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Water Sheratzim

It is as they said in the West: If two generalizations are written next to each other (and then a specification follows them), insert the specification between them, and expound them as a generalization-specification-generalization. In the water is a generalization; in the seas and in the streams is a specification, in the water is another generalization; we therefore have a generalization-specification-generalization, in which case, they include such things that are similar to the specification. Therefore, as the specifications clearly indicate water coming from a wellspring, so everything to be included must be found in water coming from a wellspring. What does this include? It includes canals and ponds, namely, that all water sheratzim found in them are subject to the prohibition (without fins and scales). And what does it exclude? It excludes pits, ditches and caves, namely, that all water sheratzim found in them are free from all restrictions.

The Gemora asks: Perhaps I can say that just as the specification explicitly states water that is contained in the ground, so too we should include water that is contained in the ground. Accordingly, even pits, ditches and caves will be included in the prohibition (*that creatures found in them are only permitted with fins and scales*), and only vessels would be excluded (*namely, that all water sheratzim found in them are free from all restrictions*)?

The Gemora answers: If this were right, then what does the exposition of the verse, '*these you may eat*' teach us?

A braisa was taught in the school of Rabbi Yishmael: Since there is written in this verse: *In the water... in the water (without any specification between them)*, it must not be expounded by the principle of 'generalization and specification,' but rather by the principle of 'extension and limitation.' Therefore '*in the water*' is an extension; '*in the seas and in the streams*' is a limitation; '*in the water*' is another extension; we therefore have two extending propositions separated by a limitation, in which case everything is to be included. What does it include? It includes canals and ponds, namely, that all water sheratzim found in them are subject to the prohibition (*without fins and scales*). And what does it exclude? It excludes pits, ditches and caves, namely, that all water sheratzim found in them are free from all restrictions.

The Gemora asks: But perhaps it includes pits, ditches and caves, namely, that all water sheratzim found in them are subject to the prohibition (*without fins and scales*), and it excludes vessels, namely, that all water sheratzim found in them are free from all restrictions?

The Gemora answers: If this were right, then what does the exposition of the verse, '*these you may eat*' teach us?

The Gemora asks: And perhaps the reverse should be true? [*For the argument by the principle of extension and limitation is to a certain extent arbitrary, for on what ground should one thing be excluded rather than the other? And we therefore can say that pits, ditches and caves are excluded, and all water sheratzim found in them would not be subject*

to the requirement of fins and scales, and it will include vessels, that all water *sheratzim* found in them are subject to the fins and scales restrictions!?

The *Gemora* answers: It is because of the *braisa* expressed by Matisyah bar Yehudah: For what reason do you prefer to conclude that water *sheratzim* found in pits, ditches and caves are permitted, but those found in canals and ponds are excluded and therefore prohibited? I include those found in pits, ditches and caves for the water is enclosed just as in vessels, whereas those found in canals and ponds are excluded since the water is not enclosed as it is in vessels.

The *Gemora* cites a dispute between Rav Acha and Ravina regarding which verse is the explicit one (*that permits these water sheratzim, even though they do not have fins and scales*), and which one is the distinct one. (66b – 67a)

Worms

Rav Huna said: A man should not pour beer into a vessel through a strainer of twigs, for there is a concern that a worm might crawl from the beer on to the twigs and then fall into the vessel, and he (*when drinking the beer with the worm*) will violate the transgression of eating a *sheretz* that creeps upon the earth.

The *Gemora* asks: If so, even when it remains in the vessel, we should be concerned that the worm crawled from the beer on to the side of the vessel and then fall back into the vessel!

The *Gemora* answers: That would be permitted, for it is its natural habitat (*and we regard it as if it never left the beer*).

The *Gemora* notes that this distinction is known from the following *braisa*: From where is it known regarding the water *sheratzim* that developed in pits, ditches and caves that one may bend down and drink without any hesitation (*and not be*

concerned about the creatures he is swallowing)? It is written:

You may eat of all that is in the water. Now perhaps these creatures had at some time previously crawled out from the water to the edge of the cistern and then fell back into the cistern? You must therefore say that it would still be permitted, for it is its natural habitat; then here too, we say that this is its natural habitat.

Rav Chisda said to Rav Huna: There is a *braisa* taught that supports your teaching: *And every creeping thing that creeps upon the earth is an abomination; it shall not be eaten.* This includes insects found in wine that have been filtered through a strainer. The reason that they are forbidden is because they had been filtered through a strainer, but had they not been filtered through a strainer, they would be permitted.

Shmuel said: A cucumber which became wormy during its growth is forbidden because of the prohibition of a *sheretz* that creeps upon the earth (*and since it is attached to the ground, it is regarded as if it crept upon the ground*).

The *Gemora* attempts to support Shmuel's ruling from two *braisos*, but ultimately, rejects the proof.

