

OVERVIEW of the Daf

1) Broken bones (cont.)

Rava's definition of what constitutes flesh is successfully challenged.

A possible response for Rava is suggested but then rejected.

Another related incident is cited.

Numerous inquiries related to the part of the skin that must remain for an animal with a broken leg to remain kosher are asked.

Only the final question is answered and then it is further clarified by R' Pappa.

2) **MISHNAH:** The Mishnah discusses different halachos that apply to the status of an amniotic sac found in the womb.

3) Amniotic sac

A Beraisa presents the sources that an amniotic sac found in the womb may be eaten but one that emerged partially before the mother was slaughtered may not be eaten.

The need for the exposition is challenged and the Gemara admits that it is merely a support for the halacha that is known logically.

4) Donkey hide

R' Yitzchok bar Nafcha inquires about the status of donkey hide that was cooked extensively.

The Gemara searches for the precise case about which R' Yitzchok bar Nafcha was inquiring.

5) Amniotic sac

R' Elazar and R' Yochanan disagree whether one has to be concerned for a fetus in the amniotic sac if there is a fetus together with the amniotic sac.

This version of the dispute is challenged and consequently revised.

A Beraisa is cited that supports R' Elazar's stringent ruling.

6) An animal that miscarries its first fetus

R' Ika the son of Rav explains why an animal that miscarries its first fetus is not treated as sacred.

The reason the amniotic sac from a sacred animal must be buried is explained.

Abaye and Rabbah present the parameters for what would involve Amorite practices.

This guideline is challenged. ■

Distinctive INSIGHT

Preserving property of a Jew

יעוד שהתורה חסה על ממונן של ישראל

The Beraisa (76b) taught that if a bone of the leg of an animal is broken, if it is mostly covered by flesh, the animal is not a terEIFah. The Gemara notes that we may include the soft sinews together with the flesh in our calculation whether most of the broken bone is covered. One of the reasons we use this leniency, to allow sinews to be considered as flesh as covering for the broken bone is in order to allow the animal's owner to avoid financial loss of his animal being ruled a tereifah.

We find a pattern in the Torah of the halacha being considerate of Jewish-owned property and its preservation. Rashi (49a) writes that the source for this concept is found in the Torah (Vayikra 14:36) where a house is suspected of being plagued, and a kohen is summoned to come and inspect it. In the meantime, before the kohen arrives, the verse instructs that the vessels of the house be removed, thereby sparing them from becoming impure if and when the kohen declares the house to be impure. The Toras Kohanim cites R' Meir who says that the concern that utensils not be deemed impure cannot be referring to those which are made of wood or metal, or even the clothing in the house, because these all can be purified by being placed in a mikveh. The only vessels whose designation as impure cannot be removed are the earthenware jars. The Torah cares that these relatively inexpensive items be spared. And yet, the episode of a plagued house is part of the fate of a stingy person. If the Torah shows concern for some inexpensive vessels of a stingy person, how much more so does the Torah care about the property of the righteous!

The Gemara in Menachos (76b) learns this rule from the verse in Bemidbar (20:8). There, the nation was complaining of a lack of water, and God told Moshe to take his staff and draw water from a rock to supply water "to the nation and its cattle." We see that God performed a miracle not only for the people, but also for the animals, their property.

Noda B'Yehuda asks why the Gemara in Menachos did not learn this lesson from the verse in Vayikra, which appears earlier in the Torah, before the episode of the water and the rock. He explains that the Gemara felt that the Torah's willingness to allow the saving of a few earthenware pots and jars does not really prove that the Torah has a general concern for property. There, the owner can effortlessly save a few items, so the Torah allows it. Yet, the story of the water from the rock shows that God is willing to perform an outright miracle and allow more water to flow, just in order to supply the livestock with water. This is a convincing proof that the Torah cares about Jewish property.

