

**Daf Hashvuah Gemara and Tosfos Beitza Daf 8**  
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**New Sugya**

The Mishna says: Beis Hillel admits that, if he already Shechted, he may dig with a spade to cover the blood. R' Yehuda says that he only allows it if the spade was already stuck into the dirt from Erev Yom Tov. (Since it's already stuck in, we view it as if it's already somewhat detached, and we don't consider it true digging.)

The Gemara asks: (since dirt comes in clods, you'll need to grind it until it will be loose dirt that's fit to cover blood.) However, how do we allow him to do the Melacha of grinding?

**Daf 8a**

Rav answers: we refer to digging into loose dirt.

The Gemara asks: (since you're making a hole in the ground by digging), why are you not worried that you're making a hole, (which is the Melacha of building)?

**Tosfos asks: it would seem from here that it's possible to transgress making a hole on Yom Tov by digging into loose dirt. However, the Gemara in Shabbos implies that you can't be Chayiv.**

As we see the Gemara there says: **you can't put an egg into hot sand to warm it up. (Even R' Yossi agrees. Although he holds that, not only is there no prohibition of cooking on Shabbos in the sun, but also there is no rabbinical prohibition to cook on objects heated up by the sun (and he doesn't prohibit it like those who argue with him, for perhaps you may heat them on objects heated up by fire). The question is: then, what's wrong with putting the egg into the sun-heated sand?) R' Yosef held the reason is; since you're putting it in the sand, you might come to also put it in hot ash (on Erev Shabbos, and then come to stir the ashes on Shabbos to make it hotter). Rabbah says that you might move dirt from its place, and Rashi explains, that you'll be making a hole. The practical difference between the opinions is if you put it in loose dirt. Over there, you still have the worry perhaps you'll put it in hot ash, but you don't need to worry that you'll move the dirt (to make a hole). (So, we see you can't make a hole by removing loose dirt.)**

**Tosfos answers: the Gemara in Shabbos refers to a case where all the dirt in the area is loose. Thus, if you remove the egg from the loose dirt, all the loose dirt surrounding the hole will cave in, and you can't tell there was ever a hole there. Our Gemara refers to a case where there is hard dirt surrounding the loose dirt. Therefore, when you lift the loose dirt with the spade, it leaves a gaping hole.**

The Gemara answers: it's like R' Abba says, that if you dig a hole and you only need the dirt, you're not Chayiv. (Rashi explains: since it's destructive to the ground, and not constructive.)

**Tosfos explains: since it's a Melacha Sheina Tzricha L'gufo, (i.e., you don't need the Melacha for its regular use. Therefore, the Melacha of digging a hole is to have a hole for building.**

However, here you don't need the hole.)

**Tosfos asks: if so, it's only exempt from a Chatos, but it's (rabbinically) prohibited for anyone to do so. (So, how do we permit someone to dig?)**

**Tosfos answers: in order to have Simchas Yom Tov, the Rabanan made an exception to permit it.**

**Tosfos asks: if so (that the Rabanan completely allow this type of digging on Yom Tov), why do they require having the spade stuck into the ground?**

**Tosfos answers: they required the dirt to be prepared from before Yom Tov (so it wouldn't be Muktzah. By sticking the spade in the dirt, you're designating the dirt for use, and therefore, making it not Muktzah)**

### **New Sugya**

The Mishna says, "because ash from an oven is prepared (and not Muktzah)." [The Gemara is troubled by this statement, since it seems to explain the reason we allow covering the blood with the dirt (that has a spade stuck into it) if it was Shechted, and this has nothing to do with it. So,] the Gemara asks: who ever mentioned anything about oven ash?

Rabbah answers: this is a new statement (without the text 'because') and should read "oven ash is prepared" (and is not Muktzah).

**(Tosfos assumes that the Mishna is saying; and therefore, you may cover blood with the ash.) Tosfos asks: we see that Beis Shammai's opinion in Chulin is that you can't cover blood with ash, since Efer (ash) is not the same as Afar (dirt). So how can we say that everyone agrees that you can use this ash to cover blood? After all, this statement is part of what we say that "Beis Shammai and Beis Hillel agrees," (so, it sounds that Beis Shammai permits covering blood with the ash.)**

**Tosfos answers: when Rabbah said that this is a statement in itself, (he meant a totally independent statement and doesn't even refer to covering blood at all, but rather) that you may move the ash for other uses, like to cover dung or anything similar, but doesn't refer to the topic of "covering blood" that the Mishna mentioned earlier.**

