

ולבית¹ שמאי אף על גב דלא קעביד מעשה וכולי -

And according to *Bais Shammai*, even if it does not do an action

Overview

The גמרא concluded that according to ב"ש there is שבתת כלים even if the כלים are not actively doing a מלאכה; they are merely passive, but the מלאכה is done through them. תוספות reviews the laws of the משנה according to this conclusion.

השתא דטעמא דבית שמאי משום שבתת כלים -

Now that the reason of ב"ש is because of שבתת כלים -

הנך ג' בבות קמייתא אין שורין דיו וסממנים ואונין ומצודות² הו משום שבתת כלים -

The first three cases of the משנה; namely שורין דיו וסממנים, and אונין, and מצודות, all these three cases are prohibited because of שבתת כלים -

שהמלאכה נעשית בתוך הכלי ונמצא שהכלי עושה המלאכה³ -

For the work is done within the כלי, so it turns out that the כלי does the work -

אבל מוכרין לנכרי ועורות לעבדן וכלים לכובס לא הוי משום שבתת כלים⁴ -

However the cases forbidding selling to a נכרי or giving hide to a tanner, or clothes to a launderer, those prohibitions are not because of שבתת כלים; תוספות explains how can we even think that this involves שבתת כלים, and then negates it -

דבמה שהעורות מתעבדין אין העור עושה המלאכה אלא האדם המעבד עושה המלאכה -

For the fact that the hide is being cured, we cannot consider that שבתת כלים, since the hide is not doing the work, but rather the person who is curing the hide he is doing the work -

וכן בגד המתלבן האדם המלבנו עושה המלאכה⁵ -

And similarly a garment which is whitened (cleaned), the garment is not doing the work, rather the person who is cleaning it does the work, so שבתת כלים cannot apply to these latter cases -

אלא טעמא דאסרי בית שמאי משום דמיחלף בשלוחו -

¹ This תוספות is referencing the גמרא on the עמוד א'.

² ב"ש prohibits doing these three types of activity on ע"ש unless they are completed before שבת. They are; 1. Soaking materials for ink, etc.. 2. Placing flax into the oven, 3. Placing traps.

³ It is forbidden because of שבתת כלים even though the כלים are passive they are not doing anything, nevertheless since they are required for this work to be accomplished and the work is done within the כלי, it is considered as if the כלים are doing the מלאכה. See 'Thinking it over' # 2.

⁴ One might think that since שבתת כלים is applicable even when the כלי is passive, so שבתת כלים can apply to the other cases of the משנה as well (such as עורות לעבדן), where the hide of the ישראל is participating (passively) in a מלאכה.

⁵ There is a difference between doing work passively (which is considered שבתת כלים), and being worked on passively (which cannot be considered שבתת כלים).

Rather the reason ב"ש prohibit these activities is because the נכרי who is doing the work can be confused with his agent⁶ -

ולחכי נמי מוגמר וגפרית דמוקי בסמוך דמנחי אארעא -

And therefore we also understand why by מוגמר וגפרית it is permitted, as the גמרא will shortly establish, in a case where the מוגמר וגפרית are placed on the ground, not in a vessel, and we are not concerned for כלים -

אף על גב שהכלים העליונים מתגפרים ונצבעים לא שייך שביתת כלים כדפרישית⁸ -

Even though that the כלים which are above the מוגמר or the גפרית are being treated with sulfur or colored by the מוגמר, nevertheless שביתת כלים does not apply to them, as I explained -

שהכלי שאין המלאכה נעשית בו אין בהן משום שביתת כלים:

That there is no שביתת כלים by a כלי where the work is not done by the כלי.

Summary

כלים is relevant only to the כלים which perform the task (albeit passively), but not to the כלים on which the task is being performed.

Thinking it over

1. Why does תוספות single out מוגמר וגפרית, that there is no שביתת כלים by them, we could know it ourselves from the fact that there is no שביתת כלים by עורות לעבדן, which תוספות mentioned already?

2. Is the emphasis that שביתת כלים is only if the מלאכה is done inside the כלי,¹⁰ or that the מלאכה is done by the כלי?¹¹

3. Why indeed is שביתת כלים not applicable by a כלי שאין המלאכה נעשית בו?¹²

⁶ One may not appoint a נכרי as his agent to do work for him on שבת (this is referred to as לעכו"ם שבות), similarly here (even though the ישראל did not tell the נכרי to do the work on שבת, nevertheless) when one sees the נכרי working on behalf of the ישראל he may mistakenly assume that this נכרי is the שליח of the ישראל, which is forbidden.

⁷ The following is understood since we made the distinction noted in footnote # 5.

⁸ See footnote # 5.

⁹ The כלים העליונים that are מתגפרים ונצבעים are not doing the work, rather the work is being done to them, therefore שביתת כלים does not apply to them.

¹⁰ See footnote # 3.

¹¹ Think (וקוקרי) להי.

¹² See תוספות הרא"ש.