

30.8.9

113a (משנה ג) → 114b (משנה קא) (משום הכי איצטריך קרא)

1. ראשית בכורי אדמתך תביא בית יקוק אלהיך לא תבשל גדי בחלב אמו: שמות כג, יט
 2. לא תאכלו כל נבלה לגר אשר בשעריך תתננה ואכלה או מכר לנכרי כי עם קדוש אתה לה' אלהיך לא תבשל גדי בחלב אמו: דברים יד, כא
 3. וישלח יהודה את גדי העזים ביד רעהו העדלמי לקחת הערבון מיד האשה ולא מצאה: בראשית לח, כ
 4. ואת ערת גדי העזים הלבשה על ידיו ועל חלקת צואריו: בראשית כז, טז
 5. ושמרו את משמרתו ולא ישאו עליו חטא ומתו בו כי יחללהו אני ה' מקדשם: ויקרא כב, ט

- I ל"ת putting cheese with chicken on the table does not constitute a
 a מה"ת עוף → ל"ת inference: eating them together is a
 b (עוף בגבינה מד"ס) ל"ת (i.e. putting them on the table cannot lead to a)
 II איסור range of איסורים when mixing various standards of meat and milk and which meats are included in the
 a standards: permissible meats and milk -may not cook nor benefit; if 1 (or both) are prohibited – may cook & benefit
 b range of meats included:
 i only beef of בהמה; fowl and חיה are excluded
 1 argument: v. 1 appears 3x - excludes טמאה, fowl and חיה
 c v. 2 juxtaposes נבלה::בב"ח – anything classified as נבלה is under the ban
 i which should include: fowl, however אמו excludes non-mammals
 III Sources – for assuming that גדי means more than just "goat" and extends to a wider range
 a v. 3 describes goat as גדי עזים → "גדי" alone is any young animal
 i challenge: why not infer that גדי means עזים from v. 3
 ii answer: v. 4 also uses גדי עזים → שני כתובים הבאים כאחד
 1 challenge: according to ר' יהודה (מלמדן) ר' יהודה, why can't we infer it?
 2 answer: both v. 3 and v. 4 use ה"ה (גדי העזים) – as an exclusion
 b גדי extends to חלב, embryo, שמואל
 i and excludes: דם, placenta, טמאה
 ii and uses: חלב אמו to exclude male milk, חלב טמאה and חלב שחוטה
 1 challenge: how can he use the word for 6 לימודים when it only appears 3 times?
 2 answer: חלב/טמאה holds איסור חל על איסור and חלב/טמאה come from one instance
 (a) and: neither דם nor placenta are "גדי" → no verse needed; we have 2 left (to include שליל and exclude טמאה)
 3 challenge: שמואל indicates (context of כהן eating טמאה when he is טמא [v. 5]) אין איסור חל על איסור, citing ר"א
 (a) answer1: he generally holds איסור חל על איסור, but בו (v. 5) is an exception
 (b) answer2: he generally holds איסור חל על איסור, but גדי extends
 (c) answer3: his teacher (ר"א) holds אחע"א; he disagrees
 IV parametric questions
 a זב was asked if cooking in milk of a goat that never nursed generates חיוב
 i response: from שמואל's using חלב אמו to exclude "male milk" → this would be חייב, as it will eventually become אם
 b liability for cooking milk in חלב – ר' אמי/ר' אסי חלב – liable/exempt
 i suggestion: their dispute is whether (בב"ח) איסור חל על איסור
 1 rejection: all hold איסור חל על איסור
 (a) solution1: all agree that there are no מכות for eating;
 (i) dispute: if there are מכות for cooking – it is a separate איסור, but the תורה "describes" eating as בישול
 (b) solution2: all agree that there are מכות for cooking
 (i) dispute: for eating; אין אחע"א; but תורה uses "בישול" → eating; since מכות for בישול → מכות for eating
 (c) solution3: they don't disagree; one was referring to בישול (לוקה) and the other to אכילה (לוקה)
 2 challenge: ruling that cooking in "milk-water" (water that comes out of teat), or cooking bones, sinews etc. or blood in milk is not a liability of בב"ח, but cooking נותר וטמא in milk – is
 (a) answer: that תנא does hold איסור חל על איסור ('tho אסי ור' אמי may agree that it doesn't)
 (b) note: exemption for חלב מי חלב::חלב ר"ל who interprets משה's ruling that חלב::חלב, not בב"ח, הכשר זרעים

