

OVERVIEW of the Daf

1) Meat and milk (cont.)

Additional explanations are presented concerning the point of dispute between R' Ami and R' Assi as to whether one receives lashes for cooking cheilev and milk together.

The opinion that maintains that the prohibition against meat and milk does not apply to cheilev is unsuccessfully challenged.

2) Milk

The Gemara rules that one who cooks meat in whey is not liable.

This ruling is a support for an explanation of Reish Lakish.

A Baraisa elaborates on the phrase "בחלב אמו – in its mother's milk."

R' Ashi explains why a verse is needed and a kal vachomer would not be sufficient.

Another Baraisa further elaborates on the phrase "בחלב אמו."

R' Ashi again explains why a verse is needed and a kal vachomer would not be sufficient.

The Gemara explains how we know that a kid may not be cooked in its younger sister's milk.

It is noted that in light of this explanation the phrase used to teach that one may not cook a kid in its older sister's milk is superfluous, so an alternative exposition of that phrase is presented.

R' Achdavoï bar Ami explains the reason a verse is necessary for this exposition and a kal vachomer is not sufficient.

This explanation is rejected and Mar the son of Ravina

(Continued on page 2)

Distinctive INSIGHT

The source for the insight of R' Avahu

דאמר ר' אבהו וכו' כל מקום שנאמר לא יאכל וכו' אחד איסור אכילה ואחד איסור הנאה במשמע עד שיפרט לך הכתוב כדרך שפרט לך בבבילה

In reference to neveilah, the Torah (Devarim 14:21) says that it may not be eaten, but, instead, it should be "given to an alien resident or sold to a stranger." The alien resident in the verse is a person who is not fully Jewish, so he is not observant of the entire Torah, but he has accepted upon himself to fulfill the seven Noachide laws. There is a disagreement regarding how to understand the Torah's directives regarding the meat of a neveilah. R' Meir holds that the meat may be either given as a gift or sold to either an alien resident or to a stranger. R' Yehuda says that the verse is specific in its categorization. The mitzvah is that if it is provided for the alien resident, it must be given as a gift, for free. If the meat is furnished to the stranger, it should be sold to him.

Our Gemara presents the opinion of R' Avahu who holds that whenever the Torah prohibits an item to be eaten using a form of the phrase "לא תאכל" - do not eat it, the Torah intends that the item not only be prohibited to be eaten, but that it also be prohibited from benefit (איסור הנאה). The source for the rule of R' Avahu is the verse regarding neveilah, where we see that the Torah is dealing with an item which may not be eaten, and yet a verse is specifically needed to permit it for benefit. This suggests that had the verse not addressed this issue and allowed neveilah to be furnished to a resident or stranger, it would have been prohibited to benefit from neveilah.

The Gemara in Pesachim (21b) notes that the conclusions of R' Avahu are appropriate only according to the view of R' Meir, that the Torah's ruling regarding neveilah is a blanket license to give this item to whomever we wish (a resident or a stranger), and under any conditions we choose (as a gift or by selling). R' Avahu infers that we would have otherwise assumed that items prohibited to eat are also prohibited from benefit. However, according to R' Yehuda's approach, there is no general rule regarding benefit being taught in the verse, but rather a specific guideline in reference to neveilah, in that it must be given with no charge to a resident and with a charge to a stranger. Tosafos notes that even according to R' Meir, the verse is still necessary to prioritize furnishing a neveilah for the resident for free before we offer it to a stranger even for a price. How, then, is R' Avahu's conclusion derived from the verse?

Tosafos answers that even without a verse, we would have known to provide an advantage to a resident. Now that the verse writes "giving" and "selling" separated with the word "או," this leads us to the conclusion that in this case alone is benefit allowed, but in general the usage of the word "אכילה" indicates that an item is both prohibited to eat and from benefit. ■

REVIEW and Remember

1. What halachos are derived from the phrase "בחלב אמו"?
2. What is the source that one may not cook a kid in its sister's milk?
3. How do we know that one may not eat meat and milk together?
4. What is the point of dispute between R' Meir and R' Yehudah?

