

Daf Hashvuah Gemara and Tosfos Beitza Daf 28
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Daf 28a

R Yehuda says you can weigh meat (on Yom Tov with a make-shift weight), that it should be weighed against the weight of a utensil or cleaver (that you know how much they weigh). However, the Rabanan say that you may not use a scale at all.

The Gemara asks: what do they mean by “at all?” The Gemara answers, you may not place anything on a scale even to keep it out of the reach of mice. R’ Idi b. Avin says: this only refers to a case where the scale is suspended on its ring (that you hang the scale from).

R’ Yehuda quotes Shmuel: an expert butcher cannot weigh the meat in his hand (by holding the meat in one hand and a weight in his other hand). He also said: an expert butcher can’t measure the weight of meat by seeing how much water it displaces. (I.e., by seeing how many notches the water rises in the measuring cup.)

R’ Chiya b. Ashi forbids making a hole in a piece of meat to make a handle to carry it. Raveina says (this only applies by making the hole with a knife), but you can make it by digging into it with your finger, (since it’s not the way you’ll do it in the weekdays). R’ Huna permits cutting the meat in a peculiar shape so it should be a sign that it’s yours (and the deliverer shouldn’t exchange it). As we see Rabbah b. R’ Huna had a particular cut (which his household knew it was his signature) by making it into a triangle.

The Gemara brings a story that R’ Chiya and R’ Shimon b. Rebbi, when they divided meat, they would weigh one portion against the other. The Gemara asks: who is this like? After all, it’s not like R’ Yehuda and not like the Rabanan. It’s not like R’ Yehuda, since he only permits weighing against a utensil (but not against another portion, since they sometimes do that during the week). It’s not like the Rabanan since they never permit using a scale.

The Gemara answers: they hold like R’ Yehoshua who says that you may weigh a portion against another portion. R’ Yosef says: it makes sense that the Halacha is like R’ Yehoshua, since the Mishna in Bechoros says like him. As the Mishna says: (all Kodshim that receive a blemish, you can sell normally in a market and weigh it normally with weights) since the profits go to Hekdesh (so they didn’t worry about disgracing Hekdesh this way since this would get the best price for Hekdesh). However, B’chor (where they didn’t allow this, since the profit doesn’t go to Hekdesh), you’re still allowed to weigh one portion against another. (So, we see that it’s not considered the normal way to weigh.)

Abaya rejects the correlation: perhaps R’ Yehoshua only permits by Yom Tov where there is no disgrace to Kodshim, but he may not allow the same action by Kodshim. Also, perhaps the Mishna there allows it because it’s not the regular way to do it during the week (since you never sell meat by weighing against another piece), however, by Yom Tov where it’s more regular (to split meat owned jointly by weighing the portions against each other), he wouldn’t permit.

The Gemara asks: (from the very fact that they took the time to weigh their portions to make sure one’s portion wasn’t bigger than the other) is a proof that they must have cared to be exact which each other (and

they don't forgive anything to the other). However, we see not like that. After all, there was a story that seven fish came to Rebbi's house, and five of them found its way to R' Chiya's house, and R' Shimon b. Rebbi, (the other replicant), didn't care that he took extra.

The Gemara answers: we must say that (those weren't the right people), but it only happened to only one of those people, and the second person of that story was a different person. Either the story happened to R' Chiya and R' Yishmael b. R' Yossi, or it happened to R' Shimon b. Rebbi and Bar Kapara.

New Sugya

You can't sharpen knives regularly, but you can sharpen them by scraping one knife against the other.

R' Huna says: we only forbid it when sharpening against a sharpening stone, but it's permitted to sharpen it against a piece of wood used for sharpening. R' Yehuda quotes Shmuel: we only forbid using a sharpening stone to sharpen the knives, but it's permitted to rub against it to remove fats stuck onto the knife. This implies that you're allowed to rub it against wood in order to sharpen it.

