

בְּשֵׁלֵמָא לְרַבִּי מֵאִיר, דְּאָמַר  
אֶחָד גָּר וְאֶחָד גּוֹי, בֵּין בְּמִכְרָה  
בֵּין בְּנִתְיָנָה. מְדַאֲיִצְטְרִיךְ קָרָא  
לְמִישְׂרָא נְבִילָה בְּהִנָּאָה – הָא  
כָּל אִיסוּרֵין שְׁבִתּוּרָה אִיסוּרֵין בֵּין  
בְּאִכְלִיָּה בֵּין בְּהִנָּאָה.

The Gemara applies this discussion to the previously mentioned topic. **Granted**, Rabbi Abbahu's opinion is reasonable according to Rabbi Meir, who said that one may transfer an animal carcass to both a convert and a gentile, both through selling and through giving. From the fact that a verse was necessary to permit one to derive benefit from an animal carcass, one can learn that with regard to all other prohibitions in the Torah about which it states only that one may not eat an item, it is prohibited both to eat it and to derive benefit from it.

אֵלָא לְרַבִּי יְהוּדָה, דְּאָמַר לְדַבְרִים  
כְּכַתְּבֵן הוּא דְאָתָא – הָא כָּל  
אִיסוּרִים שְׁבִתּוּרָה מְנָא לִיה  
דְּאִיסוּרֵין בְּהִנָּאָה? נִפְקָא לִיה  
מִלְּבָלָב תְּשַׁלִּיכוּן אֹתוֹ,

However, according to Rabbi Yehuda, who said that the word “or” comes to teach that the matters are to be understood as they are written, from where does he derive with regard to all prohibitions of eating mentioned in the Torah that it is prohibited to derive benefit as well? The Gemara answers: He derives it from another verse. It is stated with regard to an animal with a condition that will cause it to die within twelve months [*tereifa*]: “And you shall be sacred men to Me, therefore you shall not eat any flesh that is torn of beasts in the field; you shall cast it to the dogs” (Exodus 22:30).

## Perek II

Daf 22 Amud a

### NOTES

A non-sacred animal that was slaughtered in the Temple courtyard – חולין שֶׁנִּשְׁחָטוּ בְּעוּרָה: It is unclear whether the prohibition to slaughter non-sacred animals in the Temple, or to eat or benefit from such animals, is by Torah law or by rabbinic law (see Rashi). Either way, the prohibition is clearly based on the verse: “You shall not eat any flesh that is torn of beasts in the field.” Among the various explanations is that it is prohibited to eat an animal that was slaughtered outside of its proper place. This leads to Rabbi Meir’s statement that one may throw an animal carcass to a dog, but one may not do so with the meat of a non-sacrificial animal that was slaughtered in the Temple courtyard.

Sciatic nerve – גיד הנֶּשֶׂה: This nerve, known in Latin as *nervus ischiadicus*, runs down the back of the hind leg of an animal. The sciatic nerve is one of the parts of a kosher domestic animal and a kosher non-domestic animal that by Torah law is prohibited for consumption (Genesis 32:33). In addition to the nerve itself, it is prohibited by rabbinic law to eat any of the flesh surrounding it or the fat that encloses it.



Sciatic nerve

Sciatic nerve running through a piece of meat

אֹתוֹ אֶתָּה מְשַׁלִּיךְ לְבָלָב, וְאִי  
אֶתָּה מְשַׁלִּיךְ לְבָלָב כָּל אִיסוּרֵין  
שְׁבִתּוּרָה. וְרַבִּי מֵאִיר: אֹתָהּ  
מְשַׁלִּיךְ לְבָלָב, וְאִי אֶתָּה מְשַׁלִּיךְ  
לְבָלָב חוּלִין שֶׁנִּשְׁחָטוּ בְּעוּרָה.

The Gemara concludes: It, i.e., a *tereifa*, you may throw to a dog, but you may not throw all other items prohibited by Torah law to a dog, as both eating and deriving benefit are prohibited. The Gemara asks: And what *halakha* does Rabbi Meir learn from this verse? The Gemara answers that Rabbi Meir draws the following inference: It, you may throw to a dog, but you may not throw the meat of a non-sacred animal that was slaughtered in the Temple courtyard<sup>NH</sup> to a dog, as it is prohibited to benefit from it.