**Alternatively, the Gemara in Chulin refers to food ashes, which you cannot grow vegetation in. However, our Gemara refers to wood ashes, which you can grow vegetation in. So, even if Beis Shammai holds it's not called Afar (dirt) you can cover blood with it, since you may cover with anything that can grow vegetation in it even if it's not called Afar. The opposite is also true, you can cover with anything that's called Afar even if it can't grow vegetation.**

**We see this in a Mishna in Chulin. If someone is in the desert and doesn't have anything to cover the blood, he grinds up a gold coin and covers it. If he's on a ship and doesn't have anything to cover the blood, he burns his cloak and covers it with the ashes. (This is like Beis Hillel's opinion that permits covering with ash). The Gemara asks: I understand why you can cover with ash, since we see the Torah refers to the Parah Aduma's ashes as 'Afar.' However, why could you cover with gold shavings? The Gemara answers: because we find a Pasuk in Iyov calling gold shavings**

**‘Afarus.’ Now, we must say that you can’t grow vegetation in either the cloak ash or the gold shavings, and that’s the reason you need to find a Pasuk that calls it ‘Afar.’ After all, if it can grow vegetation, even if it’s not called ‘Afar,’ we know you can cover blood with it from the extra word “and you shall cover.” This would include fine wood shavings, fine beaten flax pieces and ground up iron. Therefore, you may cover blood, (even according to Beis Shammai, since it grows vegetation) with oven ash, fine sand, fine beaten flax pieces, lime and a ground up barrel cover.**

Rav says: we only allow (moving the ash) if it was burned Erev Yom Tov, but if it was burned on Yom Tov, it’s Muktzah. (After all, it’s Nolad, since it was wood Bein Hashmashos, and now it’s ash.) However, if the ash is still hot enough to roast over, it’s permitted. (Since you can still use it for the same purpose as wood, it still has the status of wood and we don’t consider it as if it changed.) We have a Braisa that supports this.

**Tosfos says: it seems this is the Halacha, since the Braisa supports it. Furthermore, there seems to be nobody that opposes this. After all, even R’ Shimon, (who regularly disagrees and permits Nolad), would agree that the ash burned on Yom Tov is forbidden, since it’s a completely changed entity, from wood to ash. This is similar to the Gemara in Eiruvin that R’ Shimon agrees that rain water (would be forbidden) if the droplets were considered completely absorbed in the clouds. (So, it’s a complete change, from cloud to water.)**

**Tosfos asks: how do we remove the old ash from an oven on Yom Tov in order to bake a meat-pie? After all, the ash is no longer hot enough to roast an egg (and should be Muktzah).**

**The Ri answers: we allow moving Muktzah when it’s necessary for food preparations and Simchas Yom Tov (the same way we permit Melachos). A proof to this is a Gemara later (that permits clearing out a new oven from rocks and debris).**

**Tosfos concludes: the Yerushalmi says; our Gemara that forbids covering with fresh ash is only saying; don’t Shecht an animal L’chatchila if you’re relying on this fresh ash to cover the blood. However, if you already Shechted it, then you may use this ash, although it was burned on Yom Tov, so that you shouldn’t miss fulfilling your obligation of covering the blood.**

### **New Sugya**

The Braisa says: someone may pile up dirt (to prepare it for use on Shabbos and Yom Tov) in his garden and ruins, and use the dirt to cover up (disgusting things like spit etc.) R’ Yehuda says that someone may bring in a basket-full of dirt (into his house), and use it. Mar Zutra qualified it: only if he placed it in a corner.

**Tosfos asks: what is R’ Yehuda adding to what the Braisa says? After all, if you can pile dirt in your garden and a ruin, of course you may bring in a basket-full.**

**[Tosfos is not clear why he holds the case of a “basket-full” is superior to the case of gathering dirt in the garden. The Shulchon Orech says it’s superior since you’re bringing it into your house instead of your field, so we don’t consider this dirt to be part of the house’s floor as much as we’ll consider it part of the garden’s floor. However, Tosfos makes no mention of this, but stresses because it’s a basket-full. Perhaps it’s considered more prepared, (and less Muktzah), since you placed it in a utensil.]**

**Tosfos answers: it fits well to Rashi who explains the Braisa that he piled up a lot of dirt. So, as long as they're piled together, you designated it for all your needs, and it doesn't become part of the floor. However, here you only brought in a small amount, a basket full. Therefore, I would think that it (doesn't have its own entity, and) just becomes part of the floor. (So R' Yehudah tells us otherwise.)**

