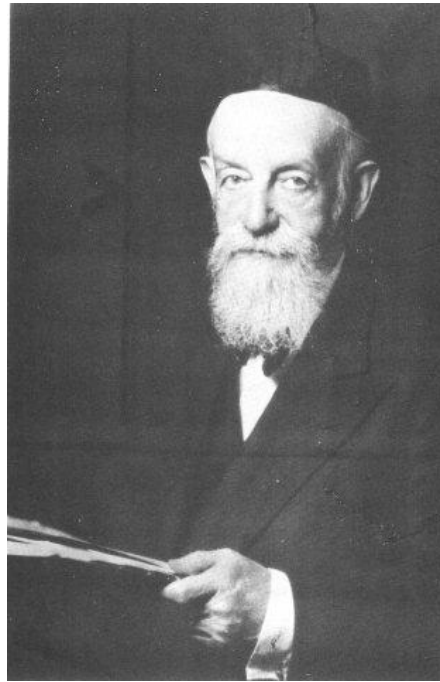


The Soncino Babylonian Talmud

Book I

Folios 2a-30b



CHULLIN

TRANSLATED INTO ENGLISH WITH NOTES

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CHULLIN – 2a-30b

Chullin 2a

CHAPTER I

MISHNAH. ALL MAY SLAUGHTER,¹ AND THEIR SLAUGHTERING IS VALID, EXCEPT A DEAF — MUTE, AN IMBECILE OR A MINOR, LEST THEY INVALIDATE THEIR SLAUGHTERING; AND IF ANY OF THESE SLAUGHTERED WHILE OTHERS WERE STANDING OVER THEM, THEIR SLAUGHTERING IS VALID. STANDING OVER THEM, THEIR SLAUGHTERING IS VALID.

GEMARA. The expression ALL MAY SLAUGHTER [implies a right] in the first instance, yet the expression AND THEIR SLAUGHTERING IS VALID [implies merely a sanction] after the act!² — R. Aha the son of Raba said to R. Ashi: Is it correct that the expression ‘ALL MAY...’ [implies a right] in the first instance? If so, [consider the Mishnah]: ‘All may change.³ whether man or woman’; is that also a right in the first instance? Is it not written: He shall not alter it, nor change it, a good for a bad, or a bad for a good?⁴ —

No,⁵ for there the Mishnah goes on to explain: ‘Not that a person is allowed to change, but only that, if he has changed, the change is effective and he receives forty stripes’. Then, [consider this Mishnah]: ‘All may vow another's valuation and their valuation may be vowed by others, and they may vow another's worth and their worth may be vowed by others’;⁶ is that also a right in the first instance? Is it not written: And if thou shalt forbear to vow, it shall be no sin in thee?⁷ And it is further written: Better it is that thou shouldst not vow, than that thou shouldst vow and not pay.⁸ And it has been taught: Better than both⁹ is he who does not vow at all; this is the opinion of R. Meir. R. Judah says. Better than both¹⁰ is he who vows and pays. Now, even R. Judah refers only to

the case of one who says. ‘Behold, let this be a sacrifice’,

- (1) Sc. an animal or a bird according to the Jewish ritual.
- (2) The expressions are apparently contradictory, for whereas in the former a direct permission is granted, in the latter it is only after the act that the slaughtering is considered valid. This contradiction is not attempted to be answered until p. 3 infra; meanwhile R. Aha questions the soundness of the implications.
- (3) Sc. a consecrated beast for a common beast. Cf. Tem. 2a.
- (4) Lev. XXVII, 10.
- (5) The expression used, generally implying a right in the first instance, is in this particular case expressly limited.
- (6) V. ‘Arak. 2a. The reference is to Lev. XXVII, which deals with the law of one who vows to offer to the sanctuary the value of any human being, which may include himself. The difference between ‘valuation’ and ‘worth’ is that the former term is applied to vows in the formula of which the word ערך — ‘valuation’ — is used. The amount in cases of valuation is fixed by the Torah.
- (7) Deut. XXIII, 23. This verse implies that it is sinful, or at least not praiseworthy, to vow, as the quotation from Eccl. V, 4, as explained by the Baraitha, clearly shows.
- (8) Eccl. ibid.
- (9) Sc. one who vows and pays and one who vows and does not pay.
- (10) Sc. one who vows and does not pay and who does not vow at all.

