

## ולרבי אליעזר אמאי קרי ליה אב –

**And according to רבי אליעזר why does he call it an אב**

### OVERVIEW

חטאות two חייב he is תולדה במקום אב maintains that if one transgresses a ר' אליעזר. The גמרא therefore asks why there is a distinction between אבות and תולדות. There seems to be no practical difference whether a מלאכה is an אב or a תולדה.<sup>1</sup>

If one transgresses an איסור שבת intentionally and was warned beforehand, he receives סקילה. The התראה, though, has to be specific as to which מלאכה he is transgressing. תוספות will (initially) argue that it is important to categorize the מלאכה into אבות in order to warn the transgressor properly.

תוספות asks:

**ואם תאמר ונימא דנפקא מינה לענין התראה שצריך להתרות אתולדה משום אב דידה -**  
**And if you will say; but let us say that there is a consequence in referring to**  
certain מלאכות with the term אב, **regarding the warning** which the transgressor  
must receive in order to be punished; **it is necessary to warn for the transgression**  
of a תולדה **by its specific אב**; otherwise the transgressor cannot be punished -

**כדאמרין בפרק תולין (שבת דף קלח,א) משמר משום מאי מתרין ביה -**  
As the גמרא states in פרק תולין and asks; **on account of which אב do we warn one**  
who is משמר (strains wine) on שבת? The גמרא continues that it is a dispute -

**רבה אמר משום בורר רבי זירא אמר משום מרקד -**  
**רבה maintains** that he is warned **on account** of the מלאכה of בורר (selecting); while  
**ר' זירא maintains that** he is warned on account of מרקד (sifting). It seems evident  
from that גמרא that it is necessary to warn a תולדה, by mentioning the אב.<sup>2</sup> It is therefore  
understood why the חכמים divided the מלאכות into various אבות; in order to properly warn a  
transgressor. The question therefore is, why does the גמרא ask that according to ר"א what is the  
purpose of calling certain אבות – מלאכות; when there is an obvious purpose?!

תוספות answers; in truth it is not necessary to warn for a תולדה by mentioning the אב. One can  
warn for a תולדה even by mentioning only the תולדה. The מחלוקת in מסכת שבת is if he warned him  
through the אב (instead of the תולדה) as תוספות will now explain.

**ויש לומר דהכי פריך<sup>3</sup> משום מאי מתרין ביה שהוא חייב -**

<sup>1</sup> The answer of the גמרא seems to be that there is no practical difference; it is merely that the מלאכות which were in the משכן are called אבות and their derivatives are called תולדות. See footnote # 6.

<sup>2</sup> See 'Thinking it over' # 2.

<sup>3</sup> The gloss in the margin amends this to read **משום פירושן** שהוא חייב.

And one can say; that this is the explanation of the question; ‘on account of which **אב מלאכה** can we warn the **משמר** and he will (still) be **חייב** -

**רבה אמר משום בורר אבל התרו בו משום מרקד פטור -**

**רבה** said on account of **בורר** only; however if the **משמר** was warned on account of **מרקד** he will be exempt from punishment -

**דכיון שהוא מתרה בדבר שאין דומה<sup>4</sup> סבר שמלעיג בו ופטור -**

For since he was warned with something (מרקד) which is not similar to **משמר**, the transgressor assumes that the witnesses who are warning him are mocking him, and he will be **פטור** from any punishment -

**אבל אם התרו בו ואמר אל תשמר חייב<sup>5</sup> -**

However if they warned the **משמר** and said to him, ‘do not be **משמר**’, he will be **חייב** even if no **אב** is mentioned. answer is that it is not necessary to warn a **תולדה** through its **אב**; rather a **תולדה** can be warned as itself – the **תולדה**. Therefore the **גמרא** asks that according to **ר"א** there is no need at all to categorize the **מלאכות** into **אבות** for it (seemingly) serves no purpose.

**תוספות** offers an additional answer; that in truth a **תולדה** must be warned only through the **אב**, and question will be answered as follows:

**ועוד יש לומר דזהו שמתרץ הך דהואי במשכן קרי ליה אב וצריך להתרות התולדה בשמה -**

And in addition one can say that this is indeed what the **גמרא** answers; ‘these **מלאכות** which were in the **משכן** are called **אבות**’ and it is necessary to warn the **תולדה** in the name of the **אב**. The question which **תוספות** initially asked (which would answer the **גמרא**’s question), is indeed what the **גמרא** actually answers. The **חכמים** instituted **אבות** in order to be able to warn the **תולדות**. The **אבות** were chosen to be those **מלאכות** which were in the **משכן**.<sup>6</sup>

**תוספות** continues:

**ועוד<sup>7</sup> דנוטע ומבשל אין צריך להתרותו משום אב ואם התרה<sup>8</sup> משום התולדה חייב -**

And<sup>9</sup> furthermore it is not necessary to warn planting (נוטע) and cooking (מבשל) on account of their respective **אבות** (which are **זורע** and **אופה** respectively),<sup>10</sup> and if he warned them on account of the **תולדה** he is **חייב** -

<sup>4</sup> According to **רבה** only **בורר** is similar to **משמר**; not **מרקד**.

<sup>5</sup> The **תולדה**. He needs to be warned that he is doing a **מלאכה** and is **עובר** on **משום מלאכה**.

<sup>6</sup> According to this answer there is a practical difference in **אב** **קרי ליה אב**; namely, that the **תולדה** must be warned **האב**. See footnote # 1.

<sup>7</sup> The **מהר"ם** deletes the word ‘ועוד’.

<sup>8</sup> The **מהר"ם** and others read; ‘ואם התרה **התולדה** משום **נוטע** חייב’.

