

דף יומי • חלין • דף צ"ד

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We start off on our daf continuing the shakla v'tarya regarding sending a thigh of meat to a non-Jew. The Gemara is trying to understand the exact case of our Mishnah, analyzing whether we are talking about a place where they announce when a tereifa is sold or not, and how we avoid any michshol of a Jew eating the gid hanasheh. This leads the Gemara into a major discussion of the sugya of geneivas da'as—misleading or deceiving someone, even a non-Jew.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 94A

OBJECTION

חֲתוּכָה נָמִי לִישְׁדֹּר לִיהּ, דְּהָא לָא אָתוּ לְמִזְבֵּן מִינֵיהּ!

If so, then even a **cut-up** thigh **also let him send to him**, to the non-Jew, **for behold, they**, the Jewish townsfolk, **will not come to buy from him**, since they do not buy meat from non-Jews in this town!

OBJECTION

אֵלָא בְּמָקוֹם שְׁמִכְרִיזוּן, שְׁלִימָה נָמִי לָא לִישְׁדֹּר לִיהּ, דְּחֲתִיף לִיהּ וּמִזְבֵּין לִיהּ.

Rather, you must say the Mishnah is speaking **in a place where they announce** when a tereifa is sold, so Jews do buy meat from non-Jews when there is no announcement. But if so, a **whole** thigh **also let him not send to him**, for we should worry that the non-Jew **will cut it up and sell it** to a Jew, who will not realize that the gid hanasheh is still inside!

ANSWER

אִי בְּעִית אִימָא – בְּמָקוֹם שְׁמִכְרִיזוּן, וְאִי בְּעִית אִימָא – בְּמָקוֹם שֶׁאֵין מִכְרִיזוּן.

The Gemara answers: **If you want**, say the Mishnah is speaking **in a place where they announce**, and **if you want**, say it is speaking **in a place where they do not announce**.

EXPLANATION

אִיבְעִית אִימָא בְּמָקוֹם שְׁמִכְרִיזוּן – חֲתוּכָא דְגוֹי מִידַּע יָדִיעַ.

If you want, say the Mishnah is speaking **in a place where they announce**, and yet it is permitted to send a whole thigh because **the cutting of a non-Jew is known** and recognizable. A Jew would see that the thigh was cut by a non-Jew and would not buy it.

EXPLANATION

וְאִיבְעִית אִימָא בְּמָקוֹם שֶׁאֵין מִכְרִיזוּן – גְּזִירָה שְׁמָא יִתְנַנֵּה לוֹ בְּפָנֵי יִשְׂרָאֵל אַחֵר.

And if you want, say the Mishnah is speaking in a place where they do not announce, and yet it is forbidden to send a cut-up thigh because of a Rabbinic decree, lest he give it to him, to the non-Jew, in the presence of another Jew, who will assume it is kosher and buy it from the non-Jew on the spot.

ANSWER

וְאִי בְּעִיט אֵימָא, מְשׁוּם דְּקָא גְּנִיב לִיה לְדַעְתִּיהּ, דְּאָמַר שְׁמוּאֵל: אָסוּר לְגָנוּב דַּעַת הַבְּרִיּוֹת, וְאֶפְּלוּ דַעְתּוֹ שֶׁל גּוֹי.

And if you want, say there is a different reason why one may not send a cut-up thigh: because he is deceiving him, misleading the non-Jew into thinking he went to the trouble of removing the gid hanasheh for him, as Shmuel said: It is forbidden to deceive people, and even the mind of a non-Jew.

STATEMENT

וְהָא דְּשְׁמוּאֵל, לָאוּ בְּפִירוּשׁ אֵיתָמַר, אֶלָּא מִכְּלָל אֵיתָמַר.

The Gemara notes: And this ruling of Shmuel was not stated explicitly by him; rather, it was stated by inference from an incident.

STATEMENT

דְּשְׁמוּאֵל הָוָה קָא עָבַר בְּמַבְרָא, אָמַר לִיה לְשַׁמְעִיהּ: "פְּיִיסִיָּה לְמַבּוּרִיָּה", פְּיִיסִיָּה, וְאִיקְפַּד.

For Shmuel was once crossing in a ferry, and he said to his attendant: "Pay the ferryman" with a nice gift. The attendant paid him, and Shmuel later found out what he gave him and became angry.

QUESTION

מַאי טַעְמָא אִיקְפַּד?

