

KEHATI MISHNAH TRACTATE BETZAH

GLOSSARY

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Aggadah	(Lit., 'tale') - non-normative Rabbinic literature, which contains homiletic expositions of the Bible, stories, legends etc. Opposed to halakhah (q.v.).
Am Ha-Aretz	(pl. <i>ammei ha-aretz</i>) - a person who through ignorance was careless in the observance of the laws of ritual purity and those regarding terumot and ma'asrot (q.v.) Opposed to haver.
Amidah	the prayer of the eighteen (to which one more was added later) blessings, recited three times daily on weekdays (seven on Sabbaths and Festivals), in a standing posture, with feet together.
Amora	Rabbinic authorities of the Gemara - as opposed to the Tannaim of the Mishnah.
Baraita	teachings of the Tannaim excluded from the corpus of the Mishnah and included in later collections.
Bererah	retrospective selection or designation.
Bet Av	one of the six family divisions into which each of the eight major divisions of the priests and Levites (<i>Mishmar</i>), (q.v.) was subdivided for the purpose of the Temple service.
Bet Din	Rabbinic Court of Law.
Dinar	a silver or gold coin.
Eruv	1) a legal act for extending by 2000 cubits the ordinary limit one is allowed to walk beyond the town boundary on the Sabbath and Festivals (<i>eruvei tehumin</i>); 2) a legal act which joins domains of different standing, in order to enable one to carry from one into the other or within a non-private domain (<i>eruvei hatzerot</i>); 3) a legal act which enables one to prepare food etc., from a Festival for the Sabbath.
Haver	as opposed to am ha-aretz (q.v.); one scrupulous in the observance of the law, particularly in regard to ritual cleanness and terumot and ma'asrot (q.v.).
Halakhah	1) the final decision of the Rabbis on disputed rules of conduct; 2) those sections of Rabbinical literature which deal with legal questions, as opposed to Aggadah (q.v.).
Hallah	Portion of the dough which belongs to the priest (v. Num. 15:20f).
Kilayim	prohibited junction of diverse kinds: a) the sowing together of diverse seeds or the grafting of diverse kinds; b) cross-breeding of animals; c) the harnessing together of diverse kinds of animals; d) the weaving or sowing together of wool and linen.

Midras	uncleanness transmitted by certain kinds of bodily uncleanness by sitting, standing, lying or leaning on an object, though not touching it.
Ma'aser rishon	tithe, a tenth of the produce due to the Levite.
Ma'aser sheni	a tenth of one's produce which is taken up to Jerusalem and eaten within its walls.
Ma'aser ani	a tenth of the produce given to the poor every third and sixth year of the Sabbatical seven-year cycle, in which years Ma'aser Sheni is not given.
Mishmar	a guard of priests and Levites representing one of the eight divisions which performed the Temple services in rotation. Each of the subdivisions of the Mishmar is called Bet Av (q.v.).
Muktzeh	objects which may not be used or handled on the Sabbath or Festivals.
Sanhedrin	a) The Great Sanhedrin - the Supreme Court of Law of 71 judges; b) the 'Small Sanhedrin' of 23 judges was also invested with the authority to judge capital crimes.
Shevut	an act forbidden by the Rabbis to be performed on the Sabbath or Festival.
Talmid Hakham	scholar well versed in the Written and Oral Law.
Tehum	the boundary beyond which one may not walk on the Sabbath or Festival (see Eruv).
Terefah	a) an animal torn by a beast; b) an animal whose consumption is forbidden due to an organic disease (revealed after slaughtering) or some irregularity during the process of slaughtering.
Terumah	gift of one fortieth (given by the generous), one fiftieth (given by the average person), or one sixtieth (by the parsimonious) of one's produce which must be given to the priest.
Terumat ma'aser	of the ma'aser (q.v.) which the Levite receives he must give one tenth to the priest.
Tevel	Produce liable to the Levitical and priestly dues (ma'asrot, and terumot), before these have been separated.

TRACTATE BETZAH

CONTENTS

This Tractate is entitled *Betzah* (lit., "an egg"), since it begins with this word. It is also called *Masekhet* (Tractate) *Yom Tov* because it contains numerous laws relating to the Festivals.

We are told concerning the *Pesah* sacrifice (Ex. 12:16), "In the first day there shall be a holy convocation, and in the seventh day there shall be a holy convocation to you; no manner of work shall be done in them, except that which every man must eat, that only may be done by you." This verse teaches us that on the first and seventh days of *Pesah*, one is permitted to do work concerning the

preparation of food. From this, the Sages deduced that the prohibition on the other pilgrimage festivals, "you shall do no servile work," does not affect the preparation of food. Some deduce this from the words, "servile work" (*meleket avodah*), which implies work unrelated to food preparation, for preparing food is gratifying rather than servile (*Ramban, Vayikra 23:7*).

Nevertheless, one is not permitted to do every type of work related to food preparation. This is *Rambam's* definition:

"All work which can be performed before *Yom Tov*, and will not be detrimental or entail a loss if done before, was forbidden by the Sages to be done on *Yom Tov*, even if it concerns food." Why did the Sages prohibit preparing food on *Yom Tov* which could have been prepared before *Yom Tov*? It was decreed in order to induce people to do whatever they can before *Yom Tov*, so as not to spend all of *Yom Tov* preparing food at the expense of enjoying *Yom Tov*, and even lack the time to eat.

"It is for that very reason that the Sages did not forbid a person to carry on *Yom Tov*, even though all such carrying could have been done before *Yom Tov*. So why did the Sages not forbid it? To enhance the joy of *Yom Tov*, and let people carry in and out whatever the desire and satisfy their requirements, and not feel as if their hands are tied. Other types of work which can be done before *Yom Tov*, however, may not be performed on *Yom Tov* because of the exertion involved.

"This means that we may not reap, thresh, winnow, separate, or grind wheat of *Yom Tov*, nor sift on that day, because all this could have been done before *Yom Tov*, and it is not detrimental nor is there a loss involved if these tasks are carried out earlier. On the other hand, one may knead dough, bake, slaughter animals, and cook on *Yom Tov*, for if any of this is performed before *Yom Tov*, it would have adverse results in as much as stale bread is less tasty than fresh bread; nor does a dish cooked the previous day compare with one cooked on the same day, or is meat from an animal slaughtered the previous day as fresh as meat from an animal slaughtered on the same day, and the same principle applies to all similar examples (*Rambam, Hil, Yom Tov, 1:5-8*).

The present Tractate elaborates the specific laws of the activities we are permitted or forbidden to perform on *Yom Tov*.

Our Tractate also deals with food which is forbidden on *Yom Tov* as *muktzeh*. From the verse (Ex. 16:5), "on the sixth day they shall prepare that which they bring in" we deduce that it is a *mitzvah* - a positive commandment - to prepare before Shabbat or *Yom Tov* for Shabbat or *Yom Tov*. This verse does not refer to actual preparation, such as baking and cooking before the Sabbath, which is specified in the verse: 6: 23): "Tomorrow is rest of the holy Sabbath unto the Lord: bake that which you will bake to day, and cook that you will cook." Rather, v. 5 implies that we must "prepare" mentally or verbally, i.e., by declaring: "I intend eating of these items on this Sabbath, or on this festival." Weekday meals, being less important, do not require such advance designation. Sabbath and festivals meals, however, are mandatory (*se'udot mitzvah*) and require preparation and designation of food items, as is written, "on the sixth day they shall prepare that which they bring in" i.e., the preparation must take place on a Friday which is generally a weekday and not a festival day. Accordingly, the preparation must be on the weekday preceding the Sabbath or festival involved. Thus in the Talmud (*Betzah 2b*): "A weekday prepares for the Sabbath, and a weekday prepares for *Yom Tov*, but a *Yom Tov* does not prepare for the Sabbath, nor does the Sabbath prepare for a *Yom Tov*." Thus, anything which was not prepared in advance, or which by its nature could not have been prepared, may not be used on the Sabbath or *Yom Tov*, because it is considered "unprepared," i.e., *Muktzeh*, namely "excluded" from any use on the Sabbath or *Yom Tov*, may not be eaten or even moved before nightfall. *Rambam*, however, comments: "*Muktzeh* is forbidden on *Yom Tov* but is permitted on the Sabbath; because *Yom Tov* is lighter than the Sabbath, the Sages subjected it to *Muktzeh* lest we treat it lightly. How so? An egg-laying hen, a plowing-ox, doves in a cote or produce set aside for sale - all these are *Muktzeh*; one may not eat them on *Yom Tov* unless we prepare them on the previous day, and designate them as food. On the Sabbath, however, all is considered prepared concerning the Sabbath; it requires no specific preparation" (*Hil. Yom Tov 1:17-18*).

This teaches us that whereas in some respects the Sages were lenient on *Yom Tov*, so as not to diminish the joy of the festival (see mishnah 1:5), in others they ruled more stringently to ensure that *Yom Tov* be treated with proper respect. Accordingly, when *Yom Tov* falls on a Friday, we may not, in the first place, cook on that *Yom Tov* for the Sabbath, lest we come to cook on *Yom Tov* for the following weekday. At the same time, however, the Sages instituted the *eruv tavshilin*, whereby we cook a dish for the Sabbath on a weekday preceding the *Yom Tov* which occurs on Friday; by virtue of such a dish prepared before *Yom Tov*, we may cook on the at *Yom Tov* for the Sabbath. This dish is called an *eruv tavshilin*, seeing that we "mix" (*me'arvin*), on the day before *Yom Tov*, the dishes of the Sabbath and *Yom Tov*, and consider them as a single dish designated for *Yom Tov*. *Rambam* explains: just as the *eruv* that enables us to carry from one courtyard or *mavoy* to another on the Sabbath constitutes a reminder against possible misconceptions that you may carry from one domain to another on Shabbat, so too will this dish serve as a reminder, lest we think that one may bake and cook on *Yom Tov* for the weekday following it; this is meant by *eruv tavshilin* (see *Ravad's* and commentaries *ad loc.*). The rules and regulations of the *eruv tavshilin* are elaborated at the beginning of the second chapter of this Tractate.

TRACTATE BETZAH

MISHNAYOT

BETZAH: CHAPTER 1: MISHNAH 1

An egg which was laid on *Yom Tov* - Bet Shammai say, It may be eaten; but Bet Hillel say, It may not be eaten. Bet Shammai say, Leavening as an olive's bulk and *hametz* as a drying date. But Bet Hillel say, This and that as an olive's bulk.

Kehati

As explained (in the introduction to the Tractate) anything which was not designated for *Yom Tov* may not be eaten or even moved on *Yom Tov*, because it is *Muktzeh*. Accordingly, a hen kept for laying eggs may not be slaughtered or eaten on *Yom Tov*; neither may we eat an egg laid by such a hen on *Yom Tov*. This mishnah deals with a hen kept for eating, which laid an egg on *Yom Tov* (Gemara). Actually, such an egg is not considered *Muktzeh*, because the hen was kept for food, and may have been slaughtered and eaten on *Yom Tov*. Furthermore, an egg laid, no doubt matures on the previous day, and is thus permitted to be eaten on a *Yom Tov* preceded by a weekday. If, however, the day before *Yom Tov* was a Sabbath, the egg laid on *Yom Tov* matured on the Sabbath, i.e., the Shabbat "prepared" it for *Yom Tov*, and, as noted in the introduction, we may prepare for *Yom Tov* on a weekday alone. The issue in our mishnah then is whether to forbid an egg laid on *Yom Tov*, even when the previous day was a weekday, as a precaution against the case when the previous day is a Shabbat - as Bet Hillel hold, or whether no such precaution is called for, as Bet Shammai maintain.

An egg which was laid on Yom Tov - by a hen kept to be eaten, as explained in the introduction to this mishnah, **Bet Shammai say, It may be eaten** - One may consume the egg on *Yom Tov*; it is not *Muktzeh*, as such a hen is "prepared" for *Yom Tov*; and we do not restrict every *Yom Tov* on account of a *Yom Tov* which follows a Shabbat, **But Bet Hillel say, it may not be eaten** - One may not consume this egg on that day; since such an egg is forbidden on a *Yom Tov* which follows a Shabbat, as explained above (see introduction to the Tractate), a general restriction is enacted forbidding any egg laid on *Yom Tov*, and hence, such eggs may not be eaten on *Yom Tov*. By association, as this is an atypical case where Bet Shammai is lenient while Bet Hillel adopts the stringent position, the mishnah passes on to a further halakhah regarding the prohibition of leaven on Pesah, where Bet Shammai rule leniently whereas Bet Hillel rule stringently.

Bet Shammai say, Leavening as an olive's bulk - The amount of leavening used for baking for which one is punishable on *Pesah* is an olive's bulk, **And hametz as a drying date** - and the punishable quantity of *hametz* (i.e., bread, etc.) is that of a drying date; a drying date is somewhat larger than an olive and somewhat smaller than an egg.

But Bet Hillel say, This and that as an olive's bulk - For *hametz*, too, the size for which one is punishable is an olive's bulk. The Talmud explains that in regard to the eating of *hametz*, both schools agree that the punishable amount is an olive's bulk, as with leavening, for the Torah states (Ex. 12:19), "Seven days there shall be no leavening found in your houses: for whosoever eats that which is leavened, that soul shall be cut off from the Congregation of Israel." The verse begins with leavening and continues with *hametz*, to teach us that the amount for which one is punishable is identical. The dispute between the two schools is about *biur*, the removal of leaven from one's home, in accordance with the verse (Ex. 13:7), "There shall no *hametz* be seen with you, neither shall there be leavening seen with you in all your quarters," where Bet Shammai holds that the Torah mentioned separately "seen" with *hametz* and "seen" with leavening to teach us that the punishable amount is different in the two instances; even though the Torah ruled that the punishable quantity for eating is identical in both cases, this does not apply to *biur*. Thus, whereas one is punishable for retaining a leavening agent of an olive's bulk, one is not punishable for retaining a leavening agent of an olive's bulk, one is not punishable for retaining *hametz* of less than the size of a drying date. The School of Hillel, however, holds that since the *biur* law derives from the prohibition to eat *hametz*, the punishable quantity is an olive's bulk in both cases.

BETZAH: CHAPTER 1: MISHNAH 2

One who slaughters game or fowl on *Yom Tov* - Bet Shammai say, He may dig with a shovel and cover. But Bet Hillel says, He may not slaughter, unless he had dirt ready from the day before; and they agree that if he slaughtered he should dig with a shovel and cover, for ashes of a stove are accounted prepared.

