



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

This is the general rule: whatever is of the species of grain. It was taught: Rabbi Yehoshua said: Now since we learned, Whatever is of the species of grain must be removed on Pesach, why did the Sages enumerate these? So that fine flour, and wealthy women give the leavings to their poorer sisters, the daughters of scribes, who were generally poor, one should be familiar with them and with their names.¹ As it once happened that a certain Westerner visited Babylonia. He had meat with him and he said to them [his hosts]: Bring me a relish. He [then] heard them saying, ‘Take him kutach’. As soon as he heard kutach, he abstained.² (43a1)

These are subject to a prohibition. Which Tanna [holds] that real chametz of grain in a mixture, and defective chametz³ in its natural condition, is subject to a prohibition?⁴ — Said Rav Yehudah in Rav's name: It is Rabbi Meir. For it was taught: Si'ur⁵ must be burnt, and he may give it to his dog, and he who eats it is [punished] by forty [lashes].⁶ Now this is self-contradictory. You say, ‘si'ur must be burnt’; this proves that it is forbidden for use. Then it is stated, ‘and he may give it to

his dog’, which proves that it is permitted for use! This is its meaning: Si'ur’ [i.e., what is si'ur] according to Rabbi Meir [must be burnt] in Rabbi Meir's opinion, and [what is si'ur] according to Rabbi Yehudah [must be burnt] in Rabbi Yehudah's opinion. And he may give it to his dog, [i.e., what is si'ur] according to Rabbi Meir [may be given to a dog] in Rabbi Yehudah's opinion. And he who eats it is [punished] by forty [lashes] — this agrees with Rabbi Meir.⁷ [Thus] we learn that Rabbi Meir holds that defective [chametz] in its natural state is subject to a prohibition, and all the more so - real chametz of grain in a mixture. (43a1 – 43a3)

Rav Nachman said: It is Rabbi Eliezer. For it was taught: For real chametz of grain there is the penalty of kares; for a mixture of it [one is subject to] a prohibition; this is the view of Rabbi Eliezer. But the Sages maintain: For real chametz of grain there is the penalty of kares; for the mixture of it there is nothing at all. [Thus] we learn that Rabbi Eliezer holds that real chametz of grain in a mixture is subject to a prohibition, and all the more so - defective [chametz] in its natural state.⁸

¹ That all may know that their use is forbidden on Pesach.

² He knew that it contains milk, while they did not.

³ ‘Nuksheh’, a leavened substance unfit for food.

⁴ Babylonian kutach and Median beer both contain real chametz, but mixed with other substances; while women's paste is simply flour, unmixed, but defective and unfit for food.

⁵ This is dough which is beginning to ferment, i.e., semi-chametz. At that stage it is unfit for eating, and therefore the same as defective chametz.

⁶ This is the punishment for violating a prohibition.

⁷ The Gemara later 48b discusses the controversy between Rabbi Meir and Rabbi Yehudah as to what constitutes si'ur', semi-

chametz. Now both Rabbi Meir and Rabbi Yehudah hold that use of si'ur, as each defines it respectively, is forbidden, and hence it must be burnt. But si'ur, as defined by Rabbi Meir, is in Rabbi Yehudah's opinion matzah (unleavened bread), but as it is not fit for eating, it must be given to a dog. The final clauses teach this: according to Rabbi Meir, he who eats si'ur, as defined by himself, incurs lashes, though Rabbi Yehudah holds that at that stage it is matzah and may be eaten.

⁸ Thus Rav Nachman holds that defective chametz unmixed is more stringent than real chametz in a mixture.

Now Rav Nachman, what is the reason that he does not say as Rav Yehudah? — He can tell you: perhaps Rabbi Meir rules [thus] only there, [in respect of] defective [chametz] in its natural state, but not [in the case of] real chametz of grain in a mixture. And Rav Yehudah: what is the reason that he does not say as Rav Nachman? He can tell you: [Perhaps] Rabbi Eliezer rules [thus] only there, [in respect of] real chametz of grain in a mixture, but not [in the case of] defective [chametz] in its natural state.

It was taught in accordance with Rav Yehudah:⁹ You shall eat nothing leavened: this is to include Babylonian kutach and Median beer and Idumean vinegar and Egyptian zisom. You, might think that the penalty is kares; therefore it is stated, for whoever eats that which is leavened shall be cut off for real chametz of grain there is the penalty of kares, but for the mixture of it [you are subject] to a prohibition. Now, whom do you know to maintain [that] for the mixture of it [you are subject] to a prohibition? It is Rabbi Eliezer. Yet he does not state defective [chametz] in its natural state. This proves that Rabbi Eliezer does not hold [that] defective [chametz is subject to a negative injunction]. (43a3 – 43a4)