The Gemara asks: What is the reason Shmuel became angry?

ANSWER

אָמַר אֲבֵי: תִּרְנַגּוּלָּת טֵרֶפָה הָוָא, וַיַּהֲבֵה נִיחָ לִיה בְּמָר דְּשְׁחוּטָה.

Abaye said: It was a tereifa chicken, and the attendant gave it to him as if it were a slaughtered, kosher chicken, thereby deceiving him.

ANSWER

רָבָא אָמַר: אֲנַפְקָא אָמַר לִיה (לֹאשְׁקוּי) [לְאִשְׁקוּיָהּ], וְאִשְׁקוּיָהּ חֲמָרָא מְזִיגָא.

Rava said: An anpaka, a cup of neat wine, Shmuel told him to give him to drink, but the attendant gave him diluted wine instead, making him think he was getting strong wine.

QUESTION

וְכִי מִכְּלָל אֵימָר?

The Gemara asks: And if Shmuel's ruling was derived by inference, what of it? It is still a valid ruling!

ANSWER

לְמַאן דְּאָמַר טֵרֶפָה הָוָא, אָמַר לִיה: אֲמַאי תִּשְׁהֵא אִיסוּרָא?

The Gemara answers: Perhaps Shmuel was angry for a different reason. **According to the one who said it was a tereifa** chicken, Shmuel may have **said to him: Why did you keep a forbidden food** in your possession? A Jew might have eaten it by mistake!

ANSWER

לִמְאֵן דְּאָמַר אַנְפָּקָא אָמַר לֵיהּ לְאַשְׁקוּי, אַנְפָּקָא חֵיָא מִשְׁמַע.

And **according to the one who said** Shmuel **told him to give him an anpaka to drink**, the word anpaka implies raw, undiluted wine, and Shmuel was simply angry that the attendant disobeyed his instructions.

BRAISA

תְּנִינָא, הִיָּה רַבִּי מֵאִיר אֹמֵר: אַל יִסְרְהֵב אָדָם לְחֻבֵּירוֹ לְסַעוּד אֶצְלוֹ, וַיּוֹדַע בּוֹ שְׂאִינוּ סוּעָד,

It is taught in a Braisa: Rabbi Meir would say: A person should not press his fellow to dine with him when he knows about him that he will not dine, just to make it look like he is being generous,

BRAISA

וְלֹא יִרְפֶּה לוֹ בְּתַקְרוּכָת, וַיּוֹדַע בּוֹ שְׂאִינוּ מְקַבֵּל.

and he should not offer him many gifts when he knows about him that he will not accept them.

BRAISA

וְלֹא יִפְתַּח לוֹ חֲבִיּוֹת הַמְּכֹרוֹת לְחֻנְנִי, אֶלָּא אִם כֵּן הוֹדִיעּוּ.

And he should not open for him barrels of wine that are already sold to a storekeeper, making the guest think they were opened especially for him, unless he informs him of the sale.

BRAISA

וְלֹא יֹאמַר לוֹ סוּף שֶׁמֶן מִפֶּה רִיקָן.

And he should not say to him, "Anoint yourself with oil" from an empty flask, knowing the guest will refuse when he sees it is empty.

BRAISA

וְאִם בְּשִׁבְלֵי כְבוֹדוֹ – מוֹתֵר.

But if he does this for his honor, to show the onlookers how much he esteems his guest, it is permitted.

QUESTION

אֵינִי? וְהָא עוֹלָא אֵיקָלַע לְבִי רַב יְהוּדָה, פִּתַּח לוֹ חֲבִיּוֹת הַמְּכֹרוֹת לְחֻנְנִי!

The Gemara asks: Is that so? But didn't Ulla happen to visit the house of Rav Yehuda, and Rav Yehuda opened for him barrels that were sold to a storekeeper without telling him?

ANSWER

אֲדוּעִי אֲדַעִיָּה,

The Gemara answers: Rav Yehuda did inform him.

ANSWER

ואיפֿעית אימא: שאַנִי עולא דחביב ליה לרב יהודה, דבֿלאו הכי נמי (פתוחי) מפתח [היה פתח] ליה.

And if you want, say: Ulla is different, because he was so dear to Rav Yehuda that even without this sale, Rav Yehuda would have opened a new barrel for him anyway, so there was no deception.

BRAISA

תנו רבנן: לא ילה אדם לבית האבל, ובידו לגין המתקשקש.

