

"Halacha Sources" Highlights - How Many Figs can a Saver-on-Shabbos Cut?

Question: The expression "a land of figs" in *parshas Eikev* (*Devarim* 8:8) is said by the Gemara (*Brachos* 41a, *Eiruvin* 4b, *Sukkah* 6a) to be an indication ("asmachta") that a full-fledged (food-related) *melacha* on Shabbos requires its object to be at least the [volume] equivalent of a [standard] dried fig. Does this have any practical application in Halacha nowadays?

Answer: We will explore one possible application, in three steps:

- (1) the *problem* - why the specification of a dried fig seems to have no application nowadays,
- (2) the *case to explore* - deciding "which branch to cut" to save a life on Shabbos,
- (3) the *fine point* - have we found a practical Halacha which depends on the fig specification?

Part 1: The *Problem* - Why the Specification of a Dried Fig Seems to have No Application Nowadays

The above Gemara says of the *pasuk* which describes the Land of Israel as "a land of wheat and barley, and vine and fig and pomegranate, a land of oil [bearing] olive and [date] honey," that all these details hint to specifications for certain Halachos. Specifically, the reference to a fig hints to "the amount of a dried fig [*k'grogeress*] with respect to the [*melacha* of] carrying of Shabbos." This is a fact to be found in much of tractate *Shabbos*: In general, when the object of a *melacha* is food (of humans), that food must have at least the [volume] equivalent of a [standard] dried fig in order for it to be considered a full-fledged *melacha* for which one is "liable". The Rambam codifies this in his Halachos of Shabbos (mostly in chapter 8), and he explains (in chapter 1) what this being "liable" means: The *punishments and offerings* which the Torah mandates for one who does *melacha* on Shabbos do not apply unless the minimum specifications (such as our "equivalent of a dried fig") are met, but even when one is *not* "liable" (such as if there was *less* than "the equivalent of a dried fig" involved) it is still *assur* to perform the *melacha* act. The *Mishnah Berurah* points out (318 n1, 321 n23, 340 n3, and a number of times in the *Bi'ur Halacha*) that this means it's *assur* by *Torah mandate* [as the authorities rule based on the position of R' Yochanan in *Yoma* (74a)]. Therefore, *nowadays*, since punishments and offerings are not Halachically relevant, it would seem that the minimum specifications (such as "the equivalent of a dried fig") do not have any practical application, since *melacha* is *assur* by Torah mandate *with or without* those minimum specifications.

[The later authorities discuss a simple practical application: The Gemara (*Yoma* *ibid.*) says the only reason "less than the specification" is *assur* by Torah mandate is because of the possibility for a number of such "insufficient amounts" to "combine together" and meet the full specification; therefore, if we consider the performing of a *melacha* immediately before Shabbos ends, *so immediately that there is only enough time on Shabbos to perform the melacha with an "insufficient amount"* but not with the full specification, that could be *muttar* because there is no possibility to "combine together". However, this cannot *really* be considered a *practical* application, due to the near impossibility of pinpointing such a moment.]

Part 2: The **Case To Explore** - Deciding "Which Branch To Cut" to Save a Life on Shabbos

The *Shulchan Aruch* (*Orach Chayim siman 328*) discusses how to choose *precisely which violation of Shabbos to perform* when saving a life. Two main principles are set forth: (1) "whatever is the most lenient [violation] takes precedence," (see *ibid. se'if 17* in detail, based on *Yoma 83a*); **however**, (2) it is *assur* to *consider such choices when that itself may result in loss of time needed to save the life* (i.e. the choices can only be made when there is no rush [such as in the case of a prolonged illness, Heaven forbid, for which *melacha* is being done on Shabbos on a regular basis]). This second point is made by the *Rema* (based on the Gemara in *Yoma 84b* with *Tosafos - Vilna Gaon ad loc*), as a qualification of the choices discussed in *se'if 16*, the development of which we will now study:

In the Gemara (*Menachos 64a*), we find the following question and answer:

*Rava asked: [In the case of] a [dangerously] ill person, whom [the doctors] judged to [require] two dried figs, and there are **two dried figs on two [separate] stems** [i.e. "attached to the ground" via their tree such that detaching them would be the *melacha* of "kotzair" - reaping] and [there are also available] **three on a single stem**, which should be taken [from the tree]? Should [the] two be taken, since they are the appropriate [**amount**] for him [to be saved], or perhaps should [the] three be taken, since this [alternative] decreases the "ketzirah" [i.e. the *melacha act* of reaping]?*

*The Gemara answers: [The] three should be taken, [ibid. 64b] because no one would say that the [**amount** of] food [involved in the *melacha*] should be **decreased**, if the "ketzirah" [i.e. the **act**] is [thereby] **increased**. [This explanation has been paraphrased - the Gemara makes the point about the **position of R' Yishma'el** in the Mishnah there, whose subject matter is beyond the scope of this article].*

*["Dried figs" should not be "attached to the ground"; the terminology here apparently must refer to fruits of that critical **size**.]*

The *Beis Yosef* brings an inference made by the early authorities, from this Gemara: If there were a choice between two figs on a single stem versus three figs *also* on a single stem, the above Gemara implies that one would have to take the stem with only *two* figs, and *increasing the amount of food* involved in the *melacha* [i.e. beyond what is needed for saving a life] is *assur*.

Accordingly, the *Shulchan Aruch* rules: **[If the doctors] judged [a dangerously ill person] to [require] two "dried figs", and nothing could be found but two "dried figs" on two stems and [separately] three "dried figs" on a single stem, [then] the stem which has the three is cut; [On the other hand,] if there were two on a single stem and [separately] three [also] on a single stem, [then] only the stem which has the two may be cut.**

The Mishnah Berurah writes: "From here, it seems obvious [that we can derive] that the same applies to [any] other [category of] *melacha*, such as cooking etc. - even if it's [all] in one pot - it's *assur* to cook (or to do [any] other [kind of] *melacha* - except [the amount] which is needed [i.e. for the saving of a life]."

[Concerning this principle, that it's *assur* to "increase the amount" involved in an otherwise overridden *melacha*, there is a disagreement between the *Ran* (in tractate *Beitzah*) and the Rashba over whether it's Torah mandated. However, the *Ohr Samayach* (*Halachos of Shabbos* 18:1) points out that it seems clear from our Gemara that *at least in this particular type of a case*, to "increase the amount" must be *assur* by Torah mandate; otherwise, how could there be a *question* of preferring two *melacha* acts?

This suggests a straightforward explanation of the issue underlying Rava's question: *Why* is it *assur* by Torah mandate to increase the amount of "figs"? *Perhaps* the idea is that the Torah considers someone who performs one act of "reaping" of two "figs" *just as if he performed two acts of "reaping"* - and therefore the only aspect to be "decreased" is the *amount* (of "figs"); or is the idea (as the Gemara concludes is in fact the truth) that it's *inherently assur* to "increase the amount" (just as the Torah was stringent about the required specification - i.e. "the equivalent of a dried fig" - moreso than with a lesser amount; see again *Ohr Samayach* *ibid.*.)]

Part 3: The *Fine Point* - Have We Found a Practical Halacha which depends on the Fig Specification?

At this point, we note that all the above sources were particular to speak only about cases where someone might have wanted to "increase the amount" (involved in an otherwise overridden *melacha*) *by a full amount of the original specification*; i.e. an additional "dried fig" equivalent. There seems to be no source that says it's *assur* to "increase the amount" *less* than that. This would be the practical application we have been looking for.

On the other hand, we must point out the wording of the end of the above-mentioned *Mishnah Berurah* (which is a quote of the *Chayei Adam*): One may only involve the amount "which is needed now [i.e. for the saving of a life], *precisely*." This word naturally implies that there is no distinction between adding a full "fig-equivalent" or adding less. Thus, the matter must be left not clearly decided.

[Note: According to the logic we gave (at the end of the bracketed section after Part 2) that to "increase the amount" is *inherently assur* by Torah mandate *just as the Torah was stringent about the required specification moreso*

than with a lesser amount, it indeed would be an understandable possibility that one one would violate this only by *adding a full amount of the original specification*, just as we have suggested by inference from the words of the sources.]

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