Rav Yosef inquired: What is the law if a worm (*which developed inside a detached fruit*) left, and immediately died (*before creeping on the earth; do we say that it is regarded as a sheretz which creeps on the ground?*)

What is the law if only part of the worm left the fruit (*while the remainder remained inside – where it is not yet regarded as a sheretz which creeps on the ground?*)

What is the law if it fell into mid-air (*and died there*)?

The *Gemora* leaves these questions unresolved.

Rav Ashi inquired: What if the worm moved from the inside of a date to the outside? What if it moved to the top of the pit (*but remained inside of the date*)? What if it moved from one date to another (*that was adjacent to it*)? The *Gemora* leaves these questions unresolved.

Rav Sheishes the son of Rav Iди said: *Kukyanei* (*parasites that infest the animals' lungs and liver*) are forbidden, because they come from outside.

Rav Ashi asked him: If they come from the outside, then they should surely be found in the digestive tract (*and since they are not found there, they obviously developed inside of the animal, and should therefore be permitted*)!?

Others reported this discussion as follows: Rav Sheishes the son of Rav Iди said: *Kukyanei* are permitted, because they are developed from within the animal.

Rav Ashi said: It is obvious that this is so, for if they come from the outside, they should surely be found in the digestive tract.

The *Gemora* concludes that the *halachah* is that they are forbidden, because they might enter through the nostril while the animal is asleep.

The *Gemora* issues another ruling regarding worms: Larvae found under the skin of animals are forbidden; under the skins of fish are permitted.

Ravina once said to his mother: Mix the worms with the fish (*so I shouldn't see them and become repulsed*) and I shall eat them.

Rav Mesharshiya, the son of Rav Acha, asked Ravina: Why is this case different from what was taught in the following *braisa*: *And their carcasses shall be abominated* – this includes the larvae found in animals.

He replied: There is no comparison between the two. Animals are in a forbidden state until rendered permitted by slaughtering, and since these larvae had not been rendered fit by slaughtering (*for they do not have the special permission given to the fetus of an animal*), they always remain in the forbidden state (*of a limb from a living creature*). Fish, however, become permitted by the mere gathering from the sea, and these larvae were generated in a permitted state.

The *Gemora* cites a *braisa*: (*Everything*) that creeps upon the belly (*you may not eat*). This means the snake. *Everything* includes the earthworm and all that resembles it. (*That walks*) on four means the scorpion. *Everything* includes the beetle and all that resembles it. *That has many legs* means the centipede. *Including everything* includes all that resemble the centipede and all that resemble that which resembles it.

The *Gemora* cites a *braisa*: Rabbi Yosi ben Durmaskis said: The leviathan (*a huge fish created on the fifth day of Creation; Hashem preserved it for the feast for the righteous in the World to Come*) is a kosher fish, for it is written: *His pride is in the strength of his shields...under him are pointed shards. The strength of his shields* are the scales that are attached to him; *under him are pointed shards* are the fins with which he propels himself with. (67a – 67b)

WE SHALL RETURN TO YOU, EILU TEREIFOS

INSIGHTS TO THE DAF

Must we consider minuscule Creatures?

By: Meoros Daf HaYomi

The world of invisible creatures was discovered with the invention of special optical devices and it became clear that even the air we breathe is full of microbes. As a result, fascinating *halachic* issues developed.

It's forbidden to drink vinegar! In Vilna there lived a *talmid chacham* by the name of Rabbi Pinchas Eliyahu, known for his *Sefer HaBris*, which describes multifarious wonders of the Creator. One paragraph aroused a tremendous commotion (*maamar 6*, Ch. 3, and see *Darchei Teshuvah*, 84, os 45). He asserted that it is forbidden to drink vinegar as the process of evolving vinegar is through minuscule worms that cannot be gotten rid of without special treatment.

The author of *Chochmas Adam* announced (*Binas Adam* on *Sha'ar Isur Veheter*, os 34) that "what he wrote to forbid vinegar is nonsense" as the Torah forbids wine-vinegar for a *nazir*, who must refrain from wine (*Bemidbar* 6:3). We thus see that for others vinegar is allowed. Not only that but Boaz told Ruth: "And dip your bread in vinegar" (Ruth 2:14). This is because invisible creatures are not included in the Torah's prohibition on eating crawling creatures (*sheratzim*), cited in our *sugya*.

The Torah was not given to angels: The author of '*Aroch HaShulchan*' supports this opinion when he says "The Torah was not given to angels" (84:36), "and in my childhood I heard from someone who visited distant lands and saw through a powerful microscope all sorts of creatures in water. According to this, how do we drink water? But the truth is that the Torah did not forbid anything invisible to the eye because the Torah was not given to angels. If not so, some scientists wrote that even all the air is full of minuscule creatures and when a person opens his mouth, he swallows many of them..."