Our Rabbis taught in a Braisa: A person should not go to a house of mourning with a flask in his hand that rattles because it is mostly empty, making the mourner think he brought a full flask of wine.

BRAISA

ולא ימלאנו מים, מפני שמתעהו.

And he should not fill it with water to stop the rattling, because he misleads him into thinking it is full of wine.

BRAISA

ואם יש שם חבר עיר – מותר.

But if there is a city association of people gathered there, it is permitted to do so to show respect to the mourner in public.

BRAISA

תנו רבנן: לא ימכור אדם לחבירו סנדל של מתה בכלל של חיה שחוטא,

Our Rabbis taught in a Braisa: A person should not sell to his fellow a sandal made from the hide of an animal that died of illness, presenting it among sandals made from the hide of a slaughtered living animal,

BRAISA

מפני שני דברים: אחד – מפני שמתעהו, ואחד – מפני הספנה.

due to two things: one, because he misleads him as to the quality of the leather, and one, because of the danger that the animal died of a snakebite and the venom is absorbed in the hide.

BRAISA

ולא ישגר אדם לחבירו חבית של יין ושמן צף על פיה.

And a person should not send to his fellow a barrel of wine with oil floating on its mouth, making him think the entire barrel is filled with expensive oil.

BRAISA

ומעשה באחד ששיגר לחבירו חבית של יין ושמן צף על פיה, והלה וזימן עליה אורחין, ונכנסו, מצאה שהיא של יין, וחנק את עצמו.

And there was an incident with one who sent his fellow a barrel of wine with oil floating on its mouth, and the recipient went and invited guests for a feast based on it, thinking he had plenty of oil. And they entered, and he found that it was of wine, and out of extreme embarrassment, he strangled himself.

BRAISA

ואין האורחין רשאין ליתן ממה ש'לפניהם' לבנו ולבתו של בעל הבית, אלא אם כן נטלו רשות מבעל הבית.

And guests are not permitted to give from what is before them to the son or daughter of the host, unless they have received permission from the host, as he may not have enough food for himself.

BRAISA

ומעשה באחד שזמן שלשה אורחין בשני בצורת, ולא היה לו להניח לפניהם אלא פסלש ביצים.

And there was an incident with one who invited three guests in years of drought, and he had nothing to place before them except about three eggs.

BRAISA

בא בנו של בעל הבית, נטל אחד מהן חלקו ונתנו לו, וכן שני, וכן שלישי.

The son of the host came in; one of the guests took his portion and gave it to him, and so did the second, and so did the third.

BRAISA

בא אביו של תינוק, מצאו שעוזק אחד בפיו ושנים בידו, חבטו בקרקע ומת.

The father of the child came, and found him holding one egg in his mouth and two in his hand. Thinking his son had stolen them from the guests, he struck him to the ground and he died.

BRAISA

כיון שראתה אמו, עלתה לגג ונפלה ומתה, אף הוא עלה לגג ונפל ומת.

Once his mother saw this, she went up to the roof, threw herself down, and died. He too went up to the roof, threw himself down, and died.

BRAISA

אמר רבי אליעזר בן יעקב: על דבר זה נהרגו שלש נפשות מישראל.

Rabbi Eliezer ben Yaakov said: Over this matter, three Jewish souls were killed.

EXPLANATION

מאי קמשמע לן? דכולה רבי אליעזר בן יעקב היא.

The Gemara asks: **What does this teach us** by quoting Rabbi Eliezer ben Yaakov? It teaches us **that the entire Braisa**, including the ruling about guests not giving food to the host's children, **is the opinion of Rabbi Eliezer ben Yaakov**.

BRAISA

תנו רבנן: השולח ידה לחבירו, שלימה – אינו צריה שיטול הימנה גיד הנשה.

Our Rabbis taught in a Braisa: One who sends a thigh to his fellow Jew: if it is whole, he does not need to remove the gid hanasheh from it, because the recipient knows it is there.

BRAISA

חתיכה – צריה ליטול הימנה גיד הנשה.

But if it is cut up, he must remove the gid hanasheh from it, so the recipient does not assume it was already removed.

BRAISA

ובגוי, בין חתוכה ובין שלימה – אינו צריך ליטול הימנה גיד הנשה.

And to a non-Jew, whether it is cut up or whether it is whole, he does not need to remove the gid hanasheh from it.

