

## OVERVIEW of the Daf

### 1) Grasshoppers (cont.)

The Gemara explains the point of dispute between the Beraisa of D'vei Rav and the Beraisa of D'vei R' Yishmael.

The mechanics of D'vei R' Yishmael's use of כלל ופרט וכלל is unsuccessfully challenged and the Gemara comments that this method of derivation is the source for their style referenced in different sources.

Another aspect of D'vei R' Yishmael's exposition is analyzed.

Another discrepancy between the two Beraisos is noted and explained.

### 2) Fish

A Beraisa elaborates on the characteristics of kosher fish.

Another Mishnah teaches that any fish with scales has fins but there are fish with fins that do not have scales.

In light of this Mishnah the Gemara wonders why it is necessary for the Torah to mention that a kosher fish must have fins.

An explanation is suggested but rejected.

R' Avahu and D'vei R' Yishmael answer that it is mentioned to expand and amplify the Torah.

A Beraisa that discusses fish is cited.

The source for the Beraisa's assertion that the Torah permits water sh'eratzim that develop in utensils is sought.

Different suggestions are offered and rejected.

Ravina begins to provide a source for this ruling. ■

## REVIEW and Remember

1. What is the point of dispute between Tanna D'vei Rav and Tanna D'vei R' Yishmael?
2. Must fish have scales their entire life to be kosher?
3. Why is it necessary for the Torah to write קשקשת and סנפיר?
4. Is it ever permitted to consume a sh'eretz?

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לזכר נשמת

*Shmuel Yitzchok ben R' Kasriel Zalman*

*Today's Daf Digest is dedicated  
 לעילוי נשמת פרומט בת בנימין צבי הכהן  
 by Mr. and Mrs. Naftali Goldstein*

## Distinctive INSIGHT

*Each according to his locale*

מר כי אתריה ומר כי אתריה

The Mishnah (59a) taught that the kosher grasshoppers are those that have four walking legs, four wings, two jumping legs and whose wings cover most of their bodies. Although the verse (Vayikra 11:21-22) explicitly only mentions the four walking legs and the two jumping legs, our Gemara derives the other two characteristics through a drasha. The Gemara on 65b presented two Beraisos, one from Toras Kohanim and one in the name of the yeshiva of R' Yishmael, and our Gemara analyzes these sources and determines that they differ in regard to whether a long-headed grasshopper is kosher. In addition, the two Beraisos conclude and concur that the names of the kosher grasshoppers in the Torah – *sal'am* and *chargol* – teach us that the *rashon* and *nipul* types are also kosher, although each Beraisa associates a different one of the added variations from a different source. The difference is only that each Beraisa used the name of the grasshopper as it was used in his locale.

Rashi, citing Halachos Gedolos, adds that all opinions agree that grasshoppers may be eaten without undergoing shechita. His proof is based upon the verse in Vayikra (11:46) where the Torah summarizes the episode of kosher species. There, the verse lists “animals, birds, creatures that swarm in the water (referring to fish), and every creature that crawls upon the ground (referring to grasshoppers).” Animals and birds require shechita, but fish do not. Because the verse mentions grasshoppers only after fish, we derive that the laws of shechita do not apply to them.

Tosafos notes that Rashi did not have to cite the Halachos Gedolos to teach that grasshoppers are permitted to be eaten without shechita, as this is well known from many sources. The point, however, is that Halachos Gedolos teaches us that the source from where this is derived is the order in which grasshoppers appear in the verse—being after fish.

Rambam (Hilchos Shechita 1:3) gives the source for this law from a different verse. The verse (Yeshayahu 33:4) states, “Your spoils will be gathered like the gathering of the locusts.” This indicates that it is sufficient to just gather and collect grasshoppers. This is similar to the lesson taught regarding fish on 27b, from which we learn that fish need not be shechted.

Rashba (to 28b) writes that there is no need for a specific source to teach that shechita is not required for grasshoppers, because any species which is not specifically prohibited without shechita is, by default, allowed to be eaten without being shechted.

