

30.3.17

60b (משום פרס ועזניה ליתנהו בישוב) → 62a (סימני העוף לא נאמרו)

1. וְאֵת אֵלֶּה תִּשְׁקְצוּ מִן הָעוֹף לֹא יֵאָכְלוּ שֶׁקֶץ הֵם אֶת הַנֶּשֶׁר וְאֵת הַפֶּרֶס וְאֵת הָעֶזְנִיָּה: וַיִּקְרָא י"א, יג  
 2. אֵת כָּל עֶרֶב לְמִינוֹ: וַיִּקְרָא י"א, טו

- I Analysis of 2<sup>nd</sup> clause in משנה ו – the סימנים of birds were not written in the תורה
- a But: חכמים said that any predatory bird is טמאה
- i And: an extra “finger” (on back of claw), has a זפק (crop), its gizzard can be peeled off
- ii ד' אלעזר בר צדוק any bird that “divides” its claws (under/over when perched) is טמא
- b analysis: v. 1 lists eagle/vulture as non-טהור
- i challenge: just as נשר (v. 1) hasn't סימנים listed above and is a predator, so too any bird without those סימנים is טמאה
- 1 תורים (fit): have extra “finger”, have a crop, have a peelable gizzard and isn't a predator → all like that are טהור
- ii Answer (אבני): the סימנים aren't explicitly mentioned in the תורה, only by חכמים
- c תורה's dictum: any bird with no סימני טהרה, like a נשר, is טמא → if it has even one סימן טהרה, it is טהור
- i Challenge: why not use תורים as the model and require all four סימני טהרה
- ii Answer: if so, why did the תורה list all 24 עופות טמאים (ויקרא יא:יג-ט) (דברים יד:יב-יח, ויקרא יא:יג-ט)?
- 1 Challenge: then why not infer from other birds – even those which have 3 סימני טהרה (ק"ו) if they have less
- 2 Answer: then why did the תורה explicate the raven (as prohibited) – it only has 2 סימני טהרה?
- (a) Challenge: then why not infer prohibition from raven – even if it only has 2 סימני טהרה
- (b) Answer: why did the תורה explicate פרס ועזניה (which have only 1 סימן טהרה)
- (i) Challenge: why not infer from פרס ועזניה?
- (ii) Answer: then why did the תורה explicate the prohibition of נשר (which has none)?
- (iii) rather: since נשר is written, we understand that only if it has no סימני טהרה is it טמא
- iii tangent: had נשר not been written, we would infer from פרס ועזניה (which have 1 סימן)
- 1 challenge: פרס ועזניה constitute כאחד שני כתובים הבאים כאחד → אין מלמדין → שני כתובים – no way to infer one from other
- (a) defense: פרס and עזניה do not have the same סימן טהרה → no way to infer one from other
- (b) challenge: there are 24 עופות טמאים listed; impossible not to have some that share סימן טהרה with פרס ועזניה
- (i) answer: we have a tradition about 24 עופות טמאים and 4 סימני טהרה:
1. 3: of the סימנים appear in 20 of them
2. 2: of those three appear in the raven
3. 1: of those appears in either the פרס or the עזניה, the 4<sup>th</sup> (unmatched) appears in the other one
4. (0): appear in the נשר
- a. suggestion: why not infer from those
- b. answer: נשר is written to teach that only if it has no סימני טהרה is it forbidden (except the 23)
- (ii) question: why did the תורה explicate תורין as permitted?
1. answer: for use as a קרבן
- d תורה's rule: if one is familiar with birds and their names, one סימן טהרה is sufficient
- i if not: one is insufficient; two are enough as long as he can recognize a raven (which has 2 and is טמאה)
- 1 challenge: besides the raven, there are others that are forbidden, per למינו (v. 2) per ר"א, whose response to hearing that some people ate such birds based on its having a crop (אנשי בית תמרתא) or its gizzard being “peelable” (אנשי גליל העליון) responded that they will be held accountable
- 2 rather: ...as long as one is familiar with ravens and their types (מין עורב)
- ii final ruling (אמימר): one סימן is sufficient as long as the bird is (also) not a predator
- 1 question: how does he respond to ר"י's rule?
- (a) answer: unconcerned; only applies to פרס ועזניה which aren't found where they live