

ואם יצא פטור אבל אסור דברי רבי מאיר – And if he went out he is exempt, but it is forbidden; this is the view of ר"מ

OVERVIEW

The גמרא cited a ברייתא that if a tailor went out with a needle stuck in his garment on שבת (and other similar instances) he is פטור from a חטאת (since it is not the regular way of carrying needles), but it is forbidden מדרבנן to initially carry it in this manner.

responds to anticipated difficulty:

והא דתנן בפרק במה אשה (לקמן דף סב, א) ואם יצאה אשה במחט הנקובה חייבת חטאת - **And regarding that which we learnt in a משנה in אשה; פרק במה אשה 'if a woman went out with a pierced needle¹ she is obligated for a חטאת**, it seems from that משנה that carrying a needle on one's clothing is a usual way of carrying; why is the tailor פטור?

responds:

התם לגמרי דרך הוצאה בכך² – **There by the woman it is perfectly normal to carry in that manner.**

responds to a similar difficulty:

וכן גבי הא דאמר רבי מאיר³ אם שכח והוציאה בפיו חייב – **And similarly regarding that which ר"מ ruled, if he forgot and carried it out in his mouth he is חייב** a חטאת for קרבן חטאת; it is apparent from there that it is normal to carry objects not only in one's hands or pockets; why should it be different here by the needle and the tailor?

responds:

התם נמי דרך להוציא המאכל בפה:

¹ She used the needle to hold her clothes (or her headgear) in place, which is normal. However since it is a pierced needle, which is used for sewing (as opposed to an unpierced needle, which is used to arrange clothing), she is considered as carrying the needle (instead of wearing it) and therefore חייבת חטאת according to ר"מ, for it is normal for a woman to carry needles in such a fashion in order to adorn herself with it.

² However the tailor is not using the needle to arrange his clothing, but rather to advertise his trade, therefore it is not דרך הוצאה בכך; for a tailor (or any man) will not carry needles stuck in his garments (to adorn himself, like a woman does). See שפ"א.

³ כריתות יג, ב. See 'Thinking it over'. (footnote # 12). See תוספות יא, א ד"ה לא.

There also it is normal to carry out food in the mouth, but it is not usual to carry needles stuck in the garment.

SUMMARY

It is not the usual for a man (or tailor) to carry a needle stuck in the garment, as opposed to a woman carrying a needle stuck into her garments (in order to arrange her clothes properly), or for anyone carrying out food in their mouth, which are normal ways of carrying.

THINKING IT OVER

תוספות asks why is he חייב for הוצאה if he carried out food in his mouth.⁴ Later in this מסכת⁵ the גמרא asks this very same question and gives an entirely different answer. How can we reconcile our תוספות with the גמרא?⁶

⁴ See footnote # 3.

⁵ 'ואמאי הא אין דרך הוצאה בכך' the גמרא asks, עמוד on the very bottom of the דף קב, א

⁶ See מנחת אריאל אות ו'