וְאִידֶךָ: חוּלִין שֶׁנִּשְׁחָטוּ בְּעוּרָה לְאוּ  
דְּאֹרֵייתָא הִיא.

And from where does the other Sage, Rabbi Yehuda, learn this *halakha* about non-sacrificial meat that was slaughtered in the Temple courtyard? The Gemara answers: He holds that the prohibition of deriving benefit from the meat of a non-sacrificial animal that was slaughtered in the courtyard is not by Torah law; rather, the Sages decreed that it is prohibited. Since it is not prohibited by Torah law, no verse is necessary.

מֵתִיב רַבִּי יִצְחָק נִפְחָא: וְהָיָה גִיד  
הַנֶּשֶׂה, דְּרַחֲמֵנָא אָמַר: “עַל כֵּן  
לֹא יֵאָכְלוּ בְּנֵי יִשְׂרָאֵל אֶת גִּיד  
הַנֶּשֶׂה,” וְהָיָה: שׁוֹלַח אָדָם יָרֵךְ לְגוֹי,  
וְגִיד הַנֶּשֶׂה בְּתוֹכוֹ, מִפְּנֵי שְׁמֻקּוֹמוּ  
נִיכְרִי!

Rabbi Yitzhak Nappaḥa raised an objection: And yet there is still the prohibition of the sciatic nerve,<sup>N</sup> as the Merciful One says: “Therefore the children of Israel may not eat the sciatic nerve” (Genesis 32:33), and we learned in a mishna: A person may send the thigh of an animal to a gentile as a gift with the sciatic nerve inside it,<sup>H</sup> he is not required to remove it. This is due to the fact that its place is clear, and it is obvious that this nerve has not been removed. Therefore, there is no concern that another Jew will assume that the first Jew removed this portion of the animal, which might cause him to accidentally eat the sciatic nerve. Apparently, one may benefit from this prohibited portion of the animal even though the verse says that one may not eat it.

### HALAKHA

A non-sacred animal that was slaughtered in the Temple courtyard – חולין שֶׁנִּשְׁחָטוּ בְּעוּרָה: It is prohibited to benefit from non-sacrificial animals that were slaughtered in the Temple courtyard, as stated in the mishna in tractate *Temura* (Rambam *Sefer Kedusha*, *Hilkhot Sheḥita* 2:2).

יָרֵךְ...וְגִיד – הַנֶּשֶׂה בְּתוֹכוֹ: One may send the thigh of an animal to a gentile without removing the sciatic nerve, even in the presence of another Jew. There is no concern that this other Jew will eat the sciatic nerve, since it is apparent that it has not been removed (*Shulḥan Arukh*, *Yoreh De'a* 65:1).

קסבר רבי אבהו: בשהותרה נבילה – היא וחלבה וגידיה הותרה. הניחא למאן דאמר יש בגידין בנותן טעם! אלא למאן דאמר אין בגידין בנותן טעם, מאי איכא למימר?

The Gemara rejects this: **Rabbi Abbahu holds that when it was permitted by the Torah to derive benefit from an animal carcass, it, its fats, and its sinews, such as the sciatic nerve, were all permitted.** Therefore, the sciatic nerve is included in this exception and one may benefit from it. The Gemara challenges: **It works out well according to the one who said that sinews give flavor,** meaning that they have the taste of meat and therefore have the legal status of meat of an animal carcass. **However, according to the one who says that sinews do not give flavor<sup>HN</sup> and are not categorized as meat, what can be said? If they are not considered to be meat, why are they included in the exception made for an animal carcass?**

מאן שמעית ליה דאמר "אין בגידין בנותן טעם" – רבי שמעון, דתנא: האוכל מגיד הנשה של בהמה טמאה, רבי יהודה מחייב שתיים, ורבי שמעון פוטר.

The Gemara answers: **Whom did you hear that said that sinews do not give flavor? It is Rabbi Shimon, as it was taught in a *baraita*:** With regard to one who eats the sciatic nerve from a non-kosher domesticated animal, Rabbi Yehuda deems him liable to receive two sets of lashes: One for eating the sciatic nerve and one for eating the meat of a non-kosher animal. **And Rabbi Shimon exempts him entirely,** since according to his opinion the prohibition to eat the sciatic nerve applies only to a kosher animal. In addition, one violates the prohibition of eating from a non-kosher animal only when it has the flavor of meat.<sup>H</sup>

רבי שמעון הכי נמי דאסר בהנאה. דתנא: גיד הנשה מותר בהנאה, דברי רבי יהודה, ורבי שמעון אוסר.

