



Yom Tov in Eduyot

When learning *masechet Eduyot* we get used to the fact that *mishnayot* are being cited and revised from around *shas*. So much so, that we potentially miss noting when the *Mishnah* in our *masechet* is presented differently to how it is presented at the source. The beginning of the fourth *perek* is one such example.

The first two *mishnayot* appear to be the first two *mishnahyot* of *masechet Beitzah*. The first *Mishnah* records the debate between *Beit Shamai* and *Beit Hillel* regarding an egg that was laid on *Yom Tov*, while the second *Mishnah* records the debate regarding slaughtering a *chaya* or *ohf* on *yom tov*. It is the beginning of the second *Mishnah* that does not appear in *masechet Beitzah*: "[If] a *behema* (animal) was born on *Yom Tov*, everyone agrees that it is permitted. If a chick hatched [on *Yom Tov*] everyone agrees it is forbidden." Does this addition make a difference?

The *Tosfot Yom Tov* argues that the statements should be removed, resulting on our *Mishnah* matching the one in *Beitzah*. He explains that whether the chick is permitted is debated in the *Gemara* (*Beitzah* 6a), with *Rav* arguing it is forbidden and *Shmuel* disagreeing. Furthermore, the *Gemara* cites two *Beraitot* that support each side of the argument. The *Beraitah* supporting *Rav* is similar to the lines in question above. If the version of our

Mishnah included those line, then the *Gemara* should have cited our *Mishnah* in support. The *Mishnat Rav* cites *Rabbeinu Menachem Azarya MiPano* (Responsa, 100) who also maintains that these two lines are not part of the *Mishnah*. One will also find that the *Mishnah* printed in our *Gemara* has these lines in parentheses suggesting their omission.

The *Lashon HaZahav* however prefers to leave our *Mishnah* as is. He cites the *Tosfot* who explains that the debate in the *Gemara* is when the chick has already opened its eyes. Only then is the debate applicable to *Yom Tov* only. To be clear, the debate is whether the chick is considered *muktzeh*. Prior to the chick opening its eyes, everyone agrees – even during the weekdays – that one is forbidden to eat the chick for it is considered a *sheretz*. Consequently, our *Mishnah* would be referring to the chick prior to opening its eyes and would therefore have no impact on the debate in the *Gemara*. In truth, the *Mishnah* does not state that the case is where chick hatched on *Yom Tov*. That alone would be enough to explain why it was not brought as proof in the *Gemara's* debate. It also makes sense then why the *Bartenura* explains that the issue with the chick is due to it being considered a *sheretz*. As explained, this issue is applicable only prior to the chick opening its eyes. Were the *Mishnah* referring to where the chick had opened it eyes and consistent with one side of the debate (*Rav*), then the issue would be *muktzeh*.¹

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¹ Perhaps the *Tosfot Yom Tov* resisted this explanation because of the difference in the wording in our *Mishnah* and the *Gemara*. In the *Gemara*, the debate is regarding a "chick that was born". The ambiguity at what stage the chick was up to in hatching therefore

required the *Tosfot's* comment. In our *Mishnah*, the case is where "the chick left the egg". At that point, the chick's eyes are generally already open.

Revision Questions

עדיות ג' ד' – ד' ה'

- What are the opinions of *R' Dosa ben Harkinas* and *Chachamim* regarding which type of netting can *mekabel tum'ah*? (ג' ד')
- Regarding which part of the *kelah* do they argue? What is a *kelah*? (ה' ג')
- Explain the opinion of the *Chachamim* that hold sometimes a *shevuyah* can eat *trumah* and sometimes she cannot. (ו' ג')
- What are the four *sfeikot* where *R' Yehoshua* is *metameh* and the *Chachamim* are *metaharin*? (ז' ג')
- What are the three things that *R' Tzadok* is *metameh* and the *Chachamim* are *metaharin*? (ח' ג')
- What are the four things that *Rabban Gamliel* is *metameh* and the *Chachamim* are *metaharin*? (ט' ג')
- Which three laws does *Rabban Gamliel* rule stringently like *Beit Shammai*? (י' ג')
- What are *Rabban Gamliel's* three *kulof*? (יא' ג')
- Which three things does *R' Elazar ben Azarya* permit, yet the *Chachamim* forbid? (יב' ג')
- How many laws listed does *Beit Hillel* rule more stringently than *Beit Shammai*? (יג')
- What are the opinions of *Beit Shammai* and *Beit Hillel* regarding:
 - An egg that was laid on *Yom Tov*? (יד' ג') For what other items that are “born” on *Yom Tov* does everyone agree is *mutar*? Is *assur*? (טו' ג')
 - The minimum measure of *se'or* and *chametz* that are *assur* on *Pesach*? (טז' ג')
 - Slaughtering a *chaya* or *ohf* on *Yom Tov*? (יז' ג')
 - *Hefker*? (יח' ג')
- If a sheaf is left in the field, next to which four things does *Beit Shammai* maintain that it is not *shichecha*? (יט' ג')
- Which two laws applying to *ma'aser sheni*, does *Beit Shammai* maintain do not apply to *kerem reva'i*? (כ' ג')
- Who maintains that *peret* and *olelot* do not apply to *kerem reva'i*? (כא' ג')

Melbourne, Australia

Sunday -Thursday
10 minutes before *Mincha*
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Melbourne, Australia

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Sunday -Thursday
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
7 July ד' תמוז	8 July ה' תמוז	9 July ו' תמוז	10 July ז' תמוז	11 July ח' תמוז	12 July ט' תמוז	13 July י' תמוז
Eduyot 4:6-7	Eduyot 4:8-9	Eduyot 4:10-11	Eduyot 4:12-5:1	Eduyot 5:2-3	Eduyot 5:4-5	Eduyot 5:6-7

