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השיעור השבועי
The Weekly Halacha Shiur of Maran HaRishon LeTzion Rabbi Yitzchak Yosef shlit"a

Based on the weekly Motzaei Shabbat shiur in the Yazdim synagogue that was established by Maran Rabbenu Ovadia Yosef ztk"l.

Refuah Shelemah for Yishak Ben Hanom Hannah



Parashat Hayei Sarah
Shabbat candlelighting
Brooklyn, NY 4:28 PM



Dedicated in Honor of Mr Harry Adjmi for his tireless work for our community.

Benefiting from Ma'aseh Shabbat (Part 4)

Weekly Shiur from Maran HaRishon LeTzion HaGaon Rabbi Yitzchak Yosef shlit"a, Motzaei Shabbat Parashat Vayera 5787, Shiur #569

Topics of the Shiur:
Benefit from *Ma'aseh Shabbat* in a Disputed Matter | *Amirah LeNochri* in a Disputed Matter | One Who Squeezed Fruit on Shabbat | Squeezing Lemon on Shabbat | Reheating a Dish That Is Mostly Dry | Heating a *Sufganiyah* with Jam and Water | Pouring onto Coffee with Cardamom | Heating Fish with Lemon | Tap Water Poured into *Hamin* | One Who Covered *Hamin* That Was Not Fully Cooked | Listening to the Rosh Kollel Regarding Learning with a *Chavruta* and the Study Schedule | Cooking by *Grama*

Shiur of Maran HaRishon LeTzion shlit"a

A Matter in Dispute

[1]In the previous shiurim we explained that *ma'aseh Shabbat* is forbidden *mide'rabbanan* (Rabbinically). Therefore, in a matter on which the poskim disagree, *bedi'eved*, if it was done, the food may be eaten on Shabbat even though the halachah was decided to forbid it. So wrote *Pri Megadim* (*E.A.* 318:10), *Magen Avraham* (323), *Maharsham* (*Daat Torah* 318:1), *Mishnah Berurah* (318:2) and others. Likewise, something subject to a dispute may be done by telling a non-Jew to do it, since *amirah lenochri* is Rabbinic. It is therefore permitted to tell a non-Jew to take cooked soup that is cold from the table or the refrigerator and place it on the *plata*; one need not hint, but may tell him explicitly. So wrote the Chida (*Shiyurei Berachah* 318:1) in the name of *Maharash*, *Sha'ar Aryeh*, and *Maharil Vali*. So too wrote *Tiferet Yisrael* (*Kilkelat Shabbat*, end of the laws of *amirah lenochri*, 5), *Zera Emet* (beginning of 40), *Ma'amar Mordechai* (337:2)—they lived about 250 years ago—and others: wherever the poskim disagree, it may be done through a non-Jew. However, *Maharshal* (*Yam Shel Shlomo*, *Betzah* 4:9) wrote to be lenient in this only in a case of great loss, or when one is in a great hurry, or for the sake of a mitzvah, but not otherwise. *Pri Megadim* (*E.A.* 314:11) cited him, and so wrote *Mishnah Berurah* (314:37) and *Igrot Moshe* (*O.C.* 2:79). We, however, accepted the rulings of the *Bet Yosef*, who permitted it through a non-Jew without qualification.

A Lone Opinion

Today a certain *talmid chacham* met me and said: According to this, in every matter we will find some lone opinion and rely on it to tell a non-Jew, or to be lenient regarding *ma'aseh Shabbat*. I told him that one cannot take this too far; we are lenient only when it is the opinion of early poskim. *Maran HaBet Yosef* (314:7) wrote that if one has no key to open the lock of a barrel, one may not break the lock for the sake of Shabbat; this applies specifically to a Jew, but through a non-Jew it is permitted, "since there is an opinion that permits it even by a Jew." That is based on the opinion of an early authority, *Sefer Halttur*. But a mere lone opinion of a contemporary *Acharon* certainly cannot be relied upon to be lenient.

One Who Squeezed Oranges on Shabbat

For example, in the year 5704, Maran zt"l was a young man of 23 and would give shiurim to *ba'alei batim* in the evening. He had asked permission from HaGaon Rabbi Ezra Attiya, the teacher of rabbis, to give shiurim in halachah to the general public, and Rabbi Attiya told him: Certainly! If you aren't worthy of giving shiurim, who is?! You finished Shas at age 15, so you are certainly worthy of giving shiurim in halachah. From then on the Rav gave shiurim with his sweetness of speech, while he still had no beard. Once he spoke about the laws of squeezing. The Gemara (*Shabbat* 144b) explains that squeezing olives for oil and grapes for wine is forbidden by Torah law, and squeezing mulberries and pomegranates is forbidden *mide'rabbanan*. *Bet Yosef* (320) writes in the name of *Shibbolei HaLeket* (90) that the same applies to any fruit that is commonly squeezed—such as oranges, or in our day watermelon (there is a bottle of watermelon juice that is only flavoring, but there is also squeezed watermelon; see *Halichot Olam*, vol. 4, *Parashat Yitro* 1; *Yalkut Yosef*, *Mitzvot HaTeluyot BaAretz*, vol. 1, p. 509)—which is forbidden to squeeze *mide'rabbanan*, as a decree lest people come to permit squeezing olives and grapes. Only fruits that are not commonly squeezed anywhere in the world may be squeezed on Shabbat. Chacham Ezra Hedaya—brother of Chacham Ovadia Hedaya, author of *Yaskil Avdi*—stood up and disagreed with Maran, especially since Maran was then a young man... He said: It once happened that I was before my father, HaGaon Rabbi Shalom Hedaya, and before Chacham Yeshua Palagi, of the family of Rabbi Chayim Palagi, and I squeezed oranges on Shabbat in front of these rabbis and served them. They drank and said nothing to me. So why do you say it is forbidden to squeeze oranges on Shabbat?!