And it indeed follows logically that just as Rabbi Shimon exempts one who eats the sciatic nerve in that particular case, **so too here, Rabbi Shimon prohibits deriving benefit from the sciatic nerve. As it was taught in a *baraita*: It is permitted to derive benefit from the sciatic nerve;**<sup>H</sup> this is the statement of Rabbi Yehuda, and Rabbi Shimon prohibits it. Since Rabbi Shimon holds that the sciatic nerve does not give flavor, it cannot be included in the exception of the animal carcass. Therefore, from the verse that prohibits eating the sciatic nerve he learns that one may not benefit from it either, in accordance with the opinion of Rabbi Abbahu. Rabbi Abbahu's position fits according to both opinions. However, the mishna that indicates that it is permitted to derive benefit from the sciatic nerve is in accordance with the opinion of Rabbi Yehuda, as he holds that the sciatic nerve gives flavor and is therefore included in the exception of the animal carcass.

והרי דם, דרחמנא אמר: "כל נפש מכם לא תאכל דם", ותנן: אלו ואלו מתערבין באמה ויוצאין לנחל קדרון, ונמכרין לגננין לזבל, ומועלין בו!

The Gemara further challenges Rabbi Abbahu's opinion: **And yet there is the prohibition of eating blood, as the Merciful One says:** "Therefore I said to the children of Israel: **No soul of you shall eat blood, neither shall any convert that dwells among you eat blood**" (Leviticus 17:12). According to Rabbi Abbahu's opinion, one may derive from this verse that in addition to the prohibition against eating blood, it is prohibited to benefit from it as well. **And we learned in a mishna: Both these and these, the remnants of the blood from sin-offerings brought on the altar and other blood sprinkled on it, descend and mix in the canal from which water leaves the Temple. They then exit to the Kidron Valley<sup>B</sup> and are sold at a special price to gardeners as a fertilizer. And one who does not first purchase the blood from the Temple misuses consecrated property.**<sup>H</sup> Apparently, under certain circumstances, one may benefit from blood which it is prohibited to consume.

**The taste of the sciatic nerve – טעם גיד הנשה –** The sciatic nerve has no taste, and therefore, if it fell into a stew with other meat, it is permitted to eat the other meat. This ruling is in accordance with the conclusion of the Gemara in tractate *Hullin* (*Shulhan Arukh, Yoreh De'a* 65:9).

**The sciatic nerve of a non-kosher animal – גיד הנשה של בהמה – טמאה:** If one eats the sciatic nerve of a non-kosher animal, he is exempt from punishment because the prohibition only applies to kosher animals. In addition, sinews are not considered to be meat, and consequently they do not have the legal status of non-kosher meat (Rambam *Sefer Kedusha, Hilkhot Ma'akhalot Assurot* 8:5).

**Benefit from the sciatic nerve – הניאה בגיד הנשה –** Although it is prohibited to eat the sciatic nerve, it is permitted to benefit from it (*Shulhan Arukh, Yoreh De'a* 65:10).

**Misuse of consecrated property with regard to sacrificial blood – מעילה בדם הקדשים –** If one uses sacrificial blood that drained into the canal and exited the Temple, without purchasing it from the Temple treasury, he has violated the prohibition of misuse of consecrated property. According to the Ra'avad, this is considered misuse by rabbinic law (Rambam *Sefer Avoda, Hilkhot Me'ila* 2:11).

BACKGROUND

**Kidron Valley – נחל קדרון:** This diagram illustrates the area of the Temple Mount, the large rectangle, as well as the Temple. The Kidron Valley riverbed, into which the Gihon spring flows, passes near the walls of the Temple Mount. The Temple Mount is located just above the slope of the valley, so that liquids naturally run off from the Temple Mount into the Kidron Valley.



