

**The Soncino Babylonian Talmud**

**Book IV**

**Folios 89b-120a**



**CHULLIN**

**TRANSLATED INTO ENGLISH  
WITH NOTES**

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# CHULLIN – 89b-120a

## Chullin 89b

a minimum size is prescribed, and since it has been used for idolatry it is regarded as though the size were diminished,<sup>1</sup> whereas here the more broken up it is the better it is for covering up.<sup>2</sup>

### CHAPTER VII

**MISHNAH.** [THE PROHIBITION OF] THE SCIATIC NERVE<sup>3</sup> IS IN FORCE BOTH WITHIN THE HOLY LAND AND OUTSIDE IT, BOTH DURING THE EXISTENCE OF THE TEMPLE AND AFTER IT, IN RESPECT OF BOTH UNCONSECRATED AND CONSECRATED [ANIMALS]. IT APPLIES TO CATTLE AND TO WILD ANIMALS, TO THE RIGHT AND LEFT HIP, BUT IT DOES NOT APPLY TO BIRDS BECAUSE THEY HAVE NO SPOON-SHAPED HIP.<sup>4</sup> IT ALSO APPLIES TO A FOETUS. R. JUDAH SAYS, IT DOES NOT APPLY TO A FOETUS. AND ITS<sup>5</sup> FAT IS PERMITTED. BUTCHERS ARE NOT TRUSTWORTHY WITH REGARD TO THE [REMOVAL OF THE] SCIATIC NERVE:<sup>6</sup> SO R. MEIR. THE SAGES SAY, THEY ARE TRUSTWORTHY WITH REGARD TO IT AS WELL AS WITH REGARD TO THE [FORBIDDEN] FAT.

**GEMARA.** IN RESPECT OF... CONSECRATED [ANIMALS]. But is not this obvious? Surely because one consecrated the animal the prohibition of the nerve has not thereby vanished!<sup>7</sup> And if you were to say that [our Tanna] is of the opinion that nerves impart a taste [to the meat], and [he teaches us] that the prohibition of a consecrated animal can be superimposed upon the prohibition of the nerve,<sup>8</sup> then the Tanna should have said: 'The prohibition of [eating] consecrated meat applies to the nerve too'! —

Rather we must say that he is of the opinion that nerves do not impart a taste, [and he thus teaches us<sup>9</sup> that] in regard to [the sciatic nerve of] a consecrated [animal] there is only

the prohibition of the nerve but not the prohibition of consecrated things.<sup>10</sup> But does our Tanna hold that nerves do not impart a taste? Surely we have learnt: If a thigh was cooked together with the sciatic nerve it is forbidden if it imparts a taste<sup>11</sup> [into the thigh]! —

Rather we must suppose that he is dealing with the young of consecrated animals.<sup>12</sup> And he is of the opinion that it [sc. the prohibition of the sciatic nerve] applies to a fetus, and also that the young of a consecrated animal is holy even when in its dam's womb; accordingly the prohibition of the nerve and the prohibition of consecrated things come into force simultaneously.<sup>13</sup> But how can you suggest that the Mishnah is dealing with a fetus? Surely since in a subsequent clause it says, IT ALSO APPLIES TO A FOETUS, it is obvious that the first clause is not dealing with a fetus! —

This is what he means: This<sup>14</sup> is indeed a matter of dispute between R. Judah and the Rabbis. But how can you say that both [prohibitions] come into force simultaneously? Surely we have learnt:<sup>15</sup> By reason of uncleanness contracted from the following sources the Nazirite must shave [his head]:<sup>16</sup> a corpse, an olive's bulk of [the flesh of] a corpse, etc. Now the question was asked: If he must shave [his head] on account of an olive's bulk of [the flesh of] a corpse, then surely he must shave [his head] for the whole corpse! And R. Johanan answered that it was necessary [to mention the corpse itself] only for the case of an abortion whose limbs were not yet knit together by nerves.<sup>17</sup>

(1) Lit., 'broken up' and reduced below the minimum; this in accordance with the Rabbinic dictum: Whatsoever is to be destroyed is deemed destroyed forthwith.

(2) And the use of the forbidden ashes for the fulfillment of a precept cannot be considered a use in accordance with Raba's dictum.

(3) Gen XXXII, 33. In the whole of this chapter the sciatic nerve is often referred to as 'the nerve'.

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(4) The muscles upon the hip bone (or femur) of a bird lie flat and are not raised and convex like those of cattle. In cattle the entire hip is very much like the back of a spoon or like a club. This feature is expressly specified in the prohibition, כף הירך, the spoon of the thigh, i.e., 'the convex prominence of the thigh'. Gen. *ibid*.

(5) The fat of the fetus; or, according to others, the fat surrounding the sciatic nerve.

(6) For it entails hard and careful work, and it is doubtful whether the butcher would follow it up in all its ramifications; consequently one may not rely upon him.

(7) The prohibition of the sciatic nerve attached to the animal the moment it was born.

(8) So that one who eats the sciatic nerve of a consecrated animal would incur stripes on two counts, first for eating the sciatic nerve which is expressly prohibited whether it is edible or not, and secondly for eating 'flesh' (for nerves are edible as flesh) of a consecrated animal.

(9) In stating that the law of the sciatic nerve applies to consecrated animals.

(10) For the nerve is inedible and is not accounted as flesh.

(11) I.e., if the thigh that was cooked was not sixty times greater than the forbidden nerve; for the Rabbis have estimated that if there were more than sixty parts of permitted matter as against one part prohibited, the latter cannot impart a flavor unto the former. From this Mishnah, however, it is apparent that nerves do impart a taste; and as it is (*infra* 96b) in the same chapter as our Mishnah it was taught presumably by the same Tanna.

(12) E.g. the young of a peace-offering which is consecrated the moment it was formed, even while in its dam's womb.

At this same moment the prohibition of the sciatic nerve attaches to it.

(13) I.e., the moment the fetus was formed within the dam's womb.

(14) Whether the prohibition of the sciatic nerve applies to a fetus or not.

(15) Naz. 49b.

(16) If he was rendered unclean during the continuance of the Nazirite vow. Cf. Num. VI, 9ff.

(17) In which case the abortion, even though in the whole of it there is not an olive's bulk of flesh, would render the Nazirite unclean.

Notwithstanding that the prohibition of consecrated things comes into force first, the prohibition of the nerve can be superimposed upon it, for its prohibition is binding even upon the sons of Noah.<sup>2</sup> Whom did you hear maintain this view?<sup>3</sup> R. Judah, is it not? But our Mishnah cannot be in agreement with R. Judah, for it reads **IT APPLIES TO CATTLE AND TO WILD ANIMALS, TO THE RIGHT AND LEFT HIP!**<sup>4</sup> — This Tanna [of our Mishnah] agrees with him [R. Judah] on one point<sup>3</sup> and disagrees on the other point. But perhaps you heard R. Judah apply this argument only to the case of an unclean animal since it is forbidden by a prohibition only;<sup>5</sup> but have you heard him apply it also to consecrated things for which there is a penalty of Kareth?<sup>6</sup> — Rather it must be that we are dealing with the case of a firstling which is consecrated only [when it comes forth out of] the womb.<sup>7</sup> Alternatively, you may say that the young of consecrated animals are themselves consecrated only when they come into being.<sup>8</sup>

R. Hiyya b. Joseph said: They taught this only concerning consecrated animals that may be eaten,<sup>9</sup> but with regard to consecrated animals that are not eaten<sup>10</sup> the prohibition of the nerve does not apply. But R. Johanan said: The prohibition of the nerve applies both to consecrated animals that may be eaten and to those that are not eaten. Said R. Papa: There is really no dispute between them, for the one refers to the question of stripes<sup>11</sup> whereas the other refers to the question of offering it.<sup>12</sup>

Others report R. Papa's statement thus: There is really no dispute between them, for the one refers to the removal thereof<sup>13</sup> whereas the other refers to the offering up of it.<sup>14</sup> R. Nahman b. Isaac said: They disagree about offering it up.<sup>15</sup> For it was taught: And the Priest shall burn the whole upon the altar,<sup>16</sup> this includes bones, nerves, horns and hoofs. I might think that [it is so] even if they were severed,<sup>17</sup> the text therefore states: And

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Hence [it is possible for] the prohibition of consecrated things to come into force first!<sup>1</sup>—

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thou shalt offer thy burnt-offerings, the flesh and the blood.<sup>18</sup> But since it is written ‘the flesh and the blood’, I might think that one must first cut away the nerves and bones and then offer the flesh upon the altar, it is therefore written: ‘And the priest shall burn the whole upon the altar’. How [are these verses to be reconciled]? If they<sup>19</sup> are still attached [to the limb], they may be offered up; if they are severed, even if they are already on the top of the altar, they must come down.<sup>20</sup>

Now which Tanna have you heard say that if they were severed [and offered up] they must come down? It is Rabbi. For it has been taught: ‘And the priest shall burn the whole’, this includes bones, nerves, horns and hoofs, even if they are severed. And how do I explain the verse: ‘And thou shalt offer thy burnt-offerings, the flesh and the blood’? With reference to those portions which have jumped off [the altar]; thus, only half-burnt flesh you may replace [if it had jumped off the altar], but you may not replace half-burnt nerves and bones.

Rabbi says: One verse reads: ‘And the priest shall burn the whole’, which includes [everything], whilst another verse reads: ‘And thou shalt offer thy burnt-offerings, the flesh and the blood’, which excludes [everything else]. How [are the verses to be reconciled]? Thus if they<sup>19</sup> are still attached [to the limb], they may be offered up; if they are severed, even if they are on the top of the altar, they must come down. And the Rabbis? — They maintain that when they are still attached [to the limb] no verse is necessary to include them, for they are on the same footing as the head of a burnt-offering;<sup>21</sup> consequently the verse is only necessary to include them when severed. And Rabbi? — [He says,] as regards the permitted parts which are still attached [to the limb, I admit that]

(1) For as soon as the embryo is formed it is consecrated by reason of the consecration of its

dam whereas the prohibition of the sciatic nerve only comes into force later when the network of nerves is firmly knit together.

(2) Where the later prohibition is comprehensive in that it is binding upon a large class of people it can be superimposed upon an existing prohibition which is less comprehensive in its application.

(3) That the prohibition against eating the sciatic nerve is binding upon the sons of Noah. (V. infra 100b).

(4) Whereas R. Judah holds that only the nerve of one thigh (the right) is prohibited.

(5) V. n. 5. Inasmuch as the existing prohibition (sc. that of an unclean animal) is only punishable by stripes a further prohibition (sc. that of the sciatic nerve) can be superimposed.

(6) In certain circumstances e.g. if consecrated meat is eaten in a state of uncleanness. The penalty therefore being so severe, no further prohibitions can be superimposed.

(7) The prohibition of the sciatic nerve applies only to a firstling since this prohibition and the prohibition of consecrated things attach simultaneously, but it does not apply to other consecrated animals for they are consecrated even while a fetus in the womb, so that the prohibition of the sciatic nerve cannot be superimposed later.

(8) I.e., as soon as they are born, and not as was assumed previously in the embryonic state. The prohibition of the sciatic nerve, however, came into force earlier when it was a fetus in the womb.

(9) E.g., peace-offerings, and sin-offerings.

(10) I.e., burnt-offerings.

(11) R. Johanan meant that the prohibition applies in that he who eats it incurs stripes.

(12) R. Hiyya b. Joseph meant that the prohibition does not apply and it may be offered up upon the altar. R. Gershom interprets just the reverse: R. Hiyya b. Joseph teaches that he that eats it does not suffer stripes, and R. Johanan teaches that it may not be offered upon the altar.

(13) According to R. Hiyya b. Joseph the prohibition does not apply, that is, it need not be removed from the thigh before offering up the animal upon the altar.

(14) According to R. Johanan the prohibition applies, i.e., if the nerve was extracted it may not be offered separately upon the altar.

(15) Even together with the thigh. According to R. Hiyya b. Joseph this may be done, and according to R. Johanan it may not. In many MSS. the reading in the text is: ‘They disagree about the removal of it’; i.e., according to R. Hiyya b. Joseph it need not be removed, according to R. Johanan it must. It seems that before Rashi both texts were in the Gemara. V. D.S. a.l.

(16) Lev. I, 9.

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(17) I.e., even if the nerves and bones were cut away from the flesh they must be offered separately upon the altar.

(18) Deut. XII, 27. The flesh and blood only shall be offered up but not nerves and bones.

(19) Sc. the nerves and bones.

(20) They may not be offered separately, and if offered up they must be taken down from the altar.

(21) The head of a burnt-offering had to be offered up whole upon the altar although it contains many bones; likewise every complete limb may be offered although it contains bones and nerves.

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no verse is necessary to include them, but a verse is necessary to include the [forbidden] sciatic nerve when still attached [to the thigh].

And the Rabbis? — [They say,] It is written: ‘From the liquor of Israel’,<sup>1</sup> that is, from that which is permitted to Israel.

And Rabbi? — [He says,] It is on the same footing as the [forbidden] fat and blood.<sup>2</sup>

And the Rabbis? — [They say,] These are on a different footing, since with regard to these there is an express command.<sup>3</sup>

R. Huna said: The sciatic nerve of a burnt-offering must be cut away [and thrown] on to the ash-heap.<sup>4</sup> Said to him R. Hisda: O master of this [teaching]! Is it written: ‘Therefore the altar shall not consume’? It is written: Therefore the children of Israel do not eat.<sup>5</sup>

And R. Huna? — [He maintains,] It is written: ‘From the liquor of Israel’, that is, from that which is permitted to Israel. An objection was raised from the following: The sciatic nerve of a peace-offerings<sup>6</sup> must be swept into the channel,<sup>7</sup> that of a burnt-offering must be offered up. Presumably this means, it must be offered up and burnt! — No, it means, it must be offered up and then cut away. But if he must cut it away why is it

necessary to offer it up? Because it is written: Present it now unto thy governor.<sup>8</sup> There was taught a Baraitha which supports R. Huna, viz., The sciatic nerve of a peace-offering must be swept into the channel, and that of a burnt-offering must be cut away [and thrown] on to the ash-heap. We have learnt there:<sup>9</sup> ‘There was an ash-heap in the middle of the altar and sometimes there were on it about three hundred kor<sup>10</sup> [of ashes]’. Said Raba: It is an exaggeration. ‘They gave [the lamb which was to be] the Daily Offering to drink from a cup of gold’.<sup>11</sup> Said Raba: It is an exaggeration.

R. Ammi said: The Torah, the prophets, and the Sages sometimes spoke in exaggerated terms. The Sages spoke in exaggerated terms as in the cases we have just quoted. The Torah spoke in exaggerated terms as in the verse: The cities are great and fortified up to heaven.<sup>12</sup> The prophets spoke in exaggerated terms as in the verse: So that the earth rent with the sound of them.<sup>13</sup>

R. Isaac b. Nahmani said in the name of Samuel: In three places the Sages spoke in exaggerated terms, namely, about the ash-heap, the vine, and the curtain. About the ash-heap as we have quoted above. About the vine, we have learnt:<sup>14</sup> A golden vine stood at the entrance to the Temple trained over posts, and whosoever presented a leaf or a berry or a cluster<sup>15</sup> would bring it and hang it thereon.

R. Eleazar b. R. Zadok said: It once happened that three hundred priests were appointed to clear it.<sup>16</sup> About the curtain we have learnt:<sup>17</sup> R. Simeon b. Gamaliel said in the name of R. Simeon the Deputy [High-priest]: The curtain was a handbreadth thick and was woven on seventy-two strands, and each strand consisted of twenty-four threads; ‘its length was forty cubits and its breadth twenty cubits, and was made up out of eighty-two myriads [of threads].<sup>18</sup> They used

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to make two every year; and three hundred priests were required to immerse it.<sup>19</sup>

**TO THE RIGHT AND LEFT HIP.** Our Mishnah does not agree with R. Judah, for it was taught: R. Judah says: It only applies to one [hip], and reason decides in favor of the right [hip].<sup>20</sup> It was asked: Was R. Judah certain about it and by ‘reason’ he meant the reasoned interpretation of the Torah, or was he in doubt about it and by ‘reason’ he meant the probable meaning?—

Come and hear: It was taught: The bones and nerves [of the Paschal lamb] and also [the flesh] that was left over must be burnt on the sixteenth day.<sup>21</sup> And we argued upon it as follows: What nerves are meant? If you say, the nerves in the flesh,<sup>22</sup> then why does he not eat them? And if they happened to be left over, then they came under the heading of [flesh] ‘that was left over’? And if you say, the nerves of the throat, but surely since they are not like flesh he may throw them away.<sup>23</sup>

And R. Hisda suggested: It can only refer to the sciatic nerve, and the Tanna adopts the view of R. Judah who said that it only applies to the one hip. Now if you say that he was in doubt about it,<sup>24</sup> it is well;<sup>25</sup> but if you say that he was certain about it,<sup>24</sup> then he should eat the permitted one and throw away the forbidden one! —

**R. Ika b. Hanina said:** Indeed I maintain that he was certain about it, but here we must suppose that they<sup>26</sup> were first distinguished but subsequently were mixed up.<sup>27</sup>

(1) Ezek. XLV. 15; with reference to the drink-offering. The inference is that whatsoever is forbidden to Israel may not be offered upon the altar, hence under no circumstances can the forbidden sciatic nerve be offered upon the altar.

(2) Which though forbidden to an Israelite are offered upon the altar; so it is, too, with the forbidden nerve.

(3) For the essential part of the sacrifice is the offering of the fat and the blood upon the altar.

(4) Which was in the middle of the altar on to which the priest used to pile up the ashes of the burned sacrifices.

(5) Gen. XXXII, 33.

(6) It is obvious that the Tanna is referring to the nerve of such consecrated meat as was eaten within the Temple precincts; the peace-offering, however, could be eaten anywhere within the city of Jerusalem. Accordingly Rashi prefers to strike out, ‘peace-offering’ and substitute ‘sin-offering or guilt-offering’, for the meat of these could only be eaten by the priests within the Sanctuary. If ‘peace-offering’ is to be retained, Rashi and Tosaf. offer the suggestion that it refers to the eating by the priests either of their own peace-offerings or of the priestly dues of the ‘breast and thigh’ portions, and these the priests usually ate within the Sanctuary. MS.M. reads: ‘Peace-offering or sin-offering or guilt-offering’.

(7) The water-channel which ran through the Temple courtyard; v. Mid. III, 2.

(8) Mal. I, 8. An expression generally used whenever it is considered improper to offer any particular thing upon the altar. A limb which has been cut up for the removal of the sciatic nerve does not present a fine appearance, and it is therefore suggested that the limb must first be brought up whole upon the altar and while on the altar the nerve must be removed from it.

(9) Tam. II, 2, 28b.

(10) A measure of capacity equal to 30 se'ah.

(11) Tam. III, 4, 30a.

(12) Deut. I, 28.

(13) I Kings I, 40.

(14) Mid. III, 8; 36a.

(15) I.e., gold in any of these shapes.

(16) Of the enormous amount of gold that had accumulated on the vine.

(17) Shek. VIII, 5; Tam. 29a and b.

(18) Var. lec. ‘it was made by eighty-two maidens’; or ‘the cost of it was eighty-two myriads of dinars’.

(19) If it became unclean. The number three hundred, here as well as in the previous cases, is clearly an exaggeration.

(20) Tosef. Hul. VII; Pes. 83b.

(21) Of the month of Nisan; i.e., it must be burnt after the Festival and not on the Festival (cf. Shab. 24b).

(22) Which are tender like flesh.

(23) And it is not necessary to burn them.

(24) As to which hip contains the forbidden sciatic nerve.

(25) That both must be left over and both burnt because of the doubt, for one (sc. the permitted one) must certainly be burnt as nothar i.e., consecrated flesh kept longer than the period prescribed for its consumption.

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- (26) The sciatic nerves of the right and left hips.  
(27) So that the doubt arose through their having been mixed up but not because R. Judah was in doubt which one was forbidden and which permitted.

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R. Ashi said: It can only refer to the fat thereof.<sup>1</sup> For it was taught: The fat thereof is permitted, but Israel being a holy people have treated it as forbidden.<sup>2</sup> Rabina said: It can only be explained according to the statement of Rab Judah in the name of Samuel. For Rab Judah said in the name of Samuel: It consists of two nerves, the inner, next the bone is forbidden and one is liable<sup>4</sup> on account of it; the outer next to the flesh is forbidden but one is not liable on account of it.<sup>5</sup>

Come and hear: If a person ate an olive's bulk [of the sciatic nerve] of this [thigh] and another olive's bulk [of the sciatic nerve] of the other [thigh],<sup>6</sup> he has incurred eighty stripes. R. Judah says: He has only incurred forty stripes. Now if you say that he was certain about it, then it is well;<sup>7</sup> but if you say that he was in doubt about it, then the warning [with regard to each] was dubious, and we have heard that according to R. Judah a dubious warning is no warning. For it was taught: If he struck one and then struck the other, or if he cursed one and then cursed the other, or if he struck them both simultaneously, or if he cursed them both simultaneously, he is liable [to the death penalty]. R. Judah says: If simultaneously he is liable; if one after the other, he is not liable!<sup>9</sup> —

This Tanna [who expressed the view of R. Judah] is in agreement with that other Tanna who declares, also in the name of R. Judah, that a dubious warning is a warning. For it was taught: And ye shall let nothing of it remain until the morning; [and that which remaineth of it until the morning ye shall burn with fire].<sup>10</sup> Scripture here came and

provided a positive precept as a remedy for the [disregarded] prohibition to indicate that the prohibition is not punishable by stripes: so R. Judah.<sup>11</sup> R. Jacob says: This is not the reason for it, but because it is a prohibition which involves no action [in the contravention thereof], and any prohibition which involves no action [in the contravention thereof] is not punishable by stripes.

Come and hear! If a person ate two [sciatic] nerves from two thighs of two animals, he has incurred eighty stripes. R. Judah says: He has only incurred forty stripes. Now since it says: 'From two thighs of two animals' it is obvious that the prohibited one of each is intended;<sup>12</sup> and the case was necessary to be stated in order to set forth R. Judah's view;<sup>13</sup> it follows therefore that he was certain about it.<sup>14</sup> This stands proved. But if he [R. Judah] was certain about it why does he incur forty stripes and no more? Surely he should incur eighty! — We must suppose here that [in one alone] there was not as much as an olive's bulk. As it has been taught: If a person ate it and [the whole of] it was not as much as an olive's bulk, he is nevertheless liable [to stripes]. R. Judah says, [He is not liable] unless there is as much as an olive's bulk of it. And what is the reason?<sup>15</sup> —

Raba said: The verse says: The thigh,<sup>16</sup> this implies the right thigh. And the Rabbis? — [They would say,] That [verse indicates that the prohibited nerve] is the one that is spread over the whole of the thigh, [namely, the inner one] but not the outer one.<sup>17</sup> R. Joshua b. Levi said. [The reason<sup>18</sup> is this,] The verse says. As he wrestled with him,<sup>19</sup> [which suggests] as when a person locks another [in his arms] and his [right] hand reaches the hollow of that other's right thigh.<sup>20</sup> R. Samuel b. Nahmani said: He appeared to him<sup>21</sup> as a heathen, and the Master has said: If an Israelite is joined by a heathen on the way he should let him walk on his right.<sup>22</sup> R. Samuel b. Aha said in the name of Raba b. Ulla in the

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presence of R. Papa: He appeared to him as one of the wise, and the Master has said: Whosoever walks at the right hand of his teacher is uncultured.<sup>23</sup> And the Rabbis? [They say,] He [the angel] came from behind and dislocated both [thighs]. And how do these Rabbis interpret the verse: ‘As he wrestled with him’? —

They interpret it as in the other statement of R. Joshua b. Levi. For R. Joshua b. Levi said, [This verse] teaches that they threw up the dust of their feet to the Throne of Glory, for it is written here, ‘As he wrestled [behe'abko] with him’ and it is written there. And, the clouds are the dust [‘abak] of his feet.<sup>24</sup> R. Joshua b. Levi also said: Why is it [the sciatic nerve] called gid ha-nasheh?<sup>25</sup> Because it slipped away [nashah] from its place and rose up; for so it is said: Their strength hath slipped away, they are become as women.<sup>26</sup>

R. Jose b. R. Hanina said: What is the meaning of the verse: The Lord sent a word unto Jacob and it hath lighted upon Israel?<sup>27</sup> ‘The Lord sent a word unto Jacob’, that is the [injury to his] sciatic nerve; ‘and it hath lighted upon Israel’, for the prohibition thereof has spread throughout Israel. R. Jose b. R. Hanina also said: What is the meaning of the verse: And slaughter the animals and prepare the meat?<sup>28</sup> ‘And slaughter the animals’, that is, uncover for them the place that has been slaughtered;<sup>29</sup> ‘and prepare the meat’, that is, remove the sciatic nerve in their presence: this is in accordance with the view that the sciatic nerve was prohibited to the sons of Noah. And Jacob was left alone.<sup>30</sup>

Said R. Eleazar: He remained behind for the sake of some small jars.<sup>31</sup> Hence [it is learnt] that to the righteous their money is dearer than their body; and why is this? Because they do not stretch out their hands to robbery.<sup>32</sup> And there wrestled a man with him until the breaking of the day.<sup>33</sup> Said R. Isaac: Hence [it is learnt] that a scholar should not go out alone at night.<sup>34</sup> R. Abba b.

Kahana said, [You can derive it] from the verse,

- (1) I.e., the fat around the sciatic nerve. In the Baraita the term ‘nerves’ means this fat.
- (2) Consequently it is left over from the Paschal lamb, but since by the law of the Torah it may be eaten it must therefore be burnt as nothar.
- (3) Sc. the sciatic nerve.
- (4) To stripes.
- (5) The outer one therefore must be left over; yet it must also be burnt as nothar, since according to Biblical Law it is permitted.
- (6) I.e., he was warned against eating the nerve of the right thigh and was also separately warned against eating the nerve of the left thigh of the same animal (v. supra 82b).
- (7) He has incurred stripes for eating the nerve of the right thigh and the warning with regard to it was a warning against a certain prohibition.
- (8) One in doubt as to which of two men is his father struck first one and then the other. V. supra 82b and notes thereon, p. 461.
- (9) For the warning with regard to each one when taken separately is a dubious warning, which is no warning, hence he is not liable.
- (10) Ex. XII. 10. V. supra p. 462.
- (11) It is evident from this that R. Judah is of the opinion that a dubious warning — as here, for the offender can always render the warning futile by replying, ‘I have yet time to eat’ — is a proper warning, for the only reason here why the punishment of stripes is not inflicted is that the remedial measure provided by the Torah weakens the force of the prohibition.
- (12) I.e., the right thigh of each animal, for otherwise it would have been sufficient to speak of the two thighs of the one animal.
- (13) That even though both are prohibited, for each is the nerve of the right thigh, he has incurred only forty stripes and no more. V. infra.
- (14) For if R. Judah were in doubt as to which was the prohibited thigh the punishment of stripes could not be inflicted at all.
- (15) For R. Judah's view that only that of the right thigh is prohibited.
- (16) Gen. XXXII, 33.
- (17) V. supra, the statement of Rab Judah in the name of Samuel, p. 000.
- (18) V. p. 509, n. 6.
- (19) Gen. XXXII. 26.
- (20) So it was with Jacob, and it was his right thigh only that was injured.
- (21) The angel appeared to Jacob.
- (22) A.Z. 25b. The Israelite should have his right hand nearest to the heathen so as to protect himself the more easily against a sudden attack

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from the heathen. So did Jacob act too; and the angel injured that thigh of Jacob which was nearest to him, i.e., the right thigh.

(23) Jacob regarding the angel as a scholar took his place at the left hand of the other and so was injured in his right thigh, the side nearest to the angel.

(24) Nahum I, 3.

(25) גיד הנשה.

(26) Jer. LI, 30. The verb used is נשטה from נשה, to slip away, to fail.

(27) Isa. IX, 7.

(28) Gen. XLIII, 16.

(29) To convince the sons of Jacob that the slaughtering was according to ritual.

(30) Ibid. XXXII, 25.

(31) He had already taken across that which he had (ibid. 24), but he must have returned for some small vessels.

(32) And whatever they acquire by their toil and honest dealing is therefore very dear to them.

(33) Ibid. XXXII, 25.

(34) For Jacob was in danger only during the night, but with the break of day the danger was past.

## Chullin 91b

Behold he winnoweth barley tonight in the threshing floor.<sup>1</sup> R. Abbahu said, [You can derive it] from the verse: And Abraham rose early in the morning, and saddled his ass.<sup>2</sup> The Rabbis say, [You can derive it] from the verse: Go now, see whether it is well with thy brethren, and well with the flock.<sup>3</sup> Rab says, [You can derive it] from the verse: And the sun rose upon him.<sup>4</sup>

R. Akiba said: I once asked R. Gamaliel and R. Joshua in the meat-market of Emmaus where they had gone to buy a beast for the wedding feast of R. Gamaliel's son: It is written: And the sun rose upon him. Did the sun rise upon him only? Did it not rise upon the whole world? R. Isaac said: It means that the sun which had set for his sake now rose for him. For it is written: And Jacob went out from Beer-Sheba, and went toward Haran.<sup>5</sup> And it is further written: And he lighted upon the place.<sup>6</sup> When he reached Haran he said [to himself], 'Shall I have passed through the place where my fathers prayed and not

have prayed too?' He immediately resolved to return, but no sooner had he thought of this than the earth contracted and he immediately lighted upon the place. After he prayed he wished to return [to where he was], but the Holy One, blessed be He said: 'This righteous man has come to my habitation; shall he depart without a night's rest?' Thereupon the sun set. It is written: And he took of the stones of the place;<sup>6</sup> but it is also written: And he took the stone!<sup>7</sup> —

R. Isaac said: This tells us that all the stones gathered themselves together into one place and each one said: 'Upon me shall this righteous man rest his head'. Thereupon all [the stones], a Tanna taught, were merged into one. And he dreamed, and behold a ladder set up on the earth.<sup>8</sup> A Tanna taught: What was the width of the ladder? Eight thousand parasangs. For it is written: And behold the angels of God ascending and descending on it.<sup>8</sup> At least two were ascending and two descending, and when they met each other [on the ladder] there were four; and of an angel it is written: His body was like the Tarshish,<sup>9</sup> and we have a tradition that the Tarshish is two thousand parasangs long.<sup>10</sup> A Tanna taught: They ascended to look at the image above<sup>11</sup> and descended to look at the image below. They wished to hurt him, when Behold, the Lord stood beside him.<sup>12</sup>

R. Simeon b. Lakish said: Were it not expressly stated in the Scripture, we would not dare to say it. [God is made to appear] like a man who is fanning his son.<sup>13</sup> The land whereon thou liest, [to thee will I give it, and to thy seed].<sup>12</sup> What is the greatness of this?<sup>14</sup> — Said R. Isaac: This teaches us that the Holy One, blessed be He, rolled up the whole of the land of Israel and put it under our father Jacob, [to indicate to him] that it would be very easily conquered by his descendants.<sup>15</sup> And he said: Let me go, for the day breaketh.<sup>16</sup> [Jacob] said to him, 'Are you a thief or a rogue<sup>17</sup> that you are afraid of

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the morning?’ He replied: ‘I am an angel, and from the day that I was created my time to sing praises [to the Lord] had not come until now’. This<sup>18</sup> supports the statement of R. Hananel in the name of Rab.

For R. Hananel said in the name of Rab: Three divisions of ministering angels sing praises [to the Lord] daily; one proclaims: Holy, the other proclaims: Holy, and the third proclaims: Holy is the Lord of hosts.<sup>19</sup> An objection was raised: Israel are dearer to the Holy One, blessed be He, than the ministering angels, for Israel sing praises to the Lord every hour, whereas the ministering angels sing praises but once a day. (Others say: Once a week; and others say: Once a month; and others say: Once a year; and others say: Once in seven years; and others say: Once in a jubilee; and others say: Once in eternity.) And whereas Israel mention the name of God after two words, as it is said: Hear, Israel, the Lord<sup>20</sup>, etc. the ministering angels only mention the name of God after three words, as it is written: Holy, holy, holy, the Lord of hosts.<sup>19</sup> Moreover, the ministering angels do not begin to sing praises in heaven until Israel have sung below on earth, for it is said: When the morning stars sang together, then all the sons of God shouted for joy!<sup>21</sup> — It must be this: One [division of angels] says: Holy; the other says: Holy, holy; and the third says: Holy, holy, holy, the Lord of hosts. But is there not the praise of ‘Blessed’?<sup>22</sup>

(1) Ruth III, 2. Naomi was certain that Boaz would not leave the threshing floor that night, for since he was working late into the night he would not go out alone at night on his homeward journey.

(2) Gen. XXII, 3. Abraham did not set out at night even though in this case he was accompanied by Isaac and two young men.

(3) Ibid. XXXVII, 14. ‘And see’, i.e., at a time when one can see, namely, during the day.

(4) Ibid. XXXII, 32. Only then did Jacob go on his way but not earlier.

(5) Gen. XXVIII, 10.

(6) Ibid. 11.

(7) Ibid. 18. The contradiction is that one verse speaks of ‘stones’ in the plural, whereas the other speaks of ‘the stone’.

(8) Ibid. 12.

(9) Dan. X, 6. *הרשיש* usually translated ‘beryl’ or some other precious stone. According to Rabbinic tradition it is the name of a sea which extends for two thousand parasangs (Persian miles). V. Jonah I, 3. Rashi (on Dan. *ibid.*) identifies it with the sea of Africa; probably the Mediterranean Sea.

(10) So that if four angels were to be at the same time on one rung of the ladder it would have to be eight thousand parasangs wide.

(11) V. Ezek. I, 10. Around the Throne of Glory was the likeness of four living creatures, one being the likeness of a man, and according to Rabbinic tradition the likeness of man was the image of Jacob.

(12) Gen. XXVIII, 13.

(13) To protect him from the heat of the sun; so God stood over Jacob to protect him from the envy of the angels.

(14) Of the promise to give Jacob the land on which he lay, which would be four cubits at most!

(15) As the four cubits of ground upon which he lay.

(16) Gen. XXXII, 27.

(17) *קוביוסטוס*, a kidnapper (Rashi); a gambler (Tosaf.).

(18) That angels sing praises, or that they are limited to an allotted time for song (Tosaf.).

(19) Isa. VI, 3.

(20) Deut. VI, 4.

(21) Job XXXVIII, 7. The morning stars are Israel who are likened to the stars, and the sons of God are the angels. The objection therefore is: How then can it be said above that a division of ministering angels sing: Holy (is) the Lord of hosts, thus mentioning the name of God after one word?

(22) Blessed-be the-glory-of-the-Lord Ezek. III, 12. In this song of praise by the angels the name of God is mentioned after two words.

## Chullin 92a

— ‘Blessed’ is recited by the Ophanim.<sup>1</sup> Or you may say: Since permission has once been granted it is granted.<sup>2</sup> Yea, he strove with an angel, and prevailed; he wept, and made supplication unto him.<sup>3</sup> I know not, who prevailed over whom. But when it says. For thou hast striven with God and with men and hast prevailed,<sup>4</sup> I know that Jacob became master over the angel. He wept and made

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supplication unto him!<sup>5</sup> I know not who wept unto whom. But when it says: And he said: Let me go,<sup>6</sup> I know that the angel wept unto Jacob. 'For thou hast striven with God and with men': Said Rabbah: He intimated to him that two princes were destined to come from him: the Exilarch in Babylon and the Prince in the Land of Israel;<sup>7</sup> this was also an intimation to him of the exile. And in the vine were three branches.<sup>8</sup>

R. Hiyya b. Abba said in the name of Rab: These are the three men of excellence that come forth in Israel in every generation; sometimes two are here [in Babylon] and one is in the land of Israel, and sometimes two are in the land of Israel and one is here. And the Rabbis set their eyes upon Rabbana 'Ukba and Rabbana Nehemiah, the sons of Rab's daughter. Raba said: These are the three princes<sup>9</sup> of the nations who plead in Israel's favor in every generation.

It was taught: R. Eliezer says: The 'vine' is the world, the 'three branches' are [the patriarchs] Abraham, Isaac and Jacob; 'and as it was budding its blossoms shot forth',<sup>10</sup> these are the matriarchs; 'ad the clusters thereof brought forth ripe grapes',<sup>10</sup> these are the tribes. Thereupon R. Joshua said to him: Is a man shown [in a dream] what has happened? Surely he is only shown what is to happen! Therefore, I say: The 'vine' is the Torah, the 'three branches' are Moses, Aaron and Miriam; 'and as it was budding its blossoms shot forth', these are [the members of] the Sanhedrin;<sup>11</sup> 'and the clusters thereof brought forth ripe grapes', are the righteous people of every generation.

R. Gamaliel said: We still stand in need of the Modiite, for he explains the verse as referring to one place.<sup>12</sup> For R. Eleazar the Modiite<sup>13</sup> says. The 'vine' is Jerusalem, the 'three branches' are the Temple, the King and the High priest; 'and as it was budding its blossoms shot forth', these are the young priests; 'and the clusters thereof brought

forth ripe grapes', these are the drink-offerings. R. Joshua b. Levi interprets it in regard to the gifts [bestowed by God upon Israel]. For R. Joshua b. Levi said: The 'vine' is the Torah, the 'three branches' are the well, the pillar of smoke, and the manna;<sup>14</sup> 'and as it was budding its blossom's shot forth', these are the first fruits;<sup>15</sup> 'and the clusters thereof brought forth ripe grapes', these are the drink-offerings.

R. Jeremiah b. Abba said: The 'vine' is Israel, for so it is written: Thou didst pluck up a vine out of Egypt.<sup>16</sup> The 'three branches' are the three Festivals on which Israel go up [to the Temple] every year. 'And as it was budding': the time is come for Israel to be fruitful and to multiply, for so it is written: And the children of Israel were fruitful, and increased abundantly.<sup>17</sup> 'Its blossoms shot forth': the time is come for Israel to be redeemed. for so it is written: And their lifeblood is dashed against My garments, and I have stained all My raiment.<sup>18</sup> 'And the clusters thereof brought forth ripe grapes': the time is come for Egypt to drink the cup of staggering. And this is in accordance with what Raba had said: Why are three cups mentioned in connection with Egypt?<sup>19</sup> One [refers to the cup] which she drank in the days of Moses; the other to that which she drank in the days of Pharaoh-Necho;<sup>20</sup> and the third to that which she is destined to drink together with all the nations. R. Abba said to R. Jeremiah b. Abba: When Rab expounded [this verse] in an Aggadic lecture he expounded it as you have done.

R. Simeon b. Lakish said: This people [Israel] is like unto a vine: its branches are the aristocracy, its clusters the scholars, its leaves the common people, its twigs those in Israel that are void of learning. This is what was meant when word was sent from there [Palestine]. 'Let the clusters pray for the leaves, for were it not for the leaves the clusters could not exist'.<sup>21</sup> So I bought her

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[wa-ekreha] to me for fifteen pieces of silver [and a homer of barley, and a half-homer of barley].<sup>22</sup>

Said R. Johanan in the name of R. Simeon b. Jehozadak: The word ‘Kirah’<sup>23</sup> must mean ‘buying’,<sup>24</sup> for so it is written: In my grave which I bought [karithi] for me.<sup>25</sup> ‘For fifteen’: that is the fifteenth day of Nisan when Israel was redeemed out of Egypt. ‘Pieces of silver’: these are the righteous, for so it is written: He has taken the bag of silver with him.<sup>26</sup> ‘And a homer of barley and a half-homer of barley:’<sup>27</sup> these are the forty-five righteous men on account of whom the world continues to exist. But I know not whether thirty of them are here [in Babylon] and fifteen in the land of Israel, or thirty in the land of Israel and fifteen here [in Babylon]; but when the verse says. And I took the thirty pieces of silver and cast them into the treasury, in the house of the Lord,<sup>28</sup> I know that thirty [righteous men] are in the land of Israel and fifteen here. Said Abaye: Most of them are to be found in the synagogue under the side chamber.<sup>29</sup> And I said to them: If ye think good, give me my hire; and if not, forbear. So they weighed out for my hire thirty pieces of silver.<sup>30</sup> Said Rab Judah: These are the thirty righteous men among the nations of the world<sup>31</sup> by whose virtue the nations of the world continue to exist. Ulla said: These are the thirty commandments<sup>32</sup> which the sons of Noah took upon themselves but they observe three of them, namely,

- (1) Not by the ministering angels but by the Ophanim, a higher rank of angels forming part of the Throne of Glory; cf. Ezek. I.
- (2) I.e., once they have mentioned the name of God after three words they may thereafter mention it as often as it occurs, even when it occurs after two words or even after one word.
- (3) Hosea XII, 5.
- (4) Gen. XXXII, 29.
- (5) Hosea XII, 5.
- (6) Gen. XXXII, 27.
- (7) The heads of Jewry in Babylon and Palestine, the latter being designated as ‘Gods’ for they were

ordained as judges and leaders, the former as men.

- (8) Ibid. XL, 10.
- (9) Angels (Rashi).
- (10) Gen XL, 10.
- (11) The supreme council of Israel.
- (12) I.e., to the various institutions in Jerusalem.
- (13) Of Modiim, near Jerusalem, the ancient home of the Maccabean family.
- (14) These gifts of water (cf. Num. XXI, 16ff), protection by clouds, and food were bestowed by God upon Israel during their wanderings in the wilderness because of the merits of Miriam, Aaron and Moses respectively.
- (15) The reference is to the gift of a fertile land which yielded abundant fruits from which the first ripe fruits were offered.
- (16) Ps. LXXX, 9.
- (17) Ex. I, 7.
- (18) Isa. LXIII, 3. The word גִּבְהָה, ‘its blossom’ is interpreted as גִּבְהָהֶם, ‘their strength, lifeblood’.
- (19) The word cup occurs three times in the one verse: Gen. XL, 11. For the cup as a symbol of calamity, cf. Isa. LI, 17: The cup of staggering.
- (20) When Egypt was defeated by the Babylonians, cf. Jer. XLVI, 2, 13.
- (21) Every class is essential to the well-being of the community.
- (22) Hos. III. 2. The entire verse is here homiletically expounded, phrase by phrase. וְאָכְרָה from the root כָּרָה, to buy.
- (23) כִּירָה the noun formed from the above root.
- (24) Lit., ‘selling, sale’; here it means a transaction by buying and selling.
- (25) Gen. L, 5: כִּירָתִי also from the root כָּרָה.
- (26) Prov. VII, 20. V. Sanh. 96b where this verse is interpreted as referring to the righteous in Israel.
- (27) A homer (in Talmud Kor) consisted of thirty se’ah; so that the verse speaks of thirty units (se’ah) plus fifteen units.
- (28) Zech. XI, 13. Thus the thirty righteous are always to be found in the house of the Lord, sc. Palestine.
- (29) I.e., most of the righteous men in Palestine. The reference is unknown.
- (30) Ibid. 12.
- (31) [MS.M. omits ‘among the nations of the world’.]
- (32) [These are comprised in the seven Noahide precepts. For reference v. Ronsberg Glosses.]

## Chullin 92b

(i) they do not draw up a kethubah document for males,<sup>1</sup> (ii) they do not weigh flesh of the dead in the market,<sup>2</sup> and (iii) they respect the Torah.

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**IT DOES NOT APPLY TO BIRDS, [BECAUSE THEY HAVE NO SPOON-SHAPED HIP].** But we see that they have it? — They have it indeed, but it is not convex.<sup>3</sup> R. Jeremiah raised the question. What if a bird happened to have it convex, or if an animal happened to have it [flat and] not convex? Do we consider the particular creature by itself, or do we consider the class to which it belongs? — It is undecided.

**IT ALSO APPLIES TO A FOETUS.** Samuel said: The ruling: **ITS FAT IS PERMITTED**, is agreed to by all. What fat? Should you say, that of a fetus, but this is a matter of dispute. For it has been taught:<sup>4</sup> It applies to a fetus, and its<sup>5</sup> fat is forbidden: so R. Meir. R. Judah says: It does not apply to a fetus, and its<sup>6</sup> fat is permitted. And R. Eleazar said in the name of R. Oshaia: They differ in the case of a nine months' fetus which was [extracted] alive [from its dam's womb]; R. Meir therefore ruling according to his principle<sup>7</sup> and R. Judah according to his.<sup>8</sup> And should you say, the fat of the nerve, but there too there is a dispute about it. For it has been taught: As to the sciatic nerve, one must follow it up as far as it goes and must cut away the fat thereof at its source;<sup>9</sup> so R. Meir. R. Judah says: One merely cuts it away from off the cap of the bone!<sup>10</sup> —

In truth, it refers to the fat of the nerve; Samuel however agrees that according to R. Meir it is forbidden by Rabbinic decree. For it has been taught: Its fat is permitted, but Israel being a holy people have regarded it as forbidden.<sup>11</sup> And presumably the author [of this Baraita] is R. Meir who maintains that by the law of the Torah it is permitted but is forbidden by Rabbinic decree! But whence this? Perhaps it is R. Judah, but according to R. Meir it is forbidden even by the law of the Torah! —

You cannot think of this; for it has been taught: As to the sciatic nerve, one must

follow it up as far as it goes, and its fat is permitted. Now whom have you heard say that it is necessary to 'follow it up?' R. Meir; and here it expressly says, its fat is permitted.<sup>12</sup> R. Isaac b. Samuel b. Martha said in the name of Rab: The Torah forbade only the branch nerves of it.<sup>13</sup> Ulla said, [Although] it is like wood the Torah makes one liable for it.<sup>14</sup> Abaye said: The view of Ulla is the more probable, for R. Shesheth said in the name of R. Assi. The veins in fat are forbidden but one is not liable [to the penalty of Kareth] on account of them. It is evident therefore that the Divine Law forbade the fat but not the veins, likewise the Divine Law forbade the nerve but not the branch nerves.

[To turn to] the main text. 'R. Shesheth said in the name of R. Assi: The veins in fat are forbidden but one is not liable on account of them'. The veins in the kidney are forbidden but one is not liable on account of them. As to the white substance of the kidney<sup>15</sup> there is a difference of opinion between Rabbi and R. Hiyya, one forbids it and the other permits it. Rabbah used to scrape it all away.<sup>16</sup> R. Johanan also used to scrape it all away. R. Assi used to cut away only the surface thereof.<sup>17</sup> Abaye said: The view of R. Assi is the more probable, for R. Abba said in the name of Rab Judah on the authority of Samuel,

(1) Although they are suspected of indecent practices and sodomy they do not go to that length of writing a 'marriage' deed for the purpose. כְּתוּבָה here means a marriage deed; for specific meanings v. Introduction to Keth., Sonc. ed., p. XI, n. 1.

(2) Although they eat human flesh they do not sell it openly in the market. Rashi also suggests: They do not sell the flesh of an animal that had not been slain but had died a natural death.

(3) The muscles around the upper part of the hip bone of a bird are flat and not rounded and raised like a ball. V. supra p. 500, n. 2.

(4) V. supra 74b; Tosef. Hul. VII.

(5) Sc. the prohibition of the sciatic nerve.

(6) Sc. of a fetus.

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(7) R. Meir holds that a nine months' fetus which was extracted alive out of the womb is not rendered permitted by the slaughtering of its dam but must be slaughtered itself and is in every respect like an ordinary animal, hence its fat is forbidden and also the sciatic nerve.

(8) R. Judah maintains that this fetus is permitted by the slaughtering of its dam, and the whole of it may be eaten, the fat as well as the sciatic nerve.

(9) Wherever the fat is found, in all its ramifications.

(10) I.e., only that fat which is in close proximity to the nerve must be cut away, and this only for appearance sake, since strictly the whole of the fat is permitted.

(11) Pes. 83b and supra 91a.

(12) Accordingly R. Meir's view is that strictly by the law of the Torah it is permitted, but it is only forbidden by Rabbinic decree. This then was the purport of Samuel's teaching.

(13) Only the nerves that branch off the main sciatic nerve are prohibited, for these are tender and could impart a flavor into the substance that is cooked with it, but the actual sciatic nerve is hard like wood and is not forbidden.

(14) But the branch nerves are permitted. As to whether or not they are prohibited Rabbinically v. Tosaf. s.v. כוורתיה.

