

1 Nissan 5774
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Beitzah Daf 2

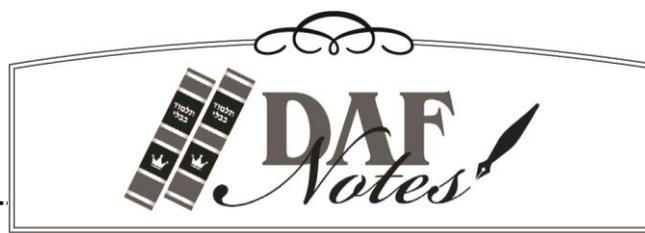
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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

1. The Mishnah cites various arguments between Bais Shammai and Bais Hillel. Regarding an egg that was laid on Yom Tov, Bais Shammai rules that one can eat it on Yom Tov whereas Bais Hillel maintains that it is forbidden to eat it on Yom Tov. (2a1)
2. Bais Shammai maintains that one is in violation of seeing chametz on Pesach when he sees chametz the size of a large date and Bais Hillel maintains that one will be liable even if he sees chametz that is the size of an olive. (2a1)
3. Bais Shammai maintains that if one slaughtered a deer or a bird on Yom Tov, he is allowed to dig with a shovel in order to obtain dirt which is necessary to fulfill the mitzvah of covering the blood of a slaughtered bird or wild animal. Bais Hillel, however, maintains that one should only slaughter on Yom Tov if he has prepared dirt prior to Yom Tov. (2a1)
4. Rav Nachman explains that the dispute in the Mishna refers to a hen which is designated to produce eggs and is not designated for consumption. Bais Shammai is in accordance with Rabbi Shimon who maintains that there is normally no prohibition of muktzeh and therefore one would even be permitted to eat an item that was not in existence before Yom Tov. Bais Hillel, however, is in accordance with the opinion of Rabbi Yehudah and therefore one cannot eat the egg on Yom Tov. (2a2)
5. Rav Nachman maintains that regarding muktzeh on Yom Tov, Bais Shammai is in accordance with the opinion of Rabbi Shimon and that Bais Hillel concurs with the opinion of Rabbi Yehudah. Regarding Shabbos, however, the opinions are reversed. (2a2-2b1)



6. Rebbe maintains the Halacha is in accordance with Rabbi Shimon regarding Shabbos. Given the fact that we are generally strict regarding Shabbos, people will not belittle the sanctity of Shabbos if we permit them to handle muktzeh. Regarding Yom Tov, however, we are normally lenient and if we permit the handling of muktzeh on Yom Tov, then people will come to belittle the sanctity of Yom Tov. (2b1)

7. Rabbah disagrees with Rav Nachman and Rabbah maintains that the dispute between Bais Shammai and Bais Hillel refers to a hen which was designated for consumption and we are discussing a situation where Yom Tov follows Shabbos. Bais Shammai maintains that the egg is not muktzeh. The reason for this ruling is because the hen is deemed to be a food item and the egg is deemed to be food that was separated from other food. Bais Hillel, however, maintains that one cannot eat the egg on Yom Tov. The reason for this ruling is because given the fact that the egg hatched today, it is evident that the egg had fully formed on the previous day. Rabbah maintains that

one cannot prepare from Shabbos to a Yom Tov and since the egg became fully formed on Shabbos, one is prohibited from eating the egg on Yom Tov. This Halacha would similarly apply to an ordinary Yom Tov that does not follow Shabbos because in this manner we will preserve the prohibition when Yom Tov follows Shabbos. (2b2)

INSIGHTS TO THE DAF

Chametz on Pesach

The Mishna cites various disputes between Bais Shammai and Bais Hillel. Regarding an egg that was laid on Yom Tov, Bais Shammai rules that one can eat it on Yom Tov, whereas Bais Hillel maintains that it is forbidden to eat it on Yom Tov. Bais Shammai maintains that one is in violation of seeing chametz on Pesach when he sees chametz the size of a large date and Bais Hillel maintains that one will be liable even if he sees chametz that is the size of an olive. Bais Shammai maintains that if one slaughtered a deer or a bird on Yom Tov, he is allowed to dig with a shovel in order to obtain dirt which is necessary to fulfill the mitzvah of covering the blood of a slaughtered bird or wild animal. Bais Hillel, however, maintains

that one should only slaughter on Yom Tov if he has prepared dirt prior to Yom Tov. Rashi and Tosfos both point out that these three disputes regarding Yom Tov have a common theme and that is that Bais Shammai rules leniently and Bais Hillel rules stringently. The Shita Mikubetzes writes that this Tanna was referring specifically to the festival of Pesach and for this reason he cites a dispute regarding chametz on Pesach. The Chasam Sofer explains that the discussion in the Gemara regarding the measurement of chametz, besides pertaining to the prohibition of seeing chametz on Pesach, is also relevant to the halachos pertaining to Yom Tov. If one would find chametz on the seventh day of Pesach that is less than the size of a large date, according to Bais Shammai he would not be required to destroy it on Yom Tov because it is less than the required amount of chametz that one would need to see in order to violate the prohibition of seeing chametz on Pesach. According to Bais Hillel, however, he would be obligated to destroy the chametz on Yom Tov.