V Foundational ברייתות:

- a *First ברייתא* אמו בחלב implies goats milk – sheep and cow's milk is included via ק"ו:
- i *If*: goats, which may be mated with their mother, may not be cooked in her milk
 - 1 *Then certainly*: cows and sheep, which may not be mated with goats, may not be thusly mixed
 - 2 *Therefore*: the תורה states אמו בחלב – even cow and sheep milk
 - (a) *Question*: why the need for the verse – we extended via ק"ו
 - (b) *Answer* (ר' אשי): because the essential ק"ו is flawed:
 - (i) *Flaw*: we built the ק"ו from "it's mother" – but they may not be slaughtered on the same day
- b *Second ברייתא* extending איסור to the milk of its older sister (older = born in previous year) via ק"ו:
- i (Note: possible for goat to give birth as a yearling → mother and child could be in same group for מעשר בהמה)
 - ii *If*: the mother, who could be in same "corral" for מע"ב, is prohibited
 - 1 *Then certainly*: the "older sister", who doesn't enter the same corral for מע"ב is prohibited
 - 2 *Therefore*: the תורה states אמו בחלב
 - (a) *Question*: why the need for the verse – we extended via ק"ו
 - (b) *Answer* (ר' אשי): because the essential ק"ו is flawed:
 - (i) *Flaw*: we built the ק"ו from "it's mother" – but they may not be slaughtered on the same day
 - 3 *Analysis*: this only extends to the older sister; what about a "younger" sister (who is older but within same year of birth → could be in same "corral" for מע"ב)?
 - (a) *Answer*: infer it from the mother
 - (b) *Block*: its mother may not be slaughtered on same day, unlike the "younger" sister
 - (i) *Save*: the "older sister" disproves that block
 - (ii) *But*: the "older sister" doesn't enter the corral with the kid
 - 1. *Save*: the mother disproves that
 - 2. *Common denominator*: between mother and older sister – both are related and both may not have their milk used to cook the kid
 - a. *Application*: the younger sister, which is its flesh, may not have its milk used to cook the kid
 - 3. *Challenge*: why not infer the older sister from these two?
 - 4. *Answer*: indeed, אמו בחלב is used for ברייתא #3:
- c *Third ברייתא* אמו בחלב refers to its mother's milk; how do we know that it may not be cooked in *its own milk*? Via ק"ו:
- i *If*: where the fruit (offspring) is not prohibited with the fruit (sibling) for שחיטה (on same day), yet the fruit is prohibited to be cooked with the mother's milk
 - 1 *then certainly*: where the fruit (offspring) is prohibited with the fruit (milk), the fruit (milk) is prohibited with the mother – to be cooked (in its own fruit [milk])
 - 2 *Therefore*: the תורה states אמו בחלב
 - (a) *Question*: why the need for the verse – we extended via ק"ו
 - (b) *Answer* (ר' אחדבוי בר אמי): because the argument could be challenged:
 - (i) *Challenge*: a horse, whose mother is a horse but whose brother is a mule
 - 1. *Is forbidden*: to cohabit with its sibling (the mule) but not with its mother (a horse)
 - 2. *Rejection*: that is due to the father's role (donkey)
 - a. *Proof*: a mule whose father is a horse but whose mother is a donkey and whose sister is a mule may cohabit with its sibling but not with its mother
 - (ii) *Challenge*: a slave, whose mother is a שפחה but whose sister has been liberated disproves that
 - 1. *Since*: the siblings are prohibited but the offspring is permitted with his mother
 - 2. *Rejection*: that is due to the lack of a גט שחרור
 - a. *Proof*: a slave whose mother has been freed but whose sister hasn't may cohabit with sister but not with mother
 - (iii) *Challenge*: כלאי זרעים - fruits are forbidden w/each other, but fruit with "mother" (earth) permitted
 - 1. *Block*: the "fruits" are only forbidden because of the "mother"
 - 2. *Proof*: wheat and barley can be in one jug and not forbidden
 - (iv) *Challenge*: fruit (milk) is forbidden with fruit (kid) as it is two bodies;
 - 1. *Unlike*: fruit (milk) with the mother (its own body) – which is one body
 - a. *Therefore*: we require the פסוק to forbid cooking the goat in its own milk