

טבילת אדם וכלים

(ביצה יז:)

There is a dispute in the משנה¹ between בית שמאי and בית הלל regarding טבילת אדם and טבילת כלים on שבת and יו"ט. בית שמאי are of the opinion that one is required to be טובל oneself and all keilim that are to be used before שבת. בית הלל, on the other hand, maintain that while it is true that one may not be טובל utensils on שבת, a person may immerse himself in the מקוה on שבת itself in order to become טהור.

Since both בית הלל and בית שמאי hold that being טובל utensils on שבת is prohibited, the ensuing discussion in the גמרא analyzes four different opinions as to why this would be problematic. The first opinion is that of רבה, who maintains that the תקנה not to טובל כלים on שבת was enacted out of the fear that one may come to transport the item that needs טבילה more than ד' אמות in a public domain, and thereby violate the prohibition of הוצאה². The second opinion is that of ר' יוסף, who

¹ ביצה דף י"ז ע"ב In.

² גזירה ביצה יח. (ד"ה שמא) in תוספות wonders why the phraseology of maybe one will come to carry it ד' אמות in רשות הרבים. Why wasn't it that one may

explains that the תקנה against doing so on שבת is due to the fact that we are afraid שמא יסחוט, that one may come to squeeze out the כלי (keeping in mind that כלים include not only pots and pans but also clothing). רב ביבי, the third opinion in the גמרא, says we are concerned שמא ישהא that one may come to leave his כלים as is, in a state of טומאה until יו"ט comes, and then in the meantime forget and come to use them with תרומה³. Finally, רבא is of the opinion that the תקנה was enacted because to טובל on שבת is נראה כמתקן it looks like one is fixing a כלי, and therefore prohibited.

The explanation of רבא leads the גמרא to the following question: if טבילת כלים on שבת is problematic due to the problem of נראה כמתקן why would this reasoning not apply to being טובל a person as well? Shouldn't we also be concerned that an onlooker might think that a person is being מתקן ("fixing himself"), when he is טובל on שבת? Why then would טבילת אדם be allowed on שבת according to this explanation? The גמרא answers that when a person, as

come to carry an item from a רשות היחיד to a רשות הרבים which is also an הוצאה איסור דאורייתא. They answer by saying that there is some type of היכר, or reminder at the doorway and the entrance to the חצר that will remind the person of the prohibition. The רשב"א seems to say the same answer.

³ To deal with why this reasoning only applies for יו"ט and not שבת, see in the צל"ח.

opposed to a כלי, is טובל in the מקוה, it is נראה כמיקר, it looks like he is merely cooling himself off. A person who goes into the מקוה doesn't necessarily give off the impression to an onlooker that he's trying to change his status from טמא to טהור, but rather, it can appear as if he just wanted to cool off his body from the heat. Therefore, according to this explanation, the concern of נראה כמתקן would not pose a problem in terms of allowing someone to be טובל in the מקוה.

This explanation then leads the גמרא to another question: If טבילה is permitted for a person because it appears as if he is just cooling off and not because he is trying to change his impure status, shouldn't this allowance only be true in regards to water which is pleasant to bathe in and not water that is filthy? After all, a person would not choose to cool off in filthy or unpleasant water and so the leniency of אדם would seem to not apply. The גמרא asserts, however, that even if the water is filthy, a person would still bathe in it if he was very hot. But this then leads the גמרא to ask a further question: shouldn't this היתר only apply in the summer months when it is normal to bathe due to the heat outside, but not in the winter months, when it is not typical for people to bathe for cooling purposes, especially not if the water is unpleasant or filthy? רב נחמן בר יצחק resolves this question by stating that even in the winter, and even if the water was filthy, a person would bathe nonetheless.

The גמרא then challenges this opinion further and asks: What about on יום כיפור? On יום כיפור, it is prohibited to bathe for pleasure, so the only reason someone would be immersing on this day would be for טומאה and טהרה purposes, and no one could think the bathing was to cool off. The גמרא, however, concludes that it's inconceivable that there would be something that on שבת is permitted and on יום כיפור is prohibited and therefore it has to be that even on יום כיפור this is permitted⁴.