Permitted Rulings

Rav Nachman explains that the dispute in the Mishnah refers to a hen which is designated to produce eggs and is not designated for consumption. Bais Shammai is in accordance with Rabbi Shimon who maintains that there is

normally no prohibition of muktzeh and therefore one would even be permitted to eat an item that was not in existence before Yom Tov. Bais Hillel, however, is in accordance with the opinion of Rabbi Yehudah and therefore one cannot eat the egg on Yom Tov. The Gemara asks that if the dispute between Bais Shammai and Bais Hillel is regarding a prohibition of muktzeh, then why they not argue regarding the hen itself which will be muktzeh according to Beis Hillel. The Gemara answers that the Mishnah wanted to notify us regarding the extent of Bais Shammai's leniency that even though the egg was not in existence and should thus be considered *nolad*, something which just came into existence on Yom Tov and should be forbidden, and one is still permitted to eat it. The Gemara then asks that if Bais Shammai and Bais Hillel would dispute the hen itself, we could learn a novel ruling prohibiting muktzeh as Bais Hillel would prohibit the hen from being eaten. The Gemara answers with the classic principle that it is preferable to render a permissible ruling. Rashi explains that this means that something that is permitted indicates that the Tanna is relying on his knowledge of the subject matter and is not afraid to rule leniently. One can be strict even if he is in doubt and it does not necessarily indicate the conclusiveness of the ruling. Rashbam in Pesachim (102a) writes that if

there is no compelling logic to rule stringently, then ruling leniently is not regarded as a more preferred option. Rather, it is the only option. The Rema in his responsa (54) rules that one is not allowed to be stringent regarding an issue where there is no uncertainty. Pischei Teshuvah (Yoreh Deah 116:10) cites a dispute amongst the Acharonim if one is permitted to be stringent for himself regarding a matter that has been permitted by the Torah, such as prohibited matter that was nullified. Bnei Yissachar writes that it is a mitzvah not to be stringent in such a situation. The Tzlach writes that it is preferable to record the permitted ruling regarding a situation that may be subject to a biblical prohibition, because if there would be uncertainty, we would be compelled to rule stringently. The Tanna would not be introducing a novel ruling if the ruling was that the matter is prohibited. Regarding a matter that may be subject to a rabbinic prohibition, however, the reverse would be true. It is preferable to record the stringent ruling because if there would be uncertainty, we would rule leniently.

Two Types of Muktzah

If an egg was laid on Yom Tov, Bais Shammai rules that one is permitted to eat it on Yom Tov and Bais Hillel disagrees. Tosfos wonders why the Mishna states *tochal*, that one is permitted

to eat it, and *lo tochal*, that one is prohibited to eat it. Why did the Mishna not state *matirin*, it is permitted, and *osrin*, prohibited? Tosfos answers that one might have erroneously assumed that it is permitted for one to handle the egg but it is forbidden to eat it. Reb Menachem Kohn zt"l in his Sefer Ateres Avi explains the answer of Tosfos according to the Chasam Sofer who writes that there are two types of muktzeh. One type of muktzeh is derived from the verse regarding the manna where it is said *vehayah bayom hashishi vehleichinu eis asher yaviu*, and it shall be that on the sixth day when they prepare what they bring, which means that one should prepare the Shabbos and Yom Tov meals beforehand and if one does not, one is forbidden to eat from that food. A second type of muktzeh is the muktzeh instituted by Nechemiah that one cannot handle certain objects on Shabbos as there is a concern that he might carry them into a public domain. There are differences between the two types of muktzeh. One who did not prepare a food item prior to Shabbos or Yom Tov is prohibited from eating the food, whereas an object that is muktzeh because of the decree of Nechemiah cannot be handled on Shabbos or on Yom Tov. A further distinction between the two categories of muktzeh is that the decree of Nechemiah was only instituted with regard to utensils, whereas food cannot become muktzeh unless

it was not prepared prior to Shabbos or Yom Tov. Based on the words of the Chasam Sofer, we can now understand the answer of Tosfos. Given the fact that the decree of Nechemiah was not instituted regarding food items, the egg would only be muktzeh because it was not prepared prior to Yom Tov and one may have assumed that there would be a prohibition from eating the egg. Therefore, Bais Shammai teaches that one is permitted to eat the egg. Bais Hillel, however, who maintains that the egg is muktzeh and cannot be eaten, maintains that the egg forfeits its status as a food item and subsequently the egg also cannot be handled. The Bircas Avrohom qualifies this novel approach and writes that a food can only forfeit its status as a food item if the food was definitely muktzeh. A food item that is only possibly muktzeh does not forfeit its status as a food and subsequently one would be permitted to handle the food.

DAILY MASHAL

Shabbos and the Festivals

The Gemara mentions a distinction between Shabbos and Yom Tov, in that the laws of Shabbos are more restrictive so people will not belittle the Shabbos, whereas the laws of Yom Tov are more relaxed so people may come to

belittle Yom Tov. The Medrash states that one who belittles the festivals is akin to one who belittles the Shabbos, and one who observes the festivals is akin to one who observes the Shabbos. The Mishnah in Avos (3:15) states that one who belittles the festivals does not have a share in the World to Come. Although the Gemara here mentions a distinction between Shabbos and Yom Tov, essentially they are the same. The sefarim write that when HaShem created the primordial light, He saw that the wicked would not be worthy of benefiting from the light, so He concealed the light for the righteous in the world to Come. Nonetheless, this light returns on the festivals. Thus, the festivals are directly associated with the six days of creation, which was followed by the great light of Shabbos. One who observes the festivals is akin to one who observes the Shabbos, as he is benefiting from the great light of creation which was concealed for the future, and the Gemara teaches us that Shabbos is a semblance of the World to Come. For this reason, one who belittles the festivals forfeits his share in the world to Come, as he is demonstrating that he is not concerned about observing Shabbos either, which is a semblance of the World to Come.