Still, a poor-sighted person must not take a fruit, examine it and declare "I see nothing." The *Sheloh* emphasizes (*Sha'ar HaOsiyos*, os *kuf*, *Kedushah*) that "he who examines must have good eyesight" and the *Chasam Sofer zt"l* (O.C. 132) would announce in his *derashah* on *Shabbos HaGadol* before *Pesach* that poor-sighted people should refrain from lettuce and, instead, eat horseradish to avoid prohibitions of the Torah.

Why the regard for *tereifos* didn't change with medical developments

We are about to finish Chapter 3 of *Chulin*, *Eilu Tereifos*, which lists the diseases that *Chazal* determined are incurable and that an animal suffering from them is *tereifah*. There is no better place to address the question bothering any *Daf HaYomi* learner: Medicine has progressed and found brilliant solutions for complicated medical problems. How, then, should we regard those animals defined as *tereifah* by *Chazal* and that can now be easily cured?

The *Rashba* and *Rambam* discussed this important question and each of them addressed it from an entirely different aspect. The *Rashba*'s approach is very insistent (*Responsa*, I, 98): He replies in a responsum (see at length in Vol. 228) that he doesn't believe that any change occurred since *Chazal*'s era and that if it occurred, it was a miracle. In this article we shall focus on *Rambam*'s approach.

Rambam: Diseases do indeed change: *Rambam* writes (*Hilchos Shechitah* 10:12-13): "We mustn't add to these *tereifos* at all, because anything that happens to an animal or bird aside from those listed by the sages of the first generations and agreed upon by *batei din* of *Yisrael*, it is possible that it will live – even if we know from medicine that it won't live. Similarly those that they listed and said are *tereifah*, even though it seems by our medicine that some of them don't cause death...you only have what the sages listed, as we are told: ...according to the Torah that they will teach you. In other words, he agrees to assume that over the generations changes have occurred in both directions: diseases defined by *Chazal* as incurable are curable and, on the other hand, diseases not defined by them as *tereifah* now cause sure death but, at any rate, *Chazal*'s statements are valid despite those outstanding changes. Why? The *Chazon Ish zt"l* explains (*Y.D. 5, S.K. 3*) *Rambam*'s words and sets very important rules concerning the basic tenets of the Torah.

Hashem created cures for every disease: First he proves that Hashem who created everything, created cures for **every** disease. The *Gemora* in *Bava Basra* 72b says there is an herb that can cause the dead to live. Where is it? There used to be a book of cures according to which people would get well immediately till Chizkiyah hid it (*Pesachim* 56a). How is it that these cures haven't been discovered or invented in our era? It could only be, he concludes, that Hashem determines where and when certain cures will be discovered for certain diseases and when they shall disappear. It now becomes clear that also those defined by *Chazal* as *tereifah* are not incurable, as their cure exists but is hidden from us. Hence we must clarify according to which definitions *Chazal* chose certain diseases to be defined as *tereifah* since they knew well that there's a cure for every disease.

Tereifos were determined according to Chazal's era, which was defined as "the years of Torah": The Chazon Ish continues: The *Gemora* in *Avodah Zarah* 15a says that the first 2,000 years of Creation were *tohu* ("emptiness") as the Torah was not yet given. The next 2,000 years were "2,000 years of Torah". In Adam's book was already written that "Rebbi and Rav Nasan completed the Mishna; Rav Ashi and Ravina completed *Horaah* (the Talmud)" (*Bava Metzia* 86a). It was therefore incumbent upon *Chazal*, who lived in the 2,000 years of Torah, to determine which *tereifos* the Torah intended. Since every disease has a cure, they determined that diseases that had no cure in that era, the 2,000 of Torah, are the *tereifos* intended by the Torah. Therefore, even if great changes occur in the health pattern of creatures, we mustn't change *Chazal*'s teachings (see *Responsa Igros Moshe*, C.M., II, 73, os 4, and see what the Netziv zt"l wrote in *Ha'amek Davar*, *Shemos* 22:30, and in *Ha'amek Sheeilah*, *sheilta* 125).

In light of the above, the well known rule that a *tereifah* is an animal which will die within 12 months because of a disease or a wound, assumes a different aspect. Simply we understood that the very fact that an animal cannot live 12 months is the reason for its being defined as *tereifah*.

However, now we realize that every disease has a cure and that Hashem, through *Chazal*, indicated certain diseases as rendering an animal *tereifah*. The rule is only a "sign": *Chazal* used the rule that a *tereifah* lives no longer than 12 months merely as a current indicator to teach the diseases that render an animal *tereifah*.

DAILY MASHAL

Who Didn't Leave the Ark?

Tosfos cite the *Gemora* above (58a), which says that a boneless animal cannot live over 12 months. This *halachah* served the author of *Beer Sheva'* to explain Chazals saying (*Sanhedrin* 108b) which interprets the verse "they left the ark according to their families" (*Bereishis* 8:19) – "their families but not they". Why? Because there were boneless animals in the ark. They died naturally during the year of the Flood and only their offspring left the ark: "their families but not they".