Kehati

The Torah states (Lev. 17:13), "And whatever man... hunts and catches any beast or fowl that may be eaten; he shall pour out its blood, and *cover it with dust*." From this we deduce that there is a *mitzvah* - a positive commandment - to cover the blood after one slaughters a species of game which is permitted to eat (as opposed to a domesticated species of animal) or a permitted species of fowl. This mishnah deals with the question of whether a person may slaughter game or fowl on *Yom Tov*, if he does not have earth which had been prepared before *Yom Tov* to cover the blood.

One how slaughters game or fowl on Yom Tov - The Gemara explains: *One who wishes to slaughter game or fowl on Yom Tov*, and who comes to the *bet din* to ask what he is required to do in regard to the covering of the blood,

Bet Shammai say, He may dig with a shovel and cover - the Gemara explains: if he has a shovel stuck into turned up earth, and merely needs to pull up the shovel and bring up earth to cover the blood, he is permitted to slaughter the game or fowl, *and he may dig with a shovel and cover*, i.e., he may pull up the shovel with the loose earth, and use the earth to cover the blood, **But Bet Hillel say, He may not slaughter** - one does not permit him to slaughter game or fowl on *Yom Tov*, **unless he had dirt ready from the day before** - before *Yom Tov*.

And they agree - Bet Shammai agree with Bet Hillel, **that if he slaughtered** - if the person went ahead and slaughtered an animal, without having ready earth, **He should dig with a shovel and cover** - as outlined above, if he has a shovel stuck into the turned up earth. So, too, do all agree, **for ashes of a stove are accounted prepared** - that the ashes of a stove which had been kindled before *Yom Tov* are considered to be prepared and are not *muktzeh*, because presumably a person would intend to use them on *Yom Tov*, and it is therefore permitted to handle the ashes and use them to cover the blood of game or fowl that were slaughtered. The ashes, however, are only considered to be prepared if there is still a certain modicum of heat present in them, sufficient to roast an egg, for in such a case we say: since one could use the ashes for his food needs, such as to roast an egg, one is also permitted to take them to cover the blood.

BETZAH: CHAPTER 1: MISHNAH 3

Bet Shammai say, One does not move a ladder from a dovecote to a dovecote, but one inclines it from an opening to an opening. But Bet Hillel permit. Bet Shammai say, One does not take, unless he stirred them while it was still day, But Bet Hillel say, He stands and says, "I will take this one and this one."

Kehati

Bet Shammai say, One does not move a ladder from a dovecote to a dovecote - in order to take doves and slaughter them on *Yom Tov*. Here we are dealing with doves which were duly prepared before *Yom Tov*, as explained at the end of the mishnah. Now, had the ladder been in place, next to the dovecote, it would have been permitted to ascend it and take the doves. But the ladder was not at the dovecote, and it must be brought from another place, and according to Bet Shammai, it is forbidden to move a ladder from one dovecote to another. **But on inclines it from an opening to an opening** - one is permitted to shift the ladder from one opening to another in that same dovecote.

But Bet Hillel permit - a person to even move a ladder from one dovecote to another. The Talmud explains that even Bet Hillel forbids using a ladder meant for ascending to the second story of a building to retrieve doves from a dovecote on *Yom Tov*. The argument is only about a ladder used specifically for ascending to dovecotes, which, according to Bet Shammai, may not be used on *Yom Tov*, because people may suspect the person of moving the ladder in order to fix his roof, an activity forbidden on *Yom Tov*. Furthermore, according to Bet Shammai, one is even forbidden to move such a ladder in one's courtyard, where one is not seen, for whatever the Sages forbade because of *mar'it ayin* - the appearance of performing a forbidden act - is forbidden even in one's innermost rooms, where no one will see it. Bet Hillel, though, permits moving the ladder, for as it is a ladder specifically used for dovecotes, no one will suspect the person of moving it about in order to fix his roof (*Hameiri*). Some authorities hold that Bet Hillel also forbid to move a ladder used for dovecotes in a public thoroughfare, because people will think that it is being used to repair the roof, and that only within private property may such a ladder be moved. Even though the law is that whatever was forbidden because of *mar'it ayin* is forbidden even in one's innermost rooms, here the Sages made an exception because of the joy of *Yom Tov* (*Rambam, Bartenura*).

Bet Shammai say, one does not take - doves on *Yom Tov* to slaughter them, **unless he stirred them while it was still day** - he stirred with his hands those doves he planned to take on *Yom Tov*,

But Bet Hillel say, He stands and says, "I will take this one and this one" - One need not stir the birds, but must merely announce, before the commencement of *Yom Tov*, that he will take these doves. The Gemara explains that the dispute between Bet Shammai and Bet Hillel refers to the first brood in the dovecote, which, according to Bet Shammai, cannot be prepared merely with words, for since people often take pity on the first brood, he may pick up the two doves and then take pity on them and return them, so that he will have moved them needlessly. If, however, the person stirred the doves physically before *Yom Tov*, we do not fear that he will change his mind on *Yom Tov*. Bet Hillel, on the other hand, hold that even the first brood can be prepared by merely announcing it, for we are not concerned that he person will change his mind. As to the second and subsequent broods, all agree that if a person announced before *Yom Tov*, "I will be taking from these," that is sufficient.

BETZAH: CHAPTER 1: MISHNAH 4

If he prepared black but found white, white but found black; two but found three, they are forbidden; three but he found two, they are permitted. Within the cote and he found in front of the cote, they are forbidden. But if there are none there except these, they are permitted.

Kehati

This mishnah deals with a person who prepared doves in a cote before *Yom Tov* in order to slaughter them on *Yom Tov*, as explained in the previous mishnah, and when he came to take them on *Yom Tov*, doubts arose as to whether these were the birds he had prepared.

If he prepared - in the dovecote before *Yom Tov*, **black** - doves, in order to take them on *Yom Tov*, **but found** - on *Yom Tov* in the same cote, **white** - doves instead of the black ones he had prepared, **white but he found black** - or he prepared white birds before *Yom Tov* and found black birds in the cote on *Yom Tov*, it being evident that the original ones that he had prepared have flown away, **two but he found three** - if a person prepared two birds before *Yom Tov* and finds three in the cote on *Yom Tov*, the third is a dove which he did not prepare and is thus *muktzeh*, and he does not recognize the doves he prepared; in all these cases **they are forbidden** - on *Yom Tov*. The Gemara explains that if a person prepared black birds and found white, or vice-versa, it is obvious that they are forbidden, and the mishnah need not tell us this rule. Rather, the mishnah refers to a person who prepared doves in two separate cotes, with white birds in one and black birds in the other, and then found white birds in the cote where the black had been, and black birds where the white had been. The mishnah teaches that we do not presume that the two sets of birds switched places, but rather that those that had been prepared have flown away, and those in the cotes now are others. The birds are thus forbidden as *muktzeh*. - If a person prepared **Three** birds before *Yom Tov*, **but** - on *Yom Tov* **he only found two** doves, **They are permitted** - one may take the two on *Yom Tov*, for we assume that one of the three flew away, and the two remained from the previous day.

BETZAH: CHAPTER 1: MISHNAH 5

Bet Shammai say, One does not remove the shutters on *Yom Tov*. But Bet Hillel permit even to return. Bet Shammai say: One may not take the pestle to cut meat on it, but Bet Hillel permit. Bet Shammai say, One does not place the hide before the treading place, and may not pick it up, unless it has on it an olive's bulk of meat. But Bet Hillel permit. Bet Shammai say, One does not take the infant or the *Lulav* or the Torah scroll into the public thoroughfare. And Bet Hillel permit.

Kehati

This mishnah lists a number of things which should have been forbidden on *Yom Tov*, but which Bet Hillel permit in consideration of the joy of the festival.

Bet Shammai say, One does not remove the shutters on Yom Tov - the shutters referred to here are doors used to shut boxes or closets. According to Bet Shammai, one is forbidden to remove the shutters from these boxes or closets on *Yom Tov*, because it resembles demolishing, which is forbidden on Shabbat.

But Bet Hillel permit even to return - it is not only permitted to remove the shutters so as to gain access to food supplies on *Yom Tov*, but it is even permitted to return the shutters, for if it were forbidden to return them (because it resembles constructing), people will not want to remove them, and will refrain from joy on the festival. The Gemara explains that if the shutters have lateral hinges, Bet Hillel also agree that one is not permitted to replace them because it resembles constructing (*Rashi, Bartenura*). According to some commentators it is forbidden lest one replace the shutter using a hammer or axe, or that he might use a nail or peg in order to fix it (*Rambam, Hameiri*). Since it is forbidden to replace them, they may also not be removed, for people would remove them only if allowed to replace them (*Hameiri*). If the shutters have no hinge whatsoever, even Bet Shammai agree that one may replace them, even at the entrance to a house. The dispute between Bet Shammai and Bet Hillel refers only to boxes and closets which have a hinge in the middle, with two wooden pegs protruding from the center of the shutter, one on top and one at the bottom, which fit into two corresponding holes in the box or closet. When closing the box or closet, the pegs are inserted into the holes (*Hameiri*). According to Bet Shammai, the Sages forbade opening or closing a shutter which has hinges in the middle for fear that people will do likewise with shutters with lateral hinges, whereas Bet Hillel not only do not prohibit removing the shutter, but even permit replacing it, so as to ensure joy on the festival, as explained above.

Bet Shammai say, One may not take the pestle - a heavy wooden cylinder which is normally used for grinding products which may not be ground on *Yom Tov*, may not be handled on *Yom Tov*, even to **cut meat on it** - even though this is permitted on *Yom Tov*, for as the pestle is used primarily for work which is forbidden on *Yom Tov*, it is considered to be *muktzeh*,

But Bet Hillel permit - a person to cut meat on it on *Yom Tov*, for even though it is primarily used for work forbidden on *Yom Tov*, it may be handled on *Yom Tov* for the kind of (permitted) work it is fit for (*le'tzorekh gufo*) - see our introduction to Tractate *Shabbat* 17:1), and there is all the more reason to be lenient in this case in order to ensure the joy of the festival (*Hameiri*). *Bartenura* writes that Bet Hillel permit this because of the joy of the festival, even though the pestle has not the legal status of a "vessel" (See *Tosefot Yom Tov*, who is puzzled by this interpretation, which is not in keeping with the *Gemara*).

Bet Shammai say, One does not place the hide before the treading place - if an animal was slaughtered and flayed on *Yom Tov*, it is not permitted to place the hide in a place which will be trampled by many people, so that the hide does not spoil, because it appears that the intention is to tan the hide, the trampling being the first stage in the tanning; **and he may not pick it up** - one may not handle the hide after it was flayed off the animal, because it is *muktzeh*, **unless it has on it an olive's bulk of meat** - for then one is permitted to handle the hide along with the meat. **But Bet Hillel permit** - to handle the hide after it has been flayed, even if there is no olive's bulk of meat on it, and to spread the hide out in a place where it will be trampled on. The reason, as the *Gemara* explains, is that if one is not permitted to handle the hide and spread it out, he will not slaughter the animal on *Yom Tov*, in order not to lose out on the hide, and he will refrain from joy on the festival. **Bet Shammai say, One does not take** - on *Yom Tov*, **the infant or the lulav or the Torah scroll** - although it be for *mitzvah* purposes **into the public thoroughfare** - for according to Bet Shammai one is permitted to carry in a public thoroughfare only those things necessary for food for the festival. **And Bet Hillel permit** - one to carry from one domain to another on *Yom Tov*, for they hold that since the Torah permitted one to carry for food purposes, it also permitted one to do so for other purposes. This permission, though, only applies where a *mitzvah* is involved, such as with a *lulav* or Torah scroll, or if there is some pleasure involved, such as taking an infant for a walk, or where some practical use is involved, such as carrying the house keys. In all of these cases, Bet Hillel permits the carrying of all these from one domain to another on *Yom Tov*, but when no purpose whatsoever is served on *Yom Tov*, e.g., carrying stones, etc., Bet Hillel agree that one may not carry them from one domain to another on *Yom Tov*.

BETZAH: CHAPTER 1: MISHNAH 6

Bet Shammai say, One does not take *hallah* or dues to the *kohen* on *Yom Tov*, whether they were set apart on the day before or were set apart on that day. But Bet Hillel permit. Bet Shammai gave them a *gezerah shavah*: *hallah* and dues are gifts to the *kohen*, and *terumah* is a gift to the *kohen*; just as one does not take the *terumah*, so does one not take the dues. Bet Hillel said to them: No! If you refer to *terumah* which may not be set apart, will you say [the same] for dues that one is allowed to set apart?

Kehati

Bet Shammai say, One does not take hallah or dues to the kohen on Yom Tov - *hallah* which was separated from the dough for the *kohen*, as stated (Numbers 15:20), "You shall offer up a cake of the first of your dough for a heave offering," and the shoulder, cheeks and maw of an animal, which are the priestly dues, as stated (Deut. 18:3), "This shall be the priest's due from the people, from those that offer a sacrifice, whether it be ox or sheep; and they shall give unto the priest the shoulder, and the two cheeks, and the maw," these may not be brought to the *kohen* on *Yom Tov*, **Whether they were set apart on the day before** - on the day before *Yom Tov*, **or set apart on that day** - though one is permitted to knead dough and slaughter animals on *Yom Tov* and to set apart the priestly portions on that day itself, one is not permitted to take these priestly portions to a *kohen* on *Yom Tov*, for reasons explained below. **But Bet Hillel permit** - to bring *hallah* and the priestly dues on *Yom Tov*, for they are the *kohen's* necessities (*R. Nissim*). **Bet Shammai gave them** - Bet Hillel,

A gezerah shavah - This is not a real *gezerah shavah*, but only a comparison between the priestly dues and *terumah*, both of which are given to the *kohen* (i.e., resembling a *gezerah shavah*);

Hallah and dues are gifts to the kohen, and terumah is a gift to the kohen - From this, it follows that the laws governing the giving of gifts to the *kohen* are identical in the case of *hallah*, the priestly dues, and *terumah*: **Just as one does not take the terumah** - on *Yom Tov*, **so does one not take the dues** - the *hallah* and priestly dues to the *kohen* on *Yom Tov*.