They Were Immersed in Learning

Maran heard this and was surprised: How could he have squeezed in front of them? He said: They were probably immersed in their learning and did not notice that he had squeezed on Shabbat; had they noticed, they would have said something. Not every incident teaches us halachah. And even if their view was to permit it, they left me room to distinguish myself. That *chacham* went on to say: The *Kaf HaChayim* (320:8) says it is permitted! The Rav told him: That is incorrect. *Kaf HaChayim* was speaking of fruits that are not usually squeezed, but if they are commonly squeezed, it is forbidden *mide'rabbanan*. How can one permit it? Should we say that since Rabbi Shalom Hedaya and Rabbi Yehoshua Palagi permitted it, we may be lenient because of *safek de'rabbanan lekula*? With all due respect to their greatness, this is an opinion rejected by the halachah, and it cannot be combined with other factors.[2] Many years

1 **From the words of Rabbi Yitzchak Levi shlit"a:** By permission of Maran HaRishon LeTzion, *morenu ve'rabbenu*, the crown of our head, the crown of the glory of Yisrael, teacher of all the Jewish people. We merited that a few days before Maran zt"l passed away, it was he who crowned for us his son, *morenu ve'rabbenu*, Maran HaRishon LeTzion shlit"a, to lead the Jewish people in the world of the rabbinate, and now also in the general leadership of the Jewish people. Not only does Maran shlit"a bear the radiance of his father's countenance, but in every area he continues the path of Maran, in halachic rulings and more. In his approbations to his books, Maran wrote of him, "He continues my path, in the straight way that I marked out for him in halachic rulings," and he repeated this several times (in the approbations to *Yalkut Yosef* on *Kibbud Av VaEm*, *Hilchot Orlah* and *Hilchot Kilayim*, and to *Ein Yitzchak*). There is nothing like it. He never disagreed with Maran. For decades now, Maran shlit"a has been running from place to place to bring merit to the Jewish people, not sparing his strength, his age or his time, going from city to city to proclaim the word of Hashem, which is halachah, in halachah, in conduct and in outlook. *Baruch Hashem* that we have merited this, and we must continue on this path.
I remember about 25 years ago, Maran zt"l sat here on the Motzaei Shabbat before elections and said: Look, I have heard from the activists that people are interested in listening and there is a thirst. It is not only at election time that we need to speak with people; every avrech should make sure that there are Torah shiurim in his bet kenesset, so that there will not be a single bet kenesset without Torah shiurim. He added: If they pay him, good; if they don't pay him, also good. The main thing is that there be shiurim everywhere. Above all, we must cling to every word of Maran shlit"a, for the voice of Maran zt"l speaks from his throat. When we were in the yeshiva, with every question that arose, whether in halachah, in outlook or in running the yeshiva, the Rav would always calculate what Maran would say in such a situation. So it is to this day. No one in the world merited to learn from and serve Maran zt"l as Maran shlit"a did. Therefore we have the privilege of staying close to the Rav, clinging to the hem of his robe. All that remains is to wish and bless Maran that we may merit his leadership for many more years, until a hundred and twenty, until the coming of the righteous redeemer, amen.
Remarks of Maran shlit"a: *Chazak u'baruch* to HaGaon Rabbi Yitzhak Levi shlit"a, Rav of Nesher, who spreads Torah and follows the path of Maran. More than that: if he sees that people raise all kinds of questions against Maran, he answers and resolves them. Sometimes one sees that people simply did not understand Maran's words, and he removes the dust from them. Even though he is half Tunisian, he clings to Maran... May he merit length of days and years, to magnify Torah and glorify it.

2 Regarding *Shemittah*, I discussed in *Yalkut Yosef* (*Shevi'it*, p. 503) whether in the *Shemittah* year one may squeeze an orange that has *kedushat shevi'it*, since squeez-

later, Maran told this story in his books *Yabia Omer*, vol. 8 (*O.C.* 36:2), *Halichot Olam*, vol. 4 (p. 95) and *Chazon Ovadia*, *Shabbat*, vol. 4 (*Melechet Dash*, note 8), and wrote that he presented the matter before his teacher, HaGaon Rabbi Yaakov Ades,[3] who told him: "See, your words are good and correct to the understanding and upright to those who find knowledge, and whoever disagrees with them has not properly ground his flour." Therefore, the conclusion is that it is forbidden to squeeze oranges on Shabbat, and one who deliberately squeezed oranges on Shabbat cannot be permitted to benefit on the grounds that this is a matter of dispute among the poskim, since a rejected opinion is not combined with other factors. But if he squeezed inadvertently, since he transgressed a Rabbinic prohibition, the juice may be drunk on Shabbat. Likewise regarding *amirah lenochri*: one may not be lenient and tell a non-Jew to squeeze oranges for us on Shabbat. This is a Rabbinic prohibition, and we are not lenient with *amirah lenochri* for a Rabbinic prohibition unless there is a great need for it, one is in a great hurry, or it is for the sake of a mitzvah, as explained in 307:5.

