

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah presents three disputes between Beis Shammai and Beis Hillel. The first one relates to eating an egg that was laid on Yom Tov. The second dispute relates to the quantity of leaven necessary to violate the Biblical prohibition. The last dispute relates the permissibility to dig up dirt to cover the blood of a slaughtered bird or undomesticated animal.

2) Clarifying the first dispute

The Gemara questions whether the Mishnah refers to a hen that was designated for eating or a hen designated to produce eggs.

R' Nachman explains that the Mishnah refers to a hen that was designated to produce eggs, and Beis Shammai follows R' Shimon who does not recognize muktzah restrictions. Beis Hillel follows R' Yehudah who does recognize muktzah restrictions.

A contradictory statement of R' Nachman is cited wherein he states that Beis Shammai follows R' Yehudah and Beis Hillel follows R' Shimon.

R' Nachman explains that since there is an anonymous Mishnah regarding Shabbos which follows R' Shimon, it is logical to align Beis Hillel with R' Shimon. Regarding Yom Tov, however, we find an anonymous Mishnah according to R' Yehudah, so it is logical to align Beis Hillel with R' Yehudah.

The Gemara questions how there could be differing anonymous Mishnayos concerning the recognition of the restriction against muktzah.

Shabbos is more severe; therefore, there is less concern that people will treat it disrespectfully and a lenient approach regarding muktzah can be taken. Yom Tov, on the other hand, is less severe; therefore, there is a concern that people will treat it disrespectfully and a more strict approach regarding muktzah must be taken.

R' Nachman's explanation is successfully refuted.

Rabbah explains that the Mishnah refers to a hen designated for consumption and it also refers specifically with an egg laid on Yom Tov that followed Shabbos. Beis Hillel prohibits the egg based upon the principle of preparation (הכנה).

Abaye unsuccessfully challenges Rabbah's explanation.

R' Yosef explains that the restriction against the use of the egg laid on Yom Tov is a decree because it resembles a fruit that fell from a tree on Yom Tov.

Abaye begins to challenge R' Yosef's explanation. ■

Distinctive INSIGHT

The name of the Massechta—Beitza or Bei'ah

מסכתא ביצה דמתקראייה ביעה

Tiferes Yisroel notes that the Achronim have chosen to refer to this Massechta as **מסכת ביעה** rather than by its Hebrew name—**ביצה**. The Magen Avraham (Orech Chaim 156) writes that the reason for this is that we are instructed to always avoid speaking words which are unredefined. Apparently, the word **ביצה** has a connotation which is negative (it is used in reference to the male anatomy), so it is to be avoided.

Yet, Tiferes Yisroel questions this premise. How could it be that the word **ביצה** is considered to be questionable in any manner when it is commonly used in the Torah? Furthermore, the replacement word **ביעא** is Aramaic, a language which the celestial angels do not understand (Gemara Shabbos 12b). How can the letter **צ** be objectionable, when it the letter which refers to the perfectly righteous (**צדיק תמים**) - see Shabbos 104a. And why should this special letter be exchanged with the letter 'ע, a letter which is associated with the evildoers (**רשעים**)?

Rather, the reason the name of the Massechta has been altered is due to a story in the Gemara (Sanhedrin 5b) about a certain student who came to a place and taught that the liquid from an egg does not enable something to become susceptible to tum'ah (**מי ביצים אינו מכשיר**). The people of that place misunderstood him, and thought that he said **מי בצעים אינו מכשיר** - that the water from a swamp does not prepare something for tum'ah. This was a terrible error, because the truth is that water from a swamp does, in fact, have the ability to be **מכשיר**. Due to this unfortunate incident, the wise men decided to use the Aramaic word **ביעא** when referring to an egg, in order that it never again be confused with the word which refers to a swamp.

Therefore, the name of our Massechta is commonly known as **ביעא**. ■

HALACHAH Highlight

Creating new decrees

ואם איתא ליגזר משום הנך דמתילדן ביומיהן

If it is true [that the Chazal decreed Rabbah's principle of preparation], they should also decree against those eggs that are laid on their day.