Bet Hillel said to them - to Bet Shammai: **No!** - one cannot compare *hallah* and the priestly gifts to *terumah*, **If you refer to terumah** - which may not be taken to a *kohen* on *Yom Tov*, **which may not be set apart** - on *Yom Tov*, since produce cannot become liable to *terumah* on *Yom Tov*, for this occurs when the pile of wheat has been smoothed. If this was done before *Yom Tov*, the obligation to give *terumah* came into force then, and as, in such a case, *terumah* could have been set aside before *Yom Tov*, it is forbidden to do so on *Yom Tov*. If, on the other hand, the pile was not smoothed out before *Yom Tov*, it is forbidden to do so on *Yom Tov*; thus one may not take *terumah* to a *kohen* on *Yom Tov*. **Will you say [the same] for dues** - but why would you forbid the taking of the priestly dues to a *kohen*? **That one is allowed to set apart?** - Since it is permitted to knead dough and slaughter animals on *Yom Tov*, it is permitted to set aside the *hallah* and priestly dues from the slaughtered animal on *Yom Tov*, as explained above; and since it is permitted to separate them, it is also permitted to take them to a *kohen* on *Yom Tov*, even if they were set aside before *Yom Tov* itself. The Gemara rejects this mishna and cites a *baraita* in which Bet Shammai agree with Bet Hillel that one may not take *hallah* and the priestly dues to a *kohen* on *Yom Tov*. They only differ about bringing *terumah* to a *kohen* on *Yom Tov*; Bet Shammai hold that one may not, while Bet Hillel hold that one may. Bet Hillel then said to the School of Shammai: *hallah* and the priestly dues are gifts to a *kohen*, and *terumah* is a gift to a *kohen*. Just as one takes the dues, one takes the *terumah*. Bet Shammai replied: No, if you refer to *hallah* and the priestly dues, which may be set apart, will you say the same for *terumah* that may not be set aside. The halakhah follows Bet Hillel in the *baraita* (*Gemara*; *Rambam Hil. Yom Tov* 4:26).

BETZAH: CHAPTER 1: MISHNAH 7

Bet Shammai say, Spices are ground with a wooden pestle, and salt in a jar and a wooden stirrer. And Bet Hillel say: spices are ground as usual with a stone pestle, and salt with a wooden pestle.

Kehati

This mishnah teaches that even in regard to the preparation of food, there are certain types of work which are only permitted when done in a manner different from the usual way.

Bet Shammai say, Spices are ground - on *Yom Tov*, **with a wooden pestle** - and not with the customary stone pestle used during weekdays. Bet Shammai hold that as spices lose their flavor if ground before *Yom Tov*, one may grind them on *Yom Tov*, with but a slight change, using a wooden rather than a stone pestle, **and salt** - which could have been ground before *Yom Tov*, and therefore require a more drastic change from the customary procedure - **in a jar** - made of pottery, and not in a mortar **and a wooden stirrer** - with a wooden spoon used to stir one's pot, and not with a pestle. Others explain: *and with a wooden stirrer* - or with a wooden stirrer, i.e., even for grinding salt one does not need to change both the pestle and mortar, but only one of them, using either a jar instead of the mortar or a wooden stirrer instead of the pestle.

And Bet Hillel say, spices are ground as usual with a stone pestle - since they cannot be ground before *Yom Tov* because they lose their flavor if ground before *Yom Tov*, no change is required; **and salt with a wooden pestle** - and not with a stone pestle, for one could have ground the salt before *Yom Tov*, as it does not lose its flavor. Therefore, on *Yom Tov* he must introduce a slight change by using a wooden pestle. The halakhah is that when grinding salt on *Yom Tov* tilting the mortar to the side somewhat is sufficient change. (*Rambam*; *Bartenura*).

BETZAH: CHAPTER 1: MISHNAH 8

One who picks out pulse on *Yom Tov* - Bet Shammai say, he picks out the edible parts and eats. But Bet Hillel say, he picks them as usual into his lap, into a basket or into a dish, but not on a board or into a sifter or sieve. R. Gamliel says, He may rinse and skim.

Kehati

This mishnah deals with separating food from inedible components on *Yom Tov*.

One who picks out pulse on Yom Tov - to eat it on *Yom Tov*, **Bet Shammai say, he picks out the edible parts** - from the inedible parts, **and eats** - immediately that which he separated, and leaves the inedible component, for one may separate the edible from the inedible only in a manner different from the usual.

But Bet Hillel say, he picks them as usual - the inedible from the edible, **into his lap, into a basket, or into a dish but not on a board** - one may not sort out on a table, **or into a sifter or a sieve** - for one using these for sorting out appears to be doing it for the next day. The Gemara states that on *Yom Tov* Bet Hillel only permits separating the inedible from the edible if the majority of the mixture is edible, but if it is inedible, even Bet Hillel agree that one takes out the edible and leaves the inedible. Even if there is more edible than inedible, but separating the inedible is more difficult than separating the edible, if, for instance, the inedible is very fine, Bet Hillel agree that one separates the edible part, in order to minimize the work.

R. Gamliel says, He may rinse - one may pour water over the pulse so that the inedible part floats to the top, **and skim** - removing the inedible parts by hand. The halakhah is not in accordance with R. Gamliel.

BETZAH: CHAPTER 1: MISHNAH 9

Bet Shammai say, One may not send on *Yom Tov* except portions. But Bet Hillel say, One sends cattle, game and fowl, whether alive or slaughtered. One may send wines, oils and fine flour and pulse, but not grain. But R. Shimon permits grain.

Kehati

Bet Shammai say, One may not send on Yom Tov - gifts to one another, **except portions** - food ready to be eaten, such as pieces of meat or fish which can be eaten on *Yom Tov*.

But Bet Hillel say, One sends - on *Yom Tov* even **cattle, game and fowl, whether alive or slaughtered** - for these, too, can be prepared for consumption on *Yom Tov*; so, too, **one may send wines, oils, and fine flour and pulse** - The Gemara explains that whatever Bet Hillel permitted on *Yom Tov* may be sent with no more than one or two people, but not with three or more people because then it looks as if they were going to sell it in the market (*Rash*), **but not grain** - because grain must first be ground, and grinding is forbidden on *Yom Tov*, and since it cannot be eaten as it is, one may not send it on *Yom Tov*.

But R. Shimon permits grain - Another version reads: *even wheat*, because one may grind it in a mill grinder and make porridge or other cooked food on *Yom Tov*. The halakhah is not in accordance with R. Shimon (*Rambam, Hil. Yom Tov 5:7*).

BETZAH: CHAPTER 1: MISHNAH 10

One may send garments, whether sewn or not sewn, and even if they contain *kilayim*, if they are for the needs of the festival; but not a hob-nailed sandal or an unsewn shoe. R. Yehudah says, Nor a

white shoe, because it needs a craftsman. This is the rule: whatever is usable on *Yom Tov* may be sent.

Kehati

One may send - On *Yom Tov*, from one person to another, **garments, whether sewn** - which can be worn on *Yom Tov*, **or not sewn** - for though they cannot be worn, they can be used to cover oneself on *Yom Tov*, **and even if they contain kilayim** - i.e., a mixture of wool and linen, which it is forbidden to wear, but which can still be used on *Yom Tov*, if, for example, the fabric is very stiff and does not warm one's body, and one may sit or lie on it, **if they are for the needs of the festival** - i.e., these clothes may be sent on *Yom Tov* only if they are for the needs of the festival.

But not a hobnailed sandal - One may not send a hobnailed sandal on *Yom Tov*, because it may not be worn on *Yom Tov*, as stated in *Shabbat* 6:2, "A person may not go out with a hobnailed sandal." The Gemara explains that this is because of a decree enacted by the Sages following an incident which occurred at a time of the forced conversion of the Jews, when a number of Jews were hiding in a cave heard a noise. Thinking that their enemies were approaching, they jostled one another, and more were killed by their hobnailed sandals than by their enemies. As the incident occurred on the Sabbath, the Sages only forbade the wearing of these sandals on the Sabbath and on *Yom Tov*, when work is forbidden and people congregate in the synagogues and study halls; or an **unsewn shoe** - One may not send an unstitched shoe, and even if the parts are joined together by wooden pegs, etc. (*Gemara*), for it cannot be used in that state.

R. Yehudah says, Nor a white shoe - nor may one send a white shoe on *Yom Tov*, **because it needs a craftsman** - to blacken it; the *Gemara* explains that in R. Yehudah's town no one wore white shoes, before being blackened, and for this reason R. Yehudah forbade sending white shoes on *Yom Tov*.

This is the rule: whatever is usable - whatever may be enjoyed **on Yom Tov** - the Gemara explains, whatever would be used on a weekday in that state, because it is a finished product - **may be sent** - on *Yom Tov*, such as *tefillin*, which are used on weekdays the way they are. *Rashi* explains that this is so, since putting *tefillin* on *Yom Tov* is not forbidden. As regards hobnailed sandals, however, though, they are used on weekdays, they may not be sent on *Yom Tov*, because one may not wear them on that day, and the Sages feared that if they permitted them to be sent, people would also wear them.

BETZAH: CHAPTER 2: MISHNAH 1

If *Yom Tov* falls on Friday, a person is not to cook from the outset on *Yom Tov* for the Sabbath; but he may cook for *Yom Tov*, and if any is left over - it is left over for the Sabbath; and he prepares a dish before *Yom Tov* and relies on it for the Sabbath. Bet Shammai say, Two dishes. But Bet Hillel say, One dish. And they agree that a fish with an egg on it counts as two dishes. If he ate it or it was lost, he may not cook another in its stead; but if any of it remained, he relies on it for the Sabbath.

Kehati

This mishnah deals with *eruvei tavshilin*. We mentioned some details regarding this in the introduction to the Tractate (*q.v.*).

If Yom Tov falls on Friday, a person is not to cook from the outset on Yom Tov for the Sabbath - i.e., but may not cook at the outset for the Sabbath, **but he may cook for Yom Tov** - the primary cooking is to be for *Yom Tov*, **and if any is left over** - of the food he cooked for *Yom Tov*, -- **it is left over for the Sabbath** - whatever is left over may be eaten on the Sabbath;

And he prepares a dish before Yom Tov - i.e., the Sages decreed that one should prepare a dish before *Yom Tov* for the needs of the Sabbath, **and relies on it for the Sabbath** - and relying on that

dish, he cooks other, additional food on *Yom Tov* for the Sabbath. This dish is known as *eruv tavshilin*, i.e., on the eve of *Yom Tov* one mixes (me'arbevim in Hebrew, hence, *eruv*) the dishes (*tavshilin*) of *Yom Tov* and the Sabbath to make them into one (*Ravad*. See also *Rambam*) quoted in our introduction to this Tractate.) In the Gemara, some explain that the purpose of *eruvei tavshilin* is to safeguard the honor of the Sabbath, "so that one should set aside a fine portion for the Sabbath and a fine portion for *Yom Tov*, for beginning to cook for the Sabbath even before the onset of portion for the Sabbath and a fine portion for *Yom Tov*, for beginning to cook for the Sabbath even before the onset of *Yom Tov*, one will not forget about the Sabbath in his preoccupations with *Yom Tov*, and will prepare a fine portion of Shabbat, too. Others (*ibid.*) explain the reason is to safeguard the honor of *Yom Tov*, so that people will say: if one cannot from the outset bake and cook on *Yom Tov* for the Sabbath, one may certainly not bake and cook on *Yom Tov* for weekdays. Some relate *eruvei tavshilin* to the verse (Ex. 16:23), "bake that which you will bake, and cook that which you will cook," whereas the Torah could have simply, *bake and cook today*. Hence, this is a hint that when *Yom Tov* is on a Friday, one may bake on it for the Sabbath only if there was already something baked before *Yom Tov*, and one may cook only if there was already something cooked from before *Yom Tov*.

Bet Shammai say, Two dishes - must be made before *Yom Tov* for the *eruvei tavshilin*,

But Bet Hillel say, One dish - Some explain the reason underlying the dispute as follows: Bet Shammai hold that as it is customary for people to prepare more than one dish for the Sabbath, if the person only prepared a single dish before *Yom Tov*, it would not be evident that it was prepared for the Sabbath if it were only one dish, but Bet Hillel hold that since many people only have a single dish on the Sabbath, too, it is enough to have one dish for *eruvei tavshilin* (*Hameiri*). **And they** - Bet Shammai and Bet Hillel **agree that fish with an egg on it** - they used to break an egg onto a fish when roasting it (*Rashi*), **counts as two dishes** - and even Bet Shammai would consider that sufficient for *eruvei tavshilin* for the Sabbath. **If he ate it** - the dish he had set aside for the *eruvei tavshilin*, **or it was lost** - before cooking for the Sabbath, **he may not cook another in its stead** - he may not cook on *Yom Tov* for the Sabbath, for he has nothing on which to rely. The Gemara states that if the person began cooking before the *eruvei tavshilin* was eaten or lost, he may finish whatever he started.

But if any of it remained, he relies on it for the Sabbath - and he may cook on *Yom Tov* for the Sabbath. The Gemara states that the *eruvei tavshilin* must be at least an olive's bulk whether for one person or for a hundred, and by "any of it" stated in our mishnah the minimum of an olive's bulk is meant (see *Bartenura*, who appears to hold otherwise; and see *Tosefot Yom Tov*).

BETZAH: CHAPTER 2: MISHNAH 2

If it occurs after the Sabbath - Bet Shammai say, One immerses everything before the Sabbath. But Bet Hillel say, Utensils before the Sabbath, but a man on the Sabbath.

Kehati

If it - Yom Tov, Occurs after the Sabbath - on Sunday, - **Bet Shammai say, One immerses everything before the Sabbath** - for a person must purify himself before the festival (*Rosh Hashanah* 16b), and they would customarily immerse themselves in a *mikveh* - a ritual bath - on the day before *Yom Tov*, so as to enter *Yom Tov* in a state of purity, and they would certainly need to immerse their utensils in a *mikveh* for *Yom Tov* on the day before (*Hameiri*); and Bet Shammai hold that if *Yom Tov* occurs on Sunday, both people and utensils are immersed before the Sabbath, because it is forbidden to immerse them on the Sabbath.

But Bet Hillel say, Utensils before the Sabbath - because, as the Gemara explains, the utensils become fit for things they were not fit for before immersion, and if one immerses them on the Sabbath or on *Yom Tov*, it appears as if he were repairing them. It is therefore forbidden to immerse vessels on the Sabbath or *Yom Tov*, **but a man on the Sabbath** - but a person is permitted to immerse himself even on the Sabbath, because it is not apparent that he is doing so for the purpose

of ritual immersion, but for his own pleasure. Bet Shammai, however, forbid a personal immersion, lest it lead to immersing utensils (*Hameiri*).