(15) Which is in the middle of the kidney but goes deep into the actual kidney.

(16) Even that which is deep in the kidney.

(17) I.e., only that portion which is in the middle of the kidney but not that which is covered up by the kidney.

## Chullin 93a

Fat that is covered with flesh is permitted. It is evident therefore that the Divine Law spoke of that which is 'upon the loins'<sup>1</sup> and not of that which is in the loins; likewise here, the Divine Law spoke of that which is 'above the kidneys'<sup>1</sup> and not of that which is in the kidneys.

[To revert to] the above text. 'R. Abba said in the name of Rab Judah on the authority of Samuel: Fat that is covered with flesh is permitted'. But this cannot be, for has not R. Abba also said in the name of Rab Judah on the authority of Samuel that the fat which is under the loins is forbidden?<sup>2</sup>

Abaye answered: An animal whilst alive has its limbs dislocated.<sup>3</sup> Even as R. Johanan said: 'I am no butcher nor the son of a butcher, but I remember this statement that was generally quoted in the Beth-Hamidrash, "An animal whilst alive has its limbs dislocated"'.<sup>4</sup>

R. Abba said in the name of Rab Judah who said it in the name of Samuel: The fat which is upon the omasum and reticulum is forbidden and one is liable to the penalty of Kareth on account of it; this is the fat that is 'upon the in wards'.<sup>4</sup>

R. Abba further said in the name of Rab Judah who said it in the name of Samuel: The fat which is upon the innominate bones is forbidden and one is liable to the penalty of Kareth on account of it; this is the 'fat which is upon the loins'.

R. Abba also said in the name of Rab Judah who said it in the name of Samuel: The small veins in the fore-limb are forbidden. Said R. Safra: You Moses!<sup>6</sup> Does the Divine Law forbid the eating of meat? — Raba replied: You Moses! Does the Divine Law allow the eating of blood? But if it [the fore-limb] was cut and salted it may even [be cooked] in a pot.<sup>7</sup>

Rab Judah said in the name of Samuel: [The fat upon] the first cubit of the intestines must be scraped away; this is the fat upon the intestines.<sup>8</sup> Rab Judah said: The veins<sup>9</sup> in the rump are forbidden. There are five veins<sup>9</sup> in the loins, three on the right side and two on the left. Each one of the three veins branches into two, and each one of the two veins branches into three. The practical importance of this is that if one removes them, while the flesh is still warm they will slip out easily, otherwise one must follow them up [to this number].

Abaye (others say: Rab Judah) said: There are five<sup>10</sup> veins, three are forbidden on

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account of fat and two on account of blood. The veins in the spleen, in the loins and in the kidneys are forbidden on account of fat; those in the fore-limb and in the cheeks on account of blood.<sup>11</sup> What is the practical difference here? — Those forbidden on account of blood, if cut up and salted may be eaten; but the others have no remedy at all.

R. Kahana (others say: Rab Judah) said: There are five membranes, three are forbidden on account of fat, and two on account of blood; that of the spleen, the loins, and the kidneys is forbidden on account of fat; that of the testicles and of the brain on account of blood.

R. Judah b. Oshaia was once scraping [the fat from] the spleen for Levi the son of R. Huna b. Hiyya, and was cutting away [the fat] only at the upper end,<sup>12</sup> whereupon the latter said to him, ‘Go lower down too’. When his father came and found him doing this, he said: Thus said your mother's father (that is, R. Jeremiah b. Abba) in the name of Rab: The Torah forbade only [the fat] at the top.<sup>13</sup> But this surely cannot be, for R. Hamnuna reported that a Tanna taught: The membrane which is upon the spleen is forbidden but one is not liable on account of it. Now what can this mean? If it means, [the fat] which is at the top, then why is one not liable on account of it? It must therefore mean the fat over the whole [of the spleen]! — He replied: If it was so taught then it was taught.<sup>14</sup> [To revert to] the main text.

‘R. Hamnuna reported, that a Tanna taught: The membrane which is upon the spleen is forbidden but one is not liable on account of it’. The membrane which is upon the kidney is forbidden but one is not liable on account of it. But it has been taught: One is liable on account of it!<sup>15</sup> — With regard to the spleen there is no contradiction because the latter ruling refers to the fat which is at the top and the former to that which is not at the top. And with regard to the kidney there is no

contradiction because the latter ruling refers to the upper membrane<sup>16</sup> and the former to the lower membrane. As to crushed<sup>17</sup> testicles [there is a dispute between] R. Ammi and R. Assi, one forbids them and the other permits them. He who forbids them [argues thus]:

- (1) In connection with sacrifices, e.g., Lev. III, 4. The prohibition of fat applies only to such fat as was burnt in a sacrifice on the altar.
- (2) Although this fat is covered by the loins.
- (3) When the animal is in motion its limbs and muscles slip away from their normal positions and are temporarily dislocated. Consequently the fat under the loins is not always covered with flesh, and it is therefore forbidden.
- (4) Referred to frequently in Scripture in connection with sacrifices, e.g., Lev. III, 3.
- (5) I.e., the hip-bone. According to Rashi the text refers to the sacrum. V. Katzenelson, p. 269, n. 2.
- (6) A title of honor; or a form of oath, ‘By Moses’! Cf. Beza 38b.
- (7) The veins in the fore-limb are forbidden only on account of the blood contained in them; if therefore the meat was cut up and the veins cut too, it is permitted for all purposes.
- (8) About which there was a dispute between R. Akiba and R. Ishmael, v. supra 49b.
- (9) These ‘veins’ or stringy fibers are forbidden as fat and are included in the prohibition of fat.
- (10) I.e., there are five places where the veins are prohibited, either because of fat or of blood.
- (11) The arteries of the neck, i.e., the carotid arteries, are certainly forbidden because of their blood; here however only the minor veins are reckoned.
- (12) At the thick part, i.e., the area of attachment to the rumen.
- (13) Lit., ‘on the breast’; i.e., the membrane which lies over the thick part of the spleen.
- (14) But I shall not alter my opinion on account of it. V. Rashi Nid. 23b s.v. **אֵי תַנִּיָא תַנִּיָא**.
- (15) Both with regard to the spleen and the kidney.
- (16) This is absolutely forbidden and entails the penalty of Kareth.
- (17) According to others, the testicles had been torn away and were lying loose in the scrotum.

## Chullin 93b

since they will never recover, they are to be considered as a limb torn loose from the living animal. And he who permits them [argues thus]: since they do not rot there is

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obviously vitality in them. And the former? — He maintains that they do not rot only because the outside air does not penetrate into them. And the latter? — He maintains that they do not recover only because emaciation has set in. R. Johanan said to R. Shaman b. Abba: Crushed testicles are permitted, but you must not eat them for it is written: Forsake not the teaching of thy mother.<sup>1</sup>

Mar son of R. Ashi said: The testicles of a kid<sup>2</sup> that is not yet thirty days old, are permitted without having to peel off the membrane; thereafter, if they contain semen they are forbidden,<sup>3</sup> if they do not contain semen they are permitted. How does one know this? — If there are red streaks [in the membrane], they are forbidden;<sup>4</sup> I if there are no red streaks, they are permitted. As to [dark red] meat, testicles, and the arteries [of the neck], there is a dispute between R. Aha and Rabina.

(In any law of the Torah [whenever there is a dispute between them], Rabina always adopts the lenient view and R. Aha the strict view, and the law is always in accordance with Rabina's view thus tending towards leniency; excepting in these three cases, where R. Aha adopts the lenient view and Rabina the strict view, and, the law is in accordance with R. Aha's view and thus tending towards leniency.) As to dark red meats<sup>5</sup> if it was cut up and salted, it is even permitted [to be cooked] in a pot; if it was thrust on a spit [and held over the fire], the blood would easily flow out; if it was placed on the coals, in this there is a dispute between R. Aha and Rabina: one says that they [the coals] would draw out the blood, and the other says that they would cause [the meat] to contract.<sup>6</sup> The same rules apply to the testicles, and also to the arteries [of the neck]. If a head was put on hot ashes<sup>7</sup> and it was made to stand up upon the open cut of the neck, the blood would then flow out and it is permitted; if it was placed upon its side, the blood would

become clotted and it is forbidden; if it was made to stand up upon its nostrils and something was thrust into them,<sup>8</sup> it is permitted; otherwise it is forbidden. Some there are who say, [If it was made to stand up] upon its nostrils or upon the cut of the neck, the blood would flow out; if it was placed upon its side and it was pierced with something it is permitted, otherwise it is forbidden.

[To revert to] the above text:<sup>9</sup> Rab Judah said in the name of Samuel, 'It<sup>10</sup> consists of two nerves, the inner,<sup>11</sup> next to the bone, is forbidden, and one is liable on account of it, the outer,<sup>11</sup> next to the flesh, is forbidden, but one is not liable on account of it'. But it was taught that the inner is nearer the flesh! — R. Aha explained in the name of R. Kahana, [That is so further on] where it is embedded in the flesh. But it was taught that the outer is nearer the bone! — Rab Judah answered: That is so only [at the part] where the butchers cut it open.<sup>12</sup>

It was stated: If a butcher was found to have overlooked forbidden fat, even only as much as a barley grain, says Rab Judah, [he is punishable]. R. Johanan says, [Only if he overlooked] as much as an olive's bulk. R. Papa said: They do not disagree, for here it is a question of punishing him with stripes,<sup>13</sup> and there of removing him.<sup>14</sup> Mar Zutra said, [If there was found] as much as a barley grain in one place or as much as an olive's bulk scattered in two or three places [he is punishable].<sup>15</sup> The law is: in order to punish him with stripes [he must have overlooked] as much as an olive's bulk, and in order to remove him even if [he overlooked] only as much as a barley grain.<sup>16</sup>

**BUTCHERS ARE NOT TRUSTWORTHY,** etc. R. Hiyya b. Abba said in the name of R. Johanan. Later they held that they were to be trusted.<sup>17</sup> R. Nahman exclaimed: Have the generations become more virtuous? — At first they [the Sages] held the view of R.

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Meir<sup>18</sup> and so they were not to be trusted, but later they held the view of R. Judah.<sup>19</sup>

Others report this with reference to the last clause, **THE SAGES SAY, THEY ARE TRUSTWORTHY WITH REGARD TO IT AS WELL AS WITH REGARD TO THE [FORBIDDEN] FAT.** R. Hiyya b. Abba said in the name of R. Johanan: Later they held that they were not to be trusted. R. Nahman said: Today they are to be trusted. Have the generations then become more virtuous? — At first they [the Sages] held the view of R. Judah, and later they held the view of R. Meir; and as long as people still remembered the view of R. Judah, they were not to be trusted, but now that R. Judah's view has been forgotten they are to be trusted.

**AS WELL AS WITH REGARD TO THE [FORBIDDEN] FAT.** But who has mentioned the forbidden fat at all? — This is what he [R. Meir] said: They are not trustworthy with regard to it nor with regard to the forbidden fat. But the Sages say: They are trustworthy with regard to it as well as with regard to the forbidden fat.<sup>20</sup>

**MISHNAH.** ONE MAY SEND TO A GENTILE A THIGH IN WHICH THERE IS YET THE SCIATIC NERVE, BECAUSE ITS PLACE IS KNOWN.<sup>21</sup>

**GEMARA.** Only a whole thigh one may [send] but not if it was cut up.<sup>22</sup> But what are the circumstances? If we are speaking of a place where they do not proclaim it,<sup>23</sup>

(1) Prov. I, 8. R. Shaman came from Babylon where the rule was not to eat them because of the difference of opinion between R. Ammi and R. Assi.

(2) Or any other young animal.

(3) If the membrane has not been removed because of the blood it contains.

(4) V. p. 522, n. 7.

(5) Caused by a blow which the animal received while alive and the blood was congested in this spot; v. Marginal note.

[Aliter: meat pickled in vinegar.]

(6) So that the blood would not flow out and it is therefore forbidden.

(7) In order to remove the hair the more easily.

(8) To keep clear the passage in the nostrils so as to allow the blood to run out freely.

(9) Inserted by Bah. V. Supra 91a.

(10) Sc. the sciatic nerve.

(11) The great sciatic nerve is derived from the lumbosacral plexus and as it emerges from the pelvis it descends first behind the hip joint and then behind the femur in the thigh. It gives off branches to the muscles behind the femur, but its longest branch is the common peroneal. The 'inner' is probably the great sciatic nerve, and the 'outer' the common peroneal.

(12) When they are about to 'porge' the meat. There the outer nerve is near to the bone.

(13) In that case he must have overlooked at least an olive's bulk of fat. In addition to stripes he is barred from trading as a butcher (R. Nissim). 'Stripes' here is not that ordained by the Torah but corporal punishment inflicted for disobeying a Rabbinic law, i.e., Makkath Marduth, stripes for rebellion. (cf. Yoreh Deah, LXIV, 21).

(14) From trading as a butcher. This is so even though he only overlooked as much as a barley grain of fat.

(15) It is not clear what is to be his punishment, removal from his trade or stripes. V. however Rashal. a.l.

(16) [He is however reinstated on undertaking never to repeat the offence. V. דברי המודו on Asheri a.l.]

(17) With regard to the sciatic nerve (Tosaf.).

(18) That the sciatic nerve must be removed with all its roots; and as this entailed much trouble the butchers were not to be trusted for it.

(19) That only the upper surface of the nerve must be removed; for this all butchers were trustworthy.

(20) This paragraph is not found in MS.M.

(21) We need not apprehend lest another Jew, seeing the gentile receiving the thigh from this Jew, will assume that the nerve had been removed and will buy it from the gentile, because it can easily be seen whether the nerve has been removed or not.

(22) I.e., a portion of the thigh. This is the inference from our Mishnah which states A THIGH, implying a whole thigh.

(23) Sc. that an animal was found to be trefah. This is the custom where all the butchers are Jews. Where the practice of announcing it is not in vogue, there Jews are not allowed to buy meat from gentiles under any circumstances, for the Jewish butchers may have disposed of the trefah animal to a gentile and did not trouble to make this fact known.

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## Chullin 94a

then one should be allowed to send it even though it was cut up, for no [Jew] would buy it from him. And if we are speaking of a place where they do proclaim it,<sup>1</sup> then one should not be allowed to send even an entire thigh,<sup>2</sup> for he [the gentile] will cut it up and sell it! —

If you wish I can say that it is a place where they do proclaim it, and if you wish I can say that it is a place where they do not proclaim it.

If you wish, I can say that it is a place where they do proclaim it, [and yet there is nothing to fear] because the cutting up [of the thigh] by a gentile is recognizable.<sup>3</sup>

‘And if you wish, I can say that it is a place where they do not proclaim it’, [and yet it is forbidden to send a portion] lest he should give it to the gentile in the presence of another Israelite.<sup>4</sup> Alternatively, I can say, [it is forbidden] because he thereby deceives him,<sup>5</sup> and Samuel holds that it is forbidden to deceive people even gentiles.

This view of Samuel was not expressly stated but was inferred from the following incident. Samuel was once crossing on a ferryboat and he said to his attendant, ‘Reward the ferryman’. He rewarded him, but [Samuel] became angry. Why was he angry? — Abaye said: Because he [the attendant] had a trefah hen and he gave it to the ferryman representing it as one that was ritually slaughtered. Raba said: Because he [Samuel] told him to give him [the gentile] anpaka<sup>6</sup> to drink, and he gave him mixed wine to drink.<sup>7</sup> And what if it was only inferred? — Because according to him who says that he gave him a trefah hen, it can be said [that Samuel was angry with his attendant] for keeping with him [a forbidden thing].<sup>8</sup> And according to him who says that he told him to give him anpaka, it can be said [that Samuel was

angry] because anpaka really means unmixed wine.<sup>9</sup>

It was taught: R. Meir used to say: A man should not urge his friend to dine with him when he knows that his friend will not do so.<sup>10</sup> And he should not offer him many gifts when he knows that his friend will not accept them. And he should not open [for a guest] casks of wine which are to be sold by the shopkeeper,<sup>11</sup> unless he informs [the guest] of it. And he should not invite him to anoint himself with oil<sup>12</sup> if the jar is empty. If, however, the purpose is to show the guest great respect, it is permitted. But surely this cannot be right. For Ulla once came to Rab Judah's house and the latter opened up for him casks that were later to be sold by the shopkeeper! — He must have informed him of this fact. Or if you wish, I can say that the case of Ulla is different, for he was so dear to Rab Judah that he would have opened for him even those that were not [to be sold by the shopkeeper].

Our Rabbis taught: A man should not go to the house of a mourner<sup>13</sup> with a bottle in which the wine shakes about;<sup>14</sup> neither should he fill it with water because he thereby deceives him. If, however, there is a large assembly<sup>15</sup> present, it is permitted.

Our Rabbis taught: A man should not sell to his neighbor shoes made of the hide of an animal which died, [representing them] as made of the hide of a living animal which was slaughtered, for two reasons: first, because he is deceiving him, and secondly, because of the danger.<sup>16</sup> A man should not send to his neighbor a barrel of wine with oil floating at the mouth of it.<sup>17</sup> It once happened that a man sent his friend a barrel of wine, and there was oil floating at the mouth of the barrel. He went and invited some guests to partake of it. When they came and he found that it was only wine he went and hanged himself.<sup>18</sup> The guests may not give from what is set before them to the son or daughter of

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the host, unless they have the host's permission to, do so.

It once happened that a man in a time of scarcity invited three guests to his house and he only had three eggs<sup>19</sup> to set before them. When the child of the host entered, one of the guests took his portion and gave it to him, the second guest did likewise, and so did the third. When the father of the child came and saw him stuffing one [egg] in his mouth and holding two in his hands, he [in rage] knocked him to the ground so that he died. When the child's mother saw this she went up to the roof and threw herself down and died. He too went up to the roof and threw himself down and died. R. Eliezer b. Jacob said: Because of this three souls in Israel perished. What does he [R. Eliezer b. Jacob] tell us? — It means that the whole story was related by R. Eliezer b. Jacob.

**Our Rabbis taught:** If a man sends to his friend a whole thigh he need not remove beforehand the sciatic nerve; if [he sends it] cut up he must remove beforehand the sciatic nerve. To a gentile, however, whether he sends it cut up or whole, he need not remove beforehand the sciatic nerve. And for two reasons they said, a man should not sell to a gentile animals that have become nebelah or trefah:<sup>20</sup> first because he is deceiving him,<sup>21</sup> and secondly because he in turn might sell it to another Israelite. A man should not say to a gentile. 'Buy for me meat with this dinar', for two reasons:

- (1) So that on any day when no proclamation about trefah has been made Jews may buy meat without hesitation from gentiles.
- (2) Unless the nerve had been removed beforehand, for the gentile might cut it up in portions and sell it to Jews, and when cut up it is no longer easy to ascertain whether the nerve has been removed or not.
- (3) A whole thigh, therefore, may be sent but not a portion of one.
- (4) Although in this place it is not the practice for Jews to buy meat from gentiles, in this particular case where the Jew sees the gentile receiving the meat, even if only a portion, from his fellow Jew,

he might buy it and assume that the nerve had been removed.

(5) Lit., 'steals his mind', i.e., creates a false impression upon him. The gentile would be delighted in the thought that his Jewish friend is sending him meat fit for his own table, and would be the more grateful to him, whereas in reality the meat sent was not fit for his own table as the nerve had not been removed therefrom, and so the gratitude of the gentile will have been falsely earned.

(6) אַנְפִּיקָא, a form of the word אַנְבִּיגָא (v. Jast. s.v.), strictly, a small cup the capacity of one fourth of a log, cf. B.B.

58b. A popular term also for strong, unmixed wine.

(7) And the gentile thought it was unmixed wine.

(8) And not because he deceived the gentile.

(9) And by giving mixed wine he disregarded the orders of Samuel. Hence his anger.

(10) He is merely gaining the gratitude of his friend through something which he had no intention of doing. This is the reason in all the cases mentioned.

(11) It was not unusual for a private person when about to open a barrel of wine for his table to make arrangements with a shopkeeper to dispose of that which is left after the meal; a necessary arrangement, for once the barrel has been opened the wine will in a very short time turn sour. To open up a barrel of wine for a guest without informing him of the arrangement with the shopkeeper is taking credit for something one has not merited.

(12) Knowing full well that his friend will not do so.

(13) It was the custom to drink wine at the house of a mourner, and over each cup of wine certain Benedictions and appropriate words of consolation to the mourners were recited; v. Keth. 8b. The visitors would come bringing with them bottles of wine; and one must not deceive people by coming with a bottle filled with water or only half-filled with wine.

(14) I.e., it contains only a little wine and therefore shakes about in the bottle.

(15) חֵבֶר עִיר Lit., 'an assembly of the city'. If this man also wishes to show his respect to the mourners among the large gathering of people and he cannot afford to bring wine he may adopt this deception, for the motive justifies the means. [Aliter: a town scholar, vocalizing חֵבֶר; i.e., if there is a scholar among the visitors and the man wishes to show his respect to the scholar present, cf. Meg. (Sonc. ed.) p. 164, n. 1.]

(16) As the animal may have died through the bite of a serpent and the hide of the animal may thereby have become contaminated.

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(17) Leading him to believe that the whole barrel contains oil.

(18) Because of shame, for he had nothing else prepared to set before his guests.

(19) So Bah. Cur. edd. as (the size of) three eggs.

(20) Without informing him of this fact.

(21) For a gentile when buying meat of a Jew believes that he is buying the meat of an animal that has been ritually slaughtered, and it is forbidden to take advantage of his ignorance and to pass on to him trefah meat.

## Chullin 94b

first because of the violent ones among them,<sup>1</sup> and secondly because they might sell him meat of a nebelah or trefah animal.

The Master said: ‘To a gentile, however, whether [he sends it] cut up or whole, he need not remove beforehand the sciatic nerve’. But what are the circumstances? If we are dealing with a place where they do proclaim it,<sup>2</sup> then in the case where it has been cut up why [do you say,] he need not remove beforehand the sciatic nerve? [Is it not to be feared that,] since no proclamation was made, people will buy from him? Obviously then we are dealing with a place where they do not proclaim it.

Consider now the middle clause which reads: ‘For two reasons, they said, a man should not sell to a gentile animals that have become nebelah or trefah: first because he is deceiving him, and secondly because he in turn might sell it to another Israelite’. If, as you say, we are dealing with a place where they do not proclaim it, then surely no one would buy from him. Obviously then we are dealing with the place where they do proclaim it.<sup>3</sup>

Consider now the final clause which reads: ‘A man should not say to a gentile. "Buy for me meat with this dinar"', for two reasons: first because of the violent ones among them, and secondly because they might sell him meat of a nebelah or trefah animal’. Now if, as you say, it is a place where they do

proclaim it, then surely if there happened a trefah it would have been proclaimed.<sup>4</sup> Obviously then we are dealing with the place where they do not proclaim it; so that the position is: The first and last clauses deal with a place where they do not proclaim it, whilst the middle clause deals with a place where they do proclaim it! —

Abaye answered: It is so. The first and last clauses deal with a place where they do not proclaim it, but the middle clause deals with a place where they do proclaim it.

Raba answered: The whole [Baraitha] deals with a place where they do proclaim it; and in the first and last clauses the case was that a proclamation had been made [this day],<sup>5</sup> but in the middle clause the case was that no proclamation had been made.<sup>6</sup>

R. Ashi answered: The whole [Baraitha] deals with a place where they do not proclaim it;<sup>7</sup> but the ruling in the middle clauses is merely a precautionary measure lest he sell it to the gentile in the presence of another Israelite.<sup>9</sup> What is the form of the proclamation? —

R. Isaac b. Joseph said: ‘Meat has fallen into our hands for the army’.<sup>10</sup> And why not proclaim, ‘Trefah meat has fallen into our hands for the army’? — They would not then buy it. Are we not then deceiving them? — No. They are deceiving themselves.<sup>11</sup> As in the following incident.

Mar Zutra the son of R. Nahman was once going from Sikara<sup>12</sup> to Mahuza, while Raba and R. Safra were going to Sikara; and they met on the way. Believing that they had come to meet him he said: ‘Why did the Rabbis take this trouble to come so far [to meet me]?’ R. Safra replied: ‘We did not know that the Master was coming; had we known of it we should have put ourselves out more than this’. Raba said to him, ‘Why did you tell him this; you have now upset him’? He

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replied: ‘But we would be deceiving him otherwise’. ‘No. He would be deceiving himself’.<sup>13</sup>

A butcher once said to his fellow,

- (1) Who would keep the dinar for themselves and at the same time force the butcher to supply them with meat to the value of a dinar without payment.
- (2) That this day a trefah animal was supplied to the gentile. On that day Jews would refrain from buying meat from the gentile. For the form of the proclamation v. infra.
- (3) But for some unaccountable reason no proclamation was made on this day, so that there is the danger of Jews buying trefah meat from the gentiles without being aware of the fact.
- (4) Since there was no proclamation on this day then the Jew should have no hesitation in sending the gentile to buy meat for him.
- (5) So that all know that this day the gentile has been supplied with trefah meat.
- (6) Although such a proclamation should have been made.
- (7) So that generally Jews would not buy meat from gentiles for they are supplied with trefah meat and no announcement is made of this fact.
- (8) Sc. that it is forbidden to sell to a gentile nebelah or trefah.
- (9) Who, on seeing the gentile receiving it from the Jew and not knowing that it is trefah, would permit himself to buy it from the gentile. In the first clause, however, we do not apprehend this, for there it refers to a private transaction, where a Jew sends a thigh to the gentile, and it is not likely that any other Jew would know of this; hence there is no reasonable ground for imposing a precautionary measure. On the other hand, the Tanna of our Mishnah does feel the necessity for such a measure. V. Rashi.
- (10) Sc. the gentiles. In towns where Jews mainly settled, it was not unusual to find that the only gentiles in the town were the soldiers of the army who were stationed there.
- (11) For they do not take the trouble to enquire whether the meat is trefah or not.
- (12) Near Mahuza.
- (13) Thinking that they had specially come to meet him.

## Chullin 95a

‘If only you had been on good terms with me, I would have given you a portion of the fatted ox which I had prepared yesterday!’ He

replied: ‘I did eat of the choicest meat’. ‘Where did you get it?’ asked the other. ‘That gentile who bought [the animal from you] gave me a portion’, he replied. Said the other, ‘I did indeed prepare two, but that one became trefah’. Said Rabbi, Are we to prohibit all the meat stalls [today] because of that fool who acted improperly?<sup>1</sup> Rabbi here is consistent with his principle, for he said: Where the meat stalls [kept by gentiles are supplied with meat by] Israelite butchers, any meat found in the possession of the gentile<sup>2</sup> is permitted. Some there are who give this version: Rabbi said: ‘Are we to prohibit all the meat stalls because of that fool who wanted to annoy his fellow?’<sup>3</sup> Now the only reason is because he wanted to annoy his fellow, but where there was no such intention [all the meat stalls would be] forbidden. Surely it was taught: Rabbi says: Where the meat stalls [kept by gentiles are supplied with meat by] Israelite butchers, any meat found in the possession of the gentile is permitted! — Here it is different, for the forbidden meat is clearly established.<sup>4</sup>

Rab said: Meat which had disappeared from sight<sup>5</sup> is forbidden.<sup>6</sup> An objection was raised. Rabbi says: Where the meat stalls [kept by gentiles are supplied with meat by] Israelite butchers, any meat found in the possession of the gentile is permitted!<sup>7</sup> — It is different where it is found in the possession of the gentile.<sup>8</sup>

Come and hear: If there were nine meat shops, all of them selling ritually slaughtered meat and one shop selling carrion, and a man bought meat from one of them but he does not know from which of them he bought, it is forbidden because of the doubt;<sup>9</sup> but if meat was found,<sup>10</sup> one goes after the majority.<sup>11</sup> — Here too [we must suppose] that it was found in the hand of a gentile.

Come and hear: We have learnt: If one found<sup>10</sup> [raw] meat in the city one must determine [the meat] according to the

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majority of butchers; if it was cooked meat one must determine it according to the majority of the people that eat meat.<sup>12</sup> And should you say that here too [we must suppose] that it was found in the hand of a gentile, [then why is it said.] ‘If it was cooked one must determine it according to the majority of the people that eat meat’? Let us see whether the gentile has it in his possession or the Israelite!<sup>13</sup> — Here we must suppose that he [the finder] was standing by and kept his eye on it all the time.<sup>14</sup>

Come and hear: [We have learnt:] If meat was found within the borders,<sup>15</sup> if it was an entire limb it is deemed to be nebelah,<sup>16</sup> but if it was a cut [from a limb] it is permitted.<sup>17</sup> And should you say that here too we must suppose that he [the finder] stood by keeping his eye on it all the time, then why is it deemed to be nebelah in the case of an entire limb?<sup>18</sup> — Is not this intended [as an objection] against Rab's teaching? But with regard to it there has been reported: Rab said: It is permitted only in so far as it is not deemed to be nebelah,<sup>19</sup> Levi however said, it is permitted to be eaten.

This rule of Rab<sup>20</sup> was not expressly stated but was inferred from the following incident. Rab was once sitting by the ford of the Ishtatith Canal<sup>21</sup> when he saw a man

(1) Since the meat sold in all the stalls, even those kept by gentiles, is supplied by Jewish butchers, the Jews have accustomed themselves to buying meat from gentile stalls without hesitation. The improper act of this man surely will not have the effect of altering the status quo so as to place a restriction upon all stalls kept by gentiles!

(2) I.e., on his stall.

(3) We assume therefore that he lied to his fellow merely in order to annoy him, but that he did not actually sell the gentile trefah meat.

(4) He had definitely sold trefah meat to this gentile, and he might have done so to others too, therefore all the meat on the stalls kept by the gentiles is forbidden.

(5) Even if one lost sight of it or turned one's back on it for a moment.

(6) For it might have been exchanged for trefah meat.

(7) Here the meat was not kept in sight by the Jew the whole time, nevertheless it is permitted.

(8) The gentile has had this meat in his care all the time, and since all the meat supplied to him is ritually slaughtered, for no Jew would supply him with trefah meat to sell in the market, it is permitted. Where, however, nobody was in charge of it, it is forbidden, for a raven might have carried it away and brought back trefah meat from elsewhere.

(9) Because of the principle that everything prohibited which has a fixed place (kabua') among things permitted, is not deemed as a minority among the majority, but rather as in the proportion of half to half. In this case therefore the meat, bought from one of the shops amongst which that shop which sells carrion has its place fixed and determined, is forbidden, for the doubt with regard to this meat is even.

(10) Presumably in the market place, and evidently it had disappeared from sight.

(11) And the meat is permitted for the majority of shops sell ritually slaughtered meat.

(12) Maksh. II, 9. If the majority of butchers, or in the case of cooked meat if the majority of people that eat meat, are Jews, the meat found may be eaten.

(13) And this would easily determine the doubt, for if the gentile has it then it is forbidden for presumably he has cooked it. The case must therefore be that the meat was found on the ground and not in the possession of anyone, nevertheless it is permitted, contra Rab.

(14) From the moment that it fell from the owner.

(15) Of the Land of Israel but outside Jerusalem.

(16) For whenever an animal becomes nebelah it is usually cut up into limbs and thrown away.

(17) Shek. VII, 6. It is to be assumed, of course, that the majority of butchers in the town are Jews. Nevertheless it is permitted even though it was lost and presumably out of sight.

(18) After all the meat had only accidentally fallen from the owner and was not thrown away as nebelah.

(19) I.e., it does not defile, but on no account may it be eaten since it had not been kept in sight the whole time.

(20) That meat which had even for one moment disappeared from sight is forbidden.

(21) [Near Sura, v. Obermeyer, p. 300.]

## Chullin 95b

washing the head [of an animal in the water]. It fell out of his hand, so he went and fetched

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a basket, threw it [into the water] and brought up two heads. Said Rab, 'Is this what usually happens?'<sup>1</sup> And he forbade him both [heads].

Thereupon R. Kahana and R. Assi said to Rab, 'Are only forbidden [heads] found here and not permitted ones?'<sup>2</sup> He replied. 'The forbidden ones are more frequently found'. But what if it was only inferred?<sup>3</sup> — It was a jetty frequented mostly by gentiles. Indeed you may be certain of this from his reply: 'The forbidden ones are more frequently found [here]'.<sup>4</sup> According to this how could Rab eat meat?<sup>5</sup> — You may say [that he ate meat] soon [after the slaughtering], so that he did not lose sight of it; or only if it was wrapped up and sealed, or if it bore some distinguishing mark. Thus Rabbah son of R. Huna used to cut up [the meat] in the shape of a triangle.

Rab was once going to his son-in-law R. Hanan when he saw a ferry-boat coming towards him. Said he to himself: When the ferry-boat comes to meet one it is a good omen.<sup>6</sup> As he came to the door he looked through the crack of the door and he saw the meat of an animal hanging up. He then knocked at the door and everybody came out to meet him, even the butchers too. Rab however did not take his eyes off [the meat] and said to them: 'If that is how [you look after things], then you are giving my daughter's children forbidden meat to eat'. And Rab did not eat of that meat. But why?

If because of meat that had disappeared from sight, but here he did not lose sight of it; and if because of the omen,<sup>7</sup> but Rab himself has said: An omen which is not after the form pronounced by Eliezer,<sup>8</sup> Abraham's servant, or by Jonathan<sup>9</sup> the son of Saul, is not considered a divination!<sup>10</sup> — [The reason is that] it was a meal of free choice<sup>11</sup> and Rab would not partake of a meal of free choice.

Rab used to regard a ferry-boat as a sign. Samuel a [passage in a] book,<sup>12</sup> and R. Johanan [a verse quoted] by a child.

During the lifetime of Rab, R. Johanan used to address him thus in his letters: Greetings to our Master in Babylon! After Rab's death R. Johanan used to address Samuel thus: Greetings to our colleague in Babylon! Said Samuel to himself, 'Is there nothing in which I am his master'? He thereupon sent [to R. Johanan] the calculations for the intercalation of months for sixty years. Said [R. Johanan], 'He only knows mere calculations'. So he [Samuel] wrote out and sent [R. Johanan] thirteen camel loads<sup>13</sup> of questions concerning doubtful cases of trefah. Said [R. Johanan], 'It is clear that I have a Master in Babylon; I must go and see him'. So he said to a child, 'Tell me the [last] verse you have learnt'. He answered: 'Now Samuel was dead'.<sup>14</sup> Said [R. Johanan], 'This means that Samuel has died'. But it was not the case; Samuel was not dead then, and [this happened] only that R. Johanan should not trouble himself.<sup>15</sup>

It was taught: R. Simeon b. Eleazar says: Although a house or a child or a marriage must not be used for divination, they may be taken as a sign.<sup>16</sup> R. Eleazar added: Provided it was established so on three occasions,<sup>17</sup> for it is written: Joseph is not, and Simeon is not, and ye will take Benjamin away; upon me all these things come.<sup>18</sup>

R. Huna enquired of Rab: What if [pieces of meat were] strung together?<sup>19</sup> — He replied: Don't be a fool; if strung together it is certainly a distinguishing sign. Others report this as follows:<sup>20</sup> R. Huna said in the name of Rab, If pieces of meat were strung together this is regarded as a distinguishing sign.

R. Nahman<sup>21</sup> of Nehardea once came to R. Kahana at Pum Nahara<sup>22</sup> on the eve of the day of Atonement when they saw ravens dropping [from their beaks] pieces of liver

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and kidneys. Said [R. Kahana] to the other, pick them up and eat them, for to-day that which is permitted is more common.<sup>23</sup>

R. Hiyya b. Abin once lost the large intestine of an animal amongst a stack of barrels [and subsequently found it] and he came to enquire about it of R. Huna. 'Have you a distinguishing mark on it?' asked [R. Huna]. 'No', he replied. 'Would you be able to recognize it [by general impression]?' 'Yes', he replied. 'Then you may go and take it.'

R. Hanina Hoza'ah<sup>24</sup> once lost a side of meat [and subsequently found it]. He came to R. Nahman who said to him, 'Have you a distinguishing mark on it?' He replied: 'No'. 'Would you be able to recognize it?' He replied: 'Yes'. 'Then you may go and take it'.

R. Nathan b. Abaye once lost a ball of blue wool.<sup>25</sup> He came before R. Hisda who said to him, 'Have you a distinguishing mark on it?' He replied: 'No'. 'Would you be able to recognize it?' He replied: 'Yes'. 'Then you may use it'.

Raba said: At first I thought that [identification by] a distinguishing mark was more reliable than [identification by] general impression,<sup>26</sup> since we must return a lost article [to anyone who mentions] a distinguishing mark on it,

- (1) On losing one thing to find two.
- (2) The second head might very well have been a permitted one which had previously fallen into the river.
- (3) This incident clearly shows Rab's view as stated above (p. 533, n. 9).
- (4) Which can only be explained by the fact that the place was frequented mostly by gentiles. In other districts, however, both heads might have been permitted, even though they had been out of sight for some time. Thus Rab's principle cannot be definitely inferred from this incident.
- (5) Since it would be forbidden if only it was, for one moment, out of sight.
- (6) Lit., 'it will be a good day in there', i.e., at the place where he proposed to go.

(7) Which he had expressed about the ferry-boat coming towards him.

(8) Cf. Gen. XXIV, 14.

(9) Cf. I Sam. XIV, 9, 10.

(10) In the sense that is forbidden by Lev. XIX, 26. In the two cases mentioned the action to be taken was entirely dependent upon the happening of a certain event, and this is prohibited. But to interpret a certain event as an omen either for good or evil, is not prohibited.

(11) As opposed to a meal in fulfillment of a religious precept.

(12) If the ferry-boat was coming towards one, or if a passage selected at random from a book or the verse quoted by a child was of a happy nature, — each was regarded as a good omen for a successful venture.

(13) Reading גמלי. According to R. Han.: גיילי, 'parchment scrolls'.

(14) I Sam. XXVIII, 3.

(15) To go to Babylon to visit Samuel.

(16) If a man's first undertaking immediately after a great day in his life, such as the building of a house, the birth of a child or his marriage, proves to be successful, he may regard it as suspicious and as a prognostic of success, and may view cheerfully all future undertakings of a similar nature. If, on the other hand, it proves to be unsuccessful, he should in the future view similar undertakings with apprehension. To place implicit faith and absolute reliance upon the outcome of the first undertaking is forbidden by the Torah as augury and divination (v. Lev. XIX, 26). One may, nevertheless, regard it as an indication of the future.

(17) I.e., he met with a sequence of three successes or three reverses.

(18) Gen. XLII, 36.

(19) And the entire string of meat had disappeared for a moment from sight.

(20) Not as a question put by R. Huna but as a definite statement of the law.

(21) MS.M. R. Hanan.

(22) On the Tigris.

(23) For much meat was eaten on the eve of the Day of Atonement in preparation for the fast, v. supra 83a, and therefore any meat found, or carried away by ravens, would in all probability be meat that was ritually slaughtered.

(24) Of Hozae, the modern Khuzistan.

(25) Which was prepared for use in the Zizith (cf. Num. XV, 38). The blue dye was very scarce and every precaution

had to be taken to guard against imitations and spurious kinds.

(26) Lit., 'impression of the eye'.

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## Chullin 96a

whereas we do not return it [to anyone who recognizes it] by mere general impressions.<sup>1</sup> But now, having heard the above decisions, I maintain that [identification by] general impression is the more reliable. For should you not say so, how is it that a blind man is permitted [to cohabit] with his wife, or all people with their wives at night? It is only by recognition of the voice; so in all cases general impression [is reliable].

R. Isaac, son of R. Mesharsheya said: You may know it from this too; for if two witnesses were to come and say: 'So-and-so who has this or that distinguishing mark killed a person',<sup>2</sup> we should not put him to death, but if they were to say: 'We recognize him', we would put him to death. R. Ashi said: You may also know it from this; for if a man were to say to his messenger. 'Call So-and-so who has this or that distinguishing mark', there is a doubt whether he would know him or not, but if he [the messenger] is able to recognize him, when he sees him he would certainly know him.

**MISHNAH.** WHEN A PERSON REMOVES THE SCIATIC NERVE HE MUST REMOVE ALL OF IT.<sup>3</sup> R. JUDAH SAYS, ONLY SO MUCH AS IS NECESSARY TO FULFIL THE PRECEPT OF REMOVING IT.<sup>4</sup> IF A PERSON ATE AN OLIVE'S BULK OF THE SCIATIC NERVE, HE HAS INCURRED FORTY STRIPES. IF HE ATE THE WHOLE OF IT AND IT WAS NOT AS MUCH AS AN OLIVE'S BULK, HE IS NEVERTHELESS LIABLE.<sup>5</sup> IF HE ATE AN OLIVE'S BULK OF IT FROM ONE THIGH AND ANOTHER OLIVE'S BULK OF IT FROM THE OTHER THIGH, HE HAS INCURRED EIGHTY STRIPES. R. JUDAH SAYS, HE HAS INCURRED ONLY FORTY STRIPES.<sup>6</sup>

**GEMARA.** Bar Piuli was standing in the presence of Samuel and was porging<sup>7</sup> a side of meat. He was only cutting away the surface [of the nerve], so Samuel said to him,

'Go down deeper; had I not seen you, you might have given me forbidden meat to eat'. He was alarmed at this, and the knife fell out of his hand. Said Samuel to him, 'Be not alarmed, for he who taught you this taught you according to the view of R. Judah'. R. Shesheth said: That part which Bar Piuli had removed, is according to R. Judah forbidden by the Torah. Then it follows, does it not, that the part which he [Bar Piuli] did not remove, is according to R. Judah forbidden Rabbinnically? If so, according to whose view was he [Bar Piuli] taught this?<sup>8</sup> — R. Shesheth therefore said: That part which Bar Piuli had removed, is [according to R. Meir]<sup>9</sup> forbidden by the Torah, but that part which he did not remove, is forbidden Rabbinnically, only according to R. Meir, for according to R. Judah it is permitted even Rabbinnically.<sup>10</sup>

**IF A PERSON ATE AN OLIVE'S BULK OF THE SCIATIC NERVE,** etc. Samuel said: The Torah forbade only that part [of the nerve] which is on the spoon,<sup>11</sup> for it is written: Which is upon the spoon of the thigh.<sup>12</sup> R. Papa said: This [statement of Samuel] is the subject of dispute between Tannaim; for it was taught: If a person ate [the whole of] it and it was not as much as an olive's bulk, he is nevertheless liable. R. Judah Says, [He is not liable] unless it was as much as an olive's bulk. What is the reason of the Rabbis? — Because it is a complete entity in itself.<sup>13</sup>

(1) But only to a scholar, cf. B.M. 23b.

(2) These witnesses do not claim to know the murderer except that he had certain distinguishing marks.

(3) This is the view of R. Meir, supra 92b, that one must follow up the tracks of the nerve in all its ramifications.

(4) It is sufficient if one removes the upper part of the nerve, i.e., that part which is visible at the hip-joint.

(5) Although the minimum quantity for constituting eating is an olive's bulk, where the thing prohibited by the Torah is in its entirety less than the size of an olive, e.g., an ant, one incurs the penalty for eating the whole of it.

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(6) Because the Prohibition according to R. Judah applies only to one thigh, the right thigh.

(7) I.e., removing the sciatic nerve from the thigh.

(8) Lit., 'he who taught him according to whose view did he teach him'? For it is clear that the whole of the nerve must be removed if only by Rabbinic injunction. The question therefore is: Whose view did Bar Piuli adopt by cutting away only the surface?

(9) So MS.M., and also according to Bah's gloss. This is also the view of R. Judah.

(10) So that Bar Piuli acted entirely in accordance with R. Judah's view.

(11) The muscles at the proximal end of the thigh are rounded and convex like the back of a spoon. Only that part of the sciatic nerve which runs in these muscles, says Samuel, is prohibited.

(12) Gen. XXXII, 33. V. supra, p. 500, n. 2.

(13) And this was prohibited by the Torah even though the whole of it is not as large as an olive.

## Chullin 96b

And what does R. Judah [say to this]? — The term 'eating' is used in connection therewith.<sup>1</sup> And the Rabbis? — The term 'eating' is to teach that if it [the sciatic nerve] consisted of four or five olives' bulk and he ate thereof the size of one olive, he is liable.<sup>2</sup> And R. Judah? — That is derived from the expression. 'Which is upon the spoon of the thigh'.<sup>3</sup> And the Rabbis? — This verse is required for Samuel's teaching, for Samuel said: The Torah forbade only that part [of the nerve] which is on the spoon. And R. Judah? — It is written 'the thigh', that is, the entire thigh.<sup>4</sup> And the Rabbis? — That is to indicate that the prohibited nerve is the one that is spread over the whole of the thigh, [namely the inner one], and not the outer one;<sup>5</sup> but of course only [so much of it is prohibited as is] upon the spoon. But is not the expression 'spoon' required to teach that [the prohibition of the sciatic nerve] does not apply to birds as they have not a spoon-shaped hip? — The word 'spoon' is written twice [in the verse].<sup>6</sup>

**MISHNAH.** IF A THIGH WAS COOKED TOGETHER WITH THE SCIATIC NERVE AND THERE WAS SO MUCH [OF THE

NERVE] AS TO IMPART A FLAVOUR [TO THE THIGH], IT IS FORBIDDEN. HOW DOES ONE MEASURE THIS? AS IF IT WERE MEAT [COOKED] WITH TURNIPS.<sup>7</sup> IF THE SCIATIC NERVE WAS COOKED WITH OTHER NERVES<sup>8</sup> [IN A BROTH] AND IT CAN STILL BE RECOGNIZED,<sup>9</sup> THEN IT DEPENDS WHETHER IT IMPARTED A FLAVOUR OR NOT;<sup>10</sup> BUT IF IT CAN NO LONGER [BE RECOGNIZED] THEN ALL [THE NERVES] ARE FORBIDDEN;<sup>11</sup> AND AS FOR THE BROTH IT DEPENDS WHETHER IT [THE SCIATIC NERVE] IMPARTED A FLAVOUR OR NOT. AND SO IT IS WITH A PIECE OF NEBELAH, OR A PIECE OF AN UNCLEAN FISH. THAT WAS COOKED TOGETHER WITH OTHER PIECES OF FLESH [OR FISH]: IF IT CAN STILL BE RECOGNIZED, THEN IT DEPENDS WHETHER IT IMPARTED A FLAVOUR OR NOT; AND IF IT CAN NO LONGER [BE RECOGNIZED]. THEN ALL PIECES ARE FORBIDDEN; AND AS FOR THE BROTH IT DEPENDS WHETHER IT<sup>12</sup> IMPARTED A FLAVOUR OR NOT.

**GEMARA.** Samuel said: This [ruling of our Mishnah] applies only to the case where they were cooked together,<sup>13</sup> but if they were roasted together one may then cut away [the meat] and eat it until one reaches the nerve.<sup>14</sup> But Surely this is not so, for did not R. Huna say that if a kid was roasted together with its forbidden fat it is forbidden to eat even of the tip of its ear?<sup>15</sup>—

(1) And the minimum quantity for constituting 'eating' is an olive's hulk.

(2) For it might have been thought that only the eating of the whole of it renders one liable to stripes.

(3) I.e., for eating the portion which is upon the spoon of the thigh, even though it is not the whole, one is liable, provided always it consisted of an olive's bulk.

(4) And the prohibition applies even to that part which is not upon the spoon, contra Samuel.

(5) V. supra 93b.

(6) Ibid., XXXII, 33.

(7) If when meat and turnips are cooked together, in the same proportions as here the nerve and the thigh respectively, the meat imparts its flavor to

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the turnips, then the thigh would be forbidden on account of the taste of the forbidden nerve. It is estimated by the Rabbis that meat cannot impart its taste to any substance that is cooked with it if the latter is sixty times as large in bulk as the meat.

(8) Which are not forbidden.

(9) It must then be removed, and the only consideration is with regard to the flavor thereof that has remained in the pot.

(10) Lit., '(it is forbidden only) if it imparted a flavor'. I.e., whether the other nerves were sixty times as large in bulk as the forbidden nerve or not. In the former case they would be permitted, in the latter they would not.

(11) For each nerve might be the forbidden sciatic nerve.

(12) Sc. the forbidden piece.

(13) In cooking the flavor extracted spreads equally in the whole pot.

