

## Which labors (*melakhot*) are prohibited on Shabbat?

### The derivation from the Tabernacle

The labors prohibited on Shabbat are those which were performed in the Tabernacle

The Torah states in broad terms concerning Shabbat: “You shall do no manner of work,” without specifying which labors are prohibited. It is clear from various sources that the list of prohibited labors is derived from the ones executed in the Tabernacle: One may not perform on Shabbat any labor that was carried out in the Tabernacle (or similar labors). For example, it is stated in the **Gemara** (49b):

As it was taught [in a *baraita*]: One is liable only for performing a labor for which there was a corresponding [labor] in the Tabernacle. They sowed, and [therefore] you may not sow [on Shabbat]. They reaped, and you may not reap. They lifted the boards from the ground [a public domain, and placed them] into the wagon [a private domain], and [therefore] you shall not carry in from the public domain to the private domain. They lowered the boards from the wagon to the ground, and you shall not carry out from the private domain to the public domain.<sup>23</sup>

23. See also the statement of the **mishna** (96a): If there are two balconies opposite each other on either side of the public domain . . . if the balconies were on the same level, one who passes an item from one to the other is liable, and one who throws an item is exempt. This is because that method, passing, **was part of the service of the Levites in the Tabernacle**: Two wagons along the same level stood behind one another in the public domain, and they would pass the beams from one wagon to the other . . . but they would not throw them.” The same is also indicated by the **Yerushalmi** (7:2): “All the primary categories of labor were derived from the Tabernacle.”

Yet, the **Gemara** (49a) seems to imply that this conclusion is not unanimous, as according to Rabbi Shimon, son of Rabbi Yossi ben Lakonya (see below), the labors of Shabbat are not derived from the Tabernacle. **Tosafot** and **Tosafot HaRosh** ad loc. (s.v. *keneged*) explain his opinion: The Sages found an allusion that there must be thirty-nine labors (see below), and subsequently they determined by **reasoning** which thirty-nine activities are prohibited. In

**Rashi** (ad loc., s.v. *keneged*), **Tosafot** (ad loc., s.v. *keneged*), and other *Rishonim* explain that this idea is also derived from the juxtaposition of Shabbat and the Tabernacle in the Torah. Just as we derive that the construction of the Tabernacle itself does not override Shabbat; it is likewise derived from here that all labors performed in the process of the construction of the Tabernacle are permanently prohibited on Shabbat. Any activity performed in the establishment of the Tabernacle is a “**creative labor**” (*Shemot* 35:33), i.e., a significant, important labor, which is therefore prohibited on Shabbat.

As stated, the Tabernacle corresponds to the creation of the world. Accordingly, just as God’s labor in the creation of the world was performed with creative thought, so too, the Tabernacle was constructed with creative labor on the part of the Israelites. Similarly, just as God rested from His creation, from His creative labor, on the seventh day, likewise the creative labor of the construction of the Tabernacle was halted on the seventh day, and we too rest from creative labor on the seventh day.

The creation of the world is a divine act, whereas the construction of the Tabernacle is a human creation of the inner, sanctified dimension of the world. Thus, the labors of the Tabernacle are considered **creative acts**, important labors, which express the human side of the creation of the world. When we seek to imitate God, Who rested from creative activity in the world on the seventh day, we abstain from all activities that were performed in the context of the creation of the inner dimension of the world, the Tabernacle.

It should be noted that not only is the **list of prohibited labors**

The meaning of the derivation from the Tabernacle

“The Torah prohibited creative labor”

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the words of *Tosafot HaRosh*: The Sages clarified all the most important labors and established them as primary categories, until they reached thirty-nine of them. Nevertheless, the majority of the *Rishonim* maintain that none of the *Amora'im* dispute the claim that the labors are derived from the Tabernacle, and that the opinion of Rabbi Shimon, son of Rabbi Yossi ben Lakonya, should be interpreted differently (see **Ramban**, **Rashba**, **Ritva**, and **Ran** ad loc.). See below, pp. 51–54 for the source for the number thirty-nine.

derived from the Tabernacle, but the same applies to the **manner of their performance**. In several places in the Gemara it is stated that “the Torah prohibited creative labor” (e.g., *Hagiga* 10b; *Bava Kamma* 26a; *Sanhedrin* 62b). In other words, the Torah prohibits on Shabbat only those acts performed in a **planned manner**, a labor that one intended to do and which is carried out in accordance with that plan. If an act of labor is performed without intent, or if it is an indirect result of one’s actions, these actions are not prohibited by Torah law.<sup>24</sup> Likewise, a “creative labor” is specifically an act of **significance**. A labor that is performed in such a manner that it is of no significance,<sup>25</sup> generally in a destructive, ruinous way, or in a strange, unusual fashion is not prohibited by Torah law.<sup>26</sup>

The *Rishonim* disagree whether the prohibited labors of Shabbat are derived only from those activities performed **during the construction of the Tabernacle**, or also from the labors that were performed in the process **of the regular service in the Tabernacle**.