BETZAH: CHAPTER 2: MISHNAH 3

But they agree that one may make surface contact of water in a stone vessel to render it clean, but one does not immerse it; and one immerses from one purpose to another and from one company to another.

Kehati

After learning in the previous mishnah that one is forbidden to immerse utensils on the Sabbath and *Yom Tov*, this mishnah teaches that certain immersions are permitted on *Yom Tov*.

But they - Bet Shammai and Bet Hillel, **agree that one may make surface contact of water in a stone vessel to render it clean** - if drinking water became unclean - ritually impure - one may place it in a stone vessel, for stone vessels cannot become unclean, and may then lower the vessel with the water into a *mikveh* (containing undrinkable water, such as salt water, until the water in the vessel makes contact with the water in the *mikveh*, and that purifies the water in the stone vessel; this purifying method can only be used for water).

But one does not immerse it - i.e., one does not fill a wooden or other utensil which can become unclean, filled with unclean water in order to purify the water in the *mikveh*, because the utensil becomes unclean from the water, and will need immersion, and it is forbidden to immerse utensils on *Yom Tov*, as explained in the previous mishnah (*Tosafot*); other commentators explain: *But one does not immerse* - one does not fill with water an unclean utensil which needs immersion, so as to immerse it while effecting surface contact of the water in the vessel, because it is forbidden to immerse a utensil on *Yom Tov* (*Rashi*; *Bartenura*; *Hameiri*).

And one immerses from one purpose to another - e.g., a person who immersed his utensils in order to use them in an oil-press for *hullin* - non-sacred produce, and then decided to use these utensils for *terumah* wine (and *terumah* is sanctified), is required to immerse the utensils a second time, for the purpose of *terumah*. Similarly, if a person immersed his utensils in order to use them to hold *terumah* and then decides to use them for *kodesh* - the sacrifices - he must immerse the utensils again with that intention (Tractate *Hag. 2:6*). The purpose of the second immersion is not to remove the uncleanness from the utensil, but to enhance its purity (*Rambam*); **and from one company to another** - if a person immersed his utensils with the intention of eating his *pesah* (Passover) sacrifice in a certain company of people and then decided to join another company, and now wishes to immerse his utensils a second time, as a measure of additional stringency, for according to the halakhah it is not necessary, he may immerse the utensils on *Yom Tov* (*Rashi*; *Bartenura*). Some explain: *And from one company to another* - from a company of *terumah* to a company of *shelamim* - the peace-offering (*Maggid Mishneh* quoting R. Hananel).

We have explained the entire mishnah as referring only to *Yom Tov*, according to the view of Rabbi Yehudah HaNasi in the *baraita* quoted in the Gemara. So, also, interpret *Hameiri* and others. But *Rambam* explains this mishnah in accordance with the Sages in the *baraita*, that it is permitted on the Sabbath to immerse a stone utensil to purify the unclean water it contains, but one may not immerse an unclean utensil along with the water in it in order to purify the vessel *on the Sabbath*; on *Yom Tov*, however, one is permitted to immerse an unclean utensil with the water in it, so that both the utensil and the water become clean.

BETZAH: CHAPTER 2: MISHNAH 4

Bet Shammai say, One brings peace offerings but does not lay the hands on them, but not burnt-offerings. But Bet Hillel say, One brings peace offerings and burnt-offerings and lays the hands on them.

Kehati

The Israelites were commanded to bring three sacrifices on each of the three pilgrimage festivals: a) the *olah* - burnt offering - which is known as the *olat re'iyah* - "the *olah* of appearance," as it states (Deut. 16:16), "Three times in a year shall all your males appear before the Lord your God in the place which He shall choose...and they shall not appear before the Lord empty;" b) the *shelamim* - peace offering - known as *shalmei hagiggah* - "the *shelamim* of the festival," as it states (Ex. 12:14), "you shall celebrate it (*ve'hatgotem*) as a feast (*hag*) to the Lord throughout your generations." These two sacrifices are obligatory. c) The *shelamim* sacrifices which are known as *shalmei simhah* - "*shelamim* of joy" - in fulfillment of the verse (Deut. 27:7), "You shall offer peace offerings, and shall eat there, and rejoice before the Lord your God." These sacrifices are not obligatory as long as there is meat available from other sacrifices.

All animal sacrifices brought by an individual, whether obligatory or voluntary (except for those of the *bekhor* - the first-born, the *ma'aser* - the tithe and the *pesah* - the paschal sacrifice) require *semikhah* - the laying of the hands, as it is stated (Lev. 3:2), "He shall lay his hand upon the head of his offering," namely that the person bringing the offering must lay both hands with all his might on the head of the animal, while it is still alive (*Menahot* 9:7-8; *Rambam, Hil. Ma'asei Ha'Korbanot* 3:6, 13). This mishnah deals with the bringing of the *olat re'iyah* and the *shalmei hagiggah* and *shalmei simhah* on *Yom Tov*. Bet Shammai and Bet Hillel have differing views.

Bet Shammai say, One brings - on *Yom Tov*, **peace-offerings** - *shalmei hagiggah* and *shalmei simhah*, as mentioned in the introduction to this mishnah - because the meat is eaten by the owner, **but does not lay the hands on them** - on *Yom Tov*, because one must do so with all his strength, as explained above, and one is not permitted to use animals on *Yom Tov*. One therefore lays the hands on the animals before *Yom Tov*. **But not burnt-offerings** - one does not bring private burnt-offerings on *Yom Tov*, because they are burned up entirely on the altar, and are not for human consumption. Even the *olat re'iyah*, which is an obligation of the day, is not brought on *Yom Tov*, but on one of the other days of the festival, as it is stated (Ex. 12:14; Lev. 23:41), "You shall celebrate it as a feast to the Lord throughout your generations" only the *hagiggah* is offered on *Yom Tov*, but not the *olat re'iyah* (*Gemara*).

But Bet Hillel say, One brings peace offerings and burnt-offerings - on *Yom Tov* one brings *shalmei hagiggah* and *shalmei simhah* and the *olat re'iyah*, for the Torah states, "a feast to the Lord" - everything which is to the Lord, i.e., all the obligatory sacrifices of *Yom Tov* are brought on *Yom Tov*, **and lays the hands on them** - since one is permitted to sacrifice them on *Yom Tov*, one is also permitted to lay the hands on them, for Bet Hillel hold that the laying of the hands is followed immediately by the slaughtering (*Menahot* 9:8), but Bet Shammai does not hold that the slaughtering must be immediately preceded by the laying of the hands. However, in the case of *neder* (a vow to offer a sacrifice) or *nedavah* (a vow to offer an assigned animal) free-will sacrifice, Bet Hillel also agree that neither burnt nor peace offerings are sacrificed on *Yom Tov*, for their time is not specified, and they can be brought on another day.

BETZAH: CHAPTER 2: MISHNAH 5

Bet Shammai say, A person may not heat up water for his feet unless it is fit to be drunk. But Bet Shammai permit it. A person may make a fire and warm himself before it.

Kehati

This mishnah deals with making a fire on *Yom Tov*, not for the purpose of cooking food but for some other human use.

Bet Shammai say, A person may not heat up water for his feet - on *Yom Tov*, for the Torah only permitted on *Yom Tov* work necessary for the preparation of food. By the same token, Bet Shammai forbids to heat up water to wash own's face and hands. The reason the mishnah states "legs" is to

underscore how lenient Bet Hillel is, as will be seen below (*Hameiri*), **unless it is fit to be drunk** - if the water was heated up for drinking purposes, one may also wash his face, hands and feet with it. According to *Tosafot*, even if the water is fit to be drunk, it cannot be used for washing purposes unless one drinks from it first.

But Bet Hillel permit it - to heat up water on *Yom Tov* even if specifically to wash own's feet, and certainly his face and hands, for Bet Hillel hold that since the Torah permitted the use of fire for preparing food on *Yom Tov*, it permitted the use of fire for other purposes, too, provided it satisfies some human need. According to some, Bet Hillel only permit the washing of the face, hands and feet, because this need is common to all people, but it is forbidden to wash one's entire body, because this need is not felt equally by all people (*Tosafot; Hameiri*). "The rule," says *Rambam* in his commentary on this mishnah, "is that if water was heated up on *Yom Tov*, one may wash one's face, hands and feet, but not his entire body, unless the water was heated up before *Yom Tov*; and water that was heated up before the Sabbath may be used on the Sabbath to wash one's face, hands and feet, but not one's entire body." **A person may make a fire** - on *Yom Tov*, **and warm himself before it** - The Gemara explains, according to a *baraita*, that this is the view of Bet Hillel, who hold that to keep warm is a need common to all, and since the Torah permitted heating for food purposes, it also permitted it for other purposes, as we explained above, but Bet Shammai forbid making a fire in order to warm oneself, even though it benefits the entire body.

BETZAH: CHAPTER 2: MISHNAH 6

In three matters Rabban Gamliel is more stringent, following the view of Bet Shammai: One may not cover up hot food from *Yom Tov* for the Sabbath, and one may not assemble a candelabrum on *Yom Tov*, and one may not bake bread in large loaves but only in thin cakes. Rabban Gamliel said: Never in my father's house did they bake bread in large loaves but only in thin cakes. They said to him: What should we do about your father's house, who applied the stringent ruling to themselves, but the lenient ruling to all Israel so that they might bake bread in large and thick cakes.

Kehati

In three matters - regarding *Yom Tov*, **Rabban Gamliel is more stringent** - adopts the more stringent ruling, **following the view of Bet Shammai** - even though he himself was a descendent of Hillel the Elder.

A. One may not cover up hot water from Yom Tov for the Sabbath - In a *baraita* in the Gemara (17b; 22a), we are told: "Bet Shammai say, One may not bake (from *Yom Tov* for the Sabbath) unless he makes an *eruv* (i.e., an *eruv tavshilin*) with bread, and one may not cook unless he makes an *eruv* with a cooked dish, and one may not cover up hot food unless he had it stored from before *Yom Tov*. But Bet Hillel say, A person makes an *eruv* with one dish and does everything he needs." This means that according to Bet Hillel an *eruv tavshilin* with bread and a cooked dish is enough to enable him to bake, cook and store hot food from *Yom Tov* for the Sabbath. According to Bet Shammai, however, each type of work that one wishes to perform from *Yom Tov* for the Sabbath requires a separate *eruv*, and an *eruv* consisting of bread and a cooked dish only enables one to bake and cook, but not to store hot food. Rabban Gamliel, too, adopts the stringent view of Bet Shammai, that an *eruv tavshilin* of bread and a cooked dish does not permit one to cover up hot food from *Yom Tov* for the Sabbath, unless one has hot food covered up from before *Yom Tov*.

B. And one may not assemble a candelabrum on Yom Tov - The Gemara explains that this refers to a candelabrum made up of various parts which came apart on *Yom Tov*, and Bet Shammai hold that it is forbidden to put together the candelabrum on *Yom Tov*, because it resembles the act of building. Bet Hillel, however, hold that the term "building" does not apply to utensils. Here, too, Rabban Gamliel adopts the stringent ruling of Bet Shammai.

C. And one may not bake - on *Yom Tov*, **bread in large loaves - but only in thin cakes** - for Bet Shammai hold that one is not permitted to bake a large quantity of bread on *Yom Tov*, because it entails a great deal of work. Bet Hillel, however, permit to bake a large quantity of bread on *Yom Tov*,

because bread bakes better when the oven is full. Here too, Rabban Gamliel adopts the more stringent view of Bet Shammai.

Rabban Gamliel said: Never in my father's house did they bake bread in large loaves but only in thin cakes - to support his view, Rabban Gamliel testified that in the home of his father, Rabban b. Gamliel the Elder, they also adopted the more stringent view, not to bake thick, but only thin loaves. **They** - the Sages, **said to him** - to Rabban Gamliel, **What should we do about your father's house, who applied the stringent ruling to themselves, but the lenient ruling to all Israel so that they might bake bread in large loaves and thick cakes** - though they were stringent in regard to themselves, they ruled leniently for others, that one is permitted to bake thick loaves on *Yom Tov*, and even large cakes which are baked on coals, and entail a great deal of work. The halakhah in all three cases is in accordance with Bet Hillel and not Rabban Gamliel. (*Bartenura*; and see *Tosefot Yom Tov*).

BETZAH: CHAPTER 2: MISHNAH 7

He also said three things applying to a lenient ruling: One may sweep between the couches, and one may put the spices on the fire on *Yom Tov*, and one may prepare a kid *mekulas* on the eve of Passover. But the Sages forbid.

Kehati

As the previous mishnah taught that Rabban Gamliel issued three stringent rulings, in accordance with Bet Shammai, the present mishnah brings three cases in which Rabban Gamliel ruled more leniently than the Sages.

He - Rabban Gamliel, **also said three things applying a lenient ruling** - which are the following:

A. One may sweep between the couches - in those days, they would eat their meals reclining on couches. Rabban Gamliel holds that on *Yom Tov* one may sweep up the food crumbs that fell between the couches. This is differing from the Sages, who forbade to sweep up the house on the Sabbath and *Yom Tov*, lest he fill in holes in the earthen floor which resembles the act of building. Rabban Gamliel, however, holds that only sweeping the entire house is forbidden, but between the couches, which is a small area, and which is swept daily to ensure that the dust will not rise during the meal, there are presumably no holes, and one may therefore sweep there in honor of the festive meal (*Hameiri*). The Sages, though, forbid sweeping between the couches, lest one come to sweep the entire house.

B. And one may put spices on the fire on Yom Tov - it was the custom to place frankincense on burning embers, in order to perfume the home; Rabban Gamliel permitted to do this on *Yom Tov*, because it affords physical pleasure, and is thus like something needed for food purposes, which is permitted on *Yom Tov*. The Sages, however, forbid the putting of spices on embers on *Yom Tov*, because it is not a general practice, but only used by the wealthy and the pampered, or by people with a bad body odor.