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but not to the case of one who says. ‘Behold, I take it upon me [to bring a sacrifice]’.¹ Does then the expression ‘ALL MAY...’ never imply a right in the first instance? What then of the statements: ‘All must observe the law of Sukkah’,² and, ‘All must observe the law of Zizith’?³ Do these not imply a duty in the first instance? — [No;] I do not say so of the expression ‘All must’.⁴ Then take this case: ‘All lay the hand [upon the head of the sacrifice], whether man or woman’. Does this not mean a duty in the first instance? Surely it is written: And he shall lay his hand... and it shall be accepted for him.⁵ — The truth of the matter is: ‘ALL MAY...’ sometimes implies a right in the first instance and

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sometimes implies a sanction after the act. This being so, in the case of our Mishnah, why should you say that it is a right in the first instance and consequently raise a difficulty? Say, rather, it is a sanction after the act and there will be no difficulty. — He⁶ replied: My difficulty is the expression.

AND THEIR SLAUGHTERING IS VALID. Since it states, **AND THEIR SLAUGHTERING IS VALID**, which is obviously a sanction after the act, **ALL MAY SLAUGHTER** must be a right in the first instance, for otherwise why is it necessary to state the sanction after the act twice? Rabbah b. Ulla said: This is the interpretation of the Mishnah. **ALL MAY SLAUGHTER**: even an unclean person [may slaughter] a common beast.⁷ An unclean person [may slaughter] a common beast! Surely this is obvious!⁸ — What is meant is this: [An unclean person may slaughter] a common beast in connection with which the cleanness proper to hallowed things has been observed; and the Tanna is of the opinion that common things kept in the cleanness proper to hallowed things are regarded as hallowed. How does he [the unclean person] proceed [in slaughtering]? — He fetches a long knife and slaughters therewith so as to avoid touching the flesh [of the beast]. But in the case of consecrated beasts he should not slaughter lest he touch the flesh.⁹ Nevertheless, if he did slaughter and declared: ‘I am certain that I did not touch the flesh’, his slaughtering is valid.

EXCEPT A DEAF-MUTE, AN IMBECILE OR A MINOR: whose slaughtering even in the case of common beasts, and even after the act is invalid, lest¹⁰ they pause, press or thrust.¹¹ [Now on this interpretation, when the Mishnah continues:] **AND IF ANY OF THESE SLAUGHTERED**, to which [persons] does this statement refer? If we were to say it refers to a deaf-mute, an imbecile or a minor, [in that case], having just now dealt with these, [the Tanna] should

have said: ‘And if they slaughtered’! And if it refers to an unclean person slaughtering a common beast,¹² surely you have said that he may slaughter even in the first instance! Or again, if it refers to an unclean person slaughtering a consecrated beast,¹² surely you have said that in his case it is sufficient if he said: ‘I am certain [that i did not touch the flesh]’! —

[It refers to the latter case] when he is not present to be questioned.¹³ But is the law concerning an unclean person slaughtering a consecrated beast derived from [our Mishnah] here? Is it not derived from [that other Mishnah] there¹⁴ which reads: If any of those who are unfit [for service in the Temple] slaughtered [a consecrated beast], the slaughtering is valid, for slaughtering is valid even if performed by them that are not priests or by women or by slaves or by unclean persons, and even if the beast was intended for a sacrifice of the highest grade;¹⁵ provided that the unclean person does not touch the flesh? —

Here [our Mishnah] is the source of the law; [the other Mishnah] there mentions the unclean person slaughtering consecrated animals only because it mentions all others who are unfit. If you wish, however, I can say. There is the source of the law, seeing that it is in the tractate which deals with consecrated things; [our Mishnah] here mentions the unclean person slaughtering consecrated beasts only because it mentions the unclean person slaughtering common beasts. This unclean person of whom we speak, how did he become unclean? If we were to say that he became unclean by touching a corpse, [there is this difficulty]. The Divine law says: One slain with a sword,¹⁶

(1) In the former case one who so vows is not liable to replace the animal if it is stolen or lost or has died, therefore if he has set aside the animal there is little fear that he will not fulfill his obligation; in the latter case the one who vows

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must supply an animal and is liable to replace it in all events, and there is therefore the danger of his not fulfilling his obligation. All vows of 'valuation' and of 'worth' come under this latter head; consequently the Mishnah quoted cannot possibly imply a right in the first instance.

