

Daf Hashvuah Gemara and Tosfos Beitza Daf 33
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Daf 33a
New Sugya

The Mishna says “and so too with a door.” The Gemara’s assumption is that you may use a door to prop up the pot. The Gemara asks: could it possibly mean that you prop up the pot with a door? (After all, it would break.) The Gemara answers: we mean; and so too a door (you can prop open with a piece of wood).

We learned: the Tanna Kama says you can’t prop up a pot with a log and not prop open a door, since we don’t allow moving wood on Yom Tov (since it’s not a utensil) for any other use than to burn it. R’ Shimon allows it.

The Tanna Kama says that you can’t lead an animal with a wooden branch on Yom Tov and R’ Elazar b. R’ Shimon permits it. Let’s say that R’ Elazar b. R’ Shimon’s whole opinion is based on his father’s opinion (that you may move wood for all purposes). The Gemara rejects it. (After all, R’ Shimon may agree here that it’s prohibited to lead an animal with a wooden branch) since it looks like he’s leading the animal to bring him to market.

New Sugya

R’ Nachman prohibits moving a sharp stick to be used as a spit. R’ Sheishes permits it. The first version is: everyone holds that a fresh branch is prohibited (since it can’t be used for firewood, it has no designated use for Yom Tov, so it’s Muktzah). They only argue with a dry branch. The one who prohibits holds you can’t use it for a spit since you may only use wood for burning. The one who permits holds (you may use it as a spit. Since you may move it to make a fire to roast foods), what difference does it make if he roasts on it or with the coals it would make.

The Gemara’s second version: everyone agrees that you may use a dry branch. They only argue with a fresh branch. The one who forbids holds it to be Muktzah since you can’t use it to fuel a normal fire. The one who permits holds that it’s not Muktzah because it’s fit to fuel a bonfire. The Halacha is: you may use a dry branch and not a fresh one.

Tosfos brings Rashi that this Halacha is based on the one who prohibits Muktzah, and therefore, you may only use wood for kindling. However, we who Paskin like R’ Shimon (that there is no Muktzah) may even move fresh branches. Tosfos disagrees, since it’s very forced to say that R’ Shimon (who we Paskin like) argues with what the Gemara says is the Halacha.

Rather, Tosfos explains: even though R’ Shimon holds you may move wood for other reasons besides kindling, still, it needs to be wood that’s fit to kindle. However, fresh branches are not fit to kindle (so they have no use and are Muktzah according to everyone).

Rava Darshined: a woman shouldn’t go into a barn to take a piece of wood to make a stoker.

Tosfos brings Rashi who explains: Rava doesn’t allow taking wood for a stoker since he holds like R’ Yehuda who only allows wood for kindling. Tosfos disagrees. After all, it doesn’t seem that the Gemara would bring this that’s not according to the Halacha. [See Maharsha who ask that the Gemara

concludes that Rava holds like R' Yehuda. He'd rather explain like the Tosfos Yeshanim's text, that he's saying that it can fit like R' Shimon's opinion through his own logic (and not through a question). Just like we said that the Halacha by a fresh branch could be like R' Shimon, it's possible that this P'sak could also be.]

Therefore, Tosfos explains that even R' Shimon will prohibit it, since it's like making a utensil (by designating it for a utensil).

He also says: a stoker that broke on Yom Tov, you can't use it as firewood. After all, we only permit using utensils for fuel and not broken utensils (that are Muktzah because of Nolad, since it changed its entity on Yom Tov). This implies that Rava held like R' Yehuda that there is a prohibition of Muktzah. How can this be? After all, Rava told his attendant to "roast a duck for me and throw the innards to the cat" (although it was considered human food coming into Yom Tov. So, he doesn't hold of Muktzah, and we don't say that it's Nolad by becoming cat food.) The Gemara answers: since he knows it would spoil, he intends to use it for cat food from Erev Yom Tov.

Tosfos quotes Rashi: R' Yehuda forbids moving it for a cat, since it was human food coming into Yom Tov and not dog (or cat) food. As we see that R' Yehuda holds that (if an animal dies) if it wasn't a carcass from Erev Yom Tov, you can't give it to dogs. The innards are also not fit for humans since it's not normal for people to eat the innards on Yom Tov since they have many other (better) food to eat.

Tosfos asks: if it's true that you can't move food that you don't expect to eat that day, how can the Gemara say that you may move raw meat on Shabbos since it's edible, although no one would eat raw meat when you have a lot of other foods.

Tosfos answers: we refer to a case where it's already spoiled and no longer fit for human consumption. Therefore, R' Yehuda would forbid (since it was fit for humans and now it's only fit for animals). The Gemara answers: since you know it would spoil (before humans would eat it), your original intention is for it to be dog food.