HALACHAH Highlight

Giving neveilah as a gift to an idolater

ר' יהודה אומר דברים ככתבן וכו'

R' Yehudah says the verse should be understood literally etc.

R' Yehudah understands the phrase או מכור לנכרי literally to teach that one may only sell neveilah to an idolater and it may not be given to him as a gift. Commentators wonder why this phrase is necessary to teach this halacha when the Gemara in Avodah Zarah (20a) derives from the verse לא תחנם that one is not permitted to give a gift to an idolater. Tosafos¹ answers that the phrase לא תחנם teaches that one who gives a gift to an idolater violates a negative command and the phrase או מכור לנכרי adds that one who gives neveilah to an idolater also violates a positive command. Ritva² explains that were it not for the phrase that addresses neveilah one would have expounded the phrase לא תחנם in one of the alternative manners that are recorded there in Avodah Zarah. It is only because of the phrase או מכור לנכרי that we know to expound the phrase לא תחנם as a general prohibition against giving a gift to an idolater. The reason that the phrase או מכור לנכרי is not sufficient is that its wording does not generate a prohibition.

Tosafos³ notes a contradiction between two rulings of R' Yehudah. A Mishnah earlier in the massechta (93b) taught that one may send an idolater the thigh of an animal that

(Overview...continued from page 1)

suggests another explanation.

This explanation is rejected and R' Idi bar Avin suggests another explanation.

This explanation is also rejected and R' Ashi gives a definitive explanation of this matter.

3) Meat and milk (cont.)

R' Ashi explains how we know that meat and milk are prohibited for consumption as well as for benefit.

Tangentially, the Gemara records the exchange between R' Meir and R' Yehudah concerning the question of giving neveilah to an idolater or selling it to a resident alien. ■

contains the gid hanasheh. The term “send - שולח” implies that it is sent to the idolater as a gift. Since the Gemara in Pesachim (22a) explains that that Mishnah follows the position of R' Yehudah it seems that R' Yehudah issued two contradictory rulings with regards to giving a gift to an idolater. Tosafos answers based on Tosefta that it is permitted to give a gift to an idolater who is one's neighbor since such a gift is considered more of a sale than a gift since one expects to receive something in exchange for a gift that one gives to his neighbor. ■

1. תוס' ע"ז כ. ד"ה רבי.

2. ריטב"א שם ד"ה ואוקימנא.

3. תוס' לסוגייתנו ד"ה ר' יהודה אומר. ■

STORIES Off the Daf

A Miracle Story

אאכילה נמי לקי

Today's daf discusses the prohibition against eating milk and meat that was cooked together.

A certain wealthy man invited Rav Tzvi Elimelech of Bluzhov, zt"l, along with many of his followers to his luxurious home for a gala melaveh malkah. It was the yahrtzeit of one of the students of the Baal Shem Tov and they wanted the Bluzhover Rebbe to conduct a tisch in their home. The rebbe agreed and the wealthy family began preparations.

At the tisch there was a delicious borscht, served first to the rebbe and

then given out to the chassidim. Everyone waited for the rebbe to begin to eat, but curiously he did not. He placed his spoon in the borscht and took out a spoonful, but put it back in the bowl a moment later. He then repeated this and then began to slowly stir the dish. After a moment of this, he put his spoon down and continued talking without taking a bite.

The chasidim all noticed this strange behavior and as if as one, the entire group decided not to taste the borscht before the rebbe took a spoonful. A minute later one of the hired help of the house rushed into the room exclaiming that the rebbe should refrain from the borscht. The cook had confused the pots and cooked the dairy borscht in a pot that had been used for

meat that very day.

The chassidim calmed her and proudly recounted the rebbe's “miraculous ruach hakodesh” that had saved them. To their surprise the rebbe rebuked them. “Foolish chassidim make everything into a miracle story! Can't you understand what happened here? An element of Divine service is not to move forward to satisfy a physical want when the desire is very powerful, since perhaps the yetzer hara is involved. I lifted a spoonful of borscht but felt a strong longing for it. Naturally, I put it back until the strong desire subsided. Since this desire persisted I desisted, waiting for it to subside. Then the workers helped by informing us of the error. That's all.”¹ ■

1. עודבא דאהרון, ע"י ק"ו ■