**Rashi** clearly implies that the derivation of prohibited labors from the Tabernacle applies only to those labors which were performed in constructing the **Tabernacle**. As explained below, the **mishna** (73a) that lists the prohibited labors of Shabbat lists, among others, Baking. The **Gemara** (74b) expresses surprise at this:

Rashi and Meiri:  
The prohibited  
labors are  
derived from the  
construction of the  
Tabernacle

24. Many principles of *hilkhot Shabbat* are derived from this idea, including “a labor not necessary for its own sake,” “an unintended act,” “an inevitable consequence [*pesik reisha*],” “causation [*gerama*],” and “unawares [*mitasek*].” Over the course of this book, several of these principles will be mentioned in connection to various cases. We will not analyze them in a comprehensive manner in all their details; that will have to wait for another occasion.

It should be noted that the principle that “the Torah prohibited creative labor” (*melekhet mahashevet asera Torah*) can also lead to stringencies, as will be seen with regard to the labor of Winnowing (pp. 941–942).

25. This point will be discussed below, with regard to the labor of Gathering (pp. 673–681).

26. The **Gemara** in *Hagiga* (10a–10b) states that the *halakhot* of creative labor are like “mountains suspended by a hair,” that is, they include many important details that do not appear explicitly in the Torah but are learned solely from the juxtaposition of the passages of Shabbat and the Tabernacle.

“And one who bakes.” Rav Pappa said: Our *tanna* left out the labor of Cooking the spices for dye, which was performed in the Tabernacle, and [yet he] included the labor of Baking.

In other words, **cooking** was performed in the Tabernacle, as spices would be cooked to prepare dyes for the curtains of the Tabernacle, yet the list of labors in the mishna includes **Baking**, rather than Cooking. It seems clear from the Gemara that baking was not performed in the Tabernacle, but only cooking, which leads to the question of why the *tanna* mentions Baking instead of Cooking. **Rashi** explains (ad loc.):

“And included the labor of Baking,” which does not apply to the work of the Tabernacle at all.<sup>27</sup>

The Gemara’s answer will be discussed below. For now, the question itself is puzzling: After all, baking was performed regularly in the Tabernacle, as the showbread was baked every week. The straightforward explanation is that the labors of Shabbat are not derived from activities performed in the Tabernacle **during the routine service**, but rather from those actions that were carried out during the construction of the Tabernacle. The **Meiri** explains (73a, s.v. *hazore’a*):

In any case, there was no baking in the Tabernacle, as baking applies only to bread, and bread was not needed for the work of the Tabernacle. And do not answer me [that there is the] showbread, as this is not referring to what was performed there after the completion of the construction of the Tabernacle, but what was done there during its construction.

The same conclusion can be inferred from a statement of **Rashi** in a different context. The **Gemara** (75a) inquires into the nature of the liability of one who slaughters on Shabbat: “One who slaughters, due to what is he liable?” **Rashi** (s.v. *hazore’a*) explains that the Gemara is

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27. See also **Rashi**, 73a, s.v. *ha’ofeh*.

asking about the act of slaughtering in the labors of the Tabernacle: “Where was slaughtering in the labors of the Tabernacle?” At first glance, this is surprising, as animals were slaughtered all the time in the Tabernacle. The answer, of course, is that although slaughtering was performed on a regular basis in the Tabernacle, the labors of Shabbat are derived only from those activities that were carried out **in the construction of the Tabernacle**. The Gemara is asking about slaughtering in that context.

This idea accords with the basic principle formulated above. As stated, the construction of the Tabernacle, like the creation of the world, ceased on Shabbat, whereas the sacrificial service of the Tabernacle, like the daily activities in the world, continued on Shabbat. Consequently, when it was established for all generations that those labors which were performed in the Tabernacle are prohibited on Shabbat, it stands to reason that these are the labors carried out during the construction of the Tabernacle, not those labors performed on a regular basis. Activities that were part of the construction of the Tabernacle are considered “creative labor,” as they correspond to God’s actions in the creation of the world, and therefore one must refrain from performing them on the seventh day. By contrast, those actions performed regularly in the Tabernacle are not necessarily “creative labor,” and they do not correspond to the creation of the world. Therefore, they are not prohibited on Shabbat.

Rav Hai Gaon: The prohibited labors are also derived from the service in the Tabernacle

Notwithstanding the above, some maintain that the labors prohibited on Shabbat are also derived from the labors performed in the Tabernacle on a regular basis. **Rav Hai Gaon** states in a responsum (*Toratan Shel Rishonim*, 2:45; *Otzar HaGeonim, Shabbat*, answers section, 157):

With regard to that which you asked . . . Sowing and Reaping, how were they [found] in the Tabernacle?

