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Beitzah Daf 17

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Daf Notes is currently being dedicated to the neshamah of

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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 Chachamim maintain that when Yom Tov occurs on Friday, one cannot make an eruvei techumin, which allows one to move two thousand amos from his current location, and one cannot make an eruvei chatzeiros, which merges all houses that open to a courtyard into one group, and allows people to carry from the merged houses into the courtyard and vice versa. Rebbi, however, maintains that one can make eruvei chatzeiros on Yom Tov for Shabbos but one cannot make eruvei techumin. Rebbi’s reasoning is that one can be prohibited from preparing for Shabbos on Yom Tov with regard to a matter that is prohibited on Yom Tov, as the laws of techumin apply on Shabbos and on Yom Tov. One cannot, however, prohibit one from preparing on Yom Tov for Shabbos with regard to a matter that is permitted on Yom Tov, as one is permitted to carry between houses and the courtyard on Yom Tov. Rav maintains that the Halacha follows the opinion of the Chachamim and Shmuel maintains that the Halacha follows the opinion of Rebbi. The Gemara concludes that the Halacha follows the opinion of Rebbi but in accordance with the version of the Baraisa

presented by Rabbi Elazar who learned that Rebbi prohibited making an eruvei chatzeiros on Yom Tov. (16b-17a)

2. Bais Shammai maintains that when Yom Tov occurs on Shabbos, one recites the Shemone Esrei with eight blessings, and he recites a blessing for Shabbos and Yom Tov respectively. Bais Hillel maintains that one recites Shemone Esrei of seven blessings and one recites the middle blessing and mentions Shabbos at the onset and he ends the blessing by mentioning Shabbos and he mentions the holiness of Yom Tov in middle of the blessing. Rebbi maintains that one should end the blessing by reciting the words *blessed are You, Hashem, Who sanctifies the Shabbos, the Jewish People and the festival seasons*. An alternative version of the Baraisa was taught before Ravina which states that Rebbi maintains that one concludes the middle blessing with the words, *Who sanctifies the Jewish People, the Shabbos and the festival seasons*. Ravina rejects this version of the Baraisa, because Shabbos was sanctified prior to the Jewish People being sanctified. The Yomim Tovim, however, are predicated on the sanctification of the Jewish People, who

in turn determine when Rosh Chodesh will occur, which subsequently determines when the Yomim Tovim will occur. The Gemara concludes that the Halacha follows Rabbi according to Ravina that one should recite the words, *Who sanctifies the Shabbos, the Jewish People and the festival seasons.* (17a)

3. Rav Chiya bar Ashi said in the name of Rav that one can make an eruvei techumin for Shabbos from one day of Yom Tov, i.e. Thursday, to the next, and he makes the eruv and he stipulates the following condition: "if today is really a weekday, then this eruv should be effective. If today is really a Yom Tov, then making the eruv should be ineffective." On Friday, the second day of Yom Tov, he stipulates as follows, "if yesterday was really Yom Tov, the eruv is made for today, and if yesterday was a weekday, then making the eruv today is ineffective." Rava said that one can make an eruvei tavshilin from one day of Yom Tov, i.e., Thursday, to the next day of Yom Tov and he stipulates the following, "if today is really a weekday, the eruv should be effective, and if today is really Yom Tov, then tomorrow is a weekday and I do not require an eruv." Rav who said that one can stipulate regarding an eruvei techumin will maintain that one can stipulate regarding making an eruvei tavshilin, but Rava, who maintains that one can stipulate regarding an eruvei tavshilin will not permit one to stipulate regarding an eruvei techumin. The reason for this ruling is

because one is forbidden to acquire residence on Shabbos, i.e. Yom Tov, and this applies even if that day of Yom Tov is really a weekday. The reason the Chachamim permitted one to make a conditional eruvei tavshilin on Yom Tov is because of a special dispensation to allow one to cook in honor of Shabbos. (17a)

4. One cannot bake on one day of Yom Tov for the next day of Yom Tov. A woman can, however, fill a whole pot of meat and cook it on Yom Tov, despite the fact that she only requires one piece of meat for that day of Yom Tov. Similarly, a baker can fill a barrel of water and boil the water on Yom Tov, despite the fact that he only requires one jug of water for Yom Tov. One cannot, however, bake more than one loaf of bread on Yom Tov, because each loaf of bread requires that one place the loaf in the oven and remove it from the oven, which involves more effort. Rabbi Shimon Ben Elazar, however, maintains that a woman can fill an entire oven with bread on Yom Tov, even if she only requires one loaf of bread, because when an oven is full, the bread bakes better. The halacha follows the opinion of Rabbi Shimon Ben Elazar. (17a)
5. One who did not make an eruvei tavshilin cannot bake or cook or insulate food for Shabbos, not for himself or for others, and others cannot bake or cook for him. He is required to transfer ownership of his flour to

someone who made an eruv and that person can bake or cook for him. (17a)

