

26.1.4; 5b (שלשה ימים) → 6b (כלאחר יד הוא דקאמינא)

1. ומקל החי מפל בשר שנים מפל תביא אל התבה לחיות אתך זכר ונקבה יהיו: בראשית ו:ט  
 2. גם מעוף השמים שבעה שבעה זכר ונקבה לחיות זרע על פני כל הארץ: בראשית ז:ג  
 3. אלה תולדות נח נח איש צדיק תמים היה בדרתיו את האלהים התהלך נח: בראשית ו:ט  
 4. אחר וקדם צרתני ותשת עלי כפכה: תהלים קלטה  
 5. לא תקלל חרש ולפני עור לא תתן מקשל ויראת מאלהיך אני ה': ויקרא יט:ד

## I Analysis of temporal clause of משנה – “three days before”

- a *Question*: why are three days required/sufficient?
- i *Challenge to requirement*: 1 day should be enough, as per ruling that selling any meat on one of 4 (or 5) particular days when animals are commonly sold for slaughter on that day requires informing if the mother or child (if female) of that animal was killed that day – to avoid a violation of **בנו ואת בנו**
- 1 *Answer*: 1 day needed for preparing food, but three days for offering?
- ii *Challenge to sufficiency*: we require 30 days (or 2 weeks – רשב"ג) to prepare for a holiday (ostensibly for **קרבו**)
- 1 *Answer*: we have much finer rules regarding **מומים**; non-Jews are only bound by **חסרון אבר**, can be checked in 3 days
- (a) *Support*: v. 1, per ר"א - **מכל החי** teaches that the animals brought into the **תיבה** had to be “all-limbed”
- (i) *Challenge*: that is needed to exclude **טריפה**
- (ii) *Defense*: **טריפה** is excluded from v. 2 – **לחיות זרע**
1. *Block*: v. 2 is only valid if we say **טריפה** cannot reproduce; if they can, what is the source?
2. *Answer*: **אתך** (v. 1) indicates that they must be “whole” – like נח
- a. *Challenge*: perhaps נח himself was **טריפה**!
- b. *Block*: v. 3 – **תמים** – describes נח as “whole”
- i. *Retort*: perhaps **תמים** (and **צדיק**) are moral, not physical descriptions
- ii. *Answer*: impossible – ה' wouldn't bar “whole” animals from the **תיבה**
- iii. *note*: now that we inferred from **אתך**, what is the purpose of v. 2 (**לחיות זרע**)?
- iv. *Answer*: from v. 1, **סר"א** it means companionship → even neutered animals – **קמ"ל** v. 2
- b *Question*: do the 3 days include the festival or not (total 4 days)?
- i *Answer*: **ישמעאל** – **ברייתא** – ר' expands to “3 before and 3 after” → must be exclusive, else how does he reckon it twice?
- 1 *Block*: perhaps “3 after” is taught in symmetry with “3 before”
- ii *Answer*: **שמואל** rules that according to ר"י, it's always prohibited to do business with Christians
- 1 *Proof*: must be exclusive, else Wed/Th should be permitted
- 2 *Answer*: all agree that ר"י reads it as exclusive, question is according to **רבנו** (only 3 before)
- iii *Answer*: list of holidays (**משנה ב'**) and חנין ר' note that Kalenda is 8 days after solstice, Saturnalia 8 before (v. 4)
- 1 *And*: if it is inclusive, should be 10 days
- 2 *Answer*: they consider all 8 days of each festival to be one day
- iv *Answer* (**אשי**): from our **משנה** – wording of **לפני אידיהן** implies three days besides the festival
- 1 *And*: isn't there to teach that only before, not after – then it would say “their festivals are three days”
- v *Conclusion*: the three days are exclusive of the festival
- c *Question*: what is the purpose of the “3 days” rule?
- i *Is it*: due to the “expansive feeling” the pagan gets – in which case, even if he has his own animal, still **אסור**
- ii *Or is it*: due to a violation of v. 5 – enabling them in their **ע"ז**, in which case it is **אסור** only if he needs that animal?
- 1 *Challenge*: **נתן** – violation of v. 5 by handing wine to **נזיר** (for example)
- 2 *Answer*: that's only if he's on the other side of a river (i.e. can't get it otherwise)
- d *Question*: what are the consequences of violation of this rule (i.e. if he dealt with **עו"ז**, are proceeds permitted?)
- i **ד' יוחנן** forbidden
- ii **ד"ל** permitted
- 1 *Challenge* (**ר"י to ר"ל**): if he deals **אידיהן** – **אסור** (→ also extends to 3-day period before)
- 2 *Rejection*: only applies to doing business on the day of the festival (→ mentions “**אידיהן**”)
- 3 (*variant version*: **ר"ל** used this as a challenge to ר"י, but his response was that **אידיהן** extends to entire period)
- 4 **ברייתא** supports **ר"ל** – rule only applies to things that exist until festival; and even then, proceeds are permitted
- e *Additional rule* (**דבי ר' אושעיא**): something which won't last until festival may be sold to them, but not bought from them
- i *Story*: **מין** who gave gift of coin to יהודה נשיאה ר' on his festival
- 1 *Advice* (**ר"ל**): “drop it” in cistern in his presence; no “joy”, yet no **איבה** (he'll see it as a mishap)