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Clawing Bird

The *Gemora* cites a *braisa*: Rabban Gamliel says: Any bird that claws and eats it (*by lifting it to its mouth, and it does not eat it from the ground*), one may be certain that it is nonkosher. If it has an extra toe, and a crop, and its gizzard can be peeled, one may be certain that it is kosher. Rabbi Eliezar, the son of Rabbi Tzadok says: A cord is stretched out for it, and if (*when perching upon it*) it divides its toes evenly - two on each side, it is a kosher bird, but if it places three toes on one side and one on the other, it is a nonkosher bird. Rabbi Shimon ben Elozar says: Every bird which catches its food in the air is nonkosher.

The *Gemora* interjects: But the *tziparta* catches its food in the air (*and yet, it is kosher*)?

Abaye answered: It means that it catches its food and eats it in the air (*whereas the tziparta, although they catch food thrown to them in the air, they eat it only after putting it on the ground first*).

The *braisa* continues: Others say: Those birds that dwell (*flock*) with nonkosher birds are nonkosher; and those that dwell with kosher birds are kosher.

The *Gemora* asks: According to whom is this (*the viewpoint of the Others*) following? Is it only according to Rabbi Eliezer? For it was taught in a *braisa*: Rabbi Eliezer says

that it is not for nothing that the *zarzir* (*starling*) went to the *oirev* (*raven*). It did this because it was its type.

The *Gemora* deflects this, for it might even be according to the Rabbis as well, for we speak here of those that dwell with and also resemble the nonkosher birds. (65a)

Grasshoppers

The *Mishna* had stated: Regarding grasshoppers: All that have four legs, four wings, (*two*) jumping legs (*long legs, besides the legs it uses for walking, attached to its body close to the neck*), and wings covering the greater part of the body (*are kosher*).

The *Gemora* asks: What is meant by the greater part? Rav Yehudah said in the name of Rav: It means the greater part of the length of its body. Others say in the name of Rav: The greater part of its circumference.

Rav Pappa said: We therefore require the wings to cover the greater part of its length, as well as the greater part of its circumference.

The *Gemora* cites a *braisa*: If it does not have leaping legs now, but it will grow them later on (*when it matures*), as in the case of the *zachal*, it is permitted. Rabbi Eliezer, the son of Rabbi Yosi says: The verse, *Which has no leaping legs*, includes those that have none now, but will grow them later on. [*There is in this verse a vital difference*



between the *kesiv* - the actual written text - and the *keri* – the way it is read. Rabbi Eliezer, the son of Rabbi Yosi interprets the verse on the basis of the way it is written - those that have none now, but will have them later on – like the way it is read, are permitted.] Abaye says that the *zachal* is the *askerin*.

The *Gemora* cites a *braisa*: Those from among them you may eat: the *arbeh*. *Arbeh*, *Sal'am*, *Chargol*, *Chagav* - these refer (respectively) to red locust, yellow locust, gray locust (or long-horned *Chagav*) and small white locust. It says "l'Minehu" (or "l'Mino") "according to its kind" after each of them. These include *Tzipores Keramim*, *Yuchna Yerushalmis*, *Artzuviya*, and *Razbanis* respectively.

They taught the following *braisa* in Rabbi Yishmael's Academy: The Torah taught here extra generalizations and specifications: "*Arbeh*" is red locust. "*L'Mino*" includes *Tzipores Keramim*. Had the Torah written only this, we would have learned (from the generalization-specification-generalization) species that have no bald head.

The *Gemora* asks: What is the source to include species with a bald head?

The *Gemora* answers: "*Sal'am l'Minehu*" includes them.

The *braisa* continues: Had the Torah written only *Arbeh* and *Sal'am*, we would include species with or without a bald head, but only if they do not have a tail.

The *Gemora* asks: What is the source to include species with a tail?

The *Gemora* answers: "*Chargol l'Minehu*" includes them.

The *braisa* continues: This teaches only species with or without a bald head, with or without a tail, which do not have an elongated head.