New Sugya

R' Eliezer says that you may take a woodchip (shaped like a toothpick) from before you in the house to pick at your teeth. You may also gather wood from the courtyard to use for kindling. After all, all wood in the courtyard is considered prepared (and not Muktzah).

Tosfos quotes Rashi that taking the woodchip before you in the house is not exact, but even behind you (in the courtyard) since he says that all the wood in the courtyard is prepared (and not Muktzah). He only mentioned to permit in the house as opposed to the Rabanan's opinion that argues that you're only allowed to use the wood to kindle and not to pick your teeth (even if found in the house).

Tosfos asks: the Gemara in Shabbos implies that we're exact to say only in the house. As the Gemara there inquires if you may carry bathroom stones (used as we use toilet paper) up to a roof on Shabbos (if you want to relieve yourself there) and the Gemara concludes that it's permitted. The Gemara asks from R' Eliezer that only allows to take the wood in the house, but not from the whole courtyard, and you're trying to allow carrying the stones to the roof?

Tosfos answers: really, it's exact (that we only allow in the house). Although we said you can

use all the wood in the courtyard, we are more stringent by eating, since you establish from before Yom Tov where you'll dine, so you should have prepared the toothpicks there the day before. However, kindling fire is more unpredictable, since you don't always need a fire in the fireplace on Yom Tov (if it's not too cold). This is the same way the Gemara in Shabbos differentiates between stones and woodchips, (that you don't establish a place to relieve yourself, so you can take the stones from anyplace to anyplace).

However, the Chachumim say you can only take the wood gathered in your house to kindle.

Tosfos brings Rashi that they argue in two aspects: we only allow using wood to kindle from within the house and he doesn't allow using it to pick the teeth, since he holds that we only permit carrying wood on Yom Tov for kindling.

Tosfos asks: it's not logical to say that the Rabanan argue against the Halacha, since this is dependent on the argument between R' Shimon and R' Yehuda (and we Paskin like R' Shimon that you can move wood for any purpose).

Therefore, Tosfos explains: the Rabanan forbid using woodchips to pick your teeth since you may come to break off a chip from a bigger piece of wood (which would be making a utensil). The Gemara also concludes this to be the reason.

You can't make fire (from scratch), not from wood, nor from flint stones, not from (dense) dirt (that causes sparks when you dig in it) and not from hot tiles, and not by water (to magnify). You can't heat up tiles for the first time to roast over them.

Daf 33b

R' Yehuda says: you don't transgress making a utensil if it's made from fodder. R' Kahana asked from the following Braisa: you're allowed to move sweet-smelling wood to smell or to wave it in front of the sick (to revive them). You may rub them (to crush) and smell, but you shouldn't cut it to get out the smell, but if you do, your exempt from a Chatos, but it's forbidden. You shouldn't cut it to use as a toothpick, and if you do, you're obligated in a Chatos.

R' Yehuda answered: even if it would say you're exempt from a Chatos, but it's forbidden, it would be difficult to me, and, of course, it's difficult that it says it's obligates a Chatos. However, we must answer that we refer to a hard piece of wood (that can't be used as fodder).

Tosfos brings Rashi who explains: this is a great disproof towards me. After all, it would be difficult to me if it only said that it's exempt from a Chatos but forbidden, of course now that it says that it obligates a Chatos it's difficult to me. However, in truth, it's not difficult, since it refers to hard wood which is not fit for fodder.

Tosfos asks: why did he need to give this whole long speech "now, even saying he's exempt from a Chatos but forbidden would be difficult etc."? After all, he should have gotten directly to the answer, that the Braisa refers to hard wood.

Another question: this seems to say that R' Yehuda forbids breaking hard wood, yet, later he permits to break off (spice wood) to smell, since he broke them off in pieces (and handed it out).

R' Tam says that the main text is like R' Chananel's, that it says "he answered (we refer to hard

wood).” (I.e., that this is not a continuation of R’ Yehuda’s response, but R’ Kahana’s rejoinder to him.) This is the explanation: R’ Yehuda is saying that the Braisa must have some mistake in it. After all, even if it only said that it’s exempt from Chatos but is forbidden the Braisa would be difficult, since it should permit L’chatchila, do we need to say it’s difficult when it says it obligates a Chatos, so we must say there’s a mistake in it.

To that, R’ Kahana answers: I could explain the Braisa that it refers to hard wood that’s not fit for fodder, and therefore, there’s no question. After all, we can explain (even when it’s not to make a toothpick, but) to smell, at least it’s a rabbinical prohibition. However, you personally can’t answer this, since you hold that you’re allowed to L’chatchila break off hard wood to smell. However, R’ Yehuda, in truth, argues with that, since he holds that even if you make a toothpick out of hard wood you’re exempt from a Chatos (but forbidden), so too, breaking to smell must be permitted, despite being hard wood.