(14) The heat of the fire dries up and constricts the nerves so that no flavor or essence is spread in the meat, and therefore the entire meat is permitted save for the nerve itself.

(15) It is here evident that by roasting the essence is carried throughout the whole meat.

## Chullin 97a

It is different with fat for it spreads [throughout the flesh]. Is it then forbidden in the case of fat? But Surely Rabbah b. Bar Hana has related a case which came before R. Johanan at the synagogue of Ma'on of a kid that was roasted with its fat, and on enquiring of R. Johanan he ruled that one may cut away [the meat] and eat it until one reaches the fat! — That was a lean kid.<sup>1</sup> R. Huna b. Judah suggested that it was the case of a kidney roasted with its fat, and he [R. Johanan] declared it to be permitted.<sup>2</sup> Rabin son of R. Ada said: It was the case of a kilkith<sup>3</sup> that was found in a pot of stew, and on enquiring of R. Johanan he ruled that a gentile cook should taste it.<sup>4</sup>

Raba said: In the past the following was always a difficulty to me. It was taught: In a pot wherein meat had been cooked a person may not boil milk, and if he did boil [milk] therein, it depends whether the pot imparted a flavor [to the milk] or not.<sup>5</sup> [In a pot wherein] terumah<sup>6</sup> food [had been cooked] a

person may not cook common food, and if he did cook [common food] therein, it depends whether the pot imparted a flavor [to the common food] or not. Now in the case of terumah it is clear, for a priest could taste the food;<sup>7</sup> but in the case of meat and milk who may taste it?<sup>8</sup> But now that R. Johanan ruled that we can rely upon a gentile cook, in this case too we could rely upon a gentile cook.

Raba also said, [In certain cases] the Rabbis ruled that the test whether or not it imparts a flavor applies, and [in other cases] the Rabbis ruled that one may rely upon a [gentile] cook,

(1) And it had little fat; or the fat of a lean animal would not spread (Tosaf.).

(2) For the forbidden fat of the kidney could not penetrate the kidney by reason of the strong membrane which separates them.

(3) A small fish that may not be eaten; probably the stickleback.

(4) To ascertain whether the flavor of the fish is discernible in the stew. The cook's opinion, even though he is a gentile, would be relied upon only so long as he is ignorant of the issue that is involved.

(5) V. supra p. 540, n. 4.

(6) V. Glos.

(7) For to a priest both terumah and common food are permitted. He therefore could taste the common food to ascertain whether it contains any flavor of the terumah food which had previously been cooked in this pot.

(8) For if one actually imparts a flavor into the other then it is forbidden to everyone, even only to taste thereof.

## Chullin 97b

and yet [in other cases] the Rabbis ruled that the test is sixty [to one]. Therefore we say, where substances of different kinds, each kind being permitted by itself, were mixed together, the test is whether or not one imparts a flavor to the other;<sup>1</sup> and if one of the substances was forbidden<sup>2</sup> then we rely upon the opinion of a gentile cook. Where substances of like kind were mixed together, in which case it is impossible to discern whether one imparts a flavor to the other; or where substances of different kinds, one of which was forbidden, were mixed together,

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and no [gentile] cook is available, then the test is sixty [to one].<sup>3</sup> In the house of the Exilarch, sides of meat were once salted with the sciatic nerve in them.

Rabina declared them to be forbidden, whilst R. Aha son of R. Ashi<sup>4</sup> declared them to be permitted. When this case was put to Mar son of R. Ashi he said: My father declared them to be permitted. Then said R. Aha son of R. [Ashi] to Rabina: What is the reason for your view? Is it not Samuel's dictum that whatsoever is salted is counted as hot<sup>5</sup> and whatsoever is preserved is counted as cooked?<sup>6</sup> But [remember,] did not Samuel say. This ruling [of our Mishnah] applies only to the case where they were cooked together, but if they were roasted together one may then cut away [the meat] and eat it until one reaches the nerve? And should you say that the term counted as hot' means hot as when cooked, surely [this cannot be, for] since he said: 'whatsoever is preserved is counted as cooked', it follows that [in the first clause 'counted as hot' means] hot as when roasted!<sup>7</sup> This is indeed a difficulty.

R. Hanina said: When measuring<sup>8</sup> one should measure the broth, the sediments, the pieces, and the pot.<sup>9</sup> Some say: The actual thickness of the] pot must be taken into account;<sup>10</sup> but others say: Only that which is absorbed in the pot is to be taken into account.<sup>11</sup>

R. Abbahu said in the name of R. Johanan. As regards all things prohibited by the Torah<sup>12</sup> one should measure them as though they were onions or leeks.<sup>13</sup>

R. Abba said to Abaye: Why not measure as though they were pepper or spices, in which case the flavor would not become neutralized even in a thousand-fold? — He replied: The Rabbis have estimated that among forbidden substances there is none that can impart a stronger flavor than onions or leeks.

R. Nahman said: The [sciatic] nerve [is neutralized] in sixty-fold, but the nerve itself is not to be included to make up this number.<sup>14</sup> The udder is neutralized in sixty-fold, but the udder itself is to be included.<sup>15</sup> An egg<sup>16</sup> is neutralized in sixty-fold, but the egg itself is not to be included. R. Isaac the son of R. Mesharsheya said: But the udder itself is forbidden,<sup>17</sup> and if it fell into another pot it renders [the contents] forbidden.

R. Ashi said: When we were at R. Kahana's the question was put before us: When measuring, should one measure [the prohibited substance] itself or only the essence which exuded from it?<sup>18</sup> — It is obvious, surely, that one should measure the substance itself, for if only the essence which exuded from it, [the question arises,] How do we know [how much it is]? — But if so, if it<sup>19</sup> subsequently fell into another, pot it should not render [the contents] forbidden?<sup>20</sup> — Since R. Isaac the son of R. Mesharsheya had said that the udder itself was forbidden, the Rabbis declared it to be as a piece of nebelah.<sup>21</sup> 'An egg is neutralized in sixty-fold, but the egg itself is not to be included [to make up this number]'.<sup>22</sup>

R. Idi b. Abin said to Abaye. Can it be said that it imparts a flavour?<sup>22</sup> but people usually say: 'As the mere water of eggs!' — He replied: We are dealing here

(1) E.g., where terumah was mixed with common food the mixture is permitted to a priest, and he could taste it and give his opinion as to whether the terumah does impart a flavor in the common food, in which case the mixture is forbidden to all save priests, or does not, in which case the mixture is permitted to all.

(2) E.g., where one of the substances was flesh of an unclean animal, or where both substances separately are permitted but when mixed are forbidden to all, e.g., milk food mixed with meat.

(3) I.e., the flavor of the forbidden substance is neutralized and lost if the bulk of the permitted substance is sixty times as large as the bulk of the forbidden substance.

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(4) So in cur. edd. In MS.M.: R. Aha b. Rab. Most probably it should be: R. Aha b. Raba, who was a contemporary of Rabina and R. Ashi.

(5) If two substances, one permitted and the other forbidden, were salted together they are regarded as having been roasted (or cooked? v. infra) together.

(6) If substances were preserved in vinegar and in spices for at least twenty-four hours they are regarded as having been cooked together.

(7) And therefore meat salted together with the sciatic nerve is permitted just as if it was roasted with it; so that Rabina's view cannot be upheld.

(8) To ascertain whether the permitted substance is sixty times as much as the forbidden substance or not.

(9) All these should be included to make up the sixty-fold as against the forbidden substance.

(10) One should reckon the volume of the thickness of the pot as well as the quantity of meat and broth, etc. in order to make up the required sixty-fold.

(11) The absorption of the pot is considered to be the difference in the weight between the raw flesh and the flesh when cooked.

(12) Except the sciatic nerve, for which the standard is 'meat and turnips', v. our Mishnah.

(13) If by substituting onions or leeks for the amount of the forbidden substance the taste of the onions or leeks could be felt in the rest of the stew of the pot, the contents of the pot would be prohibited on account of the forbidden substance, which evidently imparts its flavor so that it can be felt. This method was resorted to before the standard of sixty-fold was fixed.

(14) I.e., there must be sixty times the volume of the forbidden nerve.

(15) If an udder which was not emptied of its milk was cooked together with meat, the entire contents of the pot would be forbidden unless there was in the pot sixty times as much as the milk of the udder. (The quantity of milk in the udder is regarded as equal to the volume of the udder). Now the udder can also be included to make up this sixty-fold since it is not the udder that is forbidden but only the milk contained in it. In other words, there must be in the pot fifty-nine times the quantity of the udder; v. infra 109a.

(16) Of an unclean bird which was boiled with eggs of clean birds. V. infra.

(17) Even though the pot contained sixty times the quantity of the udder, in which case everything else in the pot is permitted, the udder itself is forbidden, for the meat in the pot imparted its flavor into it.

(18) For the actual forbidden substance has now been removed from the pot, and the question is

only with regard to the essence that exuded from it.

(19) Sc. any forbidden substance which was cooked with sixty times as much permitted food and which when taken out subsequently fell into another pot of meat which did not contain the sixty-fold. According to Tosaf. this question deals specifically with the case of the udder mentioned above.

(20) For the essence and flavor of the forbidden substance has entirely exuded and has become neutralized and nullified in the first pot, consequently it cannot render forbidden any other foodstuff.

(21) The neutralization in the first pot only came about gradually, so that before there was the necessary sixty-fold it was forbidden; accordingly the forbidden substance is always regarded as a piece of nebelah which renders forbidden the contents of any and every pot into which it fell.

(22) I.e., an egg when cooked with others imparts a flavor in them.

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with an egg which contained a chicken,<sup>1</sup> but not with an egg of an unclean bird.

He raised an objection against him. [It was taught:] If clean eggs were cooked with unclean eggs and the latter can impart a flavor in the others, they are all forbidden!<sup>2</sup> — Here, too, we must suppose that they contained in them chickens. Why then are they called 'unclean'? — Since they contain chickens they are called 'unclean'.

But surely since the following clause [deals with eggs containing chickens, for it reads]. 'If eggs were cooked together and in one of them was found a chicken, and this one can impart its flavor into the others, all are forbidden', it follows that the first clause deals with eggs which do not contain chickens! — The one clause is merely explanatory of the other thus: 'If clean eggs were cooked with unclean eggs and the latter can impart a flavor in the others, all are forbidden; as for instance, if they were cooked together and in one of them was found a chicken'.

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This indeed stands to reason. For if you assume that the first clause deals with eggs that have no chickens in them, seeing that the exudation of eggs that have no chickens in them can render forbidden, is it necessary to teach this in the case where they had chickens in them? — This is not a conclusive argument. It may be that the second clause was stated to make clear the first: lest you might think that the first clause deals with eggs that have chickens in them, leaving us to infer that if they had no chickens in them all the eggs would be permitted, he therefore adds the second clause which deals with eggs that have chickens in them, which shows that the first clause speaks of eggs that have no chickens in them, and even so render the others forbidden. An olive's bulk of [forbidden] fat once fell into a pot of meat.<sup>3</sup>

R. Ashi intended to include in the measuring [all the meat] that was absorbed in the [sides of the] pot, whereupon the Rabbis said to R. Ashi: Has it absorbed only that which is permitted and not that which is forbidden?<sup>4</sup> A half an olive's bulk of [forbidden] fat once fell into a pot of meat. Mar the son of R. Ashi intended to measure it by the standard of thirty-fold,<sup>5</sup> whereupon his father said to him, 'Have I not told you not to treat lightly the standard measures [even in matters which are forbidden only] by Rabbinic ruling? Moreover, R. Johanan has declared that half the legal quantity [of a forbidden matter] is forbidden by the law of the Torah'.<sup>6</sup>

R. Shaman b. Abba said in the name of R. Idi b. Idi b. Gershom who said it in the name of Levi b. Perata who said it in the name of R. Nahum who said it in the name of R. Biraim who said it in the name of a certain old man whose name was R. Jacob, as follows: Those of the Nasi's house said: A forbidden egg<sup>7</sup> among sixty eggs renders them all forbidden, a forbidden egg among sixty-one eggs renders them all permitted. Thereupon R. Zera said to R. Shaman b. Abba: Look, you are stating

a definite point at which they are permitted, whereas the two greatest men of the day did not give a definite ruling on this matter.

For R. Jacob b. Idi and R. Samuel b. Nahmani both reported in the name of R. Joshua b. Levi that a forbidden egg among sixty eggs rendered them all forbidden, and a forbidden egg among sixty-one eggs rendered them all permitted. And when the question was put to them: Does 'sixty-one' include it [the forbidden egg] or exclude it? they were unable to give a definite answer; and you seem to be so certain of it! It was stated: R. Helbo said in the name of R. Huna: With regard to a [forbidden] egg [cooked with permitted ones], if there were sixty besides this one they are forbidden, but if there were sixty-one besides this one they are permitted.

A certain man once came before R. Gamaliel the son of Rabbi [with his case].<sup>9</sup> Said [R. Gamaliel]: Did not my father [permit such a case] by the standard of forty-seven-fold? Then I might just as well be satisfied with forty-five-fold.<sup>10</sup>

A certain man once came before R. Simeon the son of Rabbi [with his case]. I said [R. Simeon]: Did not my father [permit such a case] by the standard of forty-five-fold? Then I might just as well be satisfied with forty-three-fold.

A certain man once came before R. Hiyya [with his case].<sup>9</sup> Said [R. Hiyya]: But there is not here thirty-fold! The reason then [why he declared it forbidden] was because there was not thirty-fold, but if there was thirty-fold could we then adopt this standard?<sup>11</sup> — R. Hanina answered: It was merely an exaggerated expression.<sup>12</sup>

R. Hiyya b. Abba said in the name of R. Joshua b. Levi who said it in the name of Bar Kappara: All prohibited substances of the Torah are [neutralized] in sixty-fold.<sup>13</sup> Thereupon R. Samuel son of R. Isaac said to

# CHULLIN – 89b-120a

him: Master, do you say so? But R. Assi stated in the name of R. Joshua b. Levi who said it in the name of Bar Kappara. All prohibited substances of the Torah are [neutralized] in a hundred-fold. Now both derived their views from ‘the cooked shoulder’, as it is written: And the priest shall take the cooked shoulder.<sup>14</sup> And it was taught. ‘Cooked’

- (1) The exudation from the egg is of no consequence, it is as mere water, but that of the chicken within the egg is of consequence.
- (2) Tosaf. Terum. IX.
- (3) Which was cooking on the fire.
- (4) For if it is to be assumed that the meat in the pot has been diminished by the absorption in the pot, then the bulk of fat has likewise been diminished. In fact one should not take into consideration the absorption of the pot at all, and the measuring must take into account only the visible contents of the pot.
- (5) Since there was not the minimum legal quantity (i.e., an olive's bulk, v. Yoma 73b) of forbidden fat, he was inclined not to insist on the sixty-fold standard, but was prepared to permit the meat in the pot even though it was only thirty times as much as the fat.
- (6) The sixty-fold standard must be adhered to even though there was only half an olive's bulk of the forbidden substance, for, according to R. Johanan, even this quantity is forbidden by the Torah, v. Yoma 73b. The minimum legal quantity of an olive's bulk is necessary only to render the offender liable to stripes.
- (7) I.e., an egg in which a chicken had developed. So throughout this passage.
- (8) All the other eggs being, of course, permitted ones.
- (9) Viz., a half-olive's bulk of a forbidden substance was cooked with permitted food.
- (10) Since in this and in the following cases the amount of forbidden substance was less than the minimum legal quantity, the standard of sixty-fold is not rigidly adhered to but smaller standards e.g., of forty-seven-fold, forty-five-fold and forty-three-fold would suffice to render the mixture permitted. According to another interpretation in Rashi the reverse decision is arrived at thus: ‘My father did not adopt a standard of forty-seven-fold, shall I then permit by the standard of forty-five-fold?’ The case, accordingly, was of an entire olive's bulk that was cooked with permitted food.
- (11) Surely not.

(12) What he meant to say was that there was no question of neutralization in this case for there was not even thirty-fold!

(13) Provided the taste of the forbidden substance can no longer be felt in the mixture, for so long as the taste can be felt it will not become neutralized (Rashi). V. however Tosaf. s.v. גל.

(14) Num. VI, 19. The shoulder of the ram of the Nazirite's sacrifice was given to the priests to be eaten by priests only, but the rest of the sacrifice was consumed by the owners.

## Chullin 98b

implies that it must be whole.<sup>1</sup>

R. Simeon b. Yohai says. ‘Cooked’ implies that it must have been cooked together with the ram. Now in fact both<sup>2</sup> agree that it must be cooked with the ram, but [they differ in the following]: one holds that it must first be cut away and then cooked,<sup>3</sup> and the other holds that it must first be cooked and then cut away.<sup>4</sup> Alternatively, I can say, all agree that it must first be cut away and then cooked, but [they differ in this]: one<sup>5</sup> holds that it must be cooked together with the ram [in the same pot], and the other holds that it must be cooked in a separate pot. Now according to the first version from either view and according to the second version from the view of R. Simeon b. Yohai [can the required standard be derived].<sup>6</sup> He who holds the sixty-fold standard maintains that the flesh and bone [of the shoulder] must be measured against the flesh and bone [of the ram], and the latter is sixty times as much as the former. But he who holds the hundred-fold standard maintains that only the flesh [of the shoulder] must be measured against the flesh [of the ram] and the latter is a hundred times as much as the former.<sup>7</sup> But can one derive the standard from the above?

Surely it has been taught: This<sup>8</sup> is a case of a substance being permitted even though it has absorbed a forbidden substance.<sup>9</sup> Now what does ‘this’ exclude? Presumably it excludes every other substance which has absorbed any matter forbidden by the Torah?<sup>10</sup> —

# CHULLIN – 89b-120a

Abaye answered, [The exclusion] was necessary only according to R. Judah who maintains that [in all other cases] homogeneous substances cannot neutralize each other; hence we are taught that here they do neutralize each other.<sup>11</sup> But why does he not infer the rule from here?<sup>12</sup> — Because the Divine Law has expressly stated: And he shall take of the blood of the bullock and of the blood of the goat,<sup>13</sup> which shows that though they are both [mixed up] together one does not neutralize the other.

But why do you prefer to infer [the rule of non-neutralization of homogeneous substances] from this [verse] rather than from the other?<sup>14</sup> Because that is an anomaly,<sup>15</sup> and one cannot draw any inferences from an anomaly. If so, how may we infer [the rule of neutralization] in hundredfold or in sixty-fold from it?<sup>16</sup> — Forsooth, do we infer leniency from it? We infer a restriction, for according to the rule of the Torah a substance is neutralized in a bare majority [of other substances].<sup>17</sup>

Raba answered: [The exclusion]<sup>18</sup> was necessary with reference to the rule that the taste<sup>19</sup> [of a forbidden substance] is [treated] as the substance itself. Now as this [sc. the taste] is forbidden in the case of consecrated matter, we are therefore taught that here<sup>20</sup> it is permitted.<sup>21</sup>

(1) The inference from the word ‘cooked’ is obscure (Rashi).

(2) The first Tanna and R. Simeon b. Yohai.

(3) The first Tanna maintains that the shoulder must be cut away from the ram and then cooked in the same pot as the ram. And the term ‘whole’ implies that the shoulder must in no wise be cut up in pieces. So Rashi; according to Tosaf. s.v. גמ, this is the opinion of R. Simeon b. Yohai.

(4) R. Simeon b. Yohai maintains that the shoulder must be cut away only after the whole ram has been cooked.

According to Tosaf. this is the opinion of the first Tanna.

(5) R. Simeon b. Yohai.

(6) Either the sixty-fold or hundred-fold standard. It must be observed that in the case of the ram of

the Nazirite sacrifice resort must be had to the principle of neutralization and it must be assumed that the essence and flavor of the shoulder, which is forbidden to all but priests, is nullified by the rest of the flesh of the ram, for otherwise the Nazirite, an Israelite, would not be allowed to partake of the flesh of the ram since it must be cooked together with the shoulder according to both views in the first version, or according to the view of R. Simeon b. Yohai in the second version.

(7) For the shoulder consists in the greater part of bone and has but little flesh on it, and the Rabbis have estimated that if taken bulk for bulk the ram would be only sixty times as much as the shoulder, but if only the proportion of the flesh is considered it will be found that the ram is one hundred times as much as the flesh of the shoulder.

(8) Sc. the ram of the Nazirite sacrifice.

(9) I.e., the forbidden shoulder.

(10) I.e., that neutralization does not take place. So that the principle of neutralization either in sixty-fold or in a hundred, fold cannot be derived from here.

(11) Even though the shoulder and the rest of the ram are homogeneous substances. One can however derive from here the principle of neutralization with regard to heterogeneous substances.

(12) Why does not R. Judah infer from the case of the ram of the Nazirite sacrifice that in all cases homogeneous substances can neutralize each other?

(13) Lev. XVI, 18. The blood of the goat, although mixed with the blood of the bullock and though considerably less in quantity than the blood of the bullock, nevertheless retains its identity and is not neutralized by the latter, obviously because they are homogeneous substances and cannot neutralize each other.

(14) I.e., from the case of the ram of the Nazirite sacrifice. The inference from this case would be that even homogeneous substances can neutralize each other.

(15) In that the Torah allows at the outset the neutralization of a forbidden substance, contrary to all Rabbinic dicta. V. Bez. 4b.

(16) In respect of heterogeneous substances according to R. Judah, or in respect of all substances according to the Rabbis. V. supra p. 549, n. 5.

(17) But for the inference from the ram of the Nazirite, we should have acted in accordance with the Biblical principle, ‘Decide the issue according to the majority’, based on Ex. XXIII, 2. One may infer conditions of stringency (namely, that there must be sixty times or a hundred times the quantity of the prohibited substance) even from

# CHULLIN – 89b-120a

an anomaly. (18) In the statement ‘This is a case of a substance, etc.’

(19) Even though the taste is barely perceptible and is certainly less than one sixtieth or one hundredth part of the entire mixture. (Rashi, but see Tosaf. ad loc.).

(20) Sc. in the case of the ram of the Nazirite sacrifice.

(21) Likewise with regard to unconsecrated matter the taste is neutralized either in sixty-fold or in hundred-fold.

## Chullin 99a

Why then does he not infer the rule from this?<sup>1</sup> — Because the Divine Law has expressly stated with regard to the sin-offering. Whatsoever shall touch the flesh thereof shall be holy,<sup>2</sup> that is to say, [it shall be] as [the sin-offering] itself.<sup>3</sup> If the latter is ritually unfit to be eaten, the other<sup>4</sup> is also unfit, and if it is permitted, the other<sup>4</sup> is also permitted to be eaten but only under the conditions of stringency as [the sin-offering] itself.<sup>5</sup> But why do you prefer to infer it<sup>6</sup> from this [verse] rather than from the other?<sup>7</sup> — Because that is an anomaly, and one cannot draw any inferences from an anomaly. If so, how may we infer [the rule of neutralization] in hundred-fold or in sixty-fold from it? — Forsooth, do we infer leniency from it? We infer a restriction, for according to the rule of the Torah a substance is neutralized in a bare majority [of other substances].<sup>8</sup>

Rabina said: The [exclusion] was necessary only in regard to the side of the cut; for generally it is said that the side of the cut is forbidden<sup>9</sup> but here it is permitted.<sup>10</sup>

R. Dimi was sitting and reciting this statement [of R. Samuel b. R. Isaac]<sup>11</sup> when Abaye said to him: Are then all forbidden substances of the Torah neutralized only in hundred-fold? Surely we have learnt:<sup>12</sup> With regard to what did they say that every [substance of terumah] which leavens, or flavors, or is mixed with [common food], must be treated with stringency? It is with regard to homogeneous substances. [And

with regard to what did they say that every substance of terumah which leavens, etc.] must be treated with leniency as well as with stringency? It is with regard to heterogeneous substances. And in the next clause it reads: With regard to heterogeneous substances there is leniency as well as stringency — thus if crushed beans [of terumah] were cooked with lentils [of common food] and they impart a flavor [to the lentils], the whole is forbidden, whether there was so little [of the beans] as to be neutralized in a hundred and one or not.<sup>13</sup> If they do not impart a flavor [to the lentils] they are permitted, whether there was so little [of the beans] as to be neutralized in a hundred and one or not.<sup>14</sup> Now in the case where there was not so little [of the beans] as to be neutralized in a hundred and one, is it not to be assumed [that there was little enough to be neutralized] in sixty?<sup>15</sup> —

(1) Sc. from the case of the ram of the Nazirite sacrifice which is also consecrated matter; and the inference would be that even consecrated matter is neutralized in sixty-fold or hundred-fold.

(2) Lev. VI, 20. I.e., whatsoever shall have absorbed from the flesh of the sin-offering, however minute, must be treated as the sin-offering itself, for the taste or essence of the sin-offering can never be neutralized.

(3) V. Pes., (Sonc. ed.) p. 212 and notes.

(4) That which has absorbed from the sin-offering.

(5) V. Zeb. 97b. The sin-offering could be eaten only by the males of the priesthood, within the hangings of the Sanctuary, the same day and the evening following until midnight. With regard to other sacrificial meat less stringent regulations obtained. From this verse, quoted in the text, is derived the rule that a consecrated substance can never be neutralized. Hence an inference from the ram of the Nazirite to the contrary cannot be made.

(6) Sc. the rule that consecrated matter can never be neutralized, for the taste thereof is as the substance itself.

(7) V. supra p. 550, n. 8.

(8) V. supra p. 550, n. 1, 2 and 3.

(9) V. supra 68b. Whenever a matter is partly permitted and partly forbidden and it is necessary to separate these parts, when they are cut away from each other the surface of the cut on the side of the permitted part which was in contact with the forbidden part must be pared off.

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(10) So that when the shoulder is cut away from the rest of the ram there is no necessity to pare off the surface of the cut.

(11) Supra p. 548.

(12) V. 'Orlah II, 6, 7.

(13) This is the standard quantity for neutralizing terumah in any mixture, derived from Num. XVIII, 29; cf. Sifre on that verse. The rule here is one of stringency for even though there were a hundred and one times as much lentils as the beans of terumah, the mixture is forbidden because of the flavor that is still perceptible.

(14) This is a rule of leniency in that the standard of a hundred and one is not insisted upon in the case where the flavor of the terumah substance is not perceptible. This lenient rule applies only to a mixture of heterogeneous substances, but in the case of a mixture of homogeneous substances conditions of stringency always obtain; and in order that a mixture of homogeneous substances be permitted, two conditions are essential, first the absence of any flavor of the terumah substance, and secondly the requisite standard of a hundred and one; v. infra.

(15) And in such a case the mixture would be permitted provided that the flavor of the terumah substance was not perceptible. Hence it is evident that the standard of neutralization where the flavor is not perceptible is sixty-fold, contra R. Dimi who quoted R. Samuel b. R. Isaac.

## Chullin 99b

No, [it could be neutralized] in a hundred.<sup>1</sup> But surely since the first clause deals with neutralization in a hundred the second deals with neutralization in sixty!<sup>2</sup> For it reads in the first [clause as follows]: With regard to homogeneous substances there is always stringency — thus if wheaten leaven [of terumah] fell into wheaten dough [of common food], and there was sufficient of it to leaven the dough,<sup>3</sup> it is forbidden, whether there was so little of the leaven as to be neutralized in a hundred and one or not. If there was not so little of the leaven as to be neutralized in a hundred and one, it is forbidden, whether it could leaven the dough or not.<sup>4</sup> Can it then be said that both the first and second clauses are [alike in that neutralization takes place only] in a hundred?<sup>5</sup> — No, the first clause deals with neutralization in a hundred and one,<sup>6</sup>

whereas the second clause deals with neutralization in a hundred.<sup>7</sup> Why is it then, where there were a hundred and one times [the quantity of the forbidden leaven], even though it can still leaven the dough, that it is not neutralized?<sup>8</sup> He [R. Dimi] remained silent.

Said [Abaye] to him: Perhaps it is different with leaven for leaven is very sharp! Said [R. Dimi] to him: You have now reminded me of that statement of R. Jose son of R. Hanina, viz., Not all standards are alike,<sup>9</sup> for in the case of brine the standard of neutralization is almost two hundred. For we have learnt:<sup>10</sup> [Where unclean fish was pickled together with clean fish, if in a barrel holding two se'ahs there was the weight of ten zuz Judean measure (which is five sela's Galilean measure)] of unclean fish, the brine thereof is forbidden. R. Judah says. [It is forbidden if there was] a quarter log [of unclean brine] in two se'ahs<sup>11</sup> [clean brine]. But has not R. Judah said that homogeneous substances cannot be neutralized? — It is different with brine for it is only the moisture<sup>12</sup> [of the fish].

HOW DOES ONE MEASURE THIS? R. Huna said: As if it were meat [cooked] with turnip-heads.<sup>13</sup> Our Mishnah is not in agreement with the following Tanna, for it was taught: R. Ishmael the son of R. Johanan b. Beroka says that nerves cannot impart a flavour.<sup>14</sup>

A man once came in before R. Hanina,<sup>15</sup> and R. Judah b. Zebina was sitting at the doorstep [of R. Hanina's house]. When the man came out he [R. Judah] asked him, 'How did he [R. Hanina] decide?' 'He permitted it unto me', he replied. 'Then go in again to him', [said R. Judah b. Zebina]. Thereupon [R. Hanina] said: 'Who is this that worries me so. Go, tell him who is sitting at the doorstep that nerves cannot impart any flavor'.

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When a person [with such a case] came to R. Ammi he would always send him to R. Isaac b. Halob who used to rule that it was permitted on the authority of R. Joshua b. Levi, although he [R. Ammi] himself was not of that opinion.

The law is: Nerves cannot impart a flavor.

**IF THE SCIATIC NERVE WAS COOKED WITH OTHER NERVES, etc. Why is it not neutralized in the larger quantity [of other nerves]?<sup>16</sup> —**

(1) So that in the case of a mixture of heterogeneous substances and in the absence of any flavor from the forbidden substance the standard of neutralization of a hundred (instead of a hundred and one) would be adopted as sufficient.

(2) Since it has been clearly laid down that a mixture of homogeneous substances is always to be treated with stringency, which is not the case with heterogeneous substances, and since in the case of a homogeneous mixture, in the absence of a perceptible flavor, a standard of a hundred would be adopted as sufficient to render the mixture permitted, it follows that with regard to a mixture of heterogeneous substances even this standard would not be required, but a standard of sixty-fold would be regarded as sufficient.

(3) This is identical with the expression 'and it imparts a flavor in the dough'.

(4) If, however, there was not sufficient of the leaven to serve for the dough, and there was the standard of a hundred and one, the mixture would be permitted even though it consisted of homogeneous substances. It is assumed, for the present, that by 'the standard of a hundred and one' is meant a hundred parts of the permitted substance to one part of the forbidden substance.

(5) This cannot be, for neutralization in connection with heterogeneous substance is of a lenient character and presumably a standard of sixty-fold would be sufficient.

(6) In other words the assumption that 'the standard of a hundred and one' meant a hundred parts of one to one part of the other was erroneous, for by 'the standard of a hundred and one' is meant a hundred and one parts of the permitted substance to one part of the other.

(7) V. supra p. 55 2, n. 4.

(8) Surely the flavor of the leaven would not be perceptible if there were a hundred and one times as much dough as leaven.

(9) The standard of neutralization varies according to the nature of the forbidden substance.

(10) V. Ter. X, 8. Ten zuz is one part in nine hundred and sixty of two se'ahs (one se'ah is twenty-four logs; one log is two litras; one litra is one hundred zuz).

(11) I.e., a proportion of one in one hundred and ninety-two. (One se'ah is six kabs, and one kab is four logs). If, however, the proportion of the substances was less than this (e.g., if the forbidden substance was one in two hundred), the mixture would be permitted, even though the substances are of like kind.

(12) As it is forbidden only by Rabbinic injunction R. Judah allows neutralization with regard to it.

(13) Or 'turnip roots' (Tosaf.). V. supra p. 540, n. 1.

(14) And if cooked with meat it need only be removed and the meat is permitted, for the nerve is as dry as wood and cannot impart a flavor. According to our Mishnah even though the nerve has been removed the meat would be forbidden because of the flavor of the nerve.

(15) With the case where the sciatic nerve was cooked together with meat.

(16) In the case where the sciatic nerve was not recognizable.

## Chullin 100a

It is different with the case of a separate entity.<sup>1</sup>

**AND SO IT IS WITH A PIECE OF NEBELAH, etc. Why is it not neutralized in the larger quantity [of the other substances in the mixture]? Now this is well according to him who says that the expression 'whatsoever one is wont to count'<sup>2</sup> was used;<sup>3</sup> but according to him who says that the expression '[only] that which one is wont to count'<sup>4</sup> was used, what shall we say? — It is different with a whole piece since it is suitable to be offered to guests.<sup>5</sup> Now both cases were necessary to be stated [in the Mishnah]. For if we were taught only the case of the [sciatic] nerve, [we should have said that it is not neutralized] because it is a specific entity, but this is not so with the case of a piece [of meat]; and if we were taught the case of a piece [of meat we should have said that it is not neutralized] because it is a piece suitable**

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to be offered to guests, but this is not so with the case of the [sciatic] nerve. Therefore both cases were necessary [to be stated].

Rabbah b. Bar Hana stated in a public lecture: A piece of nebelah<sup>6</sup> or a piece of an unclean fish<sup>6</sup> will not render forbidden [the mixture in which it is] until it imparts a flavor to the broth, in the sediments and in the pieces [of the stew].

Rab thereupon appointed an Amora<sup>7</sup> who stated as follows: As soon as it [the piece of nebelah] imparted its flavor to one piece that piece<sup>8</sup> itself is rendered [forbidden] like nebelah,<sup>9</sup> and its in turn renders all the other pieces forbidden<sup>10</sup> for they are of like kind.

R. Safra said to Abaye. Consider, Rab's ruling agrees, does it not, with the opinion of R. Judah who maintained that homogeneous substances cannot neutralize each other [in a mixture]? Why then [does he declare], 'As soon as it imparted its flavor'? Surely even if it did not impart any flavor to its it would also [render the entire contents of the pot forbidden]?<sup>11</sup> — He replied: We are dealing here with the case where he straightway removed it.<sup>12</sup>

Raba replied,

- (1) Since it is complete in itself it will not be neutralized in any quantity, however large.
- (2) In M. 'Orlah III, 6, 7 in the list of substances which are not neutralized in any quantity, however large.
- (3) All things which a man might sell by number, even though this is not the invariable practice with regard to them for a man might sell them by weight or by bulk too, are not neutralized in any quantity. Pieces of meat, too, a man might sell by number, and therefore would come within the category of substances which do not become neutralized in a larger quantity.
- (4) Whatsoever is more comprehensive than that. According to the former teaching neutralization is not permitted in the case of objects which are regarded as of sufficiently high commercial value to be sold in units rather than in bulk. According to the latter teaching neutralization is permitted in all cases except those where the objects are of such

high value as not to be sold save by counting single units. Those things, however, which are sold by weight as well as by number would be neutralized in the larger mixture, v. Yeb. (Sonc. ed.) p. 551, n. 11. The question therefore remains, why is not the piece of nebelah neutralized in the larger mixture?

(5) Being a piece suitable for presentation it will never lose its identity or be neutralized in any quantity, however large.

(6) Which was recognizable in the mixture and so was removed therefrom. The only consideration being the essence or flavor that exuded from it.

(7) 'Speaker', 'interpreter'; the person who attended upon the lecturer for the purpose of expounding at length and in popular style the main points of the discourse given to him by the latter.

(8) Sc. the piece which was first in the pot together with the piece of nebelah before the other pieces were put in, or the piece which was nearest the piece of nebelah and which therefore absorbed most of the essence of the latter.

(9) Since it was not sixty times as large as the piece of nebelah.

(10) Even though the other pieces in the pot were as much as sixty times the volume of the piece of nebelah plus the one next to it.

(11) For the forbidden substance is of the same kind as the rest of the contents of the pot.

(12) The piece of nebelah as well as the broth in the pot was removed before the other pieces were put in, leaving behind only one piece. If this piece therefore which remained contains the flavor of the nebelah, it is then regarded as nebelah itself and will render forbidden the pieces which are subsequently put in with it.

## Chullin 100b

You may even say that he did not remove it at once, but this is a case of one kind being mixed with a like kind and also with a different kind,<sup>1</sup> and wherever one kind is mixed with a like and also with a different kind you must disregard the like kind as if it were not present, and if the different kind is more [than the forbidden substance] it will neutralize it.<sup>2</sup>

**MISHNAH.** IT<sup>3</sup> APPLIES TO CLEAN ANIMALS BUT NOT TO UNCLEAN.<sup>4</sup> R. JUDAH SAYS, EVEN TO UNCLEAN ANIMALS. R. JUDAH ARGUED, WAS NOT THE SCIATIC NERVE PROHIBITED FROM THE TIME OF THE

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SONS OF JACOB, AND AT THAT TIME UNCLEAN ANIMALS WERE STILL PERMITTED TO THEM?<sup>5</sup> THEY REPLIED, THIS LAW WAS ORDAINED AT SINAI BUT WAS WRITTEN IN ITS PROPER PLACE.<sup>6</sup>

**GEMARA.** Is R. Judah of the opinion that a prohibition can be superimposed upon an existing prohibition?<sup>7</sup> Surely it has been taught: R. Judah says: I might have thought that the carcass of an unclean bird whilst in the gullet should render clothes unclean,<sup>8</sup> the verse therefore reads: That which dieth of itself or is not of beasts he shall not eat to defile himself therewith,<sup>9</sup> that is to say, this<sup>10</sup> applies only to that [carcass] which bears the prohibition of eating nebelah but not to that which does not bear the prohibition of eating nebelah but the prohibition of eating what is unclean!<sup>11</sup> Should you, however, say that he [R. Judah] is of the opinion that nerves do not impart a flavor, so that in the case [where one ate the nerve] of an unclean animal there is only the prohibition of the nerve but not the prohibition of [eating] what is unclean;<sup>12</sup> but are we right in assuming that R. Judah is of the opinion that nerves do not impart a flavor?

Behold it has been taught: If a person ate the sciatic nerve of an unclean animal, R. Judah declares that he has incurred guilt twice;<sup>13</sup> but R. Simeon holds that he has not incurred guilt at all?<sup>14</sup> — In truth he [R. Judah] is of the opinion that nerves do impart a flavor, but he also holds that it [sc. the prohibition of the sciatic nerve] applies to a fetus too, so that the prohibition of the nerve and the prohibition on account of uncleanness come into force simultaneously.<sup>15</sup> But how can you assume [that R. Judah holds] it applies to a fetus?

Behold we have learnt: It<sup>16</sup> also applies to a fetus; but R. Judah says: It does not apply to a fetus. And its fat is permitted! — That is so only with regard to a clean animal concerning which the Divine Law declares:

Everything... in the beast ye may eat,<sup>17</sup> but with regard to an unclean animal the prohibition of the nerve applies. But again how can you assume that both [prohibitions] come into force simultaneously?

Behold we have learnt:<sup>18</sup> By reason of uncleanness contracted from the following sources the Nazirite must shave [his head]: a corpse, an olive's bulk of [the flesh of] a corpse, [etc.] And the question was asked: If he must shave [his head] on account of an olive's bulk of a corpse, then surely he must shave [his head] on account of an entire corpse!

But R. Johanan answered that it was only necessary [to mention the corpse itself] for the case of an abortion whose limbs were not yet knit together by nerves. Hence we see that the prohibition of uncleanness comes first!<sup>19</sup> — Notwithstanding the fact that the prohibition of uncleanness comes first the prohibition of the nerve can indeed be superimposed, because this latter prohibition is binding even upon the sons of Noah.<sup>20</sup>

And this is precisely implied [in the teaching of the Mishnah]: **R. JUDAH ARGUED, WAS NOT THE SCIATIC NERVE PROHIBITED FROM THE TIME OF THE SONS OF JACOB, AND AT THAT TIME UNCLEAN ANIMALS WERE STILL PERMITTED TO THEM?** The [above] text [stated]: ‘If a person ate the sciatic nerve of an unclean animal, R. Judah declares that he has incurred guilt twice;

(1) For the mixture consists of nebelah (a forbidden substance), other pieces of meat (permitted substances of like kind as nebelah), and broth and spices (permitted substances of a different kind).

(2) If then the first permitted piece absorbed the flavor of the forbidden piece, although we may disregard all the other pieces in the pot as being of like kind, we must nevertheless be satisfied, in order that the mixture be permitted, that the broth contains sixty times as much as the forbidden piece plus the first permitted piece,

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which, as we have seen, is regarded as the nebelah itself.

(3) The prohibition of the sciatic nerve.

(4) So that if a person were to eat the sciatic nerve of an unclean animal he would not incur guilt on account of the nerve, though he would be liable on account of eating meat of an unclean animal (provided, of course, it is held that nerves are considered as meat).

(5) The sciatic nerve when first prohibited (cf. Gen. XXXII, 33) applied to all animals, clean as well as unclean, for in the patriarchal epoch there was no distinction between the clean and unclean, all were permitted. And the prohibition as it was then continued in force even subsequent to the giving of the Torah at Sinai when the distinction was made between clean and unclean beasts.

(6) The prohibition was first promulgated at Sinai but was merely recorded in the Torah in connection with the incident of Jacob's strife with the angel (Gen. XXXII, 25ff) which provided the reason for the subsequent prohibition.

(7) For R. Judah states in the Mishnah that it applies **EVEN TO UNCLEAN ANIMALS**, by which he no doubt meant to imply that he who eats the nerve of an unclean animal incurs guilt on two counts, viz., for eating the sciatic nerve and for eating of an unclean animal.

(8) The carcass of a bird does not render unclean by the usual media of contact or carrying; its only defiling effect is that it renders unclean the clothes of the person who eats of it, and only while he is in the act of swallowing it.

(9) Lev. XXII, 8. In the Sifra and in Nid. 42b this verse has been interpreted as referring to the carcass of a bird.

(10) I.e., this peculiar and unique form of defilement; v. supra II, 5.

(11) V. Nid. 42b. It is thus evident that the prohibition of nebelah cannot be superimposed upon the pre-existing prohibition of an unclean bird.

(12) The sciatic nerve of an unclean animal is only forbidden qua nerve and not as unclean meat, for the nerve is tasteless and hard as wood.

(13) Obviously because by eating the nerve he has also eaten of the meat of an unclean animal.

(14) Pes. 22a.

(15) I.e., at the time of the formation of the embryo in the womb. As both prohibitions come into force simultaneously one is liable for the transgression of both.

(16) Sc. the prohibition of the sciatic nerve. V. supra folio 89b.

(17) Deut. XIV, 6. Every part of the fetus that is within the womb of the dam may be eaten, the nerve as well as fat: so according to R. Judah. This

verse applies only to clean beasts, i.e., those which may be eaten, but not to unclean beasts.

(18) V. supra 89b.

(19) For the abortion is forbidden as an unclean animal before the formation of the nerves.

(20) Where the later prohibition is more stringent in that it applies to a larger number of people than the existing prohibition, it can be superimposed upon the latter. And the sciatic nerve (as stated by R. Judah in the Mishnah) was forbidden to all the sons of Noah, for it was declared forbidden even before the giving of the Torah at Sinai to the sons of Jacob who at that time were deemed sons of Noah.

## Chullin 101a

but R. Simeon holds that he has not incurred guilt at all'. But whatever you think is the opinion of R. Simeon [there is always a difficulty]! If he holds that one prohibition can be superimposed upon a pre-existing prohibition, then he should have incurred guilt on account of the nerve too; and if he holds that one prohibition cannot be superimposed upon a pre-existing prohibition, then he should have incurred guilt on account of uncleanness, for that came first;<sup>1</sup> and if he holds that nerves do not impart a flavour,<sup>2</sup> then he should have incurred guilt [at least] on account of the nerve! —

Raba answered: In truth he holds that nerves do not impart a flavor, but it is different in that case<sup>3</sup> for the verse says: Therefore the children of Israel eat not the sciatic nerves,<sup>4</sup> that is, the nerve is forbidden but the flesh permitted; this case therefore must be excluded since the nerve would be forbidden and the flesh forbidden too.<sup>5</sup> Rab Judah said in the name of Rab: If a person ate the sciatic nerve of a nebelah he has, according to R. Meir, incurred guilt twice; but the Sages hold that he has incurred guilt once only.<sup>6</sup>

The Sages, however, agree with R. Meir that if a person ate the sciatic nerve of a burnt-offering or of an ox that was condemned to be stoned he would have incurred guilt twice.<sup>7</sup> Who is this authority<sup>8</sup> who holds that

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a comprehensive prohibition alone cannot be superimposed upon an existing prohibition whereas a comprehensive prohibition which also imposes a graver penalty can? —

Raba said: It is R. Jose the Galilean. For we have learnt: If a person that was unclean ate either unclean or clean consecrated food, he is liable.<sup>9</sup> R. Jose the Galilean says: If a person that was unclean ate clean consecrated food he is liable, but if he ate unclean consecrated food he is not liable, for he has only eaten what was unclean.<sup>10</sup> They replied to him: Even where he that was unclean ate what was clean, as soon as he touched it he has rendered it unclean!<sup>11</sup>

[Now it was asked thereon]: The Rabbis have surely replied well to R. Jose the Galilean? And Raba explained that where the person was rendered unclean and only later the meat was rendered unclean, all agree that he is liable,<sup>12</sup> for the prohibition involving the penalty of Kareth came first.<sup>13</sup> They differ only where the meat was first rendered unclean and later the person became unclean.<sup>14</sup> The Rabbis adopt the principle of a comprehensive prohibition, arguing thus: Since he<sup>15</sup> would now be liable<sup>12</sup> for [eating] any piece of [consecrated] food that was clean he is also liable for [eating] a piece that was unclean.

R. Jose the Galilean does not adopt the principle of a comprehensive prohibition, for he does not accept the argument ‘since’. But according to R. Jose the Galilean, even though he holds that the comprehensive prohibition which involves only a light penalty cannot [be superimposed upon an existing prohibition], surely the comprehensive prohibition which involves a graver penalty ought to be superimposed upon the prohibition with the light penalty! And what is [the gravity] here? It is in respect of the uncleanness of the person, since it involves the penalty of Kareth! —

R. Ashi replied: But who shall say that it is in respect of the uncleanness of the person that the gravity lies, perhaps the gravity is in respect of the uncleanness of the meat, since it can never be rendered clean by [immersion in] a mikweh?<sup>16</sup>

(1) Namely, while it was still an embryo in the womb before the formation of the nerves; v. supra n. 1.

(2) And consequently he is not liable for eating the meat of an unclean animal.

(3) In the case of an unclean animal.

(4) Gen. XXXII, 33.

(5) And this was not intended by the verse. Hence the sciatic nerve of an unclean animal is not forbidden qua nerve; neither is it forbidden as part of an unclean animal, for R. Simeon is of the opinion that nerves are tasteless and hard as wood.

(6) For the prohibition of nebelah, which only comes into force when the animal has died, cannot be superimposed upon the already existing prohibition of the sciatic nerve, even though the later prohibition is more comprehensive than the first, in that it applies to every part of the animal.

(7) The prohibition of a burnt-offering or of an ox condemned to be stoned (for having killed a human being, cf. Ex. XXI, 28) can be superimposed upon the existing prohibition of the sciatic nerve, for in the first place it is more comprehensive than the existing prohibition in that it applies to every part of the animal, whereas the existing prohibition applied only to the nerve, and secondly, it imposes a graver restriction, for now the sciatic nerve of the animal is forbidden for all purposes (אסור בהנאה) whereas before it was only forbidden to be eaten.

(8) The opinion expressed above as that of ‘the Sages’.

(9) To the penalty of Kareth (cf. Lev. VII, 20, 21) if he did so deliberately, or to bring a sin-offering if he did so inadvertently.

(10) And for eating consecrated food that was unclean there is only the penalty of stripes but not Kareth.

(11) And yet he is liable. V. Zeb. 106a.

(12) V. p. 60, n. 4.

(13) As soon as a person has become unclean he is precluded from eating consecrated food under the penalty of Kareth, and this restriction enforced by the penalty of Kareth is not removed even if the consecrated meat has subsequently become unclean.

