


HALOCHOSCOPE



This week's question:

A Jew is caring for a non-Jewish neighbor's caged pets. They need to be fed once a day. It is possible to feed them immediately before and after *Shabbos*. If this causes major inconvenience, affecting *oneg Shabbos*, may the Jew feed them on *Shabbos*?

The issues:

- A) Feeding animals on *Shabbos***
- B) Animals belonging to one person, dependent on another person**
- C) *Oneg Shabbos***
- D) *Darkei shalom*, the cause of peace factoring in *halacha***

A) Feeding animals on *Shabbos*

Feeding animals on *Shabbos* or *Yomtov* raises many issues. *Baalei chaim*, living creatures are *muktzeh*. Since they have no permissible use on *Shabbos*, they are put out of mind. This is further complicated if the animal is newborn or hatched on *Shabbos* or *Yomtov*. Actual use of a beast of burden on *Shabbos* is Scripturally forbidden. The *muktzeh* institution is Rabbinically enacted. In addition, many types of animal feed can also be *muktzeh*. They have no permissible uses for humans, and are put out of mind as well. As we shall see, this can sometimes be a self-perpetuating restriction, meaning that if the circle is broken, it becomes moot. If the feed was not ready before *Shabbos* for use, it involves an additional type of *muktzeh*. For example, if it was till growing or attached when *Shabbos* began, then got detached on *Shabbos*, it could not have been in mind. The same is true of a carcass that expired on *Shabbos*. In many instances, the preparations needed to feed the animals also involve matters forbidden on *Shabbos*. This makes it doubly problematic, from the perspectives of both the preparations and of the feed.

Included in the restrictions are the concepts of *melacha* and of *tircha*. *Melacha* means that the feed might not need to be prepared fully, but there could be situations in which the feeder will inadvertently do something related to *melacha*. Typical of this is grinding, a Scriptural *melacha*. Subcategories of this include chopping certain foods up finely. Another example is sorting, where one might separate the inedible parts of the feed before giving it to the animal. Another example is kneading. One might have to soak certain animal feed. This might lead to mixing the solid and liquid in a way that touches on this *melacha*. Adding hot water can involve the prohibitions of cooking. If the feed is strewn on the ground, one might sweep or rake it, thereby leveling the floor. This touches on the *melachos* of building or of plowing or preparing the ground. While this is not intended, the inevitable consequence would also be forbidden. If the food is tied in bundles, untying the bounds involves a *melacha* as well.

On *Yomtov* one may slaughter animals for food. However, these must be designated

before *Yomtov*. Other animals can involve a kind of *muktzeh*. In addition, the animals used must be fully trapped before *Yomtov*. Trapping animals is forbidden on *Yomtov*, and certainly on *Shabbos*. Therefore, if one might be tempted to trap an animal while feeding it, whether to slaughter and eat it or to make it easier to feed it, he would be in violation of this. Thus, one may only feed at a distance. While cooking for humans is permissible, cooking for animals is excluded from this rule.

Rabbinical prohibitions include measuring. This is forbidden because it resembles commercial activity. These and other *melacha* issues necessitate caution and various restrictions on feeding the animals.

Tircha means extra effort that should be avoided on *Shabbos* and *Yomtov*. The basis for these restrictions is *oneg Shabbos*, the concept of resting from tedious work. Therefore, if the chore is such that one could avoid it, one should not engage in this activity. Obviously, certain unavoidable activities are also viewed as chores. Therefore, certain non-*Shabbos* like activities are nonetheless permissible. When it comes to feeding animals, one generally views it as work, or at the very least a chore. However, in some instances it hardly involves any effort. Therefore, certain restrictions are put in place to prevent *tircha yesaira*, extra effort, while permitting minimal effort to go forward. For example, one may feed an animal even into its mouth, but not force the food too deep inside. If one animal has already had its fill, one might be tempted to move the remaining feed in front of another animal. However, some types of animal will reject such food if they detect the saliva of another animal. Thus, all the effort will be in vain.