The Gemara asks: (how can you say it refers to hard wood?) Could you rub and crush hard wood? The Gemara answers: we must say that the Braisa is missing some words and this is the way it should read; you may rub and crush to smell, you may cut it to smell. When do we say that? Only by soft wood, but by hard wood, you shouldn’t cut it to smell, and if you do, you’re exempt from a Chatos. However, if you cut it to pick your teeth, you’re obligated in a Chatos.

We have one Braisa that says you can cut the wood to smell and one that says you can’t. R’ Chisda reconciles: (you can cut) by soft wood (and you can’t cut) by hard wood. R’ Acha b. Yaakov asks: why can’t you cut hard wood? Why is it worse than what we allow breaking a barrel to remove the dried figs as long as you don’t intend to make a utensil. Also, we see that R’ Yehuda used to break off from a big piece of wood and gave out the pieces although they were fit to be used as handles of axes and shovels.

Tosfos explains: we refer to breaking it to smell, as we’ll conclude, he holds like the Rabanan who exempts breaking to make a toothpick from bringing a Chatos, but forbids. Therefore, they hold that you can L’chatchila break to smell, and we don’t decree that you’ll break off (to make a toothpick).

Tosfos asks: why do we refrain from smelling spices Motzei Shabbos that falls on Yom Tov. It can’t be because we’re afraid (that when you’ll break it to smell) that you’ll come to break it for a toothpick too. This is not true, since we conclude here that we’re not worried about this according to R’ Yehuda who holds like the Rabanan (who we Paskin like).

Also, you can’t say the reason is: we’ll assume the reason that we smell spices on Motzei Shabbos is because the fire of Gehenim starts burning again which causes a spoiled smell to come to the world (and we smell the spices to relieve us from it), and when Yom Tov falls out on Motzei Shabbos it’s unnecessary since the fire doesn’t start up again. If so, then why don’t we make a Bracha on spices Motzei Yom Tov for this reason.

We can’t say either that, if we assume the reason you need to make a Bracha Motzei Shabbos on spices is to revive us on the loss of our extra Neshama, however, we don’t need this if it falls on Yom Tov, since we don’t lose our extra Neshama, since we have one on Yom Tov too. This can’t be. After all, if so, why don’t we make a Bracha on spices on Motzei Yom Tov? If we say that the above reasons are not why we make a Bracha on spices Motzei Shabbos, what reason is there?

Tosfos answers: really, the reason we make a Bracha Motzei Shabbos on the spices is because the loss of the extra Neshama, (and we don’t make a Bracha after Yom Tov) since we don’t have an

extra Neshama on Yom Tov. If you'll ask why don't we make a Bracha Motzei Shabbos that falls on Yom Tov, we would answer; because we have a lot of good food for the meal, it revives us without needing to come on to smelling spices.

The Gemara answers: this is dependent on an argument between R' Eliezer and the Rabanan. (Therefore, the Braisa who forbids held like R' Eliezer, but the other opinions held like the Rabanan.) As the Braisa quotes: R' Eliezer allows taking a woodchip from within your house to pick your teeth. The Chachumim only allow to take one from (the fodder left) in an animal food-trough. However, they both agree that you may not cut the wood. However, if you did to make a utensil to pick your teeth or to open a door, R' Eliezer held that you're obligated to bring a Chatos if you did it forgetfully on Shabbos, and you get Malkos if you did it purposely on Yom Tov. The Chachumim say, in either case, it's only rabbinically forbidden. Therefore, R' Eliezer who held that intention to make a utensil obligates a Chatos, holds by us, where you only intend to release the smell, that it's rabbinically forbidden. The Chachumim who say it's only rabbinically forbidden to make the utensil, would permit L'chatchila to release the smell.

The Gemara asks: doesn't R' Eliezer hold of the Mishna that you may break open a barrel to remove the dry figs. R' Ashi answers: that refers to a broken barrel glued together with pitch.

Tosfos explains: it's glued with pitch and is shaky. Rashi says we're not worried that you'll try to make a utensil out of it (by making a proper opening to the barrel), since it's shaky, you'll be careful with it so it shouldn't break completely, so you'll make the smallest hole possible.

However, R' Yitzchok explains in Eiruvim: since the pieces of barrel are broken and are glued with pitch, (it's not much of a utensil) and it's not applicable to consider it as if you fixed a utensil (when you open it up).

New Sugya

You can gather wood from your courtyard, since all wood there is prepared, as long as you don't make piles of them. R' Shimon permits making the piles. What do they argue about? The one who forbids is because it looks like you're gathering all these piles to use tomorrow and the day after, and the one who permits is because his pot (waiting to be cooked) proves that it's meant for today.

New Sugya

You can't take fire out (from wood etc., i.e., from scratch). What's the reason? Because you're creating something on Yom Tov.