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**TALMUDIC METHODOLOGY**  
**By Rav Moshe Taragin**

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**Shiur #21: *Tochen***

The *gemara* discusses the procedure of processing grain into bread - the eleven *melakhot* known as “*sidura de-pat*” that are forbidden on Shabbat. One of the actions performed after separating the chaff and straw from the grain kernels (*borer*) is *tochen* or grinding. Grinding was performed in the *Mishkan* in the processing of seeds to manufacture dye, and is therefore one of the 39 *avot melakhot* forbidden on Shabbat.

The Rambam employs the *melakha* of *tochen* to demonstrate the differences between *avot* and *toladot* (*Hilkhos Shabbat, perek 7*). He claims that actions that are BASICALLY similar but exhibit slight variances are considered *toladot*. For example, he claims (7:5) that since the *av* of *tochen* refers to grinding grain into flour, ANY act of reducing the size of an item – such as cutting vegetables into smaller pieces or shaving metallic material into smaller cuts – would be considered a *tolada* of *tochen*. Of course, this sounds very similar to the *melakha* of *mechatekh* or cutting. Presumably, *tochen* is different because the cutting is not as precise and may be limited only to organic items. But it is clear that according to the Rambam, the definition of *tochen* centers on the act of reducing the size of the item.

There are some *halakhot*, however, that may indicate a very different definition of *tochen*. Simple reduction of size may be insufficient to render an act *tochen*; *tochen* is better defined as PROCESSING or IMPROVING the item by size reduction. Some items have little or less utility when they are too large. By reducing their size, one actually improves the item's utility. Without this improvement, no *tochen* has been violated, even if the act of reduction has been performed.

Perhaps the strongest indication that *tochen* entails more than size reduction stems from the *Rishonim*'s discussion of *tochen* of items which already have utility. While the *gemara* provides little discussion about the details of *tochen*, R. Pappa (*Shabbat 74b*) claims that someone who grinds *silka* violates this *melakha*. Most *Rishonim* interpret this as referring to a vegetable, which was

presumably edible prior to the *tochen*. This would indicate that *tochen* applies even if the item is usable before the size reduction.

Those who disagree claim that the *gemara* describes an inedible vegetable, which can only be consumed AFTER cutting and cooking. According to these positions if the pre-*tochen* item were edible no *tochen* has been violated. Others cite Rabbeinu Chananel, who interprets *silka* as referring to a situation in which an INEDIBLE SUBSTANCE was extracted from a palm tree and reduced in size. Since this food is inedible prior to the size reduction, *tochen* is forbidden. Edible items, however, are not subject to the violation of *tochen*.

Some even infer this latter position from the Rambam's language, as he writes that someone who cuts a vegetable IN ORDER TO COOK IT violates the *melakha*. The Remach infers from this Rambam that the vegetable was inedible prior to the cutting and cooking.

Intuitively, *tochen* should not be limited to inedible or unusable items; any size reduction should constitute a violation of *tochen*. Those *Rishonim* who do limit *tochen* to cases in which size reduction endows utility to inedible or unusable items may have disagreed with the basic definition of the *melakha*: *tochen* is defined as processing THROUGH size reduction. If the item was already usable and the size reduction did not confer utility, no *tochen* is violated.

Another indication that *tochen* entails more than size reduction stems from the position of the Rashba (Responsa 4:75), who writes that grinding items for immediate use is not forbidden. In fact, the Rema (321) cites this Rashba and permits all forms of cutting vegetables for immediate use. The Mishna Berura is not certain that this *kula* is reliable and encourages *tochen* vigilance even for immediate use. Perhaps the Rashba assumes that *tochen* is not merely an act of size reduction, but entails an act of preparation/processing. If the grinding is performed for immediate use, in effect, an act of EATING is performed and not an act of PROCESSING. If *tochen* were merely an act of size reduction, the time frame would be irrelevant. However, as the *issur* only applies to an act of processing, any activity that can be subsumed under the act of eating is by definition not permissible.

Viewing *tochen* in this manner may lead to an interesting difference between *tochen* and other *melakhot*. Typically, *melakhot* yield some benefit from the item upon which the action was performed. If the benefit is unrelated to the object of the *melakha*, it is known as *melakha she-eina tzericha le-gufa*, about the status of which the *Tana'im* (R. Yehuda and R. Shimon) argue. What would occur if a person grinds an item that he has no use for? Presumably, this would be considered a classic case of "*eina tzericha le-gufo*" and subject to the aforementioned *machloket* (this is Rashi's argument in *Shabbat* 74b). However, the Mei'ri (comments to *Shabbat* 74b) suggests that independent of the debate regarding the status of a *melakha she-eina tzericha le-gufa*, grinding items that

are not needed is not a violation. Even if we claim, like R. Yehuda, that *eina tzricha le-gufa* is forbidden, this type of grinding is permissible. (The Taz 302:6 lodges a similar claim about *tochen*.) Grinding is unique in that it is only forbidden if the product will have utility.

Again, if *tochen* is defined as merely reducing size, the ultimate utility of the item would not play such a vital role in determining the severity of the *issur*. However, since the very *issur* is defined as one of processing through reducing size, it cannot be forbidden if the grinding is not part of a larger processing of needed items.

Perhaps an additional *tochen* exemption that would revolve around its definition as an act of processing concerns grinding something that has already been ground (*tochen achar tochen*). This question has widespread application, in particular regarding the grinding of baked items, whose flour has already been ground. The Ran and the Mordekhai (in their discussions of *Shabbat* 74a) each claim that *tochen* is not violated if the items have already undergone an act of *tochen*. The Shulchan Arukh does not cite this exemption, but the Rema does. This exemption is difficult to understand. The Iglei Tal questions whether ground substances (flour) which have been reconstituted into solids through baking (bread) are considered *gidulei karka* (organically grown items) and subject to *tochen*. Most *Rishonim* rule that *tochen* only applies to items that grew from the ground or were mined (metals). If reconstructed items aren't considered natural or *gidulei karka* – *tochen* isn't violated.

Perhaps a different logic would explain the exemption of *tochen achar tochen*. If the act of *tochen* is not merely a size reducer but a processor through size reduction, perhaps secondary processing is not forbidden. Similar precedent exists regarding a different *melakha* based on processing – the *issur* of cooking. In that instance, the concept of *ein bishul achar bishul* asserts that secondary cooking is permissible because it does not create the same effect as initial cooking upon raw items. If *tochen* is similar to *bishul* and each entails an act of processing, it too would be forbidden only in the instance of primary processing, but not secondary processing. The Iglei Tal makes this very point in a later attempt to justify those who allow *tochen achar tochen*.

The view that *tochen* is not simply reducing size but processing an item by reducing its size is latent in an interesting response of the Terumot Ha-Deshen (part 2, responsa 56). He discusses cutting "tough" meat into smaller pieces, permitting this because:

- 1) *Tochen* may not apply to meat, which does not grow from the ground
- 2) Even if we do apply *tochen* to meats and non-*gidulei karka*, the meat is edible and not subject to *tochen*.

However, the Terumat Ha-Deshen does forbid crumbling bread so that fish can eat the crumbs. Since the bread was inedible to fish prior to the crumbling, and one CREATES edible fish food by crumbling it, he has violated *tochen*. In effect, the Terumat Ha-Deshen asserts the position with which the *shiur* began: *tochen* is only forbidden if the food is inedible prior to *tochen*. However, in attempting to contrast between edible meat and inedible "fish bread," he clearly articulates that only when food has been CREATED, is *tochen* violated. He reinforces the notion that *tochen* is more than just size reduction.