Squeezing Lemon on Shabbat

It is permitted to squeeze lemon on Shabbat; this is the custom of us Sepharadim. Therefore, if one is eating a salad or a somewhat dry fish fillet and wants to squeeze lemon onto it, it is permitted. And if an Ashkenazi eating with us asks, "Squeeze some onto my fish too," one may squeeze it for him, even though they are stringent about this. "Watch out for me and I'll watch out for you": today you do it for him, and tomorrow he will do for you something that is permitted to him and forbidden to you... In any event, for us Sepharadim it is permitted to squeeze lemon on Shabbat. This is stated explicitly in the *Bet Yosef* (320) in the name of Rabbenu Yerucham (12:8, p. 77d), and this is also the opinion of *Shibbolei HaLeket* (90) and other great *Rishonim*, that it is permitted to squeeze lemon on Shabbat. So ruled the *Shulchan Aruch* (320:6).

A contemporary author disagreed with Maran zt"l and was stringent about this. He wrote in his book, "It seems to me" that in our day it is forbidden to squeeze lemon on Shabbat. He argued that in their time people did not usually squeeze lemons, and so it was permitted, but today natural lemon juice is sold, and it therefore reverts to the status of oranges and the like, which may not be squeezed on Shabbat (*Menuchat Ahavah*). However, he is not correct, because there are two reasons for permitting lemon to be squeezed on Shabbat. One reason is that the entire prohibition concerns fruits that are squeezed and whose juice is drunk as is, whereas lemon is mixed in small amounts into tea, lemonade and the like, and the juice is not drunk on its own; the Sages did not decree on such a mixture. The other reason is that one squeezes the lemon only into a drink, and that is permitted, but not on its own. The *Acharonim* adopted the first reason: Rabbi Yehudah Ayash, *Shulchan Aruch HaRav*, *Aruch HaShulchan*, *Torat Shabbat*, *Ikrei HaDat*, *Sha'ar Shlomo*, *To'afot Re'em*, *Rashban*, *Petach HaDevir*, Maharam ben Adret and others, and one cannot disagree with all the *Acharonim*. In any case, since Maran, who lived about 450 years ago, wrote to permit it—and in Maran's time people did squeeze lemons and made barrels and barrels of the juice, and he nevertheless permitted it—it is also permitted in our day. One must know not to disagree with the majority of the well-known *Acharonim*.

Heating a Sufganiyah with Jam

One must only be careful of the following. When one squeezes lemon on fish on Shabbat, the lemon is uncooked, and one must take care not to place this fish on the *plata* to heat it. Although the fish was already fried or cooked before Shabbat, the lemon becomes cooked on Shabbat, and this is a *pesik reisha denicha lei* (an inevitable result that he is pleased with). This is similar to what we once discussed regarding heating a *sufganiyah* (donut) with jam on Shabbat. Some bakers economize on jam and mix uncooked tap water into it. When one heats the *sufganiyah*, the *sufganiyah* itself is a dry item, and there is no cooking after baking or frying, just as it is permitted to heat bread. The jam too is cooked, and HaGaon Rabbi Shlomo Zalman Auerbach (*Shalmei Moed*, p. 245) writes that we follow the main item, which is the *sufganiyah*. Similarly, it is permitted on Shabbat to heat fish with sauce: even though there is sauce floating, it is called fish. Likewise, fully cooked *hamin* that has cooled may be reheated even if there is floating sauce, because we follow the dry majority, and it is called *hamin* and not soup. Last week someone asked me whether "majority" means 51 percent. I said that this is not like the Knesset, where every vote decides... Rather, we follow the name of the dish, and if it is called "*hamin*" or "fish," it has the status of a dry item. Likewise gefilte fish that has a little sauce or fat: we follow the majority, and it may be heated. On another occasion we will elaborate on why we follow the majority here, but this is what emerges from the *Bet Yosef* (253), and so wrote *Minchat Kohen* (2:2), *Pri Megadim*, *Yad Aharon*, *Shem Chadash*, *Eretz Chayim*, *Zera Emet*, *Maharsham* (*Daat Torah* 318:15), *Eglei Tal*, *Har Tzvi* and others. *Ohr LeTzion* was stringent about this because he did not see the words of *Minchat Kohen* in the original, and saw only the abridgment of his words in *Pri Megadim*. Had he seen *Minchat Kohen* inside, he would have permitted it. See *Yalkut Yosef*, *Shabbat*, vol. 1, part 1 (p. 525).

Jam with a Little Water

Rabbi Shlomo Zalman Auerbach did not address the fact that uncooked water is added to the jam, but in our day this has been brought to attention. One cannot say that the water is nullified in the majority, for this is like coffee with cardamom. The cardamom gives flavor, and it did not go through roasting, since it was not roasted together with the coffee, nor was it cooked. When one pours boiling water on it from the urn, *iruy* from a *kli rishon* cooks the outer layer (*kedei kelipah*), and the cardamom is like the outer layer itself, so it becomes cooked. Rabbi Elbaz once asked Maran during a shiur[4] whether one may pour boiling water on coffee with cardamom, and Maran was not comfortable with it, since the cardamom is uncooked. This is like the *sufganiyah* with jam that has water mixed in. I elaborated on this in *Yalkut Yosef*, *Chanukah* (appendix, letter 6, p. 714). One must distinguish between what Rabbi Frank wrote (*Har Tzvi*, *O.C.* 1, p. 263)—that the secondary item follows the main item, just as one who carries a living person on a bed is exempt even for the bed because it is secondary to him (*Shabbat* 93b)—and our case, which involves initial cooking.