The *Gemora* asks: What is the source to include species with an elongated head?

The *Gemora* answers: We learn from a *Tzad ha'Shavah* (the common denominator) of these three species: Each has different characteristics. What is common among them is that they have four legs, four wings, extra legs for jumping, and the wings cover the majority of the body.

The *Gemora* suggests: *Tzirtzur* has all these. Perhaps also it is kosher!

The *Gemora* rejects that: "*Chagav*" teaches that it must be called *Chagav*.

The *Gemora* suggests: If it depends on being called *Chagav*, perhaps the above characteristics are not needed at all!

The *Gemora* rejects that: "*L'Minehu*" teaches that it must also have the characteristics.

Rav Achai asks: *Arbeh*, *Sal'am* and *Chargol* all have short heads. We cannot learn to species with long heads!

The *Gemora* suggests: Since they all have the four Characteristics, we are not concerned about the head.

The *Gemora* rejects that: If so, why did the Torah write "*Chargol*"? We should learn from *Arbeh* and *Sal'am*, since they have all four characteristics!



Rather, the *Gemora* says, we cannot learn from *Arbeh* and *Sal'am*, since they have no tail. Likewise, we cannot learn (species with long heads) from species with short heads!

Rav Achai concludes: Rather, *Sal'am* is extra, for we could have learned it from *Arbeh* and *Chargol*; they are both kosher, even though *Arbeh* has a tail and *Chargol* has a bald head. Also *Sal'am* is kosher, even though it has a tail and a bald head. Since *Sal'am* is extra, it teaches that a species (with the other characteristics) is kosher even if its head is long. (65a – 65b)

DAILY MASHAL

Getting a Grip

While the Torah delineates specific signs for determining the *kashrus* (suitability) of beasts (split hooves, cud-chewing), no such identifying characteristics are mentioned explicitly in relation to birds. (Instead, the Torah provides a detailed list of species considered unsuitable). While these details are not recorded in the Written Torah, they are covered by the Oral Tradition; as we find in the *Mishna*: “The (*kashrus*) signs of domesticated and wild animals are stated in the (Written) Torah, while the signs of fowl are not. However, the Sages revealed them, and said: Any bird that is *dores* is unfit... R' Eliezer son of R' Tzadok says: Any bird that ‘splits its toes’ is unfit.”

Exactly what constitutes “*dores*” is a subject of discussion amongst the commentators; for our purposes, it seems to refer to the process of securing prey (see *Tiferes Yisrael* 82). Regarding R' Eliezer's comment of “splitting toes,” the *Gemara* (*Chullin 65a*) explains this as referring to a certain posture the bird tends to adopt: that is, it places two toes in the front and two in the back (as opposed to three in

the front and one in the back). The commentators add that this particular arrangement is a sure sign that the bird is of the “*dores*” type, and hence, unfit.

Mishnas Chaim asks: What relationship do “split toes” have with the action of “*dores*”? This appears to be a manifestation of the marvelous plan and purpose evident in Hashem's Creation. In a volume aptly named *Sha'ar HaShamayim*, the father of the *Ralbag* states that Hashem has fashioned every creature to be maximally suited to provide for itself. Thus we find that birds of prey possess long, hooked beaks and sharp talons, perfect for tearing into flesh. One bird that sports the “split toes” arrangement is the osprey (which appears [at least according to the *Chizkuni*] to be the “*ozniyah*” listed in the *parshah* amongst the non-kosher birds [*Vayikra 11:13*]). This bird is a master fisherman, living off the fish it snatches from the water by diving feet first. The osprey hauls its catch back to a perch, holding it all the while in its claws. Normally, transporting fish in one's toes is a risky prospect, as the slimy prey could easily fall out. The “two-in-front-two-in-back” posture is thus remarkably utilitarian, as it serves to secure an otherwise slippery meal.

While deniers may concoct all manner of far-fetched theories of how such phenomena came about, we have seen the approach of the righteous. In such instances, the “pious ones” see a clear manifestation of the **Honor of Hashem's Kingship**.