(14) When consecrated meat is rendered unclean all are precluded from eating it under the penalty of stripes, and if subsequently a person becomes

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unclean he is still precluded from eating the unclean meat but now under the penalty of Kareth; moreover, the restriction in his ease now is comprehensive in that he is now precluded from all consecrated food, clean as well as unclean.

(15) Sc. the person that is unclean.

(16) Whereas the unclean person would become clean after immersion in a ritual bath (מקוה). The position therefore is that although R. Jose maintains generally that a comprehensive prohibition cannot be superimposed upon an existing prohibition there is no reason to suppose that he would hold this view in respect of a comprehensive prohibition involving a graver restriction. Thus he is in agreement with the view of 'the Sages' supra.

## Chullin 101b

And does R. Jose the Galilean hold the view that a comprehensive prohibition cannot [be superimposed upon an existing prohibition]? Behold it has been taught: If the Day of Atonement happened to fall on the Sabbath and a person inadvertently did work thereon, whence do we know that he is guilty for each separately?<sup>1</sup> Because it is written: It is a sabbath,<sup>2</sup> and also: It is the day of atonement;<sup>3</sup> so R. Jose the Galilean.

R. Akiba says: He has only incurred guilt once.<sup>4</sup> — Rabin sent [from Palestine the following message] in the name of R. Jose son of R. Hanina: The construction of the teaching is as stated save that the authorities must be reversed.<sup>5</sup>

R. Isaac b. Jacob b. Giori sent the following in the name of R. Johanan: According to the view of R. Jose the Galilean, now that we have reversed the authorities, if a person being unaware that it was the Sabbath but knowing full well that it was the Day of Atonement [did work thereon] he is liable,<sup>6</sup> if [he did so] knowing full well that it was the Sabbath but being unaware that it was the Day of Atonement, he is not liable. What is the reason [for this distinction]? —

Abaye answered: The Sabbath is fixed and determined from all time, but the Day of

Atonement is determined by the Beth Din.<sup>7</sup> Said Raba to him: But in fact both [prohibitions] set in simultaneously! — Rather explained Raba:<sup>8</sup> It was a time of religious persecution,<sup>9</sup> and they sent word from there [Palestine] that the Day of Atonement of that year should be observed on a Sabbath.<sup>10</sup> When Rabin came and also all those who came down [from Palestine to Babylon], they explained it as Raba did.

R. JUDAH ARGUED, WAS NOT THE SCIATIC NERVE FORBIDDEN FROM THE TIME OF THE SONS OF JACOB?, etc. It was taught: [The Rabbis] said to R. Judah: Does it say [in the Torah], 'Therefore the children of Jacob eat not'? Surely it says: Therefore the children of Israel eat not.<sup>11</sup> Now they were first styled the children of Israel only at [the giving of the law at] Sinai; therefore [we must say that] the law [of the sciatic nerve] was given at Sinai, but was written in its present place to indicate the reason why it was prohibited.

Raba raised an objection against this. It is written: And the sons of Israel carried Jacob their father!<sup>12</sup> — That was after the incident.<sup>13</sup> R. Aha the son of Raba said to R. Ashi: Then it should be prohibited from that time<sup>14</sup> onwards, should it not? — He replied: Was the Torah given at various times? And that time<sup>15</sup> was neither the time of the incident nor the time of the giving of the Law.<sup>16</sup>

Our Rabbis taught: The [prohibition of eating a] limb [severed] from a living creature applies to cattle, wild beasts and to birds, whether they be clean or unclean: so R. Judah and R. Eleazar; but the Sages say: It applies only to the clean animals. Said R. Johanan: Both views were inferred from the same verse, viz., Only be steadfast in not eating the blood, for the blood is the life;

(1) And must bring two sin-offerings, i.e., for breaking the Sabbath and also for profaning the Day of Atonement.

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(2) Lev. XXIII, 3.

(3) Ibid. 27. Here the prohibitions of the Sabbath and of the Day of Atonement come into force simultaneously, i.e., on the Friday evening after sunset; nevertheless R. Jose regards the person guilty for transgressing both prohibitions. Now if R. Jose were to hold that a comprehensive prohibition or one that involves a graver penalty can be superimposed upon an existing prohibition, then it is clear to understand his view here with regard to simultaneous prohibitions; since whichever of the two prohibitions were to set in first the other could be superimposed. For the Sabbath involves a graver penalty than that of the Day of Atonement (the former death and the latter Kareth); and, on the other hand, the prohibition of the Day of Atonement is more comprehensive than that of the Sabbath (on the Sabbath only work is prohibited whilst on the Day of Atonement eating is also prohibited). If, however, R. Jose were to hold that a comprehensive prohibition or one that involves a graver penalty cannot be superimposed upon an existing prohibition, what is his reason here for holding that two prohibitions can come into force simultaneously?

(4) Tosef. Ker. II.

(5) And it was R. Jose who said that the offender had only incurred guilt once; for according to R. Jose in no circumstances can a prohibition be superimposed upon another prohibition, whether both come into force simultaneously or the later one is a comprehensive prohibition or one that involves a graver penalty.

(6) To bring a sin-offering for breaking the Sabbath inadvertently.

(7) It is therefore considered as if the Sabbath set in first, so that the prohibition of the Day of Atonement cannot be superimposed upon the existing prohibition of the Sabbath. Consequently the only prohibition that enters into consideration is that of the Sabbath, and if a person did work knowing full well that it was the Sabbath, he is not liable to bring a sin-offering, for no offering may be brought for a deliberate transgression.

(8) The original statement of R. Isaac b. Jacob had no reference to the opinion of R. Jose the Galilean, but dealt with a special case that arose because of religious persecution.

(9) And the observance of the Day of Atonement in its proper time was proscribed.

(10) Although that day was not the correct date of the Day of Atonement. Consequently any breach of the sanctity of that day can only be considered as a transgression of the Sabbath but not as a transgression of the Day of Atonement.

(11) Gen. XXXII, 33.

(12) Ibid. XLVI,5. The reference is to the children of Jacob carrying their father to Egypt; thus they

are styled 'the children of Israel' before the giving of the Law at mount Sinai.

(13) When Jacob wrestled with the angel, after which incident God changed his name from Jacob to Israel.

(14) I.e., from the time that they were first designated 'children of Israel', that is, when Jacob was taken to Egypt.

(15) V. p. 563, n. 8.

(16) A particular law could have been ordained either generally at the giving of the Law at Sinai, or specially, even before Sinai, at the occurrence of the event that gave rise to that law, but at no other period.

## Chullin 102a

and thou shalt not eat the life with the flesh.<sup>1</sup> R. Judah and R. Eleazar hold that where you are forbidden the blood [of an animal] you are also forbidden the limbs severed therefrom, and as you are forbidden the blood of unclean animals<sup>2</sup> you are also forbidden the limbs severed therefrom.

The Sages, however, maintain: It is written: 'And thou shalt not eat the life with the flesh', but the flesh alone [you may eat]; therefore, where you are permitted the flesh [of the animal] you are forbidden the limbs severed therefrom, but where you are not permitted the flesh [of the animal] you are not forbidden the limbs severed therefrom.<sup>3</sup> Why is the verse necessary to explain R. Judah's view? Surely the prohibition of the 'limb' can be superimposed upon the prohibition of uncleanness, since the prohibition of the former applies even to the sons of Noah!<sup>4</sup> —

Indeed this is so, and the verse is necessary only to explain R. Eleazar's view. It has been taught likewise: The [prohibition of the] limb of a living creature applies to cattle, wild beasts and birds, either clean or unclean, for it is written: 'Only be steadfast in not eating the blood, etc.' that is to say, where you are forbidden the blood you are also forbidden the limbs severed therefrom, and where you are not forbidden the blood of an animal<sup>5</sup> you are not forbidden the limbs severed

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therefrom: so R. Eleazar. The Sages say. It applies only to clean animals, for it is written: 'Thou shalt not eat the life with the flesh, but the flesh alone [you may eat]; therefore, where you are permitted the flesh you are then forbidden the limbs' severed therefrom, but where you are not permitted the flesh you are then not forbidden the limbs severed therefrom. R. Meir says: It applies only to clean cattle.

(Mnemonic: *Samuel, Shila, Shimi*).

Rabbah b. Samuel said in the name of R. Hisda or, as some say: R. Joseph; others say Rabbah b. Shila said in the name of R. Hisda or, as some say R. Joseph; and others say: Rabbah b. Shimi said in the name of R. Hisda or, as some say R. Joseph: What is the reason for R. Meir's view? Because the verse reads: Thou shalt kill of thy herd and of thy flock.<sup>6</sup> R. Giddal said in the name of Rab: The dispute<sup>7</sup> refers only to an Israelite, but as for a descendant of Noah all agree that he is warned against [eating the limb of] unclean as well as clean animals. It has been taught likewise: As to the limb of a living creature a descendant of Noah is warned against [eating] it, whether it be of a clean or unclean animal, whereas an Israelite is warned only against [eating] the limb of a clean animal. Some read 'of a clean one'<sup>8</sup> and it is in accordance with R. Meir's view; but others read 'of clean ones',<sup>9</sup> and it is in accordance with the view of the Sages.

R. Shizbi said: We have also learnt it [in the following Mishnah]:<sup>10</sup> If a person ate a limb [severed] from it<sup>11</sup> whilst alive, he does not suffer forty stripes; and the slaughtering thereof does not render it clean.<sup>12</sup> Of whom is this said? Should you say of an Israelite, but is it not obvious that the slaughtering does not render it clean? It could only have been said of a descendant of Noah,<sup>13</sup> and this proves that it is forbidden to him.

R. Mani b. Pattish pointed out a contradiction between the first clause and the second clause<sup>14</sup> and resolved it thus: The first clause speaks of an Israelite, but the second clause of a descendant of Noah.

Rab [Judah] said [in the name of Rab]:<sup>15</sup> The [prohibition of a] limb severed from a living creature requires [at least] an olive's bulk, because the expression 'eating'<sup>16</sup> is used with regard to it.

R. 'Amram raised an objection [against this]. [We have learnt:] If a person ate a limb from it<sup>17</sup> whilst alive, he does not suffer forty stripes; and the slaughtering thereof does not render it clean. Now if you were to hold that there must be an olive's bulk, then guilt is established because of eating an olive's bulk [of what is unclean]?<sup>18</sup> — As R. Nahman suggested elsewhere that there was only a little flesh but the sinews and bones [combined to make up the olive's bulk], so here too, we must say that there was only a little flesh but the sinews and bones [combined to make up the olive's bulk].<sup>19</sup>

Come and hear from the following statement of Rab:

- (1) Deut. XII, 23. This verse contains two prohibitions: against eating blood and against eating the limb of a living creature, for the latter part of the verse is interpreted as: Thou shalt not eat the flesh whilst the animal is still alive.
- (2) V. M. Ker. V, 1.
- (3) But of course there is the prohibition of the flesh of an unclean animal.
- (4) V. supra 100b. The sons of Noah were forbidden to eat the limb of a living animal, cf. Gen. IX, 4. This was one of the seven commandments imposed upon them. Cf. Sanh. 56a.
- (5) E.g. the blood of fish and of locusts.
- (6) Deut. XII, 21. This verse precedes the law of the limb of a living animal (verse 23) and as it expressly mentions herds and flocks wild beasts and birds are excluded.
- (7) Between R. Eleazar, the Sages, and R. Meir.
- (8) In the feminine singular, which refers to cattle only and excludes wild beasts and birds.

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(9) In the masculine plural, so as to include every living creature that is clean.

(10) Toh. I, 3.

(11) Sc. an unclean bird, i.e., one that is forbidden to be eaten.

(12) I.e., does not render it permitted to be eaten. 'Clean' cannot mean here 'free from defilement' because no uncleanness whatsoever is attached to the carcass of a bird that is forbidden to be eaten.

(13) And the implication is that even after the slaughtering the descendant of Noah is not permitted to eat of it until it is quite dead, for otherwise he would be eating the limb of a living animal and this is forbidden to him.

(14) For the first clause implies that the prohibition of a limb severed from a living creature does not apply to unclean animals since it rules that he who eats it does not suffer stripes, whereas the inference from the second clause is that the limb of an unclean living animal is forbidden. V. prec. n.

(15) So MS.M.

(16) An olive's bulk is the minimum amount to constitute 'eating'.

(17) Sc. an unclean bird, i.e., one that is forbidden to be eaten.

(18) For which he would incur stripes, quite apart from any consideration regarding the limb of a living creature.

(19) This would not involve the prohibition of flesh of an unclean animal since there must be an olive's bulk of flesh excluding bones and sinews; on the other hand, a limb consisting of flesh, bones and sinews, in all the size of an olive, is subject to the prohibition of a limb severed from a living creature.

## Chullin 102b

If a person ate a clean bird whilst it was yet alive, however small it was [he is liable],<sup>1</sup> if dead, only if it was as large as an olive's bulk.<sup>2</sup> [If he ate] an unclean bird, whether alive or dead, however small it was, [he is liable].<sup>3</sup> — Here too we must suppose there was only a little flesh but the sinews and bones [combined to make up the olive's bulk].<sup>4</sup>

Come and hear: [It was taught]:<sup>5</sup> If a person took a [clean] bird, the whole of which was not as large as an olive's bulk, and ate it, Rabbi holds that he is not liable,<sup>6</sup> and R. Eleazar son of R. Simeon declares him liable.

R. Eleazar son of R. Simeon said: Is there not here an a fortiori argument? If he is liable for a limb thereof,<sup>7</sup> surely he is liable for the whole of it! If he strangled it and ate it, all agree that there must be as much as an olive's bulk [in order to render him liable].<sup>8</sup> Now their disagreement is only on this point, viz., one holds that [an animal even] whilst alive stands to be dismembered into limbs,<sup>9</sup> and the other holds that whilst alive it does not stand to be dismembered into limbs;<sup>10</sup> but thus far they are agreed, namely, that [in the case of a limb] the size of an olive's bulk is not necessary! —

Said R. Nahman, [it is a case where] there was only a little flesh but the sinews and bones [combined to make up the olive's bulk].<sup>11</sup> But is there such a creature, the whole of which does not carry an olive's bulk of flesh and yet in one limb there is as much as an olive's bulk made up of a little flesh and sinews and bones? —

R. Sherebia replied: Yes, it is the kallahitha.<sup>12</sup> Consider then the final clause. It reads: 'If he strangled it and ate it, all agree that there must be as much as an olive's bulk [in order to render him liable]'. Is not the kallahitha an unclean bird? and Rab has stated, [If a person ate] an unclean bird, whether alive or dead, however small it was, [he is liable]! — What was meant was a [clean] bird like the kallahitha.

Raba said: If you can find authority for saying that Rabbi holds, an intention with regard to foodstuffs is of consequence,<sup>13</sup> then if a person intended to eat this bird<sup>14</sup> limb by limb but actually ate it whole, he is liable.<sup>15</sup> Said to him Abaye: Is there anything which if another were to eat, that other would not be liable,<sup>16</sup> and if this person were to eat he would be liable? — He replied: Each man is considered according to his intention with regard to it.

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Raba also said: If you can find authority for saying that R. Eleazar son of R. Simeon holds, an intention with regard to foodstuffs is of consequence, then if a person intended to eat the bird<sup>14</sup> dead<sup>17</sup> and he ate it alive, he is not liable. Said to him Abaye: Is there anything which if another were to eat, that other would be liable, and if this person were to eat he would not be liable? — He replied: Each man is considered according to his intention with regard to it.

R. Johanan said: The verse: Thou shalt not eat the life with the flesh,<sup>18</sup> refers to a limb [severed] from a living creature; and the verse: Ye shall not eat any flesh in the field, that is trefah [torn of beasts],<sup>19</sup> refers to flesh [severed] from a living creature and also to flesh of a trefah animal.

R. Simeon b. Lakish said: The verse: 'Thou shalt not eat the life with the flesh', refers to a limb [severed] from the living creature and also to flesh [severed] from a living creature; and the verse: 'Ye shall not eat any flesh in the field, that is trefah [torn of beasts]', refers to flesh of a trefah animal. If a person ate a limb [severed] from a living creature and also flesh [severed] from a living creature,<sup>20</sup> according to R. Johanan he is liable twice,<sup>21</sup> and according to R. Simeon b. Lakish he is liable but once.<sup>22</sup> If a person ate flesh [severed] from a living creature and also flesh of a trefah animal, according to R. Simeon b. Lakish he is liable twice, and according to R. Johanan he is liable but once. If a person ate a limb [severed] from a living creature and also flesh of a trefah animal, according to both he is liable twice. A contradiction was pointed out from the following:

(1) He is liable for transgressing the prohibition of a limb of a living creature, for the eating of the entire bird alive is certainly equivalent to the eating of a limb severed from the living bird. It is apparent, therefore, that Rab does not insist upon the minimum quantity of an olive's bulk with regard to this prohibition, thus contradicting his own previous

statement.

(2) He is liable for eating nebelah for which there must be the minimum quantity of an olive's bulk.

(3) Because it is a complete entity expressly prohibited by the Torah, and one is liable for it no matter how small it is. Cf. Mak. 13a.

(4) The expression 'however small it was' refers to the amount of flesh, but actually a whole olive's bulk was eaten which included the sinews and bones,

(5) Tosef. A.Z. IX.

(6) Not the law concerning the limb of a living animal refers specifically to a limb and does not include the entire living creature.

(7) Even though the whole limb was not as large as an olive's bulk. This is not disputed by Rabbi, hence the objection is apparent against Rab.

(8) As the prohibition here is that of nebelah, the minimum quantity of an olive's bulk is essential,

(9) So that the prohibition of a limb of a living creature attaches to the animal whilst yet whole, and if a man eats an entire living creature he has certainly eaten a limb of a living creature as comprehended within the prohibition. In fact he has eaten many such limbs, nevertheless he is liable but once since presumably he received only one warning. This is the view of R. Eleazar b. R. Simeon.

(10) The prohibition of a limb of a living creature only comes about when the limb is actually severed from the body; such is the opinion of Rabbi.

(11) The expression 'the whole of which was not as large as an olive's bulk' refers to the flesh only, but with the bones and sinews there certainly was as much as an olive's bulk.

(12) A thin and scraggly bird. According to Levysohn, Zoologie des Talmuds, p. 183, a species of gull, probably the blue-footed gull.

(13) Lit., 'its name is an intention',

(14) I.e., a bird the whole of which was not as large as an olive's bulk.

(15) Since this person had expressed his intention to eat the bird limb by limb the prohibition of the limb of a living creature attaches forthwith, and he would be liable even though he ate it whole.

(16) So long as that other person had expressed no intention with regard to it.

(17) It is evident from the expressed intention that the bird was not to be dismembered whilst alive; therefore the prohibition of the limb of a living creature does not apply to it.

(18) Deut. XII, 23. I.e., thou shalt not eat a limb whilst there is yet life in the flesh. The word נֶפֶשׁ, 'nefesh' (soul) in the verse refers to an entire limb, for once a limb is gone it cannot return or be replaced just as when the soul is gone.

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(19) Ex. XXII, 30. The interpretation is, flesh in the field i.e., cut away from its place in the living animal, or flesh of a trefah animal, ye shall not eat.

(20) At one meal and the offender was only given one warning.

(21) For the transgression of two prohibitions, since each prohibition is derived from separate verses. 'Liable' throughout this passage means liable to the penalty of stripes unless expressly stated otherwise.

(22) For both these prohibitions are derived from the same verse.

## Chullin 103a

If a person ate a limb [severed] from a living animal that was trefah, R. Johanan says: He is liable twice; but R. Simeon b. Lakish says: He is liable but once. I grant that this is right according to R. Johanan, but according to R. Simeon b. Lakish this is a difficulty, is it not?<sup>1</sup> —

R. Joseph answered, It is no difficulty, for one case deals with one animal and the other case with two animals. In the case of two animals<sup>2</sup> he is liable twice [according to both views], but in the case of one animal<sup>3</sup> they differ. On what principle do they differ in the case of one animal? —

Abaye said: It is a case where the animal was rendered trefah as soon as the greater part of it had come forth [out of the womb]. One [R. Johanan] holds that an animal [even] whilst alive stands to be dismembered into limbs, so that the prohibitions of trefah and of the limb from a living creature come into force simultaneously. The other [R. Simeon b. Lakish] holds that an animal whilst alive does not stand to be dismembered into limbs, so that the prohibition of the 'limb' [when it does arise]<sup>4</sup> cannot be superimposed upon the [already existing] prohibition of trefah.

Alternatively, you may say, all agree that an animal whilst alive does not stand to be dismembered into limbs, but they differ whether or no the prohibition of the limb

[severed from a living creature] can be superimposed upon the [existing] prohibition of trefah. One [R. Johanan] holds that the prohibition of the limb can be superimposed upon the [existing] prohibition of trefah;<sup>5</sup> and the other [R. Simeon b. Lakish] holds that the prohibition of the 'limb' cannot be superimposed upon the [existing] prohibition of trefah.

Alternatively, you may say, all agree that an animal whilst alive stands to be dismembered into limbs,<sup>6</sup> but in this case the animal was rendered trefah later on [and not at birth], and they differ whether or no the prohibition of trefah can be superimposed upon the [existing] prohibition of the limb. One [R. Johanan] holds that it can be superimposed;<sup>7</sup> and the other [R. Simeon b. Lakish] holds that it cannot.<sup>8</sup> Raba said: It is a case where the person tore away a limb from the living animal and thereby rendered it trefah.<sup>9</sup> One [R. Johanan] holds that an animal whilst alive does not stand to be dismembered into limbs, so that the prohibitions of trefah and of the 'limb' come into force simultaneously. The other [R. Simeon b. Lakish] holds that an animal [even] whilst alive stands to be dismembered into limbs, so that the prohibition of trefah cannot be superimposed upon the [existing] prohibition of the 'limb'.

R. Hiyya b. Abba said in the name of R. Johanan: If a person ate forbidden fat [which was torn away] from a living animal, which was trefah, he is liable twice.<sup>10</sup> Whereupon R. Ammi said to him: And why do you not say thrice? Indeed I say [in the name of R. Johanan that he is liable] thrice. And it has been reported: R. Abbahu said in the name of R. Johanan: If a person ate forbidden fat [torn away] from a living animal, that was trefah, he is liable thrice. On what principle do they differ? — The animal in this case was rendered trefah as soon as the greater part of it had come forth [out of the womb]. Now he who says [he is liable] thrice, is of the opinion that an animal [even] whilst alive stands to be

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dismembered into limbs, so that the prohibitions of the forbidden fat, of the limb [from a living creature], and of trefah come into force simultaneously;<sup>11</sup> but he who says [he is liable] twice, is of the opinion that an animal whilst alive does not stand to be dismembered into limbs, so that there are [present from the time of birth] the prohibitions of the forbidden fat and of trefah, and the prohibition of the limb [from a living creature] cannot be superimposed upon them.

Alternatively, you may say, all agree that an animal whilst alive does not stand to be dismembered into limbs, but they differ whether or no the prohibition of the limb [from a living creature] can be superimposed upon the [existing] prohibitions of the forbidden fat and of trefah. One holds that it can be superimposed upon them, and the other holds that it cannot.

Alternatively, you may say, all agree that an animal [even] whilst alive stands to be dismembered into limbs, but in this case the animal was rendered trefah later on [and not at birth], and they differ whether or no the prohibition of trefah can be superimposed upon the prohibition of the limb [from a living creature]. One holds it can be superimposed,<sup>12</sup> just as it is the case with the forbidden fat, for a Master has said: The Torah has expressly indicated that the prohibition of nebelah can be superimposed upon the prohibition of forbidden fat, and that the prohibition of trefah can be superimposed upon the prohibition of forbidden fat.<sup>13</sup> The other, however, maintains that it [sc. the prohibition of trefah] can indeed be superimposed upon the prohibition of forbidden fat inasmuch as there is an exception

(1) For it is agreed by all that where the two prohibitions are derived from separate verses, as here, the offender is liable twice.

(2) I.e., he ate a limb severed from a living animal and also flesh taken from another animal which was trefah.

(3) I.e., he ate a limb severed from a living animal that was trefah.

(4) I.e., when it was actually dismembered.

(5) Since the prohibition of the limb severed from a living creature is a grave restriction for it applies to the sons of Noah. V. supra 100b and 102a.

(6) Consequently the prohibition of the 'limb' came into force at the birth of the animal.

(7) For R. Johanan is of the opinion that a prohibition can always be superimposed upon an existing prohibition.

(8) The prohibition of trefah can only come into force after the animal has been slaughtered when the prohibition of the limb of a living animal has gone.

(9) E.g., he cut off the leg of a living animal above the knee-joint, v. supra 76a, and he ate it.

(10) Although he has infringed three prohibitions, (i) of forbidden fat, (ii) of fat (i.e., a limb) taken from a living animal, and (iii) of trefah, he is only liable for two; v. infra.

(11) I.e., at the moment of birth these three prohibitions came into force, for whilst a fetus within the womb the whole of its fat was permitted; v. supra 69a. V. however, Tosaf. s.v. דאיסור.

(12) And liability is incurred for each of these three prohibitions.

(13) V. supra 37a, and Zeb. 70a.

## Chullin 103b

to its general [restriction],<sup>1</sup> but it cannot [be superimposed] upon the prohibition of the 'limb' inasmuch as there is no exception to its general [restriction].

When R. Dimi came [from Palestine] he reported that R. Simeon b. Lakish put the following question to R. Johanan: What is the law if he divided it outside?<sup>2</sup> and he replied: He is not liable. And what if he divided it inside [his mouth]?<sup>3</sup> and he replied: He is liable.

When Rabin came [from Palestine] he reported as follows: If he divided it outside he is not liable. If he divided it inside [his mouth], R. Johanan says, he is liable; R. Simeon b. Lakish says, he is not liable. 'R.

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Johanán says he is liable', because his gullet has derived enjoyment from an olive's bulk. 'R. Simeon b. Lakish says he is not liable', because there must enter in his stomach [at one time] the full amount that constitutes 'eating', and this is not the case here. (But [it will be asked], according to R. Simeon b. Lakish, how can it ever happen that one [who eats an olive's bulk of the limb] should be liable?<sup>4</sup> — R. Kahana suggested: In the case [where he ate] a small bone.)<sup>5</sup> R. Eleazar however said: Even if he divided it outside he is also liable, because the fact that it is not consumed in one whole does not render it an incomplete act.<sup>6</sup>

R. Simeon b. Lakish said: The quantity of an olive's bulk of which they [the Rabbis] have spoken does not include that which is between the teeth.<sup>7</sup> R. Johanán said: It includes even that which remains between the teeth. Said R. Papa: As to that which remains between the teeth they certainly do not disagree,<sup>8</sup> they disagree only as to that which remains in the palate and tongue. One [R. Johanán] maintains [that he is liable], since his gullet has derived enjoyment from a whole olive's bulk; the other [R. Simeon b. Lakish] maintains [that he is not liable, because] there must enter his stomach the full amount which constitutes 'eating'.

R. Assi said in the name of R. Johanán: If a person ate one half-olive's bulk [of a forbidden substance] and vomited it forth, and then<sup>9</sup> ate another half-olive's bulk, he is liable. Why? Because his gullet has derived enjoyment from an olive's bulk.<sup>10</sup>

R. Eleazar enquired of R. Assi: What is the law if a person ate one half-olive's bulk [of a forbidden substance], vomited it forth and then ate it once again? [Let us see], what was his real question? If the question was whether it [sc. what has been vomited forth] is considered as digested food or not, then he might have put the question with regard to a complete olive's bulk;<sup>11</sup> and if the question

was whether we regard [eating from the enjoyment of] the gullet or [from the enjoyment of] the stomach, then he might have solved this himself from R. Assi's statement above?<sup>12</sup> —

R. Assi had forgotten the tradition [he had received from R. Johanán], and R. Eleazar came and reminded him of it in the following manner:<sup>13</sup> 'Why speak of another half-olive's bulk?<sup>14</sup> The Master could have dealt with the same [half-olive's bulk], by which two results would have been established, viz., we would have learnt from it that it [sc. what is vomited forth] was not considered as digested food, and we would also have learnt from it that [one is liable if only] the gullet had derived enjoyment from an olive's bulk'. He remained silent and made no reply at all. Thereupon he [R. Eleazar] said to him, 'O wonder of the generation! Did you not often say this<sup>15</sup> before R. Johanán and he agreed with you saying: "His gullet has in fact derived enjoyment from an olive's bulk"?'

## CHAPTER VIII

*MISHNAH.* EVERY KIND OF FLESH IS FORBIDDEN TO BE COOKED IN MILK,<sup>16</sup> EXCEPTING THE FLESH OF FISH AND OF LOCUSTS; AND IT IS ALSO FORBIDDEN TO PLACE UPON THE TABLE [FLESH] WITH CHEESE,<sup>17</sup> EXCEPTING THE FLESH OF FISH AND OF LOCUSTS.

(1) For the whole of the fat of a wild animal is permitted.

(2) A person took an olive's bulk from a limb that had been severed from a living animal, divided it into halves outside, i.e., before putting it into his mouth, and then swallowed each half separately. In connection with other prohibited substances this raises no doubt at all, for so long as he consumed the required quantity, namely an olive's bulk, within the time it takes to eat a half-loaf, he is deemed to have eaten the requisite amount and he is liable; v. Yoma 80b. With regard to the limb severed from the living animal, however, since it is exceptional in that the required quantity may be made up of bones and sinews to which no

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prohibition applies elsewhere, it might be said that this whole quantity must be eaten at one time.

(3) And swallowed each half separately.

(4) For one does not usually swallow an olive's bulk in one whole; one cuts it up with the teeth so that it enters the stomach in separate parts, and this according to R. Simeon b. Lakish does not constitute 'eating'.

(5) According to Rashi, the patella, which has but a moiety of flesh on it, but together with the sinews attached to it is of the size of an olive. This is usually swallowed whole.

(6) Lit., 'what is lacking as regards being brought together is not lacking as to the act'. I.e., the fact that the olive's bulk was put into the mouth in parts, one following the other, does not exempt the person from liability, for after all he has eaten a complete olive's bulk.

(7) This and the subsequent cases until the end of the chapter apparently refer to all prohibited substances. According to R. Simeon b. Lakish a person is liable only if he swallowed a whole olive's bulk, i.e., this quantity entered his stomach, but not if he put an exact olive's bulk into his mouth, for in the process of mastication some of the substance would certainly adhere between the teeth and this cannot be reckoned together with the amount swallowed.

(8) All hold that it cannot be reckoned together with that which has been swallowed, for neither the gullet nor the stomach has derived any enjoyment therefrom.

(9) I.e., within the period of time taken to eat a half-loaf of the size of four (according to Maim. three) ordinary eggs.

(10) [R. Assi does not accept the statement reported (supra) by R. Dimi in the name of R. Johanan exempting from liability where the olive's bulk was divided outside (Rashi).]

(11) I.e., if a person ate an olive's bulk of a forbidden substance, vomited it forth, and swallowed it again, would he be liable twice or once only?

(12) In the preceding passage where R. Assi expressly states that the main factor of eating is the enjoyment of the gullet.

(13) R. Eleazar himself was not in doubt at all about the law, but he put the case before R. Assi in the form of a question in order to remind him in the most respectful manner of the decision given by R. Johanan.

(14) Which the person swallowed after he had vomited forth a half-olive's bulk.

(15) That he is liable even in the case of the sane half-olive's bulk.

(16) Including even the flesh of fowls and of wild beasts. The prohibition of 'flesh cooked in milk' relating to the cooking, or to the eating, or to the

enjoyment of any benefit therefrom, is derived from the thrice-repeated Biblical prohibition: Thou shalt not see the a kid in its mother's milk (Ex. XXIII, 19; XXXIV, 26; Deut. XIV, 21).

(17) This is a Rabbinic measure as a precaution against eating the two together.

## Chullin 104a

**IF A PERSON VOWED TO ABSTAIN FROM FLESH. HE MAY PARTAKE OF THE FLESH OF FISH AND OF LOCUSTS.<sup>1</sup>**

*GEMARA.* It follows [from our Mishnah] that the flesh of fowls is prohibited by the law of the Torah;<sup>2</sup> now in accordance with whose view would this be? It surely is not in accordance with R. Akiba's view, for R. Akiba maintains that the flesh of wild animals and of fowls is not prohibited by the law of the Torah.

Consider now the final clause: **IF A PERSON VOWED TO ABSTAIN FROM FLESH, HE MAY PARTAKE OF THE FLESH OF FISH AND OF LOCUSTS.** It follows however that he is forbidden the flesh of fowl, which is in accordance with R. Akiba's view, namely, that any variation concerning which the agent would ask for special instructions is deemed to be of the same species.<sup>3</sup> For we have learnt:<sup>4</sup> If a person vowed to abstain from vegetables, he is permitted gourds; R. Akiba forbids them.

They said to R. Akiba: Is it not a fact that when a man says to his agent, 'Bring me vegetables', the other might [come back and] say, 'I can only obtain gourds'?<sup>5</sup> He replied. Exactly so; for he surely would not come back and say, 'I can only obtain pulse'.<sup>6</sup> This proves that gourds are included among vegetables and pulse is not included among vegetables. [Must it then be that] the first clause of our Mishnah is in accordance with the view of the Rabbis, and the second clause is in accordance with R. Akiba's view? —

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R. Joseph said: The author [of our Mishnah] is Rabbi who incorporated the views of various Tannaim: with regard to vows he adopted the view of R. Akiba, and with regard to flesh [cooked] in milk he adopted the view of the Rabbis.

R. Ashi said: The whole of our Mishnah is in accordance with R. Akiba's view, for this is what it means, **EVERY KIND OF FLESH IS FORBIDDEN TO BE COOKED IN MILK**: some<sup>7</sup> being forbidden by the law of the Torah and others<sup>8</sup> by the enactment of the Scribes, **EXCEPTING THE FLESH OF FISH AND OF LOCUSTS**, which are neither prohibited by the law of the Torah nor by the enactment of the Scribes.<sup>9</sup>

**AND IT IS ALSO FORBIDDEN TO PLACE**, etc. R. Joseph said: You can infer from this that the flesh of fowl [cooked] in milk is prohibited by the law of the Torah, for were it only [prohibited by the enactment] of the Rabbis, seeing that the actual eating thereof is [prohibited only as] a precautionary measure, would we forbid the placing [of them together upon the table] as a safeguard against the eating thereof?<sup>10</sup> And whence do you derive the rule that we do not impose a precautionary measure upon a precautionary measure? — From the following [Mishnah] which we have learnt:<sup>11</sup> The dough-offering<sup>12</sup> [of produce grown] outside the Land [of Israel]

(1) For the usual connotation of 'flesh', as used in ordinary speech, includes all kinds of flesh excepting that of fish and of locusts. The interpretation of expressions used in vows is always in accordance with the general use of the ordinary man.

(2) It is assumed for the present that the prohibition in the first clause of our Mishnah — which includes fowls — is Biblical, otherwise the precautionary measure imposed in the second clause would not be applied to fowls (v. Tosaf.).

(3) Anything which is not quite the same as the original thing requested but about which an agent would consider it proper to consult his principal is regarded as of the same species as the original thing requested; for were it not so, the agent

would reject it immediately: without even consulting his principal. In the case of our Mishnah, if a person were to send another to buy flesh, the latter, if unable to obtain flesh of cattle, would certainly return and ask his principle whether or not he may buy fowls. Hence fowl is included in the term 'flesh'.

(4) Ned. 54a.

(5) Thus proving that gourds are not vegetables since the agent considers it necessary to obtain special authority to buy them.

(6) Since it is common knowledge that pulse is not included among vegetables, an agent sent to buy vegetables and not being able to obtain any would certainly not return to his principle and say: 'I can only obtain pulse'. He might as well reply, 'I could only obtain fish or cheese'. Most probably and rightly he would say: 'I could not obtain any vegetables'. The fact that he replies, 'I could only obtain gourds', proves, according to R. Akiba, that they are included among vegetables.

(7) The flesh of cattle.

(8) The flesh of wild beasts and of fowls.

(9) [As to the precautionary measure in the second clause (cf. p. 576, n. 4) R. Ashi accepts the explanation of Abaye infra pp. 578-9; v. Adreth, **החידושים**.]

(10) This would be imposing a precautionary measure (sc. restriction of placing them together on the table) upon a precautionary measure (sc. the restriction of eating fowls cooked in milk) which is not done.

(11) Hal. IV, 8.

(12) Cf. Num. XV, 20; Of the first of your dough you shall offer up a cake for a heave-offering. This law only applied to Palestine, i.e., to dough made from produce grown in the land of Israel (cf. *ibid.* 18), but the Rabbis ordained that it be observed outside Palestine, i.e., in respect of dough made from produce grown outside the Land of Israel, as a precautionary measure safeguarding the dough-offering of Palestinian produce. If, therefore, a non-priest ate the dough-offering offered from produce grown outside the Land of Israel he has transgressed a Rabbinic enactment

## Chullin 104b

may be eaten [by a priest] in company with a non-priest at the table,<sup>1</sup> and may be given to any priest one likes.<sup>2</sup>

Said Abaye to him, I grant you, if we were told that the dough-offering [of produce grown] outside the Land [may be eaten] in the Land<sup>3</sup> [in company with a non-priest at

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the table], in which case there would be good cause to enact a precautionary measure on account of the dough-offering [of produce grown] in the Land which is ordained by the Torah, and yet we do not take this precaution, that the inference can be made. But outside the Land of Israel [it is allowed] surely because there is no reason to take any precautionary measure.<sup>4</sup> In the case [of our Mishnah], however, if you permit one to place [upon the table] fowl and cheese, one might even place [upon the table] flesh and cheese, and so come to eat flesh with milk which is prohibited by the law of the Torah.<sup>5</sup>

R. Shesheth demurred saying: Yet after all it is but cold [food] with cold [food]! — Abaye answered: It is prohibited lest it be placed upon the table in a boiling pot. But even in that case it is only in a ‘second vessel’<sup>7</sup> and a second vessel cannot bring anything to the boil! — It is only prohibited lest it be placed upon the table in the ‘first vessel’.<sup>8</sup>

**MISHNAH.** A FOWL MAY BE PLACED UPON THE TABLE TOGETHER WITH CHEESE BUT MAY NOT BE EATEN WITH IT: SO BETH SHAMMAI. BETH HILLEL SAY: IT MAY NEITHER BE PLACED [UPON THE TABLE TOGETHER WITH CHEESE] NOR EATEN WITH IT. R. JOSE SAID: THIS IS AN INSTANCE WHERE BETH SHAMMAI ADOPT THE LENIENT RULING AND BETH HILLEL THE STRICT RULING.<sup>9</sup> OF WHAT TABLE DID THEY SPEAK? OF THE TABLE UPON WHICH ONE EATS; BUT ON THE TABLE WHEREON THE FOOD IS SET OUT ONE MAY WITHOUT ANY HESITATION PLACE THE ONE [FOOD] BESIDE THE OTHER.

**GEMARA.** Is not R. Jose's opinion identical with that of the first Tanna? And should you say that there is a difference between them with regard to the actual eating [of fowl with cheese], the first Tanna maintaining that they<sup>10</sup> differ only with regard to the placing [upon the table] but not with regard to the eating thereof,<sup>11</sup> whereas R. Jose says that

they differ even with regard to the eating thereof, Beth Shammai adopting the lenient ruling and Beth Hillel the strict ruling — but surely we have already learnt: R. Jose reports six cases in which Beth Shammai adopt the lenient ruling and Beth Hillel the strict ruling, and this is one of them, viz., A fowl may be placed upon the table together with cheese but may not be eaten with it; so Beth Shammai; but Beth Hillel say: It may neither be placed together with it nor eaten with it.<sup>12</sup> —

Rather what the [teacher of our Mishnah] tells us is merely that the first Tanna [whose opinion is expressed anonymously] is R. Jose; for whosoever reports a thing in the name of him that said it brings deliverance into the world, as it is said: And Esther told the king in the name of Mordecai.<sup>13</sup> Agra, the father-in-law of R. Abba, recited: A fowl and cheese may be eaten without restriction.<sup>14</sup> He recited it<sup>15</sup> and he himself explained it thus: it means without washing the hands or cleaning the mouth [between the eating of the one and the other].

R. Isaac the son of R. Mesharsheya once visited the house of R. Ashi. He was served with cheese which he ate and then was served with meat which he also ate without washing his hands [between the courses]. They said to him: Has not Agra the father-in-law of R. Abba recited that a fowl and cheese may be eaten without restriction? A fowl and cheese, yes; but meat and cheese, no! — He replied: That is the rule only at night, but by day I can see [that my hands are clean].<sup>16</sup>

It was taught: Beth Shammai say. One must<sup>17</sup> clean [the mouth];<sup>18</sup> Beth Hillel say. One must rinse it.<sup>19</sup> Now what is meant by ‘one must clean’ and ‘one must rinse’?

(1) And we do not apprehend lest the non-priest eat of it. To prohibit this would be to impose a precautionary measure upon a precautionary measure.

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(2) Even to a priest an ‘am ha-arez (v. Glos.) i.e., one who does not observe the strict rules of levitical cleanness. With regard to the dough-offering taken from produce grown in the Land of Israel this was not allowed, for only those priests who upheld the laws of the Torah were entitled to receive the priestly dues (cf. II Chron. XXXI, 4).

(3) I.e., it was brought into the Land of Israel.

(4) For outside the Land of Israel there cannot possibly occur any infringement of the law of dough-offering.

(5) There is virtually but one precautionary measure here, namely, the placing of fowl and cheese on the table is declared forbidden as a safeguard against the placing of flesh and cheese on the table, for the placing of the two together on the table will almost certainly lead to the eating thereof, thus involving the transgression of a Biblical prohibition. Cf. Torath Hayyim, a.l.

(6) Even if it is held that fowl with milk is prohibited by the law of the Torah there can still be shown two precautionary measures before one approaches the actual prohibition of the Torah. For it must be remembered that the Torah forbade flesh and milk that had been cooked together in the one pot; but if the flesh and the milk were in the same pot, not cooked together, they would be permitted by the law of the Torah but forbidden by the Rabbis only as a precautionary measure. Now to prohibit the placing together upon the table of these two cold foods as a safeguard against the eating thereof is again superimposing precautionary measures one upon the other.

(7) I.e., a vessel into which boiling food or liquid has been poured, in contradistinction from ‘a first vessel’, i.e., a vessel taken direct from the fire where it has been at the boil. A ‘first vessel’ can bring other foodstuffs to the boil even when removed from the fire, and in the case of ‘flesh and milk’ would involve a transgression of the law of the Torah.

(8) Lit., ‘stew pot’.

(9) In the majority of cases the position is the reverse, i.e., Beth Hillel adopt the lenient ruling and Beth Shammai the strict ruling.

(10) Beth Shammai and Beth Hillel.

(11) For in this case all agree that it is forbidden to eat the two (sc. fowl and cheese) together.

(12) ‘Ed. V, 2.

(13) Esther, II, 22.

(14) באפיקורין ‘freely’, from root פקד. V. Alfasi a.l. for the variant באפיקוליס, explained as referring to the opinion of אפיקוליס or אבקוליס mentioned in Tosef. Hul. VIII, 3.

(15) Having received it on tradition from his teacher (Rashi).

(16) There is therefore no need to wash the hands between the courses at all.

(17) After eating cheese and before eating meat.

(18) By eating some dry bread, v. infra.

(19) Sc. the mouth; so apparently according to Rashi. R. Nissim, Torath Hayyim, and others, however, refer the rinsing to the hands.

## Chullin 105a

Should you say it means this: Beth Shammai say: One must clean [the mouth] and not rinse it,<sup>1</sup> and Beth Hillel Say. One must rinse [the mouth] and not clean it, then the statement of R. Zera viz., Cleaning the mouth must be done with bread only, would agree with the view of Beth Shammai, would it not?<sup>2</sup> And if you say it means this: Beth Shammai say: One must clean [the mouth] and not rinse it, and Beth Hillel Say. One must also rinse it, then it is a case in which Beth Shammai adopt the lenient ruling and Beth Hillel the strict ruling; why then is this not taught among the cases<sup>3</sup> in which Beth Shammai adopt the lenient ruling and Beth Hillel the strict ruling? — Rather this must be the interpretation: Beth Shammai say: One must clean [the mouth], and also rinse it; Beth Hillel say. One must rinse [the mouth], and also clean it. But one [school] mentions one [requirement], the other [school] another, and they do not really differ.<sup>4</sup> The [above] text [stated]: ‘R. Zera said: Cleaning the mouth must be done with bread only’. This means only with wheaten bread but not with barley bread.<sup>5</sup> And even with wheaten bread it is allowed only if it is cold, but not if it is still warm, for it cleaves [to the palate]. And it must be soft and not hard.<sup>5</sup> The law is: Cleaning [the mouth] may be done with everything except flour, dates and vegetables.

R. Assi enquired of R. Johanan: How long must one wait between flesh and cheese?<sup>6</sup> — He replied. Nothing at all. But this cannot be, for R. Hisda said: If a person ate flesh he is forbidden to eat [after it] cheese, if he ate cheese he is permitted to eat [after it] flesh! — This indeed was the question. How long

# CHULLIN – 89b-120a

must one wait between cheese and flesh? And he replied. Nothing at all. The [above] text [stated]: ‘R. Hisda said: If a person ate flesh he is forbidden to eat [after it] cheese, if he ate cheese he is permitted to eat [after it] flesh’. R. Aha b. Joseph asked R. Hisda: What about the flesh that is between the teeth?<sup>7</sup> — He quoted [in reply] the verse: While the flesh was yet between their teeth.<sup>8</sup>

Mar ‘Ukba said: In this matter I am as vinegar is to wine<sup>9</sup> compared with my father. For if my father were to eat flesh now he would not eat cheese until this very hour tomorrow, whereas I do not eat [cheese] in the same meal but I do eat it in my next meal.

Samuel said: In this matter I am as vinegar is to wine compared with my father. For my father used to inspect his property twice a day, but I do so only once a day.

Samuel here follows his maxim, for Samuel declared: He who inspects his property daily will find an *istira*.<sup>10</sup> Abaye used to inspect his property daily. One day he met his farmer-tenant carrying away a bundle of twigs. Said to him [Abaye], Where is this going to? He replied, To my master's house. Said Abaye, The Rabbis have long ago anticipated you.<sup>11</sup>

R. Assi used to inspect his property daily. He exclaimed: Where are all those *istiras* of the Master Samuel? One day he saw that a pipe had burst on his land. He took off his coat, rolled it up and stuffed it into the hole. He then raised his voice and people came and stopped it up. He exclaimed: Now I have found all those *istiras* of the Master Samuel.<sup>12</sup>

R. Idi b. Abin said in the name of R. Isaac b. Ashian: The first washing<sup>13</sup> [of the hands] is a meritorious act, the last washing<sup>14</sup> is a bounden duty. An objection was raised from the following: The first and last washing [of the hands] are bounden duties,<sup>15</sup> the middle washing<sup>16</sup> is a matter of free choice. — A meritorious act as compared with a matter of

free choice can well be termed a bounden duty. [To return to] the main text: ‘The first and last washing [of the hands] are bounden duties, the middle washing is a matter of free choice’. The first washing may be performed either over a vessel or over the ground; the last washing must be performed over a vessel. Others read: The last washing may not be performed over the ground. (What is the real difference between these [two versions]? There is a difference, [where one washes over] twigs.)<sup>17</sup> The first washing may be With either hot or cold water; the last washing must be with cold water only, because hot water softens the hands and does not remove the grease.<sup>18</sup> ‘The first washing may be with either hot or cold water’.

R. Isaac b. Joseph said in the name of R. Jannai. They said this only of [hot] water wherein the hand is not

(1) I.e., rinsing the mouth with water would not be sufficient and so would not serve the purpose; so Rashi adopting the reading which omits the words ‘need not’ before ‘rinse it’ in cur. edd. V. MS.M. v. also Tosaf. s.v. אילימא.

(2) For Beth Hillel do not mention ‘cleaning the mouth’, accordingly R. Zera's statement is based upon Beth Shammai's view.

(3) ‘Ed. IV, V.

(4) For they are agreed that both requirements are essential, namely, and cleaning and rinsing the mouth. As for washing the hands v. Asheri a.l. and Tur, Yoreh Deah, LXXXIX.

(5) Because it crumbles in the mouth and does not clean the mouth well.