**Alternatively, the Braisa only writes about using the dirt to cover things, (which is its main use, so it's easier to say it's not Muktzah for that use). However, since R' Yehudah's dirt is a basket-full, you may use it for any need.**

The Gemara asks from a Braisa: you should not Shecht a Koy on Yom Tov. [A Koy is an animal that's a Safeik whether it's domestic (and doesn't need its blood covered) or wild (and needs its blood cover.) Perhaps, it's a buffalo.] The reason is: because you'll need to cover the blood, but you can't. However, if the basket-full of dirt is not Muktzah, why not cover it with that dirt?

The Gemara counters: even if it would be Muktzah, we can still ask; why not cover it with oven ash or dirt you stuck a spade into?

**Tosfos explains: when the Gemara asks from the Braisa, (it's not asking from the first line, as stated, that you can't L'chatchila Shecht a Koy), but rather, from the last line, (that, even if you Shechted a Koy, you can't cover its blood.) Rashi also says explicitly that it asks from the last line. After all, we need to explain it that way, for if it asked on the first line saying that you shouldn't L'chatchila Shecht a Koy, then, how can we ask that we should cover it with dirt that you stuck a spade in? After all, Beis Hillel doesn't permit Shechting L'chatchila if you need to dig with a spade. After all, the Gemara would not ask that we should follow Beis Shammai who permits it. (So, rather we ask from forbidding covering the blood if it was already Shechted, since Beis Hillel permits digging with this spade if the animal was already Shechted.)**

However, Tosfos asks: (we can't say we're asking from the last line), since the Gemara will say "let's look at the last part of the Braisa." This implies, that up to that point in the Gemara, we're asking from the first part of the Braisa.

Rather, Tosfos explains: really we're asking from the first part of the Braisa, and we erase the text that reads "we should cover it with dirt that has a spade stuck in." Rather, it only reads "you should cover it with oven ash" (and nothing else).

**Alternatively, (we can still ask from the dirt with the spade stuck in it) according to what R' Tam says later, (when we say to switch Beis Shammai's and Beis Hillel's opinions) that it refers to the case of the dirt with the spade stuck in, that Beis Hillel permits Shechting it and Beis Shammai forbids Shechting it. So, the Gemara now asks to cover it with this dirt according to Beis Hillel.**

The Gemara explains: so, the same way we must say that we refer to a case where he doesn't have the ash or a spade stuck into dirt, we can say that there was no basket-full of dirt either.

The Gemara asks: if so, why does the Braisa need to construct the case with a Safeik wild animal, which only has a Safeik whether you need to cover its blood? After all, if you have nothing to cover the blood, then you can't even Shecht a definite wild animal.

**Tosfos asks: (why did the Gemara say, “if so?” After all, it connotes that, if the basket full of dirt is Muktzah, then it makes sense why we constructed a case of a Safeik.) However, why is it better if the Halacha would not be like R’ Yehuda (and the basket-full of dirt would be Muktzah)? After all, we could still ask why not cover the blood with dirt that had a spade stuck in it, and we would still need to answer that we don’t have any. (So, why shouldn’t we still have the question; why did the Braisa use a case of a Safeik?)**

**Tosfos answers: if we don’t hold of R’ Yehudah, then it makes sense. After all, we can say that they don’t have the dirt with the spade stuck in or oven ash, since most people don’t have such dirt, or have ash that was burnt from Erev Yom Tov. However, it’s very common for people to have a basket-full of dirt in their house to cover things. Yet, it’s not a question anymore why not cover with this dirt if we don’t Paskin like R’ Yehudah (and it would be Muktzah). However, you can’t ask why did the Braisa construct the case by a Safeik, since you also can’t cover a definite case with this dirt either. That’s because; it’s not true. We can say that we agree with R’ Yehudah partially, that you may use this basket-full of dirt to cover blood that has a definite obligation. We only would disagree with his idea that you may use this dirt for any use. Therefore, you can’t cover the Koy’s blood, (since it may not need covering, so covering its blood is not from the approved uses.) However, if we hold of R’ Yehuda (and allow to use it for any use, including covering the Koy’s blood), then we must say the reason you can’t Shecht it on Yom Tov is because you have nothing at all to cover it. Then we can ask: if so, then you can’t even Shecht a definite wild animal.**

The Gemara answers: the Braisa teaches us a Chidush by writing a Safeik. After all, we don’t need to say not to Shecht a definite wild animal on Yom Tov if you have nothing to cover its blood with, since that is too simple. However, I might permit Shechting a Safeik, (since it might not be obligated), so you should have Simchas Yom Tov, and just don’t cover the blood. Therefore, the Braisa teaches us otherwise, not to Shecht it.