<sup>9</sup> There are conflicting interpretations and readings of the text in this last ‘answer’ of **תוספות**. The text was translated here (without explanation) as it appears in our **תוספות**. For a more detailed discussion, see ‘Appendix’.

<sup>10</sup> See **שבת עג,ב**.

**ואפילו הכי לא חשיב ליה בפרק כלל גדול<sup>11</sup>:**

**And nevertheless** אבות מלאכות **are not mentioned in פרק כלל גדול** among the נוטע ומבשל.

### **SUMMARY**

The first answer of תוספות maintains that it is not necessary to warn a תולדה through the אב. However, if it is warned through an אב, it must be the correct אב. The second answer of תוספות maintains that it is necessary to warn a תולדה through the אב (which is the answer of the גמרא).

### **THINKING IT OVER**

1. How are we to understand the question of the גמרא that 'ולר"א וכו' אמאי קרי ליה אב? Does it mean, why did the חכמים divide the מלאכות into thirty-nine categories (and designate certain מלאכות as אבות); or what is the difference between an אב and a תולדה?

2. תוספות initially proved from משמר that it is necessary to be מתרה a תולדה through the אב (and therefore תוספות has his difficulty).<sup>12</sup> Why cannot we say that it is only according to the חכמים that it is necessary to be מתרה a תולדה; however, according to ר"א it is not necessary?!<sup>13</sup>

### **APPENDIX**

After תוספות offers two תירוצים (one maintains that א"צ להתרות תולדה ע"י האב, and the second maintains that א"צ להתרות תולדה ע"י האב), תוספות continues (according to our גירסא): 'ועוד דנוטע ומבשל אין צריך להתרותו משום אב ואם התרה משום התולדה חייב: (גירסא). It is not clear what תוספות means with this 'ועוד'. Here are three explanations.

1. The 'נוטע ומבשל א"צ להתרות משום אב ואם התרה תולדה משום נוטע חייב: גורס מהר"ם (omitting the word 'ועוד' and inserting 'תולדה משום נוטע'). According to the מהר"ם it is a continuation of the second תירוץ, which requires us to be מתרה לתולדה ע"י האב, and that this is what the גמרא meant when it answered 'הך דהוי במשכן קרי ליה אב'. There is a difficulty with תוספות second answer, that when the גמרא states 'הך דהוי במשכן קרי ליה אב', it means that it is necessary א"צ להתרות לתולדה ע"י האב; for if this is what the גמרא means, the גמרא should have said it clearly. תוספות is addressing this difficulty, that the גמרא could not have stated that א"צ להתרות לתולדה ע"י האב, for by (which are not mentioned in פרק כלל גדול as one of the אבות), it is not

<sup>11</sup> אבות מלאכות משנה where the שבת עג,א.

<sup>12</sup> See footnote # 2.

<sup>13</sup> See חדושי ר"נ אות יג בסופו.

necessary to warn them **ע"י האב** (which is **זורע ואופה** respectively), and furthermore if we are **מתרה** a **תולדה** of **נוטע**, such as **מרכיב** through **נוטע**, he is **חייב** (even though **צריך** is not [‘officially’] an **אב**). Therefore the **גמרא** could not have stated that **ע"י האב** because **נוטע** and its **תולדות** are not required to be warned **ע"י האב**. What the **גמרא** does say is **אב** **קרי ליה**, and indeed **נוטע ומבשל** were in the **משכן**, and therefore one can be **נוטע ומבשל** also, even though they are not mentioned as **אבות**.

2. The **תרה משום** **גירסא** of **ועוד** (and accepts either **תפארת שמואל** is **גורס** the **ועוד** (and accepts either **גירסא** of **ועוד** as correct) and maintains that **ועוד** is a third answer of **תוספות**. This answer maintains (as the second answer does) that it is necessary **ע"י האב** **להתרות התולדה**; however, the **גמרא** could not have answered that the difference between an **אב** and a **תולדה** (according to **ר"א**) is that it is necessary to be **ע"י האב** **מתרה לתולדה**, for we see that it is not so by **נוטע ומבשל**. They are not **אבות** and nevertheless they can be warned **ע"י התולדה** – by themselves; and even other **תולדות** of **נוטע** such as **מכריך** can be warned **ע"י** which is not an **אב**. Therefore it is obvious that the nature of an **אב** is not that a **תולדה** must be warned only **ע"י האב**; it must be something else.

3. The **הגה"ה** on the **תפארת שמואל** has a different explanation. He maintains that the **ועוד** is intended to bolster the first answer of **תוספות**; where **תוספות** contends that it is not necessary **ע"י האב** **להתרות התולדה**. There is a certain difficulty with this answer. **תוספות** explained that if one is **ע"י האב** **מתרה לתולדה** it must be the proper **אב**. If that is so then the question seemingly remains; it was necessary for the **חכמים** to categorize the **אבות** to insure that the proper **התראה** is made in those instances where they were **ע"י האב** **מתרה התולדה**. The **ועוד** removes this difficulty, as well as supporting **תוספות** contention. The fact that by **נוטע ומבשל** it is not necessary to be **מתרה** them through their **אבות** of **זורע ואופה**, proves that it is not necessary to be **ע"י האב** **מתרה לתולדה**. Then **תוספות** continues **ע"י האב** **מתרה לתולדה**; this means that even if he was **מתרה** the **אבות** of **זורע ואופה** through their **תולדות** of **נוטע ומבשל**, he is also **חייב**. We may derive from this that not only is it not necessary to be **מתרה לתולדה**, but that it is possible to be **ע"י התולדה** **מתרה לאב**, therefore the question remains why are some **מלאכות** referred to as **אבות** and others as **תולדות**. As far as **התראה** is concerned you can be **מתרה** any of them either **ע"י עצמם** or **ע"י** anything that is similar to them, regardless which is the **אב** and which is the **תולדה**.