Standing Guard

It has become clear that most bakeries do not add water to the jam, and even if there are small places that do, it is a matter of doubt. Therefore, one who wants to heat a *sufganiyah* on the *plata* on Shabbat Chanukah should stand guard so that it does not reach *yad soledet bo*. True, it is forbidden to heat uncooked water in such a way, checking that it does not reach *yad soledet bo*, as a decree lest one forget (*Shulchan Aruch* 318:14), except for the needs of a baby or a sick person (*Halichot Olam*, vol. 4, p. 63; *Chazon Ovadia*, *Shabbat*, vol. 4, p. 375). But here there are several grounds for leniency. First of all, if one heats the *sufganiyah* until the jam reaches *yad soledet bo*, it will harden and be ruined, and he does not want that; in such a case the Sages did not decree lest one forget. *LaKadmonim Shomim* (pp. 93–94) cites *Ritva* (*Shabbat* 40a), who wrote that this case is different, since one wants them for drinking and does not want them very hot, and does not leave them there to cook them, as that is not how it is done. However, this can be rejected, since *Ritva* follows his own view, in line with *Rashi* and those who follow him, who permit it. For us, who rule like the *Shulchan Aruch* that forbids it, *Ritva*'s words cannot be combined. But one can add that here it is a mixture, that perhaps no water was put into the jam at all, and that perhaps it is

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ing would seem to diminish its sanctity. *Torat HaShemitah* (Grossberg, p. 13) cites in the name of HaGaon Rabbi Gershon Lapidot—he lived in the Bet Yisrael neighborhood and was one of the great men of the generation, and Maran was close to him and spoke with him a great deal in learning—that he forbade squeezing oranges because of *kedushat shevi'it*. But Rabbi Mintzberg, who lived in Meah She'arim, held that since most people squeeze oranges and they are meant for this, it is not considered diminishing their sanctity, and it is permitted, just as one may squeeze grapes that have *kedushat shevi'it*. So regarding *Shemittah* a leniency emerges, that it is permitted to squeeze, and regarding Shabbat a stringency emerges, that it is forbidden to squeeze, because we follow the reason of the matter: these fruits are meant for squeezing.

3 The father of Chacham Yehuda Ades. In the time of Maran zt"l, after the shiurim of Rabbi Ezra Attiya, they would hear shiurim from Rabbi Yaakov Ades, and Maran said that he received a great deal from him in his method of learning. In the book *Chedvat Yaakov*, published after his passing, one sees his method of learning, the Sephardic way of broad knowledge, as Rabbi Chayim Palagi, the *Birkei Yosef*, the *Sdei Chemed* and others write. This was already discussed at length in the introduction to the responsa *Rav Pe'alim*, vol. 1: there are two methods of halachic ruling. One method, generally followed by the Ashkenazi rabbis, is based on reasoning and on precise reading of some *Rishon*, and they are satisfied with that. But the Sephardic rabbis fulfilled "Torah is acquired only in a group" (*Berachot* 63b), learning one thing from another and opening *Rishonim* and *Acharonim*. That is the way of Maran zt"l. Chacham Yaakov Ades was a *ram* in Yeshivat Porat Yosef. He had one son, named Avraham, who died young. He was a prodigy and his father delighted in learning with him, and they buried him on the Mount of Olives. Maran told me that when he learned under Chacham Yaakov Ades in the yeshiva in the Old City, Chacham Yaakov would look out the window toward the Mount of Olives, see his son's grave and weep, saying: Had I posed this question to my son, he would have answered it for me... A delegation of rabbis went to the Rishon LeTzion of the time and told him that Chacham Yaakov Ades was weeping and his health was suffering, and they asked that he be given a different position. They appointed him a *dayan*. There was no legal adviser to impose all sorts of conditions; what the Rishon LeTzion said is what was done. He did not live long, but he was a great man.

4 With Maran, people did not ask questions in the middle of a shiur, except for one person—Rabbi Ezra Shetiat a"h, who would stand and ask questions. Generally the Rav did not agree to questions, because sometimes people don't realize that the question is complicated. Here at the Yazdim too, we don't ask questions; whoever wants to writes a letter, and I receive it. I usually answer, and sometimes I don't, because it is already written in *Yalkut Yosef*, so why should I repeat it? Open it and see. Someone once sent me a letter of thirty or forty pages, full of foolishness and politics. I didn't answer him and put it aside, and the household threw it out. Afterward he sued me in court: Why don't you answer?... Am I obligated to answer you? And what will the court do, impose a fine?!... What foolishness. But a serious person who asks a question in halachah, I try to answer. When I held the position, I wrote over twenty thousand letters; they are in the archive of the Rabbinate and they brought me a copy, all of them on halachah and outlook. That is what I answer. If someone wants to ask about the shiur, why not? Let him write to me, and I will write to him, "See *Yalkut Yosef*..." or I will explain it to him.

a *chatzi shiur* (less than the minimum measure). Therefore, if one stands and watches that it does not reach *yad soledet bo*, it is permitted; otherwise one should not be lenient.