(2) To dwell in booths during the feast of Tabernacles; v. Lev. XXIII, 42.

(3) The wearing of Fringes in accordance with Num. XV, 38ff.

(4) In these cases the Torah imposes a specific duty which can only mean in the first instance.

(5) Lev. I, 4.

(6) I.e., R. Ashi.

(7) Hullin, v. Glos.

(8) An Israelite was not required to observe the rules of Levitical cleanness in connection with his ordinary food.

(9) This would make the beast unclean and unfit for a sacrifice.

(10) By doing any of the acts mentioned the slaughtering is invalid.

(11) V. p. 37, where the five rules to be observed with regard to slaughtering are enumerated and explained.

(12) And the Mishnah teaches that if others were standing over him his slaughtering is valid.

(13) As to whether he touched the flesh or not. The Mishnah therefore teaches that if others were standing over him while he slaughtered and saw that he did not touch the flesh his slaughtering is valid.

(14) Zeb. 31b.

(15) קדשי קדשים e.g. a burnt-offering.

(16) Num. XIX, 16.

Cuthean.⁷ This applies only where an Israelite is standing over him; but if [an Israelite] is merely going in and out he may not slaughter. If, however, he did slaughter, one cuts off an olive's bulk of the flesh and gives it to him; if he ate it, others may also eat of his slaughtering; if he did not eat it, others may not eat of his slaughtering.⁹

EXCEPT A DEAF-MUTE, AN IMBECILE OR A MINOR: whose slaughtering, even after the act, is invalid, lest they pause, press or thrust.¹⁰ [Now on this interpretation, when the Mishnah continues:] **AND IF ANY OF THESE SLAUGHTERED**, to which persons does this statement refer? If we were to say it refers to a deaf-mute, an imbecile or a minor, [in that case], having just now dealt with these [the Tanna] should have said: 'And if they slaughtered!' And if it refers to a Cuthean, surely you have said that if an Israelite is standing over him he may slaughter in the first instance!¹¹ — This is a difficulty.

Said Raba, [But is it correct to state that], if an Israelite is going in and out [the Cuthean] has not the right [to slaughter] in the first instance? Have we not learnt: If one left a heathen in one's wine shop and an Israelite was going in and out [of the shop], the wine is permitted?¹² — Does it teach there 'one may leave'? It says: 'if one left', which is only a sanction after the act. You can, however, derive it from this [Mishnah]: There is no need for the supervisor to sit and watch the whole time; even if he keeps going in and out, [the wine] is permitted!¹³ Rather, said Raba, this is the interpretation of the Mishnah. **ALL MAY SLAUGHTER:** even a Cuthean. This applies only where an Israelite is going in and out [at the time]; but if [an Israelite] came and found that [the Cuthean] had slaughtered, one must cut off an olive's bulk of the flesh and give it to him; if he ate it, others may also eat of his slaughtering; if he did not eat it, others may not eat of his slaughtering.

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[signifying that] the sword has the same degree of uncleanness as the slain person.¹ The slaughterer therefore, being a primary source of uncleanness, would defile the knife, and the knife in turn would defile the flesh!² — It must be that he became unclean through contact with a [dead] reptile.³ If you wish, however, I can even say that he became unclean by touching a corpse, but he prepared⁴ a reed haulms and slaughtered therewith; for it has been taught: One may slaughter with any instrument, with a flint, with glass or with a reed haulm.⁶

Abaye said: This is the interpretation of the Mishnah. **ALL MAY SLAUGHTER:** even a

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EXCEPT A DEAF-MUTE, AN IMBECILE OR A MINOR: whose slaughtering, even after the act, is invalid, lest he pause, press or thrust. [Now on this interpretation, when the Mishnah continues:] **AND IF ANY OF THESE SLAUGHTERED,** to which persons does this statement refer? If we were to say it refers to a deaf-mute, an imbecile or a minor, [in that case], having just now dealt with these, [the Tanna] should have said: ‘And if they slaughtered’! And if it refers then to a Cuthean, surely you have said that though an Israelite is [merely] going in and out he may slaughter in the first instance!¹⁴ — This is a difficulty.

