

The Mysterious Wait

An

Analysis of Various Minhagim Concerning Waiting Between Meat and Dairy

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The Six Hours or Partial Sixth Hour Wait

The

Rambam in *Hilchos*

Macholos Asuros (9-28)

tells us that someone who eats meat may only eat dairy afterward if he has waited שש שעות כמו - like six hours. The *Mechaber* in *Y.D.* (89-1) states that one must wait six hours between meat and dairy. There are those who explain the *Mechaber* as interpreting the Rambam's שש שעות

as really meaning precisely six hours. I believe that in fact, there is a disagreement here between the Rambam and the *Mechaber*. Each one was precise in their wording. The

Mechaber is of the opinion that one must wait no less than six hours. The Rambam on the other hand is of the opinion that a full six hours is not

required. Two *minhagim* have evolved based on the Rambam i.e. most of the sixth hour - 5 hours and 31 minutes or into the sixth hour.

I believe the argument between the Rambam and the *Mechaber* coincides with a dispute between them found in *Choshon Mishpat* (5-3). The *Mechaber* there states that a

Dayan need only sit in judgment till the end of the fifth hour. The *Sma* (S'K' 10) points out that the Rambam in *Hilchos Sanhedrin* (3-1) disagrees and

rules that a judge must sit in judgment until the end of the sixth hour. The *Sma* explains

their disagreement as follows: The Gemara in *Shabbos* (10 A) tells us that a *Talmid Chochom* eats his first meal of the day during the sixth hour.

Eating after the

sixth hour is like throwing a stone into a container of wine which Rashi there

interprets to mean either being harmful or non beneficial. (See *Shaloh* there quoted in the margin.) Thus a *Talmid Chochom* would complete his first of two daily meals (see *Tosfos*

Chulin 105A L'Siudas) before the end of the sixth hour. On an average day of 12 hours daylight

from 6:00 AM to 6:00 PM he would eat brunch between 11-12 making sure to complete his meal before the end of the 6th hour i.e. 12 PM. Based on this approach the *Mechaber* rules that a *Dayan* need not judge after the end of the 5th hour since the *Talmid Chochom's* time of eating is during the sixth hour. The Rambam on the other hand, explains the *Sma*, is of the opinion that a *Talmid Chochom* begins his brunch before the end of the sixth hour and continues to eat most of his meal during the seventh hour. As long as he has begun to eat before the end of the sixth hour, his eating will be beneficial. Thus on an average day the *Dayan* would begin his meal for example at 11:55 AM and continue past 12:00 PM into the 7th hour. He is therefore obligated to judge up to close to the end of the 6th hour at which time he begins his meal.

Before learning how the Rambam and *Mechaber's* dispute in *Choshon Mishpat* impacts their disagreement in *Y.D.* concerning the six hour wait between meat and dairy, let us discover when Mar Ukva, a *Talmid Chochom*, would eat his final meal of the day on an average day of 12 hours sunlight. We need to know this for Mar Ukva told us in *Chulin* 105A that the wait between meat and dairy is what he waited (according to the Rambam as explained by *Lechem Mishneh*) on an average day between one meal and another. A Gemara in *Yoma* 74B followed by 75B provides the answer. On 74B the Gemara tells us that there was a certain discomfort with the miraculous "*Mohn*" the Jews ate in the *Midbar* since they could not see what they were eating. True, it tasted like any food they desired, but the look always remained the same. Rav Yosef, based on this, explains why a blind person is never satiated from eating because he does not see what he consumes. Abayeh concludes that as a result a person should always eat his meal during the day so he receives proper nutrition and is satisfied from his meal. On 75B the Gemara asks on Abayeh from a statement by Rav Yehoshuah ben Korcha that meat should always be eaten at night. The Gemara answers, eat during the night when it is "like day". Rashi explains eat to the light of a torch. *Rabbeinu Elyakum* tells us to eat to the light of a candle. The *Rabbeinu Chananel* has a different text which reads, eat during the day "like night" i.e. eat during daylight so you can see what you are eating, but it should be close to dark - close to night. In a gloss in the margin we are told by the *Cheshek*

Shlomo that this is a mistake in the *Rabbeinu Chananel*. It should read “like day” and not “like night”. Actually there is no mistake here for *Rabbeinu Chananel* follows *Dikdukei Sofrim* where the text is listed “like night”.

Based on all of the above we can clearly understand the argument between the

Mechaber and the Rambam concerning waiting six hours between meat and dairy. As mentioned above the *Mechaber* believes that on an average day of 12 hours Mar Ukva, a *Talmid Chochom*, would end his first meal before the end of the sixth hour i.e. at 12:00

PM. He would begin his second meal exactly six hours later to the light of a torch or candle “like day” with the onset of darkness at 6:00 PM.

The Rambam on the other hand tells us to wait between meat and dairy “like six hours”. According to the Rambam, Mar Ukva did not wait

a full 6 hours between one meal and another on an average day of 12 hours. As

explained above according to the Rambam, Mar Ukva’s first meal began at 11:55

AM and continued past 12:00 PM. He ate his second meal while it was still light

outside “like dark” i.e. close to evening making sure to end his meal before dark at 6:00 PM. Thus according to the Rambam there were never 6 full hours

between brunch and supper, since time was taken to eat after 12:00 PM and to

start before 6:00 PM so that the meal would be completed by 6:00 PM.

The argument in *Choshon*

Mishpat between the Rambam and the *Mechaber* concerning until when a Dayan must sit in judgment in the morning before his first meal, directly impacts their argument in *Y.D.* whether 6 hours must be waited between meat and dairy or like six hours.

For more on this topic please refer to the OU’s *Mesorah* journal, Vol. 8, p. 75 and Vol. 14, p. 84; and *Sefer Ohr Ha’oros*, pp. 108-115, by this author.