Temple Mount and surrounding area

NOTES

**Sinews do not give flavor – אין בגידין בנותן טעם:** At first glance this disagreement is puzzling, since it should be verifiable whether sinews have a taste. Rather, this dispute appears to be related to the question of whether the prohibition against eating the sciatic nerve includes the smaller and softer surrounding sinews as well. While these surrounding sinews have a distinct taste, the sciatic nerve itself is hard

and does not have the taste of meat. Therefore, those who maintain that these surrounding sinews are part of the legal definition of the sciatic nerve contend that the sciatic nerve has a taste. Those who maintain that these smaller sinews are not included in the prohibition hold that the sciatic nerve does not have a taste (Maharam Halawa; Rashba in tractate *Hullin*).

NOTES

Like water [*kamayim*], meaning, like most water – כמים: This explanation is supported by the punctuation of the word *kamayim* with a *patah*, meaning: Like the water, i.e., water that is known. It stands to reason, then, that it refers to ordinary water familiar to everyone and not to some special type of water (Rav Ya'akov Emden).

Not like water that is offered as a libation – לא כמים: This answer is acceptable even to those who claim that the ritual of water libation on *Sukkot* is not required by Torah law. It is referring here to any water from which one may not benefit, such as the water from the water basin in the Temple courtyard, and water offered as a libation is only meant to serve as an example of that (Maharam Halawa).

שאינו דם דאיתקש למים, דכתיב: "לא תאכלנו על הארץ תשפכנו כמים", מה מים מותרין – אף דם מותר.

ואימא כמים המתנסכים על גבי המזבחה? אמר רבי אבהו: "כמים" – רוב מים. מידי "רוב מים" כתיב? אלא אמר רב אשי: כמים הנשפכין! ולא כמים הנשפכין.

ואימא כמים הנשפכין לפני עבודה זרה! התם נמי נסוך איקרי, דכתיב: "ישתו יין נסיהם".

The Gemara answers: **Blood is different, as it is juxtaposed in the Torah to water. As it is written with regard to blood: "You shall not eat it; you shall pour it out upon the earth like water"** (Deuteronomy 12:24). From here it is derived: **Just as it is permitted to benefit from water, so too, it is permitted to benefit from blood.**

The Gemara asks: **And say instead that blood is meant to be like water offered as a libation on the altar, which is consecrated and from which one is prohibited to benefit. Rabbi Abbahu said:** The comparison to permitted water can be deduced from that which the verse says: **"Like water [*kamayim*],"** meaning, like **most water**;<sup>n</sup> and one is permitted to benefit from most types of water. The Gemara asks: **And is it written: Most water?** The Torah wrote: **"Like water,"** which could indicate a comparison to any type of water. **Rather, Rav Ashi said that the verse should be understood as follows: Like water that is poured out, from which one may benefit, and not like water that is offered as a libation.**<sup>n</sup> Water offered on the altar is described using the term libation, and not using the term poured as found in the verse.

The Gemara asks: **And say that blood is meant to be like water poured before idolatry, from which one may not benefit. The Gemara rejects this: There, that is also called a libation and not pouring, as it is written: "Who did eat the fat of their sacrifices, and drink the wine of their libations"** (Deuteronomy 32:38).

Perek II  
Daf 22 Amud b

NOTES

A cup of wine to a nazirite – בוס יין לנזיר: Although there is a general restriction of offering another person a prohibited item, this particular example is selected because since everyone else may drink wine, it is deemed likely that the nazirite may forget his oath and accidentally drink the wine offered to him (*Tosafot*).

Before the blind – לפני עור: The Sages expand upon the prohibition mentioned in the verse: **"You shall not put a stumbling block before the blind,"** explaining that it refers to any type of situation where one may cause someone else to stumble, literally or figuratively. Practically speaking, this includes the prohibition against enabling someone to commit a sin. However, it only applies to situations where this individual would not have been able to commit the sin without the assistance of another person. A classic example of this is when one transfers a prohibited item from the opposite side of a river, as it would otherwise have been inaccessible.

HALAKHA

Before the blind – לפני עור: It is prohibited to offer a cup of wine to a nazirite or a limb torn from a living animal to descendants of Noah when the prohibited item is in a place that the person cannot reach by himself (*Sefer Mitzvot Gadol*, negative mitzva 168).