Meiri (65a) also writes that it is self-evident that grasshoppers do not need to be shechted, because shechita is only done when the trachea and esophagus are to be cut, and these organs do not exist in these insects in a classical sense. ■

# HALACHA Highlight

## Removing scales from a fish while it is still alive

ממאי ד"קשקשת" לבושה הוא

How do we know that "scales" are a garment?

Teshuvus Siach Yitzchok<sup>1</sup> addressed the question of whether it is permissible to remove a fish's scales while it is yet alive. The basis of the concern is Rema's ruling<sup>2</sup> that it is prohibited to remove a goose's feathers while it is alive since it is an act of cruelty. He cites Pri Megadim<sup>3</sup> who quotes Sefer HaChinuch who explains that the reason it is necessary to slaughter with a knife that is not notched is to avoid causing an animal unnecessary suffering (צער בעלי חיים). Consequently, since there is no obligation to slaughter fish it would seem that the prohibition against causing unnecessary suffering does not apply to fish. He also references Yad Yehudah who writes that the Torah was only concerned with the life of animals. For that reason the prohibition of eating a limb from a living animal is limited to animals. Regarding fish and grasshoppers, where the Torah allows one to eat while yet alive, there is also no prohibition against

causing them unnecessary suffering. Even if one were to suggest that one must be cautious to not be cruel to fish, removing their scales does not constitute an act of cruelty. Ramban indicates that the scales of a fish are no more than a shell as our Gemara relates that the scales are merely a garment for the fish. Accordingly it cannot be described as cruel to remove those scales.

Teshuvus Kinyan Torah<sup>4</sup> wrote against the practice of raising carp that would not have scales. The reason he gave for his opposition was that it would cause the fish unnecessary suffering. Hashem created fish with scales to serve as a garment and protective layer. He also cites a sefer that teaches that the species of fish that sheds its scales when it is pulled out of the water does so as an expression of anger. This clearly indicates that a fish experiences pain and suffering and thus the prohibition against causing it unnecessary suffering applies. ■

<sup>1</sup> שו"ת שיח יצחק סי' שפ"ז.  
<sup>2</sup> רמ"א אהע"ז סי' ה' סעי' י"ד.  
<sup>3</sup> פרי מגדים פתיחה להלכות שחיטה.  
<sup>4</sup> שו"ת קנין תורה ח"ה סי' פ"ח. ■

# STORIES off the Daf

## A Single Word

"גדיל תורה ויאדיר..."

A certain young married man was having trouble maximizing his learning time. Although he was not wasting his time he still wished he could find more time to learn. When he spoke about this trouble with the Lev Simcha, zt"l, the rebbe gave him much encouragement.

"No matter how much you can learn, you must realize that you have achieved a great deal with every word learned. As is well known, the Vilna Gaon writes that every word of Torah that one learns fulfills a separate positive commandment. The Gemara in Chulin 66 analyzes the Mishnaic statement: 'Every fish that has scales

has fins.' The Gemara wonders why the verse mentions fins. After all, if the fish has scales it surely has fins and is completely kosher. The Gemara explains that if the verse had not written both, I would have wondered whether the word *kaskeses* means fins or scales. The Gemara explains that we know that *kaskeses* means scales from a different verse: 'He was clothed in armor of *kaskeses*.' If so, why does the verse need to write fins? The Gemara gives an astounding reply: 'להגדיל תורה ולהאדירה' — To magnify and exalt the Torah.'

"The obvious question is what could possibly be magnified through the addition of only a single word? The answer is that it is possible to magnify and exalt the Torah even when one learns one word of Torah."

On another occasion the Gerer Rebbe gave a different explanation.

"If the verse had not said fins, one who eats kosher fish would only be fulfilling one directive of God—to eat fish with scales. Now that God also mentions fins, we fulfill two Divine directives while eating fish. In this manner, Torah is magnified and exalted."<sup>1</sup> ■

■ <sup>1</sup> לב שמחה, פרשת שמיי ■

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