

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

The Mishnah ruled that if one designated a bird in the nest and on Yom Tov discovered a bird in front of the nest, it is prohibited. This seemingly supports R' Chanina's ruling that when in conflict, precedence is given to "majority" rather than "proximity."

Abaye and Rava submit different reasons to reject the attempted proof to R' Chanina.

The circumstances of the last case of the Mishnah are questioned.

The Gemara explains that it refers to a case where the birds can only hop, and a nest is within fifty amos. But if it is around the corner, the birds will not hop to a location from which they will not be able to see their nest.

2) MISHNAH: Three disagreements between Bais Shammai and Bais Hillel are presented. The issues are: Taking a pestle to chop meat, placing a hide where it will be trampled and lifting a hide that does not have a k'zayis volume of meat on it.

3) Chopping meat on a pestle

A Beraisa teaches that if meat was chopped on a pestle all opinions agree that the pestle may not be moved afterwards.

Abaye submits that all opinions agree that a butcher's board may be used.

Two explanations are offered regarding the novelty of this ruling.

Abaye's understanding of Bais Shammai's position is unsuccessfully challenged.

4) Placing a hide where it will get trampled

A Beraisa teaches that according to all opinions it is permitted to salt meat over a hide.

Abaye submits that it is prohibited to salt meat for cooking over a hide according to all opinions.

The novelty of this ruling is explained.

5) Cheilev

Tanna Kamma of the Beraisa rules that it is prohibited to salt or turn over cheilev. R' Yehoshua maintains that it is permitted.

Two versions of R' Masna's ruling on this issue are cited. According to one version he ruled like R' Yehoshua and according to the second version he ruled against R' Yehoshua.

The Gemara explains why it would be necessary to rule against R' Yehoshua when halacha follows the majority.

The reason for the distinction between the leniency for salting cheilev and the restriction against salting hides is presented.

Two rulings are issued regarding permissible methods of salting meat on Shabbos.

6) MISHNAH: Bais Shammai and Bais Hillel dispute the permissibility of removing and replacing shutters on Yom Tov.

7) Clarifying the Mishnah

Ulla explains that the shutters mentioned in the Mishnah refer to shutters of huts that are not attached to the ground.

Ulla presents three cases where Chazal permitted the outcome of an activity to assure that the beginning of the activity would be performed.

Rachava, in the name of R' Yehudah identifies a fourth case.

Distinctive INSIGHT

Using מוקצה for various purposes

בית שמאי אומרים אין נוטלים את העלי לקצב עליו בשר, ובית הלל משירים

Bais Shammai prohibit handling of a pestle on Yom Tov, even if the purpose of taking it is in order to chop meat on it. Bais Hillel allows the handling of the pestle on Yom Tov, if it is taken to perform a permitted act, such as chopping meat. The Rishonim discuss the underlying principle behind this dispute.

Rashi and Rif explain that the function of the pestle is generally for chopping wheat kernals, which is a prohibited act on Yom Tov. This pestle is a vessel designated for an act prohibited on Yom Tov - כלי שמלאכתו לאיסור. The dispute between Bais Hillel and Bais Shammai is whether such a utensil can be used to perform a permitted action, such as cutting meat upon it. Bais Shammai rules that it is muktzeh, and it cannot be handled even under these circumstances. Bais Hillel allows it. Accordingly, this halacha is not only applicable to Yom Tov, but it is relevant to Shabbos as well.

Tosafos (ד"ה אין) understands that this pestle is muktzah due to its value is too great to be used for any purpose other than its designated function (חסרון כ"ס). It is generally used to chop, and as Yom Tov or Shabbos begins, the person knows that he will not be using this tool for the next day. Everyone agrees that this category of muktzah may not be handled even לצורך גופו ומקומו.

Here, Bais Hillel allows it to be handled for chopping meat due to the mitzvah of simchas Yom Tov. We must make this dispensation to enable the person to prepare and eat meat to rejoice on Yom Tov.

Meiri explains our sugya as does Rashi, that the עלי is a כלי ש"מלאכתו לאיסור". The reason Bais Shammai does not allow it to be used for cutting meat is that when the person takes it in order to use it, others seeing him think that he is going to use it for its normal usage, to chop wheat kernels, which is a prohibited act. ר"ן explains the reason for Bais Shammai is that it appears as he is engaged in a weekday activity (עובדא דחול). Mishna Berura (499:5) explains according to Rashi and Rif. ■

The Gemara explains what Ulla and Rachava add to these cases that was not known from the Mishnayos which already discuss these halachos.

The reason Ulla did not mention Rachava's case is explained.

8) The dispute regarding shutters

R' Shimon ben Elazar presents an alternative understanding of the dispute between Bais Shammai and Bais Hillel concerning the use of shutters.