R. Ashi said: This is the interpretation of the Mishnah. **ALL MAY SLAUGHTER:** even an Israelite apostate.¹⁵ In what respect is he an apostate? — In that he eats carrion¹⁶ in order to satisfy his appetite.¹⁷ [This holds good], provided the requirement of Raba is fulfilled; for Raba said: In the case of an Israelite apostate who eats carrion in order that he may satisfy his appetite,

(1) The general principle is that unclean matter defiles anything which comes in contact with it, and that the thing so defiled becomes unclean in a lesser degree than that which defiled it. The interpretation of this verse, however establishes the exception that where a metal comes into contact with a corpse or with one who had touched a corpse the metal assumes the same degree of uncleanness as the corpse or the person who had touched the corpse, as the case may be.

(2) The knife would itself assume the same degree of uncleanness as the unclean person, and would thus be a primary source of uncleanness; the flesh touching the knife would then become unclean in the first degree.

(3) In this case the reptile is the primary source of uncleanness (אב הטומאה); the slaughterer by touching the reptile becomes unclean in the first degree (ראשון לטומאה) and cannot convey his uncleanness to the knife; for the rule is that anything which is unclean in the first degree can only defile foodstuffs or liquids but not other objects.

(4) Lit., ‘examined’, ‘tested’.

(5) This neither contracts nor conveys uncleanness.

(6) V. infra 15b.

(7) The Cutheans, often called Samaritans, were one of the peoples that were settled in Samaria by the Assyrian king after the exile of the ten tribes. They adopted certain Jewish practices particularly those based on the written word of the Torah. V.II Kings XVII, 24ff.

(8) The legal minimum to constitute ‘eating’.

(9) The argument is this: A Cuthean observes certain laws (including Shechitah) for himself but does not mind if he is the cause of others transgressing the laws, because he does not accept the prohibition: Thou shalt not put a stumbling block before the blind, Lev. XIX, 14, in its figurative sense but only in its literal meaning.

(10) V. supra p. 3, n. 6.

(11) Whereas the Mishnah declares the slaughtering valid only after the act.

(12) Cf. A.Z. 69a. There is no fear that the heathen handled the wine with an idolatrous intent or at all, and the wine is therefore permitted for use. It would follow therefore that in the case of Shechitah the Cuthean is to be trusted to slaughter in the first instance if there is an Israelite going in and out, in contradiction to Abaye's interpretation of our Mishnah.

(13) Cf. A.Z. 61a. This Mishnah clearly teaches that going in and out is sufficient supervision even in the first instance, which contradicts Abaye. V. previous note.

(14) Whereas our Mishnah on the latest interpretation demands for the valid slaughtering that an Israelite be standing over him the whole time, and even then it is valid only after the act.

(15) Mumar ‘an apostate’; hence generally, a non-conforming, non-observant Jew.

(16) Heb. גבלה; the meat of a dead animal that has not been ritually slaughtered.

(17) I.e., not in defiance of the law.

Chullin 3b

one prepares the knife and gives it to him, and then we may eat of his slaughtering. But if the knife was not prepared and given to him he may not slaughter.¹ If, however, he did slaughter, the knife should be examined now; if it is found to be satisfactory, we may eat of his slaughtering; otherwise we may not eat of his slaughtering.

EXCEPT A DEAF-MUTE, AN IMBECILE OR A MINOR: whose slaughtering, even after the act, is invalid, lest they pause, press or thrust. [Now on this interpretation, when the Mishnah continues:] **AND IF ANY OF**

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THESE SLAUGHTERED, to which persons does this statement refer? If we were to say it refers to a deaf-mute, an imbecile or a minor, [in that case], having just now dealt with these, [the Tanna] should have said: ‘And **IF THEY** slaughtered!’ And if it refers to an Israelite apostate, surely you have said that if a knife was prepared and given to him, he has the right to slaughter in the first instance! And if [on the other hand] a knife was not prepared for him, well then, if the knife is here it can be examined now, and if it is not here, what is the advantage if others were standing over him at the time? Perhaps he slaughtered with a notched knife!² This is a difficulty.

Rabina said: This is the interpretation of the Mishnah. **ALL MAY SLAUGHTER**: [that is to say], all who are qualified may slaughter, even though it is not known whether they are experienced or not: provided that we are satisfied that they are able to recite the rules of Shechitah.³ But if we do not know whether they are able to recite the rules of Shechitah, they may not slaughter; if, however, they did slaughter, they are to be examined now. If they are able to recite the rules of Shechitah, one may eat of their slaughtering; otherwise one may not eat of their slaughtering.