ולחזקיה, למאי הלכתא איתקש דם למים? לכדדבי חייא בר אבא. דאמר רבי חייא בר אבא אמר רבי יוחנן: מנין לדם קדשים שאינו מכשיר, שנאמר "לא תאכלנו על הארץ תשפכנו כמים", דם שנשפך כמים – מכשיר, שאינו נשפך כמים – אינו מכשיר.

והרי אבר מן החי, דכתיב: "לא תאכל הנפש עם הבשר", ותניא, רבי נתן אומר: מנין שלא יושט אדם בוס יין לנזיר, ואבר מן החי לבני נח – תלמוד לומר: "ולפני עור לא תתן מכשול". הא לכלבים – שרין!

The Gemara asks: **According to Hizkiya, who says that: You shall not eat, indicates only that eating is prohibited but that benefit is permitted, for what halakha is blood juxtaposed to water?** According to his opinion, there is no need for the verse to teach that one may benefit from blood. The Gemara answers that he needs this verse to derive that which was taught by Rabbi Hiyya bar Abba, as Rabbi Hiyya bar Abba said that Rabbi Yoḥanan said: **From where is it derived that the blood of sacrifices does not render food susceptible to ritual impurity? As it is stated: "You shall not eat it; you shall pour it out upon the earth like water"** (Deuteronomy 12:24). **Blood that is poured out like water, such as that of a slaughtered, non-sacrificial animal, renders food susceptible to ritual impurity. However, sacrificial blood, which is not poured out like water and is instead sprinkled on the altar, does not render food susceptible to ritual impurity.**

The Gemara further challenges Rabbi Abbahu's opinion: **And yet there is the prohibition against eating a limb cut from a living animal, as it is written: "Only be steadfast in not eating the blood; for the blood is the life; and you shall not eat the life with the flesh"** (Deuteronomy 12:23). **And it was taught in a baraita that Rabbi Natan says: From where is it derived that a person may not offer a cup of wine to a nazirite,<sup>n</sup> who is prohibited from drinking wine, and that he may not offer a limb cut from a living animal to a descendant of Noah, who is prohibited by Noahide law from eating a limb from a living animal? The verse states: "You shall not put a stumbling block before the blind"** (Leviticus 19:14).<sup>nh</sup> Causing another person to sin is like placing a stumbling block before a blind person; one who does so violates this prohibition. The prohibition of giving a limb from a living animal to a gentile is apparently due only to the prohibition of placing a stumbling block. **However, it is permitted for one to throw it to dogs.** Therefore, despite the fact that the verse says: **"You shall not eat it,"** apparently there is no prohibition against benefiting from this prohibited item. This challenges Rabbi Abbahu's principle.

**Blood of bloodletting – דם הקנה:** One who eats blood drawn from an animal through bloodletting, which leaves the animal in a steady stream, is liable to receive *karet*, as this is considered blood through which the soul departs (Rambam *Sefer Kedusha, Hilkhot Ma'akhalot Assurot* 6:3).

**An ox that is stoned – שור הנסקל:** One may not eat or benefit from an ox after it has been condemned to be stoned, even if it was slaughtered before the verdict was carried out, in accordance with the Gemara here (Rambam *Sefer Kedusha, Hilkhot Ma'akhalot Assurot* 4:22).

שאני אבר מן החי, דאיתקש לדם. דכתביב: "רק חזק לבלתי אכל הדם כי הדם הוא הנפש".

The Gemara answers: **A limb from a living animal is different, as it is juxtaposed in the Torah to blood. As it is written: "Only be steadfast in not eating the blood; for the blood is the life; and you shall not eat the life with the flesh"** (Deuteronomy 12:23). Just as it is permitted to benefit from blood, it is likewise permitted to benefit from a limb torn from a living animal.

ולחזקיה, למאי הלכתא איתקש אבר מן החי לדם? אמר לך: דם הוא דאיתקש לאבר מן החי, מה אבר מן החי – אסור, אף דם מן החי אסור. ואי זה – זה דם הקנה, שהנפש יוצאה בו.

The Gemara asks: **And according to Hizkiya, in order to teach what halakha is the prohibition against eating a limb from a living animal juxtaposed to the prohibition against eating blood?** The Gemara answers: **He could have said to you that the juxtaposition comes to teach the opposite. It is blood that is juxtaposed to a limb from a living animal to teach the following: Just as a limb from a living animal is prohibited, so too, blood of a living being is prohibited. And to which blood is this referring? This is referring to blood spilled in the process of blood-letting,<sup>h</sup> through which the soul departs.** That is considered to be blood from a living being, and even the descendants of Noah are prohibited from eating it (Rabbeinu Hananel).

