

31.3.3; 21b (משנה א) → 23b (לא גזרו בה רבנן)

1. לא תאכלו כל נבלה לגר אשר בשעריך תתננה ואכלה או מכר לנכרי כי עם קדוש אתה ליקחך אלהיך לא תבשל גדי בחלב אמו: דברים יד, כא

- I 2א בורה – if a cow expels a clump of blood, it must be buried and she is now exempt from בטורה מן הבכורה – only buried to publicize that the mother is now בטל ברוב דם – (“וולד דם” (since it is, after all, a “proper” reason it is not טמא ד’ יוחנן
- 1 Consistency: ר’ יוחנן (here) & ר’ ש’ (re: שלי in a house, ruling [contra חכמים טהור] have identical position
- b tangent: מטמא until they come out (no “פתיחת קבר”); however, they must have at least a rounded head the size of a פקעת of yarn; ר’ הונא asked him to clarify - warp or woof? responds:
- i dispute: שתי – ר”מ (warp); ר’ יהודה (woof)
- ii dissent: רבנן – must see טפיפות (seeing פיקה within פיקה, like when a mule kneels to urinate).
- iii heard about 2 טעויות of פיקה, one warp the other woof, but didn’t know how to apply them
- 1 ד’ דימי quoted ר’ יוחנן 3 – those two and פיקה of sack-makers – and didn’t know how to apply
- 2 explained (in ר’ יוחנן’s name): a human miscarriage – של שתי; animals – ערב; chunk of הפרס-earth is the size of large פיקה of sackmakers, like the seal of מרצופין (on barrels, underneath rounded top – פיקה)
- c “backdoor” discussion: ר”ל (quoting ר’ יהודה נשיאה) – if someone buys fish-oil from ע”ה, he can submerge (the vessel with oil) in מקוה and it is טהור “either way”:
- i if: it is mainly water, the השקה with מקוה-water purifies the ציר
- ii if: it is mainly ציר, that is not something which is vulnerable to טומאה
- 1 and: the small amount of טמא water in the ציר is nullified to the ציר
- iii טמא – this allowance is only to use ציר to dip his bread; but to use for cooking – טמא
- 1 reason: the “submerged” טמא waters are revived by the waters they encounter in the pot
- 2 repeated this to אב”י; who challenged – nullified טומאה does not revivify
- 3 retort: תרומות ה”ב – if a תרומה טמאה fell into 100 סאים of חולין טהורין
- (a) ד”א let the one be taken out (for תרומה) and let it rot, assigning the one taken out to be the one that fell
- (b) חכמים let the one be taken out and eaten as crumbs or toasted, or be kneaded into פירות, or be divided up among doughs n- as long as there isn’t כביצה in one place
- (i) comment: ר”א would obligate that those 100 חולין be eaten as crumbs, toasted etc.
- (ii) reason – so that he won’t bring קב of חולין טמאים from elsewhere and another קב+ from here, thinking that that nullifies it; but due to the משהו, we have טומאה-revivification (וניעור)
- 4 Block (אב”י): just because טומאה can “reawaken” טומאה, does not mean that טהרה would do that to טומאה
- 5 Further challenge (אב”י): ט: פרה – if ash of פרה gets mixed with regular ash – still מטמא
- (a) But if: the majority is אפר מקלה (not אפר פרה) – follow רוב and no טומאה
- (b) Explanation: if we should consider טומאה to still be extant, should be מטמא במשא (if not ג) טומאת משא
- (i) Answer: יוסי בר חנינא indeed maintains that in such a case, the mix carries משא
- 6 Further challenge: ר”ח’s ruling - בטל נבילה (but not vice-versa), as שחוטה can never become שחוטה
- (a) Response: we learn that as being חייא ר’ יוסי בר חנינא – and ר’ יוסי בר חנינא rules that there’s still משא
- 7 Challenge (אב”י): our משנה חייא; note that the blood-bloc has no טומאת מגע or טומאת משא – as בטל ברוב
- (a) (no answer): but we suggest – perhaps it is not מטמא as it is fetid
- (i) Answer: that is only valid for בר פדא who interprets v. 1 as נבלה is no longer מטמא after not לגר ראו
1. But: for ר’ יוחנן who requires even נבלה to be נפסל מאכילת כלב to cease טומאה – קשיא
- d Revisiting ר’ יוחנן based on interpretations of v. 1
- i נבלה – only if it is fit for גר is it called נבלה – לא תאכלו כל נבלה לגר: ר’ פדא
- 1 that is only excluding a case where the נבלה was never fit for human consumption
- 2 if it was never fit for consumption, no פסוק needed – it is like dirt
- (a) Challenge: our משנה דם – טומאה has חררת דם – ר’ יוחנן, due to דם over רוב
- (i) But: if ר’ יוחנן agrees that טרומה מעיקרא is not מטמא, he should have used that reason
- (ii) Answer: this one was originally fit for consumption – as part of the mother
- e rules that ר’ רבנן rules that ציר bought from ע”ה, it was טהור but he soaked it in water (that we assume to be טמא) and the water was nullified against ציר – רוב ציר – if any water fell on it – it becomes טמא
- i Implication (ר’ נחמן) will mix up to 50% in ציר (→ any water added takes it over 50% → טמא)
- 1 Rejection: perhaps ר”נ meant that they will mix up to a bit less than half
- 2 Or: since גזרו משקין is טומאת משקין – they weren’t גזרו unless there was a רוב