(6) I.e., after eating flesh how long must one wait before being allowed to eat cheese?

(7) Must it be removed before one is about to eat cheese?

(8) Num. XI. 33. The suggestion is that the particles of flesh between the teeth are still termed ‘flesh’, and therefore must be removed before one may eat cheese.

(9) Lit., ‘vinegar the son of wine’, i.e., ‘I am inferior to my father’, applied both in a religious and secular sense.

(10) A silver coin equal to half a zuz. The meaning is that he who inspects his property daily will derive much profit, for he will be able to see that everything is in proper order, and no workman of his could take advantage of his absence.

# CHULLIN – 89b-120a

(11) By their advice to inspect one's property daily, whereby pilfering and theft is put a stop to.

(12) By being on the spot he was able to repair in time what might have been a serious disaster through inundation.

(13) Lit., 'the first water'; i.e., the washing of the hands before the meal.

(14) Lit., 'the last water'; i.e., the washing of the hands after the meal.

(15) Whereas previously it was stated the washing before the meal was merely a meritorious act but not a duty.

(16) Lit., 'the middle water'; i.e., the washing of the hands during the meal.

(17) The water does not run directly on to the ground, neither can it be said that it runs into a vessel: according to the second version this would be allowed, according to the first version it would not.

(18) Which becomes absorbed all the more in the hands through hot water.

## Chullin 105b

scalded, but one may not wash the hands with water wherein the hand would be scalded. Others refer this [distinction] to the final clause thus, 'The last washing must be with cold water only', and not with hot water. R. Isaac b. Joseph said in the name of R. Jannai. They said this only of [hot] water wherein the hand is scalded, but one may wash the hands with water wherein the hand is not scalded. It follows, however, from this that for the first washing one may use even water wherein the hand is scalded. 'The middle washing is a matter of free choice'. R. Nahman said: They said this only [of the washing] between one course and another course,<sup>1</sup> but between a [meat] course and cheese it is a bounden duty to do so. R. Judah the son of R. Hiyya said: Why did [the Rabbis] say that it was a bounden duty to wash the hands after the meal? Because of a certain salt of Sodom which makes the eyes blind.<sup>2</sup> Said Abaye. One grain of this is found in a kor of ordinary salt. R. Aha the son of Raba asked R. Ashi: What is the rule if one measured out salt?<sup>3</sup> — He replied: Undoubtedly.<sup>4</sup>

Abaye said: At first I thought the reason why the last washing may not be performed over the ground was that it made a mess, but now my Masters has told me: It is because an evil spirit rests upon it.

Abaye also said: At first I thought the reason why one should not remove anything from the table whilst another is holding a cup and drinking was the fear lest there occur a mishap at the table,<sup>6</sup> but now my Master has told me: It is because it may cause vertigo. This applies, however, only if [the thing is] taken away and not returned, but if taken and returned it does not matter. Moreover, it applies only if the thing is taken away a distance of more than four cubits [from the table], but if it remains within four cubits' distance it does not matter. Moreover, it applies only to such things as may be required at the table, but if it is not required at the table it does not matter. Mar son of R. Ashi used to be particular even about [the removal of] a pestle and mortar for [pounding] spices, for these are required at the table.

Abaye also said: At first I thought the reason why one collects the crumbs [from the floor] was mere tidiness, but now my Master has told me: It is because it might lead to poverty.<sup>7</sup> Once the angel of poverty was following a certain man but could not prevail over him, because the man was extremely careful about [collecting the] crumbs. One day he ate some bread upon the grass. 'Now'. [said the angel] 'he will certainly fall into my hand'.<sup>8</sup> After he had eaten he took a spade, dug up the grass, and threw it all into a river. He then heard [the angel] exclaiming. 'Alas, he has driven me<sup>9</sup> out of his house'.

Abaye also said: At first I thought the reason why one does not drink froth was that it was nauseous, but now my Master has told me: It is because it may cause catarrh. To drink it may cause catarrh, to blow it away may cause headache, and to skim it [with the

# CHULLIN – 89b-120a

hand] may cause poverty. What then should one do? One must let it settle down by itself. For catarrh [contracted from drinking the froth] of wine [one should drink] beer, for that from beer one should drink water, for that from water there is no remedy. This bears out the popular saying, poverty follows the poor.<sup>10</sup>

Abaye also said: At first I thought the reason why one should not eat vegetables from the bunch which was tied up by the gardener was because it had the appearance of gluttony, but now my Master has told me, it is because one lays oneself open thereby to the dangers of magic. R. Hisda and Rabbah b. R. Huna once were travelling on a ship. A certain lady said to them, 'Take me with you'; but they would not. She then pronounced a spell and the ship was held fast. They [in return] pronounced a spell and it was freed. She said: 'What power have I over you? seeing that you do not cleanse yourselves with a potsherd.<sup>11</sup> neither do you crush a louse on your clothes, nor do you eat vegetables from a bunch tied up by the gardener.

Abaye also said: At first I thought that the reason why one does not eat vegetables which had fallen on to the tray was because it was not clean, but now my Master has told me: It is because It causes a foul smell in the mouth.

Abaye also said: At first I thought the reason why one does not sit under a drain pipe was that there was waste water there, but my Master has told me. It is because demons are to be found there. Certain carriers were once carrying a barrel of wine. Wishing to take a rest they put it down under a drain pipe, whereupon the barrel burst, so they came to Mar son of R. Ashi. He brought forth trumpets and exorcised the demon who now stood before him. Said he to the devil, 'Why did you do such a thing?' He replied. 'What else could I do, seeing that they put it down on my ear?' The other [Mar son Of R. Ashi] retorted: 'What business had you in a public

place? It is you that are in the wrong, you must therefore pay for the damage'. Said the devil, 'Will the Master give me a time wherein to pay'? A date was fixed. When the day arrived he defaulted. He came to court and [Mar b. R. Ashi] said to him, 'Why did you not keep your time?' He replied. 'We have no right to take away anything that is tied up sealed, measured or counted; but only if we find something that has been abandoned'.

Abaye also said: At first I thought the reason why one pours off [a little water] from the mouth of the jug [before drinking therefrom] was the fear of scraps [that may be on the surface], but now my Master has told me: It is because of evil waters.<sup>12</sup> A demon in the service of R. Papa once went to fetch water from the river but was away a long time. When he returned he was asked. 'Why were you so long?' He replied. '[I waited] until the evil waters had all gone'. In the meantime

- (1) Both being meat dishes or milk dishes; cf. however, Tosaf. s.v. טב.
- (2) If one touches the eyes after having handled this salt.
- (3) Must he wash his hands after it or not?
- (4) He must certainly wash his hands.
- (5) Rabbah b. Nahmani.
- (6) Lit., 'at the meal'. He who is drinking may be annoyed at the removal of those things and may choke in his anger.
- (7) If one leaves the crumbs strewn on the floor.
- (8) Believing that this man would certainly fail to pick up all the crumbs from the grass.
- (9) Lit., 'this person'.
- (10) The poor man not having anything but water to drink is afflicted by that disease for which there is no remedy.
- (11) After an evacuation. V. Shab. 81b.
- (12) I.e., water from which demons had drunk.

## Chullin 106a

he saw them pouring off [a little water] from the mouth of the jug; he exclaimed. 'Had I known that you were in the habit of doing this I would not have been away so long'.

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When R. Dimi came [from Palestine] he reported. The omission to wash the hands before the meal caused one to eat swine's flesh,<sup>1</sup> and the omission to wash the hands after the meal caused a separation of a wife from her husband.<sup>2</sup>

When Rabin came [from Palestine] he reported. The omission to wash before the meal caused one to eat nebelah.<sup>3</sup> and the omission to wash after the meal caused a murder.<sup>2</sup>

R. Nahman b. Isaac said, [In order to remember the statements of each bear in mind] the following mnemonic: 'R. Dimi came [first] and separated her, and then Rabin came and killed her'.<sup>4</sup>

R. Abba reported the graver result in each case.<sup>5</sup> It was stated: As regards water heated by fire, Hezekiah says: One may not wash the hands therewith;<sup>6</sup> but R. Johanan says: One may wash the hands therewith.

R. Johanan related: I enquired of R. Gamaliel the son of Rabbi, who used to eat all his food in conditions of levitical purity, and he told me that all the great men of Galilee did so.<sup>7</sup> As regards the hot springs of Tiberias, Hezekiah says: One may not wash the hands therewith, but one may immerse the hands therein.<sup>8</sup>

R. Johanan says. One may immerse the body therein, but not the face, hands or feet.<sup>9</sup> But surely, if one may immerse therein the whole body, how much more so the face, hands or feet!<sup>10</sup> —

R. Papa said: At the source there is no dispute at all that it is permitted;<sup>11</sup> moreover, to take some away in a vessel, there is no dispute at all that it is forbidden.<sup>12</sup> They disagree only in the case where the water [from the spring] was run off into a channel;<sup>13</sup> one holds that we must forbid the case of a channel on account of a vessel,<sup>14</sup> the

other holds we do not impose this precautionary measure. Tannaim differ on this point. [It was taught:] Water which is unfit for cattle to drink,<sup>15</sup> if it is in a vessel, is invalid [for the immersion of the hands], but if it is on the ground it is valid.

R. Simeon b. Eleazar says: Even if it is on the ground one may immerse therein the whole body, but not the face, hands or feet. But surely if one may immerse therein the whole body, how much more so the face, hands or feet! This therefore must be a case where the water was run off into a channel, and they differ in this: one<sup>16</sup> is of the opinion that we must forbid a channel on account of a vessel, and the other is of the opinion that we do not impose this precautionary measure.

R. Idi b. Abin said in the name of R. Isaac b. Ashian: The washing of the hands for common food was ordained only in order to acquire the habit with regard to terumah;<sup>17</sup> moreover, it is a meritorious act.<sup>18</sup> What is this meritorious act? —

Abaye answered: It is a meritorious act to hearken to the words of the Sages. Raba answered: It is a meritorious act to hearken to the words of R. Eleazar b. 'Arach. [For It was taught:] It is written: And whomsoever he that hath the issue toucheth, without having rinsed his hands in water:<sup>19</sup> herein, said R. Eleazar b. 'Arach, the Sages found a Biblical support for the law of washing the hands. Raba asked R. Nahman: Wherein is this indicated? For it is written: 'Without having rinsed his hands in water'. Can this mean that if he had rinsed his hands, [whatsoever he touched] would be clean? Surely he requires immersion, does he not? The meaning must be: And any other person that has not rinsed his hands is unclean.<sup>20</sup>

R. Eleazar said in the name of R. Oshaia: They enjoined the washing of the hands before eating fruit only for reasons of cleanliness The disciples understood from

# CHULLIN – 89b-120a

this that it was not a duty but that it was nevertheless a meritorious act. Raba, however, said to them: It is neither a duty nor a meritorious act, but is merely an act of free choice. This opinion [of Raba] differs from that of R. Nahman, for R. Nahman said: Whosoever washes his hands for fruit is of those that are haughty in spirit.<sup>21</sup>

Rabbah b. Bar Hana said: I was once standing in the presence of R. Ammi and R. Assi when a basket of fruit was brought before them. They ate without first washing their hands, they gave me none of it, and each said the Grace [after meals] for himself. Draw three conclusions from this: (i) that the law of washing the hands does not apply to fruit; (ii) that the law of Common Grace does not apply to fruit;<sup>22</sup> and (iii) that if two ate together. It is a meritorious act on their part to separate.<sup>23</sup> It has also been taught to the same effect: If two ate together, it is a meritorious act on their part to separate. This is so only if both of them are learned;<sup>24</sup> but if one is learned and the other illiterate, the former says Grace and the other fulfils his obligation [by listening].

**Our Rabbis taught: The washing of the hands for common food [must reach] up to the joint;<sup>25</sup> for terumah [it must reach]**

(1) A person once entered an inn and sat down to the table without first washing his hands. He was taken for a non-Jew and was served with swine's flesh.

(2) V. Yoma 83b, where it is related that certain Rabbis had entrusted their purses to a certain man who later denied all knowledge of them. They noticed that the man had traces of lentils on his upper lip, so they immediately went off to his home and asked his wife in the name of her husband to hand them the purses. On her asking them to prove their bona fides they told her that her husband had eaten lentils that day. She thereupon handed them the purses. When the husband came home and learnt what his wife had done he immediately divorced her, or as some say, killed her. Now had the husband been particular about washing the hands (and naturally also the lips) after the meal, this tragedy of a divorce or a murder would not have happened.

(3) Cf. n. 2.

(4) R. Dimi came to Palestine before R. Abin and reported what could have occurred only earlier before the murder reported by R. Abin.

(5) With regard to the omission of washing before the meal the graver outcome was the eating of swine's flesh, and with regard to the omission of washing after the meal it was the taking of a life.

(6) Before the meal.

(7) I.e., wash their hands before the meal with hot water.

(8) Provided there was the requisite quantity of water, viz., forty se'ah.

(9) If the hands were unclean and one immersed them in these hot springs they are not thereby rendered clean, neither are they regarded as washed for the meal. The terms 'face' and 'feet' are quite irrelevant and are added here only on account of the fullness of the expression. 'face, hands and feet'.

(10) For it established that the immersion of the whole body is accounted as the immersion of the hands and certainly as the washing of the hands before the meal.

(11) For all purposes, immersion as well as washing. For by immersing the hands at the source of the spring it is like an immersion in a fountain or mikweh.

(12) I.e., to fill a vessel with water from these springs and to pour it over the hands would not be deemed a valid 'washing' of the hands. For washing the hands by means of a vessel was primarily confined to the use of cold water, and although the Rabbis permitted water that had been heated, the permission did not extend to include the water from hot springs, for, being ever hot, it never came within the scope of the institution.

(13) I.e., the water from the hot springs had been run off in a small channel in which there was not the requisite quantity of water for immersion but which was connected with the source.

(14) Such is the view of Hezekiah, hence his ruling that one may not wash the hands therewith; the following view is that of R. Johanan. V. Asheri a.l. and Alfasi on Ber. VIII, 44b.

(15) Either foul water or water from the hot springs of Tiberias (Rashi).

(16) R. Simeon b. Eleazar.

(17) For hands are accounted unclean in the second degree and so can only impart their uncleanness to consecrated food or terumah but not to common food.

(18) [I.e., apart from the consideration of terumah, the fact that the washing of the hands was instituted by the Sages makes it into a meritorious act, v. Adreth Hiddushim.]

(19) Lev. XV, 11.

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(20) It is interpreted as a distinct rule and does not refer to the person that has an issue. Of course it is not intended thereby to convey that the law of washing the hands is of Biblical origin, the Rabbis merely supported their enactment by a Biblical text, i.e., אַסְמַכְתָּא.

(21) And one should not behave so; Raba however permits it at one's free choice.

(22) V. Ber. 45a: Three who ate together are under the obligation to say the Common Grace (לִזְמַן). This law evidently does not apply to a meal of fruit, for if it did these Rabbis would certainly have offered Rabbah some fruit in order to be enabled to say the Common Grace.

(23) So that each may say the Grace for himself.

(24) Lit., 'scribes, bookmen'.

(25) I.e., only the tips of the fingers need be washed up to the second joint.

## Chullin 106b

up to the joint;<sup>1</sup> the sanctification of the hands and feet for Temple service<sup>2</sup> [must reach] up to the joint.<sup>3</sup> Whatsoever is deemed to be an interposition with regard to the immersion of the body<sup>4</sup> is also an interposition with regard to the washing of the hands and the sanctification of the hands and feet for the Temple service.<sup>5</sup>

Rab said: Up to here<sup>6</sup> is [the washing] for common food; up to here for terumah.

Samuel said: Up to here both for common food and for terumah, adopting the stricter view.<sup>7</sup>

R. Shesheth said, up to here both for common food and for terumah, adopting the lenient view.<sup>8</sup>

Bar Hadaya said: I was once standing before R. Ammi and he said: Up to here both for common food and for terumah, adopting the stricter view. And you must not suppose that R. Ammi [said so] because he was a priest,<sup>9</sup> for R. Meyasha, the grandson of R. Joshua b. Levi, who was a Levite also said: Up to here both for common food and for terumah, adopting the stricter view.

Rab said: A person may wash both his hands in the morning and stipulate that it shall serve him the whole day long.<sup>10</sup>

R. Abina said to the inhabitants of

(1) The third joint of the fingers. i.e., the junction of the phalanges and the metacarpus.

(2) I.e., the washing of hands and feet from the bronze laver; v Ex. XXX, 17-21.

(3) The joint of the wrist.

(4) Anything that adheres to the body and so prevents the water of the mikweh from penetrating to that part of the body renders the immersion invalid.

(5) From the laver, v. Ex. XXX, 21.

(6) Rab was demonstrating the law to his pupils: for common food up to the second joint, and for terumah up to the third joint.

(7) Up to the third joint of the fingers.

(8) Up to the second joint of the fingers.

(9) And in order to acquire the habit of washing the whole surface of the fingers for terumah he ruled likewise for common food; I.e., it was merely a personal restriction.

(10) And he need not wash them again before his meals; he must however take care that his hands do not become dirty or unclean.

## Chullin 107a

the valley of 'Araboth: People like you that have not much water, may wash the hands in the morning and stipulate that it shall serve the whole day long. Some say: This is allowed only in a time of need<sup>1</sup> but not at ordinary times, hence it is at variance with Rab's view;<sup>2</sup> others say: This is allowed even at ordinary times, and so it corresponds with Rab's view.

R. Papa said: A person may not wash the hands in a dike used for irrigation, because [the water] here does not run directly from the human act;<sup>3</sup> if, however, he is quite close to the bucket he may wash his hands [in the dike], because there it runs directly from the human act. If the bucket was cracked so that liquid could filter in,<sup>4</sup> the waters are then considered as connected<sup>5</sup> and he may immerse the hands [in the dike].

# CHULLIN – 89b-120a

Raba said: A vessel which has a hole in it so that liquid can filter into it, may not be Used for washing the hands.

Raba also said: A vessel in which there is not a quarter [log of water] may not be used for washing the hands. But this surely cannot be, for Raba has said: A vessel which cannot hold a quarter [log] may not be used for washing the hands. Now it follows that if it can hold [a quarter log] even though there is not [that much] in it [it may be used]! — This is no difficulty, for the one passage refers to one person and the other to two persons.<sup>6</sup> and we have learnt: A quarter log of water [is sufficient] for washing the hands of one person or even of two persons.<sup>7</sup>

R. Shesheth asked Amemar: Are you particular about the vessel used?<sup>8</sup> He replied: Yes. About the colour<sup>9</sup> [of the water used]? — He replied. Yes. About the amount<sup>10</sup> [of water used]? He replied: Yes.

Others report that he replied thus: We are particular about the vessel and the color [of the water], but we are not particular about the amount [of water used], for we have learnt: A quarter log of water [is sufficient] for washing the hands of one person or even of two persons. This, however, is not correct, for it is different in that case since it is the residue of [what was the proper amount for] purification.<sup>11</sup>

R. Jacob of Nehar Pekod had a standard washing vessel made that contained a quarter [log].

R. Ashi had a standard jug made in Huzal that contained a quarter [log].

Raba also said: If the stopper of a jar was fashioned<sup>12</sup> [into a vessel], it may be used for washing the hands. It has also been taught to the same effect, viz., If the stopper of a jar was fashioned [into a vessel], it may be used for washing the hands. If a water-skin or a

[leather] bottle was fashioned [into a vessel], it may be used for washing the hands. A sack or a basket, even though they were made to hold water, may not be used for washing the hands.<sup>13</sup>

The question was raised: May one eat with a cloth [wrapped round the hand] or not?<sup>14</sup> Must we apprehend lest [the bare hand] touch [the food] or not? —

Come and hear: But when they gave R. Zadok less than an egg's bulk of food to eat, he took it with a cloth, ate it outside the Sukkah, and did not say the Grace after it.<sup>15</sup> Now presumably if it was as large as an egg's bulk it would have been necessary to wash the hands!<sup>16</sup> — No, perhaps the only inference is, if it was as large as an egg's bulk it would have been necessary to eat it in the Sukkah and to say the Grace after it.<sup>17</sup>

Come and hear [from the following incident]. Samuel once found Rab eating with a cloth and said to him,

- (1) E.g., where there is a shortage of water.
- (2) For Rab does not qualify his statement and permits this practice at all times.
- (3) The water in the dike is supplied by buckets which a man fills from a river and empties into the dike, and thence it runs off in its courses over fields. It is therefore forbidden to dip the hands in the dike because the power of man has already spent itself at the beginning of the dike and the waters run now of their own impetus.
- (4) This implies a large hole so that the water would run out through the hole with a spurt.
- (5) If he filled this cracked bucket with water from the river and emptied it out into the dike, the water would be running out at both ends, from the crack back into the river and from the mouth into the dike, so that, while the bucket is being emptied out, the water in the dike is actually connected with the water in the river; one may therefore immerse the hands in the dike.
- (6) Where one person washes the hands a quarter log of water is necessary, and so also where two persons wash the hands one after the other only a quarter log is necessary; obviously then in the latter case the second person washes his hands with less than a quarter log. This is allowed, however, because of the reason stated infra, that

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the second person uses the residue of what was the proper amount for washing the hands.

(7) Yad. I, 1.

(8) That it should be whole and not damaged.

(9) That it should have the appearance of water.

(10) That there must be a quarter log.

(11) Cf. p. 592, n. 3.

(12) The stopper is cup-shaped, concave on the inside and convex outside. As the inside was not made to serve as a receptacle it is therefore necessary to hollow it out a little more for this purpose (Rashi). According to Tosaf. it is only necessary to make the outside flat so that it should be able to stand upright without support.

(13) For these do not usually hold water and cannot be regarded as a vessel for washing.

(14) If a person did not wash the hands but wrapped a cloth round them, may he thus eat his food or not?

(15) V. Suk. 26b.

(16) Even though his hands were wrapped in a cloth.

(17) But not to wash the hands since they were covered with a cloth.

## Chullin 107b

Is it right to do so?<sup>1</sup> And Rab replied. I am very sensitive.<sup>2</sup>

When R. Zera went up [to Palestine] he found R. Ammi and R. Assi eating food with leather<sup>3</sup> rags around their hands;<sup>4</sup> he exclaimed, ‘Two great men like you to be in error about the incident of Rab and Samuel! Did not Rab reply. “I am very sensitive”?’ — In truth he [R. Zera] had forgotten the statement of R. Tahlifa b. Abimi in the name of Samuel, viz., They permitted those that eat *terumah*<sup>5</sup> the use of a cloth, but they did not permit those that eat [common food] in conditions of cleanness the use of a cloth. And R. Ammi and R. Assi were priests. The question was raised: Must he that is being fed by another wash his hands or not? —

Come and hear. R. Huna b. Sehora once was standing before R. Hamnuna and put some meats into R. Hamnuna's mouth which he ate. Said [R. Huna]. If you were not R. Hamnuna I would not have fed you. Now what was the reason [for the exception in R.

Hamnuna's case]? Was it not because he was very careful not to touch [the food]?<sup>7</sup> — No, it was because he was most scrupulous and had certainly washed his hands previously.

Come and hear. R. Zera said in the name of Rab: One should not put a piece [of bread] into the mouth of the waiter unless one knows that he has washed his hands. The waiter must say a Benediction for each cup [of wine that he receives], but does not say a Benediction for each piece [of bread].<sup>8</sup>

R. Johanan said: He must also say a Benediction for each piece [of bread]. And R. Papa said: In fact there is no contradiction [between Rab and R. Johanan], for one refers to the case where a notable person [is sitting at the table]<sup>9</sup> and the other to a case where there was no notable person [at the table]. Nevertheless it expressly says. ‘Unless one knows that he has washed his hands!’ — In the case of a waiter it is different because he is kept busy.<sup>10</sup>

Our Rabbis taught: A man should not give any bread to the waiter while the cup [of wine] is in the hand [of the waiter] or in his host's hand, lest there occur a mishap at the table.<sup>11</sup> If the waiter has not washed his hands, one may not put bread into his mouth. The question was raised: Must he that feeds another wash his hands or not?—

Come and hear: It was taught in the school of Manasseh: R. Simeon b. Gamaliel says. A woman may wash one hand in water<sup>12</sup> and give some bread to her small child. It was said of Shammai the Elder that he would not feed a child even with one hand, and the Sages ordered him that he feed it with both hands!<sup>13</sup> — Abaye answered: There it was on account of evil spirits.<sup>14</sup>

Come and hear [from the following incident]. The father of Samuel once found Samuel crying and asked him, ‘Why are you crying?’ ‘Because my teacher beat me’. ‘But why?’

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‘Because he said to me, "You were feeding my son and you did not wash your hands before doing so"’. And why did you not wash? [He replied:] ‘It was he that was eating, so why should I wash? Said [the father of Samuel:] ‘It is not enough that he [your teacher] is ignorant [of the law], but he must also beat you’! The law is: He that is fed by another must wash his hands; he that feeds another need not wash his hands.

**MISHNAH.** A PERSON MAY WRAP UP FLESH AND CHEESE IN ONE CLOTH, PROVIDED THEY DO NOT TOUCH ONE ANOTHER. R. SIMEON B. GAMALIEL SAYS: TWO PEOPLE AT AN INN<sup>15</sup> MAY EAT AT THE SAME TABLE, THE ONE FLESH AND THE OTHER CHEESE, WITHOUT HESITATION.

**GEMARA.** And what does it matter if they do touch one another? It is only cold [food] with cold [food]? — Abaye answered: I grant you that it is not necessary to scrape away the surface,<sup>16</sup> but surely each must be washed.

**R. SIMEON B. GAMALIEL SAYS: TWO PEOPLE AT AN INN MAY EAT AT THE SAME TABLE, etc.** R. Hanan b. Ammi said in the name of Samuel: This is permitted only if they do not know each other, but if they know each other it is forbidden. It has also been taught to the same effect: R. Simeon b. Gamaliel says. If two guests stay at the same inn, one having come from the north and the other from the south, the one with his piece of flesh and the other with his cheese, they may eat at the same table, the one flesh and the other cheese, without hesitation. They only forbade it where the two eat from one parcel. ‘From one parcel’! You surely cannot mean that!<sup>17</sup> — It means, if it appears as [though they are eating from] one parcel.<sup>18</sup> R. Yemar b. Shelemya asked Abaye: What is the law in the case of two brothers who are particular with each other!<sup>19</sup> — He replied, Then people will say: All cakes are forbidden but the cakes of Boethius are permitted.<sup>20</sup> Then according to your argument, what of the

statement of R. Assi in the name of R. Johanan viz.: One who possesses only one shirt may wash it on the intermediate days of the festival!<sup>21</sup> There, too, people will say:

- (1) He assumed that he had not washed his hands.
- (2) He had in fact washed his hands yet he would not touch his food with his fingers but always wrapped a cloth around them. It is however apparent that both Rab and Samuel are of the opinion that the use of a cloth does not dispense with the need for washing the hands.
- (3) Like gloves.
- (4) Without having washed their hands.
- (5) I.e., priests, for they are most scrupulous and would avoid touching the food with their hands.
- (6) Together with bread (Tosaf.).
- (7) Hence where one is careful not to touch the food there is no need to wash the hands.
- (8) The waiter can expect to receive from the diners a morsel of bread from time to time, therefore the benediction for the first piece would serve also for the subsequent pieces. He cannot however be certain that he will receive wine from time to time, therefore each time he must make a benediction.
- (9) Only in this case, Rab holds that the waiter should not make several benedictions, for he can reasonably expect to receive bread from time to time.
- (10) In such circumstances there is a danger that he will actually touch the food that he is eating; but with an ordinary person there is no such apprehension. It must be noted that the serving of food by the waiter with his hands does not impose upon him the duty of washing the hands, v. *infra*.
- (11) The host may be annoyed at it and may choke while drinking, or he may look with anger at the waiter who might get frightened and spill the wine and thus cause an unfortunate incident.
- (12) On the Day of Atonement when it is forbidden to wash.
- (13) It is evident from these cases that even when feeding another it is necessary to wash the hands!
- (14) The washing of the hands referred to on the Day of Atonement is that which has to be performed in the morning on account of the evil spirit that clings to unwashed hands. But once the hands have been washed in the morning there is no further need to wash them when about to feed others; v. Yoma 77b.
- (15) Lit., ‘two strangers’.
- (16) Of the flesh and cheese where they came into contact.
- (17) But this is forbidden even when one is not sitting at the table. V. our Mishnah.

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(18) I.e., they are intimate with each other and it appears that what one has is shared by the other.

(19) Not to share each other's food. May they both eat at the same table, the one flesh and the other cheese, as strangers, or not?

(20) Cf. Pes. 37a. It is forbidden to make cakes of fancy shapes on the Passover for, in the time spent in shaping, the dough might become leavened. A certain baker Boethius had moulds of various shapes, and the question was asked: May one eat the cakes of Boethius on the Passover or not? It was resolved that no distinction can be made; all cakes in fancy shapes are forbidden whether made in moulds or not, and the law does not admit of any exceptions. Here, too, the law is clear, that strangers may eat at the same table but friends or brothers may not. It will not alter the law the fact that the brothers are unfriendly or particular with each other.

(21) Ordinarily this is forbidden, cf. M.K. 14a.

## Chullin 108a

All cakes are forbidden but the cakes of Boethius are permitted!<sup>1</sup> — Surely Mar son of R. Ashi has explained that his girdle proves his special case.<sup>2</sup>

**MISHNAH.** IF A DROP OF MILK FELL ON A PIECE OF FLESH<sup>3</sup> AND IT IMPARTED A FLAVOUR INTO THAT PIECE,<sup>4</sup> IT<sup>5</sup> IS FORBIDDEN. IF THE POT WAS STIRRED,<sup>6</sup> THEN IT IS FORBIDDEN ONLY IF [THE DROP OF MILK] IMPARTED A FLAVOUR INTO [ALL THAT WAS IN] THE POT.

**GEMARA.** Abaye said: In all cases wherever the flavor [of a forbidden substance is perceptible] but not the substance it self,<sup>7</sup> [the mixture is forbidden] by the law of the Torah.<sup>8</sup> For should you say that it is forbidden by Rabbinic law only, and the reason why we may not draw any conclusions from the case of 'flesh in milk' is that it is an anomaly.<sup>9</sup> then by reason of that anomaly [the mixture of flesh and milk should be forbidden] even though the one does not impart a flavor in the other!<sup>10</sup> — Said Raba to him: The Torah has expressed this prohibition by the term 'cooking'.<sup>11</sup>

Rab said: As soon as it [the drop of milk] imparted a flavor to the piece of flesh, that piece becomes forbidden like nebelah, and it in turn renders all the other pieces forbidden,<sup>12</sup> for they are of like kind.<sup>13</sup>

Mar Zutra the son of R. Mari said to Rabina: Let us consider: Rab in this statement of his evidently follows the view of R. Judah, who holds that homogeneous substances can never neutralize each other; but must we say that he disagrees with Raba? For Raba said: R. Judah is of the opinion that where one kind is mixed with a like kind and also with a different kind, you disregard the like kind as if it were not there, and if the different kind is more [than the forbidden substance] it will neutralize it!<sup>14</sup> —

He replied. Had it fallen into thin broth this would have been the case, but here we must suppose that it fell into thick broth.<sup>15</sup> Then what is his view? If he holds that when the forbidden essence can be considered<sup>16</sup> extracted it becomes permitted.<sup>17</sup> why should the piece of flesh be deemed as nebelah?<sup>18</sup> One must say that he holds that even when it is considered extracted it is still forbidden. And indeed it was so reported: Rab, R. Hanina and R. Johanan hold that even when it can be considered extracted it is still forbidden; Samuel, R. Simeon b. Rabbi and R. Simeon b. Lakish hold that when it is considered extracted it becomes permitted.

Is Rab then of the opinion that even when it can be considered extracted it is still forbidden? But it has been reported: If an olive's bulk of flesh fell into a pot of milk, the flesh, says Rab, is forbidden<sup>19</sup> but the milk is permitted. Now if you maintain that [Rab holds] even when it is considered extracted it is still forbidden.

(1) I.e., all people may not wash their clothes on the intermediate days of the festival but this man may.

(2) Since this man is washing his shirt together with the girdle (which is unusual) it is clear to all

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that he has no other shirt with which to wear the girdle, for otherwise he would have removed it.

(3) That was in a pot boiling on the fire.

(4) I.e., the piece was not sixty times as much in bulk as the drop of milk.

(5) Sc. the piece of flesh.

(6) As soon as the drop of milk fell into the pot the pot was stirred so that the flavor of the milk was distributed equally among everything that was in the pot.

(7) E.g., where the forbidden substance was, after a time, removed from the mixture, so that there is only the flavor of the forbidden substance under consideration.

(8) The principle is derived from the law of 'flesh in milk', for in that case, after the two substances were cooked together, even though they have been removed from each other, they are forbidden because of the flavor of the other which each absorbed.

(9) For each substance separately is permitted but in a mixture each is forbidden; moreover, this law is peculiar for the mere cooking together of these substances is also forbidden.

(10) Whereas our Mishnah forbids the mixture only where the flavor of the milk is perceptible.

(11) The prohibition of 'flesh in milk' is thrice expressed in the Torah by the term 'cooking', and cooking signifies the imparting of a flavor from one substance to the other.

(12) Even though the other pieces in the pot are together more than sixty times the volume of the piece upon which the milk fell.

(13) The rule **IT IS FORBIDDEN** in the first clause of our Mishnah accordingly means that all that is in the pot is forbidden; for Rab evidently is in agreement with R. Judah that homogeneous substances cannot neutralize each other.

(14) V. supra 100b. In our Mishnah, therefore, according to this view, even though the one piece is rendered forbidden as nebelah, and the other pieces in the pot are to be disregarded for they are of like kind, the broth, if there is sufficient of it, should neutralize the forbidden piece, for broth and flesh are different kinds.

(15) And this is regarded as being of the same kind as flesh.

(16) Lit., 'might have been'.

(17) The contention is that when a substance, rendered forbidden because it had absorbed the essence of a forbidden matter, is cooked together with other permitted food, the forbidden essence is considered as extracted from the original substance and distributed equally among the contents of the pot; so that if there is enough in the Pot to neutralize the quantity of forbidden essence it will all be permitted, even the original substance which Was rendered forbidden. In other words

the substance, which is forbidden because of the forbidden essence that it absorbed, is not regarded as nebelah and forbidden absolutely for all time, but it is even possible for it to become permitted once again when cooked with other substances.

(18) Surely the drop of milk which originally fell on this piece would in the course of further cooking be extracted from it and distributed equally among all the pieces in the pot, so that this piece too should be permitted!

(19) Because of the milk that it absorbed.

## Chullin 108b

why is the milk permitted? Is not the milk<sup>1</sup> as nebelah?<sup>2</sup> — I still maintain, that Rab holds that even when it can be considered extracted it is still forbidden, but there<sup>3</sup> it is exceptional, for the verse states: Thou shalt not seethe a kid in its mother's milk,<sup>4</sup> whence it is clear that the Torah forbade the kid only and not the milk.<sup>5</sup> But does Rab hold that the Torah forbade the kid only and not the milk? But it has been reported: If a person cooked half an olive's bulk of flesh with half an olive's bulk of milk,<sup>6</sup> he suffers stripes, says Rab, if he eats it, but does not suffer stripes for cooking it. Now if you maintain that [Rab contends that] the Torah forbade the kid only and not the milk, why should he suffer stripes for eating it? There was only half the [minimum] quantity!<sup>7</sup>

Rather we must say that Rab holds the view that the milk is also forbidden, but in this cases we must suppose that [the olive's bulk of flesh] fell into a boiling pot, in which case it will absorb all the time and not discharge at all.<sup>9</sup> But eventually when [the boiling] subsides it will discharge [the milk which it had absorbed]! — By then he had already removed it.<sup>10</sup> The text [stated above]: 'If a person cooked half an olive's bulk of flesh with half an olive's bulk of milk, he suffers stripes, says Rab, if he eats it, but does not suffer stripes for cooking it'. But say what you will. If the two<sup>11</sup> combine [to make the prohibition], then he should also suffer stripes for cooking it; and if they do not combine, then he should not suffer stripes

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even if he ate it! — Really they do not combine, but this<sup>12</sup> is a case where each [half an olive's bulk] came from a large pot.<sup>13</sup>

Levi, however, said: He also suffers stripes for cooking it. Moreover, Levi taught so in a Baraitha: Just as he suffers stripes for eating it he suffers stripes for cooking it. And of what kind of cooking did they speak? Of such cooking as others<sup>14</sup> would eat thereof. With regard to the law where the forbidden essence is considered extracted,<sup>15</sup> there is a dispute between Tannaim. For it was taught: If a drop of milk fell on a piece of flesh, as soon as it imparted a flavor to the piece, the piece itself is forbidden as nebelah, and it will in turn render all the pieces [in the pot] forbidden, for they are of like kind: so R. Judah. But the Sages say. [It is not forbidden at all] until it imparts a flavor to the broth, the sediments and the pieces.

Said Rabbi: The words of R. Judah are acceptable in the case where he<sup>16</sup> neither stirred nor covered [the pot], and the words of the Sages in the case where he either stirred it or covered it. Now what is meant by 'neither stirred nor covered'? Should you say it means that he did not stir it at all, or that he did not cover it at all, then this piece will indeed have absorbed [the drop of milk] but will not at any time have given it out; [wherefore then are the other pieces forbidden?] And if it means that he did not stir it straightway but only later on, or that he did not cover it straightway but only later on, wherefore [are any of the pieces forbidden]? True, this piece had absorbed [the drop of milk] but it has also given it out! — He is of the opinion that even when the forbidden substance can be considered extracted it is still forbidden.<sup>17</sup>

(1) Sc. that milk which was first absorbed by the flesh and later discharged in the rest of the milk in the pot.

(2) So that when it mixes with the rest of the milk we have here a mixture of homogeneous liquids

which, according to Rab can never neutralize each other.

(3) In connection with the prohibition of flesh in milk.

(4) Ex. XXIII, 19.

(5) Rab contends that whenever flesh and milk are cooked together in any proportion whatsoever, it is only the flesh that is forbidden and not the milk.

(6) An olive's bulk of liquid is that amount of liquid displaced from a brimming bowl by an olive.

(7) The minimum quantity of a forbidden substance to render one liable to stripes is an olive's bulk. Here the only forbidden substance is the meat and there is only half an olive's bulk of it.

(8) Namely, where an olive's bulk of flesh fell into a pot of milk.

(9) The milk absorbed by the flesh will not be given out so long as the pot is boiling, consequently it will not affect the rest of the milk in the Pot.

(10) The olive's bulk of flesh.

(11) Sc. the flesh and the milk.

(12) The statement of Rab that he suffers stripes for eating it.

(13) Wherein large quantities of flesh and milk were cooked together. To take out of this Pot half an olive's bulk of flesh and half an olive's bulk of milk and eat them certainly renders one liable to stripes. But to cook half an olive's bulk of meat with half an olive's bulk of milk does not, according to Rab, render one liable to stripes. So that the two rulings given by Rab refer to different cases.

(14) Non-Jews. I.e., sufficiently cooked.

(15) Whether the original piece which contained the forbidden essence becomes now permitted or not.

(16) Sc., the person who was looking after the pot. By stirring or covering the pot the forbidden substance is distributed equally among the entire contents of the pot.

(17) Once a piece of flesh has absorbed a forbidden substance it becomes absolutely forbidden as nebelah and will at once render all the pieces in the pot forbidden, no matter how much there is in the Pot besides this; for it can never be neutralized since this is a case of a forbidden piece among permitted pieces, or a mixture of homogeneous substances.

## Chullin 109a

(It follows then from this that R. Judah holds that [the entire contents of the pot] are forbidden even though he stirred it straightway [and continued to do so] till the

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very end, or covered it straightway [and kept it so] till the very end.<sup>1</sup> But why should this be so? The one [piece] has not absorbed any more [than the others]?<sup>2</sup> — Perhaps he did not stir it so well or he did not cover it so well.<sup>3</sup>

The Master [further] stated above: ‘And the words of the Sages in the case where he either stirred it or covered it’. What is meant by ‘either stirred it or covered it’? Should you say it means that he stirred it only later on but not at the beginning, or that he covered it only later on but not at the beginning,<sup>4</sup> — but in this case you have said that the words of R. Judah are acceptable.<sup>5</sup> It must therefore mean that he stirred it straightway and [continued to do so] till the very end, or that he covered it straightway and [kept it so] till the very end; from which it follows that the Sages maintain [that everything in the pot is] permitted even though he stirred it only later on but not at the beginning, or he covered it only later on but not at the beginning. It is evident then that they hold that when the forbidden substance can be considered extracted it becomes permitted.<sup>6</sup>

R. Aha of Difti said to Rabina: Why say they differ as to the law where the forbidden substance can be extracted? Perhaps all are of the opinion that even when the forbidden substance can be extracted it is still forbidden, but they differ [about the neutralization<sup>7</sup> of homogeneous substances: R. Judah maintaining his principle that homogeneous substances cannot neutralize each other, and the Rabbis maintain theirs that homogeneous substances can neutralize each other?]<sup>7</sup> —

This argument cannot be entertained.<sup>8</sup> If you concede that the Sages in this dispute accept R. Judah’s view concerning homogeneous substances, but they differ only as to the law in the case where the forbidden substance can be considered extracted, then the meaning of Rabbi is clear when he says. ‘The

words of R. Judah are acceptable in this case and the words of the Sages in that’. But if you insist that all agree that even where the forbidden substance can be considered extracted it is still forbidden, but they differ concerning the law of homogeneous substances, then surely [Rabbi] should have said. ‘The words of R. Judah are acceptable in this but not in that’!<sup>9</sup> And there is no more to be said about this.

**MISHNAH.** THE UDDER MUST BE CUT OPEN AND EMPTIED OF ITS MILK; IF HE DID NOT CUT IT OPEN<sup>10</sup> HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF.<sup>11</sup> THE HEART MUST BE CUT OPEN AND EMPTIED OF ITS BLOOD; IF HE DID NOT CUT IT OPEN HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF.<sup>12</sup>

(1) The fact that Rabbi finds R. Judah's view acceptable only where the pot was not stirred immediately but only later on clearly suggests that R. Judah maintains his view (viz., that everything in the pot is forbidden) even where the pot was stirred immediately and kept on so till the end.

(2) The drop of milk, in these circumstances, should be considered as distributed equally among all the pieces in the pot, and surely there is sufficient in the pot to neutralize this drop.

(3) And if the pot was not stirred well or covered properly the very moment the drop of milk fell on a piece, that piece would immediately absorb the milk and would render all the contents of the pot forbidden.

(4) And in this case Rabbi is inclined to accept the lenient view of the Sages that all the pieces in the pot would neutralize the milk, for it has been extracted from the one piece and distributed evenly in the pot.

(5) That the entire contents of the pot are forbidden.

(6) Hence we see that where the forbidden substance can be considered extracted is a matter of dispute between Tannaim.

(7) The position would then be: all hold that the piece upon which the drop of milk fell is wholly forbidden as nebelah, but the dispute is concerning the other pieces in the pot. R. Judah holding that the entire contents of the pot are forbidden because the forbidden piece can never be neutralized amongst other pieces, and the Sages holding that neutralization even in a mixture of

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homogeneous substances can take place. The attitude of Rabbi who holds, first that when the forbidden substance can be extracted the piece is still forbidden, and secondly that neutralization cannot take place between homogeneous substances, is expressed thus: The words of R. Judah are acceptable to me, namely, that the entire contents of the pot are forbidden, in the case where the pot was not stirred at once but only later on, for then one piece was first rendered forbidden and it would later render the entire pot forbidden. But the words of R. Judah are not acceptable to me in the case where the pot was stirred straightway, for then the drop of milk was immediately evenly distributed among the contents of the pot. In this latter case the words of the Sages are acceptable to me, namely that the entire contents of the pot are permitted, for the apprehension lest the pot was not well stirred or well covered need not be taken into consideration.

(8) Lit., 'what is this?'

(9) V. supra n. 1. The view expressed there is that Rabbi agrees with R. Judah, that the entire contents are forbidden in the case where the pot was not stirred at once, but does not agree with him in the case where it was stirred at once. If this is Rabbi's true view then he should not have mentioned the Sages at all in his statement. The fact that the Sages are mentioned in Rabbi's statement indicates that they went so far as to permit even that Piece upon which the drop of milk fell, for they hold that when the forbidden substance is extracted the piece itself becomes permitted. The result of all this argument is to show that the law in the case when the forbidden substance can be considered extracted is a matter of dispute between Tannaim.

(10) But cooked it together with all the milk it contained.

(11) And no penalty Is Incurred either for cooking or eating the udder. The prohibition of 'flesh in milk' applies only to milk drawn off from the living animal but not to milk found in the udder of a slaughtered animal.

(12) And is not liable to the penalty of Kareth for eating blood. According to Rashi the Mishnah is referring only to the heart of a fowl and the reason why this penalty is not incurred is because the blood contained in the heart is not as much as an olive's bulk. According to Tosaf. it refers to the heart of any animal and there is no liability because blood that has been cooked is not forbidden by the law of the Torah. V. Ker. 220. The flesh of the heart, says Rashi, is not rendered forbidden, for since it is smooth it does not absorb the blood. V. however Tosaf. s.v. הלב.

## Chullin 109b

*GEMARA.* R. Zera said in the name of Rab: He has [not only] not transgressed the law on account thereof, but it is even permitted.<sup>1</sup> But have we not learnt: **HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF**, which implies that there is no transgression of the law but that it is forbidden? Strictly it is not forbidden at all, but only because the second clause reads: **THE HEART MUST BE CUT OPEN AND EMPTIED OF ITS BLOOD; IF HE DID NOT CUT IT OPEN HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF**, in which case it is true that there is no transgression of the law but clearly it is forbidden,<sup>2</sup> the Tanna also stated in the first clause, **HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF**. Shall we say that the following teaching supports him? It was taught: The udder must be cut open and emptied of its milk; if he did not cut it open he has not transgressed the law on account thereof. The heart must be cut open and emptied of its blood; if he did not cut it open he must cut it open after it had been cooked and it is permitted [to be eaten]. Now it is only the heart that must be cut open [after the cooking], but the udder need not be cut open at all! — Perhaps the inference is: only for the heart does the cutting open [after the cooking] suffice, but for the udder the cutting open [after the cooking] would not be sufficient.<sup>3</sup>

Others report the passage thus: R. Zera said in the name of Rab: He has not transgressed the law on account thereof, but it is forbidden [to be eaten]. Shall we say that [our Mishnah] supports him? It reads: **HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF**, which implies, no doubt, that there is no transgression of the law but that it is forbidden! — Strictly it is not even forbidden, but only because the second clause reads: **THE HEART MUST**

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BE CUT OPEN AND EMPTIED OF ITS BLOOD; IF HE DID NOT CUT IT OPEN HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF, in which case there is no transgression of the law but clearly it is forbidden, the Tanna also stated in the first clause, HE HAS NOT TRANSGRESSED THE LAW ON ACCOUNT THEREOF.

Come and hear: The udder must be cut open and emptied of its milk; if he did not cut it open he has not transgressed the law on account thereof. The heart must be cut open and emptied of its blood; if he did not cut it open, he must cut it open after it had been cooked and it is permitted [to be eaten]. Now only the heart must be cut open [after the cooking] but the udder need not be cut open at all! — Perhaps the inference is: only for the heart does the cutting open [after the cooking] suffice, but for the udder the cutting open [after the cooking] would not be sufficient.

