

Daf Hashvuah Gemara and Tosfos Beitza Daf 17
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New Sugya

When Yom Tov falls out on Shabbos (and you need to mention both Yom Tov and Shabbos in Davening), Beis Shammai holds you need to say eight Brachos, since you need a separate Bracha for Shabbos and Yom Tov. Beis Hillel holds you only make seven Brachos. The middle Bracha starts with mentioning Shabbos, you mention Yom Tov in the middle, and you finish the Bracha with only mentioning Shabbos. However, Rebbi says that you conclude the Bracha with both occasions, “Mikadesh Hashabbos Yisrael V’hazmanim.” Someone read a Braisa that Rebbi’s opinion was to say first Mikadesh Yisrael, and then Shabbos and Zmanim. Raveina says that can’t be the correct text, since there is no reason to mention Yisrael before Shabbos, since Jews don’t establish the day to make Shabbos holy (like they do for Yom Tov, by establishing when Rosh Chodesh is), since the day of Shabbos has its holiness established (from the beginning of creation, that the seventh day is always Shabbos). So, rather, the text should read “Mikadesh Hashabbos Yisrael V’hazmanim.” R’ Yosef Paskined like Rebbi, according to the way Raveina fixed the text.

When Rosh Chodesh or Chal Hamo’ed falls out on Shabbos, the Tanna Kama says that, for Shachris Mincha and Maariv, you read a regular Shabbos Davening, but mention the extra day during Ritzei. R’ Eliezer says to mention it in Modim. However, by Musaf, you start and conclude the middle Bracha with Shabbos, and mention the extra day in the middle of the Bracha. R’ Shimon b. Gamliel and R’ Yishmael b. R’ Yochanan b. Broka say, whenever you have a seven Bracha Davening (like for Shachris, Mincha, and Maariv), you start and conclude the Bracha with Shabbos, and mention the extra day in the middle of the Bracha. R’ Huna says that the Halacha is not like that pair.

Tosfos asks: why doesn’t he simply say; the Halacha is like the Tanna Kama?

Tosfos answers: then it would imply that the Halacha is like him in all aspects, even what he said by Musaf that you start and end with Shabbos and only mention the extra day in middle of the Bracha. However, this is not the case, since we Paskin like Rebbi that you end the Bracha “Mikadesh Hashabbos Yisrael V’hazmanim.”

New Sugya

R’ Chiya b. Ashi says that, on a two-day Yom Tov of the Diaspora, if you hadn’t made an Eiruv T’chumim before Yom Tov, you’re allowed to make an Eiruv on the first day for the second day with a condition, (if today is Yom Tov, tomorrow is weekday so I can anyhow walk as much as I want. If today is weekday and tomorrow is Yom Tov, then I’m making this Eiruv during the weekday for tomorrow.) Rava said this by Eiruv Tavshilin. The Gemara concludes that, the one who says this applies by Eiruv T’chumim would definitely allow it for Eiruv Tavshilin. However, the one who held this by Eiruv Tavshilin would not allow it for Eiruv T’chumim, since you can’t acquire a place to reside on Shabbos or Yom Tov. **(Rashi- however, he was more lenient by Eiruv Tavshilin, since it’s facilitating the honor of Shabbos.)**

Tosfos asks: why do you need the above reason (that he can’t make an acquisition on Yom Tov)? Why not give the reason brought in Eiruvin why you can’t make an Eiruv from Yom Tov to Shabbos, since you’re preparing from Yom Tov to Shabbos?

Tosfos answers: if it wasn’t for the fact that he’s not allowed to make such an acquisition on

Yom Tov, we wouldn't forbid because you're preparing from one day Yom Tov to another, since that first day could be a regular weekday. (They only forbade preparing from Yom Tov to Shabbos.)

Tosfos asks: it's still difficult. Why must the Gemara over there give the reason to forbid because of preparation? Why not give our reason, that you can't acquire a place to reside on Shabbos? Tosfos answers: the Gemara in Eiruv refers to an Eiruv Chatzeiros, where it doesn't apply the prohibition to acquire a place to reside.