והרי שור הנסקל, דרחמנא אמר: "לא יאכל את בשרו". ותניא: ממשמע שנאמר "סקול יסקל השור" איני יודע שהיא נבלה, ונבלה אסורה באכילה? ומה תלמוד לומר "לא יאכל" מגיד לך הכתוב, שאם שחטו לאחר שנגמר (את) דינו – אסור.

The Gemara asks: **And yet there is the prohibition against eating the meat from an ox that is stoned,<sup>h</sup> as the Merciful One says: "And if an ox gores a man or a woman to death, the ox shall be surely stoned, and of its flesh shall not be eaten; but the owner of the ox shall be clear"** (Exodus 21:28). **And it was taught in a baraita: By inference from that which is stated: "The ox shall surely be stoned," in which case it is not to be slaughtered properly, don't I know that it is an animal carcass, and it is prohibited to eat an animal carcass? What does it mean when the verse states: "Its flesh shall not be eaten"? The verse is telling you that even if one slaughtered the ox after its verdict had been reached but before it had been carried out, it is still prohibited.**

אין לי אלא באכילה, בהנאה מנין? תלמוד לומר "ובעל השור נקי". מאי משמע? שמעון בן זומא אומר: באדם שאומר לחבירו "יצא פלוני נקי מנכסיו ואין לו בהם הנאה של בלום".

The *baraita* continues: **I have derived only that one is prohibited from eating this ox; from where do I derive that one is prohibited from deriving benefit from it as well? The verse states: "But the owner of the ox shall be clear [*naki*]." The Gemara asks: From where may it be inferred that one may not benefit from this ox? Shimon ben Zoma says: This is like a person who says to his fellow: So-and-so was left clear [*naki*] of his property, and he has no benefit from it at all. Similarly, "But the owner of the ox shall be clear" means that he has no benefit from the ox.**

טעמא – דכתב "ובעל השור נקי". דאי מ"לא יאכל" – איסור אכילה משמע, איסור הנאה – לא משמע!

The Gemara infers from the verse that **the reason that it is prohibited to derive benefit from the ox is that the Torah specifically wrote: "But the owner of the ox shall be clear."** As, if this prohibition were derived from: **"It shall not be eaten,"** apparently the **prohibition of eating would be implied, but the prohibition of deriving benefit would not be implied.** This presents a challenge even for Hizkiya, who agrees that the passive formulation: "It shall not be eaten," indicates that in addition one may not benefit from the item.

לעולם "לא יאכל" – איסור אכילה ואיסור הנאה משמע. "ובעל השור נקי" – להנאת עורו הוא דאתא. ואיצטריך, סלקא דעתך אמינא: "לא יאכל את בשרו" פתיב, בשרו – אין, עורו – לא. קא משמע לך.

The Gemara answers: **Actually, the phrase: "It shall not be eaten" indicates both a prohibition of eating and a prohibition of deriving benefit.** And the phrase: **"But the owner of the ox shall be clear,"** comes to prohibit deriving benefit from the hide of the ox that has been stoned. **And it is necessary to mention this explicitly, as it could enter your mind to say that since it is written: "Its flesh shall not be eaten," with regard to its flesh, yes, it is prohibited, but with regard to its hide, no, it is not.** Therefore, the verse teaches us that it is prohibited to benefit from its hide as well.

ולחנה תנאי דמפקי ליה להאי קרא לדרשה אחרינא. לחצי בופר ולדמי וולדות, הנאת עורו מנא להו? נפקא להו מ"את בשרו" – את הטפל לבשרו.

