

## 30.1.2

3a (כיון דאחזוק אחזוק) → 4a (אבוי אמר הכי קתני)

## I More proposals to decipher the משנה

- a כותי is the unstated subject of הכל **אבוי ורבא**
- i לכתחילה ישראל is standing there;
- בדיעבד** (phrase **ושחיטתן כשרה**): if he is **יוצא ונכנס** – if the כותי will eat **כזית** from his own שחיטה – valid; else – not
  - Exceptions:** חש"ו – even **בדיעבד**, concern that they will violate הגרמה דריסה, etc.
  - Question:** final **בדיעבד** (if they slaughtered with ישראל watching – valid) – must refer to כותי
    - Reason:** if it referred to חש"ו, should say שחטו ואם
    - Challenge:** how can ישראל עומד ע"ג be the "last resort" – that was his opening position – קשיא
  - Challenge (רבא):** **יוצא ונכנס** should be valid לכתחילה
    - Support:** not from ruling that if he left עכ"ם guarding his wine-store and was **יוצא ונכנס** – may drink
      - Reason:** that is presented as *post facto* – המניח ("if he left him there")
      - Rather:** from ruling that one guarding wine may watch it as **יוצא ונכנס**
- ii **יוצא ונכנס** – if the ישראל comes and goes at random intervals (נכנס)
- בדיעבד:** if he came and found it already slaughtered – if the כותי will eat **כזית** from שחיטה, valid; if not – invalid
  - Exceptions:** חש"ו – even **בדיעבד**, concern that they will violate הגרמה דריסה, etc.
  - Question:** final **בדיעבד** (if they slaughtered with ישראל watching – valid) – must refer to כותי (as above)
    - Challenge:** if he posits that **יוצא ונכנס** is permitted, why would ישראל עומד ע"ג be valid only **בדיעבד** קשיא
- b **ל' אשי** is the unstated subject of הכל (who eats נבילות due to lust, not principle)
- i **רבא** – we may eat from slaughter of לתיאבון ישראל – if we check the knife first and give it to him
- ii **שחיטה**: if he didn't check first, may not allow him to do
- בדיעבד:** if he performed שחיטה without our checking knife – if we check and it is good – valid; if not - invalid
  - Exceptions:** חש"ו – even **בדיעבד**, concern that they will violate הגרמה דריסה, etc.
  - Question:** final **בדיעבד** (if they slaughtered with ישראל watching – valid) – must refer to משומד (as above)
    - Challenge:** if the knife was checked first – he may give it to him לכתחילה; if not – check it now!
      - And if:** the knife is no longer available, having a ישראל watch him is of no help – perhaps it was a faulty knife – קשיא
- c **לבינא** is the unstated subject in הכל is expert and/or שוחט with (known) experience
- i **Version1:** הכל refers to מומחה without known experience
- בדיעבד:** if we didn't test him first, ask him afterwards – if he knows שחיטה הלכות – valid; if not – invalid
  - Exceptions:** חש"ו – even **בדיעבד**, concern that they will violate הגרמה דריסה, etc.
  - Challenge:** final **בדיעבד** must refer to untested מומחה (per above); he must be gone, else we could ask him
- ii **Version2:** הכל refers to experienced שוחט (we saw him slaughter 2-3 times without fainting)
- בדיעבד:** if he slaughtered and avers that he didn't faint, we believe him and permit
  - Exceptions:** חש"ו – even **בדיעבד**, concern that they will violate הגרמה דריסה, etc.
  - And:** final **בדיעבד** must refer to someone who isn't מוחזק – and isn't available to ask
- d **Assessment:** why each חכם rejected other solutions
- i **בר עולא** rejected **לבינא ורבה בר עולא** due to problem with final **בדיעבד**
- ii **Contra בר עולא:** if we claim that our משנה is עיקר – counter that that should be עיקר, as קדשים are taught there
  - And if:** we claim that that is the עיקר, no reason to teach it here, as קדש על טהרת קדש are *not* קדשים
- iii **Contra לבינא:** version 1- nearly anyone performing שחיטה is a מומחה;
  - And:** version 2 – we aren't concerned with fainting
- iv **רבא:** did not accept **אבוי**, per his challenge (that נכנס ויוצא is sufficient)
- v **אבוי:** did not accept **רבא**; in that case, no one touched the wine; here, he is touching the שחיטה בית
- vi **ל' אשי:** did not accept **רבא ואבוי** – he holds that גרי אריות כותים (non-Jews)
- vii **אבוי:** did not accept **אשי ר'** – he rejects **רבא**'s ruling that משומד לתאבון's slaughter is valid
- viii **Question:** why didn't **רבא** agree with his own ruling (כ' אשי)?
  - Answer:** he was only answering **אבוי** on his own terms (within context of כותי); but he rejected it *in toto*

- II **ברייתא**: conditions when שחיטת כותי is permitted
- a *If*: a ישראל is supervising – permitted
  - b *If*: no ישראל supervising, test to see if he'll eat a כזית from the meat; if so – valid; if not – invalid
  - c *Parallel*: if he has a net of slaughtered birds in his hand, he tears off the head of one and gives it to him
    - i *If*: he eats from it – permitted; if not – forbidden
  - d *Application to above discussion*: אביי and רבא inferred their positions about כותי from here:
    - i אביי: inferred from רישא – if ישראל is standing over him, valid → if he's only נכנס ויוצא – invalid (לכתחילה)
    - ii רבא: inferred from סיפא – only requires "test" if he came and found it already slaughtered → נכנס ויוצא is valid
      - 1 אביי: coming and finding it already שחוט is the same as נכנס ויוצא
      - 2 רבא: נכנס ויוצא is tantamount to עומד על גביו
  - e *Assessing the "parallel" case*: if he has a net of birds...
    - i *Challenge*: why aren't we concerned that the one we gave him (only) was properly slaughtered?
      - 1 *Answer*: we hide the bird and just bring out the head
      - 2 *Challenge*: what if he put a סימן on the head of the one properly slaughtered bird?
        - (a) *Answer*: the ישראל mashes it to remove any identifying marks
    - ii *Challenge*: what if כותים don't accept שחיטה of birds as being commanded in תורה (not explicitly written)?
      - 1 *Block*: neither are the various invalidating acts of שחיטה (e.g. החלדה, דריסה, החלדה) yet we trust them
      - 2 *Rather*: once they have taken on a ritual commitment, they take it on fully (in this case - extending to birds)