שיטות הראשונים

Coming back to the original four explanations for why it is permissible for one to טובל himself on שבת, there is a big מחלוקת in the ראשונים as to which of the above opinion is correct. What is the true reason behind why we allow a person to טובל himself in a מקוה on שבת? The רי"ף interestingly only brings down the opinions of ר' יוסף and ר' ביבי and so it would seem that he holds only those two reasonings are true. The רא"ש takes serious issue with this

⁴ רש"י explains that the סברא in the גמרא is because from the vantage point of מלאכה, שבת is more severe than יום כיפור, therefore it is inconceivable that there would exist a prohibition relating to מלאכה that would only be prohibited on יום כיפור and not on שבת.

and asks two questions.⁵ First, why is the רי"ף quoting this משנה at all being as there is no טבילת כלים nowadays [regarding טומאה וטהרה], but what is more surprising is רא"ש second point. He concludes by asking, that according to the רי"ף it should come out that it's מותר to be טובל new כלים on יו"ט, because the reasons quoted by him (סחיטה/שמא ישהא) make it non relevant for טבילת כלים nowadays. Because of this the רא"ש concludes that the other reasons are correct (רבה and רבא) and these two reasons are sufficient reason in order to אסור us to be טובל כלים on יו"ט.⁶

As noted by the לחם משנה and others, there seems to be an inconsistency in the רמב"ם as to which opinion he follows.⁷ In פרק כ"ג he brings the reason of רבא, while in פרק ד' of מהרש"א⁸ he brings the reason of רב ביבי. The סוגיא was trying to tell us to be מהמיר in regard to שבת by מתקן because שבת is more חמור than יו"ט, but on יו"ט since it's

⁵ ביצה פ"ב סימן י"ב

⁶ For analysis of what seems to be a סתירה in the רא"ש regarding his two questions, הלא קושיא אחת מתרצת חברתה, meaning that the second critique of the רי"ף {that "if so, wouldn't טבילת כלים be allowed on יו"ט"}, seems to answer his first question {why is the רי"ף bringing down these הלכות at all}, one is directed towards the שאגת אריה סימן נו who asks this. See there in the קו"א.

⁷ In שבת פרק כ"ג הלכה ח

⁸ ביצה דף י"ח ע"א בד"ה רב ביבי

לצורך, then חז"ל were only afraid because of a תקלה to come upon the תרומה⁹ and not because of תיקון.

What if one forgot to to טבילת כלים before יו"ט?

Regardless of the reasoning behind the prohibition of טבילת כלים on שבת and יו"ט, what should one do if he forgot to טובל his כלים before שבת or יו"ט? The מרדכי בסימן תרע"ז deals with this case and suggests that one should give the כלי to a גוי as a gift and then borrow it from him. Since one does not need to טובל a כלי that is in the possession of a גוי before using it, the כלי would therefore not require טבילה and be permissible for use on שבת or יו"ט. The בית יוסף באו"ח סימן 107, quoting the opinions of the רי"ף and the רמב"ם, is more lenient in this regard and says that in a case in which one forgot to טובל before שבת or יו"ט, one may טובל them normally. However, he says, since the מרדכי provides a reasonable resolution to the problem in suggesting giving the כלי to a גוי, one should try to utilize his advice and only rely on leniency to טובל the כלי on שבת or יו"ט when absolutely necessary. The opinion of ב"י is reflected in שלחן שלחן, where he writes that while it is מותר to be טובל new כלים on שבת and יו"ט, there are some who say it is prohibited and a person with יראת שמים should try not to טובל the item on שבת or יו"ט. He advises people in this situation to follow the advice of the מרדכי and give the כלי to a גוי, and then borrow it back to avoid requiring טבילה.

⁹ See also the שפ"א, חת"ס and ערלי"ג סוכה מ"ג

The רמ"א however is unclear. In דרכ"מ ס"ק ג he writes that he believes the הלכה is that it is prohibited, however in his commentary to שו"ע he seems to allow this הערמה. This issue is also raised by the משנה ברורה ס"ק ל"ג and says that in any event if one is טובל it he can בדיעבד use the כלי since there are those who permit it even לכתחילה. Also in a case where it is in doubt whether or not the כלי even needs טבילה in the first place he believes that one can be טובל לכתחילה that one can be טובל לכתחילה the כלי when one cannot with ease do one of the עצות mentioned in שו"ע.

It is important to note that even when one employs the advice of the מרדכי of giving the כלי to a גוי and then borrowing it from him in order to be able to use it on שבת, the משנה ברורה ס"ק ל"ה brings from the ט"ז that after שבת one should still be מטביל the כלי since its ownership will revert back to the Jew and therefore would require טבילה. The משנה ברורה adds, however, that one should be מטביל the כלי without a ברכה, or טובל it together with another כלי that needs a ברכה and have the ברכה cover both items. The שמירת שבת כהלכתה פרק כ"ט הע' ע"ד quotes from רשז"א that if after שבת the גוי is giving it back to you as a מתנה then one would make a ברכה.