The Gemara asks: **And according to those tanna'im who expound this verse: "But the owner of the ox shall be clear," for another interpretation, namely, to teach that the owner of an innocuous ox, i.e., one that is not known to cause damage with the intent to injure, is exempt from the payment of half of the indemnity if that ox killed a person, or that he is exempt from payment for offspring if his ox gores a pregnant woman and causes her to miscarry; from where do they derive this prohibition against benefiting from the ox's hide?** The Gemara answers: **They derive this halakha from the wording: "Of [et] its flesh."** The verse could have been formulated: **And its flesh shall not be eaten.** The addition of the word *et* comes to include **that which is secondary to the flesh, i.e., the hide.**

You shall be in awe of [et] the Lord your God – אֶת ה' אֱלֹהֶיךָ – תִּירָא: Many different issues were discussed with regard to this *baraita*, from several different angles. Some ask why Shimon HaAmmassoni did not hesitate when interpreting the verse: “And you shall love the [et] Lord, your God” (Deuteronomy 6:5), which appears earlier in the Torah. They suggest that it is easy to explain how Torah scholars could be included in the mitzva to love; however, it is more difficult to offer such an explanation about fear and awe, which are linked to reward and punishment (Maharsha; see Rif). Alternatively, perhaps the word *et* can be expounded upon in other ways aside from adding to the meaning of a verse. For example, it can be understood as a pause, or as an indication of a distinction between two different concepts. Therefore, Shimon HaAmmassoni was not troubled by these other verses. However, because in this case the word *et* is the first word of the verse containing the mitzva, he understood that it must be used in an inclusive manner (*Iyyun Ya'akov*). A similar story is cited in the Jerusalem Talmud, although there the word *et* is interpreted to include both God and His Torah.

Fruit that grows on a tree during the first three years after it was planted [*orla*] – עֲרֻלָּה: It is prohibited to eat or derive benefit from the fruit that grows during the first three years after a tree has been planted; see Leviticus 19:23. This prohibition applies only to the fruit but not to the other parts of the tree. In addition, the prohibition does not apply to trees planted as a fence either for property delineation or as a wind buffer rather than for their fruit.

## HALAKHA

Benefit from *orla* – הִנָּאת עֲרֻלָּה: It is prohibited to eat or benefit from *orla* fruit, in accordance with the *baraita* (*Shulhan Arukh, Yoreh De'a* 294:1).

ואיך: “את” לא דריש.

בְּדַתְנֵינָא: שְׁמַעוֹן הָעַמְסוֹנִי, וְאָמְרֵי לָהּ נְחֵמְיָה הָעַמְסוֹנִי, הִיָּה דוֹרֵשׁ כָּל אֲתִים שְׁבַתוֹרָה. בֵּין שְׁהִיָּע לְ“אֶת ה' אֱלֹהֶיךָ תִירָא” – פִּירֵשׁ אָמְרוּ לוֹ תַלְמִידָיו: רַבִּי, כָּל אֲתִים שְׁדַרְשַׁת מַה תְּהָא עֲלֵיהֶן? אָמַר לָהֶם: בְּשֵׁם שְׁקִבְלִיתִי שְׁכָר עַל הַדְרִישָׁה, כִּךְ אֲנִי מַקְבֵּל שְׁכָר עַל הַפְרִישָׁה. עַד שְׁבִיא רַבִּי עֲקִיבָא וְדָרֵשׁ: “אֶת ה' אֱלֹהֶיךָ תִירָא” – לְרַבּוֹת תַּלְמִידֵי חֲכָמִים.

וְהָרִי עֲרֻלָּה, דְּרַחֲמָנָא אָמַר: “עֲרֻלִים לֹא יֵאָכְלוּ. וְתַנָּא: “עֲרֻלִים לֹא יֵאָכְלוּ” – אִין לִי אֱלֹא אִיסוֹר אֲכִילָה, מִנֵּין שְׁלֵא יִהְיֶה מִמֶּנּוּ, שְׁלֵא יִצְבַּע בּוֹ, וְלֹא יִדְלִיק בּוֹ אֶת הַנֵּר – תַּלְמוּד לומר: “וערלתם ערלתו. ערלים לא יאכלו” – לרבות את כולם.

טַעֲמָא – דְּכַתְב רַחֲמָנָא “וְעֲרֻלָּתֶם עֲרֻלָּתוֹ עֲרֻלִים”, הָא לֹא הָכִי – הָוָה אֲמִינָא אִיסוֹר אֲכִילָה – מִשְׁמַע, אִיסוֹר הִנָּאָה – לֹא מִשְׁמַע!