On the other side of the issue is the needs of the animals. Apart from the obvious *tzaar baalei chaim* issues, the *mitzvah* to prevent pain to animals, there is a specific *mitzvah* to feed them. One may not begin his meal before feeding his animals. In addition, many people gain pleasure from feeding animals, so that this itself provides them with *oneg Shabbos*. For some, the disposal of table scraps feels wasteful, unless they are given to animals. Some house animals provide a service, such as cats catching mice. They would not perform as well if they were not provided with basic needs such as milk.

Some animals need additional care. For example, fowl sometimes have a tendency to lose weight quickly if they stop eating. In certain cases, the animal is hand fed from a young age. This goose would not eat by itself. Sometimes the food is stuffed down its throat. On *Shabbos*, one would be required to reduce this amount of *tircha*, but to avoid it totally would give the animal severe hunger pain. [See Brochos 40a Shabbos 19a 45b 126b-128b 140a-b 143a 155a-b 156b-157a Baitza 20b 21b, Poskim. Tur Sh Ar OC 167:6 308:27-30 39-40 324 512:3, commentaries.]

B) Animals belonging to another person

The Talmud distinguishes between feeding certain types of animal. Bees and doves always find their food and drink by themselves. Therefore, one does not need to provide for them, even if he owns them. Thus, it is forbidden to place food before them on *Shabbos*, due to *tircha* and the other concerns. Certain domestic fowl, such as geese, are very dependent on the owner providing their feed. Therefore, one may place food before them. This is called *mezonasan alecha*, their provisions are your responsibility. The Talmud makes the same distinction as between domestic doves and geese, with regard to the dis-

inction between dogs and pigs. Dogs are considered dependent, while pigs are not. The reason pigs are not dependent is because it is forbidden to raise them. However dogs are permitted. Nonetheless, the question is, why does the Talmud single out dogs as an example? Dogs are unable to forage for their food. Furthermore, they are often ignored by people, and go very hungry. The Talmud juxtaposes a passage praising Hashem's creation of the dog's digestive system as one which stores food for three days, because Hashem knows that dogs will have a hard time finding their food. From here the Talmud derives a laudable practice, *orach ara*, to throw meat to dogs.

Three questions arise: What about feeding ownerless dogs? What about feeding a friend or neighbor's dog? What about feeding the dog of a gentile? Is the main factor *mezonasan alecha*, in which case, the feeder must own the animal? Or do we say that since dogs have a hard time finding food, one is automatically obliged to provide it? Thus, it would become de-facto *mezonasan alecha*. Or is it possible that *mezonasan alecha* is used to distinguish doves from geese, but this is not the main factor! It is that doves can easily find their own food. Dogs cannot. The Talmud mentioned pigs as an example of *ain mezonasan alecha*, you are not responsible to provide for them. However, this is not due to their hunger or lack thereof. It is because a Jew may not raise pigs. What about ownerless pigs, or pigs raised by gentiles? One could say that it is impossible to apply a term like *mezonasan alecha* to pigs. Therefore, one could not be obligated to provide for them. Furthermore, part of the obligation to ensure that one's animal has rest on Shabbos is to ensure that it does not have stress. This applies to a Jew's animal.

The poskim discuss feeding wild animals or ownerless dogs. Some permit it, based on the Talmud's use of a certain term, elsewhere. The discussion regards whether certain food remnants are *muktzeh*. One could still save them to feed dogs 'because dogs are always around'. Thus implies that one should feed dogs that roam the streets. Some say that it is more likely to apply to dogs that are owned by other Jews. Since there is a dispensation to feed them anyhow, it does not matter who feeds them. Some infer from here that even those who permit feeding a fellow Jew's dog, would forbid feeding that of a gentile. Thus we have various possible views. One view would forbid feeding any dog but one's own. Another view would permit feeding ownerless dogs, but not necessarily dogs owned by others. Others would permit feeding dogs owned by fellow Jews, but not necessarily ownerless dogs. And some might permit both of these, but not those of a gentile.

