30.4.7

73a (מה מצינו בטריפה) → 74a (ומשכחת לה בבעלת ה' דגלים)

1. וְאַנְשֵׁי קֹדֶשׁ תִּהְיוּן לִי **וּבָשָׂר בַּשָּׂדֶה טְרֵפָה לֹא תֹאכֵלוּ** לַכֶּלֶב תַּשְׁלִכוּן אֹתוֹ: *שמות כב, ל*
2. וְכֹל אֲשֶׁר **יִפֹּל** עָלָיו מֵהֶם **בְּמֹתָם** יִטְמָא מִכְּל כְּלִי עֵץ אוֹ בֶגֶד אוֹ עוֹר אוֹ שָׂק כָּל כְּלִי אֲשֶׁר יֵעָשֶׂה מְלָאכָה בָּהֶם בַּמַּיִם יוּבָא וְטָמֵא עַד הָעֶרֶב וְטָהֵר: *ויקרא יא, לב*
3. וְכִי יָמוּת **מִן הַבְּהֵמָה** אֲשֶׁר הִיא לָכֶם לְאָכְלָה הַנֹּגֵעַ בְּנִבְלָתָהּ יִטְמָא עַד הָעָרֶב: *ויקרא יא, לט*

I Analysis of arguments proferred by חכמים and ר"מ to support their positions
- a *ברייתא (providing background)*: ר"מ – the שחיטה is what "cleanses" the limb → it should make it permitted to be eaten
  - i *Defense (חכמים)*: it can help another more than its own body, per משנה א (spleen vs. עובר)
    - 1 *Explanation (רבא)*: חכמים responded by using טריפה as proof that it can become "cleansed" yet still be אסור
      - (a) *ר"מ*: responded – that can only work for its own body, not another (עובר)
      - (b) *חכמים*: answered from משנה א', as above
    - 2 *Note*: supporting ברייתא, which explicits "fills in the blanks" in this manner

II רשב"ל and ר"י regarding extension of this dispute to אברי בהמה
- a *ר"ל*: dispute carries through – ר"מ/חכמים have same disagreement about אבר מדולדל
- b *ר"י (version1)*: חכמים agree that an אבר becomes נבלה if it is hanging off and then the animal is נשחט
  - i *Explanation (ר' יוסי בר חנינא)*: the עובר's limb could be retracted
  - ii *Challenge*: in ברייתא, ר"מ distinguishes by pointing to the שחיטה "permitting" אבר מדולדול
- c *ר"י (version2)*: ר"מ agrees that an אבר is not נבלה
  - i *Explanation (ר' יוסי בר חנינא)*: this is a part of her body → שחיטה is מתיר (unlike עובר)

III ר' יצחק בר יוסה's report in ר' יוחנן's name: all agree that death (w/o שחיטה) generates "ניפול" (i.e. as if it fell off before and no טומאת נבלה) and שחיטה generates ניפול (limb "cleansed" [still אסור באכילה] via שחיטה)
- a *Question*: what is the circumstance?
  - i *Cannot be*: the limb of an עובר - that is subject to dispute
  - ii *Must be*: a limb of an animal
    - 1 *Challenge*: both מיתה and שחיטה are explicitly taught:
      - (a) *מיתה*: חולין ט:ז – if the animal dies, the meat requires הכשר לטומאה, the limb is אבר מן החי, not (ר"מ) מן הנבלה
      - (b) *שחיטה*: ibid – if the animal is slaughtered, *they* are מוכשר by its blood – (ר"מ – ר"ש disagrees – לא הוכשרו)
    - 2 *Defense*: from ז:ט, we would have thought that only the meat is מוכשר
      - (a) *Challenge*: the משנה states הוכשרו (plural – i.e. carcass and "hanging limb")
      - (b) *Answer*: we might have read הוכשרו as meat coming from carcass and coming from אבר – קמ"ל
        - (i) *Question*: why would we have considered one more likely than the other?
        - (ii) *Answer*: בשר which comes from carcass may not have needed הכשר, as it has טומאה when "at the source" – קמ"ל
- b *Support (רב יוסף)*: רבב"ח's report supports ר' יצחק בר יוסף –
  - i *Context*: v. 1 –includes "hanging" limbs which are אסור even after שחיטת האם, but ר' יוחנן says that איסור is מד"ס
- c *Story*: ר' יוסף quoted רב (to ר' הונא) as ruling that there are מכות for eating this אבר
  - i *Challenge*: another student quoted רב as saying that there are no מכות
  - ii *Defense*: ר' יוסף – was talking about מיתה (→ניפול); other report was re: שחיטה (per above)
- d *רבא*: source for distinction between מיתה and שחיטה for ניפול – v. 2 – במתם (can't be excluding "alive", as we have נבלתם)
  - i *Challenge*: needed to teach that they must be "moist" as per moment of death –
  - ii *Answer*: במתם is written twice; once for our דרשה, once for "moist"

IV ר' חסדא/רבה – if the same dispute applies to the limb of a dead עובר (ר"ח – all agree שחיטה עושה ניפול; רבה – consistent)

V Analysis of end of משנה – בן שמונה חי has no שחיטה in its kind
- a *Challenge*: ברייתא – בן ח' has שחיטה in its 'kin', but שחיטה doesn't "cleanse" it
  - i *Answer*: that's referring to שחיטה when it is *in utero* (our תנא doesn't consider that a challenge)
  - ii *However*: according to that (ברא) תנא, what is the source for שחיטה "cleansing" a טריפה?
  - iii *Answer*: v. 3 – only some animals (מן הבהמה) become נבילה → excluding טריפה that was properly נשחט

VI ר' הושעיא's question: what if he reached inside and slaughtered the עובר *in utero*?
- a *Could be asked*: according to both ר"מ as well as רבנן
  - i *ר"מ*: may not permit; he only requires שחיטה for בן פקועה once it is out, but no שחיטה inside (or not)
  - ii *חכמים*: may allow, as any 2 of the 4 סימנים present must be cut
- b *Proposed answer (ר' חנניא)*: from the end of our משנה – טריפה מן הבטן never had שעות הכושר (→ שחיטה is invalid)
  - i *Rejection*: perhaps the argument is from טריפה מן הבטל, e.g. formed with 5 legs (never had שעת הכושר even here)