Water That Became Mixed into Hamin

In any event, regarding fish with lemon, one must be careful not to place it on the *plata*, because this cooks the lemon, and nullification in a majority does not apply to the laws of cooking on Shabbat, just as one may not add a little tap water to a dish. We must discuss what the law is *bedi'eved*. More than sixty years ago, on a Friday night at two in the morning, two bachurim from Yeshivat Tchebin came to Maran's home, knocked on the door and wanted to ask a question in halachah. They said that they had stood at the garden fence on Elkana Street and had seen Maran awake, sitting and learning and swaying... so they allowed themselves to knock. Maran told them to come in. After the cornerstone of Yeshivat Tchebin was laid on Chana Street, the Gaon of Tchebin had told them: Rabbi Ovadia lives nearby on Elkana Street, and if you have a question in halachah, ask him. They did as he said and came to ask. What was the question? One of them was the student on duty, appointed to serve the food to the students. At one in the morning he went into the dining room to check that everything was in order, and saw that the *hamin* was about to burn because not much water had been put in before Shabbat. Oh no, what will the bachurim eat tomorrow? If they have no *hamin*, they'll eat him... "He turned this way and that, and saw that there was no man" (*Shemot* 2:12), no cameras... He opened the faucet, filled a washing cup with water and poured it into the *hamin*. As his luck would have it, another bachur walked in and said to him: What did you do? "Don't tell anyone..." What do you mean, don't tell? You cooked on Shabbat! He said to him: No, it's nullified... He said: Tomorrow I'll tell everyone, so that nobody eats from your *hamin*. "I have sinned, I have done wrong, I have transgressed; I'll learn the halachah and do *teshuvah*." Nothing doing, I'm publicizing it!... The poor boy's blood would be spilled tomorrow; what could he do? He said: Let's go to Rabbi Ovadia and ask him.

Davar Sheyesh Lo Matirin

Maran zt"l told them: In a large yeshiva pot of *hamin*, the water is certainly nullified in the majority. There is, however, a question to discuss. The *hamin* can be eaten on Motzaei Shabbat, and so it would seem to be a *davar sheyesh lo matirin* (something that will become permitted), which is not nullified even in a thousand—not specifically a thousand, but even in several thousand—on the principle that rather than eat it while forbidden, you can eat it while permitted (*Rashi*, *Betzah* 3b). How, then, can we permit them to eat it on Shabbat? However, the one who did it is considered to have acted deliberately, since he knew it was Shabbat and knew it was forbidden to add water and cook it, and he did so out of panic. One who deliberately does a *melachah* on Shabbat may never benefit from it. It turns out that for him the water is something that will never become permitted, and so it is nullified in the majority. And it is absurd to say that for him it would be permitted, while for others it would be considered something that will become permitted and would be forbidden. So wrote *Ma'amar Mordechai* (318:1), *Tosefet Shabbat* (318:2), *Nehar Shalom* (318:1) and *Chatam Sofer* (in his glosses to the *Shulchan Aruch*, beginning of 318). Therefore Maran permitted it to them: "The humble shall eat and be satisfied" (see also *Halichot Olam*, vol. 4, p. 30). I elaborated on this in *Yalkut Yosef*, published back in 5753 (*Shabbat*, vol. 3, p. 28).

One Who Covered the Hamin

As we said, regarding benefit from *ma'aseh Shabbat* we are lenient in a dispute among the poskim. For example, in the winter[5] on Friday night, a person sits and learns. Even someone sleep a great deal so that they will have strength and alertness of heart to engage in Torah, and in truth one can learn in one hour what the other toils over for two hours—people read the *Maharsha* ten times until they understand it; a person who wants to test himself as to whether he has understood *Tosafot* well should look at the *Maharsha* from time to time, and if he has understood it well, he has also understood *Tosafot* well—and certainly both receive equal reward. Therefore it says, "It is vain for you," meaning, it is for nothing that you suffer, rising early in the morning and sitting up late at night and cutting back on your sleep. It is for nothing, for "so He gives His beloved sleep," meaning, one who sleeps a great deal so as to strengthen his mind for Torah, *HaKadosh Baruch Hu* gives him his portion in Torah, like the one who cuts back on sleep and pains himself, for everything follows the intention. That is what the *Taz* says. One must eat well and sleep well, and in that way learn well. Of course, sleep well not during the study sessions, but in the afternoon break or at night.

Almost fifty years ago, Maran zt"l instructed us in the kollel—let the heads of kollelim listen—to make sure that everyone learns the same thing, and that whoever wants to learn something else should move to another kollel. Likewise, not to agree that people learn alone, but only with *chavrutot*. He would encourage me in this. Maran would come to our kollel, Chazon Ovadia, and say to the avrechim: Listen to the Rosh Kollel and learn with *chavrutot*. I had close to forty avrechim and all of them learned with *chavrutot*. There was an Iraqi avrech, a *talmid chacham*, whose *chavruta* would leave him every Monday and Thursday, and he remained alone—"either a *chavruta* or death" (*Ta'anit* 23a)... I set up a "state commission of inquiry" into why everyone was leaving him, and it became clear to me that instead of learning *Tosafot* or the *Bet Yosef* in depth he would fall asleep. His *chavruta* would look at him and he was asleep. He would wake him, give him a pinch, and after a few minutes he would fall asleep again... until he couldn't go on and left him. I called this avrech in—alone, not in front of everyone—and asked him: Why do you sleep? Perhaps it's a medical problem. What community are you from? Iraqi. I understood immediately: You must pray at *netz*... Right, how does the Rav know? I know, we are Iraqis too; they don't give up *netz*... I told him: People donate money to the kollel and support it on the understanding that people sit and learn. If they fall asleep in the first *seder*, that is not what they are donating for, and it is stealing. Therefore, if you wish you can sit in the kollel, but you will not receive a stipend, because you are sleeping. What should I do? Pray at seven or seven-thirty and rely on the time for *Keriat Shema* according to the *Gra*. Especially avrechim, who get up in the middle of the night for their babies, may rely on the time of the *Gra*, since this is the opinion of *Siddur Rav Saadia Gaon* (end of p. 12)—had the *Magen Avraham* seen his words, he would not have been stringent—and this is the opinion of *Shiltei Giborim* (beginning of ch. 4 of *Berachot*, 4). It is also somewhat implied by the responsum of *Rambam* (*Pe'er HaDor* 44, and in *Perush HaMishnayot*, *Pesachim* ch. 3). So wrote HaGaon Rabbi Zalman (in his *Shulchan Aruch*, 443:4), *Levush* (233:1 and 267:1), *Tosfot Yom Tov* (*Pesachim* 3:2) and in *Ma'adanei Yom Tov* (ch. 1 of *Berachot*, 10:9) and in *Lechem Chamudot* (ch. 4 of *Berachot*, 14), *Chazon Ish* (13:3) and others. And cancel your prayer at *netz*, for it is clear from the words of Maran (89:1) that it is a *mitzvah min hamuvchar* and not an obligation. That way you will come in alert. He said: But Rav, it's like a vow. His father was the regular chazan at Ohel Rachel at *netz*. I called two avrechim and said to them: Let's do a *hatarat nedarim* for him, "It is permitted to you, it is permitted to you"... We did it against his will, for his own good... And *Baruch Hashem* he changed completely. He sat and learned diligently, he was alert and sharp, and everyone asked to learn with him as a *chavruta*. "Weigh the reward of a mitzvah against its loss" (*Avot* 2:1).