Now Rabbi Eliezer, from where does he know that the mixture of it involves a prohibition: because it is written, ‘you shall eat nothing leavened’? If so, let him [the offender] be liable to kares too, since it is written, ‘for whoever eats that which is leavened shall be cut off’? — He requires that for what was taught: I only know [that it is forbidden] where it turned chametz of itself; if [it fermented] through the agency of another substance, how do we know it? Because it is stated, for whoever eats

that which is leavened shall be cut off. If so, [the teaching] of the prohibition too comes for this purpose?¹⁰ Rather, Rabbi Eliezer's reason is [that he] deduces from ‘whoever’.¹¹ [But] there too ‘whoever’ is written? — He requires that to include women.¹² But women are deduced from Rav Yehudah's [dictum] in Rav's name. For Rav Yehudah said in Rav's name, and the School of Rabbi Yishmael taught likewise: when a man or woman shall commit any sin that men commit: the Torah compared woman to man in respect of all the penalties which are [decreed] in the Torah? It is necessary: you might argue, since it is written: You shall eat no leavened bread with it; seven days shall you eat matzah with it: whoever is subject to ‘arise, eat matzah’, is subject to ‘you shall eat no chametz’; hence these women, since they are not subject to, ‘arise, eat matzah’, because it is a positive mitzvah limited to time,¹³ I would say that they are also not subject to, ‘you shall eat no chametz’; hence it [the verse] informs us [otherwise]. And now that they have been included in [the injunction of] ‘you shall eat no chametz’, they are also included in respect of eating matzah, in accordance with Rabbi Elozar. For Rabbi Elozar said: Women are subject to the [mitzvah of] eating matzah by the law of Scripture, for it is said, You shall eat no chametz with it; [seven days shall you eat matzah [with it]: whoever is subject to ‘you shall eat no chametz’, is subject to the eating of matzah; and these women, since they are subject to [the injunction of] ‘you shall eat no chametz’, are [also] subject to, ‘arise, eat matzah’. And why do you prefer [to assume] that this ‘whoever is to include women, while you exclude its mixture; say that it is to include the mixture? — It is logical that when treating of eaters [Scripture] includes eaters; [but] when treating of eaters, shall it include things which are eaten?

⁹ That real chametz mixed is the more stringent.

¹⁰ That a prohibition is involved even in respect of that which is made chametz through a foreign substance. How then do we know that even for a mixture a prohibition is transgressed?

¹¹ Heb. kol. This is an extension, and so teaches even the inclusion of a mixture.

¹² That they too are subject to the penalty of kares.

¹³ Lit., ‘caused by the time’. I.e., it is performed at certain times or seasons, and it is well established that women are exempt from such.

To this Rav Nassan the father of Rav Huna demurred: Then wherever [Scripture] treats of eaters does it not include things eaten? Surely it was taught: For whoever eats the fat [cheilev] of the animal, of which men present an offering [made by fire to Hashem, even the soul that eats it shall be cut off from his people]: I only know it of the cheilev of unblemished [animals], which are fit to be offered [as sacrifices]; from where do we know it of the cheilev of blemished animals? Therefore it is stated, ‘of the animal’. From where do we know it of the cheilev of chullin? Because it is stated, ‘For whoever’, Thus here, Scripture treats of eaters, yet it includes things eaten? — Since there are no eaters there [to be included],¹⁴ it includes things eaten. Here, however, that there are eaters [to be included], he cannot abandon eaters and include things eaten. (43a4 – 43b2)

Now as to the Rabbis who do not accept the view [that a prohibition is violated through] a mixture, they do not interpret ‘whoever’ [as an extension]. But then how do they know [that] women [are liable to kares]?¹⁵ — They do not interpret ‘whoever’ [as an extension], but they do interpret ‘for whoever’ [as such]. Then [according to] Rabbi Eliezer, say that ‘whoever’ is to include women; ‘for whoever’ is to include the mixture [of chametz]?¹⁶ And should you answer, Rabbi Eliezer does not interpret ‘for whoever’ [as an additional extension] surely it was taught: For you shall not burn any chametz...[as an offering made by fire to Hashem]: I only know it of the whole of it; from where do I know [even] part of it?¹⁷ Because ‘any’ [kol] is stated. From where do we know [that] its mixture [is forbidden]? Because it is stated for any [ki kol]. Whom do you know to interpret kol [as any extension]? Rabbi

¹⁴ For the inclusion of women in the prohibition and penalty follows from Rav’s dictum stated below.

¹⁵ For eating chametz. For Rabbi Eliezer interprets ‘whoever’ in both cases, one as including a mixture, and the other as including

Eliezer; and he [also] interprets ‘for any’ [ki kol]. This is [indeed] a difficulty. (43b2 – 43b3)

INSIGHTS TO THE DAF

Woman and Chametz

The *Gemora* says that we need a verse to teach us that women must not eat *chametz* on *Pesach*, as we might have thought they would be exempt from this commandment. Being that they do not have to eat *matzah* on the first night of *Pesach* (*this is what the Gemora thought at this point*), it must be that they also do not have to be careful about *chametz*. This is why we need a verse, despite the fact that we already have a verse teaching us that a woman is included in any prohibition whose punishment is mentioned in the Torah.

Tosfos (DH “Salka”) asks, why would we think this? Why wouldn’t we be stringent and instead say that *chametz* should be like all other prohibitions in which she is included? Tosfos gives various answers to this question.

Some Acharonim, such as the Mitzpeh Eisan, suggest another answer. They say that if we would just presume that we should be stringent when there is reason to be lenient, we would not be able to punish a woman who would eat *chametz* on *Pesach*. We would merely presume she should not do so, which is not sufficient grounds to actively punish her. The Mitzpeh Eisan quotes that in fact the Pri Megadim, in his introduction to Orach Chaim, indeed states that presuming stringency lacks the ability to punish. This teaching (*the passuk “all” – “including women”*) therefore tells us that she certainly receives a punishment (*see also Pnei Yehoshua*).

women. But since the Rabbis do not interpret ‘whoever’ as an extension, there is nothing to intimate the inclusion of women.

¹⁶ Teaching that kares is involved, and not merely a negative prohibition.

¹⁷ Chametz must not even be used as part of the offering.