Tosfos asks: (why do we say it's forbidden to acquire on Yom Tov?) After all, the Gemara in Gitten allows a dying person to give a Get to his wife on Shabbos by letting her acquire the field the Get was on through a Kinyan Chazaka (showing ownership), by opening and closing the gate. So, we see there that she can acquire something on Shabbos, yet, in our Gemara, we forbid one to acquire something even on Yom Tov.

Tosfos answers: we only allow it by a dying person, since we don't want to upset him (that may cause his early demise). A proof to that, we even allowed him to divorce his wife on Shabbos, although we regularly forbid divorcing and marrying on Shabbos. Although later we only say that it's forbidden to make Kiddushin (and doesn't mention anything about divorcing), however, there is no reason to differentiate between them. (So, if it's forbidden to make Kiddushin, it's forbidden to divorce too.) Also, the Tosefta explicitly forbids marrying and divorcing.

However, Tosfos is bothered, that the Gemara we quoted from Eiruv says "don't you agree that you can't make an Eiruv?" This connotes that there is nobody who argues (since he takes it simply that everyone agrees to this). However, if we say the Gemara refers to Eiruv Chatzeiros, we just had that Rabbi argues and allows making an Eiruv Chatzeiros on Yom Tov to Shabbos. (So, we must say that the Gemara in Eiruv refers to Eiruv T'chumim and we're back to the question, "why doesn't the other Gemara give the reason because you're acquiring a place to reside?")

Therefore, Tosfos explains our Gemara's real reason is because you're preparing from one day Yom Tov to another. When it says "you can't acquire a place to reside," it means, you can't acquire a place to reside from one day to another, since it's preparing.

Tosfos asks: (since our Sugya and the Sugya in Eiruv holds of the prohibition of preparing for another day), why does R' Yochanan say that an egg born on Yom Tov is permitted for Shabbos since he doesn't hold of the prohibition of preparing? After all, how can he argue on all those Tannaim and Amoraim quoted in both Sugyos?

Tosfos answers: our Sugya, and the Sugya in Eiruv, deal with actively preparing on the first day for the second day, like putting out an Eiruv. Even R' Yochanan agrees that this is forbidden. He only permits an egg laid on the first day, since it was prepared "by heaven," i.e., it came into being by itself.

New Sugya

We learned: you can't cook on the first day of Yom Tov for the next day Yom Tov. However, the Halacha is; (if it's necessary to cook for today), a woman can fill a whole pot full of meat, even if she only needs one piece (for today). A baker may cook a whole barrel of water, even if he only needs a small vessel's amount (for today). (This is because, she only needs to do one action to place the pot on the fire, so she's allowed to do that action with a bigger pot.) However, she's not allowed to bake more breads than she needs (since she needs another action for each bread she puts in, some of them will be done only for the next day).

R' Shimon b. Elazar says she can bake a whole oven-full of bread, since the bread bakes better when the oven is full (since there is less area in the oven to distribute the heat). (Therefore, we can attribute all the efforts of making the bread for the sake of the bread you'll eat today.) Rava Paskined like R' Shimon b. Elazar.

New Sugya

The Gemara inquires: if someone doesn't put an Eiruv, are they only forbidden to cook, but their flour is permitted for others (who made an Eiruv) to bake, or do we say their flour is also forbidden. The Halachic difference is; do others need to acquire the flour before they bake? If we say the flour is permitted, they don't need to acquire the flour. However, if their flour is forbidden, they need to acquire the flour to bake, (since it's forbidden while it's still in the possession of those who didn't make an Eiruv).

The Gemara brings a proof from a Braisa: if someone doesn't make an Eiruv, they can't cook, bake or insulate food for themselves and for others, and others can't cook or bake for them. How do they rectify the situation? They must give over their flour to others, and they can bake and cook for them. This proves that, not only they're forbidden to cook, but their flour is also forbidden.

Tosfos asks: once the flour is forbidden, how does it help to give over the flour? How does this get rid of the prohibition to allow him to eat?

Another question: if he's prohibited to cook, how can people cook for him? After all, it doesn't make sense that others can do for him what he himself is prohibited to do.

Rather, Tosfos prefers the text of the Bahag. If the flour is permitted, then you can give to others and they can cook it, (since the flour was never prohibited). However, if the flour is forbidden, he won't be able to give over the flour, since acquiring the flour won't help to permit this prohibition. The text for the final proof should read: "this is a proof that he's prohibited to cook, but his flour isn't prohibited."