It was taught in agreement with the first version of Rab's view: If the udder was cooked with its milk it is permitted; if the stomach [of a sucking calf] was cooked with its milk it is forbidden. And wherein lies the distinction between the two? In the one the milk is collected inside, in the other it is not collected inside.<sup>4</sup>

How should one cut its open? — Rab Judah replied. One must cut it lengthwise and breadthwise and press it against the wall. R. Eleazar once said to his attendant, 'Cut it up for me and I will eat it'. What does he teach us? Is it not [a clear statement in] our Mishnah? — He teaches us that it is not necessary to cut it both lengthwise and breadthwise.<sup>7</sup> Or [he teaches us that this would be sufficient even for cooking] in a pot.<sup>8</sup>

Yaltha<sup>9</sup> once said to R. Nahman: 'Observe, for everything that the Divine Law has

forbidden us it has permitted us an equivalent:

it has forbidden us blood but it has permitted us liver; it has forbidden us intercourse during menstruation but it has permitted us the blood of purification;<sup>10</sup> it has forbidden us the fat of cattle but it has permitted us the fat of wild beasts; it has forbidden us swine's flesh but it has permitted us the brain of the shibbuta;<sup>11</sup> it has forbidden us the girutha<sup>12</sup> but it has permitted us the tongue of fish;<sup>13</sup> it has forbidden us the married woman *but it* has permitted us the divorcee during the lifetime of her former husband; it has forbidden us the brother's wife but it has permitted us the levirate marriage;<sup>14</sup> it has forbidden us the non-Jewess but it has permitted us the beautiful woman<sup>15</sup> [taken in war].

I wish to eat flesh in milk, [where is its equivalent?]' Thereupon R. Nahman said to the butchers, 'Give her roasted Udders'.<sup>16</sup> But have we not learnt, [THE UDDER] MUST BE CUT OPEN? — That is only when [it is to be cooked] in a pot.<sup>17</sup> But does it not state [in the Baraitha above]. 'If [the udder was] cooked',<sup>18</sup> which implies that only after the act it is permitted but not in the first instance?<sup>19</sup> — Indeed, it is even permitted in the first instance, but only because [the Tanna of the cited Baraitha] desired to state the second clause viz., If the stomach

(1) To be eaten; for the milk that was withdrawn from a slaughtered animal is at most forbidden to be cooked with flesh by the Rabbis only, and here since the milk was absorbed and confined within the udder there is not even a Rabbinic injunction against eating it.

(2) For although there can be no liability to any punishment for eating the blood in the heart of a fowl for the reason stated, namely that it is less than an olive's bulk, there nevertheless lies a prohibition even where there is less than an olive's bulk, and it would certainly not be permitted to be eaten.

(3) And there is good reason for this distinction. As the heart is smooth and hard even in cooking the blood would not penetrate into it; the udder, on the other hand, is soft and spongy, and in

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cooking, the milk would penetrate into it, and it would be impossible to remove it.

(4) The milk found in the stomach of a calf is regarded as ordinary milk, accumulated in a particular place, to which the prohibition of 'flesh in milk' applies, whereas the milk in the udder cannot be said to be collected inside but is absorbed in every part of the udder and therefore the prohibition of 'flesh in milk' does not apply.

(5) Sc. the udder.

(6) Before you roast it (Rashi); or, Before you cook it (Tosaf.).

(7) But cutting it in one direction would be sufficient.

(8) I.e., by cutting it lengthwise and breadthwise and by pressing it out against the wall it is permitted to cook it in a pot together with other meat. The text adopted is as found in MS.M. Alfasi, R. Gershom and others. In cur. edd., in place of 'or in a pot' are the words 'and to press it against the wall'. V. Glos. of Bah.

(9) R. Nahman's wife.

(10) In the period of purification after childbirth (cf. Lev. XII, 4) intercourse is permitted even though the woman may be suffering from a discharge of blood. Moreover, the blood of virginity is permitted which is the equivalent of the blood of menstruation.

(11) **שיבויטא** a kind of fish the brain of which has the same taste as swine's flesh. According to some it is the mullet, according to others the sturgeon.

(12) A forbidden bird; v. supra 62b where it is identified with the moor-hen.

(13) Which has the taste of girutha.

(14) Cf. Deut. XXV, 5ff.

(15) Cf. ibid. XXI, II ff.

(16) Lit., 'give her udders on the spit'. i.e., roasted (Rashi). According to Aruch: 'Feed her with well-filled udders'.

(17) R. Nahman apparently accepts the view stated in the second version of Rab supra. that the udder is forbidden if cooked without having been cut open.

(18) The expression 'cooked', **בשל**, in the Baraita is to be interpreted as roasted and not cooked in a Pot. Cf. the same expression in II Chron. XXXV, 13: And they cooked the Passover.

(19) How then did R. Nahman permit his wife to eat the udder roasted, and in the first instance too?

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was cooked with its milk it is forbidden, in which case it is not permitted even after the act, he stated in the first clause too 'if it was cooked'.

When R. Eleazar went up [to Palestine] he met Ze'iri to whom he said: Is there to be found here a Tanna<sup>1</sup> who recited to Rab the law of the udder?<sup>2</sup> He immediately pointed out to him R. Isaac b. Abudimi. Thereupon the latter said unto him: I did not recite to him [any prohibition] at all about the udder; Rab however found an open space and put a fence around it.<sup>3</sup>

For Rab once happened to be at Tatlafush<sup>4</sup> and overheard a woman asking her neighbor. How much milk is required for cooking a rib'<sup>5</sup> of meat? Said Rab: Do they not know that meat cooked with milk is forbidden? He therefore stayed there [some time] and declared the udder forbidden to them.

R. Kahana reported the passage as above; but R. Jose b. Abba reported it as follows: [R. Isaac b. Abudimi said.] 'I taught him [the prohibition only] with regard to the udder of a milch [cow]'.<sup>6</sup> And relying upon the keen perception of R. Hiyya he had stated this law in general about the udder.<sup>7</sup>

Rabin and R. Isaac b. Joseph once happened to be at R. Papi's, and they were served with a dish of udder. R. Isaac b. Joseph ate of it, but Rabin did not. Said Abaye: Wherefore did not this childless Rabins eat? Consider this, R. Papi's wife was the daughter of R. Isaac Nappaha, and R. Isaac Nappaha was most strict in his actions;<sup>9</sup> now had she not seen this practice in her parents' home she certainly would not have served them with it. In Sura people did not eat the udder at all, in Pumbeditha they used to eat it.

Rami b. Tamri, also known as Rami b. Dikuli, of Pumbeditha once happened to be in Sura on the eve of the Day of Atonement. When the townspeople took all the udders [of the animals] and threw them away, he immediately went and collected them and ate them. He was then brought before R. Hisda who said to him: 'Why did you do it?' He replied: 'I come from the place of Rab Judah

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who permits it to be eaten.’ Said R. Hisda to him: ‘But do you not accept the rule:10 [When a person arrives in a town] he must adopt the restrictions of the town he has left and also the restrictions of the town he has entered?’ — He replied: ‘I ate them outside the [city's] boundary.’ ‘And with what did you roast them?’ He replied. ‘With the kernels [of grapes].’ ‘Perhaps they were [the kernels] of wine used for idolatrous purposes?’ He replied. ‘They had been lying there more than twelve months.’11 ‘Perhaps they were stolen goods?’ He replied. ‘The owners must have certainly abandoned all rights to them for lichen was growing amongst them.’

He [R. Hisda] noticed that the other was not wearing the Tefillin12 and said to him. ‘Why do you not wear the Tefillin?’ He replied. ‘I suffer from the bowels, and Rab Judah has said. One who suffers from the bowels is exempt from wearing the Tefillin.’13 He further noticed that the other was not wearing fringes [on his coat] and said to him. ‘Why are you not wearing fringes?’ He replied. ‘The coat [I am wearing] is borrowed, and Rab Judah has said.

(1) V. Glos.

(2) I.e., that it is forbidden if cooked without having been cut open.

(3) I.e., he came to a place where the people were negligent in their religious observances and he therefore placed upon them additional restrictions.

(4) In the neighborhood of Sura; Obermeyer p. 298.

(5) **ריבעא** a term describing a certain quantity of meat, cf. Bez. 29a. According to Rashi: ‘a litra’.

(6) I.e., without however stating so expressly as the Gemara continues to explain, v. **מעדיני יו"ט**.

(7) Without explaining that it was only the udder of a milch cow that was forbidden. Rab however had heard this statement without making the necessary distinction. This is apparently the interpretation of this difficult passage.

(8) He was bereft of his children, and therefore was always referred to sympathetically as ‘the childless Rabin’; v. Pes. 70b.

(9) Lit., ‘a master of (good) deeds’.

(10) Supra 18b. Pes. 50a.

(11) V. A.Z. 34a; kernels which had been used for idolatry, if dry i.e., after twelve months, are permitted for use.

(12) V. Glos.

(13) For otherwise he would be constantly having to remove them in order to relieve himself.

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A borrowed coat is, for the first thirty days, exempt from the zizith.’ While this was going on a man was brought in [to the court] for not honoring his father and mother. They bound him [to have him flogged], whereupon [Rami] said to them. ‘Leave him alone, for it has been taught. Every commandment which carries its reward by its side does not fall within the jurisdiction of the Court below.’1 Said [R. Hisda] to him. ‘I see that you are very sharp.’ He replied. ‘If only you would come to Rab Judah's school I would show you how sharp I am!’

Abaye said to, R. Safra. When you go up there [to Palestine] enquire of them. How do you deal with the liver?’ When he came up he met R. Zerika who told him [in reply]. ‘I once cooked [the liver] well2 for R. Ammi and he ate it.’ When he [R. Safra] returned, Abaye said to him: ‘I had no doubt at all that it, itself, was forbidden;3 I was only in doubt whether it could render forbidden other [pieces that were in the pot with it or not].’ ‘But why had you no doubt that it, itself, was forbidden? For we have learnt: It is not itself rendered forbidden.4 Then you should have no more doubts as to whether it renders others forbidden, for we have learnt: The liver renders [other pieces in the pot] forbidden but is not itself rendered forbidden, for it exudes and does not absorb’!4 — He replied. ‘Perhaps there it refers to the liver of a forbidden [animal]

(1) And the reward for honoring parents is stated side by side with the precept; v. Ex. XX, 12.

(2) **שליקי** V. p. 611, n. 4.

(3) It is certainly permitted because it is discharging blood all the time during the cooking and will not absorb at all.

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(4) Ter. X, 11.

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and the point is about the fat;<sup>1</sup> [what I wish to know is] the law about the blood?<sup>2</sup> When he went up [to Palestine] a second time he met R. Zerika who told him [in reply]. ‘This, too, should not cause you any doubt, for I and Jannai the son of R. Ammi once came to the house of Judah the son of R. Simeon b. Pazzi, and we were served with the windpipe and its appendages<sup>3</sup> and we ate them.’

R. Ashi, others say. R. Samuel of Zerukinia,<sup>4</sup> demurred [at any proof from this] saying. Perhaps there the mouth of the windpipe was outside the pot?<sup>5</sup> Or perhaps it [the liver] was first dipped?<sup>6</sup> For R. Huna used to dip it in vinegar, and R. Nahman used to dip it in boiling hot water.

R.<sup>7</sup> Papa once suggested to Raba that the vinegar [in which the liver was dipped] should be forbidden, but Raba answered him thus: If the vinegar is forbidden then it [the liver] too should be forbidden, for just as it exudes [its juice into the vinegar] it will later on absorb it.<sup>8</sup>

Rab b. Shabba once visited R. Nahman's house and was served with well-cooked<sup>9</sup> liver but he would not eat it. Thereupon they told him [R. Nahman]. ‘There's a young scholar inside, namely Rab b. Shabba, who will not eat it.’ R. Nahman replied. ‘Force Shabba to eat it.’ This indeed is a matter of dispute between Tannaim: R. Eliezer says. The liver renders [other pieces in the pot] forbidden but is not itself rendered forbidden, because it exudes and does not absorb. R. Ishmael the son of R. Johanan b. Berokah says: If it [the liver] was seasoned with spices<sup>10</sup> it renders others forbidden and is itself also rendered forbidden; [and so too] if it was well-cooked<sup>11</sup> it renders others forbidden and is itself also rendered forbidden.<sup>12</sup>

Rabbah son of R. Huna once visited the house of Rabbah son of R. Nahman and was served with three se'ahs of honey-cakes. He said to them,<sup>13</sup> Did you know that I was coming? They replied. You are no more important than it,<sup>14</sup> and it is written. And call the Sabbath a delight.<sup>15</sup> In the meantime he noticed a liver and in the artery thereof there was much blood. He said to them: Is it right to do so? They replied. What then should we do? He said. Cut it open lengthwise and breadthwise, and the part cut should be below.<sup>16</sup> This is so<sup>17</sup> only with the liver, but as to the spleen it contains merely a fatty juice.<sup>18</sup> Thus on the day when Samuel was bled they prepared for him spleen broth. It was stated: [To roast] the liver on top of meat, is permitted, for the blood glides off;<sup>19</sup> [to roast] the udder on top of meat is forbidden because the milk clings [to and penetrates into the meat]. R. Dimi of Nehardea reports this just the reverse thus, [To roast] the udder on top of meat, is permitted, because the milk of a slaughtered animal is but a Rabbinic prohibition; liver on top of meat is forbidden because the blood is a Biblical prohibition.

Meremar declared in a public exposition: The law is, both with regard to the liver and the udder: under meat, it is permitted; on top of meat, it is permitted only after the act, but one may not do so in the first instance.

R. Ashi once visited the house of Rami b. Abba his father-in-law when he saw the son of Rami b. Abba

(1) So that the liver of a trefah animal, when cooked with other pieces of flesh, will render those pieces forbidden not because of the blood, but because of the fat of the liver which has been absorbed by those pieces. On the other hand, if the liver of a permitted animal was cooked in the same pot with trefah meat, it would not be rendered forbidden, because whilst it is discharging blood it would not be able to absorb anything.

(2) The question is. Will the blood discharged from a liver that is permitted render the other pieces in the pot forbidden or not?

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(3) The windpipe and its appendages, i.e., the lungs, liver and heart, had all been cooked together in one Rot.

(4) Near Nehar Azak, east of Tigris; v. Obermeyer, p. 80.

(5) So that whatever blood was discharged from the liver ran off outside the pot and nothing in the pot could have been affected by it.

(6) Either in vinegar or in boiling water to cause contraction of the pores so that nothing at all would exude from it.

(7) So var. lec.; cur. edd. 'And R. Papa, etc.'

(8) In truth, however, the effect of the vinegar is to harden the liver and close up its pores so that nothing at all can exude from it; this being so, the vinegar is also permitted.

(9) שליקה V. n. 3.

(10) The spices soften the liver and render it more susceptible to absorb into it other juice.

(11) שלוקה term denoting 'well-cooked', cf. n. 3 mut. mut.

(12) [Thus those who ate the liver after cooking it well (supra p. 610) follow the view of R. Eliezer whilst R. Shaba follows the view of R. Ishmael, Adreth Hiddushim.]

(13) Sc. the members of the household.

(14) Sc. the Sabbath.

(15) Isa. LVIII. 13. The cakes had been prepared for the Sabbath.

(16) When roasting the liver the cut should be turned to the fire so that the blood should flow out directly and not run on to any other part of the liver.

(17) That it must be cut up lengthwise and breadthwise.

(18) It does not contain much blood, and so does not need to be cut up.

(19) The blood that is drawn out of the liver will not be absorbed by the meat but will run off the meat and drip on to the fire, and so the meat is permitted.

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putting liver on the spit on top of meat. 'How presumptuous this young scholar is!' he exclaimed. 'The Rabbis may have permitted it after the act, but did they permit it in the first instance?' But if a vessel was placed below to collect the drippings, even though the meat was on top of the liver, it is forbidden.<sup>1</sup> But in what way is this different from the blood of flesh?<sup>2</sup> — The blood of flesh settles at the bottom of the vessel, whereas the blood of liver floats at the top.<sup>3</sup>

R. Nahman said in the name of Samuel: The knife with which one slaughtered may not be used for cutting hot food;<sup>4</sup> as for cold food, some say it must be washed,<sup>5</sup> whilst others say, it need not be washed.

Rab Judah said in the name of Samuel: The vessel in which one salted meat may not be used for eating therein hot food. This is in accord with Samuel's principle, for Samuel has stated: Whatsoever is salted is counted as hot, and whatsoever is preserved is counted as cooked.<sup>6</sup> When Rabin came [from Palestine] he reported in the name of R. Johanan. Whatsoever is salted is not counted as hot and whatsoever is preserved is not counted as cooked. Said Abaye. This statement of Rabin cannot be upheld, for it once happened in the house of R. Ammi that an earthenware plate had been used for salting meat thereon and he broke it. Now let us see. Was not R. Ammi a disciple of R. Johanan? Why then did he break [the plate]? Surely because he had heard the statement from R. Johanan that whatsoever is salted is counted as hot.

R. Kahana, the brother of Rab Judah, was sitting before R. Huna and recited as follows, The vessel in which one salted meat may not be used for eating therein hot food. A radish which was cut with a meat knife may be eaten with a milk sauce.<sup>7</sup> Why the distinction? — Abaye answered: The latter absorbed what is permitted, the former what is forbidden.<sup>8</sup> Said to him Raba. But what difference does it make the fact that it absorbed what is permitted? After all what is permitted now will be forbidden later on,<sup>9</sup> so that he will be eating that which is forbidden! Rather said Raba: [This is the distinction]. The latter can be tasted, the former cannot.<sup>10</sup>

R. Papa said to Raba: But could not a gentile cook taste it? Has it not been taught: In a pot wherein meat had been cooked a person may not boil milk, and if he did boil [milk] therein

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[it is forbidden] if the pot imparts a flavor [to the milk]. In a pot wherein terumah food had been cooked a person may not cook common food, and if he did cook [common food] therein, [it is forbidden] if the pot imparted a flavor [to the common food]. And when we put the question to you. In the case of terumah I grant you that a priest could taste the food; but in the case of meat and milk who may taste it? You replied: A gentile cook could taste it. Now in our case, too, could not a gentile cook taste it? [He replied:] That is so, but I am speaking of a case where there is no gentile cook available.<sup>11</sup>

It was stated: If [hot] fish was served on a [meat] plate: Rab says: It is forbidden to eat it with milk sauce; Samuel says: It is permitted to eat it with milk sauce. ‘Rab says: It is forbidden’, because it imparted a flavor to it;<sup>12</sup> ‘Samuel says: It is permitted’, because it imparted a flavor indirectly.<sup>13</sup> This ruling of Rab, however, was not expressly stated by him but was inferred from the following incident. Rab once visited the house of R. Shimi b. Hiyya, his grandson. He felt a pain in his eyes and so they prepared for him an ointment on a dish. Later on he was served with stew in this same dish and he detected the taste of the ointment in it. He remarked: ‘Does it impart such a strong flavour?’<sup>14</sup> — But this does not prove anything; in that case it is different for the bitterness of the ointment is very pungent.<sup>15</sup>

R. Eleazar was once standing before Mar Samuel, who was being served with fish upon a [meat] plate and was eating it with milk sauce. He [Samuel] offered him some but he would not eat it. Samuel said to him, ‘I once offered some to your Master<sup>16</sup> and he ate it, and you won't eat it.’ He [R. Eleazar] then came to Rab and asked him, ‘Has my Master withdrawn his view?’ He replied. Heaven forefend that the son of Abba b. Abba<sup>17</sup> should give me to eat that which I do not hold [to be permitted]!<sup>18</sup>

R. Huna and R. Hiyya b. Ashi were once sitting, one on the one side of the ferry of Sura and the other on the other side; one was served with fish on a [meat] plate which he ate with milk sauce; the other was served with figs and grapes in the course of the meal which he ate without reciting a benediction over them.<sup>19</sup> One called out to the other, ‘ignoramus,<sup>20</sup> would your master do so?’ The other called back, ‘Ignoramus, would your master do so?’ The one answered and said: ‘I accept Samuel's view.’<sup>21</sup> The other answered: ‘I hold the view of R. Hiyya. For R. Hiyya taught:<sup>22</sup> [The benediction over] bread exempts all other kinds of food, and that over wine exempts all other kinds of drink [from the necessity of another benediction].’

Hezekiah said in the name of Abaye: The law is, fish that was served on a [meat] plate may be eaten with milk sauce, and a radish that was cut with a meat knife may not be eaten with milk sauce. This is so only in the case of a radish,

- (1) I.e., the drippings of fat in the vessel are forbidden to be eaten because they are mingled with the blood drippings from the liver.
- (2) V. infra 112a, where it is permitted to place a vessel below the roasting meat in order to collect the drippings of fat even though it collects at the same time blood drippings.
- (3) In the former case the fat can be poured off into another vessel leaving behind all the blood, in the latter case the blood is intermingled with the fat and the one cannot be separated from the other.
- (4) The throat at the time of slaughtering is deemed to be hot so that the knife during the act of cutting will have absorbed blood and will give it out again when used with hot food.
- (5) The cold food cut with this knife must be washed, so Rashi. Most commentators, including Maim., R. Gershom, and Tosaf. (supra 8b s.v. והלכתא), interpret that the knife must be washed before cutting with it cold food.
- (6) supra 97b. The vessel will therefore have absorbed blood by reason of the salting.
- (7) Kutah, a preserve consisting of sour milk, bread crust and salt. Even though the radish because of its pungency absorbed the fat that was congealed upon the knife.

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(8) The radish absorbed the fat of meat which is in no wise forbidden, whereas the vessel absorbed blood which is forbidden.

(9) When it is dipped in the milk sauce, for then there is the combination of meat and milk.

(10) The radish can be tasted by any person to ascertain whether or not the flavor of the meat is perceptible; but the food cooked in the vessel wherein meat had been salted, may not be tasted by a Jew, for fear that the flavor of the blood that was absorbed in the vessel will have passed into the food.

(11) Where a gentile cook is available he may taste the food cooked in this vessel, and if he pronounces it to be absolutely free from the taste or flavor of blood it may then be eaten. So that in fact there is no distinction between the two cases cited by R. Kahana.

(12) The meat essence absorbed in the plate imparted its flavor to the fish.

(13) Lit., 'that which gives a flavor the son of (i.e., derived from) that which gives a flavor'. Here the meat originally imparted a flavor to the plate and the plate to the fish; the fish, therefore, has a secondary or indirect taste of the meat, and this according to Samuel is negligible and of no consequence. However, it is conceded by Samuel that it is forbidden to drink hot milk out of a meat dish, for the dish has the first taste of the meat and this flavor, like the meat itself, is forbidden to eat with milk.

(14) I.e., it is remarkable, thought Rab, that the flavor of the ointment should remain in the dish (which obviously was cleaned well) and be felt also in the food that was subsequently served in it. From this remark the Rabbis inferred that even the secondary or indirect taste is of consequence. This suggested inference is somewhat difficult for the case of the fish and the case of the ointment are not on all fours; v. however R. Nissim a.l.

(15) [Rab therefore must have stated his rule expressly. Tosaf.]

(16) Rab.

(17) I.e., Samuel, whose father was Abba b. Abba.

(18) In other words, such a thing never occurred, for Rab maintains his view that it is forbidden.

(19) These fruits are usually eaten after the meal and therefore when served in the course of the dinner one must recite the benediction over them, and one is not exempt with the benediction recited over the bread at the beginning of the dinner. V. Ber. 41b.

(20) Lit., 'orphan'. i.e., without knowledge. A term of gentle rebuke.

(21) V. supra, that fish served on a meat plate may be eaten with milk sauce.

(22) Ber. 41b.

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since on account of its pungency it absorbs [from the knife]; but in the case of a cucumber one need only scrape away the surface of the cut and then one may eat it [with a milk sauce]. Turnip stalks<sup>1</sup> are permitted;<sup>2</sup> beet stalks are forbidden, but if one cut these and turnips alternately,<sup>3</sup> they are permitted.

R. Dimi enquired of R. Nahman: May one place a jar of salt close to a jar of milk sauce?<sup>4</sup> — He replied. It is forbidden. And what about a jar of vinegar?<sup>5</sup> — He replied. It is permitted. What is the difference between the two? If you will measure out a kor of salt<sup>6</sup> [I will tell you the difference]. And what is it? — In the one case the forbidden substance is discernible, in the other it is not discernible.<sup>7</sup>

A young pigeon once fell into a jar of milk sauce,<sup>8</sup> and R. Hinena son of Raba of Pashrunia permitted it. Thereupon Raba remarked: Who, save R. Hinena son of Raba of Pashrunia, is so wise as to permit such a thing? For he [R. Hinena] is of the opinion that — Samuel's dictum, Whatsoever is salted is counted as hot, applies only to the case [of food salted so much] that it cannot be eaten on account of the salt;<sup>9</sup> but this milk sauce can be eaten together with the salt that is in it. This [was allowed] only in the case of a raw pigeon, but if it was roasted<sup>10</sup> it would require to be pared around; moreover if there were cuts in it, it would be wholly forbidden;<sup>11</sup> likewise, if it was seasoned with spices it would be wholly forbidden.

R. Nahman said in the name of Samuel, A loaf of bread upon which one cut [roast] meat may not be eaten,<sup>12</sup> but only if [the meat was] red, and only if [the blood] penetrated through the bread, and only if [the juice which exuded from the meat was] thick, but if it was thin then it does not matter. Samuel would throw that [loaf of bread] to the dogs.

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R. Huna used to give It his attendant. Say what you will; if it is permitted it is permitted to all, and if it is forbidden it is forbidden to all! — R. Huna's was quite a special case, for he was fastidious [in his food].<sup>13</sup> Raba used to eat it and called it 'meat wine'.

R. Nahman again said in the name of Samuel, One may not place a vessel beneath meat [that is roasting]<sup>14</sup> until all the redness [of the meat] has gone. How does one know this? — Mar Zutra answered in the name of R. Papa. When the smoke rises.<sup>15</sup> R. Ashi demurred saying. Perhaps the lower half has been roasted and the upper half has not?<sup>16</sup> R. Ashi therefore said: There is no other remedy but to cast [into the vessel] two lumps of salt

- (1) If cut with a meat knife.
- (2) To be eaten with a milk sauce.
- (3) I.e., if one first cut a turnip with the meat knife and then beet.
- (4) The apprehension is lest some of the milk sauce fall into the salt and he used with the latter to salt meat.
- (5) May one place it next to a jar of milk sauce?
- (6) V. supra 12a.
- (7) Milk sauce is noticeable in salt, but in vinegar it would melt away and would not even leave any trace of its flavor.
- (8) The pigeon had been ritually slaughtered and prepared for cooking when it fell into the milk sauce which usually contains a substantial amount of salt.
- (9) The salting in that case being for the purpose of preserving the food.
- (10) [Even if it was now cold, for roasting softens the meat, making it liable to absorb the milk sauce (Asheri). Others explain this to refer to hot roast; Adreth and Nissim.]
- (11) On account of the cuts and cracks in the body or because of the high seasoning, the roast pigeon would be all the more susceptible to absorb the milk sauce.
- (12) Because of the blood which the bread absorbed.
- (13) Actually R. Huna regarded it as permitted but would not eat it himself because of his sensitive nature.
- (14) In order to collect the drippings of fat; v. supra 111b.
- (15) From the meat, i.e., the meat is now dry and all the blood has been drawn out. Aliter: From the

coals; this smoke is from the drippings of fat after the drippings of blood have ceased.

(16) And there may still be drippings of blood from the upper half, i.e., that which is furthest from the fire.

## Chullin 112b

and to pour off [the fat].<sup>1</sup> But did Samuel really say so?<sup>2</sup> Has not Samuel stated that a loaf [of bread] upon which one cut [roast] meat may not be eaten?<sup>3</sup> — It is different in that case for it [the blood] exudes only by reason of the pressure of the knife.

R. Nahman said: If fish and fowl were salted together, they<sup>4</sup> are forbidden. What are the circumstances here? If the vessel [in which they were salted] was not perforated<sup>5</sup> then fowl with other fowl would also be forbidden, and if the vessel was perforated then even fish with fowl should be permitted? — Indeed the vessel was perforated, but fish, having a soft skin, very quickly exude [their juice], whereas fowl are constricted and exude [blood] long after the fish have ceased to do so, so that the latter will absorb from [the fowl].<sup>6</sup>

It happened to R. Mari b. Rahel that ritually slaughtered meat had been salted with trefah meat.<sup>7</sup> He came before Raba who said to him, It is written: The unclean,<sup>8</sup> to signify that the juice and the broth and the sediment of these [which are unclean] are forbidden.<sup>9</sup>

- (1) The effect of the salt is to draw the blood together so as to settle at the base of the vessel, leaving the fat on top; the fat can then very easily be poured off into another vessel, and it may be eaten.
- (2) That once the redness of the meat has gone no more blood will exude from it.
- (3) Because of the blood which has exuded from the roast meat.
- (4) I.e., the fish, for the blood that is exuded from the fowl will be absorbed by the fish.
- (5) It is forbidden to salt meat in a vessel that is not perforated. V. infra 113a.
- (6) On the other hand meat with other meat may very well be salted together, for each piece will

# CHULLIN – 89b-120a

take an equal length of time to exude the blood and so long as it exudes it will not absorb.

(7) In a perforated vessel.

(8) Lev. XI, 31: These are the unclean unto you among all that creep. It is apparent that the definite article before 'unclean' is superfluous.

(9) And therefore in the case of the trefah meat being salted with ritually slaughtered meat, whilst it is true that one will not absorb blood from the other because each is discharging it, each will however absorb the juice from the other, so that the ritually slaughtered meat would be rendered forbidden on account of the juice of the other.

## Chullin 113a

Why did he not tell him [that it was forbidden] because of Samuel's dictum, 'Whatsoever is salted is counted as hot, and whatsoever is preserved is counted as cooked'? — As for Samuel's dictum I would have thought that it applies only to the blood<sup>1</sup> but not to the juice and broth;<sup>2</sup> he therefore teaches us [the Baraitha]. An objection was raised: [It was taught:] If a clean fish was salted together with an unclean fish, it is permitted. Presumably this is a case where both were salted, is it not?<sup>4</sup> —

No. It is a case where the clean fish was salted but the unclean was not.<sup>5</sup> But surely, since the subsequent clause states: If the clean fish was salted and the unclean was not, [it] is permitted,<sup>6</sup> it follows that the first clause deals with the case where both were salted. — The [second] clause merely explains the first thus: If a clean fish was salted together with an unclean fish, it is permitted. When is this so? When, for instance, the clean fish was salted but the unclean was not. And indeed this supposition is reasonable, since if we assume the first clause to refer to the case where both were salted, seeing that where both were salted it is permitted, is it necessary [to tell us that it is permitted] where only the clean fish was salted and not the unclean? —

This however is not a conclusive argument. It may be that the second clause was put in to

make clear the reference in the first: lest you might think that the first clause refers to where the clean fish was salted and the unclean was not, leaving us to infer that where both were salted it would be forbidden, he therefore adds the second clause, where the clean fish was salted and the unclean was not, which shows that the first clause speaks of the case where both were salted, and even so it is permitted.

Come and hear from the very last clause: But if the unclean fish was salted and the clean was not, it is forbidden. Now it is forbidden only where the unclean was salted and the clean was not, from which it follows that where both were salted it would be permitted!<sup>4</sup> — Not at all; but since in the preceding clause it teaches of the case where the clean fish was salted, and the unclean was not, it teaches also in the second clause of the case where the unclean fish was salted and the clean was not.<sup>7</sup>

(Mnemonic: *Flesh put [on the] neckbone.*)<sup>8</sup>

Samuel said: Flesh cannot be drained of its blood unless it has been salted very well and rinsed very well. It was stated: R. Huna said: One must salt the flesh and then rinse it. In a Baraitha it was taught: One must rinse it, salt it and then rinse it again. Indeed they are not at variance, for in the one case<sup>9</sup> it was washed down by the butcher and in the other it was not washed by the butcher. R. Dimi of Nehardea used to salt meat with coarse salt and then shake it off.<sup>10</sup>

R. Mesharsheya said: We do not assume that the internal organs contain blood;<sup>11</sup> this is explained as referring specifically to the rectum, the small intestines, and the coil of the colon. Samuel said: One may not put salted meat except into a perforated vessel.<sup>12</sup> R. Shesheth used to salt each piece of meat<sup>13</sup> separately. But why not two together? Because the blood would run out of one piece and be absorbed by the other? Then in one

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piece also the blood may run out of one side and be absorbed by the other side! — Indeed there can be no difference.<sup>14</sup>

Samuel said in the name of R. Hiyya: If a man breaks the neck bone of an animal [after it has been slaughtered but] before the life departed from it, he thereby makes the meat heavy,<sup>15</sup> robs mankind,<sup>16</sup> and causes the blood to remain in the limbs. It was asked: What is the true meaning? Is it that he makes the meat heavy and thereby robs mankind by causing the blood to remain in the limbs, but where only he himself is concerned he may do so?<sup>17</sup> Or perhaps even for himself it is forbidden?<sup>18</sup> — This remains undecided.

**MISHNAH.** IF A MAN PLACES UPON THE TABLE FOWL WITH CHEESE HE DOES NOT THEREBY TRANSGRESS THE LAW.

**GEMARA.** It follows that if he were to eat [them together] he would transgress the law; you can infer from this that the flesh of fowl [cooked] in milk is prohibited by the law of the Torah! — Render thus. If a man places upon the table fowl with cheese he cannot come to the transgression of the law.<sup>19</sup>

**MISHNAH.** IT IS FORBIDDEN TO COOK THE FLESH OF A CLEAN ANIMAL IN THE MILK OF A CLEAN ANIMAL OR TO DERIVE ANY BENEFIT THEREFROM; BUT IT IS PERMITTED TO COOK THE FLESH OF A CLEAN ANIMAL IN THE MILK OF AN UNCLEAR ANIMAL OR THE FLESH OF AN UNCLEAR ANIMAL IN THE MILK OF A CLEAN ANIMAL AND TO DERIVE BENEFIT THEREFROM. R. AKIBA SAYS, WILD ANIMALS AND FOWLS ARE NOT INCLUDED IN THE PROHIBITION OF THE TORAH, FOR IT IS WRITTEN THRICE, THOU SHALT NOT SEETHE A KID IN ITS MOTHER'S MILK,<sup>20</sup> TO EXCLUDE WILD ANIMALS, FOWLS, AND UNCLEAR ANIMALS. R. JOSE THE GALILEAN SAYS, IT IS WRITTEN, YE SHALL NOT EAT OF ANYTHING THAT DIETH OF ITSELF.<sup>21</sup> AND IN THE SAME VERSE IT IS

WRITTEN, THOU SHALT NOT SEE THE A KID IN ITS MOTHER'S MILK; THEREFORE WHATSOEVER IS PROHIBITED. UNDER THE LAW OF NEBELAH<sup>22</sup> IT IS FORBIDDEN TO COOK IN MILK. NOW IT MIGHT BE INFERRED THAT A FOWL, SINCE IT IS PROHIBITED UNDER THE LAW OF NEBELAH. IS ALSO FORBIDDEN TO BE COOKED IN MILK; THE VERSE THEREFORE SAYS. IN ITS MOTHER'S MILK'; THUS A FOWL IS EXCLUDED SINCE IT HAS NO MOTHER'S MILK.<sup>23</sup>

**GEMARA.** Whence do we know this?<sup>24</sup> — R. Eleazar said: Because the verse says: And Judah sent the kid of the goats;<sup>25</sup>

(1) I.e., if meat with its blood was salted in a vessel which was not perforated it would be regarded as cooked (or roasted) thus, and is forbidden.

(2) Which we would not know to be forbidden at all without the Baraitha quoted, for we would regard them as a mere secretion and of no consequence.

(3) I.e., the clean fish.

(4) Both the clean and unclean fish were salted, and the former is permitted because so long as each fish is exuding juice one will not absorb from the other; similarly in the above case, so long as each piece of meat is exuding blood and juice, the ritually slaughtered meat will not absorb from the trefah meat.

(5) Lit., 'insipid', 'without salt'. The unclean fish not being salted will not exude at all, and therefore the clean fish will not be affected by it.

(6) V. Marginal Gloss.

(7) Actually even if both were salted the clean fish would be forbidden.

(8) A mnemonic of the three statements of Samuel given on this page on the subject of salting meat. The third word in the mnemonic is read as מפרקתא 'neckbone' which is supported by MS.M.; in cur. edd. the reading is נפקותא 'going out, departing'.

(9) In R. Huna's case.

(10) Because it has absorbed the blood. In the case of fine salt there is no need to shake it off, for it would melt in the blood and run off the meat.

(11) And they are not forbidden if cooked without salting.

(12) Meat that was salted and the salt had not been washed off may not be put into an unperforated vessel, for fear that the meat will absorb again the blood that was drawn out of it. It is certainly forbidden to salt meat in such a vessel

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in the first instance (R. Nissim). [Rashi supra 122b, s.v. אפילו, seems to have read one may not salt, etc. מניחין for מולחין]

(13) Lit., ‘bone (by) bone’.

(14) One may therefore salt any number of pieces together, for while each is exuding it will not absorb. As to whether all the pieces must be salted simultaneously or not, v. Tosaf. supra 112b, ודגים.

(15) For the animal is bereft of its last energy to spurt out the blood, and the blood now settles in the limbs of the animal.

(16) When he sells this meat, for it contains more than the usual amount of blood.

(17) I.e., if he does not sell the meat. And the usual salting of meat would presumably be sufficient for this meat too.

(18) For now no amount of salting will draw out the blood that has settled in the limbs.

(19) For even if he were to eat them together he would not transgress the law of the Torah.

(20) Ex. XXIII, 19; XXXIV, 26; Deut. XIV, 21.

(21) Deut. XIV, 21.

(22) V. Glos.

(23) Accordingly the prohibition is restricted to mammals.

(24) That the prohibition, ‘Thou shall not see the kid in its mother's milk’, is not limited in its application to a kid only but applies to all clean animals.

(25) Gen. XXXVIII, 20.

## Chullin 113b

here it was a ‘kid of the goats’, but elsewhere, wherever ‘kid’ is stated, it includes [the young of] the cow and the ewe. And might we not derive the rule from that?<sup>1</sup> — There is another verse which says: The skins of the kids of the goats;<sup>2</sup> here it was ‘kids of the goats’, but elsewhere, wherever ‘kid’ is stated, it includes [the young of] the cow and the ewe. And might we not derive the rule from the latter?<sup>1</sup> — [No, because] we have here two verses which teach the same thing, and one may not draw any conclusions from two verses which teach the same thing.<sup>3</sup> This is well according to him who maintains that one may not draw conclusions from such verses, but what can be said according to him who maintains that one may draw conclusions from such verses? — There are here two limiting particles: ‘goats’, ‘the goats’.<sup>4</sup>

Samuel said: ‘Kid’ includes the forbidden fat;<sup>5</sup> ‘kid’ includes that which died of itself;<sup>6</sup> ‘kid’ includes the foetus.<sup>7</sup> ‘Kid’ excludes the blood; ‘kid’ excludes the afterbirth; ‘kid’ excludes the unclean animal.<sup>8</sup> ‘In its mother's milk’, and not in the milk of a male;<sup>9</sup> ‘in its mother's milk’, and not in the milk of a slaughtered animal;<sup>10</sup> ‘in its mother's milk’ and not in the milk of an unclean animal.<sup>11</sup> But is not the term ‘kid’ written only three times,<sup>12</sup> yet we give six interpretations to it!

—

Samuel holds the view that a prohibition can be superimposed upon an existing prohibition, so that the application of the prohibition [of ‘flesh in milk’] to forbidden fat and also to that which died of itself is derived from one verse;<sup>13</sup> blood [is excluded because] it does not come under the term ‘kid’;<sup>14</sup> the afterbirth also because it is a mere excretion;<sup>14</sup> two verses now remain, one to include the fetus and the other to exclude an unclean animal. Does Samuel then hold that a prohibition can be superimposed upon an existing prohibition?

Surely Samuel has said in the name of R. Eliezer: Whence do we know that if a priest who was unclean ate unclean terumah he would not be liable to death?<sup>15</sup> From the verse: And die therein if they profane it,<sup>16</sup> thus excluding this [unclean terumah], since it already stands profaned!<sup>17</sup> — You may say, if you will, that in all cases a prohibition can be superimposed upon an existing prohibition, but it is different there for the Divine Law expressly disallowed it by the expression ‘And die therein if they profane it’. Or you may say, if you will, that in all cases Samuel is of the opinion that a prohibition cannot be superimposed upon an existing prohibition, but it is different here for the Divine Law expressly allowed it by the expression ‘kid’.<sup>18</sup> Or further you may also say, if you will, the one is his own opinion, the other is the opinion of his teacher.<sup>19</sup>

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R. Ahadboi b. Ammi enquired of Raba: What is the law if one cooked [flesh] in the milk of a she-goat that had not given suck?<sup>20</sup> — He replied: Since it was necessary for Samuel to state, the expression ‘in its mother's milk’, and not in the milk of a male, [it is clear that] only a male [is excluded] for it cannot become a mother, but [in the milk of] this [she-goat], since it can become a mother, it is forbidden. It was stated: [In the case where] a man cooked forbidden fat in milk, [there is a dispute between] R. Ammi and R. Assi: one says: He incurs stripes;<sup>21</sup> the other says: He does not incur stripes. Shall we say that they differ in this: he who says he incurs stripes maintains that a prohibition can be superimposed upon an existing prohibition, and he who says he does not incur stripes maintains that a prohibition cannot be superimposed upon an existing prohibition? —

No. All agree that a prohibition cannot be superimposed upon an existing prohibition; and [consequently] there is no dispute at all that for eating this he does not incur stripes.<sup>22</sup> They differ only with regard to the cooking thereof: he who says he incurs stripes argues that there is only one prohibition here;<sup>23</sup> and he who says he does not incur stripes argues that for this very reason did the Divine Law express the prohibition of eating by the term ‘cooking’,<sup>24</sup> [to signify that]

(1) That wherever ‘kid’ is mentioned it means the kid of the goats as in the verse quoted.

(2) Ibid. XXVII, 16.

(3) V. supra 61b.

(4) The definite article I added to the word ‘goats’ in each of the above verses is superfluous and is interpreted as a limitation; thus in these two cases the term ‘kid’ means a goat, but elsewhere ‘kid’ means the young of any clean animal.

(5) I.e., if a man cooked the forbidden fat of an animal, or a piece of nebelah, in milk and ate it, he would be liable twice: for eating forbidden fat or nebelah, and for eating flesh cooked in milk. The special point of this statement of Samuel is that the prohibition of ‘flesh in milk’ can be

superimposed upon the existing prohibition of forbidden fat or nebelah. V. infra.

(6) V. p. 622, n. 10.

(7) The flesh of a fetus is accounted as the flesh of an ordinary animal and the prohibition of ‘flesh in milk’ applies to it.

(8) I.e., if a man cooked blood or the afterbirth of an animal or a piece of an unclean animal in milk and ate it he would not be liable for eating flesh cooked in milk. Of course he would be liable for eating blood, or for eating of an unclean animal.

(9) If it so happened that a male had milk.

(10) The milk extracted from a slaughtered animal cannot be said to be ‘mother's milk’, for the slaughtered animal can no more be a ‘mother’.

(11) For only the milk of that species of animal is prohibited whose flesh would be included under the term ‘kid’, and since unclean animals are expressly precluded by the term ‘kid’, their milk is also excluded from the prohibition.

(12) V. supra p. 621, n. 5.

(13) I.e., from that verse which is required for the general statement of the law. See, however, Rashi who emends the text by omitting ‘Samuel is of the view... existing prohibition’; for, according to Rashi, Samuel's view as stated is the result of the interpretation here, and not the cause and reason of this interpretation.

(14) And does not require any expression of the verse to exclude it.

(15) Death by the hands of Heaven; v. Sanh. 83a.

(16) Lev. XXII, 9.

(17) Unclean terumah is already subject to one prohibition viz., a priest may not eat thereof, and a second prohibition arising by reason of the priest's uncleanness cannot be superimposed.

(18) Which includes the forbidden fat and the animal that died of itself; hence in this case the Torah expressly sanctioned one prohibition to be superimposed upon an already existing prohibition.

(19) I.e., R. Eliezer, in whose name Samuel had reported the above ruling. He maintains that a prohibition cannot be superimposed upon an existing prohibition. This is not to imply that R. Eliezer was the teacher of Samuel (Rashi).

(20) I.e., had not yet brought forth young. Does ‘mother’ in the text mean an animal that has brought forth young or not?

(21) Presumably if he ate it, for he has thereby transgressed the prohibition of ‘flesh in milk’. The penalty for eating forbidden fat does not enter into consideration here.

(22) For the prohibition of ‘flesh in milk’ cannot be superimposed upon the existing prohibition of forbidden fat.

# CHULLIN – 89b-120a

(23) Viz., for cooking flesh in milk. The prohibition of forbidden fat is only in respect of the eating thereof.

(24) The Torah has in every instance expressed the prohibition of eating 'flesh in milk' by the words: Thou shalt not seethe a kid, etc.

## Chullin 114a

whenever a man does not incur stripes for the eating he likewise does not incur stripes for the cooking thereof.

Another version runs as follows: There is no dispute at all that for the cooking he certainly incurs stripes; they differ only with regard to the eating thereof: he who says he does not incur stripes contends that a prohibition cannot be superimposed upon an existing prohibition, and he who says he incurs stripes contends that for this very reason did the Divine Law express the prohibition of eating by the term 'cooking' [to signify that] whenever a man incurs stripes for the cooking he likewise incurs stripes for the eating thereof. Alternatively you may say: One teaches one thing, the other teaches another thing,<sup>1</sup> but they do not differ at all.

An objection was raised. If a man cooked [flesh] in whey, he is not liable. If he cooked blood in milk, he is not liable. If he cooked bones, nerves, horns or hoofs in milk, he is not liable. If he cooked [consecrated flesh] that was Piggul<sup>2</sup> or left over<sup>3</sup> or unclean [flesh] in milk, he is liable! — That Tanna is of the opinion that a prohibition can be superimposed upon an existing prohibition.<sup>4</sup> 'If a man cooked flesh in whey, he is not liable'. This supports the view of R. Simeon b. Lakish. For we have learnt: Whey is counted as milk, and the sap [of olives] is counted as oil.<sup>5</sup> Said R. Simeon b. Lakish: They taught this only in respect of rendering seeds susceptible to contract uncleanness,<sup>6</sup> but in respect of the prohibition of cooking flesh in milk whey is not counted as milk.

Our Rabbis taught: [It is written: Thou shalt not seethe a kid] in its mother's milk.<sup>7</sup> From this I know [that the kid is forbidden]<sup>8</sup> in its mother's milk,<sup>9</sup> but whence do I know [that it is also forbidden]<sup>8</sup> in cow's milk or in ewe's milk?<sup>9</sup> From the following a fortiori argument: If [in the milk of] its mother, a species with which the kid may be mated, it is forbidden to cook [the kid], how much more [in the milk of] a cow or of a ewe, with which species the kid may not be mated,<sup>10</sup> is it forbidden to cook [the kid]! And the text also states: In its mother's milk.<sup>11</sup> But why is this [latter] verse necessary? It has been inferred [from the a fortiori argument], has it not? —

R. Ashi answered: Because one can argue that the first proposition of the [a fortiori] argument is unsound: Whence do you adduce the argument? From 'its mother'! [As against this it may be argued] that is so in the case of its mother,<sup>12</sup> since it is forbidden to be slaughtered [with the kid on the same day];<sup>13</sup> will you then say the same in the case of a cow<sup>12</sup> which is not forbidden to be slaughtered [with the kid on the same day]? The text therefore teaches, 'In its mother's milk'.

Another [Baraita] teaches: It is written: 'In its mother's milk'. From this I know [that the kid is forbidden] in its mother's milk, but where do I know [that it is forbidden] in the milk of its 'older sister'!<sup>14</sup> From the following a fortiori argument: If [in the milk of] its mother, which enters the cattle-pen together [with the kid] to be tithed,<sup>15</sup> it is forbidden to cook [the kid], how much more [in the milk of] its 'older sister', which does not enter the cattle-pen together [with the kid] to be tithed,<sup>15</sup> is it forbidden to cook the kid! And the text also teaches, 'In its mother's milk'. But why is this latter verse necessary? It has been inferred [from the a fortiori argument], has it not? —

R. Ashi answered: Because one can argue that the first proposition of the [a fortiori]

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argument is unsound. Whence do you adduce the argument? From its mother! [As against this it may be argued] that is so in the case of its mother, since it is forbidden to be slaughtered [with the kid on the same day]; will you then say the same in the case of its 'older sister' which is not forbidden to be slaughtered [with the kid on the same day]? The text therefore teaches, 'In its mother's milk'.<sup>16</sup> We have thus learnt [the prohibition with regard to] 'the older sister', but whence do we know it with regard to 'the younger sister'?<sup>17</sup> It can be inferred from both together.<sup>18</sup> But from which do you proceed to make the inference?