When we learned in Yeshivat Chevron, next to me sat a Moroccan Sephardic bachur who had been drawn to Chassidut, and he would go every morning to immerse at the expense of the first *seder*. But one has to pray in the yeshiva and also eat breakfast in the yeshiva; if he came late, nothing would be left for him. What did he do? After *tefillah* and breakfast he would go to the *mikveh*. The *seder* starts at nine—in those days they didn't start at nine-fifteen—and every time he would arrive at a quarter to ten, playing with his *pe'ot* and drying them... I told him: Look, I have already learned a whole *amud* and finished two difficult *Tosafot*. Why do you go to the *mikveh*? Isn't it a pity?! It isn't Erev Yom Kippur or Erev Rosh Hashanah, and we are neither Chassidim nor Lithuanians but in the middle... But he did not listen to me and continued to arrive late. In the end he turned out a simple *mekubal*. "Weigh the reward of a mitzvah against its loss." If he gets up early and it doesn't interfere with his learning, he may go to the *mikveh*, and may blessing come upon him, but not at the expense of learning. How important it is to keep to the schedule of the yeshiva and the kollel.

Likewise, people should not each learn something different; that destroys the kollel. Maran warned me about this. I had two avrechim in the kollel who suddenly decided to learn Daf Yomi, while everyone else was learning *Bet Yosef* on *Even HaEzer*, the laws of marriage, the laws of *kiddushin*, the laws of *gittin*. A delight! I went over to this *chavruta* and said: Maran rules that one should learn *Even HaEzer* like everyone else. One of them said: I consulted yesterday with Chacham Ben Tzion, and he told me: You must know *Shas*; do you want to remain an ignoramus?!... I don't know

5 In the holy yeshivot the winter is called "the holy winter," because there are people who make use of the winter, sitting at night and learning diligently until late. Once a father came to me with a boy in yeshiva ketanah, full of complaints, because his son was growing weak; he looked so weak... He said: This is because of you, Rav. What did I do?... You told at the Yazdim about Maran that you don't remember a single night when Maran went to sleep before two in the morning, and this boy in yeshiva ketanah said, "I want to be like Rabbi Ovadia!" Good for him—he learned from the Ashkenazim to aspire: "I'm going to be a great man!" He sits every night learning until two, and the next morning he's tired, doesn't eat well either, and has grown weak. I stressed to him: Maran slept in the afternoon. You, in a yeshiva schedule, don't have enough time to sleep in the afternoon, so you should go to sleep earlier. And he accepted this. The mouth that forbade is the mouth that permitted... As far back as I can remember, as children we would play and fight at home like all children, and my mother a"h would take us out to the balcony and say: Play and quarrel out there, but in here you are disturbing Abba's sleep... He would close the bedroom door and sleep. The Rabbanit made sure the Rav could sleep well in the afternoon, so that he could learn well at night. We would go out to the balcony, sometimes in the cold of winter, and my mother would say: Keep quiet so that Abba doesn't wake up... She looked after him.

One who sleeps two or three hours in the afternoon, on the contrary, should not go to sleep before two in the morning. Are you an idler?! But a yeshiva bachur barely has three-quarters of an hour to rest, and so he should go to sleep at 12:30 at night, so that he will have the strength to learn. See the *Taz* on *Even HaEzer* (25:1), who writes in the following language: "It is vain for you who rise early, who sit up late" etc. (*Tehillim* 127:2). That is, there are *talmidei chachamim* who deprive their eyes of sleep and engage in Torah a great deal, and there are *talmidei chachamim* who

who eats a lot and sings a lot finishes the meal at eight o'clock; the mother puts the children to bed, and the husband should sit and learn. He sits and learns at least until one in the morning, having slept well on Friday afternoon so that he can learn on Friday night. At one in the morning he wants to open the pot of *hamin* and eat, while his wife is asleep and doesn't see... He opens the pot of *hamin*, takes a little, and gives some to his *chavruta* as well. When he tastes it, he feels that the potato, the beans and the wheat are a little dry, not completely cooked. He says: Tomorrow I'll go pray with the Moroccans, who take their time with beautiful *piyutim*, and by 11:00 the *hamin* will be cooked. He took the lid and put it back on the pot. He has done something severe that carries the obligation of a *chatat*, because it is forbidden to cover a dish that is not fully cooked. Even if he is afraid of flies, let him stand there and wave them away without stopping, but he may not put the lid back. That is cooking on Shabbat.

