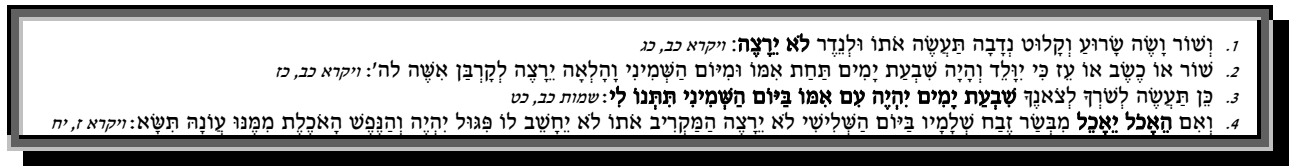


30.5.3

80a (כיצד השוחט) → 81b (אחד אכילת אדם ואחד אכילת מזבח)



- I משנה ג' – שחיטה==שחיטה שאינה ראויה) ר"ש identification of our משנה as being composed by other than ר"ש אושעיא
- a Proof1: no liability for חוץ שחוטט for 2<sup>nd</sup> נשחט  
 i But: to ר"ש, 1<sup>st</sup> was invalid שחיטה → 2<sup>nd</sup> would have been כשר if done inside → liable for חוץ שחוטט on 2<sup>nd</sup> as well
- b Proof2: liaiblity for 2<sup>nd</sup> חולין בפנים  
 i But: to ר"ש, 1<sup>st</sup> שחיטה (חולין בעזרה) is שחיטה שאינה ראויה → 2<sup>nd</sup> should be פטור
- c Proof3: liability for 2<sup>nd</sup> קדשים בפנים (for אר"ב)  
 i But: to ר"ש, 2<sup>nd</sup> is not a שחיטה ראויה, as meat can't be eaten before זרה"ד → should be no liability for אר"ב
- d challenge: why the need for 3 proofs? The משנה is clearly not authored by ר"ש  
 i Answer: קדשים בפנים was needed; we might have thought that שחיטת קדשים was ראויה, as it is indispensable to the permission to eat בשר (since if he stabbed it and put דם on מזבח, wouldn't be מותר) → necessary but insufficient
- e Challenge: why not reckon the ל"ת of "לא ירצה" (v. 1), which applies to any invalid קרבן?  
 i Answer1: the תנא only reckons the לאו of אר"ב, not extrinsic לאוין  
 1 Challenge: he reckons חוץ שחוטט  
 2 Answer: he only counts an "outside" לאו when that action brings no other culpability  
 ii Answer2 (ר"ז): עשה is an עשה which is implied by עשה (v. 2); ניתק לעשה is מחוסר זמן (ר"ז)  
 iii Challenge: v. 2 is needed per אפטוריקי ר' – to resolve v. 2a/2b (status on eve of 8<sup>th</sup> day)  
 1 Status: may be מקדיש, but not מרצה until 8<sup>th</sup> day  
 2 Answer: v. 3 repeats information in v. 2 → makes איסור עשה מחוסר זמן
- f Challenge: ר"ש ד' המנונא was accustomed to saying that אר"ב does not apply to קדשים at all  
 i Challenge: קדשים which he slaughtered outside (תוספתא זבחים יב:ב) – אר"ב which are קדשים which he slaughtered outside  
 1 ל"ת for 2<sup>nd</sup> – as ר"ש ruled that any שחיטה which is only fit at a later time carries ל"ת for 1<sup>st</sup>: כרת ד"ש  
 2 חכמים: if no כרת, no ל"ת  
 (a) Our discussion: according to ר"ש, 1<sup>st</sup> is שחיטה שאינה ראויה – 2<sup>nd</sup> would have been fit inside – should be fully liable (כרת) for 2<sup>nd</sup>  
 (b) Rather: (כדי or רבא) – משנה is deficient:  
 (i) If אר"ב which are קדשים are slaughtered  
 1. Both outside: 1st gets כרת, 2<sup>nd</sup> is ל"ת but no כרת (רבנן); כרת for חוץ שחוטט (ר"ש)  
 2. First inside, 2<sup>nd</sup> outside: 1<sup>st</sup> is fine; 2<sup>nd</sup> is פטור (רבנן), or ל"ת for חוץ שחוטט (ר"ש)  
 (c) But if: ר"ש maintains that אר"ב doesn't apply to קדשים, why is he "only" liable for ל"ת for 2<sup>nd</sup>; should be כרת
- 3 Rather: רב המנונא reported that ר"ש holds there are no מכות for אר"ב in קדשים  
 (a) Reason: until he does זרה"ד (of the 2<sup>nd</sup>), meat can't be eaten → any warning at time of שחיטה is ספק התראת ספק  
 (b) Note: רבא is consistent – he rules that if חולין and the child is שלמים  
 (i) If: he slaughters the חולין first and then the שלמים – he is exempt  
 (ii) But if: he slaughters the שלמים first and then חולין – liable  
 (c) Follow: רבא ruled that if the mother is חולין and the child an עולה  
 (i) Certainly: if he slaughters the חולין first – no liability  
 (ii) But even: if he slaughters the עולה first – no liability  
 1. Reason: the first שחיטה didn't lead to אכילה; not reckoned a שחיטה for אר"ב  
 (iii) Dissent (ר' יוחנן): the "devouring" of the מזבח (עולה) is considered אכילה, per v. 4