You may infer it from 'its mother'. But [if it be objected to that] this is so in the case of 'its mother', since it may not be slaughtered [with the kid on the same day].<sup>19</sup> then the case of 'the older sister' argues otherwise.<sup>20</sup> And [if it be objected to that] this is so in the case of 'the older sister', since it does not enter the cattle-pen with the kid to be tithed,<sup>21</sup> then the case of 'its mother' argues otherwise.<sup>22</sup> The argument thus goes round; the reason given for this does not apply to the other, and the reason given for the other does not apply to this one. What they have in common is that each is flesh,<sup>23</sup> and in the milk of each [the kid] may not be cooked; thus I will include 'the younger sister' too, for since it is flesh,<sup>23</sup> [the kid] may not be cooked in its milk. But by this argument 'the older sister' can also be inferred from both together?<sup>24</sup> — This is indeed so. Then for what purpose do I require the verse: 'In its mother's milk'?<sup>25</sup> — It is required for what has been taught. It is written: 'In its mother's milk'. We know [that it is forbidden] in its mother's milk,

(1) He who says he incurs strips refers to the cooking of forbidden fat in milk, and he who says he does not incur stripes refers to the eating thereof.

(2) V. Glos.

(3) Beyond the prescribed time within which it must be eaten.

(4) Whereas other Tannaim do not hold that view, and R. Ammi and R. Assi are in agreement with those other Tannaim.

(5) Maksh. VI, 5.

(6) V. Lev. XI, 38. Milk and oil are among the liquids that render foodstuffs susceptible to uncleanness; cf. Maksh. VI, 4, 5.

(7) Ex. XXIII, 19.

(8) To be cooked.

(9) I.e., in goats' milk.

(10) Cf. Lev. XIX, 19.

(11) Ex. XXXIV, 26.

(12) Viz., that the prohibition of cooking the kid in its milk applies.

(13) Cf. Lev. XXII, 28.

(14) I.e., cows, in contradistinction from 'the younger sister' i.e., sheep. This is the explanation which Rashi says he received from his teachers, but after criticizing it Rashi expresses his preference for the interpretation of R. Joseph Bonfils, according to which 'older sister' and 'younger sister' are both goats, the former, however, being a goat of last year's breeding which had already been counted with other goats for the purposes of tithing, the latter being one which has not been counted with others for tithing.

(15) Cf. Lev. XXVII, 32, and Bek. IX. It has been laid down (a) that cattle may not be counted together with sheep or goats for the purposes of tithing nor vice versa. Moreover (b) an animal which has once been counted with others for the purposes of tithing cannot be counted again. The 'older sister' therefore cannot be counted together with kids for tithing either because of (a) or (b), according to whichever interpretation is adopted. V. preceding note.

(16) I.e., third, yet unexpounded verse. The Tanna of this Baraitha is assumed to be identical with the Tanna of the first which applies one extra verse to include the cow and ewe, and the third verse he consequently employs for the 'older sister'.

(17) V. supra p. 626, n. 20.

(18) Lit., 'from between them'. I.e., the prohibition against cooking the kid in the milk of its younger sister can be inferred from the mother and the older sister.

(19) But the younger sister may.

(20) For it also may be slaughtered with the kid on the same day and nevertheless it is forbidden to cook the kid in its milk.

(21) But the younger sister does.

(22) For it also may be counted with the kids for the purposes of tithing, v. Bek. 20b, and yet it is forbidden to cook the kid in its milk.

(23) According to some MSS. the reading is 'it is milk and it is forbidden to cook in it' instead of 'is flesh, etc.' and so it

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appears from Rashi too. V. Glos. of Maharam Schiff a.l.

(24) I.e., from an argument drawn from ‘its mother’ and from the cow (since the Tanna of this Baraitha is the identical Tanna of the first Baraitha in which it was shown that there is a verse expressly stated to include the cow and ewe), so that no verse is required to teach the prohibition even in the case of ‘the older sister’ (Rashi).

(25) Since this verse is repeated thrice, one clearly serves for its own purpose, another to include the cow and ewe (the teaching of the first Baraitha q.v.), but the third is indeed superfluous.

## Chullin 114b

but whence do we know [that it is forbidden] in its own milk? From the following a fortiori argument: if, where the fruit is not forbidden with the fruit<sup>1</sup> — as in the case of slaughtering — the fruit with the dam is forbidden, how much more, therefore, where the fruit is forbidden with the fruit<sup>2</sup> — as in the case of cooking — is the fruit forbidden with the dam!<sup>3</sup> And the text also teaches, ‘In its mother's milk’. But why is this latter verse necessary? It has been inferred [from the a fortiori argument], has it not? —

R. Ahadboi b. Ammi answered: Because we can refute the argument thus: A colt, the offspring of a mare, and which is also the ‘brother’ of a mule,<sup>4</sup> could prove otherwise: for the fruit is forbidden with the fruit, nevertheless the fruit with the dam is permitted.<sup>5</sup> But surely [this is no refutation since] that is due to the seed of the sire only;<sup>6</sup> for, in truth, the case of a male mule, the offspring of a mare, and which is also the ‘brother’ of a female mule,<sup>7</sup> could prove the reverse: for the fruit is permitted with the fruit and the fruit with the dam is forbidden!

Rather said Mar the son of Rabina: Because one can refute the argument thus: A slave, the son of a bondwoman, who is also the brother of a freed bondwoman, could prove otherwise: for the fruit is forbidden with the fruit, nevertheless the fruit with the mother is permitted.<sup>8</sup> But [this too is no refutation

since] that position is due solely to the deed of emancipation; for, in truth, the case of a slave, the son of a freed bondwoman, who is also the brother of a bondwoman, could prove the reverse: for the fruit is permitted with the fruit, and the fruit with the ‘mother’ is forbidden!

Rather said R. Idi b. Abin: Because one can refute the argument thus: The case of diverse seeds could prove otherwise: for the fruit is forbidden with the fruit, nevertheless the fruit with the mother is permitted.<sup>9</sup> But is not the fruit with the fruit forbidden only by reason of the ‘mother’? For when grains of wheat and barley are together in a vessel they are not forbidden! —

Rather said R. Ashi: Because one can refute the argument thus. It is indeed [forbidden] in the case of fruit with fruit for they are two separate bodies;<sup>10</sup> will you say the same in the case of the fruit with the dam which is one body?<sup>11</sup> Consequently the [extra] verse is necessary. R. Ashi said: Whence do we know that flesh [cooked] in milk may not be eaten?<sup>12</sup> From the verse: Thou shalt not eat any abominable thing;<sup>13</sup> everything which I declared to be abominable to you comes under the law of Thou shalt not eat.<sup>14</sup> I know from this that it is forbidden to be eaten; whence do I know that it is forbidden to derive any benefit from it? From R. Abbahu's statement.

For R. Abbahu stated in the name of R. Eleazar: Wherever Scripture says: ‘It shall not be eaten’, or ‘Thou shalt not eat’, or ‘Ye shall not eat’, a prohibition both in respect of eating and in respect of deriving benefit is implied, unless Scripture expressly states otherwise as it did in the case of nebelah.<sup>15</sup> For it has been taught:<sup>16</sup> [The verse,] Ye shall not eat of anything which dieth of itself; unto the stranger that is within thy gates thou mayest give it, that he may eat it,’ or thou mayest sell it unto a gentile,<sup>17</sup> only tells me that it may be given away [as a gift] to a

# CHULLIN – 89b-120a

stranger or sold to a gentile. How do I know that it may be sold to a stranger? Because Scripture says. 'Unto the stranger... thou mayest give it... or thou mayest sell it'. How do I know that it may be given away to a gentile? Because Scripture says. 'Thou mayest give it... or thou mayest sell it unto a gentile'. Hence it may be derived that both giving and selling may be applied to a stranger or to a gentile:<sup>18</sup> so R. Meir.

R. Judah says: The words are to be taken literally, viz., giving away to a stranger and selling to a gentile.<sup>19</sup> What is the reason for R. Judah's view? — He contends thus: Were the words to be interpreted according as R. Meir suggests, the Divine Law should have said: 'Ye shall not eat of anything that dieth of itself; unto the stranger that is within thy gates thou mayest give it that he may eat it, as well as sell it'. Wherefore does it say 'or'? To prove that the words are to be taken literally, viz., giving away to a stranger and selling to a gentile. And R. Meir? — He would reply that 'or' indicates that it is preferable to give it away [as a gift] to a stranger rather than sell it to a gentile. And R. Judah? — He would say that no Scriptural term is needed to indicate this preference of giving it away to the stranger rather than selling it to a gentile, it stands to reason, since the one<sup>20</sup> you are bidden to support whereas the other you are not bidden to support.

(Mnemonic: *Sabbath; Plowing; Divers kinds of seeds; It and its young; Letting the mother bird go from the nest.*)

According to this,

- (1) 'Fruit', i.e., 'offspring'. All the offspring of an animal may be slaughtered on the same day; it is only forbidden to slaughter the dam with the young.
- (2) The kid and the mother's milk are each the 'fruit' of the she-goat.
- (3) I.e., the kid in its own milk; in this case the milk of the kid is regarded as its fruit.

(4) For the mare had also been mated with an ass and bore a mule.

(5) Here it would be forbidden to breed the fruit with the fruit, i.e., the colt with the mule, for they are diverse kinds (v. Lev. XIX, 19), although it would be permitted to breed the colt with the mare.

(6) It is prohibited to breed the fruit with the fruit, i.e., the colt with the mule, only because of the different sires of each and not because of the general principle that fruit with fruit is forbidden.

(7) I.e., a mare had been mated with an ass on several occasions and bore a male and female mule.

(8) A slave may not marry a free woman nor a free man a bondwoman. In this case, then, the fruit with the fruit is forbidden, i.e., the slave may not marry the kind of his sister sc. a free woman, but the fruit with the mother is permitted, i.e., the slave may marry the kind of his mother sc. a bondwoman.

(9) Cf. Ibid. XIX, 19. Fruit with fruit is forbidden, i.e., diverse seeds may not be sown together, nevertheless the fruit with the mother is permitted, i.e., a seed may be sown in the 'mother' earth, the soil.

(10) The kid and the mother's milk, each being separate fruits of the dam.

(11) Therefore to cook a kid in its own milk might not be regarded as forbidden.

(12) For the prohibition expressly says. Thou shalt not seethe a kid, etc. Whence do we know that if one cooked flesh in milk others may not eat it.

(13) Deut. XIV, 3.

(14) This is a prohibition against eating anything which is produced by or results from a forbidden act, even though the prohibition in any particular case was circumvented by the employment of a minor or a gentile to perform that act. Hence it is forbidden to eat flesh cooked in milk, for the cooking thereof was a forbidden act.

(15) Deut. XIV, 21. In cur. edd. are added the words 'which may be given to a stranger or sold to a gentile'. These words are omitted in MS.M. and also in the parallel passages Pes. 21b and Kid. 56b, although they are found in B.K. 41a. V. Tosaf. s.v. גדרך.

(16) 'A.Z. 20a.

(17) Deut. XIV, 21. The Hebrew word here rendered 'stranger' is ger or fully גר תושב, lit., 'a stranger-settler': a resident alien who has accepted the Seven Commandments of the sons of Noah (cf. Sanh. 56aff). He does not observe the Jewish dietary laws, but enjoys full rights and privileges of citizenship. Such a stranger, if poor, had to be maintained by the state according to the Biblical injunction: A stranger and a settler he shall live with thee (Lev. XXV, 35).

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(18) The juxtaposition of the words in this verse, the two verbs in the middle preceded by ‘the stranger’ and followed by ‘the gentile’, suggests that both verbs, i.e., giving away and selling, are to be applied to the former and also to the latter.

(19) But it is forbidden to give it away to a gentile or sell it to a stranger.

(20) Sc. the stranger; v. p. 630, n. 8, note 1.

## Chullin 115a

should not what has been [unlawfully] prepared on the Sabbath be forbidden,<sup>1</sup> since I have declared it to be abominable unto you?<sup>2</sup> —

Scripture says: For it is holy unto you,<sup>3</sup> that means, ‘it’ is holy, but what has been prepared on it is not holy. Furthermore if a man plowed with an ox and an ass together, or if he muzzled a cow when it was treading out [the corn], should it<sup>4</sup> not be forbidden, since I have declared these acts to be abominable to you?<sup>5</sup> — Surely if what has been [unlawfully] prepared on the Sabbath, which is a grave matter, is permitted, how much more so these! Should not [the produce of a field sown with] diverse kinds of seeds be forbidden, since I have declared it to be abominable to you?<sup>6</sup>—

From the fact that the Divine Law states with regard to diverse kinds in a vineyard. Lest [the fruit of thy seed which thou hast sown, and the fruit of thy vineyard] be defiled [tikdash],<sup>7</sup> [which has been interpreted as,] ‘lest it be burnt in fire’<sup>8</sup> [tukad esh], it follows that diverse kinds of seeds [sown in a field] are permitted. But perhaps [the inference is this]: whereas diverse kinds in a vineyard are forbidden to be eaten and also to be made use of, diverse kinds of seeds are forbidden to be eaten but are permitted to be made use of? — These [latter] have been compared with diverse kinds of cattle, for it is written: Thou shalt not let thy cattle gender with a diverse kind; thou shalt not sow thy field with two kinds of seed,<sup>9</sup> and just as the issue [of the mating of diverse kinds] of thy cattle is permitted, so the produce of [diverse kinds of

seed sown in] thy field is permitted. And whence do we know that the issue of diverse kinds of cattle is permitted? — From the fact that the Divine Law has prohibited the offering of a cross-breed<sup>10</sup> to the Most High we may infer that to the common person it is permitted. Should not ‘It and its young’ be forbidden, since I have declared it to be abominable to you?<sup>11</sup> —

Since the Divine Law has forbidden an animal that is out of time<sup>12</sup> for an offering to the Most High it follows that such<sup>13</sup> is permitted to the common person. Should not [the mother-bird] which has been sent away from the nest be forbidden, since I have declared it to be abominable to you?<sup>14</sup> — The Torah would not order to send it away if it would thereby lead to transgression.<sup>15</sup>

R. Simeon b. Lakish said: Whence do we know that flesh [cooked] in milk is forbidden [to be eaten]? From the verse: Eat not of it raw, nor cooked in any cooking with water.<sup>16</sup> Now the verse need not have added ‘in any cooking’; why then does it say ‘in any cooking’? To teach you that there is another cooking which is [also forbidden to be eaten] like this. And which is it? It is flesh [cooked] in milk. Said to him R. Johanan,

(1) To eat as well as to derive any benefit therefrom. This is the meaning of ‘forbidden’ throughout this passage.

(2) Yet it is established law that if, e.g., a man cooked food on the Sabbath it may be eaten at least by others if not by himself; v. supra 15a, and Ter. II, 3.

(3) Ex. XXXI, 14.

(4) I.e., the produce of the field which had been so plowed and the corn which had been so trodden (Rashi); or, the ox or ass which had committed the trespass (Tosaf.). V. however, Rashi infra s.v. לֹא תִזְנֶה.

(5) Cf. Deut. XXII, 10, and XXV, 4.

(6) Cf. Lev. XIX, 19. Nevertheless the produce of diverse kinds of seeds sown together is permitted to be eaten; v. Kil. VIII, 1.

(7) Deut. XXII, 9. Heb. תִּקְדַּשׁ, interpreted as תִּקְדַּשׁ.

(8) I.e., that it is absolutely forbidden.

(9) Lev. XIX, 19.

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(10) I.e., the issue of diverse kinds of cattle. This is prohibited for a sacrifice, derived from Lev. XXII, 27. V. supra 38b.

(11) Cf. Lev. *ibid.* 28. If the dam and its young were both slaughtered in one day, that which was slaughtered last should be forbidden for all time and for all use; nevertheless it is established law that even though the law has been transgressed both animals are permitted; v. supra 78a.

(12) Cf. Lev. XXII, 27, and Zeb. 112b.

(13) The prohibition of 'It and its young' is brought about by its inappropriateness in point of time, for one may slaughter them on different days.

(14) Cf. Deut. XXII, 6, 7.

(15) Lit., 'for a stumbling-block'. The finder of this mother-bird, ignorant of the fact that it has been sent away from the nest, would eat it, and so be led into sin by another's performance of a precept. It must therefore be permitted.

(16) Ex. XII, 9. A literal rendering of the verse.

## Chullin 115b

And is the following teaching of Rabbi so unsatisfactory? [For it was taught: The verse,] Thou shalt not eat it,<sup>1</sup> refers to flesh [cooked] in milk. You say it refers to flesh [cooked] in milk; perhaps it refers to some other thing that is forbidden in the Torah? You can reply: Go forth and derive it by one of the thirteen exegetical principles by which the Torah is expounded, namely, 'The meaning of a verse is to be deduced from its context'. Now what does this context deal with? With that which partakes of the characteristics of two kinds.<sup>2</sup> Then this verse also deals with that which partakes of the characteristics of two kinds!<sup>3</sup> —

From that teaching I might have thought that the prohibition was only in respect of eating but not in respect of deriving benefit from it, he therefore teaches us [another teaching].<sup>4</sup> And whence does Rabbi infer that it is also forbidden to derive any benefit from it? — He infers it from the following argument: It is written here: For thou art a holy people onto the Lord,<sup>5</sup> and it is written there: There shall be no consecrated prostitutes of the sons of Israel;<sup>6</sup> just as there the prohibition refers

to the pleasure derived therefrom,<sup>7</sup> so here to the pleasure derived therefrom.<sup>8</sup>

The school of R. Eliezer taught: Ye shall not eat of anything that dieth of itself... thou mayest sell it... Thou shalt not seethe a kid, etc.<sup>9</sup> The Torah here implies that when you sell it you may not first cook it [in milk] and then sell it.<sup>10</sup>

The school of R. Ishmael taught: Thou shalt not seethe a kid in its mother's milk, is stated three times:<sup>11</sup> one is a prohibition against eating it, one a prohibition against deriving benefit from it, and one a prohibition against cooking it.

It was taught: Issi b. Judah says: Whence do we know that flesh cooked in milk is forbidden? It is written here: For thou art a holy people,<sup>12</sup> and it is written there: And ye shall be holy men unto me; therefore ye shall not eat any flesh that is torn of beasts in the field:<sup>13</sup> just as there it is forbidden [as food], so here it is forbidden [as food]. We have thus learnt that it is forbidden as food; how do we know that it is forbidden for all use? I will tell you: it follows a fortiori: If 'orlah,<sup>14</sup> which is not produced by transgression, is forbidden for all use, then surely flesh cooked in milk, which is produced by transgression,<sup>15</sup> is forbidden for all use! But [if you object] this may be true of 'Orlah only, since it had no period of fitness,<sup>16</sup> [I reply] the law concerning leaven during Passover shows otherwise, namely, that although it had a period of fitness,<sup>17</sup> it is nevertheless forbidden for all use. And [if you object] this may be true of leaven during Passover only, since it carries with it the penalty of kareth,<sup>18</sup> [I reply] the law concerning diverse kinds in the vineyard<sup>19</sup> shows otherwise, namely, that although it does not carry with it the penalty of Kareth, nevertheless it is forbidden for all use. Wherefore is the analogy necessary?<sup>20</sup>

## CHULLIN – 89b-120a

Surely it can all be inferred from the a fortiori argument derived from ‘Orlah thus: If ‘Orlah which is not produced by transgression, is forbidden both as food and for all use, how much more then is flesh cooked in milk, which is produced by transgression, is forbidden both as food and for all use! — Because one could refute the argument thus: The law in the case where one plowed with an ox and an ass together, or where one muzzled a cow when it was treading out [the corn], can prove otherwise, namely, although it<sup>21</sup> was produced by transgression it is nevertheless permitted.<sup>22</sup> Wherefore, was it necessary to reply [in the argument], ‘The law concerning diverse kinds in the vineyard shows otherwise’? He could have replied. ‘The law of ‘Orlah shows otherwise’; the argument would then have gone round again, with the result that it [sc. the law of flesh cooked in milk] would have been inferred from the common features [of the others]!<sup>23</sup> — R. Ashi answered: Because one could have refuted the argument thus: The law of nebelah would show otherwise, for although it is forbidden as food, nevertheless it is permitted for all use.

Said R. Mordecai to R. Ashi: We have learnt the following on the authority of R. Simeon b. Lakish: An inference drawn from cases with common features can be refuted only by those [cases] and not by other [cases].<sup>24</sup> If so, it can very well be inferred from the common features, can it not?<sup>25</sup> — Because<sup>26</sup> one can refute it thus: The cases which present these common features are peculiar in that they are both products of the soil.<sup>27</sup> But now,<sup>28</sup> too, the argument can be refuted thus: This<sup>29</sup> may be so of diverse kinds in the vineyard since it deals with products of the soil! —

Said R. Mordecai to R. Ashi: We have learnt the following on the authority of R. Simeon b. Lakish: An inference drawn from cases with common features can be refuted by indicating any peculiarity whatsoever; but an argument which employs the expression ‘No,

if you say it in this... will you say it in that?’ can only be refuted by adducing a feature in the one which is less or more grave than in the other, and not by any peculiarity whatsoever.<sup>30</sup> But we may refute all the cases thus: This may be so of all these cases since they all deal with products of the soil!<sup>31</sup> —

R. Mordecai then said to R. Ashi: We have learnt the following on the authority of R. Simeon b. Lakish:

- (1) Deut. XII, 25. Which is superfluous in the context, the prohibition having already been stated in the preceding verse.
- (2) The foregoing verses state the law concerning consecrated animals that were redeemed after being rendered unfit for sacrifice owing to physical blemish. These animals are treated partly as ordinary unconsecrated animals in that the flesh thereof may be eaten even by one unclean, and partly as consecrated animals in that they may not be put to work, neither may one enjoy the milk or wool thereof.
- (3) I.e., flesh and milk. The teaching of this Mishnah is attributed to Rabbi as the editor of the whole Mishnah.
- (4) R. Simeon b. Lakish derives the prohibition against making use of flesh cooked in milk from the verse in connection with the paschal lamb. For just as the latter, if cooked and not roasted, would be forbidden for all purposes as all sacrificial flesh which has been rendered unfit so flesh cooked in milk is forbidden for all purposes.
- (5) Deut. XIV, 21. Heb. עַם קָדוֹשׁ. This verse concludes with the prohibition: Thou shalt not seethe a kid, etc.
- (6) Ibid. XXIII, 18. Heb. שֶׁקָדַשׁ. The analogy is drawn by reason of the similar expression used in both passages, שֶׁקָדַשׁ, and שֶׁקָדַשׁ.
- (7) Viz., the act of coition.
- (8) Hence flesh cooked in milk is forbidden for all purposes.
- (9) Ibid. XIV, 22.
- (10) For as soon as it has been cooked in milk it is forbidden to be sold or used for any purpose.
- (11) Ex. XXIII, 19; XXXIV, 26; Deut. XIV, 21.
- (12) Deut. ibid.
- (13) Ex. XXII, 30. The analogy is based upon the expression ‘holy’ written in each verse.
- (14) עִרְלָה. Lit., ‘uncircumcision’. The fruit of newly planted trees was forbidden for all use during the first three years; cf. Lev. XIX, 23.
- (15) Sc. by cooking.
- (16) The fruit of ‘Orlah as soon as it comes into being is forbidden, whereas flesh and milk, before

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being cooked together, are each separately permitted.

(17) Before the Passover.

(18) V. Glos.

(19) Cf. Deut XXII, 9.

(20) To establish the law that flesh cooked in milk is forbidden to be eaten, v.p. 634, n. 10. This prohibition, and that against deriving any benefit, can surely be inferred from the a fortiori argument.

(21) Sc. the produce of the field so plowed, or the corn which had been so trodden out.

(22) And so, too, with flesh cooked in milk. But now that it is established by the analogy that flesh cooked in milk is forbidden to be eaten, this prohibition of plowing with an ox and ass together, cannot be brought into this argument.

(23) Thus it was unnecessary to introduce the case of sowing diverse kinds in the vineyard. The argument would then run as follows: Flesh cooked in milk is declared to be forbidden for all purposes by inference from 'Orlah by the a fortiori reasoning; if the objection be taken that 'Orlah is a special case inasmuch as it had no period of fitness, the reply would be that the case of leaven during Passover clearly shows that this distinctive feature (sc. not having a period of fitness) is not the reason for the general prohibition; and if the objection be taken that leaven during Passover is a special case inasmuch as there is a penalty of Kareth attached to it, the reply would be that the case of 'Orlah clearly shows that the gravity of the penalty (sc. Kareth) is not the reason for the general prohibition; and so the argument would go in a circle: the objection to the case of 'Orlah would be met by the case of leaven during Passover and vice versa. What, however, is common to 'Orlah and leaven during Passover is that each is forbidden as food and also for all use; the inference then follows that flesh cooked in milk, inasmuch as it is forbidden as food, should also be forbidden for all use. This type of argument, namely, an inference from common features of two or more cases, is very frequent in the Gemara; and the result being satisfactory, it was unnecessary to introduce the third case of diverse kinds in the vineyard.

(24) I.e., the refutation must be in the nature of a peculiar characteristic possessed by the cases that determine the common features and which is absent from the case proposed to be inferred from the common features — e.g. the demonstration of a special characteristic peculiar to 'Orlah and to leaven during Passover but absent from flesh cooked in milk would indeed be a valid refutation. It is, however, no refutation of the argument by adducing cases wherein the common features are

not found, for such an argument, as here the case of nebelah, is irrelevant.

(25) V. supra n. 1.

(26) I.e., the reason why the argument is not run on the lines suggested (v. p. 636, n. 1), drawing the inference from the common features, is that there is the following refutation.

(27) 'Orlah and leavened grain are products of the soil whereas milk and flesh are not. This characteristic, sc. being a product of the soil, is a distinction of little or no significance for this is no satisfactory reason why the law should be more severe or less severe.

(28) I.e., even now when the third case, sc. diverse kinds in a vineyard, is introduced the argument can be refuted on this ground.

(29) That it is forbidden as food and also for use.

(30) Where an inference is made from the common features of two cases all the cases must indeed be alike in every respect, and if one case presents any special characteristic, even though that characteristic does not go down to the root of the matter and is of no significance, the argument is untenable. On the other hand, where the law in one case is inferred from another case, e.g. by an a fortiori argument, an incidental characteristic would not be taken into consideration. Only a characteristic which is of such significance as to suggest the reason for the law in that particular case, would be accepted as a refutation, for then it would be argued thus, 'No, if you say it in the one case, it is because it has this grave or less grave characteristic; will you say it in the other cases which have not this characteristic'?

(31) it is assumed for the present that an inference from three cases is to be regarded on the same footing as an inference from cases with common features, so that any peculiarity, however insignificant, would be accepted as a refutation.

## Chullin 116a

An argument inferring one case from another case can be refuted only by adducing a feature in the one case which is less or more grave than in the other, and not by any peculiarity whatsoever. An argument inferring one case from two cases can be refuted by any peculiarity whatsoever. An argument inferring one case from three cases, the argument from the three cases going round and round, so that the inference is made from the features common to all, can be refuted by any peculiarity whatsoever; but if it is not so,<sup>1</sup> it can only be refuted by

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adducing in the one case a feature which is less grave or more grave than in the other, and not by any peculiarity whatsoever. But we may refute it thus: This may be so of diverse kinds in a vineyard since they had no period of fitness!<sup>2</sup> —

R. Adda b. Ahaba said: This<sup>3</sup> therefore informs us that the original roots of diverse kinds sown in a vineyard are forbidden, so that there was a time when these kinds had a period of fitness, namely, before they took root.

R. Shemaiah b. Ze'ira raised the following objection. [We have learnt:] If a man carried a perforated plant-pot [sown with cereals] through a vineyard and [what was in] it increased by a two-hundredth part.<sup>4</sup> it is forbidden.<sup>5</sup> Now only if it increased [by a two-hundredth part] is it [forbidden], but if it had not increased it would not [be forbidden]. —

Abaye answered: There are two texts: It is written: Lest the produce<sup>7</sup> be forfeited.<sup>8</sup> and it is also written: The seed [which thou hast sown].<sup>8</sup> How can we explain this? Thus, if they were sown originally [in the vineyard, they are forbidden] as soon as they have taken root, if sown [elsewhere] and brought [into the vineyard], if they increased [a two-hundredth part] they are [forbidden], but if they had not increased they would not [be forbidden].

Our Mishnah<sup>9</sup> is not in accordance with the following Tanna. For it has been taught: R. Simeon b. Judah says on behalf of R. Simeon: Flesh cooked in milk is forbidden as food but is permitted for general use, for it is written: For thou art an holy people unto the Lord thy God. [Thou shalt not seethe a kid in its mother's milk];<sup>10</sup> whilst elsewhere it is written: And ye shall be holy men unto me; [therefore ye shall not eat any flesh that is torn of beasts in the field; ye shall cast it to the dogs].<sup>11</sup> Just as there it is forbidden as

food but is permitted for general use, so here too it is forbidden as food but is permitted for general use.

R. AKIBA SAYS, WILD ANIMALS AND FOWLS, etc. But have not these<sup>12</sup> been applied to Samuel's interpretations?<sup>13</sup> — R. Akiba is of the opinion that a prohibition can be superimposed upon an existing prohibition; therefore no specific verse is necessary [to show that the prohibition of flesh in milk applies to] forbidden fat or [to the flesh of an animal] that died of itself; moreover [the prohibition naturally applies to] an embryo [for it] IS as an ordinary kid; consequently all the expressions are Superfluous and serve therefore to exclude wild animals, fowl and unclean animals.

R. JOSE THE GALILEAN SAYS, IT IS WRITTEN, YE SHALL NOT EAT OF ANYTHING, etc. What is the difference between the views of R. Jose the Galilean and R. Akiba? — The difference between them is as regards wild animals: R. Jose the Galilean holds that wild animals are prohibited Biblically, whereas R. Akiba holds that wild animals are prohibited Rabbinically. Or, you may say, the difference between them is as regards fowls: R. Akiba maintains that wild animals and fowls are not included in the prohibition of the Torah but are prohibited Rabbinically, whereas R. Jose the Galilean maintains that fowls are not even prohibited by the Rabbis. There is also [a Baraita] taught to the same effect: In the place of R. Eliezer they used to cut wood [on the Sabbath] to make charcoal in order to forge an iron instrument.<sup>14</sup> In the place of R. Jose the Galilean they used to eat fowl's flesh cooked in milk.

Levi once visited the house of Joseph the fowler, and was served with a peacock's head cooked in milk and said nothing to them about it.<sup>15</sup> When he came to Rabbi [and related this]. Rabbi said to him: Why did you not lay them under a ban? He replied.

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Because it was the place of R. Judah b. Bathyra and I imagine that he must have expounded to them the view of R. Jose the Galilean who said: A FOWL IS EXCLUDED SINCE IT HAS NO MOTHER'S MILK.

**MISHNAH.** THE [MILK IN THE] STOMACH [OF AN ANIMAL] OF A GENTILE<sup>16</sup> OR [IN THE STOMACH OF] A NEBELAH IS FORBIDDEN. IF A MAN CURDLED MILK WITH THE SKIN OF THE STOMACH OF AN ANIMAL THAT WAS VALIDLY SLAUGHTERED

(1) I.e., the inference is not drawn from the common features, but by placing one case against the other.

(2) For it is assumed that it is not the actual diverse kinds sown in a vineyard that are forbidden but the produce of these diverse kinds; the original roots, however, that were planted or sown, do not come under the prohibition of diverse kinds.

(3) The fact that this objection is not raised.

(4) During the time the plant-pot was in the vineyard. A perforated plant-pot draws sustenance from the soil of the vineyard, and so there is an increase in the plant-pot by reason of the vineyard. Here there were in the pot one hundred and ninety-nine parts of permitted growth to one part forbidden, hence the whole is forbidden. But if they were in the proportion of two hundred to one the entire growth in the pot would be permitted.

(5) Kil. VII. 8.

(6) It is evident from this that the diverse kinds sown (even after they have taken root) are not forbidden, but only if there was an increase in the one by reason of the other.

(7) Lit., 'the fullness', i.e., the Increase.

(8) Deut. XXII, 9.

(9) Which states that flesh cooked in milk is forbidden for all use too.

(10) Deut. Xlv. 21.

(11) Ex. XXII. 30.

(12) I.e., the thrice repeated expression 'kid'.

(13) V. supra 113b.

(14) Sc. the circumcision knife. R. Eliezer is of the opinion that, since the performance of the precept of circumcision supersedes the Sabbath, all the necessary requisites such as the making or preparation of the knife, or the kindling of fire to obtain warm water, etc. may also be performed on the Sabbath. V. Shab. 130a.

(15) According to MS.M. 'And he did not eat it'. So in Shab. l.c.

(16) This is explained in the Gemara.

## Chullin 116b

AND IT IMPARTED ITS FLAVOUR [TO THE MILK]. IT IS FORBIDDEN. THE [MILK IN THE] STOMACH OF A VALIDLY SLAUGHTERED ANIMAL WHICH HAD SUCKED FROM A TREFAH ANIMAL. IS FORBIDDEN; THE [MILK IN THE] STOMACH OF A TREFAH ANIMAL WHICH HAD SUCKED FROM A VALID ANIMAL IS PERMITTED, BECAUSE THE MILK REMAINS COLLECTED INSIDE.<sup>1</sup>

**GEMARA.** But is not the stomach [of an animal] of a gentile nebelah?<sup>2</sup> — R. Huna answered. We are dealing here with the case of a kid that was bought from a gentile.<sup>3</sup> and we apprehend that it sucked from a trefah animal.<sup>4</sup> But do we apprehend that it sucked from a trefah animal? Behold it has been taught: One may buy eggs from gentiles and need have no fear lest they are of birds that were nebelah or trefah!<sup>5</sup> — Say, rather, we apprehend lest it sucked from an unclean animal. And why is it that we do not apprehend [sucking] from a trefah animal but we do apprehend [sucking] from an unclean animal? —

Because trefah animals are not common whilst unclean animals are. If these are common, then even with regard to our own [kids] we should be apprehensive?<sup>6</sup> — With regard to our own, since we keep away from unclean animals, and whenever we see them together<sup>7</sup> we separate them, the Rabbis imposed no restriction as a precaution; with regard to theirs, however, since they do not keep away from unclean animals, and whenever they see them together<sup>7</sup> they do not separate them, the Rabbis imposed a restriction as a precaution. Samuel answered:<sup>8</sup> They are to be taken as one thus: The [milk in the] stomach of an animal slaughtered by a gentile is nebelah [and

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therefore forbidden]. But how could Samuel have said so?

Behold Samuel has stated, The reason for forbidding the cheese of gentiles is because they curdle it with the skin of the stomach of a nebelah. This implies, does it not, that the [milk in the] stomach is permitted? There is no contradiction here. This [sc. our Mishnah] was taught before he [R. Joshua] retracted, the other after he retracted.<sup>9</sup>

**THE [MILK IN THE] STOMACH OF A VALIDLY SLAUGHTERED ANIMAL WHICH HAD SUCKED FROM A TREFAH ANIMAL IS FORBIDDEN, etc. But does not the first clause state, THE [MILK IN THE] STOMACH OF [AN ANIMAL] OF A GENTILE. OR [IN THE STOMACH OF] A NEBELAH. IS FORBIDDEN?<sup>10</sup> — R. Ashi answered. In the first clause it would appear that one is eating nebelah,<sup>11</sup> but here [in the final clause] the animal has been slaughtered.**

Said to him Raba. But is this not all the more reason [to forbid it]? For if in the case of nebelah, which is a loathsome matter, and if you were to permit [the milk in] its stomach one would not come to eat of its flesh, you say it is forbidden; is it not then all the more reason to forbid [the milk in the stomach of] a trefah animal which had been slaughtered, for if you were to permit it one would come to eat of its flesh? — Rather said R. Isaac in the name of R. Johanan. There is no contradiction here. This [the first clause was taught] before he [R. Joshua] retracted; the other [the final clause] after he retracted;<sup>12</sup> [the first clause, however, of] our Mishnah was allowed to stand.<sup>13</sup>

R. Hiyya b. Abba said in the name of R. Johanan: One may curdle [milk] with the [milk in the] stomach of a nebelah, but not — with the [milk in the] stomach of an animal slaughtered by an idolater. Thereupon R. Simeon b. Abba said before him: This is, is it not, in accordance with the view of R. Eliezer

who maintains that the thoughts of an idolater are usually directed towards idolatry? — He replied: Of course. According to whom else could it be?

When R. Samuel b. R. Isaac came [from Palestine] he reported in the name of R. Johanan: One may curdle [milk] with the [milk in the] stomach both of a nebelah and an animal slaughtered by an idolater for we are not concerned with the view of R. Eliezer. The law is: One may not curdle [milk] with the skin of the stomach of a nebelah, but one may with the [milk in the] stomach of a nebelah, and also with the [milk in the] stomach of an animal slaughtered unto idolatry. ([One may also curdle milk] with the [milk found in the] stomach of a validly slaughtered animal which had sucked from a trefah animal, and certainly with the [milk found in the] stomach of a trefah animal which had sucked from a valid animal, because the milk that is collected within is considered as dung.)<sup>14</sup>

**MISHNAH. IN CERTAIN RESPECTS THE PROHIBITION OF THE FAT IS MORE STRICT THAN THE PROHIBITION OF THE BLOOD, AND IN CERTAIN RESPECTS THE PROHIBITION OF THE BLOOD IS MORE STRICT THAN THE PROHIBITION OF THE FAT. THE PROHIBITION OF THE FAT IS MORE STRICT, IN THAT THE FAT**

(1) It does not mix with the other fluids in the stomach of the trefah animal, but remains separate and distinct and is therefore permitted.

(2) It is assumed that the meaning is of an animal slaughtered by a gentile.

(3) Which was slaughtered by the Israelite.

(4) And therefore the Mishnah states that the milk found in the stomach of the kid is forbidden.

(5) V. supra p. 63b.

(6) Lest they sucked from an unclean animal.

(7) I.e., clean animals with unclean animals.

(8) In explanation of the two expressions in our Mishnah.

(9) Cf. 'A.Z. 350 and b. It was R. Joshua who originally suggested that the milk in the stomach of a nebelah animal was forbidden; subsequently he retracted this. Now our Mishnah which,

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according to Samuel's interpretation, suggests that the milk in the stomach of a nebelah is forbidden is obviously the view of R. Joshua before he retracted; whereas Samuel's statement as regards the cheese of gentiles follows the later view of R. Joshua.

(10) And according to this, the milk in the stomach of a trefah animal which had sucked from a valid animal should also be forbidden. Can there be any distinction between the milk in the stomach of a nebelah and of a trefah?

(11) If one were allowed to eat the milk in the stomach of a nebelah. Strictly, however, it is permitted. For it is not regarded as part of the nebelah but merely collected in its stomach.

(12) V. p. 641, n. 8.

(13) Although it is contradicted by the final clause and does not represent the accepted view.

(14) In cur. edd. the last sentence is in parenthesis and is omitted in many MSS. V. however, R. Nissim, Rashal and other commentators.

## Chullin 117a

IS SUBJECT TO THE LAW OF SACRILEGE,<sup>1</sup> AND THE PENALTY FOR PIGGUL,<sup>2</sup> NOTHAR,<sup>2</sup> AND UNCLEANNESS IS INCURRED BY IT,<sup>3</sup> WHICH IS NOT THE CASE WITH THE BLOOD. AND THE PROHIBITION OF THE BLOOD IS MORE STRICT, FOR IT APPLIES TO CATTLE, WILD ANIMALS AND BIRDS, WHETHER CLEAN OR UNCLEAR; BUT THE PROHIBITION OF THE FAT APPLIES TO CLEAN CATTLE ONLY.<sup>4</sup>

GEMARA. Whence do we know this?<sup>5</sup> — R. Jannai answered, It is written: As it is taken off from the ox of the sacrifice of peace-offerings.<sup>6</sup> Now what do we learn from the ox of the sacrifice of peace-offerings?<sup>7</sup> Indeed, 'it comes as a teacher but turns out to be a pupil';<sup>8</sup> we must compare the ox of the sacrifice of peace-offerings with the bullock of the anointed High Priest; as the bullock of the anointed High Priest is subject to the law of Sacrilege, so the ox of the sacrifice of peace-offerings is also subject to the law of Sacrilege.<sup>9</sup> Said R. Hanina to him: And is the following teaching of Rabbi unsatisfactory? 'The verse: All the fat is the Lord's,<sup>10</sup> signifies that the sacrificial portions of the

less holy sacrifices are also subject to the law of Sacrilege'. —

Abaye answered, [Both verses] are necessary [for our purpose]. For had the Divine Law only stated 'All the fat'. I should have said that only the fat is [subject to the law of Sacrilege] but the caul and the two kidneys are not;<sup>11</sup> the Divine Law therefore stated the verse. 'As it is taken off'. And had the Divine Law only stated the verse: 'As it is taken off'. I should have said that the fat of the fat tail [of a lamb], which is not found in an ox, is not subject to the law of Sacrilege;<sup>12</sup> the Divine Law therefore stated. 'All the fat is the Lord's'.

Said R. Mari to R. Zebid: If the fat tail [of a lamb] is included under the term 'fat', should it not then be forbidden to be eaten?<sup>13</sup> — He replied. It is for your sake that it is written: You shall eat no fat, of ox, or sheep, or goat.<sup>14</sup> [Thus the Torah has forbidden] only such fat as is common to ox, sheep, and goat. R. Ashi answered: It is always referred to as 'the fat of the fat tail', but never as 'fat' simply. If so, it should not be subject to the law of Sacrilege?<sup>15</sup> Obviously then the better answer is that of R. Zebid.

WHICH IS NOT THE CASE WITH THE BLOOD. Whence do we know this?<sup>16</sup> — Ulla answered: Scripture says: To you,<sup>17</sup> that is, it shall be yours. The school of R. Ishmael taught: Scripture says. To make atonement.<sup>17</sup> that is, I have given it to you for an atonement and not that you be liable for Sacrilege on its account. R. Johanan said: Scripture says. It is,<sup>17</sup> that is, it is the same before the atonement as after the atonement: just as after the atonement [the residue of the blood] is not subject to the law of Sacrilege, so before the atonement [the blood] is not subject to the law of Sacrilege. Perhaps I ought to say. It is the same after the atonement as before the atonement: just as before the atonement it is subject to the law

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of Sacrilege, so after the atonement it is subject to the law of Sacrilege? —

There is nothing that is subject to the law of Sacrilege once its rites have been performed. But is there not? Surely there is the case of the removal of the ashes [from the altar], which [ashes] are subject to the law of Sacrilege even though the rites therewith have been performed, for it is written: And he shall put them beside the altar!<sup>18</sup> —

This case of the removal of the ashes and that of the garments of the High Priest<sup>19</sup> are two texts which teach the same thing, and one may not draw any conclusions from two texts which teach the same thing.<sup>20</sup> This, however, would be right according to the Rabbis who declare that the verse: And he shall leave them there,<sup>21</sup> teaches that they [sc. the garments] must be hidden away; but according to R. Dosa who declares that the verse teaches that [the High Priest] shall not wear them on a subsequent Day of Atonement,<sup>22</sup> what is to be said? —

Rather [say] that the case of the removal of the ashes and that of the heifer whose neck was to be broken<sup>23</sup> are two texts which teach the same thing, and one may not draw any conclusions from two texts which teach the same thing. This is well according to him who maintains that one may not draw conclusions from such texts, but according to him who maintains that one may draw conclusions from such texts, what is to be said?—There are two

(1) Cf. Lev. V, 15. If a person inadvertently makes use of the fat of a sacrifice he commits a trespass and must bring a guilt-offering for atonement. This is not the case with the blood of a sacrifice; v. Gemara.

(2) V. Glos.

(3) If a person ate the fat of a sacrifice which was rendered Piggul or nothar (נותר) i.e., what was left over beyond the prescribed time in which the sacrifice must be eaten, or if the person was unclean at the time he ate the fat, he would, in

each alternative, incur guilt twice: for eating fat and also for eating Piggul, etc.

(4) I.e., to those animals which are fit for sacrifices, for it is written (Lev. VII, 25). Whosoever eateth the fat of the beast, of which men offer an offering made by fire unto the Lord, etc.

(5) That the law of Sacrilege applies to the fat of a sacrifice, whether the sacrifice was of the most holy or less holy kind.

(6) Lev. IV, 10. The sacrificial portions of the bullock brought by the anointed High Priest as his sin-offering are in this verse compared with the ox of the peace-offering.

(7) What is the purpose of the comparison? In fact, with regard to the burning of the sacrificial portions upon the altar, all those portions which are stated in connection with the peace-offering are also expressly stated here.

(8) V. supra p. 143, n. 8.

(9) Although the peace-offering is a sacrifice of the less holy kind, and from the time of the consecration of the animal until the sacrifice thereof it is certainly not subject to the law of Sacrilege— as soon as the sprinkling of the blood of the sacrifice has taken place the sacrificial portions of the animal are subject to the law of Sacrilege.

(10) Lev. III, 16.

(11) For the caul of the liver and the two kidneys, although sacrificial parts, cannot be comprehended with the term 'all the fat'.

(12) For this verse: As it is taken of speaks of the sacrificial portions of an ox, and therefore cannot include the fat of the fat tail of a lamb.

(13) For all that fat in a sacrifice which is burnt upon the altar is forbidden to be eaten when the animal is slaughtered for ordinary use. Cf. Lev. VII, 25.

(14) Lev. VII, 23.

(15) For the law of Sacrilege in respect of the fat of less holy sacrifices is derived from the verse: All the fat is the Lord's; and if the fat of the fat tail is not included under the term 'fat', it cannot then be subject to the law of Sacrilege.

(16) That the blood of a sacrifice is not subject to the law of Sacrilege.

(17) Lev. XVII, 11: And I have given it to you upon the altar to make atonement for your souls: for it is the blood that maketh atonement by reason of the life. Several parts of this verse suggest that the blood 'is not the Lord's' and so is not subject to the law of Sacrilege.

(18) Ibid. VI, 3. Every morning the ashes of the burnt-offering upon the altar were scooped up in a fire-pan and were deposited on the east side of the incline leading to the altar. It was forbidden to derive any use from them.

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(19) Cf. *ibid.* XVI. 23. The garments worn by the High Priest on the Day of Atonement when he entered the innermost Sanctuary, the Holy of Holies, had to be put away never to be used again, either by an ordinary priest for his regular services or by a High Priest for service on the Day of Atonement of the following year.

(20) These two cases are therefore exceptions to the rule stated above, that after the performance of its rites a thing cannot be subject any more to the law of Sacrilege.

(21) V. p. 645, n. 6.

(22) An ordinary priest, however, may wear these garments during the year.

(23) Cf. Deut. XXI, 1ff. The heifer, after the performance of the rites with regard to it, had to be buried in the very place where the ceremony was performed, and it was forbidden to derive any use from it.

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limiting particles stated: here it is written: And he shall put them,<sup>1</sup> and there it is written: Whose neck was broken.<sup>2</sup> Why are the three different texts with regard to the blood necessary?<sup>3</sup> One excludes blood from the law of nothar,<sup>4</sup> another excludes it from the law of Sacrilege, and the third excludes it from the law of uncleanness.<sup>5</sup> No text, however, is necessary to exclude it from the law of Piggul.<sup>6</sup> for we have learnt: ‘Whatsoever is rendered permissible, whether for man or for the altar, by a certain rite.<sup>7</sup> is subject to the law of Piggul’, but the blood is itself that which renders [other parts of the offering] permissible.

