

## *Erudition and Error in Early Ashkenaz: Did R. Eliezer HaGadol Study Avodah Zarah?*

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History and law are generally thought of as two distinct subjects, but nowhere is this more misleading than in the biographical study of Rabbinical figures. Even when attempting to understand what appears to be a purely historical anecdote, a proper comprehension of Halachah is essential to provide context and meaning to events. For example, it is specious to describe an authority's temperament based on a stringent ruling if there are clear indicators for such a viewpoint within the Talmudic passage it seeks to explain. The overwhelming majority of our historical sources for the period of the *Rishonim* are Halachic texts, and the sporadic biographical insights contained within them are visible only through the lens of the Halachah. When leading authorities are seemingly accused of making a negligent error, as transpired in 11<sup>th</sup>-century Ashkenaz, the relevant texts can be understood only with a thorough analysis of their Halachic background. This article is an attempt at such an investigation, combining Halachah with a non-dogmatic view of historical reality to explore why great Rabbis allegedly ignored an entire tractate of the Talmud.

The Mishnah in *Avodah Zarah* 74a lists a number of *issurim* that are not subject to the general rule of *bitul*, with *basar bechalav* being one of those mentioned. This seems to imply that even a minuscule amount of meat in milk or vice versa would render the entire mixture forbidden for consumption, provided the substances were actually cooked with each other, since *basar bechalav* must be cooked together to be Biblically prohibited. Rashi quotes such an explanation, but rejects it out of hand:

ויש שלמידים ממשנתנו דבשר בחלב במשהו וסבורין דהאי בכל שהו דקתני כגון  
טיפת חלב שנפלה לקדירה...ואפילו אין בה נ"ט וטעות הוא בידם דהא מפרשינן  
בגמרא דתנא דבר שבמנין קתני.

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\* This article would not have been possible without the legendary scholarship of Professor Avraham Grossman whose work is indispensable in shedding light on the otherwise obscure period that is dealt with here. Although I cannot accept his explanation of the episode in question, his works provide a wealth of sources pertaining to 11<sup>th</sup>-century Ashkenaz and its most important figures.

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Rashi rejects this approach as a ‘mistake’ because the Gemara clearly explains the logic behind the Mishnah’s ruling with the notion that *bitul* is not applicable to a *davar shebeminyan*, i.e. food or another object that is important enough to be sold by unit rather than by weight. Accordingly, this would apply to *basar bechalav* only in a case where a valuable cut of meat that had previously been cooked with milk and became prohibited was subsequently mixed with any number of otherwise permitted pieces of meat. Since the original piece of prohibited meat requiring *bitul* is a *davar shebeminyan*, it remains forbidden, unlike a drop of milk in meat or vice versa where this rule would not apply.

*Tosafot* (ad loc.) also cite and reject this opinion. However, there it is quoted not as a mere suggestion, but as the position of no less than רבוותי של רש"י, Rashi’s esteemed teachers.<sup>1</sup> Aside from Rashi’s internal issues with this interpretation from the following Gemara, *Tosafot* typically raise an issue from a *sugya* elsewhere. The Mishnah in *Chulin* (108a) clearly stipulates that a drop of milk that adds no flavor to a pot of meat is *batel*, and the subsequent *sugya* is entirely built on that premise. Now that we know the true originators of this explanation, how are we to understand a position that does not accord with the Gemara it attempts to clarify, while also contradicting a Mishnah elsewhere?

The *Sefer HaPardes*, authored by Rashi’s academy, implies a shocking answer. It attributes this ruling to R. Eliezer HaGadol (c. 985–1050), a primary student of R. Gershom, ‘light of the exile.’ Noting that R. Eliezer’s decision is extremely problematic, it explains

R. Eliezer HaGadol did not study *Masechet Avodah Zarah*, and due to being uncertain was stringent even in regard to a minuscule amount.<sup>2</sup>

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<sup>1</sup> *Binyan Shlomo* suggests that Rashi deliberately obscured the originators of this opinion in order to be able to reject it vehemently. This explanation appears to be correct. In *Yevamot* 90b, Rashi quotes an explanation as ‘some say’ and forcefully rejects it as a טעות גדול. The same interpretation is cited by Rashi in *Ketubot* 3a and *Gitin* 33a in the name of his teachers, and it is no coincidence that he consequently argues in a more deferential tone. It is interesting to note that the position that Rashi contests there can be traced to R. Eliezer HaGadol, who is also the originator of the explanation Rashi dismisses here. See R. Eliezer’s responsum in *Teshuvot Chachmei Tzarfat ve-Lotir* no. 63. Another instance of Rashi’s practice to conceal the name of a teacher when objecting to his opinion is presented later in this article.

<sup>2</sup> *Sefer HaPardes* [1924] p. 156. It is not entirely clear whether this is part of the testimony quoted there in the name of R. Meir b. Samuel (son-in-law of Rashi), or a statement by the redactor of *Sefer HaPardes* (either authored by or based on the works of R. Shemaya, student of Rashi). Like much of the material produced