nonetheless, the latter view does not say conclusively that there is *sechita* from, but that there might be.

Accordingly, the poskim maintain that there is no *sechita* from hair, based on the discussion. [There is a dissenting view, based on the Talmud's ruling elsewhere about washing a sack, which is made of goat hair. However, this view raises it as a problem, but does not decisively consider it Scriptural. This view maintains that the Talmud discussion about oil relates to an issue of *dash umefarek*, but not *libun*. Oil is not used in laundering. If it was water, there would be no debate.] The question is whether there is still a Rabbinical prohibition. This is not mentioned anywhere in the Talmud. Accordingly, it is considered a low level Rabbinical prohibition by a number of poskim. This is invoked in some situations, similar to our own.

The poskim discuss bathing and drying the body on *Shabbos*. One of the issues is squeezing the hair. One should always avoid squeezing the hair, based on the aforementioned discussion. Accordingly, one should not bathe fully in a river. The poskim discuss immersing in a *mikveh* and drying the hair. One should not dry it vigorously, but gently, and with a large towel. By using the towel, one is squeezing indirectly. Furthermore, the water is not removed visibly, but is immediately absorbed in a cloth. [The reason this does not raise the issue of *libun* on the towel is beyond the scope of this discussion.] However, one need not avoid venturing out in the rain or snow to avoid squeezing the hair when coming in, because it is a minor amount. Thus, we see that the light nature of the prohibition is applied. Similarly, when some drink is absorbed in the mustache, one may wipe it off with a napkin, rather than with the fingers. In part, the reason is that it is a light form of the *melacha*. Either we follow the view that *libun* does not apply to the hair on the body, or that *sechita* does not apply to hair, even as a Rabbinical form of *dash umefarek*, or even as a form of Rabbinical *libun*. Similarly, the poskim permit washing the face, even though it will inevitably involve some *sechitas saar*. One should avoid specifically squeezing the hair. [See *Shabbos* 19b 73a-74a 75a 111a 113a-b 128b 140b-141a 142b 143a-145a 147a-b Kesubos 6b, Poskim. Tur Sh Ar OC 301:4 302:9-12 320:1 7-8 17-18 326:7-9, commentaries. Minchas Chinuch 32, Dash & Melaben. Igros Moshe OC:I:133. Shemiras Shabbos Kehilchasa 14.]

B) Melting ice and snow

The Talmud says that one may not melt ice and snow directly, in order to produce water. The poskim debate the reason for this. Some explain it as a look-alike to the Scriptural *melacha* of *makeh bepatish*, literally, striking with a hammer. This forbids putting

the finishing touches to an article. The water produced by the crushing is similar to making a product. Others consider it a Rabbinical ordinance as a precautionary restriction. It bears some similarity to *sechita*, the Scriptural *melacha* of extracting juice that was discussed in the previous section. Permitting this crushing could lead people to justify squeezing fruit. A third view considers the melted water *nolad*. When something is 'born' on *Shabbos*, one must assume that nobody had it in mind on *Erev Shabbos*. It did not yet exist. Therefore, it is *muktzeh*. *Muktzeh* is its basic form refers to items that were put out of mind before *Shabbos*, for a number of possible reasons. In general, these items now have a permissible use of some sort on *Shabbos*. The reason one never had them in mind, *nolad*, is enough to restrict their use now. Melting other solids could involve one or more of these reasons, and is likewise forbidden. In one respect, it is not always *nolad*. Water and ice have different names and different uses. Frozen soup is not a different product, nor does it have its own use. Soap is really only useful when dissolved. The poskim caution against warming a solid food that has congealed fat or gravy, that will melt and become a liquid. Melting an ice cube in water is permitted.

Snow starts out as a liquid and freezes on the way down. This would be considered *nolad* by some poskim. Some poskim forbid making ice; for additional reasons. However, there is a consensus that ice or snow that froze on *Shabbos* without human intervention is not *nolad* or *muktzeh*.