## CHAPTER IX

**MISHNAH.** THE HIDE,<sup>8</sup> MEAT JUICE, SEDIMENT, ALAL,<sup>9</sup> BONES, SINEWS, HORNS AND HOOFS ARE TO BE INCLUDED<sup>10</sup> [TO MAKE UP THE MINIMUM QUANTITY IN ORDER] TO CONVEY FOOD-UNCLEANNES, BUT NOT TO [MAKE UP THE MINIMUM QUANTITY IN ORDER TO] CONVEY NEBELAH - UNCLEANNES.<sup>11</sup> SIMILARLY, IF A MAN SLAUGHTERED AN UNCLEAN ANIMAL FOR A GENTILE AND IT STILL WRITHES CONVULSIVELY, IT CAN CONVEY

FOOD-UNCLEANNES,<sup>12</sup> BUT IT CAN ONLY CONVEY NEBELAH-UNCLEANNES AFTER IT IS DEAD,<sup>13</sup> OR ITS HEAD HAS BEEN CHOPPED OFF. [SCRIPTURE] HAS [THUS] INTIMATED MORE CASES THAT CONVEY FOOD-UNCLEANNES THAN THOSE THAT CONVEY NEBELAH-UNCLEANNES. R. JUDAH SAYS, IF SO MUCH OF ALAL WAS COLLECTED TOGETHER<sup>14</sup> SO THAT THERE WAS AN OLIVE'S BULK IN ONE PLACE, ONE WOULD THEREBY BECOME LIABLE.<sup>15</sup>

**GEMARA.** We have learnt [here in our Mishnah] what our Rabbis have taught elsewhere: Protections<sup>16</sup> [can be included to make up the quantity required] for a lighter uncleanness,<sup>17</sup> but protections cannot [be included to make up the quantity required] for a graver uncleanness.<sup>18</sup> Whence do we know that protections can be included for a lighter uncleanness? —

From the following teaching of a Tanna of the school of R. Ishmael: It is written: Upon any sowing seed which is to be sown,<sup>19</sup> that is to say, in the manner in which men take out the seeds for sowing: wheat in its husk, barley in its husk, lentils in their husks.<sup>20</sup> And whence do we know that protections cannot be included for a graver uncleanness? — From the following which our Rabbis taught: [He that toucheth] the carcass thereof [shall be unclean],<sup>21</sup> but not he that touches the hide which has not an olive's bulk of flesh attached to it.

(1) Lev. VI, 3. The express addition of the suffix ‘them’ (in the Heb. ‘it’ in the sing.) in the text serves to exclude others.

(2) Deut. XXI. 6; lit., ‘the one whose neck was broken’. The redundant particle, the, limits the rule to this case only.

(3) Namely. ‘To you’. ‘To make atonement’, and ‘It is’. V. supra p. 645, n. 4.

(4) If a man ate the blood of a sacrifice which remained over beyond the prescribed time within which the meat there of may be eaten, he is liable only for eating blood, but not, in addition, for eating nothar.

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(5) If a man who was unclean ate the blood of a sacrifice, he is liable only for eating blood, but not, in addition, for eating it whilst unclean.

(6) I.e., if the sacrifice was rendered Piggul (v. Glos.) and a man ate of the blood thereof he would not be liable for eating Piggul.

(7) V. Zeb. 43a. By the proper sprinkling of the blood the sacrificial portions are rendered permissible to be burnt upon the altar, and the flesh to be consumed by the priest or owner. Therefore if the sacrifice was rendered Piggul and a man ate of the flesh or of the sacrificial portions he would be liable; but if he ate of the blood, which is what renders others permissible, he would not be liable.

(8) For the precise meaning of all these substances v. Gemara.

(9) Some kind of offal of meat, as explained in the Gemara.

(10) Each of the substances enumerated would be reckoned together with a piece of meat less than an egg's bulk, so as to make up the quantity of an egg's bulk and, if unclean, would convey uncleanness to other foodstuffs or liquids. With regard to some of the substances, e.g., the meat juice, the sediment and the sinews, the reason why they would be reckoned together with the meat is because, although they are not eaten alone, they would be eaten together with the meat, and are therefore regarded as foodstuffs. And with regard to the other substances, e.g., the hide, bones, horns and hoofs, the reason is because each forms a protection or covering to a foodstuff and is therefore regarded as one with the foodstuff.

(11) If the meat was nebelah these substances would not be included together with the meat in order to make up an olive's bulk, the quantity necessary in order to convey uncleanness to men or vessels.

(12) If it was touched by anything unclean. For although at this moment the animal may not be eaten, either by the Israelite who slaughtered it, for it is an unclean animal, or by the gentile, since by its death only is an animal rendered permitted to a gentile, and not by the slaughtering (v. supra 33a), nevertheless the act of slaughtering performed by the Israelite has the effect that the animal be deemed a foodstuff forthwith, for this could only have been the intention and purpose of the slaughtering.

(13) Only then is it regarded as nebelah; cf. Lev. XI, 39.

(14) Although alal by itself is not a foodstuff, if one collected a number of pieces together so that there was an olive's bulk in one place, this action is significant and renders the bulk a foodstuff.

(15) If this accumulated bulk was taken from a nebelah and a man touched it and later entered

the Temple or ate consecrated food, he would be liable to the penalty of Kareth.

(16) I.e., that which surrounds and encloses foodstuffs, e.g., the husk of grain, the peel of fruit, the shell of nuts, the hide of an animal, etc.

(17) That condition of uncleanness which can only render unclean foodstuffs and liquids, provided there was an egg's bulk of the unclean matter.

(18) Nebelah-uncleanness. The condition of uncleanness that can even render unclean men and vessels, provided there was an olive's bulk of the unclean matter.

(19) Lev. XI, 37, with reference to the uncleanness of foodstuffs.

(20) I.e., by seed is meant the grain together with its husk; hence the protection of food is considered as part of the food itself.

(21) Ibid. 39.

## Chullin 118a

I might also think that he that touches [the hide] at a part where the flesh is attached on the other side shall not be unclean, Scripture therefore says. 'Shall be unclean'. What does this mean?<sup>1</sup> —

Raba, others say: Kadi,<sup>2</sup> replied. There is something missing in 'that [passage] and it should read as follows: '[He that toucheth] the 'carcass 'thereof [shall 'be unclean]', but not he that touches the hide which has not an olive's bulk of flesh attached to it, even though the hide brings it up to an olive's bulk.<sup>3</sup> I might then also exclude the case of the hide which has an olive's bulk of flesh attached to it. So that if a man were to touch the hide at a part where the flesh is attached on the other side he would not, [I suggest,] be unclean, for it [the hide] does not act even as a 'handle; Scripture therefore says. 'Shall be unclean'.<sup>4</sup> We have learnt elsewhere:<sup>5</sup> Whatever serves as a handle [to a bulk] but not as a protection<sup>6</sup> [is a medium whereby the bulk] contracts uncleanness and conveys uncleanness, but is not included [together with the bulk to make up the size of an egg to convey uncleanness]. Whatever serves as a protection, even if it does not serve as a handle,<sup>7</sup> [is a medium whereby the bulk] contracts uncleanness and conveys

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uncleanness, and is included [together with the bulk]. Whatever serves neither as a handle 'nor as a protection<sup>8</sup> [is no medium so that the bulk] neither contracts uncleanness nor conveys uncleanness thereby.

Where is there any Scriptural authority for the law of 'handles'? — It is written: But if water be put upon the seed, and aught of their carcass fall thereon, it is unclean unto you'.<sup>9</sup> 'Unto you', that is, everything that you make use of [with regard to the foodstuff]; thus the verse includes handles.<sup>10</sup> It is also written: And if any animal, which serves as food unto you, die.<sup>11</sup> 'Unto you', that is, everything that you make use of [with regard to this carcass conveys uncleanness]; thus the verse includes handles.<sup>12</sup> Hence [we see that] a handle can convey uncleanness to [the bulk in the case of foodstuffs] and also that a handle can convey uncleanness from [the bulk in the case of a carcass]. That a protection can convey uncleanness to and from [the bulk] does not require any verse, for it is inferred by an a fortiori argument from a handle thus: If a handle which affords no protection can convey uncleanness to and from [the bulk], how much more that which affords protection! Why then does the Divine Law state a verse with regard to a protection?<sup>13</sup>

It is, surely, to teach that it<sup>14</sup> is to be included together [with the bulk].<sup>15</sup> But I might say: A handle can convey uncleanness to [the bulk] but not from it,<sup>16</sup> and a protection can convey uncleanness both to and from [the bulk],<sup>17</sup> but a handle cannot convey uncleanness from [the bulk], neither is a protection to be included together [with the bulk]? — You surely cannot say that a handle can convey uncleanness to [the bulk] but not from [the bulk], for if it can bring in the uncleanness it certainly can pass it on! Then I might say: A handle can convey uncleanness from [the bulk] but not to [the bulk], and a protection can convey uncleanness both to and from [the bulk], but a handle cannot convey

uncleanness to [the bulk], neither is a protection to be included together [with the bulk]? —

There is another verse which also teaches the law of handles, for it is written: Whether oven, or range for pots, it shall be broken in pieces: they are unclean, and shall be unclean unto you.<sup>18</sup> 'Unto you', that is, everything that you make use of [with regard to it is unclean]; thus the verse includes handles.<sup>19</sup> Which of these verses is superfluous?<sup>20</sup>

If the Divine Law had stated [the law of handles] in connection with seeds and it was intended that the others<sup>21</sup> be inferred from them, [the objection could be raised thus,] That is so with seeds only, since they have more conditions of uncleanness than the others.<sup>22</sup> And if the Divine Law had stated it in connection with the oven and it was intended that the others be inferred from it, [the objection could be raised thus,] That is so with the oven only since it renders foodstuffs unclean by its air-space.<sup>23</sup> And if the Divine Law had stated it in connection with nebelah and it was intended that the others be inferred from it, [the objection could be raised thus,] That is so with the nebelah only since it can render man unclean, it can convey uncleanness by carrying,<sup>24</sup> and it is its own source of uncleanness.<sup>25</sup> — One could not indeed infer one case from the other, but one could infer one case from the other two cases. Which one would you infer?

If the Divine Law had not stated it in connection with seeds but you would have inferred it from the other two, [the objection could be raised thus,] That is so with the other cases since they become unclean without first having been rendered susceptible thereto; will you say the same of seeds which become unclean only if first they have been rendered susceptible thereto?<sup>26</sup> — Said R. Huna the son of R. Joshua: But surely fruit which has not been rendered susceptible to uncleanness is in the same

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condition as an oven which is not yet finished!<sup>27</sup> —

Rather you could raise this objection: That is so with the other cases since they both become unclean without contact [with unclean matter];<sup>28</sup> will you say the same of seeds which become unclean only by contact? And if the Divine Law had not stated it in connection with the oven but you would have inferred it from the others, [the objection could be raised thus:] That is so with the other cases since each<sup>29</sup> is a foodstuff! —

The fact is the Divine Law need not have stated it in connection with nebelah, for you could have inferred it from the others.<sup>30</sup> For what purpose then is the law of handles stated in connection with nebelah? If then the law of handles serves no purpose in connection with nebelah, you may apply it to other cases.<sup>31</sup> Hence [you derive that] a handle can convey uncleanness both to and from [the bulk], and [that] a protection can be included together [with the bulk].<sup>32</sup> But still the law of handles stated in connection with nebelah was absolutely necessary; for had not the Divine Law stated it in connection with nebelah I should have said: ‘It is enough if the inferred law is as strict as that from which it is inferred’, and therefore, just as the others cannot render a man unclean so nebelah cannot render a man unclean!<sup>33</sup>

In truth the law of handles in connection with nebelah is really necessary, but it is the law of protections in connection with nebelah<sup>34</sup> that is unnecessary. Why did the Divine Law state it? Will you say, [to teach] that it<sup>35</sup> can be included together [with the bulk]? Surely you have already said that it cannot be included!<sup>36</sup> [And to teach] that it<sup>35</sup> can convey the uncleanness from the bulk [is unnecessary], for it is already inferred by an a fortiori argument from the law of handles!<sup>37</sup> If then the law of protections in connection with nebelah serves no purpose,

you may apply it to the law of handles in connection with nebelah; and if the law of handles in connection with nebelah also serves no purpose,<sup>38</sup> you may then apply it to the law of handles in connection with other cases. Hence [we derive that] a handle can convey uncleanness both to and from [the bulk] and a protection can be included together [with the bulk].

- (1) The two clauses of this Baraita apparently contradict each other: the first clause states that the hide ‘of a carcass does not convey uncleanness, whereas the second clause states that ‘one who touches the hide of a carcass becomes unclean.
- (2) Aliter: ‘as the case may be’, i.e., introducing respectively other persons.
- (3) For the protection cannot be included together with a morsel of the carcass to make up the olive's bulk in order to convey nebelah-uncleanness.
- (4) For although the hide does not serve as a protection so as to be reckoned as part of the carcass itself, it serves nevertheless as a handle or connective by which uncleanness can be conveyed to other matters.
- (5) ‘Uk. I, 1.
- (6) E.g., the stalks of fruit or a marrowless bone attached to a piece of flesh; each, although not a foodstuff, acts as a handle or connective to convey uncleanness to other foodstuffs if the fruit or the flesh was unclean, or to render the fruit or flesh unclean if the stalk or bone came into contact with unclean matter.
- (7) E.g., hide to which is attached an olive's bulk of flesh, or nut shells.
- (8) E.g., hair.
- (9) Lev. XI, 38.
- (10) That in connection with foodstuffs a handle can convey the uncleanness to the bulk; in other words the bulk contracts uncleanness through the medium of the handle, for this verse only speaks of the foodstuff contracting uncleanness.
- (11) Lev. XI, 39.
- (12) That through the medium of the handle the carcass conveys uncleanness to everything that comes into contact with the handle.
- (13) Cf. supra 117b the teaching of the Tanna of the school of P. Ishmael, where v. 37 is interpreted for this purpose.
- (14) Sc. the protection.
- (15) To make up the requisite minimum quantity.
- (16) For the verse which implies that a handle can convey the uncleanness from the bulk deals solely with nebelah, which is a grave uncleanness, and no other case may be inferred from it.

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(17) For a protection is a degree graver than a handle by reason of the a fortiori argument.

(18) Lev. XI, 35.

(19) I.e., that a handle can convey the uncleanness from an external source to the vessel. There being, therefore, two verses each teaching the law that a handle can convey uncleanness to the bulk, one would be utilized to teach the law that handles can convey uncleanness from the bulk. Consequently, now that handles can convey uncleanness to and from the bulk, the verse (ibid. 37) with regard to a protection is entirely superfluous, for it would have been inferred by an a fortiori argument from handles; it must serve therefore to teach the law that the protection is to be included together with the bulk to make up the requisite minimum quantity.

(20) For we have now three verses each stating the law of handles, viz., v. 35 which deals with an oven, v. 38 which deals with seeds, and v. 39 which deals with nebelah.

(21) Sc. the rule of handles in connection with the oven and nebelah.

(22) Seeds, being foodstuffs, can become unclean even from that which is unclean in the first degree, whereas an oven or any vessel can only contract uncleanness from that which is a primary source of uncleanness. Moreover, foodstuffs have more conditions of uncleanness than nebelah, as is expressly stated in our Mishnah as the result of the application of the law of protections.

(23) Which is not the case with foodstuffs and nebelah. The oven, being an earthenware vessel, can render unclean any foodstuffs which come into its air-space even though there was no actual contact. V. supra 24bff

(24) As well as by contact, which is not the case with the others.

(25) Whereas the oven and the foodstuffs were rendered unclean by some unclean matter.

(26) For foodstuffs cannot contract uncleanness unless they have first been rendered susceptible to uncleanness by being moistened by water or any of the other liquids prescribed. Cf. Lev. XI, 38.

(27) From the point of view of the application of uncleanness fruit which has not been moistened by water is considered 'unfinished' just as an unfinished article.

(28) The oven contracts uncleanness without any contact, as when a dead reptile is suspended in its air-space; nebelah, too, is unclean without any contact for it is its own source of uncleanness.

(29) Sc. nebelah and seeds.

(30) By drawing the conclusion from the common features of the two cases, for each of those cases has a peculiarity which is not present in the other. Seeds are peculiar in that they have many conditions of uncleanness; the oven is peculiar in

that its air-space can render unclean. The features common to both are that they are unclean and that through the medium of a handle they can convey uncleanness to others; the same would apply to nebelah.

(31) Sc. foodstuffs, that through the medium of a handle they can contract uncleanness.

(32) Accordingly, 'unto you' stated in connection with seeds teaches that a handle can convey uncleanness from the bulk; 'unto you' stated in connection with nebelah teaches that with foodstuffs a handle can convey uncleanness to the bulk, (for it was unnecessary to state this for nebelah itself since nebelah could have been inferred from the other two cases, v. p. 653, n. 6; moreover, it was also unnecessary to teach the rule that a handle can convey uncleanness from the bulk, for this we already know with regard to foodstuffs). 'Upon any sowing seed' teaches that a protection can be included together with the bulk to make up the requisite minimum quantity.

(33) I.e., nebelah cannot render a man unclean by means of a handle, e.g., if a man touched a dry bone at the end of which there was a piece of nebelah he would not be unclean. Hence it was necessary that the law of handles be stated in connection with nebelah in order to include this case.

(34) Which is derived from the verse: Shall be unclean, supra 118a top.

(35) Sc. a protection.

(36) Supra p. 650.

(37) Supra p. 651.

(38) For the law of handles is expressly stated in connection with nebelah in the verse: Which serves as food unto you; v. supra p. 651.

## Chullin 118b

**But I could say this: If the law of protections in connection with nebelah serves no purpose then you may apply it to the law of protections in connection with other cases,<sup>1</sup> with the result [that we learn] that a protection can convey uncleanness to [the bulk] and also [that] a protection can be included together [with the bulk], but a handle [I maintain] cannot convey uncleanness to [the bulk]! —**

**Indeed at the very outset [it must be admitted that] the law of handles stated in connection with foodstuffs refers to the handle as conveying the uncleanness to [the bulk].<sup>2</sup>**

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Then for what purpose is the law of protections stated in connection with nebelah? For its own purpose. But for what? [Will you say to teach] that its can be included together [with the bulk]? Surely you have already said that it cannot be included! And [to teach] that it can convey uncleanness to and from [the bulk is unnecessary], for it can surely be inferred by an a fortiori argument from the law of handles! —

Scripture sometimes takes trouble to state a rule even though it could be inferred by an a fortiori argument. But if so, I can say the same of the law of protections in connection with other cases; I can say that it actually teaches that its conveys uncleanness to and from [the bulk], for although it could be inferred by an a fortiori argument, Scripture nevertheless troubled to state it expressly! — Wherever it is possible to interpret the verse [as applying to something else] we do so.<sup>4</sup> R. Habiba said: The law of protections stated in connection with nebelah is exceptional, for since it acts in the same way as a handle<sup>5</sup> [it is only right that] we refer it to the law of handles.<sup>6</sup>

R. Judah b. Ishmael demurred, raising an objection from the following Mishnah which we learnt: The point of a pomegranate is included [with the fruit], but its blossom is not included.<sup>7</sup> Wherefore is this? Should not one apply the rule of the verse: Upon any sowing seed which is to be sown?<sup>8</sup> And it is not so here. Moreover we have learnt: THE HIDE, MEAT JUICE, SEDIMENT... ARE TO BE INCLUDED TO CONVEY FOOD-UNCLEANNES; whence do we know it?<sup>9</sup> — The fact is, there are three Scriptural expressions: ‘upon any sowing’, ‘seed’, ‘which is to be sown’; one refers to the protections of seeds, the other to the protections of fruit and the third to the protections of flesh, eggs, and fish.

R. Hiyya b. Ashi said in the name of Rab: A handle serves [as a connective] for the

uncleanness<sup>10</sup> but a handle does not serve [as a connective] for rendering susceptible to uncleanness.<sup>11</sup> R. Johanan says: A handle serves [as a connective] both for the uncleanness and for rendering susceptible to uncleanness. Wherein do they differ?<sup>12</sup> — If you wish you may say [that they differ] in the interpretation of a verse, or if you wish you may say [that they differ] in the logical reasoning. ‘If you wish you may say [that they differ] in the interpretation of a verse’<sup>13</sup> — one maintains, a Scriptural expression may be interpreted as referring to the immediately preceding subject but not to what is anterior thereto, whilst the other maintains, a Scriptural expression may be interpreted as referring both to the immediately preceding subject and to what is anterior thereto.

‘Or if you wish you may say [that they differ] in the logical reasoning’ one maintains, being rendered susceptible to uncleanness is the first stage of uncleanness,<sup>14</sup> whilst the other maintains, being rendered susceptible to uncleanness is not the first stage of uncleanness. There is [a Baraita] taught which accords with the view of R. Johanan. It was taught: As a handle serves as a connective for the uncleanness so it serves also as a connective for rendering susceptible to uncleanness. And as seeds can contract uncleanness only when they have been plucked up<sup>15</sup> so can they be rendered susceptible to uncleanness only when they have been plucked up.

Rab said: A handle cannot serve [as a connective] to anything less than the size of an olive,<sup>16</sup> and a protection cannot serve [as a protection] to anything less than the size of a bean.<sup>17</sup> R. Johanan said: A handle can serve [as a connective] to anything less than the size of an olive,<sup>18</sup> and a protection can serve [as a protection] to anything less than the size of a bean. An objection was raised: If there were two bones [of a corpse] that bore each a half-olive's bulk of flesh [at one end] and a man

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brought into a house the other two ends, and the house overshadowed them, the house becomes unclean.<sup>19</sup>

**Judah b. Nakosa says in the name of R. Jacob: How can two bones [each bearing only a half olive's bulk of flesh at the other end] be reckoned together to make up an olive's bulk?<sup>20</sup>**

- (1) Sc. foodstuffs.
- (2) The question at the early stages of the argument when it is suggested that a handle can convey uncleanness from the bulk but not to it in the case of foodstuffs is untenable, for the context clearly shows that the handle, which is referred to in that verse, is intended to convey the uncleanness to the bulk.
- (3) Sc. a protection.
- (4) And here the verse can be interpreted as referring to the rule that the protection can be included together with the rest.
- (5) The protection of a nebelah, sc. the hide, is admittedly not part of the nebelah, for it is not included together with the flesh to make up the minimum quantity to convey uncleanness, but it serves to convey uncleanness from the nebelah; in other words it serves in the capacity of a handle.
- (6) And not as was suggested supra (p. 655) to the law of protections in regard to other cases.
- (7) 'Uk. II, 3. The point may be regarded as a protection to the pomegranate and as such may be considered as part of the fruit, but the blossoms around it are at most a protection over the point, i.e., a protection to a protection, and as such cannot be considered part of the fruit.
- (8) Lev. XI, 37. For the law of protections is derived from this verse, and only that covering is regarded as a protection which is sown together with the seed or is planted with the fruit; thus one must exclude the protuberances of fruit.
- (9) Seeing that the law of protections is stated only with regard to seeds.
- (10) To convey uncleanness to and from the bulk.
- (11) I.e., if the handle was moistened by water the bulk was not thereby rendered susceptible to contract uncleanness.
- (12) I.e., what is the ground of their difference.
- (13) The law of handles in connection with foodstuffs is deduced from the expression 'unto you' stated in the following verse: But if water be put upon the seed, and aught of their carcass fall thereon, it is unclean unto you (Lev. XI, 38). Now this expression certainly refers to the subject of uncleanness which immediately precedes it, but the question is whether it also refers to the subject,

'If water be put upon', which is at the beginning of the verse.

(14) And just as a handle serves as a connective for the uncleanness so it also serves as a connective for rendering the rest susceptible to uncleanness.

(15) For otherwise all seed would be unclean because of the dead reptiles found in the soil.

(16) If the handle to a foodstuff less than the size of an olive's bulk (which foodstuff was among other foodstuffs together making up the size of an egg-so adds Rashi, but unnecessarily, v. Tosaf. s.v. ט"א) was touched by unclean matter, it does not act as a connective to convey the uncleanness to the foodstuff.

(17) If, for instance, a bone has less than a bean's bulk of marrow in it, it cannot, as a protection, be included together with the marrow to make up the requisite quantity, nor can it convey the uncleanness either to or from the marrow.

(18) But not to anything less than the size of a bean.

(19) For whatsoever overshadows a handle to flesh is regarded as if it overshadows the flesh itself.

(20) For a handle to anything less than the size of an olive's bulk is of no significance.

## Chullin 119a

Now how does Rab interpret this teaching [to accord with his view]? If he regards it [the bone] as a handle,<sup>1</sup> then the first opinion conflicts with his;<sup>2</sup> and if he regards it as a protection,<sup>3</sup> then the second opinion conflicts with his!<sup>4</sup> — If you wish, you may say he regards it as a handle, or if you wish you may say he regards it as a protection. 'If you wish, you may say he regards it as a handle' — and he is in agreement with Judah b. Nakosa.<sup>5</sup> 'Or if you wish, you may say he regards it as a protection' — and he is in agreement with the first Tanna.<sup>6</sup> R. Johanan, however, says that it can only be regarded as a handle, and so he is in agreement with the first Tanna.<sup>7</sup>

Come and hear: R. Judah says: If a thighbone has an olive's bulk of flesh attached to it, it brings about the uncleanness to the whole.<sup>8</sup> Others say: Even if it has flesh only the size of a bean attached to it, it is sufficient to bring about the uncleanness to the whole. Now how does Rab interpret this teaching? If he regards it [the bone] as a

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handle, then the second opinion conflicts with his;<sup>9</sup> and if he regards it as a protection, then the first opinion conflicts with his.<sup>10</sup> If you wish, you may say he regards it as a handle and he is then in agreement with R. Judah; or if you wish, you may say he regards it as a protection, and he is in agreement with the ‘others’.

R. Johanan, however, says that it can be regarded as a protection and, so he is in agreement with the ‘others’.<sup>11</sup> But do not the ‘others’ expressly mention the size of a bean?<sup>12</sup> — It is only because the first Tanna [sc. R. Judah] stated a fixed quantity<sup>13</sup> that they also stated a fixed quantity.<sup>14</sup> Raba said: There is indeed a proof that the Baraita regards it as a protection, for it states ‘a thigh-bone’.<sup>15</sup> This is conclusive. It was stated: R. Hanina said that that<sup>16</sup> was the [minimum] size,<sup>17</sup> but R. Johanan said that that was not the [minimum] size. But does it not expressly say: ‘the size of a bean’? — It was only because the first Tanna stated a fixed quantity that they too stated a fixed quantity.

Come and hear. We have learnt: R. Eleazar b. ‘Azariah declares that of the bean clean but that of [other] pulse unclean, since one is pleased with it when handling them!<sup>18</sup> — As R. Aha the son of Raba had suggested [in another case] that it referred to the stalk which is considered a handle, so here too it refers to the stalk and it is considered here a handle.<sup>19</sup> And what is meant by ‘when handling them’? — It means, when moving them about.

Come and hear from the following teaching of a Tanna of the school of R. Ishmael: It is written: Upon any sowing seed which is to be sown,<sup>20</sup> that is to say, in the manner in which men take out the seeds for sowing: wheat in its husk, barley in its husk, lentils in their husks!<sup>21</sup> — It is different with a separate entity.<sup>22</sup> R. Oshaia raised the question,

(1) I.e., each bone was dry and without marrow but there was a piece of flesh attached to one end of each, in which case the bones can act as handles only.

(2) Since the first Tanna declares the house to be unclean because a handle can serve as a connective even to what is less than the size of an olive's bulk.

(3) I.e., the bones contained marrow at one end but not at the other end, and the ends void of marrow were brought into the house. The bone of a marrow-bone is regarded as a protection to the marrow within.

(4) Since Judah b. Nakosa holds that a protection cannot serve as such to anything less than the size of an olive's bulk, whereas according to Rab it can serve as a protection to anything the size of a bean which is less than half an olive. The same difficulty would arise on the view of R. Johanan, which is apparently in conflict with that of Judah b. Nakosa, whether the bone is treated as a ‘handle’ or ‘protection’; v. n. 9.

(5) For presumably with regard to a protection Judah b. Nakosa would concede that a protection can serve as a protection even to that which is less than the size of an olive's bulk, provided, of course, it was not less than the size of a bean; thus entirely in agreement with Rab's view.

(6) The first Tanna presumably would agree with Rab that a handle cannot serve as a connective unless it was attached to flesh at least of the size of an olive's bulk.

(7) He cannot however regard the bones in the dispute between the first Tanna and Judah b. Nakosa as protections, for then he would be in agreement with neither: for Judah b. Nakosa insists upon an olive's bulk, and the first Tanna upon a half olive's bulk, since he speaks of two bones together making up an olive's bulk, whereas R. Johanan rules that a protection can serve as such even to anything less than the size of a bean which is certainly less than a half olive's bulk. See Rashi and Tosaf. a.l.

(8) I.e., if the olive's bulk of flesh attached to this bone was with other foodstuffs so that together there was an egg's bulk of foodstuff, and unclean matter came into contact with the bone, the whole would then become unclean.

(9) For Rab says that a handle to anything less than the size of an olive's bulk cannot serve as a connective.

(10) For R. Judah speaks of an olive's bulk of flesh which was attached to the bone, whereas Rab said that a protection to that which is less than an olive's bulk, provided it is of the size of a bean, can serve as a protection.

(11) In this case R. Johanan could certainly regard it as a handle and he would be in agreement with

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the 'others'; moreover, if he did so, it would leave no ground for the question which follows in the text; but he preferred to regard it as a protection, since the thigh-bone, which is expressly mentioned in the Baraita, usually contains marrow and so must be considered as a protection. V. Rashi, s.v.

(12) Whereas R. Johanan considers it a proper protection even if the substance within is less than the size of a bean.

(13) An olive's bulk.

(14) The size of a bean; nevertheless a protection to something even less than the size of a bean would also be regarded as a protection.

(15) Which usually contains marrow, and therefore is to be considered a protection.

(16) The statement of the 'others' above: 'Even if it has flesh only the size of a bean attached to it'.

(17) But a protection to anything less than this size cannot be considered as a protection.

(18) Cf. 'Uk. I, 5. R. Eleazar b. 'Azariah maintains that the pod of beans is not regarded as a protection to convey uncleanness to or from the beans, neither is it to be reckoned together with the beans so as to make up the requisite quantity, because the pod does not serve any useful purpose since the beans are large enough to be handled with the fingers. On the other hand the pods of peas or of other pulse are regarded as protections, for the peas are small and the pods then serve a useful purpose in making the handling of the peas easier. Now even if there was only one pea in the pod it would serve as a protection to it. Hence it is clear that a protection can serve as a protection even to a foodstuff less than the size of a bean, contra R. Hanina and Rab.

(19) It is not the pod that is considered here but the stalk to which a number of pods are attached. In the case of other pulse, like peas, the stalk serves as a handle to all the pods (which obviously are more than an olive's bulk), and so is a connective for uncleanness. In the case of the bean, however, the stalk is of no importance, for the beans are large enough to be handled by themselves, and is therefore not considered a handle for the uncleanness.

(20) Lev. XI, 37.

(21) The husk serves as a protection to the grain even though the grain of wheat is less than the size of a bean.

(22) A protection to an entire thing, however small it is, as the husk of grain, is certainly regarded as a protection. Rab and R. Hanina, however, insist upon the minimum size of a bean only in those cases where the substance that is protected is only part of a whole, as a morsel of flesh, or half a bean.

## Chullin 119b

Can two protections be reckoned together<sup>1</sup> or not? But what is the actual case? If you say that one is over the other, but can it be said that a protection over a protection [has the law of a protection]? Behold we have learnt: R. Judah says: An onion has three skins: the innermost skin, whether it is entire or has holes in it, is reckoned together [with the edible part]; the middle skin, if it is entire, is reckoned together, but if it has holes in it, it is not reckoned together; the outermost skin in either case is clean!<sup>2</sup> —

R. Oshaia really raised this question: What is the law if the protection of a foodstuff was divided?<sup>3</sup> Since this [half of the protection] does not protect the other [half of the foodstuff] and the other [half of the protection] does not protect this [half of the foodstuff] they cannot be reckoned together, or, it may be, since each [half of the protection] protects its own [half of the foodstuff] they can be reckoned together?

Come and hear: R. Eleazar b. 'Azariah declares that of the bean clean but that of [other] pulse unclean, since one is pleased with it when handling them!<sup>4</sup> — R. Aha the son of Raba answered: It refers to the stalk which is considered as a handle.<sup>5</sup> And what is meant by 'when handling them'? — It means, when moving them about.

Come and hear from the following teaching of a Tanna of the school of R. Ishmael: It is written: 'Upon any sowing seed which is to be sown',<sup>6</sup> that is to say, in the manner in which men take out the seeds for sowing; wheat in its husk, barley in its husk, lentils in their husks!<sup>7</sup> — As R. Aha the son of Raba had suggested [above] that it referred to the stalk which is considered a handle, so here it refers to the stem [of the ear of wheat] which is considered a protection.<sup>8</sup> Granted, however, that the upper rows need the lower ones; but do the lower need the upper ones?<sup>9</sup> — We are

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dealing here with one row only.<sup>10</sup> But is there ever as much as an egg's bulk of foodstuff in one row? — Yes, in the wheat grains of Simeon b. Shetah.<sup>11</sup> And now that you have arrived at this, you may say that it refers to a single grain of wheat, but of the wheat grains of Simeon b. Shetah.

[To revert to] the [above] text: If there were two bones [of a corpse] that bore [at one end] a half olive's bulk of flesh and a man brought into a house the other two ends, and the house overshadowed them, the house becomes unclean. Judah b. Nakosa says in the name of R. Jacob: How can two bones [each bearing only a half olive's bulk of flesh at the other end] be reckoned together to make up an olive's bulk? R. Simeon b. Lakish said: This was taught only with regard to a bone which is considered a handle, but a hair is not considered a handle.<sup>12</sup> R. Johanan however said: Even a hair is considered a handle.

R. Johanan raised the following objection against R. Simeon b. Lakish: If there was an olive's bulk of [unclean] flesh adhering to the hide and a man touched a shred hanging from it,<sup>13</sup> or a hair that was opposite it,<sup>14</sup> he becomes unclean. It is, is it not, because it [the hair] is regarded as a handle? — No, it is because it is regarded as a protection. But can there be a protection over another protection?<sup>15</sup> — It penetrates right through.<sup>16</sup>

R. Aha b. Jacob demurred, [saying:] If so, how may we write Tefillin?<sup>17</sup> Surely it is necessary that the writing be perfect, and it is not so?<sup>18</sup> — [In raising this objection] he must have overlooked the statement [of the Rabbis] in the West, viz., Any hole [in parchment] over which the ink can pass is not considered a hole.<sup>19</sup> Or if you wish, you may answer: Each<sup>20</sup> is considered a handle, for as R. Ila'a referred [elsewhere] to a bristle among many bristles, so here too it refers to a hair among many hairs.<sup>21</sup> And where was this

view of R. Ila'a stated? In connection with the following [Mishnah]:<sup>22</sup> The bristles<sup>23</sup> of ears of corn bring in uncleanness and convey uncleanness,<sup>24</sup> but are not included together [with the rest to make up the quantity necessary to convey uncleanness]. Of what use is a bristle?<sup>25</sup> R. Ila'a replied: It refers to a bristle among many bristles.<sup>26</sup>

Another version renders the argument as follows: It is more reasonable to say that it [a hair] is regarded as a protection, for should you say it is regarded as a handle [it will be asked]: Of what use is one hair? — As R. Ila'a referred [elsewhere] to a bristle among many bristles, so here, too, it refers to a hair among hairs. And where was this view of R. Ila'a stated? In connection with the following Mishnah: The bristles of ears of corn bring in uncleanness and convey uncleanness, but are not included together with the rest. Of what use is a bristle? — R. Ila'a replied: It refers to a bristle among many bristles. Some refer it<sup>27</sup>

(1) With the foodstuff within so as to make up the egg's bulk in order to contract and convey uncleanness.

(2) V. 'Uk. II, 4. The innermost skin is regarded as part of the onion for it is edible, the middle is a protection and therefore can serve as such only when entire, the outermost as a protection over a protection which can in no circumstances be reckoned together with the foodstuff.

(3) I.e., a foodstuff that had a protection over it was divided into two. V. however, Tosaf. s.v. שוימר.

(4) V. supra p. 660, n. 3. Since, therefore, in the case of other pulse, such as peas, several pods can be reckoned together with the peas within them to make up the quantity of an egg's bulk; it is evident that two protections can be reckoned together.

(5) The one stalk serves as a handle to many pods.

(6) Lev. XI, 37.

(7) Since several grains with their husks can be reckoned together to make up the quantity of an egg's bulk, it is evident that protections can be reckoned together; likewise, where a foodstuff was divided into two together with the protection upon it, the parts can be reckoned together.

(8) The grains in the ear of corn spring from the rachis or stem in row upon row on all sides of it; moreover the ear of corn (in barley and certain species of wheat) is covered by an awn or beard.

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The suggestion seems to be here that the rachis and the awn together act as one protection to the grains.

(9) The lower rows of grain support the upper rows and if the lower rows were to fall away the upper rows, losing their support, would fall away too; hence from the point of view of the upper rows the entire ear of corn serves as one whole protection. On the other hand, the lower rows can stand without the upper ones for it has its own protection, and the fact that the upper and lower rows in the ear can be reckoned together proves that two protections can be reckoned together.

(10) I.e., the protection and the grains on one row only must make up the quantity of an egg's bulk.

(11) In his time the grains of wheat were of extraordinary size, v. Ta'an. 23a.

(12) But only a protection. And there is this qualification with regard to a protection, namely, that the contact must be made with the protection that is directly opposite the foodstuff.

(13) The flesh. But, v. infra 124a.

(14) I.e., on the outside of the hide, opposite the flesh.

(15) For the skin is itself a protection and the hair is above the skin.

(16) The hair penetrates through the skin to the flesh, so that it serves as a protection to the flesh, and not as a protection to the hide, so that it is not a protection over another protection.

(17) I.e., phylacteries which contain scrolls of parchment with special selected passages written thereon. Cf. Deut. VI, 8.

(18) Since the hair penetrates the hide the parchment made from it must perforce be full of holes, and any writing on it must be interrupted as the pen passes over these holes, and this invalidates the scroll.

(19) The holes are so minute that the pen passes smoothly over them, even the ink does not collect in these holes.

(20) Sc. the shred of flesh and the hair.

(21) It is conceded by R. Simeon b. Lakish that many hairs taken together can serve as a handle, but a single hair, he maintains, cannot, for it would certainly snap when attempting to lift the bulk by it.

(22) 'Uk. I, 3.

(23) I.e., the spiky growth at the end of an ear of corn; the awn or the beard.

(24) For they are regarded as handles.

(25) How can it serve as a handle seeing that it would break off as soon as one took hold of it?

(26) By grasping many awns together one can obtain a firm hold on the ears of corn.

(27) The above dispute between R. Johanan and Resh Lakish.

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to our Mishnah thus, **THE HIDE, MEAT JUICE, SEDIMENT... [BONES...] ARE TO BE INCLUDED TO CONVEY FOOD UNCLEANNESS.** Thereupon R. Simeon b. Lakish said: This was taught only with regard to a bone which is considered a protection, but a hair is not considered a protection; R. Johanan, however, said: Even a hair is considered a protection. Said Resh Lakish to R. Johanan: But can there be a protection over another protection? — [He replied,] It penetrates right through. R. Aha demurred saying: If so, how may we write Tefillin? It is necessary that the writing be perfect and it is not so? — He must have overlooked the statement [of the Rabbis] in the West, viz., Any hole [in parchment] over which the ink can pass is not considered a hole.

R. Johanan then raised the following objection against Resh Lakish: If there was an olive's bulk of [unclean] flesh on the hide and a man touched a shred hanging from it, or a hair that was opposite it, he becomes unclean. It is, is it not, because it [the hair] is regarded as a protection? — No, it is because it is regarded as a handle. But of what use is one hair? — As R. Ila'a referred [elsewhere] to a bristle among many bristles, so here, too, it refers to a hair amongst other hairs. And where was this view of R. Ila'a stated? — In connection with the following Mishnah: The bristles of an ear of corn contract uncleanness and convey uncleanness, but are not included together with the rest. Of what use is a bristle? — R. Ila'a replied: It refers to a bristle among many bristles.

**MEAT JUICE.** What is the **ROTEB?**<sup>1</sup> — Raba said: It is the fat.<sup>2</sup> Whereupon Abaye said to him: But should it not by itself convey food uncleanness? — Rather it must be, meat juice which had set. But why 'had set'? Even if it had not set it should also [be included

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with the meat], for Resh Lakish has said that the juice of vegetables is to be included [with the vegetable] to make up the date's bulk with regard to the Day of Atonement.<sup>3</sup> — There it is a question of satisfying one's hunger and anything [though not strictly a foodstuff] would satisfy it; here, however, it is a question of what can be included [with a foodstuff] and, therefore, if it [the meat juice] had set it can be included, but if it had not set it cannot be included.<sup>4</sup>

**SEDIMENT.** What is the KIPPAH?<sup>5</sup> — Raba said, It is the sediment [of boiled meat]. Whereupon Abaye said to him: But should it not by itself convey food uncleanness? — Rather said R. Papa: It must be the spices. We have learnt elsewhere: If a man clotted blood and ate it, or if he melted [forbidden] fat and gulped it down, he is culpable.<sup>6</sup> Now it is quite clear in the case where he clotted blood and ate it, for since he clotted it he thereby determined it [as a foodstuff], but [why should he be culpable] where he melted fat and gulped it down? Scripture uses the term 'eating' in connection with it, and this is not eating? —

Resh Lakish said: The verse says: Soul,<sup>7</sup> to include one who drinks.<sup>8</sup> The same has been taught in respect of leavened bread: Where a man dissolved it<sup>9</sup> and gulped it down, if it was leavened, he is liable to the penalty of Kareth, and if it was unleavened, he has not thereby fulfilled his obligation on the Passover.<sup>10</sup> Now it is quite right to say 'If it was unleavened he has not thereby fulfilled his obligation on the Passover', for the Divine Law says: Bread of affliction,<sup>11</sup> and this is not bread of affliction;<sup>12</sup> but why does it say: 'If it was leavened he is liable to the penalty of Kareth'? Does not Scripture use the term eating' in connection with it? Resh Lakish said: The verse says: Soul,<sup>13</sup> to include one who drinks. And the same has been taught in respect of the carcass of a clean bird: If he dissolved it<sup>14</sup> with fire (and gulped it down), he is unclean;<sup>15</sup> but if in the sun, he is not

unclean.<sup>16</sup> Whereupon we put the questions is not the expression 'eating' written in connection with it?<sup>17</sup>

And Resh Lakish replied. The verse says: Soul,<sup>17</sup> to include one who drinks. But if so, even (if he dissolved it) in the sun he should also [be unclean]? — In the sun it becomes putrid. Now this<sup>18</sup> was necessary [to have been taught with regard to each of these cases]. For if the Divine Law had stated it only with regard to the fat, one could not have inferred the same with regard to leavened bread, for (in the case of the former) there was never a moment when it was permitted;<sup>19</sup> nor could one have inferred the same with regard to the carcass [of a clean bird], for the former is punishable by kareth.<sup>20</sup> And had the Divine Law stated it only with regard to leavened bread, one could not have inferred the same with regard to the fat, for the former does not admit of any exception;<sup>21</sup> nor could one have inferred the same with regard to the carcass [of a clean bird], for the former is punishable by Kareth. And had the Divine Law stated it only with regard to the carcass [of a clean bird], one could not have inferred the same with regard to the others, for the former conveys uncleanness.<sup>22</sup> [Clearly] one case could not have been inferred from the other, but could not one case have been inferred from the other two? — Which could have been inferred?

Had not the Divine Law stated it with regard to the carcass [of a clean bird] but this latter was to be inferred from the others,<sup>23</sup> [such inference could be refuted thus]: It is so with the other cases since they are punishable by Kareth. And had not the Divine Law stated it with regard to leavened bread but this latter was to be inferred from the others,<sup>24</sup> [such inference could be refuted thus], it is so with the other cases since they were never permitted at any time. And had not the Divine Law stated it with regard to the forbidden fat but this latter was to be

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inferred from the others,<sup>25</sup> [such inference could be refuted thus]: It is so with the other cases since they admit of no exceptions; will you, then, say the same of the forbidden fat which admits of an exception? — What is this [exception]?

Is it that the forbidden fat of cattle is permitted to the Most High?<sup>26</sup> But a carcass [of a bird], too, is permitted to the Most High, namely, a bird whose head has been nipped off!<sup>27</sup> Or is it that the fat of a wild animal [is permitted] to a common man? But a carcass, namely, the sin-offering of a bird whose head has been nipped off, is also permitted to priests!<sup>28</sup> — In truth, [the exception is that] the fat of a wild animal [is permitted] to a common man, and as for your difficulty from the case of the priests, [it must be remembered that] the priests enjoy this privilege from the table of the Most High.<sup>29</sup> Wherefore is the following teaching necessary: ‘[It is written,] The unclean,<sup>30</sup> to signify that the juice and the broth and the sediment of these are forbidden’? Surely it could have been inferred from the above cases?<sup>31</sup> —

It is necessary, for had not the Divine Law stated it expressly<sup>32</sup> I would have said: ‘It is enough if the inferred law is as strict as that from which it is inferred’, and as there [a minimum of] an olive's bulk is essential, so here a minimum of an olive's bulk is essential.<sup>33</sup>

- (1) ריטב, translated in the Mishnah as meat juice.
- (2) On the surface of the broth.
- (3) The eating of a date's bulk on the Day of Atonement is the minimum quantity to render one liable. Here the juice of the vegetable is regarded as part of the foodstuff and is reckoned together with it to make up this quantity. If it were not regarded as part of the foodstuff but as a liquid it could not be reckoned together with it; cf. Yoma 73b.
- (4) For a liquid and a foodstuff cannot be reckoned together to make up the minimum quantity so as to convey food uncleanness, for the standard with each is different.

- (5) קיפה ‘sediment’; either of the meat itself, i.e., the particles of meat that fall away in the boiling and form a jelly, or of the spices; v. infra.
- (6) Men. 21a, but not in a Mishnah.
- (7) Lev. VII, 25: The soul that eateth it shall be cut off from his people; in connection with forbidden fat.
- (8) The word נפש, ‘soul’, is also used to express desire, pleasure (cf. Gen. XXIII, 8 Deut. XXIII, 25), so that even when a person drinks fat his ‘soul’ enjoys it and he is therefore liable.
- (9) Sc. bread.
- (10) V. Pes. 35a.
- (11) Deut. XVI, 3.
- (12) It is not the usual way of eating bread. Cf. Rashi Pes. 35a bot.
- (13) Ex. XII, 15: That soul shall be cut off from Israel.
- (14) Sc. the carcass of a clean bird.
- (15) And renders unclean the clothes that he is wearing whilst swallowing it.
- (16) Naz. 50a.
- (17) Lev. XVII, 15: And every soul ha eateth that which dieth of itself.
- (18) That one who drinks forbidden food that was melted down is also liable.
- (19) Forbidden fat in an animal has always been forbidden from the birth of the animal, whereas leavened bread is forbidden only during Passover, but before the festival, it was permitted.
- (20) Sc. forbidden fat, but there is not the penalty of Kareth for eating nebelah.
- (21) Whereas the fat in certain cases is permitted, v. infra.
- (22) I.e., is itself a source of uncleanness, whereas forbidden fat and leavened bread have no uncleanness in themselves.
- (23) Sc. fat and leavened bread.
- (24) Sc. fat and the carcass of a clean bird.
- (25) Sc. leavened bread and the carcass of a clean bird.
- (26) The forbidden fat of a sacrifice is permitted to, i.e., is offered upon, the altar.
- (27) Ordinarily this method of killing the bird would render it nebelah, nevertheless it is acceptable as a sacrifice; hence the law of nebelah admits of an exception, like the fat.
- (28) The priests may eat the flesh of this bird sacrifice, hence there is an exception to the law of nebelah even in respect of the eating thereof.
- (29) It is only to the Most High that nebelah is permitted, even though priests may enjoy it as guests of the Divine table; there is no case, however, of nebelah being permitted to a common man as of law.
- (30) Lev. XI, 31: These are the unclean unto you among all that creep. The definite article before

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**‘unclean’ is obviously superfluous, and it therefore serves to indicate that the extracts and juices from creeping things are included within the prohibition. V. supra 112b.**

**(31) For we have learnt above in respect of three cases (viz., the forbidden fat, leavened bread and the carcass of a clean bird) that a solution of the forbidden substance and also the extracts and juices therefrom are forbidden; and all cases could be inferred from these.**

**(32) With regard to creeping things.**

**(33) Whereas the law, is established that the eating of a lentil's bulk of a creeping thing renders one liable.**