Ma'achal Ben Derusai

What is the law *bedi'eved*? A person who did not know the halachah took the lid and put it back, so that his wife wouldn't know he had eaten... In the morning he comes and tells his friend: Last night I ate *hamin* at one in the morning. It wasn't completely cooked, so I covered it. Now let's go eat fully cooked *hamin*... The friend says to him: You have transgressed the Torah prohibition of cooking on Shabbat! He answers: But it was already cooked to the level of *ma'achal ben Derusai*. (A robber comes to take money, sees meat on the fire, and he pounces on it and eats it even though the food is not fully cooked: according to *Rashi* (*Shabbat* 20a), a third cooked; according to *Rambam* (*Shabbat* 9:5), half cooked.) According to *Rashi*, *Ramban* (*Shabbat* 38b), *Rashba* and *Ritva* (*Shabbat* 18b and 39a), *Ran* (6b in *Rif*), *Rosh* (*Shabbat* 3:11) and others, one who finishes the cooking of such a food does not transgress the prohibition of cooking, since it is edible with difficulty. But the halachah in the *Shulchan Aruch* (257:4, 318:4) was ruled like *Rambam* (*Shabbat* 9:3): if one cooks something that is not fully cooked, even if it was 90 percent cooked, he is liable. What is the law about eating the *hamin*?

Grama on Shabbat

Ohr LeTzion, vol. 2 (p. 160) wrote that if one opened the pot, saw that the dish was not fully cooked but only to the level of *ma'achal ben Derusai*, and covered the pot again, the food may be eaten. The reasoning given is that all of the cooking here is by *grama*, which is forbidden only *mide'rabbanan*, and so *bedi'eved* one may rely on the poskim who hold that this is not cooking at all. However, regarding the claim that *grama* is forbidden *mide'rabbanan*: the Gemara (*Shabbat* 120b) expounded the verse "You shall not do any *melachah*"—doing it is forbidden, but *grama* is permitted. *Ritva* (*Shabbat* 120b) and Rabbenu Yoel, cited by the *Mordechai* (*Perek Kol Kitvei* 399), wrote that it is at least forbidden *mide'rabbanan* to do a *melachah* on Shabbat by *grama*. But *Tosafot* (end of *Perek Kirah*), *Rosh* (*Betzah* 22a) and many other *Rishonim* wrote that wherever there is a need—even not a great need such as *pikuach nefesh*—one may be lenient through *grama*. This is also the opinion of *Maran HaShulchan Aruch* (334:22). It is astonishing how he assumed that *grama* is forbidden *mide'rabbanan*; this goes against the opinion of the *Shulchan Aruch*. True, the *Rama* ruled that one may be lenient with *grama* only in a case of loss, because a person is anxious over his money. But we accepted the rulings of Maran, that where there is a need it is permitted even *lechatchilah*. How could *Ohr LeTzion* write that *grama* is forbidden *mide'rabbanan*?!

Covering a Pot

In general, his statement that covering a pot is *grama* is also very puzzling. We have 39 *melachot* learned from the Mishkan, and two of them are like *grama*—the *melachah* of cooking and the *melachah* of sowing—and they are nevertheless forbidden by Torah law. We find 10 *Rishonim* who wrote explicitly that covering a pot is included in the *melachah* of cooking if the food is not fully cooked. As *Meiri* wrote (*Shabbat* 73a): Whoever hastens baking or cooking, for example by stirring the pot "or placing a lid" on the pot, "is liable" for cooking. Rabbi Ovadia of Bartenura (*Shabbat* 7:2) also wrote that one who places a lid on a pot standing on the fire is liable for cooking. So wrote *Smag* (*Lavin* 65, p. 14d, and in the first printing p. 13b), cited in the *Bet Yosef* (257:4); *Smak* (282, p. 286); *Sefer HaTerumah* (231), mentioned by *Hagahot Maimoniyot* (ch. 3, 8); *Ra'ah* in *Orchot Chayim* (*Hilchot Shabbat* 74); *Nimukei Yosef* (*Shabbat* 48a); *Piskei Mahariach* (cited in *Kovetz Shitot Kamai*, *Shabbat* 47b); *Machzor Vitri* (*Shabbat* 24); *Kol Bo* (*Hilchot Shabbat*, p. 72); *Chiddushei Rabbi Yehonatan of Lunel* (beginning of ch. 7 of *Shabbat*); and *Tosafot* (*Shabbat* 48a). It turns out that he transgressed a Torah prohibition, not a Rabbinic one.

The Melachah of Sowing

Regarding the melachah of sowing: when a person plants a seedling or sows a seed, it takes a seedling two weeks to take root and a seed three days to take root, as Shach (293:2) wrote in the name of Terumat HaDeshen (191). Rashash (Shabbat 73a) wrote that one is liable for the melachah of sowing even though the rooting will take place only on a weekday, and that as long as it has not taken root, it is "as if it were thrown into a jug." Therefore, if he does teshuvah on Motzaei Shabbat, we advise him to remove the seed he sowed, and according to Rashash he will thereby not have transgressed. Minchat Chinuch (Musach HaShabbat, Melechet Zore'a, and Mitzvah 298:14) did not write this way, and neither did the Admor of Sochatchov in his works Eglei Tal (Melechet Zore'a 2, and there p. 8a, 4) and Avnei Nezer (18:13), nor Ohr Same'ach (Sh*abbat* 3:1, s.v. *Veda*). They disagreed with *Rashash*'s novel view and wrote that the Torah forbade *melechet machshevet* (a deliberate, planned act), and that after he has sown it will not help to remove the seed. Even if a flooding rain falls afterward and ruins the seed, he is liable, because when he placed the seed he intended to sow on Shabbat. Nevertheless, we advise him on Motzaei Shabbat to remove the seed, and in Heaven *Rashash* will serve as his rabbinic advocate and say: *Rabbotai*, it has become clear retroactively that he did not do a *melachah*; let him off. And that is what they will do. Even if *Minchat Chinuch* comes and disagrees, in Heaven they will have mercy on him and go with the lenient view...