Our question is whether one may defrost the ice that formed on the hair or would it be Rabbinical *makeh bepatish*, *sechita* or *molid*? In this case, one does not want the melted liquid for any later use. However, for a short time, he needs it to be melted, only to be able to wipe it off. This is similar to a debate about squeezing red wine (on which there is no *libun*) off a tablecloth with a spoon (as opposed to a knife). The reason one would do this is not to save the water, but to spill it out in a more controlled way. Nonetheless, some poskim maintain that the short term saving the water creates an issue. In our case, since it is removed from the Scriptural prohibition and is really forbidden only due to confusion, there would be less of an issue. However, to mitigate the issue, one should melt it through a tissue. This was, it is going directly into the cloth and is never seen independently. This suggestion is made by the poskim regarding similar situations, such as drying after immersing. [See *Shabbos* 51b Eruvin 45b-46a Beitzta 2a-b, Poskim. Tur Sh Ar OC 310:8 318:16 [PMG EA 40] 320:9 326:10 338:8, commentaries. Kalkeles Shabbos. Tzitz Eliezer VI:34 VIII:12 IX:14 28 XII:34. Minchas Shabbos 80:6. Be'er Moshe II:25. Shmiras Shabbos Kehilchasa 14.]

C) Gozaiz

Shearing sheep is one of the *melachos*. Included in this is anything that will remove hair from the skin. A minority view maintains that *gozaiz* only applies when the wool or hair is needed. If it is not needed, the activity is known as *melacha she'aina tzricha legufah*, and is forbidden only Rabbinically. [There is a Talmudic view that forbids this Scripturally, which is *alos* followed by some poskim. We generally follow the lenient view.] The majority maintain that even if the hair is unwanted, if it beautifies the animal or skin (even after it is removed) it is Scripturally forbidden. In any event, it is forbidden Rabbinically. In addition, even if one has no direct intent to remove the hair, the issue

arises. The only situation in which it might be relaxed is when one does not want the hair to be removed, but it will be removed inevitably. This is *psik raisha delo nicha lei*, and is permitted by some poskim. Scripturally, *gozaiz* applies when a tool is used, such as scissors, tweezers or a blade. Rabbinically, using the hands is also forbidden. *Gozaiz* applies to anything removed from the place it grows, such as nails and skin (cuticles).

The Talmud forbids using certain items to wash hands, since they will cause some shedding of the hair on the hands. The Talmud permits items that do not always shed, even if they might shed sometimes. Thus, the issue arises when wiping with a pebble after defecating, if hairs will not necessarily be shed. Based on this, other activities that do not necessarily cause shedding are permitted. Thus, one may gently scratch his head, but not vigorously. When drying the hair, as discussed previously, one should do so gently.


If food gets stuck in one's hair, removing the food can become tricky. If there is a way to get it out without tugging on the hair, this should be done. Otherwise, one can try methods that will not inevitably pull the hair out. In our case, if one pulls the ice before it melts, he might pull out hairs. Therefore, it is essential to wait until it melts. Even then, he should take care not to pull the hair. The same applies when he rinses the area. [See Shabbos 50b 73a 80b-82a 94b, Poskim. Tur Sh Ar 303:27 312:7 326:9-10 328:31 340:1-2, commentaries. Refs to previous sections.]

C) *Kavod habriyos*

The Talmud says that *kavod habriyos*, human dignity, is so great that a Scriptural negative *mitzvah* is suspended. This is then qualified to mean the Scriptural *mitzvah* to listen to the Rabbis. Thus, a rabbinical *mitzvah* is suspended, but not a Scriptural *mitzvah*. Examples include special consideration for one who needs to relieve himself and to wipe himself afterwards. He might need to carry pebbles with him through a domain that is restricted Rabbinically. Some say that the concept is logical, while others derive it from a Scriptural dispensation for an elder, who is exempt of demeaning himself to return a lost object. Some also connect it to the *mitzvah* for a *kohain* to defile himself to bury a *mais mitzvah*, unclaimed corpse. These are specific Scriptural *mitzvos*, but the concept can be derived and applied to Rabbinical situations.

Based on this, the poskim discuss similar situations to our own. When blowing and wiping the nose, one might remove hairs. Since it is not inevitable, there can be no restriction on it. If the mucus is crusted, it is almost inevitable that hairs are removed. However, since there is no intent to remove them, one is not removing them with a tool, and it might even be a painful and unwanted consequence, it is considered at worst a Rabbinical issue. Therefore, for the sake of *kavod habriyos*, it is permissible. In our case, given all of the considerations discussed, we may rule similarly. [See Brochos 19b Shabbos 81b 94a Eruvin 41b Megilah 3b, Poskim. Rambam Shabbos 26:4 23 Kilayim 10:29 etc. Tur Sh Ar e.g. OC 3012:1 etc, commentaries. Minchas Shabbos ibid.]]

In conclusion, using a handkerchief or a tissue, one may hold the ice until it melts, then wipe gently. It may be rinsed and wiped again.

Sponsored in honor of the birth of a baby boy to Yossel and Fraida Silver. Mazal Tov. 

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