### **Daf 8b**

The Gemara asks: let’s look at the end of the Braisa: if you did Shecht it, then you don’t cover it. So, it implies that you have something to cover the blood. (For, if you don’t have anything to cover the blood with, why would it need to tell us not to cover it?)

**Tosfos asks: why didn’t the Gemara ask a simpler question: if there is nothing to cover the blood, then it’s simple you can’t Shecht and end up not fulfilling your obligation to cover the blood?**

**Tosfos answers according to Rashi’s explanation: if it was only for the first part of the Braisa (of not Shechting, it could still be a Chidush because), I might have thought that you should Shecht anyways without covering, so that you’ll have Simchas Yom Tov. (So, the Braisa teaches us otherwise.) However, from the end of the Braisa (that says not to cover it after you Shechted it), if you don’t have any of those (permitted objects to cover), of course you don’t need to say (that you can’t cover the Koy’s blood with forbidden dirt). After all, if we Paskin like Beis Hillel that forbids covering definitely-obligated blood with dirt that doesn’t have a spade stuck into it, (even after it’s Shechted), of course he wouldn’t allow using it to cover Safeik blood. So, we must say that he has permitted dirt for covering, and the Braisa only permits to cover definitely-obligated blood, but not a Safeik. So we have the same question, why shouldn’t you cover its blood with (permitted**

## **items) like the basket-full of dirt or oven ash?**

Rather, Rabbah explains the reason you can't cover the Koy's blood: (we refer to a case where you have permitted dirt or ash to cover), however, oven ash is only considered 'prepared' to a definite cause (and that's why you can use it to cover a definite wild animal's blood), but it's not 'prepared' for Safeik uses.

(At this point, the Gemara assumes the reason it's not prepared for a Safeik use is not a Muktzah problem, but even when you prepare it, the preparation doesn't help for a Koy.) The Gemara asks: what's the problem with using dirt to cover a Safeik? (If we refer to a spade stuck in the dirt, is it that by lifting the spade) you're making a hole? If so, even if it's a definite wild animal you're making the hole. So you must say that there is no problem of making the hole, like we said before, like R' Abbah (that holds it's a destructive act and is not a violation of Yom Tov). If so, then we can say the same by a Safeik.

Rather, we must say that the problem is (that, if you uproot a clod of dirt), he'll come to grind up the dirt (so that he can sprinkle it over the blood). The Gemara asks: if so, then you have the same problem by a definite wild animal. The Gemara answers, if it's definitely obligated to cover, we can say the Asei of covering blood supersedes the Lav of Melacha on Yom Tov. The Gemara asks: we only say that an Asei supersedes a Lav, when you do the Asei simultaneously with the Lav. Like, when the Torah permitted cutting an Arlah (foreskin; for Milah) that has Tzaras on it (and regularly, the Torah forbids cutting off Tzaras). Or, in the case you wear wool Tzitzis, (i.e., the T'cheiles), on linen clothing. However, here (you're just grinding up the dirt to use later to sprinkle on the blood), you're not doing the Lav at the same time you're doing the Asei, so the Asei can't supersede the Lav.

The Gemara answers: we refer to a case where you ground up the dirt over the blood, (and therefore, performing covering the blood at the same time you're grinding on Yom Tov).

The Gemara asks: still, keeping Yom Tov is both an Asei (the Torah says to 'rest'), and a Lav (not to do Melachos). We say that an Asei doesn't supersede an Asei and Lav.

Rava answers: (it's not a problem of, perhaps, he'll do a Melacha), but, (when someone prepares oven ash to be used on Yom Tov), he only thinks to use the oven ash for definite needs, but he doesn't have in mind to use it for a Safeik need. (Therefore, the ash is Muktzah to use for a Safeik need, like covering a Koy's blood.)