On the other hand, the episode of water from the rock only shows that property of the entire nation must be spared. Rashi (49b) cites the source of the plagued house, because it illustrates concern for property of even an individual. ■

HALACHA Highlight

Plucking feathers from cooked chicken on Shabbos

עור ששלקו ... מטמאין טומאת אוכלין
 Hide that was cooked ... becomes tamei with the tum'ah of foods

Taz¹ writes that one who wears a garment made from the hide of an animal must be careful not to pull out a hair from it on Shabbos since such an act carries the punishment of a Chatas. This halacha can be found in Yerushalmi (Shabbos 7:2) that states that one who plucks hair from the hide of a dead animal on Shabbos is liable since it is comparable to plucking a hair from a living animal that violates the prohibition of shearing. Teshuvos Zayis Ra'anan² notes that there is a melacha that people could easily violate but is commonly overlooked. If a person is eating chicken on Shabbos and there are some feathers that remain in the skin it is prohibited to remove those feathers. If one were to remove those feathers he would violate the prohibition of shearing. Although he does not need the feathers and thus the act is a **מלאכה שאינה צריכה לגופה** about which there is a dispute whether it is Biblically prohibited, nevertheless, he has at least violated a severe Rabbinic injunction.

The Aderes³ notes that even Taz who rules that pulling hair from the hide of a dead animal has violated the prohibition of shearing would agree that pulling out a feather from a cooked chicken does not violate this prohibition. The reason is that once the chicken is cooked its skin is no longer categorized as hide; rather it is considered part of the flesh of the chicken and thus the prohibition against shearing does not apply. This

REVIEW and Remember

1. What is considered "decayed" flesh ?

2. When is something considered a food that makes it susceptible to tum'ah of foods ?

3. What is the point of dispute between R' Elazar and R' Yochanan ?

4. What practices are categorized as "the ways of the Amorites" ?

is evident from our Gemara that teaches that once an animal's hide is cooked it is susceptible to tum'ah of foods. Maharsham⁴ questions whether the halachos of Shabbos and the halachos of tum'ah of foods are the same. Either way though he will be liable for pulling out a feather since Tosafos⁵ indicates that the skin of a bird is edible even without cooking and nevertheless, one is liable for pulling out a feather from its skin. Sefer Orchos Shabbos⁶ cites other authorities who take it for granted that there is no prohibition against plucking out a feather from a cooked chicken because the prohibition against shearing does not apply to cooked meat. ■

¹ ט"ז או"ח סי' של"ו סק"י ומובא במ"ב סי' ש"מ סק"ה.
² שו"ת זית רענן או"ח סי' א' אות י"ב.
³ ספר עובר אורח הגהות על ארחות חיים סי' של"ו.
⁴ מהרש"ם בדעת תורה על סי' ש"מ סעי' ב'..
⁵ תוס' פסחים כ"ד : ד"ה פרט.
⁶ ספר ארחות שבת פי"ז הע"י י"ב. ■

STORIES off the Daf

Folk Medicine

"אין בו רפואה יש בו משום דרכי האמורי..."

Sleep is a basic need that we cannot do without. Although certain people claim that a person never dies from sleep deprivation that is simply untrue. Lack of sleep can make someone fall asleep at very inopportune times, potentially wreaking terrible havoc. When it comes to children, sleep is even more important since they do actually grow while they slumber. A baby who doesn't sleep is in an even more precarious

situation.

Although modern medicine has made great advances in neonatal care, doctors used to treat infants—indeed virtually all medical problems—in a fairly primitive fashion. When the doctors had nothing to offer, or there was no doctor available, people tended to turn to local folklore for a possible cure. People would reason, "It couldn't hurt."

When a mother in the Panim Meiros' town noticed that her baby wouldn't sleep she was at a loss as to what to do. Someone suggested using an old folk remedy. "Cut the nails of his hand and feet and some of his hair and place it high in a willow tree. This cure is sure to restore his ability to sleep."

Although several friends urged her to follow this advice someone else pointed out that it just might be against halachah.

When the Panim Meiros, זת"ל, was consulted he forbade them to use this remedy. "This is clear from Chullin 77. There we find a statement of Abaye and Rava which pertains to this question: 'Anything done to heal is not a violation of the prohibition against following in the ways of the non-Jews. But if it does not heal it is forbidden!'"¹ ■

¹ שו"ת פנים מאירות, ח"א, סי' ל"ו ■