EXCEPT A DEAF-MUTE. AN IMBECILE OR A MINOR: whose slaughtering, even after the act,⁴ is invalid, lest they pause, press or thrust. Now on this interpretation, when the Mishnah continues] **AND IF ANY OF THESE SLAUGHTERED**. To which persons does this statement refer? If we were to say it refers to a deaf-mute, an imbecile or a minor, [in that case], having just now dealt with these, [the Tanna] should have said: ‘And if they slaughtered!’ And if it refers to those who are not qualified,⁵ surely you have said that it is sufficient if they are examined [after the slaughtering]! — [It must be] that they are not present to be examined. Some there are who say: Rabina said: This is the interpretation of the Mishnah. **ALL MAY**

SLAUGHTER: [that is to say], all who are experienced may slaughter, even though it is not known whether they are qualified or not. This applies only where they have slaughtered two or three times in our presence and were not overcome by faintness. But if they have not slaughtered two or three times in our presence, they may not slaughter, lest they are overcome by faintness. If, however, one of these did slaughter and said: ‘I am certain I was not overcome by faintness’, his slaughtering is valid.

EXCEPT A DEAF-MUTE, AN IMBECILE OR A MINOR: whose slaughtering, even after the act, is invalid, lest they pause, press or thrust. [Now on this interpretation, when the Mishnah continues:] **AND IF ANY OF THESE SLAUGHTERED**, to which persons does this statement refer? If we were to say it refers to a deaf-mute, an imbecile or a minor, [in that case], having just now dealt with these [the Tanna] should have said: ‘And if they slaughtered!’ And if it refers to those who are not experienced, surely you have said that in such cases it is sufficient if they said: ‘I am certain I was not overcome by faintness!’

[It must be] that they are not present to be questioned.⁶ Rabina and Rabbah b. Ulla do not interpret [the Mishnah] in the ways suggested by Abaye or by Raba or by R. Ashi, because the latter find a difficulty in interpreting the expression: **AND IF ANY OF THESE SLAUGHTERED**. All do not agree with Rabbah b. Ulla's interpretation, because, according to the one version which suggested that [our Mishnah] here is the source of the rule,⁷ on the contrary, [they say] that other [Mishnah] is the source of the rule, since it is in the tractate which deals with consecrated things; and according to the other version which suggested that the other [Mishnah] is the source of the rule but that [our Mishnah] here refers to the case of an unclean person slaughtering consecrated

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beasts merely incidentally because it deals with the case of an unclean person slaughtering a common beast,⁸ [they say], the case of an unclean man slaughtering a common beast was unnecessary [to be taught] because [the correct view is that] common things kept in the cleanness proper to hallowed things are not considered hallowed.

All do not agree with Rabina's interpretation, because, according to the one version which ruled that only those qualified may slaughter, but not those unqualified, [they hold the principle that] the majority of those who slaughter are qualified;⁹ and according to the other version which ruled that only those who are known to be experienced may slaughter but not those who are not so known, [they say] the danger of being overcome by faintness [in slaughtering] is too remote to be apprehended.

Raba does not agree with Abaye's interpretation because of the objection which he raised.¹⁰

Abaye does not agree with Raba's interpretation because, in that other case¹¹ the heathen is not handling [the wine],¹² while in our case the Cuthean is handling [the beast].¹³

R. Ashi does not agree with either of these interpretations because he holds the view that the Cutheans were lion-proselytes.¹⁴

Abaye does not agree with R. Ashi's interpretation because he does not accept Raba's statement.¹⁵ The question, however, remains: Why does not Raba interpret the Mishnah in accordance with his own statement?¹⁵ — Raba's interpretation merely follows up the argument of Abaye¹⁶ but he himself does not accept it.

Our Rabbis taught: The slaughtering by a Cuthean is valid. This applies only where an Israelite was standing over him [at the time];

but if he [the Israelite] came and found that the Cuthean had already slaughtered, he cuts off an olive's bulk of the flesh and gives it to him; if he ate it, then we may eat of his slaughtering; if he did not, then we may not eat of his slaughtering. And so, too, if [the Israelite] found in the possession of a Cuthean

(1) It is assumed that a non-observant Jew (as defined) would slaughter according to ritual if a knife was prepared and given to him, but he himself would not take the trouble to prepare it.

(2) Which would invalidate the Shechitah, v. infra 15b.

(3) שחחיטה; the ritual method of slaughtering an animal.

(4) And even if they know the rules of Shechitah.