BRAISA

ומפני שני דברים אמרו אין מוכרין נבילות וטרפות לגוי: אחד – מפני שמתעהו, ואחד – שמא יחזור וימכרנה לישראל אחר.

And due to two things they said we do not sell nevelos and tereifos to a non-Jew: one, because he misleads him into thinking it is slaughtered kosher meat, and one, lest the non-Jew go back and sell it to another Jew.

BRAISA

ולא יאמר אדם לגוי "קח לי בדינר זה בשר", מפני שני דברים:

And a person should not say to a non-Jew, "Buy me meat with this dinar," due to two things:

עמוד ב' DAF 94B

EXPLANATION

אחד מפני האנסין, ואחד שמא מוכרין לו נבילות וטרפות.

One factor is because of the oppressors, who might take the money and force the merchant to give them meat for free, and one other factor is lest they sell to him, the gentile, neveilos and treifos, without realizing he is buying it on behalf of a Jew.

STATEMENT

אמר מר: ובגוי, בין שלימה בין חתוכה – אינו צריך ליטול הימנה גיד הנשה.

The Master said in the Baraisa: And in the case of sending a thigh to a gentile, whether it is whole or whether it is cut, he is not required to remove from it the sciatic nerve.

QUESTION

במאי עסקינן? אי לימא במקום שמכריזין – חתוכה אמאי אינו צריך ליטול הימנה גיד הנשה?
כיון דלא אכרוז, אתי למיזבן מיניה.

The Gemara asks: With what case are we dealing here? If we say it is in a place where they announce whenever non-kosher meat is sold, then in the case of a cut thigh, why is he not required to remove from it the sciatic nerve? Since they did not announce that non-kosher meat was sold, a Jew might come to buy from him, the gentile, thinking it is kosher!

ANSWER

אלא פשיטא במקום שאין מכריזין,

Rather, it is obvious that we are dealing in a place where they do not announce, and therefore a Jew would never buy meat from a gentile.

OBJECTION

אימא מציעתא: מפני שני דברים אמרו אין מוכרין נבילות וטרפות לגוי: אחד מפני שמטעהו, ואחד
שמא יחזור וימכרנה לישראל אחר.

But then say the middle clause of the Baraisa: Because of two things they said we do not sell neveilos and treifos to a gentile: one because he misleads him, making him think it is kosher meat, and one lest he go back and sell it to another Jew.

OBJECTION

ואי במקום שאין מכריזין – הא לא אתי למיזבן מיניה!

And if we are in a place where they do not announce, behold, a Jew will not come to buy from him anyway!

ANSWER

אלא פשיטא במקום שמכריזין.

Rather, it is obvious that the middle clause is speaking in a place where they do announce.

OBJECTION

אימא סיפא: לא יאמר אדם לגוי "קח לי בדינר זה בשר" מפני שני דברים, אחד – מפני האנסיון,
ואחד – שמא מוכרין לו נבילות וטרפות.

But then say the latter clause: A person should not say to a gentile, "Buy for me meat with this dinar," because of two things: one, because of the oppressors, and one, lest they sell to him neveilos and treifos.

OBJECTION

ואי במקום שמכריזין, אי איתא דהוה טרפה – אכרוזי הוּוּ מכרזי!

And if we are in a place where they do announce, if it were so that it was a treifah, they would have announced it, and the Jew would know not to eat it!

QUESTION

אלא פשיטא במקום שאין מכריזין, רישא וסיפא במקום שאין מכריזין, מציעתא במקום
שמכריזין!

Rather, it is obvious that the latter clause is speaking in a place where they do not announce. But can we say that the first clause and the latter clause are in a place where they do not announce, while the middle clause is in a place where they do announce? Is the Baraisa split like that?

ANSWER

אמר אביי: אין, רישא וסיפא במקום שאין מכריזין, מציעתא במקום שמכריזין.

Abaye said: Yes, the first clause and the latter clause are indeed in a place where they do not announce, and the middle clause is in a place where they do announce.

ANSWER

רבא אמר: כולה במקום שמכריזין. רישא וסיפא – שהכריזו, מציעתא – שלא הכריזו.

Rava said: The entire Baraisa is speaking in a place where they announce. However, the first clause and the latter clause refer to days when they already announced that non-kosher meat was sold, and the middle clause refers to a day when they

did not announce yet.