New Sugya

The Gemara inquires: what happens if he transgresses and cooks for Shabbos without an Eiruv? Is the food permitted or prohibited?

The Gemara wants to bring a proof from the Braisa we brought before, that, if you didn't make an Eiruv Tavshilin, you need to give your flour over to someone else and he will cook and bake for you. If the food would be permitted if he cooks it himself, the Braisa should have given that as a possibility of having his Shabbos cooked for him.

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R' Ada b. Masna rejects this proof. The Braisa only lists permitted ways to get your food cooked, but not prohibited ways.

The Gemara wants to bring another proof: a Braisa says; if you make an Eiruv, you're allowed to cook and bake and insulate food for Shabbos. If you want to eat your Eiruv afterwards, you're allowed to. However, if you ate it before you cooked etc. you can't cook for yourself or for others, and others can't cook for you. You're allowed to cook for Yom Tov, and if there are any leftovers, you may use them for Shabbos. However, you can't make a trick to cook more than necessary for Yom Tov so that you should have ample food for Shabbos, and if you made such a trick, the food is forbidden. (So, we see if you cooked food for Shabbos on

purpose, the food's forbidden.)

Tosfos quotes Rashi: it's only prohibited if you cook with two pots (and the second pot is for Shabbos) and the trick is, you make an excuse you need the extra pot for Yom Tov because you're expecting guest, or, perhaps guests will come. However, if you cook it all in one pot, it's permitted to add extra. After all, we already said that you may even add extra in the pot to have for the second day of Yom Tov, (and of course, you may have it for Shabbos).

Tosfos asks: why is this different than the case of R' Ada who permits a trick to salt all your pieces of meat, one after the other, (even if you only need one piece. After salting one piece, you'll say, perhaps the next piece is fatter, and salt it, and then continue this process.)

Tosfos answers: over there, we're more lenient since it's only preserving food (which is only rabbinically forbidden). Also, if we don't allow it, they'll be afraid to Shecht for perhaps the meat will spoil, and they'll refrain from Shechting. Therefore, we permit this rabbinical prohibition to promote Simchas Yom Tov. However, here, we're referring to cooking on Yom Tov, which is more stringent (since it's an actual Melacha). Plus, there is a way to do it in a permitted way, by making an Eiruv from Erev Yom Tov. (Therefore, they felt no reason to give any more Heteirim.)

R' Ashi rejects the proof. Trickery is different, since the rabbis felt to be stricter by trickery than by transgressing on purpose. **(Rashi- at least, if he did it on purpose, everyone knows him to be a Rasha for doing it, so they won't learn to copy him. Even the perpetrator can't make excuses for doing it, so perhaps he'll have remorse. However, when he tricks, he thinks he's doing it somewhat in a permitted way, and others may learn to copy him.)**

R' Nachman b. Yitzchok gives another way to reject the proof: the author of the Braisa is R' Chanania explaining Beis Shammai's opinion. After all, he holds that you can't cook on Yom Tov for Shabbos unless you have a cooked item. You can't bake without a baked item. You can't insulate unless you already had an insulated item. Beis Hillel permits everything if you have one cooked item. (So, the same way R' Chanania is stringent in general regarding the Eiruv, he's strict in forbidding the food that was cooked. Therefore, there is no proof to those who are generally more lenient by Eiruv than R' Chanania.)

The Gemara brings another proof: if someone separates Maasar off on Shabbos, if he did it forgetfully, then the food is permitted. If he did it on purpose, then the food is forbidden. (So, we see the rabbis forbid food when someone purposely prepares it in a forbidden manner.)

The Gemara rejects this proof. This Mishna only forbids the food if he has other fruit he can eat. (Therefore, there's no proof to our case where he doesn't have other food, which may be a reason to be lenient and allow the food.)

The Gemara brings another proof: if someone immerses a Tamai utensil in a Mikvah, if he did it forgetfully, he may use it. If he did it on purpose, he may not use it. (So, we see that they were stringent when transgressed on purpose.)

The Gemara rejects this proof. We may only refer to a case where he has more utensils he could use, or, at least he can borrow some utensils.

