

30.1.15

18a (משנה ב2) → 19b (מה לי במקום נקב מה לי פגע בו נקב)

1. וישלח המלך שלמה ביד בניהו בן יהוידע ויפגע בו וימת: מ"א א, ב, כה
 2. ויעקב הלך לדרך ויפגעו בו מלאכי אלהים: בראשית לב, ב

- I 22 משנה ב2: using a harvest-scythe (semi-circular), which is invalid (per ב1), but only "to"
- a ש"ב: still invalid
- b ב"ה: valid
- i Observation (ר' יוחנן): ב"ה doesn't allow it to be eaten, just relieves it of נבילה
- 1 Proof (ר' אשי): wording of משנה is not מתירין ב"ה, rather מכשירין
- 2 Block: if so, it should have said מיטהרין וב"ה מטמאין; rather מתירין::
- c Note: if the teeth were smoothed out, perfectly valid
- II ג משנה ג: location of valid שחיטה
- a If: he slaughters through the cartilage ("ring") atop the trachea, valid
- i חכמים: as long as he leaves a ring all the way around above the slice
- ii ר' יוסי בר יהודה: as long as he leaves a ring a majority of the way around
- b רב ושמואל: we rule in accordance with ריב"י, but his ruling only applies to top ring (which completely encircles סימנין)
- i However: if it is through any other טבעת, invalid unless all intact
- ii Challenge: ריב"י (ברייתא) explicitly extends it to all טבעות, since they surround most of the סימן
- 1 But: מוגרמת (cut at wrong place) is invalid
- 2 Testimony: מוגרמת - ר' חנינא בן אנטיגנוס is valid
- iii Answer1: רב ושמואל agree with ריב"י about 1 issue, but dissent re: 2nd (other rings)
- 1 Challenge: their words implied that they accepted his position on both
- 2 Rather: they ruled in accord with his position re: top "ring", but not for others
- iv Story: רב ושמואל רב זירא, when he made עליה, ate animals that would be considered מוגרמת according to רב ושמואל
- 1 His defense: the report that רב ושמואל said that was from an untrustworthy source (רב יוסף בר חייא)
- (a) ריב"ה: claimed that he heard it from רב יהודה, who was very careful in maintaining correct oral traditions
- 2 Challenge: isn't ר"ז bound to maintain the customs of the place he left? (per א: ד)
- (a) Answer1: that doesn't apply when leaving בבל for א"י, as חכמי בבל are (yet) subservient to א"י
- (b) Answer2: only applies if he intends to return; ר"ז made עליה
- (c) Answer3: even in בבל, not everyone (e.g. מחזא) followed רב ושמואל's ruling in this case
- c Opinions extending "upper" reach of שחיטה ובבל: חכמי א"י
- i דשב"ל: even at "tip of hat" (ר' יוחנן) reaction – gone too far and invalid
- ii רבא (quoted by ר' פפי): if he פגע at the "wheat" (bumps atop ring) – valid
- 1 Question: does פגע mean he touched (per v. 1) or didn't touch (v. 2)?
- 2 Answer: ר"פ quoted רבא as ruling that if he "left" the "wheat" (i.e. split them – touched) – valid
- (a) Also reported in the names of: ר' חייא בריה דר' אויא and מר זוטרא
- (i) However: ר' אשי ruled פגע is valid, שייך is not (evidently פגע=no contact, per v. 2)
- iii Final ruling: anywhere from the "slope" down, including שייך בחיטי (involving contact) is valid
- 1 Case law: ר"ג permitted such a שחיטה, was challenged that that is more liberal than both רבנן and ריב"י
- (a) Answer: ר"ג relied on שמועה, either from ר' חנינא or ר' יוחנן, ר' חנינא – from slope on down is valid
- (b) Observation: what רבנן consider מוגרמת is valid for ריב"י, and his מוגרמת is valid for אנטיגנוס
- (i) Challenge: this is obvious (from "testimony" above)
- (ii) Answer: we might have thought that he was responding to רבנן and simply agrees with ריב"י – קמ"ל
1. Question: why not interpret it that way?
2. Answer: then it should have read "העיד עליה", referring to ריב"י's position;
- a. Ruling: follows אנטיגנוס בן חנינא, ר' חנינא, as ר"ג rules in accord with his opinion