C. And one may prepare a kid mekulas on the eve of Passover - a kid roasted whole, including the head, with its legs and with its entrails, with the innards suspended outside the kid, the way the Passover sacrifice was roasted in Jerusalem (*Rambam* explains the term *mekulas* as "presentable," while others explain it as meaning a helmet, because the innards were suspended like a type of hat on the carcass, so that it looked like a mighty warrior carrying his weapons, as, for example, in regard to Goliath, who wore a copper helmet - the *Targum* of Goliath's "copper helmet" (I Samuel 17:5) is *kulas dinhash*); and Rabban Gamliel holds that even in our times one roasts a kid in this manner, as a reminder of the Passover sacrifice. **But the Sages forbid** - in all three of these instances: in the first two for the reasons given above, and in the case of the kid *mekulas*, because it appears as if the person were eating the Passover sacrifice outside its appointed place. The halakhah follows the Sages.

BETZAH: CHAPTER 2: MISHNAH 8

Three things R. Eleazar ben Azaryah permits, and the Sages prohibit: One's cow may go out with a strap between its horns, and one may curry an animal on *Yom Tov*, and one may grind pepper in its mill. R. Yehudah says, One may not curry an animal on *Yom Tov* because it makes a wound, but one may comb. But the Sages say, One may neither curry nor comb them.

Kehati

This mishnah continues to teach "three things," on which this time R. Eleazar ben Azaryah and the Sages differ.

Three things R. Eleazar ben Azaryah permits, and the Sages prohibit:

A. One's cow may go out with a strap between its horns - into a public domain on the Sabbath. Though a Jew is commanded by the Torah to have his animal rest on the Sabbath, and he is forbidden to let it go out into a public domain with a load on its body (see our introduction to Tractate *Shabbat* 5:1), R. Eleazar ben Azaryah allows one to have his animal go into the public thoroughfare with a decorative strap between its eyes. The Sages, however, forbid the animal's wearing even a decorative strap, because not all cows wear such straps, and it is therefore considered a load. The Gemara cites (23a) a *baraita* which states: "It was not his (the cow did not belong to R. Eleazar b. Azaryah), but to his neighbor, but as he did not protest against it, it is referred to as his" (see *Shabbat* 5:4).

B. And one may curry an animal on Yom Tov - it is permitted to comb an animal on *Yom Tov* with a fine-tooth metal comb, even though this can occasionally cause wounds, for the person does not intend to cause such wounds.

C. And one may grind pepper - on *Yom Tov*, **in its mill** - a special pepper mill - even though they are large and difficult to handle. The Sages, however, permit the grinding of pepper on *Yom Tov* only in a small mortar of stone, wood, etc.

R. Yehudah says, One may not curry an animal on Yom Tov - as explained above, **because it makes a wound** - R. Yehudah holds that it is forbidden to do something that may result in a forbidden act even if it was not intended, and therefore one is forbidden to curry the animal with a metal comb, because the metal teeth causes wounds in the flesh, **but one may comb** - the animal with a wooden comb with broad teeth, for there is not fear of causing a wound.

But the Sages say, One may neither curry, nor comb them - for the Sages extend the prohibition of currying to combing, for if permitted to comb their animals, people might curry them as well. According to *Rambam*, *currying* is the removal of the small flies that cling to the thighs of the animal, which causes wounds, whereas *combing* is the removal of the large flies, which does not cause wounds. The halakhah concerning currying an animal is in accordance with R. Eleazar ben Azaryah, for the halakhah follows R. Shimon, that one is permitted to do something that may result in a forbidden but unintended act. Concerning an animal's strap and the grinding of pepper, the halakhah follows the Sages.

BETZAH: CHAPTER 2: MISHNAH 9

Pepper-mills are susceptible to uncleanness on account of three kinds of utensils: because of being a utensil which has a receptacle, and being a metal utensil and being a utensil used for sifting.

Kehati

As the previous mishnah mentioned the law regarding grinding pepper in a pepper mill, the present mishnah gives us rules regarding the ritual impurity of the pepper mill.

Pepper-mills are susceptible to uncleanness on account of three kinds of utensils - for it is made of three parts, and each part is considered as a separate utensil in regard to uncleanness. Thus, if one of the parts breaks, the other two are still susceptible to uncleanness. Another interpretation is that if one of the parts becomes unclean, the others do not, even if this happens when all three are joined and functioning together, because each can function on its own (*Tosafot*);

Because of being a utensil which has a receptacle - the wooden bottom part of the mill which receives the ground pepper is susceptible to uncleanness because a wooden utensil which has a receptacle is susceptible to uncleanness - **and being a metal utensil** - the top part in which the pepper is crushed, being a metal utensil, can become unclean even though it has no receptacle; **and being a utensil used for sifting** - the middle wooden part has a sieve which allows the pepper powder to go through, while retaining the coarse parts, and it is therefore also regarded as a receptacle (*Tosafot*; *Rambam*; and see *Rashi* and *Bartenura*, who explain that the sieve is not susceptible to uncleanness because it is considered to be a receptacle, since it does not really retain things. Rather, the Sages decreed that a sieve is susceptible to uncleanness because of its similarity to a woven fabric).

BETZAH: CHAPTER 2: MISHNAH 10

A child's cart is susceptible to *midras* uncleanness, and may be carried the Sabbath, but may not be dragged except over articles. R. Yehudah says, No object may be dragged, except for the cart, because it presses.

Kehati

A child's cart - which is made to teach him to walk - the infant leans on it and it rolls before him (*Tosafot*), **is susceptible to midras uncleanness** - if the infant is a *zav* - i.e., has a flux or genital issue - which makes him an *av ha'tum'ah* (lit. a "father," i.e., direct cause of uncleanness), he makes any object used specifically for sitting, lying or riding on, an *av ha'tum'ah* if he treads, sits, or lies or leans on it, and that *tum'ah* is known as *tum'at midras*. This cart is also susceptible to *midras* uncleanness because it is designed for the child to lean on it.

And may be carried on the Sabbath - for it is considered a utensil and is not *muktzeh*. **But may be dragged** - on the Sabbath and *Yom Tov*, **except over articles** - on top of fabric, such as carpets, but not directly on the ground, because it causes furrows in the earth, and that is like digging.

R. Yehudah says, No object may be dragged - on the ground on the Sabbath and *Yom Tov*, **except for the cart** - which may be dragged on the ground, **because it presses** - the earth down, but does not move the earth from its place. The Gemara explains that the author of the first part of this mishnah is also R. Yehudah, who holds that it is forbidden to do anything on the Sabbath and *Yom Tov* that may result in an unintended forbidden act, but there are two *tanna'im* in our mishnah who differ on R. Yehudah's view. The first *tanna* holds that according to R. Yehudah the cart can only be pulled along on top of fabric, for since it makes a furrow, one may not drag it on the ground, because of the prohibition of digging; the second *tanna*, though, holds that R. Yehudah did not forbid dragging such a cart on the ground, because it merely compresses the ground. We have already mentioned that the halakhah does not follow R. Yehudah, but R. Shimon, who says: "A person may drag a bed, a chair or a bench on the Sabbath provided he does not have the intention of making a furrow" (*Shabbat 22a*; *Rambam, Hil. Shabbat*, 1:5).

BETZAH: CHAPTER 3: MISHNAH 1

One may not catch fish from a vivarium on *Yom Tov*, and one may not put food before them; but one may hunt game and fowl from a vivarium, and one may place food before them. Rabban Shimon ben Gamliel says, Not all the vivaria are alike. This is the rule: whatever needs to be hunted is forbidden, and whatever does not need to be hunted is permitted.

Kehati

We have already mentioned (in the introduction to the Tractate), that though work needed for the preparation of food is permitted on *Yom Tov*, there are certain categories of work which are forbidden, even though they relate to food preparation, such as harvesting, threshing or grinding. Various reasons are given by the commentators for this (see in our introduction to the Tractate, the quotation from *Rambam's Mishneh Torah*). In the Jerusalem Talmud Resh Lakish states: (Ex. 12:16), 'That which every man must eat, that only may be done by you,' is immediately followed by, 'You shall observe the *matzot*' (Ex. 12:16-17). Any kind of work performed from the observing of the *matzot* onward - i.e., kneading and all subsequent work - may be performed on *Yom Tov* for the needs of one's food, but those kinds of work which precede the kneading are forbidden." *Hameiri* explains that kneading and all subsequent work are categories of direct-food preparatory work, whereas harvesting, threshing and similar types of work do not prepare food, and come under the category of *melekhet avodah* - "servile work" - which is forbidden on *Yom Tov*, for one performs these types of work on one day for many days ahead, whereas one kneads and bakes for one's immediate needs. *Rosh* writes that the Sages forbade harvesting, grinding and so on, because a person normally harvests an entire field or picks all the grapes on his vineyard at one time, grinds his wheat and treads his grapes in large quantities. The Sages therefore forbade these acts for being weekday-like activities (see *R. Nissim*). This mishnah teaches that hunting is forbidden on *Yom Tov*, even if needed for one's food.

One may not catch fish from a vivarium on Yom Tov - for as they can be caught before *Yom Tov*, it is forbidden on *Yom Tov* (*Rashi*). According to some commentators this is forbidden because it has a resemblance to harvesting, in that it entails the uprooting of something from its place of growth. (*Tosafot; Hameiri*) According to *Rosh* (v. introduction to this mishnah), the Sages forbade hunting on *Yom Tov* for the same reason they forbade harvesting and grinding, for sometimes a large number of fish is caught in the net, and the work becomes weekday-like (v. *R. Nissim*). **And one may not put food before them** - before the fish on *Yom Tov*, lest he come to catch them (*Tosafot*); moreover, the fish find their own food in the pond, and there is no need to feed them.

But one may hunt game and fowl from a vivarium - fenced in open spaces, where the game or fowl are raised for food. As they are meant for eating and easy to catch, one may hunt them on *Yom Tov* (*Hameiri*). Some explain that this mishnah refers to game or fowl one prepared before *Yom Tov* for slaughtering on *Yom Tov* (*Rashi; Bartenura*), **and one may place food before them** - for as it is permitted to take them, one must feed them.

Rabban Shimon ben Gamliel says, Not all the vivaria are alike - According to some commentators, Rabban Shimon ben Gamliel does not disagree with the First *Tanna*, but merely explains what he said (*Bartenura; Hameiri*),

This is the rule: whatever needs to be hunted - that requires great effort to be caught; and the Gemara explains: Whenever a person says, "bring a trap and we will catch it," **is forbidden** - on *Yom Tov*, for the reasons outlined above, **and whatever does not need to be hunted** - that can be caught with a single lunge, **is permitted** - to be caught on *Yom Tov*. *Rambam* explains that anything that needs to be hunted in *muktzeh*, and may not be caught on *Yom Tov*, and whatever can be caught with one lunge is considered - "prepared" - and may be caught and eaten on *Yom Tov* (*Hil. Yom Tov* 2:7). It appears from *Rambam (ibid.)* that the statement, "this is the rule," refers to the entire mishnah, i.e., including fish. In *Ravad's* view, however, Rabban Shimon ben Gamliel only refers to game and fowl, but it is never permitted to catch fish on *Yom Tov*, not even in small ponds, because they are hidden from view and an effort is needed to catch them.

BETZAH: CHAPTER 3: MISHNAH 2

If traps for game and fowl and fish were set before *Yom Tov*, one may not take from them on *Yom Tov*, unless he knows that they were caught before *Yom Tov*. It once happened that a certain non-Jew brought fish to Rabban Gamliel, and he said, They are permitted, but I do not wish to accept from him.

Kehati

We have already explained (in the introduction to the Tractate) that one is only permitted to eat on *Yom Tov* such food which was prepared before *Yom Tov*, but which was not prepared before *Yom Tov* is *muktzeh*, and may be neither eaten nor moved on *Yom Tov*. This mishnah discusses cases in which the timely preparation before *Yom Tov* is in doubt.]

If traps for game and fowl and fish were set before Yom Tov - if a person set traps for game or fowl or spread a net for fish before *Yom Tov*, **one may not take from them on Yom Tov, unless he knows that they were caught before Yom Tov** - that they were definitely caught before *Yom Tov*, but if he is not sure, he may not take them on *Yom Tov*, for if its timely preparation is in doubt it is forbidden. But Rabban Gamliel permits in such cases of doubt (according to the Gemara, this sentence is to be added to the mishnah).

It once happened that a certain non-Jew brought fish to Rabban Gamliel - on *Yom Tov*, and it was not known whether the fish had been caught the previous day or on *Yom Tov*, **and he** - Rabban Gamliel, **said: They are permitted** - these fish, over which there is doubt, are permitted, **but I do not wish to accept from him** - Some explain that he did not want to accept fish from him, because he hated him (*Rashi*); others explain, because he wanted to be more stringent with himself (*Hameiri, quoting R. Yehonatan*). Yet others explain (according to one opinion in the Gemara), that even Rabban Gamliel only permitted to handle but not to eat the fish (*R. Nissim*). The halakhah is not in accordance with Rabban Gamliel.

BETZAH: CHAPTER 3: MISHNAH 3

A dangerously ill animal may not be slaughtered, unless there is time enough in the day to eat of it an olive's bulk roasted. R. Akiva says, Even an olive's bulk raw from the slaughtering part. If he slaughtered it in the field, he may not bring it on a staff or a rod. But he brings it in his hand part by part.

Kehati

A dangerously ill animal - if on *Yom Tov* a person has an animal which is close to death and he wishes to slaughter it, for he fears that it may die and its meat will be forbidden as food, and he has already eaten and does not need the animal's meat for his meal, **may not be slaughtered** - on *Yom Tov*, **unless there is time enough in the day to eat of it an olive's bulk roasted** - even though there is not enough time to cook any of the meat and eat it, for roasting takes less time than cooking, and needs no preliminary soaking and salting, the Sages were lenient because of the possible great loss involved and permitted to slaughter the animal on *Yom Tov* even if there is only enough time to roast and eat an olive's bulk of the meat; some commentators infer from the text of the mishnah that even if the person does not eat the meat on *Yom Tov*, but would be able to do so, he may slaughter the animal.

R. Akiva says, Even an olive's bulk raw from the slaughtering part - R. Akiva is more lenient, ruling that even if there is only enough time to eat an olive's bulk of raw meat from the place where the animal's throat was cut, and there is no need to flay the carcass to get at the meat, one may slaughter it. The halakhah is not in accordance with R. Akiva (*Rambam*).