Rashi¹ asks why this second suggested decree does not violate the principle of גזרה לגזרה – we do not issue a decree on an existing decree. This principle is not merely an academic one, rather it is one with very relevant applications. With the advent of technology, many new questions arose regarding the use of electricity on Shabbos or Yom Tov. One such question was the use of an electric blanket on Shabbos. One of the primary questions related to this issue is whether there should be a decree restricting the use of an electric blanket out of concern that one may adjust the temperature.

Rabbeinu Asher ben Yechiel, Rosh², writes that once the Talmud was completed we no longer have the authority to issue new decrees. Later authorities dispute the intent of Rosh. One approach maintains that the restriction only applies to those decrees that would have ramifications on Biblical mitzvos like the decree against blowing shofar on Shabbos³. Others maintain that Rosh's intention was broader and his intent was to restrict the sages from issuing any decree after the completion of the Talmud⁴. Seemingly, according to the latter approach we cannot issue a decree restricting the use of an electric blanket on Shabbos as logical as the decree may seem to be.

REVIEW and Remember

1. When is there a mitzvah to cover the blood after slaughtering?

2. What is the difference between muktzah and nolad?

3. Explain: כח דהתירא עדיף.

4. When do Chazal refrain from issuing decrees?

One could argue, however, that issuing a decree against the use of an electric blanket is not the creation of a new decree but an extension of the decree against maintaining food on an open fire out of fear that one may inadvertently stoke the coals. Rav Ovadiah Yosef⁵, however, quotes numerous sources that maintain that even extending or applying decrees of Chazal violates this principle and cannot be done. Therefore, the conclusion of many Poskim is to permit the use of electric blankets on Shabbos and Yom Tov.⁶ ■

1. ד"ה והתניא ע"ש בסופו
2. רא"ש שבת פ"ב סי' ט"ו
3. שו"ת בית שלמה יו"ד סי' נ"ט ושדי חמד מערכת ג' אות י"א ומובא דבריו בשו"ת קנין תורה ח"ג סי' כ"ג
4. ע' פרי חדש או"ח סי' תס"א וברכי יוסף או"ח סי' תס"ג ועוד
5. שו"ת יחזה דעת ה"ה סי' כ"ח
6. שו"ת יחזה דעת הנ"ל סבופו שמביא כמה פוסקים שהתירו, ע"ש ■

STORIES Off the Daf

The ashes of humility

שאפר כירה מוכן הוא

The literal meaning of our Gemara is that the ashes formed on Erev Yom Tov are considered "prepared" ahead of time. They may therefore be used for the mitzvah of כיסוי הדם on Yom Tov itself. The Biala Rebbe, zt"l, would explain this metaphorically: "Why are the ashes considered already 'prepared'? It is because the most important preparation for prayer is to be completely humble, to see oneself like dust of the earth and ashes." As Avraham Avinu said as he beseeched Hashem, "...and I am merely dust and ash-

es." (Bereishis 18:27)

Rav Raphael of Barshad, zt"l, a disciple of Rav Pinchas of Koretz, zt"l, would always spend many hours preparing for Kol Nidrei on Erev Yom Kippur. Only after an extended period of intense learning and soul searching would the Rav go to the mikveh. After immersing, he would prepare himself to daven Minchah and eat the seudas hamafsekas. After the meal, he would sit again to learn and prepare himself for the tefillah zakah. During the course of his long day of preparing for Yom Kippur, the Rav was careful not to waste a single moment of precious time.

One year, just as Rav Rafael left the mikveh, he was approached by a man who clearly wanted to speak. Unfortu-

nately, this person had all sorts of nonsense on his mind and occupied a great deal of the Rav's time with what was essentially an extended monologue without any real substance. It was literally impossible for the Rav to tear himself away without insulting this other person, and since he had no choice he remained standing outside the mikveh while the priceless minutes ticked by.

After the gentleman left, the Rav said to himself: "Ramban writes in his famous letter that we can attain humility by accustoming ourselves to speak all of our words gently to everyone, all the time. Clearly, this even means someone who is wasting our time talking about nonsense while we are leaving the mikveh on Erev Yom Kippur! ■