A contradiction is noted concerning the use of shutters with a pivot.

Abaye resolves the contradiction by noting that there are three varieties of shutters and the dispute concerns a shutter with a pivot in the middle. ■

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HALACHA Highlight

Turning off a gas stove on Yom Tov

ואמר עולא שלשה דברים התיירו סופן משום תחלתן ואלו הן עור לפני הדורסן ותריסי חנויות וחזרת רטיה במקדש

And Ulla said: The final stage of three activities were permitted because of their initial stage and they are, [placing] animal skin before those who will trample it, replacing shutters on store windows and returning a bandage to a wound in the Mikdash,

An important Yom Tov question is whether it is permitted for one to lower the flame on the gas stove top for the purpose of cooking. Rema writes that if the only way to prevent a cooking food from becoming ruined is to extinguish the flame, it is permitted, because in such a circumstance extinguishing is considered part of the food preparation and thus permitted on Yom Tov¹. Accordingly, there are Poskim² who maintain that it is permitted to lower the flame on the stove to prevent a cooking food from becoming ruined. Most Poskim³, however, maintain that it is better to light a second flame, even on Yom Tov, for cooking at a lower temperature rather than lowering the existing flame.

It could be argued that lowering the flame should be permitted according to the principle laid down in our Gemara that certain activities are permitted because they assure that people will take the necessary steps to enjoy simchas Yom Tov. Therefore, we should permit the lowering of the flame because to not do so would cause people to refrain from using a flame

REVIEW and Remember

1. What is the basis for the prohibition against using a pestle (עלי) for chopping meat on Yom Tov?

2. Why was it necessary to rule against R' Yehoshua if he argues with the majority?

3. What is the issue related to removing shutters on Yom Tov?

4. Explain: בית שמאי במקום בית הלל אינה משנה. ■

for cooking on Yom Tov⁴. A careful reading of the Poskim, however, yields a different conclusion. Rabbeinu Epraim, cited by R. Eliezer ben R. Yoel Halevi⁵, the Ra'avayah, writes that this principle is limited to the three activities mentioned by Ulla, and creating additional applications are not within our domain. Secondly, Rav Yair Chaim Bachrach⁶, the Chavos Yair, writes that the three examples of the Gemara are considered public needs and thus they are subject to a more lenient approach, as opposed to lowering the flame on the stovetop which is considered only a private need. ■

¹ רמ"א או"ח סי' תקי"ד ועי' מ"ב שם סק"ז.

² עי' פסקי תשובות סי' תקי"ד אות ב' והעי' 8 ושו"ת עמק התשובה להג"ר יחזקאל ראטה ח"א סי' פ"ג.

³ פסקי תשובות הני"ל העי' 10.

⁴ עי' שו"ת יחזה דעת ח"א סי' ל"ג.

⁵ ראבי"ה סי' ק"ע.

⁶ שו"ת חות יאיר סי' קט"ו ד"ה ומו"מ. ■

STORIES off the Daf

"Salting it Away"

"...רב אדא בר אהבה מערים ומלח גרמא גרמא."

The Mekor Chaim, ז"ל, explains that salting refers to giving charity, for as Chazal said, tzedakah preserves one's money just as salting preserves food. On today's daf, we find that Rav Ada bar Ahava would act with cunning and, while he would salt food for his present need, he would take advantage of the opportunity it offered and salt extra for later. The Yom Tov referred to on our daf represents an ideal time to perform the mitzvah of charity, such as when food is scarce and need is great. At such times, one must be "cunning" and give all that one can, be-

cause soon it might be too late.

Rav Moshe Ravkash, the author of Be'er Hagolah, ז"ל, was a true ba'al tzedakah. Despite the fact that he was himself very poor, he always gave as much as he could to help those even less fortunate. One year, there was a severe famine in his district and Rav Moshe decided to sell every non-essential object in his home so that he would have the resources to help as many people as possible. Since people were literally starving in the streets, Rav Moshe felt that he had no choice but to sell even his furnishings to provide for his many suffering brothers.

One of the family members decided that, although they were obligated to sell all they owned to preserve Jewish life, their one family heirloom should be retained. This person therefore concealed

this single possession of great value, an exquisite candelabrum that had been in the family for generations. The Rav assumed that it had been sold along with everything else, and did not realize that it was actually hidden away in the house.

The famine ended, and the following year was relatively bountiful. As soon as the person who had hid the candelabrum saw that the danger had passed, it was taken out of hiding and placed on the Shabbos table after the Rav had already left for shul. When the Rav returned and saw it, he fainted dead away. The family was in an uproar until they finally managed to bring him around.

As soon as the Rav regained consciousness, he cried out, "Vey iz mir! Who knows how many people died because of this leichter!" ■