ANSWER

רב אשי אמר: כולל במקום שאין מכריזין, ומציעתא גזירה שמה? מכרנה בפני ישראל.

Rav Ashi said: The entire Baraisa is speaking in a place where they do not announce, and the middle clause is a Rabbinic decree, lest the Jew sell it to the gentile in the presence of another Jew, who will mistakenly think it is kosher.

QUESTION

היכי מכריזין?

The Gemara asks: How do we announce in those places that non-kosher meat was sold?

ANSWER

אמר רב יצחק בר יוסף: נפל בישורא לבני חילא.

Rav Yitzchak bar Yosef said they would say: Meat has fallen for the soldiers, meaning the gentile troops.

QUESTION

ולימא: נפל טריפתא לבני חילא!

The Gemara asks: But let them say explicitly: Treifah meat has fallen for the soldiers!

ANSWER

לא זבני.

The Gemara answers: If they said that, the gentiles would not buy it, because they do not want meat rejected by Jews.

QUESTION

והא קמטעי להו?

The Gemara asks: But by not telling them, isn't he misleading them?

ANSWER

אינהו הוא דקמטעו נפשיהו.

The Gemara answers: They are the ones who mislead themselves, because the seller did not actively lie to them.

PROOF

פי הא דמר זוטרא בריה דרב נחמן הוה קאזיל מסיכרא לבי מחוזא, ורבא ורב ספרא הוּ קא אתו לסוכרא, פגעו אהדדי.

This is like this incident where Mar Zutra the son of Rav Nachman was going from Sichra to Bei Mechoza, and Rava and Rav Safra were coming to Sichra, and they met each other on the way.

PROOF

הוא סבר לאפיה הוא דקאאתו, אמר להו: למה להו לרבנן דטרויח ואתו כולי האי?

He thought that it was to greet him that they were coming. He said to them: Why did the Rabbis trouble themselves and come all this way for me?

PROOF

אמר ליה רב ספרא: אנו לא הוה ידעינן דקאתי מר, אי הוה ידעינן טפי הוה טרחינן.

Rav Safra said to him: We did not know that the Master was coming; if we had known, we would have troubled ourselves even more.

PROOF

אמר ליה רבא: מאי טעמא אמרת ליה הכי, דאחלישתיה לדעתיה?

Rava said to him, to Rav Safra: What is the reason you told him this, for you have upset him by letting him know we did not come for him?

PROOF

אמר ליה: והא קא מטעינן ליה! איהו הוא דקא מטעי נפשיה.

He said to him: But otherwise we would be misleading him! Rava replied: He is the one who misled himself, since we never said we came for him.

STATEMENT

ההוא טבחא דאמר ליה לחבריה:

The Gemara relates: There was a certain butcher who said to his fellow:

SUMMARY

The Gemara brings down the famous shitta of Shmuel that it is strictly forbidden to deceive anyone, even a non-Jew, and explores the source of this ruling from an incident on a ferry. We then learn several Braisos that outline the halachos of geneivas da'as, such as inviting someone to eat when you know they cannot accept, opening barrels of wine already sold to a storekeeper, or bringing an empty flask to a house of mourning. The daf concludes with a warning about the severe dangers of misleading others, bringing a tragic ma'aseh of a host who suffered a terrible family loss due to a misunderstanding over food, which teaches us that guests may not give food to the host's children without explicit permission.

The Gemara on our daf brings down the famous yesod of Shmuel: "Asur lignov da'as habriyos, v'afilu da'as shel goy", it is strictly forbidden to deceive anyone, even a non-Jew. The Tanna Rabbi Meir takes this further, warning us not to invite someone to a meal when we know they cannot attend, or offer gifts we know they will refuse, just to make ourselves look good.

Lichoira, what is the big deal here? No one is stealing money, and no physical damage is being done. The kasha is answered when we realize that geneivas da'as is a theft of the mind and heart. When you make someone feel indebted to you for a favor you never actually did, or when you fake a relationship to look generous, you are building a connection on a lie. In avodas Hashem, our words and our inner thoughts must be completely aligned.

We live in a world where "putting on a show" is almost second nature. We want people to think we went out of our way for them, or we offer help only when we are certain we won't have to deliver. The Torah is telling us: Hashem wants truth. If you show care, let it be real. If you offer something, mean it.

Today, make sure your words match your heart. Do not offer a favor or make an invitation just to look good if you secretly hope the other person says no. If you offer, do it with a full and honest heart.