A different version: Shmuel said this on the last line. When we permit wood, Shmuel says it's only to remove the fats, but not for sharpening. This implies; you can't even rub against stone to remove fats.

The Gemara asks: who is the opinion that forbids sharpening? The Gemara answers: it's not like R' Yehuda. As we learned: the Tana Kama says; there is no difference between Yom Tov and Shabbos but Melachos that are needed for preparing food. R' Yehuda permits doing Melacha to make items that facilitate food preparation.

Rava told R' Chisda that they Darshen in his name that the Halacha is like R' Yehuda. He answered: it should be Hashem's will that they should Darshen all fine statements (like this) in my name.

Daf 28b

R' Nechemya b. R' Yosef said he saw Rava rubbing a knife against a basket. I asked him if he was sharpening the knife or scraping off the fats. He responded that he was only scraping off the fats. However, I noticed that he really intended to sharpen the knives. The reason for this; because he holds that the Halacha is like R' Shimon, but we don't Paskin for the masses that way.

Abaya said he saw Rabbah rubbing a knife against a millstone. I asked him if he was sharpening the knife or scraping off the fats. He responded that he was only scraping off the fats. However, I noticed that he really intended to sharpen the knives. The reason for this; because he holds that the Halacha is like R' Shimon, but we don't Paskin for the masses that way.

The Gemara inquires: could you show your knife to a Chachum to inspect, (as a Shochet needs to do before Shechting), on Yom Tov? R' Marei b. Bizna permitted it and the Rabanan forbade it (since it's a disgrace for Yom Tov since you're showing it publicly, and it looks like you want to sell meat in the market). R' Yosef says: a Talmud Chachum can inspect his own knife and lend it out to Shochatim.

R' Yosef says: you may sharpen a knife that stopped cutting, but only if it still chops if you press down with force.

R' Chisda, and some say R' Yosef, says: whether smoothing out a knife that gets a nick, or to fix a spit that broke (at its tip), or shoveling out an oven (from the collapsing plaster), is dependent on the argument between R' Yehuda and Rabanan (whether you can fix utensils that facilitate food).

Tosfos brings the Ri that says the prohibition to shovel out the oven is because you're smoothing out holes in the ground. Tosfos is dissatisfied, since it's not similar to the other cases where the prohibition is fixing a utensil.

Rather, Tosfos explains: we refer to a new oven that still has stones and mounds of earth in it. So, when you shovel them out, it's the finishing touches of the oven, and it's Chayiv for "Makeh B'patesh," since all finishing touches to utensils are Chayiv for "Makeh B'patesh."

Tosfos asks: (why do we need the reason to prohibit because of Makeh B'patesh?) Even without Makeh B'patesh it should be forbidden because of Muktzah of the earth and stones.

From here, the Ritzba gleams, that it's permitted to move Muktzah for the need of preparing for food. This is a proof to what we said in the first Perek (that it's permitted).

As we learned: the Tanna Kama says; there is no difference between Yom Tov and Shabbos but Melachos that are needed for preparing food. R' Yehuda permits doing Melacha to make items that facilitate food preparation.

What's the reason for the Tanna Kama? Since the Pasuk says "it (the food preparation) by itself," which connotes, but not the making of items that facilitate food preparation. R' Yehuda says; the Pasuk says "to you," which connotes for all your needs. What does the Tanna Kama do with the Pasuk "to you?" To teach us that you can't do Melacha to prepare food for non-Jews. What does R' Yehuda use "it, by itself" for? He says; since (there seems to be a contradiction). It says "it, by itself" (to exclude making items that facilitate food preparation) and it says "to you" (to include making items that facilitate food preparation). To reconcile; we must say the Torah only permits when you couldn't fix them before Yom Tov and forbids if it was possible to fix it before Yom Tov.