**Tosfos asks: the very fact that Rava needed to answer this question (and didn't rely on the earlier answer, that we're afraid he'll come to grind the clod of dirt), that he agrees to the last statement of that Gemara, that Yom Tov is truly a Lav and Asei.**

**However, in Mesechtas Shabbos, (he seems not to hold that. After all, the Gemara was wondering why we don't permit a Mila after the eighth day on Yom Tov. After all, the Asei of Milah should supersede the Lav of Yom Tov.) Rava answers: the Pasuk excludes it, As we see from the following Drasha. The Pasuk says 'it' (i.e., preparation for eating, may be done on Yom Tov), and not facilitating objects that prepare the foods (like fixing pots). "By itself" excludes performing a Mila not in its proper time (i.e., after the eighth day). R' Ashi answers: since Yom Tov is both an Asei and a Lav, we don't say the Asei of Mila supersedes it. (Since Rava didn't answer like R' Ashi), it would see that he doesn't hold that Yom Tov is a Lav and Asei.**

**Tosfos answers: (really Rava doesn't hold that Yom Tov is an Asei and a Lav, but) the Gemara decided to place Rava's answer to fit into the Halacha that Yom Tov is a Lav and an Asei, even if he doesn't personally hold of it.**

This is Rava being consistent with his opinion: if someone brought in dirt to cover dung (if a child has an accident), he may use it to cover the blood of a Shechted bird. However, if he brought it in to cover a bird's blood, he can't cover dung, [since it's not definite for the child to have an accident. Therefore, designation for a definite use (i.e., covering a bird's blood, since you know you'll Shecht one this Yom Tov), doesn't help for a Safeik use (covering dung).]

The rabbis of Naharblai say that, even if you bring in dirt to cover the bird's blood, you may use it to cover dung (because he considers it a good probability that a child may have an accident. Therefore, it's on the same level as if it's a definite use.)

There is an argument between R. Yossi b. Chama and R' Zeira (and others say it's between Rava. B. R' Yosef b. Chama and R' Zeira), if covering the blood of a Koy is at the same level as covering dung (since both are a Safeik) or if Koy is not at the same level as dung, (since dung has a good probability, it's closer to being a definite use than the Koy's Safeik). The Gemara brings a proof that Rava is the one that equates Koy to dung. After all, he says that, if he brings dirt to cover dung, he may cover a bird's blood. However, if he brought the dirt to cover the bird's blood, he can't cover the dung. (So, we see Rava holds that dung is not considered the same level of a definite use like bird's blood, but as a Safeik use, like the Koy's blood.)

Rami b. R' Yaiba answers why the rabbis forbade covering the Koy's blood on Yom Tov: it's because people will confuse the reason why we allow the covering, and think the reason is; because the rabbis decided it's a definite wild animal. They would then permit eating its fats (and they wouldn't realize that we're only stringent to cover the blood because of the Safeik, and you should also be stringent not to eat the fats, for perhaps it's a domestic animals).

The Gemara asks: if so, why permit covering it on a weekday? (After all, they'll also make the same wrong conclusion?)

The Gemara answers: people seeing them covering during the week would assume he's just cleaning his courtyard (and not doing it for the Mitzvah).

The Gemara asks: what would they say if he Shechted it on a garbage heap (which doesn't require cleaning)? Also, what would they say if they asked a rabbi if it needs covering, (and the rabbi answers in the affirmative)?

Rather, the Gemara answers: during the week they wouldn't jump to any conclusions. After all, even if it would only be a Safeik obligation, the rabbis would bother you to cover it. It's only on Yom Tov, when we don't want people to do unnecessary tasks, we'll worry that people will say that the rabbis wouldn't require covering it if it wasn't a definite obligation.

R' Zeira says: not only did the rabbis tell us not to cover a Koy's blood on Yom Tov, (which is only a Safeik obligation), but even if you have a mixture of blood from birds, wild animals and domestic animals, you may not cover it. (Even though there is definitely obligated blood there, they didn't allow covering it, since you'll need to bother covering the domestic animal's blood, which is for no reason.)

**Tosfos asks: how does the rabbis have the right to tell you not to do what the Torah commanded you? After all, covering the blood is a Torah commandment, as the Torah said “cover the blood in dirt.”**

**Tosfos answers: the truth is, the rabbis do have such an authority to require us to passively disregard a Torah commandment.**

R' Yossi b. Yosiena says that we only forbid covering if he has to take two spadefuls to cover all the blood. However, if he can cover all the blood in one spadeful, you may cover it. The Gemara asks: this seems too simple (and there is no reason to say it. After all, there is no extra bother for cover the domestic animal's blood, since you anyhow needed to use one spade's worth to cover the obligated blood.) The Gemara answers: I might say that we'll decree not to even cover with one spadeful, for perhaps you'll also permit when you need two spadefuls. So we're taught otherwise.