לְעוֹלָם “לֹא יֵאָכְלוּ” מִשְׁמַע בֵּין אִיסוֹר אֲכִילָה בֵּין אִיסוֹר הִנָּאָה, וְשִׂאֲנֵי הָתֵם דְּכַתִּיב “לָכֶם”. וְאַצְטְרִיךְ, סְלִקָא דְעֵתְךָ אֲמִינָא: הוֹאִיל וְכַתְב “לָכֶם” – שְׁלָכֶם יְהֵא, קְמִשְׁמַע לָן.

וְאֵלָּא הַשְׁתָּא דְכַתִּיבֵי הִנָּךְ קְרֵאִי, “לָכֶם” לְמַה לִּי? לְכַדְתְּנָא: “לָכֶם” – לְרַבּוֹת אֶת הַנְּטוּעַ

The Gemara asks: **And the other *tanna***, who derives the prohibition against benefiting from the hide from the verse: “But the owner of the ox shall be clear,” what does he learn from the additional word *et*? The Gemara answers: This Sage **does not interpret** the word *et* as a means to derive new *halakhot*. He considers the word *et* to be an ordinary part of the sentence structure and not a source for exegetical exposition.

As it was taught in a *baraita*: Shimon HaAmmassoni, and some say that it was Neḥemya HaAmmassoni, would interpret all occurrences of the word *et* in the Torah, deriving additional *halakhot* with regard to the particular subject matter. **Once he reached** the verse: “**You shall be in awe of [et] the Lord your God;**”<sup>n</sup> you shall serve Him; and to Him you shall cleave, and by His name you shall swear” (Deuteronomy 10:20), **he withdrew** from this method of exposition, as how could one add to God Himself? **His students said to him: Rabbi, what will be with all the *etim* that you interpreted until now? He said to them: Just as I received reward for the interpretation, so I shall receive reward for my withdrawal** from using this method of exposition. The word *et* in this verse was not explained **until Rabbi Akiva came and expounded**: “**You shall be in awe of [et] the Lord your God**”: The word *et* comes to **include Torah scholars**, and one is commanded to fear them just as one fears God. In any case, Shimon HaAmmassoni no longer derived additional *halakhot* from the word *et*.

The Gemara further challenges: **And yet there is the prohibition of fruit that grows on a tree during the first three years after it was planted [*orla*]**,<sup>n</sup> as the Merciful One says: “**And when you come into the land, and you shall plant all types of trees for food, then you shall count the fruit thereof as prohibited; three years shall it be prohibited [*arelim*] to you; it shall not be eaten**” (Leviticus 19:23). **And it was taught in a *baraita***: “**Shall it be prohibited to you; it shall not be eaten**”: I have only derived a prohibition to eat it. From where do I derive that one may not even benefit from it, e.g., that he may not paint with the dye that can be extracted from the fruit, nor may he light a lamp with its oil?<sup>h</sup> **The verse states**: “**You shall count the fruit thereof [*orlato*] as prohibited [*araltem*]; three years shall it be prohibited [*arelim*] to you; it shall not be eaten.**” This repetition of the term *arel* comes to **include all forms of benefit**.

The Gemara reads precisely: **The reason** that all forms of benefit are prohibited is that the Merciful One writes: “**You shall count the fruit thereof as prohibited [*araltem*]; three years shall it be prohibited [*arelim*].**” The double use of the word *arel* indicates a two-fold prohibition. **However, were that not the case, I would have said: The prohibition of eating is indicated here; however, the prohibition to derive benefit is not indicated.** This is a challenge even to Hizkiya’s opinion, as the verse says: “It shall not be eaten,” indicating that it is prohibited to derive benefit as well.

The Gemara rejects this. **Actually, in general, “it shall not be eaten” indicates both a prohibition of eating and a prohibition to derive benefit. However, it is different there, with regard to *orla*, as it is written**: “**Three years shall it be prohibited [*arelim*] to you.**” **And, therefore, it was necessary for the verse to repeat the prohibition using several terms, as it could enter your mind to say that since it wrote “to you” it means that it shall be yours, namely that one is permitted to benefit from it. Therefore, it teaches us that it is prohibited to derive benefit.**

The Gemara asks: **However, now that these words in the verses are written, indicating the prohibition to derive benefit from *orla*, why do I need the words “to you,” i.e., what does this phrase teach us here?** The Gemara answers: **As it was taught in a *baraita***: That which is stated: “**To you,**” comes to **include that which is planted**