

And he needs the wood

וצריך לעצים –

OVERVIEW

ruled that if one prunes a tree, and intends to use the wood, he is liable for two **קרבנות חטאת**, one for **נוטע** (the pruning helps the tree grow) and one for **קוצר** (he is harvesting the wood). **תוספות** explains the requirement of **לעצים**.

נראה דאפילו לרבי יהודה דמחייב מלאכה שאינה צריכה לגופה¹ בעינן צריך לעצים² -

It is the view of **תוספות** that even according to ר"י who maintains that one is liable for a **לגופה** שאינה צריכה, nevertheless we require that he needs the wood, in order to be חייב for קוצר in this case -

דלא מיקרי בעצים קוצר אלא בענין זה -

For regarding wood it is not considered קוצר unless it is done in this manner, that he needs the wood, but not if he does not intend to use the wood –

תוספות offers a similar example:

מידי דהוה אקורע על מנת לתפור ומוחק על מנת לכתוב³ -

It is like one who tears for the purpose of resewing, or one who erases for the purpose of writing, however for tearing לתפור ע"מ שלא or for erasing לכתוב ע"מ שלא he would be פטור, the same applies to harvesting wood that it requires לעצים -

וכדאמר רבי יוחנן לקמן בפרק חבית (דף קמה,א) אחד כבשים ואחד שלקות שסחטן⁴ -

And as ר"י ruled later in פרק חבית, 'whether it is preserved vegetables or whether it is stewed vegetables, from which he squeezed out their liquid; it depends - לגופן מותר למימיהן חייב חטאת -

If he squeezes out the liquids for the sake of the vegetables (he did not want them

¹ (literally, work which is not needed for itself) refers to a case where one happens to do a מלאכה, but he does not need the מלאכה, for instance where one captures a snake (which is the מלאכה of צד); however he does not want the snake; he trapped it only so that it should not bite him. This is a מלאכה (he is capturing the snake), but it is צריכה לגופה; he does not want what he captured. According to שמעון ר' א' משאצל"ג ר' שמעון, according to ר"י he is חטאת.

² Seemingly according to ר"י he should be חייב for קוצר even if he does not need the עצים; he is doing the מלאכה of קוצר, so even though he does not need the wood (as in the actual מלאכה of קוצר where one needs what he is harvesting), he should still be חייב for ר"י maintains one is חייב for משאצל"ג. This is similar to the case of נחש in footnote # 1. **תוספות** rejects this reasoning.

³ פטור. Similarly cutting wood off a tree is also a מקלקל (not in regards to the קצירה (he is destroying these branches, which he is [supposedly] harvesting), and he would be פטור, unless he is לעצים. [The same would not apply by grains and vegetables or fruits where harvesting them can never be misconstrued as מקלקל. The produce is ripe and needs to be harvested.]

⁴ (squeezing out liquids from its source) is forbidden if one desires the liquid. It is generally considered a חולדה (threshing) where one foodstuff (kernel) is removed from its source (chaff).

to contain the liquid), **it is permitted**, however if he squeezed out the liquids **because he wanted the liquids, he is** ⁵קרובן חטאת חייב. The question is -

ואמאי שרי לגופן ליהוי כמלאכה שאינה צריכה לגופה -

But why is it permitted לסוחטן לגופן; **it should be like a** משאצל"ג?

אלא טעמא לפי שאין דרך⁷ דישה⁸ בכך:

Rather one must say the **reason** it is מותר **because this is not the manner** in which one performs **דישה (threshing)**.

SUMMARY

If one is לעצים צריך ואינו צריך לעצים; it is not considered a מלאכה שאינה צריכה לגופה.

THINKING IT OVER

1. Why does תוספות bring two proofs; one from קורע ומוחק and the other from סחיטה?

2. How can we distinguish between a משאצל"ג (pick anyone⁹) where he is חייב (פטור לכו"ע) and the cases of לעצים צריך ואינו צריך לעצים (where he is מותר) or סוחטן לגופן (where he is מותר)?

⁵ If he wants the liquid, this is the actual תולדה (מלאכה) of סחיטה.

⁶ Even ר"ש agrees that a משאצל"ג is אסור (פטור אבל), so how can ר"י permit to squeeze לגופן?

⁷ סחיטה (squeezing out liquid) is a תולדה of דש (threshing). Threshing is for the purpose of extracting and utilizing the kernels; no one is threshing in order they should have the chaff; it is the opposite of what the intention should be. Similarly here by the liquids if he is סוחט in order the פירות should have no liquid that is the opposite of סחיטה.

⁸ Therefore it is not considered a מלאכה at all, not even a לגופה צריכה. In this case of סחיטה לגופן he is not מלאכה, because the unusual purpose of doing this מלאכה removes it from the category of מלאכה, the same can apply to לעצים צריך ואינו צריך לעצים that it too cannot be considered a מלאכה, since it is אין דרך קצירה בכך.

⁹ See footnote # 1.