One Who Stuck Bread in the Oven

We see that the *melachah* of sowing, which is *grama*, is forbidden by Torah law, and the *melachah* of cooking is also *grama* and is forbidden by Torah law. If one places a tray of challot or a cake in the oven on Shabbat five minutes before sunset and it bakes on Motzaei Shabbat, we follow the time he placed it there, and he has transgressed, as with sowing. In truth, the poskim discuss this as well, for the Gemara (*Shabbat* 4a) says that if one stuck bread in an oven, the Sages permitted him to remove it—thereby transgressing the Rabbinic prohibition of *rediyat hapat* (removing bread from the oven)—before he comes to the prohibition punishable by stoning, before the surface forms a crust. In any case, it is clear that the *melachah* of cooking is forbidden by the Torah even though it is *grama*. This is also implied in the words of *Rambam* (*Shabbat* 9:4, 11): a person who has a pot on the *plata* with a dish that is not fully cooked, and who stirs the pot—that is, takes a large spoon and mixes it, "the upper ones below and the lower ones above"[6] (based on *Pesachim* 50a; *Bava Batra* 10b; also *Zevachim* 80b and *Bechorot* 17b)—is liable, because stirring is one of the requirements of cooking. It is clear that even though the dish would cook in any case within another half hour or hour, he is liable, since he causes the cooking to speed up.

All of Them Are Liable

This is further implied in the words of *Rambam* (*Shabbat* 9:4), who brought the Gemara in *Betzah* (34a) as halachah in the following language: One put in the fire, one put in the wood, one put on the pot, one put in the water, one put in the meat and one put in the spices—they all became cooks... —and another came and stirred: all of them are liable for cooking, for whoever does any of the requirements of cooking is considered to be cooking. *Rambam* wrote this halachah in chapter 9 of *Hilchot Shabbat*, which is entirely devoted to the *melachah* of cooking, implying that their entire liability is specifically for cooking. This seems to need explanation: the first ones, who put in the wood and the pot, did not cook anything; they only caused the cooking. Why should they be liable for cooking? According to what we said, this is well understood, because the *melachah* of cooking is entirely *grama*, but that is the form of the *melachah*: cooking in a pot over wood and fire. According to the commentators on *Rambam*, the case is where they planned that each would bring something, not where one happened to bring the pot and left. But according to *Rashi* (*Betzah* 34a), the one who put on the pot is liable for tempering and strengthening the iron, not for cooking, since the pot contains no food; only those who bring water, meat and spices are liable for cooking.

Cooking by Grama

There is a discussion among the *Acharonim* about the following case. On Erev Shabbat before sunset, a person takes a rope, smears oil or wax on it and lights it at one end, and the fire advances slowly. When he returns from *tefillah* on Shabbat, he takes a pot with meat or fish and places it above the other end of the rope. A few minutes later the fire will reach underneath the pot and heat the dish. This would seem to be pure *grama*. Rabbi Aharon Walkin, in the responsa *Zaken Aharon* (vol. 1, *O.C.* 15), wrote that once the Torah established that *grama* is forbidden in the *melachah* of cooking, it follows that cooking may not be permitted by any form of *grama*. On the other hand, one can say that a novel law applies only to its own case: the Torah established liability for ordinary cooking on a fire, of which we say that this is the essence of the *melachah* and one is liable, but it did not forbid placing a pot and having the fire arrive on its own. We learn from this regarding a Shabbat timer: if one places an uncooked dish on a *plata* that is off, and the *plata* will turn on in an hour by means of a Shabbat timer and cook it, did the Torah forbid such *grama* in the *melachah* of cooking or not? *Be'ezrat Hashem*, we will continue in the next shiur.

Shas, so I'm stopping and learning Daf Yomi. I told him: If you wish, learn at Chazon Tzion and not at Chazon Ovadia, but if you come to Kollel Chazon Ovadia, you need to listen to Maran. Besides, who said that Chacham Ben Tzion meant for you to learn Daf Yomi during the first *seder*? Learn it in the afternoon break or at night. Being a Rosh Kollel isn't so easy; sometimes there are difficulties. He did not listen to me. That week, when Maran came to give a shiur—he came every week to give a shiur—I went down the stairs to Maran and told him: Abba, there is a *chavruta* violating the instruction to learn *Bet Yosef* on *Even HaEzer* like everyone else. Really? Maran entered the Bet Midrash, and as soon as he sat down he said: Listen, the sign says: Kollel for the study of *dayanut*, learning *Even HaEzer*, and whoever doesn't want to learn at Chazon Ovadia should learn at Chazon Tzion... Why do you come here? He repeated what I had said. I told this avrech: Nu, did you hear? You need to listen to Maran. This is the moral lesson: listen to the Rosh Kollel, learn with a *chavruta*, and what the Rav sets is what is learned. Other things one should learn at night or in the afternoon break.

6 When one takes a pot and places another pot on top of it, everything cooks at once, both what is below, close to the fire, and what is above, far from the fire. These are the wonders of creation. Furthermore, why is it that the water in the sea is salty, while the water in rivers is sweet? Although the sea has waves, its water stands still, and flies and mosquitoes could come and the water would spoil. What did *HaKadosh Baruch Hu* do? He put salt in it, and then it doesn't spoil. A river, however, flows constantly and doesn't spoil, and so the water in the river is sweet.