(5) The words 'not qualified', אין מומחין throughout this page refer to those of whom it is not known whether they are able to recite the rules of Shechitah or not. If they are absolutely unqualified their slaughtering is invalid even after the act (Tosaf.).

(6) Whether they were overcome by faintness in slaughtering or not.

(7) That an unclean person may slaughter a consecrated beast.

(8) That is a common beast prepared under conditions proper to hallowed things.

(9) It is therefore unnecessary to examine the slaughterer. Lit., 'the majority of those who are found (engaged) at slaughtering'. V. Rashi on this statement, infra 22a.

(10) V. supra 3a.

(11) The statement quoted from A.Z. 61a. V. supra 3a.

(12) Therefore going in and out is considered sufficient supervision.

(13) Therefore going in and out is hot sufficient.

(14) Who were driven to conversion through fear of lions, v. II Kings XVII 24-29, and were therefore considered non-Jews.

(15) Which was the basis of R. Ashi's interpretation. V. supra 3a.

(16) Who did not agree with Raba's ruling in regard to a non-observant Israelite, and consequently had to interpret the Mishnah as dealing with a Cuthean.

Chullin 4a

baskets of [slaughtered] birds, he cuts off the head of one of the birds and gives to him; if he ate it, then we may eat of his slaughtering;

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if he did not, then we may not eat of his slaughtering.

Now Abaye emphasizes the first part of this statement, whereas Raba emphasizes the second part of the statement.¹ Abaye emphasizes the first part of the statement, [viz.] the reason [why the slaughtering of a Cuthean is valid is] that ‘an Israelite was standing over him at the time’, which implies that if the Israelite was merely going in and out it is not sufficient.

Raba, on the other hand, emphasizes the second part of this statement, viz, the reason [why the prescribed test is necessary is] because ‘he came and found that [the Cuthean] had slaughtered’, which implies that if the Israelite was going in and out at the time it is in order.² Now according to Abaye, is not the second clause difficult to explain?³

Abaye will tell you. A person going in and out can also be described as one who came and found that he had slaughtered. And according to Raba, is not the first clause difficult to explain?⁴ —

Raba will say. A person going in and out is regarded as one who is standing over him. ‘And so, too, if [the Israelite] found in the possession of a Cuthean baskets of slaughtered birds, he cuts off the head of one of the birds, etc.’. Is this a sufficient test? Perhaps it was only this one bird that he slaughtered properly? —

R. Manasseh said, (Mnemonic: *putting a knife on rams*.)⁵ This is a case where [the Israelite] put the basket under the lap of his garments [and took out a bird at random]. But perhaps the Cuthean had made a sign on the bird [by which he recognized it]? —

R. Merharsheya said: It is a case where [the Israelite] has crushed the bird.⁶ But may it not be that the Cutheans maintain that birds

do not require Shechitah according to the law of the Torah?⁷ — If you use this argument [you might ask:] Are the rules against pausing, pressing, thrusting, deflecting and tearing,⁸ specifically written [in the Torah]? What you must therefore admit, is that, since they have adopted these rules, they certainly observe them;⁹ so in our case, too, since they have adopted [Shechitah for birds], they certainly observe it. Now, as to the observance or non-observance [by the Cutheans] of adopted unwritten customs, there are differences of opinion among Tannaim;¹⁰ for it has been taught: The unleavened bread of a Cuthean may be eaten [on Passover] and an Israelite fulfils his obligation by eating of it on the [first night of] Passover.¹¹

R. Eliezer says. It may not be eaten, because they are not versed in the details of the precepts like an Israelite.

R. Simeon b. Gamaliel says, Whatever precept the Cutheans have adopted, they are very strict in the observance thereof, more so than Israelites.

The Master said: ‘The unleavened bread of a Cuthean may be eaten, and an Israelite fulfils his obligation by eating of it on the [first night of] Passover’. Is not this obvious?¹² — [No.] You might say that they are not versed in the regulation of careful supervision;¹³ he, therefore, teaches you [that an Israelite fulfils his obligation by eating of it.]