The daily offering included one-tenth of an *ephah* of fine flour, and there was Aharon’s daily griddle-cake offering (*minḥat ḥavitin*), and a basket of unleavened bread for the inauguration offering; all these were activities in the Tabernacle, and they may be brought

only from that which has been sown and reaped. Since they began [the service] of the Tabernacle in Tishrei in the Wilderness of Sinai, Moshe knew that they would not be traveling from there until its completion, and they could not have relied on finding flour from elsewhere. Rather, they sowed, and it is likely that a miracle occurred and they reaped on the first of Nisan. And [furthermore,] they dwelled in the Wilderness of Kadesh for roughly nineteen years. Rather, they [certainly] sowed and reaped for the offerings. In sum, there are activities in the Tabernacle which may be performed only with that which has been sown and reaped. And it is similarly stated in the Talmud of the West [**Yerushalmi** 7:2]: “We derive the primary categories of labor from the Tabernacle; and what plowing was there in the Tabernacle? For they would plow in order to plant spices,” and these spices were for the incense; and this [principle] includes Plowing, Sowing, and Reaping.

The question he was asked is how it is possible that agricultural labors, such as sowing and reaping, were performed while the Israelites were wandering from one location to another in the wilderness. In his response, Rav Hai Gaon clarifies that in order to prepare items required both for the construction of the Tabernacle and for the sacrificial service, there was no option other than to sow and reap in the wilderness; the Israelites could not rely on the possibility that they would obtain them by some other means. The Israelites had about six months to prepare for the building of the Tabernacle. They sowed and reaped, and a miracle was performed for them that they were able to grow the crops in such a short time. At later stages it happened that the people were encamped in a single place for a long time (e.g., nineteen years in Kadesh), and there was ample time to sow, reap, and prepare what was needed for the sacrificial service.

In any case, it is clear from the opinion of Rav Hai Gaon that the “work of the Tabernacle,” from which the labors prohibited on Shabbat are derived, also includes those activities carried out on a regular basis in the Tabernacle, such as the sacrifice of the daily meal-offering,

the griddle-cake offering, and the burning of the incense. Indeed, an early commentary states in the name of Rav Hai Gaon that the eleven labors which relate to the preparation of bread are derived from activities performed regularly in the Tabernacle:<sup>28</sup>

And Rav Hai Gaon wrote that these eleven labors apply to the daily offering and the High Priest's griddle-cake offering and the offering of inauguration (*miluim*), [as] all of them are from [items that have been] sown and reaped.

According to the opinion of Rav Hai Gaon, although in the Tabernacle itself only those activities performed in its construction were halted on Shabbat, whereas regular services continued on Shabbat as well, nevertheless, our Shabbat is not meant to emulate exactly what was done in the Tabernacle. Therefore, there is no difference between the two categories: Any activities carried out in the Tabernacle, whether during its building or in its sacrificial services, are prohibited on Shabbat.<sup>29</sup>

28. The citation is taken from *Peirush Kadmon MiMitzrayim*, which appears at the end of the Frankel edition of the Rambam, 7:1; see as well the beginning of *Maaseh Roke'ah* 5b.

29. Rav Hai Gaon must address the various proofs for the opinion of Rashi. With regard to the question of the **Gemara** (75a): One who slaughters an animal, due to what is he liable? Rav Hai Gaon would say that the Gemara is not asking where there was slaughtering in the Tabernacle, as explained by Rashi, but which prohibitions one violates when he slaughters on Shabbat, as maintained by *Tosafot* (ad loc., s.v. *sho'het*). With regard to the assumption of the **Gemara** (75b) that there was no baking in the Tabernacle, the *Aḥaronim* suggest various reasons why the Gemara does not mention the showbread (see, e.g., *Eglei Tal*, introduction, 1; Rav Yehuda Shaviv's *Tzir Aviezer*, pp. 244–50). According to the *Shita Mekubetzet* on *Bava Kamma* (2a, s.v. *katvu od baTosafot*), this is precisely the Gemara's answer: There was indeed baking in the Tabernacle, and the *tanna* mentions Baking rather than Cooking because he is enumerating the labors that apply to the baking of the showbread.

In defense of his opinion, Rav Hai Gaon can cite a proof from the fact that the labor of Carrying Out from domain to domain is derived from the transfer of boards from a wagon to the ground and from the ground to a wagon, as

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explained below. There was no usage of wagons during the construction of the Tabernacle but only later, during the wanderings of the Israelites in the wilderness (as the wagons were donated only on the day of the establishment of the Tabernacle). Rashi would have to say that the labors are not derived exclusively from the original establishment of the Tabernacle, but also from the many occasions when it was set up when the Israelites reached a new location in their wanderings.

It should be further noted that the *Rishonim* must explain in different ways the following statement of the **Yerushalmi** (7:2): “What plowing was there in the Tabernacle? That they would plow **to plant spices.**” Rav Hai Gaon explains that this is referring to the spices for the incense, which were used on a regular basis in the Tabernacle. By contrast, Rashi and the Meiri would presumably maintain that these are the spices for the dyes which were used for dyeing the curtains of the Tabernacle.

30. As explained below, the mishna enumerates the “primary categories of labor,” that is, the fundamental labors that are prohibited on Shabbat, from which many other similar labors are derived, which are called “subcategories.”