- iv **אסי** *analysis, as reported by ר"ה (version1):* dispute ("רבנן/ריב") only if he slaughtered in the "zone" for the first 2/3, then went out (הגרמה) for the last third; רבנן require entire שחיטה to be in "zone", ריב is satisfied with רוב
- 1 *But:* if he started "out of the zone", even if majority was cut inside "zone", all agree that it is invalid
 - (a) *Reason:* when the animal dies, must be בשחיטה רוב
 - (b) *Challenge (ר' חסדא):* suggest the opposite – dispute is when he did the first 1/3 outside
 - (i) **דיב**, comparable to finding half of the trachea open, if he cuts the second half, valid
 - (ii) **דבנ**: that is only valid when he cuts in the "zone", not outside
 1. *But:* if he does the first 2/3 inside, all should agree it is valid;
 2. *Per:* רובו של אחד כמוהו – ב:א
 - a. *Counter (רב יוסף):* perhaps ב:א was taught by ריב (and רבנן reject ריב)
 - b. *Block (אב*י): we can't suggest that every "רוב" in ש"ס is authored by ריב
 - i. *Defense (ר' יוסף):* only referring to רוב in שחיטה, where we see them disagree (מתניתין)
- v **אסי** *analysis (version2):* dispute only if he slaughtered the first third out of the zone
- 1 **דיב**: like finding half the trachea cut
 - 2 **דבנ**: that only applies when he cuts "in the zone"
 - 3 *But:* if he slaughtered first 2/3 in the zone, then went out – both agree it is valid, רובו ככולו
 - (a) *Challenge (ר' חסדא):* perhaps ב:א is ריב, and רבנן don't agree
 - (b) *Block (רב יוסף):* we can't suggest that every mention of רוב is ריב
 - (i) *Defense (ר' חסדא):* only referring to רוב in שחיטה, where we see them disagree (מתניתין)
- d הגרמה and proper שחיטה in thirds and two versions of רב's ruling(s)
- i *If:* he did 1/3 out, 1/3 (when he crossed the 50% mark) in and 1/3 out
 - 1 **דב הונא** ruled it valid – it died at the רוב mark,
 - 2 **דב יהודה** ruled it invalid – רוב of the act must be in proper *situ*
 - ii *If:* he did 1/3 in, 1/3 out (when he crossed the 50% mark) out and 1/3 in
 - 1 **דב יהודה** ruled it valid
 - 2 **דב הונא** was asked and he answered that it was invalid
 - (a) **דב יהודה** heard of ר"ה's ruling and was upset – if he validates where I declare טריפה, how can he declare טריפה where I validate?
 - (b) **דב הונא** accepted rebuke; recognizing that ר"ה had heard it directly from רב and that in this case, רוב בשחיטה
 - (c) **דב חסדא** told רב הונא to "stick to his guns"; else he will have to retract the first פסק
 - (i) *First פסק*: based on the notion that life departs at the 50% and that is when proper שחיטה is required
 - iii *Stories:*
 - 1 **ר"נ** at **סורא** was asked about 1/3 שחיטה, 1/3 הגרמה, 1/3 שחיטה
 - (a) *Answer:* wasn't that answered by בר מניומי
 - (i) **דאב"מ** שחיטה which is like a comb (zig-zag) is valid
 - (ii) *Counter:* perhaps he was referring to zig-zag within range of proper שחיטה
 1. *Block:* if it is all within zone, why the need to teach it?
 2. *Answer:* perhaps we would require "straight" cut – קמ"ל
 - 2 **ד' כהנא** asked רב יהודה about each of these cases:
 - (a) **שחט, הגרים, שחט** (each 1/3): answered that it was valid
 - (b) **הגרים, שחט, הגרים**: answered that it was invalid
 - (c) *If he cut the trachea where there was a preexistent hold (front half):* valid
 - (d) *If he cut the trachea and encountered a cut (back half):* invalid
 - (i) *Then:* ר' אבא (who was sitting behind ר"כ) came to ר"א and repeated this to ר"א, who brought it to the attention of ר' יוחנן, who asked him (ר' אלעזר) to justify the distinction
 1. **ד"א**: if the hole was in front, as if a non-Jew cut the first half and the ישראל finished (valid)
 - a. *But:* the inverse is akin to a ישראל starting and the non-Jew completing it (invalid)
 2. **ד' יוחנן** rejected reasoning
 3. **דבא** supported ר' יוחנן's rejection – in the model case, the ישראל should have completed it, but by letting the non-Jew complete the שחיטה, that's what causes the animal's death
 - a. *However:* in our case, the ישראל did all of the שחיטה besides whatever was already open – shouldn't make a difference if the hole is in front or the back.