

## 30.2.2

28a (איש נדחה ואין ציבור נדחין) → 29a (אחד בעוף)

1. דבר אל בני ישראל לאמר איש איש כי יהיה טמא לגוף או בדרך רחקה לכם או לדתיתכם ועשה פסח לה: במדבר ט, י

## I Discussion of requirement of 1 סימן for birds

- a **ל"נ**: can be either esophagus or trachea – states "אחד" – meaning, any one
- b **אדם אחד**: must be esophagus – states "אחד" – meaning "the singular one", i.e. esophagus
- i **Challenge (to ל"נ ב:ד)**: **ר' יהודה** discusses cutting the **וושט** before/after/unsure the **גרגרת** was moved
- 1 **Inotherwords**: the only context of **שחיטה** mentioned is the esophagus
  - 2 **Defense**: the **גרגרת** is the only one that *can* move
- ii **Challenge**: ruling in which **ר' יהודה** mentions that he must cut the **וושט** and the veins (doesn't mention **קנה**)
- 1 **Defense**: the veins are near the esophagus, so his mention was of convenience, not necessity
- iii **Challenge**: rule of "delay" (**שהייה**) which uses **גרגרת** as example, if he was half through, delayed and finished – **נסול**
- 1 **Assumption**: context is bird, and "finished" means he completed cutting the **גרגרת** → must cut esophagus
  - 2 **Rejection**: context is **בהמה**, meaning is completing both **סימנים**
- iv **Challenge (to ראב"א)**: if he found ½ the trachea deficient and finished it off – **נשר**
- 1 **Assumption**: context is fowl → trachea is also a valid **סימן**
  - 2 **Rejection**: context is **בהמה** and "finishing" refers to completing both **סימנים**
- v **Challenge**: description of **מליקה** allows for (re: **חטאת העוף**) either cutting **קנה** or **וושט** – refutation of **ראב"א**
- c **Question**: what is final disposition? (already given – follow **ר"נ**)
- i **Defense of question**: perhaps in case of **מליקה**, where spinal cord is broken, we allow for either **סימן**
  - ii **Answer**: case law, **רבא** was brought a duck that was bleeding from its neck and they didn't know if it was a **טריפה**
    - 1 **Solution**: **וושט** can't be checked from outside → check **קנה** from outside, cut it (**כר"נ**) and then check **וושט** for **נקב**
    - 2 **Note**: solution was suggested by **רבא**'s son, **יוסף**; **רבא** praised him as being as wise about **טריפות** as **יוחנן**

II Analysis of **ר' יהודה**'s opinion that the veins must also be cut

- a **ל' חסדא**: only applies to fowl, since they are roasted whole
- i **Implication**: **ר' יהודה**'s ruling is intended to ensure that blood is drained, not essential to **שחיטה** itself
  - ii **Challenge**: wording of **משנה** is **שישחוט** is **עד**, not "he must puncture the veins"
    - 1 **Answer**: understand it as "he must puncture during act of **שחיטה**"  - iii **Challenge**: **ר' יהודה** is quoted as saying "**ורידין בשחיטה**"
    - 1 **Answer**: he means that they must be punctured during **שחיטה**  - iv **Challenge**: **רבנן**'s response to **ר"י** is that the purpose is to drain blood – why would it matter when
    - 1 **Implication**: **ר"י**'s reason is that it is part of **שחיטה**
    - 2 **Correction**: **ר"י** agrees that it is to drain blood; during **שחיטה**, blood is hot and will pulse out; afterwards, it cools  - v **Question (ר' ירמיה)**: according to **ר"י**, if he delayed or put pressure on **ורידין** – invalid?
    - 1 **Answer**: from **יוחנן** – may use a thorn to puncture them (i.e. not part of **שחיטה**; **שחיטה** and **דריסה** don't apply)
    - vi **Support**: **ר' יהודה** (in **ברייתא**) specifically mentions **ורידין** in context of slaughtering fowl

III Analysis of **רוב** and its impact on **סימנין**

- a **ל' דב**: 50% is valid – **ה'**'s instructions to **משה** were that a majority should not remain uncut
- b **ל' כהנא**: 50% is still invalid – **ה'**'s instructions to **משה** were that a majority must be cut
- i **Challenge (to ל' דב)**: our **משנה** invalidates ½ for **עוף** and 1.5 for **בהמה** – but if 50% is valid, should be sufficient
    - 1 **Defense**: that invalidity is **מד'ס**, as a precaution against cutting less than half  - ii **Challenge (ל' קטינא)**: if a **טמא**, which must be "broken" to be **טהור**, is split in half, both halves are still **טמאים**
    - 1 **Reason**: impossible to cut exactly at 50% (**ל' צמצם**)
      - (a) **Implying**: if it were possible to divide exactly – they'd be **טהורים** → but, to **רב**, each is a **רוב** (50%)
      - (b) **Defense (ל' פפא)**: cannot have 2 "**רוב**"s in one component  - iii **Challenge**: if he cut ½ **גרגרת** and delayed and then finished – valid
    - 1 **But if**: (assuming context is **בהמה**) 50% is valid, he made this a **טריפה**
    - 2 **Defense**: context is **עוף**; either way it is valid; either 50% is **רוב** and it is **שחוט**, or it isn't and it's not a **טריפה**

- iv *Challenge*: if he found  $\frac{1}{2}$  קנה damaged and then cut any amount – valid
- 1 *But if*: 50% is רוב, it is a טריפה
  - 2 *Defense (רבא)*: re טריפות, we require a *visible* רוב
    - (a) *Challenge (אבי)*: if we require visible רוב for טריפה, that can happen with a small amount, ק"ו we require a visible רוב for שחיטה, which generally requires רוב סימן
    - (b) *Rather (אבי)*: all agree that for רוב סימן, we require 51%
    - (c) *Dispute (רבא/ר' כהנא)*: was in a wholly different context – for defining פסח שני for צבור
      - (i) *If*: exactly 50% of ישראל עם were טמאים on ניסן
        1. *דב*: each "half" is a רוב
          - a. *Therefore*: the טהורים perform פסח on their own, בטהרה
          - b. *And*: טמאים perform פסח on their own, בטומאה (in 1<sup>st</sup> month)
            - i. *Source*: v. 1 – only individuals are "pushed off" to פסח שני, not צבור
        2. *דב*: each "half" is not a רוב
          - a. *Therefore*: the טמאים, adjudged to be יחידים, are delayed until פסח שני