If he slaughtered it in the field - on *Yom Tov* - according to some commentators this refers only to an animal in danger of dying, but according to others, this refers to any animal, whether well or dangerously ill (*Rambam*), **he may not bring it on a staff or a rod** - with either a large or a small pole carried by two men on their shoulders or in their hands, because by so doing one publicizes what he is doing, and that degrades the *Yom Tov*, **but he brings it in his hand part by part** - even though this involves numerous trips, because then it is apparent that he is taking the parts home for *Yom Tov*.

BETZAH: CHAPTER 3: MISHNAH 4

If a firstling fell into a pit, R. Yehudah says, An expert goes down and sees - if it has a blemish, he may bring it up and slaughter it, but if not, he may not slaughter. R. Shimon says, If its blemish was not perceived on the previous day, it is not considered prepared.

Kehati

The firstborn permitted animal is holy from birth, and even in our times it is not slaughtered unless it has developed a permanent blemish, which must first be shown to an expert to establish whether the blemish is permanent or only temporary. Our mishnah discusses the case of a firstling that had a blemish before *Yom Tov*, but was not shown to an expert, and it is not known whether the blemish was permanent or temporary. The animal fell into a pit on *Yom Tov*, and it is feared that the animal may die in the pit, and it is not permitted to raise it out of the pit on *Yom Tov* unless it is needed for food. Though the animal suffers, one does not degrade the *Yom Tov* to alleviate an animal's suffering (*Hameir*).

If a firstling - with a blemish, which was not shown to an expert before *Yom Tov*, **fell into a pit** - on *Yom Tov*, and it is feared that it may die there, **R. Yehudah says, An expert** - in blemishes, **goes down and sees - if it has a blemish** - if the blemish it had before *Yom Tov* is a permanent one, in which case one is permitted to slaughter the animal, then, **he may bring it up and slaughter it** - because the person had in mind before *Yom Tov* to slaughter the animal, and it is not *muktzeh*.

But if not - if the expert sees that the blemish that the animal had before *Yom Tov* was a temporary one, and the fall turned it into a permanent one, **he may not slaughter** - i.e., one may not raise up the animal from the pit on *Yom Tov*, and if he did so, he may not slaughter it, for since the blemish that the animal had before *Yom Tov* was only a temporary one, the animal is *muktzeh*.

R. Shimon says, If its blemish was not perceived on the previous day - as a permanent blemish it - the animal - **is not considered prepared** - and one is forbidden to raise it up and slaughter it on *Yom Tov*. According to some commentators, R. Shimon does not forbid it because of *muktzeh*, since R. Shimon does not accept the law of *muktzeh*, but because in his view one does not examine blemishes on *Yom Tov*, for this resembles the passing of judgement which is forbidden by Rabbinic law. This, then, is what R. Shimon says: If its blemish was not perceived on the previous day, it is not considered prepared - to be permitted to be slaughtered, for an expert cannot grant this permission on *Yom Tov*, and any permission granted is invalid (*Rashi*). The halakhah is in accordance with R. Shimon (*Rambam, Hil. Yom Tov 2:4*).

BETZAH: CHAPTER 3: MISHNAH 5

If an animal died, one may not move it from its place. It once occurred, and they asked R. Tarfon about it and about *hallah* that became unclean, and he went into the House of Study and asked, and they said to him: One may not move them from their place.

Kehati

If an animal died - on *Yom Tov*, **one may not move it from its place** - The Gemara explains that this refers to a sanctified animal, and when such an animal dies one is forbidden to derive any benefit from it, and the carcass must be buried. It may therefore not be moved from its place on *Yom Tov*. However, if an ordinary (unsanctified) animal died on *Yom Tov*, and it was dangerously ill before *Yom Tov*, one is permitted to cut up the carcass on *Yom Tov* for the dogs, because already before *Yom Tov* the person anticipated feeding the meat to dogs. If, however, the animal was not dangerously ill the previous day, then even an ordinary animal may not be moved on *Yom Tov*.

It once occurred, and they asked R. Tarfon about it - about a sanctified animal which had died on *Yom Tov*, **and about hallah that became unclean** - which cannot be used by a *kohen* on *Yom Tov*, for it may not be eaten, nor may the *kohen* use it to stoke a fire to cook food or feed it to his dog, for sanctified things which have become *tameh* may not be destroyed on *Yom Tov*,

And he went into the House of Study and asked - for a ruling **and they** - the Sages, **said to him: One may not move them from their place** - it is forbidden to move the animal or the *hallah* from its place on *Yom Tov*, for as they cannot be used for anything, it is forbidden to handle them.

BETZAH: CHAPTER 3: MISHNAH 6

They may not allot shares of an animal from the outset on *Yom Tov*, but they may allot shares of it from before *Yom Tov* and may slaughter and divide among them. R. Yehudah says, One may weigh meat against a utensil or against a chopper. But the Sages say, One may not use scales at all.

Kehati

This mishnah deals with certain activities which were forbidden by the Sages because of the prohibition against trading.

They may not allot shares of an animal from the outset on Yom Tov - The Gemara explains: "One may not, from the outset, fix a price for an animal on *Yom Tov*," i.e., a group of people who come to a butcher on *Yom Tov* to buy an animal may not say to him, "Give us this cow for so and so much money," and one of us will owe you for his share (*Rambam; Hameiri; Bartenura*); similarly if people wish to be partners in an animal on *Yom Tov*, they may not fix the amounts, saying, for example, "I will take a *selah's* worth of meat and you take two," as explained in the baraita in the Gemara: "A person may not say to his fellow: I join you with a *sela*," or "I join you with two," for price fixing is the way of trading, which is forbidden on *Yom Tov*; **but they may allot shares of it from before Yom Tov and may slaughter and divide among them** - on *Yom Tov*, i.e., if they fixed the price before *Yom Tov*, as to how much worth of meat each one will take, they can divide the meat among them on *Yom Tov*, in accordance with the division they decided upon before *Yom Tov* (see *Tosefot Yom Tov; Tiferet Yisrael*). *Rashi* explains: "but the butcher may slaughter the animal without fixing the price and they divide it among them, and the following day he determines costs." *Tiferet Yisrael* writes that it appears that *Rashi* did not have the version of the mishnah, "but they may allot shares of it before *Yom Tov*," but rather "but they may slaughter and divide among them." It is also possible that *Rashi* is explaining, "they may allot shares of it...or they slaughter and divide among them."

R. Yehudah says, One may weigh meat - on *Yom Tov*, **against a utensil or against a chopper** - a large knife used to chop meat and bones. Though it is forbidden to weigh with weights on *Yom Tov*, because that is a weekday activity, it is nevertheless permitted to weigh on scales against some type of utensil or chopping knife, and to ascertain after *Yom Tov* the weight of the utensil or chopping knife (*Bartenura*). Others explain that this refers to a case in which the weight of the utensil or chopping knife is known (*Maharam*).

But the Sages say, One may not use the scales at all - on *Yom Tov*; the Gemara explains that the Sages use the words "at all" to teach us that one may not even place the meat on the pan of a balance to keep it out of the reach of rodents, because it appears as if one were using the scales for weighing. The halakhah is in accordance with the Sages.

BETZAH: CHAPTER 3: MISHNAH 7

One may not whet a knife on *Yom Tov*, but one may pass it over another. One may not say to a butcher, Weigh me a *dinar's* worth of meat, but he may slaughter and they divide among themselves.

Kehati

One may not whet a knife on One may not whet a knife on Yom Tov - on a grindstone, because that is like repairing a utensil, **but one may pass it over another** - knife, because that is not a real repair and is done differently from the usual manner, it is permitted (*Hameiri*); others state that this is permitted because it is different from the week-day practice (*Rashi; Bartenura*).

One may not say to a butcher - on *Yom Tov*, **Weigh me a dinar's worth of meat** - for one is forbidden to set a price on *Yom Tov*, as we saw in the previous mishnah (See *Tosefot Yom Tov*, who wonders why this law is repeated here). **But he** - the butcher, **may slaughter** - on *Yom Tov*, **and they divide among themselves** - the parts of the carcass as usual. Whoever wants meat asks the butcher to give him a slice or half a slice, without mentioning the price. Regarding the phrase, "weigh me," *Tiferet Yisrael* explains that it is meant to weigh in one of the permitted ways, estimating the weight in one's hand (see *Tiferet Yisrael*, who explains this *halakhah* in an entirely different manner). Some explain: "Weigh me" as meaning "give me" (*Korban Netanel*). Others have the version: "Sell me a *dinar's* worth of meat" (*R. Nissim; Maggid Mishneh*). *Rambam* writes: One may not say to a butcher: "give me a *dinar's* worth of meat, but may say, "give me a part" or "half a part;" and on the following day they settle accounts.

BETZAH: CHAPTER 3: MISHNAH 8

A person may say to his fellow, "Fill this utensil for me," but not by measure. R. Yehudah says, If it was a measuring utensil, he may not fill it. It occurred with Abba Shaul ben Batnit, that he would fill his measures before *Yom Tov* and give them to his clients on *Yom Tov*. Abba Shaul says, Even on the *mo'ed* he does so because of the clearness of the measures. But the Sages say, Even on a weekday he does so, because of the exactness of the measures. A person may go to a storekeeper with whom he is familiar, and say to him, Give me eggs and nuts by number, for it is customary for the householder to count in his house.

Kehati

A person may say to his fellow - who is a storekeeper, on *Yom Tov*, **"Fill this utensil for me"** - with oil or wine, even if it is a measuring vessel used for this purpose, **but not by measure** - but he does not mention any quantity like "Fill this *log* for me," etc., but one merely says to him, "Fill this utensil for me," for since such expression is used on weekdays only when lending or giving a present, but not when selling, one may use it on *Yom Tov* even when using a measuring vessel.

R. Yehudah says, If it was a measuring utensil, he may not fill it - even if he says merely, "Fill this utensil for me." That is *Rava's* interpretation of this mishnah in the Gemara; and *Rambam* rules - according to this interpretation - in accordance with the Sages, for he writes (*Hil. Yom Tov* 4:21), "One says to a storekeeper, 'Fill this utensil for me and tomorrow I will pay you its value,' and even if he uses a measuring vessel, he may fill it, provided he does not name the quantity." Others explain the mishnah according to the interpretation of R. Yehudah in the name of Shmuel (in the Gemara): "A person may say to his fellow, 'fill me this utensil,' but not by measure" - i.e., with a measuring utensil; but any vessel which is available to be used as a measure, in case the one being used should break, but has not yet been used as such, may be filled." R. Yehudah says, "If it was a measuring but is not actually a measuring vessel (*Rambam's* Mishnah Commentary; *Bartenura*). The *halakhah* is in accordance with the First Tanna.

It occurred with Abba Shaul ben Batnit, that he would fill his measures before Yom Tov and give them to his clients on Yom Tov - because one may not fill measuring utensils on *Yom Tov*. **Abba Shaul says, Even on the mo'ed** - the intermediate days of the festival, **he does so because of the clearness of the measures** - many people came to study with Abba Shaul on the intermediate days of the festival, for they did not work then, and he did not have time to fill each utensil properly and make sure that there was no froth on top. He therefore filled all his utensils the previous night.

But the Sages say, Even on a weekday he does so - he would fill his measuring utensils with oil on the previous night, and then pour the oil into the utensils his clients had brought to him, **because of the exactness of the measures** - so that all the oil of the measure would be poured into the clients' utensil. According to some commentators, he had many measuring utensils, and he would measure for each client, and let the measures drip into the clients' utensils the whole night (*Rashi; Bartenura*). Yet others explain that he would measure for each person the previous night, so that he would have time to ensure that the full measure of oil dripped into each client's utensil (*Hameiri*). **A**

person may go - on *Yom Tov*, **to a storekeeper with whom he is familiar** - who gives him credit without stating a price, **and say to him, Give me eggs and nuts by number** - such as, "Give me ten eggs" or "fifty nuts,"

For it is customary for the householder to count in his house - therefore the mentioning of the number is not considered to be trading.

BETZAH: CHAPTER 4: MISHNAH 1

One who takes wine jars from place to place, may not bring them in a basket or a hamper, but he takes them on his shoulder or in front of him. So, too, one who transports straw, may not hang the hamper behind him, but brings it in his hand. And one may begin on a straw pile, but not with wood in a *muktzeh*.

Kehati

This mishnah deals with activities that may not be performed on *Yom Tov* the same way as on weekdays.

One who takes wine jars - on *Yom Tov*, **from place to place** - within the *tehum* - the permitted walking bounds of 2000 cubits beyond the city perimeter, **may not bring them in a basket or a hamper** - a large basket, because it is weekday-like, **but he takes them** - a few jars **on his shoulder or in front of him** - either in his hands or clutched against his body, thus being apparent that he is carrying them for his *Yom Tov* needs.

So, too, one who transports straw - a hamper full of straw for heating or feeding one's animals, **may not hand the hamper behind him** - as he does on weekdays, **but brings it in his hand** - not in the usual manner.

And one may begin on a straw pile - one may start taking straw from a stack on *Yom Tov* for heating, even though he did not prepare it for this purpose before *Yom Tov*, **but not with wood in a muktzeh** - the open area behind a house is referred to as *muktzeh*, because it is used for storing wood, fruit, etc.; one may not start using on *Yom Tov* the wood stored there because it was not set aside for heating. The Gemara explains that this mishnah is in accordance with R. Shimon, who generally does not prohibit *muktzeh*, and therefore one may begin taking straw from a stack on *Yom Tov*. As to the large cedar beams stored in the back yard for construction purposes, they are "*muktzeh* because of their high value," which R. Shimon also forbids. According to some rabbis in the Gemara the mishnah is in accordance with R. Yehudah, who forbids *muktzeh* on the Sabbath and *Yom Tov*, and therefore the wood in the back yard cannot be used on *Yom Tov*, even if not expensive, because they are *muktzeh*, and therefore not usable. However, the straw pile in the mishnah is one that has begun to emit a bad odor, being unfit for animal fodder, nor is it suitable for building material because it has many thorns. Thus, it is only suitable for burning. One may therefore start taking from the straw stack on *Yom Tov* for heating, for which it is prepared.

BETZAH: CHAPTER 4: MISHNAH 2

One may not take wood from a *sukkah*, but only from that which is close to it. One may bring wood from the field from that which is gathered together; and from the *karpef*, even from that which is scattered. What is a *karpef*? Whatever is close to the city; so R. Yehudah. R. Yose says, All such as one must enter with a key, and even within the Sabbath *tehum*.

Kehati

This mishnah continues to deal with wood which one is forbidden to use as firewood on *Yom Tov*.