The Gemara brings another proof: if you cook on Shabbos, if you did it forgetfully, you may eat it. If you did it on purpose, you may not eat it.

The Gemara rejects this proof: a Shabbos prohibition is different. **(Rashi, since cooking on Shabbos**

is a Torah prohibition, we're stricter. However, perhaps we can be lenient when cooking from Yom Tov to eat on Shabbos, which is only rabbinically forbidden.)

New Sugya

Our Mishna (which says that Beis Shammai holds you need two cooked items and Beis Hillel only requires one, and Beis Shammai agrees when you have a fish basted with eggs, it's like two cooked items), argues with the following Braisa. R' Shimon b. Elazar says; they both agree you need two cooked items. They only argue about a fish basted with eggs. Beis Shammai holds that you need two cooked items and Beis Hillel holds you only need one.

Tosfos explains: Beis Shammai still holds you need a second cooked item, because the fish and egg is considered one cook item. Beis Hillel needs one cooked item, i.e., one cooked item like this fish basted with egg, which is considered two cooked items.

However, Tosfos doesn't like this explanation, since it's forced into the words. Rather, it seems that the text should read the opposite. Beis Shammai says it's one cooked item, i.e., the fish basted with egg is only considered one cooked item, and you'll need another cooked item to make an Eiruv. Beis Hillel says it's two cooked items, i.e., the fish and the egg are considered as two cooked items.

However, Beis Shammai agrees if you stuff the fish with mashed hard-boiled eggs, or you stuff it with minced leek, it's two cooked items.

Rava concludes: the Halacha is like our Mishna's version of Beis Hillel.

Tosfos quotes Rashi: we only need one cooked dish. However, R' Tam holds; if you want to bake, you need to also place a baked item with the Eiruv, since you can't rely on the cooked item to bake, (but only to cook). After all, seemingly, we Paskin like R' Eliezer in the beginning of the Perek who says; "you can only bake when you already have a baked item (put for the Eiruv), and you can only cook when you already have a cooked item," since the Gemara brings him without argument that "a Tanna brings the Asmachta to Eiruv from that Pasuk." Although we already said that Beis Hillel holds that you may do all your needs with one cooked dish, that was only to contrast against Beis Shammai who says that you can't even insolate hot water, unless you have some hot water already insolated before Yom Tov. They hold that you need three cooked items for an Eiruv if you want to cook three dishes. On that, Beis Hillel says that one cooked item for an Eiruv takes care for all items that you need cooked, like hot water, or any similar item. Although we already had the statement of Abaya that you can only have a cooked item for the Eiruv and not bread, that's only if you don't need to bake at all. However, if he needs to bake, he needs to put out bread.

However, the Ri argues. After all, all those Gemaras truly seem to say that you need nothing more than one cooked item for an Eiruv. Although we brought down R' Eliezer's Drasha, not because we Paskin like him, but rather, we just bring it down as an Asmachta to Eiruv Tavshilin. On the contrary, we Paskin like R' Yehoshua against R' Eliezer, since R' Eliezer is a student of Beis Shammai. We find that R' Yehoshua argues with R' Eliezer in the Yerushalmi that you can cook and bake with an Eiruv of one cooked item. However, Ri concludes that he doesn't feel confident to argue on his uncle, R' Tam, so he also requires two items, one baked and one cooked. This seems to be the custom of the masses.

New Sugya

The Mishna says that, after the Eiruv is eaten or lost, you can't cook for Shabbos anymore. Abaya says: however, if you started making a dough (while the Eiruv existed), you may finish baking it (even after the Eiruv is gone).

New Sugya

Beis Shammai holds you can't Toivel anything in a Mikvah on Shabbos (or Yom Tov), not utensils nor people. Beis Hillel says that you must Toivel utensils on Friday, but people may Toivel themselves on Shabbos. One may take a stone utensil (that's not susceptible to Tumah) and put Tamai water in it and dip it in the Mikvah. (When the Tamai waters touch the Mikvah, they become part of the Mikvah, which makes them Tahor.) Yet, you can't Toivel (i.e., you can't use a wooden utensil that needs to be Toivel itself, since it's susceptible to Tumah).

You're allowed to Toivel from one press to another, and for one group to the other. (This will be explained in the Gemara.)