In our case, the neighbor has agreed to feed the gentile's caged hamster. This is an animal that will not forage for its own food, but it is owned by someone. That person should be providing for it. In addition, the owner is not Jewish. There seems to be at least one view that would forbid feeding the hamster on *Shabbos*. One should rather do it before *Shabbos*. On the other hand, in our case, the Jew has undertaken to feed the animal. While the gentile is on vacation, he relies on his Jewish neighbor. Thus, in this situation, it could be argued that it is truly *mezonasan alecha*. The cases discussed in which it is forbidden are when passing the animal in the street or feeding zoo animals. Alternatively, it might refer to walking out with a food scrap and finding a dog outside. Interestingly, the poskim do not mention openly the case of a Jewish employee feeding the livestock of a gentile. [See Shabbos 156b, Poskim. Tur Sh Ar OC 324:11, commentaries. Shemiras

C) *Oneg Shabbos*

One factor in our case is the inconvenience of feeding the animal before *Shabbos*. This is a busy time. It would be more convenient to feed the hamster after *Shabbos* begins, when there is a little more time. One of the reasons not to feed animals on *Shabbos* is due to *oneg Shabbos*. The *tircha* of feeding the animal detracts from *oneg Shabbos*. In our case, the opposite seems to be the case. Doing it before *Shabbos* will cause more aggravation. Doing it on *Shabbos* will lead to more *oneg*. However, this is an indirect cause of *oneg*. If the Jew were not feeding the animal at all, it would be even more pleasant. Thus, when taken by itself, the feeding still fits the criteria for the restriction.

However, it is interesting to note that *tircha* is often restricted in part, rather than in full. Thus, one may do things when this does not involve a chore or when one reduces the level of *tircha*. Also, one may not do things that have the appearance of a weekday mundane activity. One may clear space, but one may not clear an entire barn. On the other hand, to avoid a full *melacha*, one must often do things in a more tedious manner. It seems that *tircha* is measured both subjectively and in absolute terms, depending on its application. [See refs to previous sections.]

D) *Darkei Shalom*

The final, and perhaps most critical subject here is *darkei shalom*, ways of peace. To ensure peace between Jews and gentiles, the Rabbis set guidelines. These include certain relaxation of some Rabbinical rules, in order to maintain good relations. In our case, the hamster is really meant to be fed at a specific time in the evening. One could feed it before *Shabbos*, but this would change the regimen somewhat. The issue for our questioner is whether due to *darkei shalom*, he or she can assume personal responsibility to feed the animals. This would make it *mezonas alecha*. In this case, the entire reason that the Jew undertook the feeding was to promote a peaceful relationship. Perhaps this trumps other issues here, assuming that they are all Rabbinical, and that there is a lenient view.

While there is no direct discussion of a gentile's animals, the Talmud does discuss inviting a gentile for a *Shabbos* meal. This touches on *tircha* for someone who is not included in one's direct responsibility. The Talmud says that one may invite him. It is considered *mezonas alecha*, since we are instructed to provide for the poor non-Jew due to *darkei shalom*. By this reasoning, *darkei shalom* is a legitimate reason to permit *tircha*. [See Shabbos 19a Beitza 21b, Poskim. Tur Sh Ar OC 325:1-2, commentaries.]

In conclusion, the Jewish neighbor may feed the hamster on *Shabbos* if she is solely responsible for it. However, if it is just as easy to do so before *Shabbos*, this is preferred.

On the Parsha ... *You take for yourself of all food that is eaten, and it shall be for you and for the [animals] to eat .. [6:21] Don't think that they will provide for themselves. You must provide them from your own stock [Malbim]* Why does it mention feeding himself before the animals, if one must feed his animals first? Perhaps, when it comes to preparing, the *tircha* for humans should come first. When all is prepared, one should feed the animals first.

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