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## Carrying on Yom Tov

In the absence of an *eiruv*, can one carry objects through the public domain on *Yom Tov*? If so, why and are there any restrictions on what one may carry? This very point was debated by *Beit Shammai* and *Beit Hillel* in a *Mishnah* learnt this week (1:5):

*Beit Shammai* say that one cannot carry a child, a *lulav* or a *sefer Torah* into the public domain [on *Yom Tov*]. And *Beit Hillel* permit it.

The *Gemara* (*Beitzah* 12a) explains that everyone agrees that carrying for the sake of food (*ochel nefesh*) is permitted. This is learnt from the *pasuk* "...no work shall be done on them, except for what must be eaten for any person – only that may be done for you" (*Shmot* 12:16). Rather, the *Gemara* concludes that the *Tana'im* debate the validity of the following concept – "*mitoch she'hutra le'tzorech, hutra she'lo le'tzorech*" (hence forth simply *mitoch*) – which is loosely translated as "since the *melacha* was permitted for the sake of food preparation, it was also permitted for other needs." (Note that this concept is also applied to kindling, slaughtering, baking and cooking. See *Mishnah Berurah* 518:1)

*Beit Hillel*, who hold by this concept, therefore permit carrying a child, *lulav* or *sefer Torah* on *Yom Tov*. Why were these three objects selected? The *Gemara* answers by explaining that *Beit Hillel* permit these three things while they would agree that carrying stones would indeed be forbidden even on *Yom Tov*.

The *Rishonim* attempt to understand the impact of *mitoch* and its scope. This article will briefly summarise the discussions that related to each of these two points.

*Rashi* (ibid. s.v. *ela*) maintains that after the application of *mitoch* carrying on *Yom Tov* was completely permitted. Yet, a rabbinic prohibition was instituted against carrying stones or other objects that have no need on *Yom Tov*. (This is also how the *Tosfot* and most of the *Rishonim* appear to have understood *Rashi* – see *Biur Halacha* 518) The *Ran* (*Rif Beitzah* 6a) understood that *Rashi's* conception of *mitoch* was broader and that

carrying even not for the need of *Yom Tov* was permitted. Only carrying stones, which already considered *muktzah*, and carrying something in preparation for the next day were prohibited.

The *Tosfot* (ibid.) disagree with *Rashi*. They maintain that the application of *mitoch* is partial and if one carries an object that has no need on *Yom Tov*, they have transgressed a biblical prohibition.

It therefore appears that accordingly carrying an object that is not needed for *Yom Tov* is at least rabbinically forbidden. However, how does one understand "the need for *Yom Tov*"?

The *Rosh* explains that one can carry objects that will be used for a *mitzvah*. This explains that choice of examples listed in our *Mishnah*. He adds, quoting the *Rabbeinu Tam*, that one is allowed to carry a child not only for the sake of the *mitzvah* of *brit millah*, but also to take the child to shul or go for a walk as these examples satisfy *simchat Yom Tov*. The *Mishnah Brurah* (518:3) adds that even if the parent would be able to leave the child home with the other parent without the child being upset, yet the parent leaving desires to have its child with them, this too would be permitted due to *Simchat Yom Tov*.

The *Rama* broadens the definition one step further explaining that one is even allowed to carry utensils that he fears will be stolen if he left them at their location. The *Mishnah Brurah* (518:6) explains that since worrying about the fate of these objects would detract from *simchat Yom Tov* it is considered a "need of *Yom Tov*". Nevertheless, the *Mishnah Brurah* notes that there are those that disagree and argue that monetary loss is not a justifiable need of *Yom Tov* and therefore rules that one should ideally be concerned for this stricter opinion.

One final note, the definition appears however to be broader than carrying for the need of a *mitzvah*. The *Mishnah Brurah* (518:5) adds that carrying house keys and jewellery would also fall under this definition.

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**Revision Questions**

סוכה ה' ד' – ה' ח'

- What were the following people doing at the *Simchat Beit Ha'Shoevah*: (ד': ה')
  - *Chasidim* and *Anshei Ma'aseh*?
  - *Levi'im*?
  - *Kohanim*?
- Where were the *Levi'im* standing at the *Simchat Beit Ha'Shoevah*? (ה': ה')
- What was the maximum and minimum number of *tekiyot* that were performed each day in the *Beit Ha'Mikdash*? (ה': ה')
- When would this maximum number be achieved? (ה': ה')
- Describe how the *avodah* was divided between the twenty-four *mishmarot* during *Sukkot*. (ה': ה')
- When else did all the *mishmarot* work together in the *Beit Ha'Mikdash*? (ה': ה')
- When all the *mishmarot* worked together how did they decide who offered the *korbanot tamid*? (ה': ה')
- When else did the *mishmarot* each get a share in the *lechem ha'panim*? (ה': ה')
- How was the *lechem ha'panim* ordinarily divided? (ה': ה')
- Where would they divide up the allocated *lechem ha'panim* between the *kohanim*? (ה': ה')
- Which *mishmar* would always divide their share in the South of the *azarah*? (ה': ה')

ביצה א' א'-ט'

- What two arguments between *Beit Shammai* and *Beit Hillel* open *Messechet Beitzah*? (א': א')
- Which opinion holds that one should ideally not slaughter a *chaya* or bird on *Yom Tov* and why? (א': ב')
- Explain the debate regarding what one must do *erev Yom Tov* in order to slaughter birds on *Yom Tov*. (א': ג')
- Can one slaughter the birds on *Yom Tov* if: (א': ד')
  - He set aside black birds and found in their place white birds?
  - He set aside two birds and found in their place three birds?
  - He set aside birds in the nest and found birds in front of their nest?
- What are *trisin* and what is the debate regarding *trisin*? (ה': א')
- Can one carry a young child on *Yom Tov*? (Explain both opinions) (ה': א')
- Explain the debate regarding taking *challah* to a *kohen* on *Yom Tov*. (ה': ר')
- Does it matter when the *challah* was separated? (ה': ר')
- Which *melachot* that are connected to *ochel nefesh* does *Beit Shammai* hold must be performed with a *shinui*? (ה': ג'-ח')
- What does *Beit Hillel* forbid from being sent on *Yom Tov*? (ה': ט')

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**Next Week's Mishnayot...**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
7 <sup>th</sup> May ט' אייר כ"ד לעומר Beitzah 1:10 – 2:1	8 <sup>th</sup> May י' אייר כ"ה לעומר Beitzah 2:2-3	9 <sup>th</sup> May י"א אייר כ"ו לעומר Beitzah 2:4-5	10 <sup>th</sup> May י"ב אייר כ"ז לעומר Beitzah 2:6-7	11 <sup>th</sup> May י"ג אייר כ"ח לעומר Beitzah 2:8-9	12 <sup>th</sup> May י"ד אייר כ"ט לעומר Beitzah 2:10-3:1	13 <sup>th</sup> May ט"ו אייר ל' לעומר Beitzah 3:2-3