Shmuel says: you can't straighten out a warped spit on Yom Tov (since it's possible to use it without fixing). The Gemara asks: this is very simple, why must Shmuel tell us this? The Gemara answers: even in a case where you can bend it back into shape with your hands (and you don't need tools), it's still not permitted.

Shmuel says: after roasting on Yom Tov, you can't move a spit (since it's disgusting and becomes Muktzah, and there is no more use for it on Yom Tov). R' Malchiyav allows to remove it quickly and drag it to a corner (but you can't normally move it). R' Huna only permit moving it if it still has a Kazayis meat on it. Raveina permits even without a Kazayis meat on it similar to what we permit to remove a thorn in the street (to prevent someone from stepping on it and getting damaged, so too, you should remove the spit from a place that it can damage).

Tosfos explains: that you're allowed to move the thorn in the street although it involves a Melacha (of carrying, although we only allow carrying it less than four Amos at a time to make sure he doesn't transgress a Torah prohibition).

Tosfos asks: this seems that Raveina regularly holds of Muktzah, for, if it wasn't for this Heter to move (something that may inflict damage) he wouldn't allow moving it because it's Muktzah. However, at the end of Mesechtas Shabbos, it seems that he doesn't hold of the prohibition of Muktzah. As we see that he argues with R' Acha, that one held Muktzah is forbidden and the other one permits it. We have the rule, when they argue, R' Acha is more stringent and Raveina more lenient. (So, we see Raveina permits Muktzah.)

Tosfos answers: here, Raveina is only commenting according to Shmuel who forbade the spit, but he personally would allow carrying the spit anyhow.

However, there is still a question, since Shmuel seems to contradict himself. After all, there he seems to agree with R' Shimon that there is no Muktzah by mats made to cover the wares brought in a ship, and yet, here he holds of Muktzah.

Tosfos answers: spits are different since, after you finish using them, they don't have the status of a utensil (but just as a piece of wood). Therefore, Shmuel forbids it since it's Muktzah, therefore, Shmuel can still hold of R' Shimon's opinion.

The next Gemara deals with different statements of R' Malchiyav and R' Malchio, and how to remember who said what so that you shouldn't confuse them. R' Chanina b. Ika says: the following statements regarding the spit (that we just said), maid-slaves (he Paskins like R' Elazar that no matter how many maids a husband brings into the house, a wife must still work, since idle hands will leave to her straying), and pores (that if a girl doesn't have pubic hairs, if she has pores, we assume that she had the hairs and they fell out and she's an adult) are all from R' Malchiyav. However, the statement on ponytails (that non-Jews grew for idols, a Jewish barber needs not to cut within three fingerbreadths of it, so not to help preserving it), oven ash (you're not allowed to put it on a wound, since it might leave a mark and it's similar to a tattoo), and cheese (the reason they forbade the cheese of a non-Jew is because they glaze its surface with lard) are all from R' Malchio. R' Pappa says that all statements said on Mishnayos and Braisos are from R' Malchio and personal comments are from R' Malchiyav. A mnemonic to remember this rule that Mishnayos are considered 'king' (most authoritative). [So, R' Malchio, whose name means king, said his rule on Mishnayos.] The difference is who said the statement of maids. (Since it was a comment on a Mishna, then R' Pappa holds R' Malchio really said it.)

Tosfos explains: since the statement about maids was said on a Mishna in Kesuvos.

Tosfos asks: why don't we say that oven ash is another difference? After all, since it's an independent statement, according to R' Pappa, it should be R' Malchiyav who said it.

Tosfos answers: we mean to say; the differences are 'maids' and the case that's parallel to it, i.e., the middle case of the second group, which is oven ash.

Alternatively, R' Pappa only gave the rule that Mishnayos are R' Malchio and not R' Malchiyav, however, the independent statements may also be R' Malchio. Therefore, we can say the statement of oven ash is still R' Malchio. Therefore, the mnemonic was only given regarding Mishnayos, (but not for independent statements).