6. The Gemara wonders what the halacha is if one did not make an eruvei tavshilin and he violated the halacha and baked on Yom Tov for Shabbos, if he can eat the food on Shabbos. The Gemara attempts various proofs. One proof is from a Baraisa that states that if one made an eruvei tavshilin, he can bake, cook or insulate food for Shabbos. If he wishes to eat the food from the eruv on Yom Tov, he is permitted to do so. If, however, he ate the food of the eruv before baking or insulating his food for Shabbos, he and others cannot bake, cook or insulate food for Shabbos, and others cannot bake or cook for him. Yet, he is allowed to cook for Yom Tov and the leftover food can be used for Shabbos, provided that he does not employ a ruse, i.e. after cooking enough food for Yom Tov, he cannot pretend that he will be hosting guests, thus requiring more food to be cooked. If he employed this ruse, he is prohibited from eating the food. We can deduce from this ruling that if one is prohibited from eating the food when employing a ruse, then certainly he cannot eat food if he intentionally violated the halacha of cooking food without having prepared eruvei tavshilin. The Gemara rejects this proof because the Chachamim may have been more stringent regarding one who employs a ruse than one who violates the

halacha intentionally. The reason for this logic is because one who violates a rabbinic ordinance will most likely not cause others to act similar to him, as he is not justified for violating the rabbinic ordinance. Furthermore, the one who violated the ordinance will eventually repent, so we are not concerned that the institution of eruv will be nullified. Regarding one who is employing a ruse, however, he feels that he is permitted to act in this manner, so he will not repent and others will learn from him, and this could cause the institution of eruv to be nullified. For this reason the Chachamim ruled that one who cooked by employing a ruse cannot eat the food. (17b)

7. Bais Shammai maintains that one can only bake on Yom Tov for Shabbos if he made the eruv with bread. One cannot cook on Yom Tov for Shabbos unless he made an eruv with a cooked food. One cannot insulate food for the purpose of keeping it hot for Shabbos unless he made the eruv with hot food that was insulated before Yom Tov. Bais Hillel, however, maintains that one merely has to make an eruv with cooked food and this allows him to perform all his needs in preparation for Shabbos. (7b)

INSIGHTS TO THE DAF

When to Employ a Ruse

The Gemara states that if one made eruvei tavshilin and then he ate the food of the eruv before baking or insulating his food for Shabbos, he and others cannot bake, cook or insulate food for Shabbos, and others cannot bake or cook for him. Yet, he is allowed to cook for Yom Tov and the leftover food can be used for Shabbos, provided that he does not employ a ruse, i.e. after cooking enough food for Yom Tov, he cannot pretend that he will be hosting guests, thus requiring more food to be cooked. If he employed this ruse, he is prohibited from eating the food. The reason for this ruling is because one who employs this ruse feels that he is permitted to act in this manner, so he will not repent and others will learn from him, and this could cause the institution of eruv to be nullified.

Rashi and Tosfos ask from the Gemara earlier on 11b that states that Rav Adda bar Ahavah was allowed to employ a ruse of salting one piece of meat at a time until the entire animal was salted, although he did not need the entire animal for Yom Tov.

Rashi and Tosfos answer that the case of salting is different because there was no melacha performed, as tanning does not apply to food. Although salting the animal entails additional effort, if one was prohibited to salt in this fashion,

he would not slaughter the animal if he knew that most of the meat would be left to spoil, and this would diminish one's joy on Yom Tov. Here, however, the Chachamim were concerned about the institution of eruv becoming obsolete, so they did not allow one to employ the ruse of cooking and then claim that he is expecting more guests to arrive.

It is worth noting that not all ploys are deemed to be the same. Shearim Mitzuyanim B'Halacha cites the Gemara in Shabbos 139b where a Talmid Chacham was allowed to employ a ruse. Rav Huna was allowed to place a clove of garlic in a barrel of wine in order to seal the opening of the barrel, thus preventing the wine from exiting. Rav Huna was able to claim that he did this to store the garlic away. Although in essence he was repairing the barrel, which is deemed to be a melacha, a Talmid Chacham is permitted to do this.

The Gemara there also records an incident where Rav Huna went to sleep on the ferry that belonged to a gentile, and Rav Huna did this so that he would be able to guard his fruit which was growing on the other side of the river. This, despite the fact that Rav Huna knew that the ferry would be crossing the river. Rav Huna was nonetheless allowed to claim that he was just going to sleep.

The Gemara in Shabbos states that regarding rabbinically prohibited melachos, we allow a Talmid Chacham to perform such ploys as a Talmid Chacham would not transgress a prohibition outright.

The Gemara in Shabbos 95a states that a wife or daughter of a Talmid Chacham is allowed to wash various utensils in different parts of the house on Shabbos, despite the fact that her real intention is to wash the floor, which is normally prohibited.

Thus, one ruling mandates that no one can employ a ruse, and another ruling allows for a Talmid Chacham to employ a ruse. A third ruling allows for the wife or the daughter of a Talmid Chacham to employ a ruse, and yet another ruling permits anyone to employ a ruse.

Apparently, not all ploys and ruses are deemed to be the same, but it remains unclear what the guidelines are to allowing one to employ a ruse.

DAILY MASHAL

Deception is the Worst

The Gemara states that we are more concerned about one who employs a ruse than one who violates a rabbinical prohibition intentionally. The reason for this logic is because one who violates a rabbinic ordinance will most likely not

cause others to act similar to him, as he is not justified for violating the rabbinic ordinance. Furthermore, the one who violated the ordinance will eventually repent, so we are not concerned that the institution of eruv will be nullified. Regarding one who is employing a ruse, however, he feels that he is permitted to act in this manner, so he will not repent and others will learn from him. We are apt to assume that one who sins intentionally is worse than one who merely tries to get away with something, yet we see from this Gemara how careful one must be when acting deceptively. We find that Yaakov was more concerned about deceiving his father than he was about taking the blessings that belonged to Esav. Yaakov said that if his father would feel him he would be in his father's eyes like a mocker. The Gemara states that Yaakov was saying that one who deceives someone is akin to an idol worshipper. Similarly, we find that it is worse to steal from someone discreetly than to steal from someone in public. The reason for this is because one who steals discreetly demonstrates that he is afraid of man but he is not concerned that HaShem is observing his actions. There is nothing worse than one who deceives himself, because ultimately he will deceive others and he will deny that HaShem knows everything, which is equivalent to worshiping idols. May HaShem protect us from deceit and falsehood and allow us to study his Torah, which is truth, and HaShem's seal is truth.