One may not take wood from the sukkah - This does not necessarily refer only to the *sukkah* used during the *sukkot* festival, but to any booth made in one's garden or vineyard, from which one is forbidden to take wood on *Yom Tov*, because one is demolishing a structure (*Gemara*), **but** - one may take wood, **only from that which is close to it** - such as reeds which stand close to the walls of the booth but are not part of it. **One may bring wood** - that had been cut down, **from the field** - on *Yom Tov*, to use as firewood, **from that which is gathered together** - from the wood that the person gathered together and heaped up before *Yom Tov* within the *tehum*; **and from the karpaf** - a large enclosed yard outside the city for keeping wood, etc., **even from that which is scattered** - one is allowed to take wood from the *karpaf* on *Yom Tov* even if the wood is scattered, because the wood in the *karpaf* is ready for use, and even scattered wood has the status of gathered and prepared wood. The *Gemara* states that this mishnah reflects the view of one Tanna only, and is not the *halakhah*. Rather, the *halakhah* is that one is only allowed to use wood from piles in a *karpaf*, for since the person gathered the wood together, he indicated that he relies on it for firewood. However, even if it is piled up, one may not bring wood from the field in on *Yom Tov*, for since it is not protected there, he did not count on it, and it is *muktzeh*.

What is a karpaf - from which the mishnah permits one to bring even scattered wood? **Whatever is close to the city** - for then one's mind is set on using the wood on *Yom Tov*. According to one opinion, *Close to the city* refers to within 70 cubits of the city (*Rosh*), and that is known as "the *ibur* of the city" (see *Eruvin* 5:1,2); according to another opinion, any area between the gardens close to the city is considered close to the city (*Hameiri*). **So R. Yehudah** - The *Gemara* explains that even in the case of a *karpaf* close to a city, R. Yehudah only permitted this if the *karpaf* was protected by a locked door.

R. Yose says, All such as one must enter with a key - Any *karpaf* that must be opened with a key in order to gain entrance to it, **and even within the Sabbath tehum** - i.e., even if it is far from the city, but within the Sabbath *tehum*, within 2000 cubits of the city, where one can go on *Yom Tov*. The *Gemara* explains that R. Yose permits it from a *karpaf* on condition that either it is close to the city, even if it is not locked, or that it is locked, even if it is far from the city, but within the Sabbath *tehum*.

BETZAH: CHAPTER 4: MISHNAH 3

One may not chop up wood from beams, or from a beam which was broken on *Yom Tov*; and one may not chop with an axe or a saw or a sickle, but only with a chopper. A house which is full of produce and sealed, and burst open, one may take from the breach. R. Meir says, he may even make a breach at the outset and take.

Kehati

One may not chop up wood - on *Yom Tov* for firewood, **from beams** - which are set aside for construction purposes, because they are *muktzeh*, or from a beam which was broken on *Yom Tov* - though it is now ready for use as firewood, for since it was not ready at the onset of *Yom Tov*, it is *muktzeh*, the rule being that anything which was *muktzeh* at twilight before *Yom Tov* is *muktzeh* for the entire *Yom Tov*. But one may chop wood from a beam which broke before *Yom Tov* (*Gemara*) - in spite of the effort involved, because the Sages permitted this in honor of *Yom Tov*; **and one may not chop** - from a beam broken before *Yom Tov*, **with an axe or a saw or a sickle** - because all these are professional tools, and it appears as if the person were going to work with them on *Yom Tov*, **but only with a chopper** - a large knife used for chopping meat and bones, and this is not a professional tool. According to one opinion the reason is the necessity of performing the task on *Yom Tov* differently from the usual way. The *Gemara* explains that one side of the chopper is broad, like an axe, and the other is narrow and sharp, and on *Yom Tov* only the sharp side may be used so as to use it differently from the weekday routine.

A house which is full of produce - ready to be eaten, **and sealed** - the entrance is sealed up with bricks and stones, but without mortar, **and burst open** - some of the stones used in sealing the opening fell out on *Yom Tov* - **one may take** - produce to eat, **from the breach** - for as the bricks blocking the opening were not cemented, the prohibition of opening the house is only Rabbinic. Therefore when the situation changed the produce is not considered *muktzeh*, and may be used

(*Hameirif*). **R. Meir says, He may even make a breach at the outset and take** - of the produce on *Yom Tov*, for as the bricks are not cemented, opening the seal is not considered demolishing, and one may at the outset breach the sealed doorway on *Yom Tov* in order to take the produce. The halakhah is not in accordance with. Meir. R.

BETZAH: CHAPTER 4: MISHNAH 4

One may not hollow out a lamp, because one makes a vessel; and one may not make charcoal on *Yom Tov*; and one may not cut a wick into two. R. Yehudah says, One may cut it with a flame into two lights.

Kehati

One may not hollow out - the Hebrew word is *pothim* - but another version reads *pohatim* - diminish a **lamp** - of clay: to make a lamp the potter would make an egg-shaped lump of clay and then, pressing his fist into it, hollow it out, and put in the oil and wick; this mishnah teaches that it is forbidden to form a lamp in this manner on *Yom Tov*, **because one makes a vessel** - by making a cavity in the clay, one produces a vessel on *Yom Tov*; **and one may not make charcoal on *Yom Tov*** - by placing burning coal aside, so as to form charcoal, which is used by goldsmiths. Charcoal is therefore considered a utensil.

And one may not cut a wick into two - on *Yom Tov*, because it is thus turned into a usable utensil. **R. Yehudah says, One may cut it with a flame into two lights** - The Gemara explains that one places the two ends of the wick in two oil lamps which are close to one another and then lights the wick in the middle, so that it divides by itself into two wicks in two lamps. The halakhah is in accordance with R. Yehudah.

BETZAH:CHAPTER 4: MISHNAH 5

One may not break up a potsherd and one may not cut paper to roast on it salt fish; and one may not rake out an oven or a stove, but one may press down; and one may not place two barrels side by side to support the pot on them; and one may not support the pot with a chip of wood, and this applies also to a door; and one may not lead an animal with a staff on *Yom Tov*. But R. Eleazar ben Shimon permits.

Kehati

One may not break up a potsherd and one may not cut paper to roast on it salt fish - when roasting salted fish on a metal grate, they used to place a shard or paper soaked in oil on top of the fish, lest the fish be burned by the heat of the grate. This mishnah teaches that on *Yom Tov* one is forbidden to break up pottery or to cut paper to place on the salted fish, for by doing so the person is making a utensil on *Yom Tov*.

And one may not rake out an oven or a stove - if any plaster fell into it, one may not rake it out on *Yom Tov*, because he is repairing a utensil, **but one may press down** - level down and smooth the ashes in the oven to be able to bake and cook on it. If it is impossible to cook in this oven without raking it out, one is permitted to do so (*Rambam*).

And one may not place two barrels side by side to support the pot on them - with a fire burning between the barrels, because that resembles building. **And one may not support the pot with a chip of wood on *Yom Tov* and this applies also to a door** - because on *Yom Tov* wood is fit only for firewood, but *muktzeh* for any other purpose. **And one may not lead an animal with a staff on *Yom Tov*** - because he appears to be leading it for sale in the market (*Gemara*). **And R. Eleazar ben Shimon permits** - one to lead an animal with a staff on *Yom Tov*.

BETZAH: CHAPTER 4: MISHNAH 6

R. Eleazar says, A person may take a chip from what lies before him to clean his teeth with it, and he may gather from the courtyard and light, for everything which is in the courtyard is regarded as prepared. But the Sages say, He may gather that which is before him and light.

Kehati

R. Eleazar says, A person may take a chip from what lies before him in his home, **to clean his teeth with it** - to remove food remnants caught between his teeth, **and he may gather from the courtyard** - from the entire courtyard, **and light** the fire under his pot, **for everything which is in the courtyard is regarded as prepared** - According to one opinion one may take a splinter from the courtyard, and when R. Eleazar stated that a person takes a chip *from what lies before him*, is not to be taken literally, but only meant to underscore that the Sages forbid to take even a chip from what lies before him to clean his teeth.

But the Sages say, He may gather that which is before him and light - The Sages disagree with R. Eleazar on two points: A. that a person may not even take a chip which is before him to clean his teeth, for wood may only be used for burning and is *muktzeh* for any other use. B. Even for burning, one may only gather up chips lying before him in his home, but not those lying in his courtyard. As gathering up chips in one's courtyard requires great effort, the person had no mind to do so before the onset of *Yom Tov*, and the chips are therefore *muktzeh*.

BETZAH: CHAPTER 4: MISHNAH 7

One may not produce fire from wood, stones, earth or water; and one may not heat tiles to roast on them. Furthermore R. Eleazar said, A person may stand in a *muktzeh* before the Sabbath in the Seventh year, and say, From here I will eat tomorrow. But the Sages say, Only if he marks it and says, "From here to there."

Kehati

One may not produce fire - On *Yom Tov*, **from wood** - by rubbing two pieces of wood together **stones** - by striking two stones together **earth** - hard earth, which when digging in it, produces a spark, **or water** - by filling a glass container with water and placing it in the sun, and then placing tinder underneath the glass (see *Rambam, Hil. Yom Tov* 4:1); all of the above are fire-producing acts, and are therefore forbidden, for it is only permitted on *Yom Tov* to light a fire from one already burning.

And one may not heat up - in a fire, **tiles to roast on them** - the Gemara explains that this law refers to new roof tiles, and it is forbidden to heat them because it hardens them, thus improving their quality.

Furthermore R. Eleazar said - additionally to his lenient ruling in the previous mishnah, in regard to using a chip to clean one's teeth and to gather up chips on *Yom Tov*, here we have another lenient ruling: **A person may stand in a muktzeh** - a place where figs and grapes are laid out to dry, **before the Sabbath in the Seventh year** - in the *Shemithah* year, when the laws of *ma'aser* - tithing - do not apply, **and say,**

From here I will eat tomorrow - and that is considered to be sufficient preparation to permit him to eat the figs and grapes on the Sabbath. The same really applies to any other year, provided the person had separated the *ma'aser* before the Sabbath, but the mishnah specified "before the Sabbath in the Seventh year" because the work of fruit laid out to dry is as yet unfinished and usually not yet tithed. Thus, in other years, such a statement by the owner would be useless because food set aside for the Sabbath is liable to *ma'aser*, and may not be eaten untithed. In the *Shemithah* year, however,

when produce is not liable to *ma'aser*, it may be eaten on the Sabbath if he prepared it before the Sabbath.

But the Sages say, only if he marks it and says "From here to there" - only then may one eat on the Sabbath fruit left out to dry. According to one opinion the principle underlying the dispute is *bereirah*, i.e., R. Eleazar holds that when a person takes the fruit on the Sabbath, it is retrospectively designated (*mevareh*) as the food which he prepared before the Sabbath. The Sages, however, do not accept the principle of *bereirah*," and one must therefore specify, saying before the Sabbath, "From here to there I shall eat tomorrow."

BETZAH: CHAPTER 5: MISHNAH 1

One may throw produce through a trap door on *Yom Tov*, but not on the Sabbath; and one may cover produce with utensils because of dripping rain; and so, also jars of wine and jars of oil. And one may place a utensil under the dripping rain on the Sabbath.

Kehati

One may throw produce through a trap door on Yom Tov - If one has produce spread out on his roof for drying and sees that rain, which may spoil his produce, is approaching, he may throw the produce into his house through the trap door in the roof. But he may only do so through the trap door, since no exertion is involved, but not through a window, as, for example, from a walled-in roof with windows in the wall, through which the produce could be let into the house. As, however, the produce would then have to be lifted up to the window level, which is exerting, the Sages did not permit it; **but not on the Sabbath** - not even through the trap door **and one may cover produce with vessels because of dripping rain** - in order to prevent a loss, the Sages permitted one to cover the produce with vessels to protect it from the rain.

And so also jars of wine and jars of oil - one may cover because of the rain, though the loss would be small. According to one opinion in the Gemara, this mishnah teaches that even if the jars of wine and oil are *tevel* - untithed - and therefore *muktzeh* which must not be moved on the Sabbath and *Yom Tov*, one is permitted to cover them to protect them from the rain, because one may use a vessel for the benefit of objects which themselves may not be handled. **And one may place a vessel under the dripping rain on the Sabbath** - to catch the water to prevent it from soiling the house, and it is certainly allowed on *Yom Tov*. The Gemara states that when full, the vessel may be emptied and replaced to catch more water. According to one opinion, this only applies to dripping water fit for drinking or washing oneself, but if unsuitable for these purposes, one may not place a vessel to catch the rain, for one may not render a vessel immovable (by virtue of causing it to become *muktzeh*) (*Ran*, see Tur 338 who disagree with this). *Rambam's* reason for forbidding it is because one may not, from the outset, make "a vessel of excrement" (i.e. a container of loathsome matter) on the Sabbath (*Hil. Shabbat* 25:24).

We explained that "*one may cover produce with vessels because of dripping rain; and so also jars of wine and jars of oil*" refers to *Yom Tov*, just as does the first section of the mishnah. This is the view of *Rashi*, *Rambam* and *R. Nissim*. According to *Rosh*, and *Hameiri*, however, "on the Sabbath" at the end of the mishnah also refers back to the law of covering produce, etc., which may be covered even on the Sabbath to protect them from the rain, and so also jars of wine and of oil (see *Korban Netanel*).

BETZAH: CHAPTER 5: MISHNAH 2

Whatever one is liable for because of *shevut*, because of *reshut*, because of a *mitzvah* on the Sabbath, one is liable for on *Yom Tov*. And these are because of *shevut*: one may not climb a tree, ride on an animal, swim in the water, clap, slap, or dance. And these are because of *reshut*: one may not judge, betroth, perform *halitzah*, or *yibum*. And these are because of *mitzvah*: one may not dedicate, make a valuation vow, and may not devote anything, and may not take *terumah* and *ma'aser*. They stated all

these in respect of *Yom Tov*, and all the more so on the Sabbath. There is no differentiation between *Yom Tov* and the Sabbath except for food.

Kehati

Whatever one is liable for - All that the Sages forbade, **because of shevut** - in order to fulfill the commandment of (Ex. 23:12), "On the seventh day you shall rest" (*tish'bot* in Hebrew, hence "*shevut*"); **because of reshut** - voluntary actions bound up with a certain degree of mitzvah - a pious duty -, but which were nevertheless forbidden by the Sages because of *shevut*; **Because of a mitzvah** - something which is a definite religious duty - but which the Sages forbade because of *shevut*; all of these types of *shevut* for which one is liable **On the Sabbath** - which the Sages forbade to do on the Sabbath, **One is liable for on Yom Tov** - is also forbidden on *Yom Tov* by Rabbinic Law.

And these are because of shevut - are forbidden on *Yom Tov* by Rabbinic Law. They are acts without any element of *mitzvah* involved: **One may not climb a tree** - lest one tear off leaves or branches, **ride on an animal** - lest one cut a switch to use on the animal, **swim in the water** lest one build a raft, **clap** - one's hands together, **slap** - one's hand on one's thigh, **or dance** - the latter are all forbidden lest one repair musical instruments.

And these are because of reshut - optional actions in which there is an element of *mitzvah*: **One may not judge** - judges may not sit in session, **betroth** - a women, **perform halitzah, or yibum** - If a man died childless, the Torah commands that the brother of the deceased marry his widow as the Torah states (Deut. 25:5), "Her husband's brother shall go in unto her, and take her to him to wife." If the brother does not wish to perform *yibum*, the Torah states further (v.9), "Then his brother's wife shall come to him in the presence of the elders, and loose (*ve'haltzah* in Hebrew, hence "*halitzah*") his shoe from off his foot." Neither *yibum* nor *halitzah* is performed on the Sabbath or *Yom Tov*. The Gemara explains that the four items mentioned in this category are indeed all *mitzvot*, but since they are occasionally voluntary, the mishnah employed the word *reshut*. Thus, for a judge to sit in judgement is a voluntary act if there is a more learned judge in the city than he, for then he is not obliged to judge; to marry a woman may be *reshut*, if a man already has a wife and children; so, too, with *yibum* and *halitzah*, when there is an older brother, for it is a mitzvah for the oldest to perform *yibum*. However, even under circumstances when these acts are unqualified *mitzvot*, they are forbidden on the Sabbath and *Yom Tov*. The reason, as explained by the Gemara, is "*lest he write*" (the verdict in a judgement, the betrothal contract, the *halitzah* document for the woman who has performed the *halitzah*, and the *ketubah* - marriage obligations contract - for the widow married by her brother-in-law (*yibum*) (*Rashi*).

And these are because of mitzvah - but are forbidden because of *shevut*: **One may not dedicate** - anything to the Temple, **make a valuation vow** - a person says, "the worth of Person X be upon me," pledging that value to the Temple, as explained in the Torah (Lev. 27:1-8), **and may not devote anything** to the Temple, for example, a person saying, "this animal is devoted" (Lev. 27:28, Num 18:14). Unless otherwise specified, devoted items revert to the upkeep of the Temple (*Rashi*). According to one opinion, it goes to the *kohanim* (see Mishnah *Arakhin* 8:6; *Rambam, Hil. Arakhin* 6:1); the Gemara explains that the Sages forbade these three acts on *Yom Tov* because they have a semblance of commercial transactions, for the item is being transferred from one's own possession to that of the Temple; **and may not take terumah and ma'aser** - on *Yom Tov*, because by doing so, the produce is made fit for consumption. One may, however, separate *hallah* from dough kneaded on *Yom Tov* (see above, mishnah 1:6). **They stated all these in respect of Yom Tov** - i.e., in the *bet midrash*, all of these were stated as being forbidden on *Yom Tov*, **and all the more so on the Sabbath** - they are forbidden on account of *shevut*. As to the first statement of this mishnah, "*Whatever one is liable for...on the Sabbath, one is liable for on Yom Tov*, it refers to other matters not mentioned in this mishnah (see *Tosefot Yom Tov*).

There is no differentiation between Yom Tov and the Sabbath - Nothing that is forbidden on the Sabbath is permitted from the outset on *Yom Tov* **except for food** - as the Torah states (Ex. 12:16), "save that which every man must eat, that only may be done by you," from which we learn that on *Yom Tov* one may perform work needed in the preparation of food, whereas this is forbidden on the

Sabbath. The Gemara explains that this mishnah represents the opinion of Bet Shammai, but the *halakhah* is in accordance with Bet Hillel that since carrying from one domain to another and burning were permitted for food preparation purposes, they were also permitted for other purposes, like for a mitzvah or personal pleasure (see above mishnah 1:5; 2:5). Thus we learn at the beginning of this chapter: "One may throw produce through a trap door on *Yom Tov*, but not on the Sabbath."

BETZAH: CHAPTER 5: MISHNAH 3

The animal and the utensils are as the owner's feet. If one gives over his animal to his son or to the shepherd, they are as the owner's feet. Utensils which are for the particular use of one of the brothers in the house are as his feet; and those that are not for his particular use may go where they may walk.

Kehati

The law forbidding one to go beyond the *tehum* (limits) of the city in which one is staying applies equally to Shabbat and *Yom Tov*, it being forbidden to go more than 2000 cubits beyond the place of one's Sabbath or *Yom Tov* station. If a person has to go beyond that distance on *Yom Tov*, he makes an *eruv tehumin* before *Yom Tov*, within or at the limit of his *tehum* placing there food for two meals. By doing so, he fixes his station before *Yom Tov* and he may walk on *Yom Tov* 2000 cubits in any direction from that place (see our introduction to Tractate *Eruvin*). The mishnahs from here until the end of this Tractate, deal with the laws of the *tehum* on *Yom Tov*, and teach that a person's possessions may not be taken beyond the point where he himself is permitted to go, just as on Shabbat. Thus, *Rambam* writes: "One who makes an *eruv tehumin* for *Yom Tov*, his animal and utensils and produce are as restricted as he, and one may take them only within 2000 cubits in every direction from the place of his *eruv*" (*Hil. Yom Tov* 5:9).

The animal and the utensils are as the owner's feet - no possessions of a person may be taken beyond the place where their owner himself can go, thus, **If one gives over his animal to his son or to the shepherd** - on *Yom Tov*, **they are as the owner's feet** - and not as the feet of his son or his shepherd. Accordingly, if the owner did not make an *eruv* and his son or shepherd did make one to the east of the city at the edge of the 2000 cubit perimeter, thus enabling the son or shepherd to move for 4000 cubits east of the city, the animal can nevertheless only be brought 2000 cubits to the east, which is the *tehum* of its owner. The Gemara explains that the mishnah refers to a city where there are two or more shepherds, and it is not known to whom the person will turn his animal over to on *Yom Tov*. If, however, there is only one shepherd in the city, even though the person only handed his animal over on *Yom Tov*, the animal has the *tehum* of the shepherd, since all the people in the city hand their cattle over to that shepherd and expect him to take their animals where he himself is able to go on *Yom Tov*, and this person, no doubt, also planned before *Yom Tov* to hand his animal over to this shepherd on *Yom Tov* (*Rashi*; *Bartenura*; and see *R. Nissim* and *Rambam*, who explain this differently).

Utensils which are for the particular use of one of the brothers in the house - such as clothes, **are as his feet** - and if another brother wears them, he may only go where the brother whose clothes he is wearing may go, **and those that are not for his particular use** - but belong to all the brothers, **may go where they may walk** - the brothers may wear or take these things only to a place where all of them may go. If one made an *eruv* at the northern limit of the *tehum*, and the others did not, his action prevents the other brothers from taking this object even a single pace to the south, because of his part-ownership, while they prevent him from taking it beyond 2000 cubits to the north, where they are permitted to go (*Rashi*).

BETZAH: CHAPTER 5: MISHNAH 4

If one borrows a utensil from his friend before *Yom Tov*, it is as the feet of the borrower; on *Yom Tov* - as the feet of the lender. If a woman borrowed from her friend spices and water and salt for her dough, they are as the feet of both. *R. Yehudah* exempts the water, because there is nothing substantial in it.

Kehati

If one borrows a utensil from his friend before Yom Tov - even if the item was not handed over before *Yom Tov (Gemara)*, **it is as the feet of the borrower** - and may be taken on *Yom Tov* wherever the borrower may go, because at the onset of the festival the borrower's *Yom Tov* Station included the item. **On Yom Tov** - but if a person borrows a utensil on *Yom Tov*, it is **as the feet of the lender** - because at the onset of the festival it was included in its owner's station. The Gemara explains that even if the borrower was accustomed to borrow this particular utensil for each *Yom Tov*, it is nevertheless as the feet of the lender if he does not come to ask for it before *Yom Tov*, for the owner presumed that he borrowed one from someone else, and therefore did not assign it to the borrower.

If a woman borrowed from her friend - on *Yom Tov*, **spices** - for cooking, **and water and salt for her dough, they** - the dish she cooks or the dough she bakes, **are as the feet of both** - and can only be taken to a place where both women are permitted to go, because each woman has a share in the dish or the baked dough.

R. Yehudah exempts the water - the lender's status does not effect the dish, **because there is nothing substantial in it** - because the water is not discernible in the dough or in a thick dish. Thus the loan of water does not restrain the borrower from taking the dough or dish to wherever she may go. In regard to salt, though, there is not dispute between R. Yehudah and the Sages, for this case refers to coarse salt, which is discernible and is of a substantial nature. The halakhah is not in accordance with R. Yehudah.

BETZAH: CHAPTER 5: MISHNAH 5

A live coal is as the feet of the owner, but a flame, everywhere. A live coal of Temple property is subject to *me'ilah* and a flame may not be used, but one does not commit sacrilege. One who takes out a live coal into the public domain, is liable, but a flame - is exempt. The well of an individual is as the feet of the individual, and of the people of that city as the feet of the people of that city, and of those who ascended from Babylon as the feet of the one who draws.

Kehati

A live coal is as the feet of the owner - One who takes a live coal from his fellow on *Yom Tov* may only take it where the owner of the coal may go on *Yom Tov*, **but a flame, everywhere** - a person who lit his candle from another person's fire, may take it wherever he is permitted to go, because a flame has no substance. **A live coal of Temple property is subject to me'ilah** - if a person makes use of it, he commits sacrilege, and must bring an *asham me'ilot* sacrifice, **and a flame** - of the Temple, **may be used** - it is forbidden by Rabbinic law, **but one does not commit sacrilege** - but having used it, he has not committed sacrilege, and does not need to bring a *me'ilah* sacrifice.

One who takes out a live coal into the public domain - on the Sabbath, **is liable** - for carrying from one domain to another, **but a flame** - if one takes a flame out into the public domain by pushing or blowing it into the public domain, he **is exempt** - because the flame has no substance. Some commentators omit this statement from this mishnah (*Rif; Rosh; Hameir*).

The well of an individual - a private water well **is as the feet of the individual** - the water may only be taken where the owner is permitted to go, **And of the people of that city** - a city water well **is as the feet of the people of that city** - and the water may only be taken up to 2000 cubits in any direction from the borders of the city (*Rashi; Bartenura*.) (As to the case of one of the inhabitants of the city having made an *eruv*, see *Tosefot Yom Tov*, who cites various views); **and of those who ascended from Babylon** - the wells dug by the pilgrims from Babylon for wayfarers, **as the feet of the one who draws** - water from them, and anyone drawing water from such a well may take it wherever he is permitted to go, because the water is ownerless, and whoever draws it from the well acquires it, and anyone borrowing from him the water may take it only where the one who drew it

may go, for the *Tanna* of this mishnah holds that "there is *bereirah*" (see above, mishnah 4:7), i.e., that it is verified retrospectively that the water drawn by this person on *Yom Tov* was included in his *Yom Tov* station (*Rashi*); and this *Tanna* does not agree with R. Yohanan ben Nuri who says that ownerless things fix their own station where they are (see *Eruv*. 4:5).

BETZAH: CHAPTER 5: MISHNAH 6

If one had produce in another city, and the people of that city made an *eruv* to bring him of his produce, they may not bring it to him; but if he made an *eruv*, his produce is as himself.

Kehati

If one had produce in another city - farther than 2000 cubits from his home so that he can only get his produce on *Yom Tov* by means of an *eruv tehumim*, **and the people of that city made an eruv to bring him of his produce, they may not bring it to him** - another version reads, "And the people of that city made an *eruv* to come to him, they may not bring him of his produce (*Hagahot HaBah* on the Gemara; *Rif, Rosh, Rambam*), i.e., even though the people of that city made an *eruv* to come to this man, they are not permitted to bring him any of his produce, because his produce is as his feet, and he did not make an *eruv* permitting him to go to where the produce is.

But if he made an eruv - if the owner of the produce made an *eruv* to come to the city where his produce was, **his produce is as himself** - and he may bring of his produce. The Gemara states that this mishnah refers to a case of a person who put the produce aside in a specific corner, so that the bailee did not vouch for its safety. If, however, it was not put in a specific corner, the produce is as the feet of the guardian.

BETZAH: CHAPTER 5: MISHNAH 7

If one invited guests, they may not take away portions with them, unless he granted them possession of their portions before *Yom Tov*. One may not water or slaughter animals of the field, but one may water or slaughter domesticated animals. Which are domesticated animals? Those which sleep in the city. Animals of the field? Those which sleep in the meadow.

Kehati

If one invited guests - from another city to come to him on *Yom Tov* by using an *eruv*, **they may not take away portions with them** - from the meal to their homes on *Yom Tov*, because these portions are as the feet of the host, who did not make an *eruv* to go to the city of the guests, **unless he granted them possession of their portions before Yom Tov** - by handing the portions to a certain person before *Yom Tov* and saying to him: "Take this and acquire possession of these portions on behalf of such-and-such people," for one can benefit another person in his absence. Thus, the guests acquired possession of the portions before *Yom Tov*, and the food is as their feet, and they may take them home with them.

One does not water or slaughter animals of the field, on *Yom Tov*, because they are not considered to be "prepared." The Gemara explains that the mishnah mentions watering together with slaughtering them, to allude to the custom of watering the animals shortly before slaughtering them in order to make it easier to flay them; according to another explanation, watering them before the slaughtering facilitates the removal of minor adhesions from the lungs (*Rambam*); **but one may water or slaughter domesticated animals** - on *Yom Tov*.

Which are domesticated animals? Those which sleep in the city - animals which return each night from the pasture and sleep within the city bounds, so that each day they are considered to be "prepared." It is therefore permitted to slaughter them on *Yom Tov*; **Animals of the field? Those which sleep in the meadow** - in the pasture, outside the city limits, and the owners do not count on slaughtering them. They are therefore *muktzeh* and may not be slaughtered on *Yom Tov*.