‘R. Eliezer says, It may not be eaten, because they are not versed in the details of the precepts like an Israelite’; for he is of the opinion that they are not versed in [the regulation of] supervision.¹⁴

‘R. Simeon b. Gamaliel says: Whatever law the Cutheans have adopted, they are very strict in the observance thereof, more so than Israelites’. Is not this view the same as that of the first Tanna?¹⁵ — There is this difference

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between them, namely: A law which is written in the Torah but it is not known whether the Cutheans have adopted it. The first Tanna is of the opinion that, since it is a written law, even though we do not know whether they have adopted it, [we can rely upon them]. R. Simeon b. Gamaliel holds the view that only if they have adopted it can they be relied upon, but not otherwise. If this is so, why does R. Simeon b. Gamaliel say: 'Whatever precept the Cutheans have adopted'? He should say: 'If they have adopted it'.¹⁶ This, rather, is the real difference between them, namely: An unwritten law which has been adopted by them.¹⁷ The first Tanna is of the opinion that, since it is an unwritten law, even though they have adopted it, they do not [observe it]; R. Simeon b. Gamaliel holds the view that, since they have adopted it, they observe it. The [above] text [stated]:¹⁸ 'Raba said: In the case of an Israelite apostate who eats carrion in order to satisfy his appetite, one prepares the knife and gives it to him, and then we may eat of his slaughtering'. What is the reason for this?—

Because, since there is the possibility of permissible and forbidden [food]¹⁹ he would not leave what is permitted and eat what is forbidden. If so, [should we not argue in like manner] even where a knife is not prepared for him? — No, for he would not go to any trouble.²⁰ Said the Rabbis to Raba. There is [a Baraitha] taught that supports your view, viz: The leavened bread²¹ of transgressors²² is, immediately after the Passover,

(1) I.e., Abaye who supra 3a does not permit a Cuthean to slaughter in the first instance where the Israelite was merely going in and out, and Raba who does permit it, both find support for their respective views in the Baraitha cited.

(2) Without the need of a further test.

(3) For the second clause implies that if the Israelite were going in and out at the time, the slaughtering would be valid without the necessity of administering the olive's bulk of flesh.

(4) For the first clause implies that if the Israelite were not standing by, but merely going in and out,

the slaughtering would not be valid unless the Cuthean ate of the flesh.

(5) A mnemonic of the three laws taught by R. Manasseh in this Tractate. 'Putting' refers to the law dealt with here: 'where the Israelite put the basket... ' 'Knife' v. infra 31a. 'Rams' v. infra 51a.

(6) Thus obliterating any distinguishing sign that may have been on it.

(7) For the verse: Then thou shalt slaughter of thy herd and of thy flock... as I have commanded thee, Deut. XII 21, does not specifically mention birds.

(8) For the meaning of these five technical terms vide infra 9a and the notes.

(9) And we may rely upon them.

(10) Plural of Tanna.

(11) During the festival of Passover an Israelite must abstain from eating anything which is leavened, whereas on the first night of the festival there is an obligation to eat Mazzah, or unleavened bread, which has been carefully supervised

and specially prepared for the festival, v. Pes. 400.

(12) Since it is permitted to be eaten, surely he thereby fulfils his obligation!

(13) And therefore one does not fulfill one's obligation by eating this Mazzah, even though it is unleavened.

(14) I.e., to guard the dough against becoming leavened. Var. lec., they are not well versed in (what constitutes) leaven. V. Rashi.

(15) For both Rabbis are of the opinion that it may be eaten.

(16) The expression 'Whatever law' includes even unwritten laws; for if it refers to written laws only, then R. Simeon b. Gamaliel, controverting the decision of the first Tanna, who specifically deals with a written law, namely, Mazzah, should have said: 'If they have adopted it they are reliable'.

(17) E.g. the law relating to Shechitah.

(18) Supra p. 7.

(19) For it is at his disposal to slaughter according to ritual.

(20) To prepare the knife.

(21) Heb, חֶמֶץ Hamez, leavened bread, or any other matter containing leavened substance.

(22) Those who do not destroy all leavened bread before the Passover, according to prescribed law (Exod. XII, 15), because of the loss it entails.

Chullin 4b

permitted [to be eaten], because they exchange it [for non-Jewish bread].¹ Now, it was thought, that the author of this Baraitha was R. Judah, who holds that leavened bread which has remained over Passover is

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forbidden by Biblical law,² and yet the Baraitha says: It is permitted because they exchange it; thus one can prove the principle that a person would not leave what is permitted and eat what is forbidden. Is this really so? Perhaps the author [of the Baraitha] is R. Simeon, who holds that leavened bread which has remained over Passover is forbidden only by Rabbinic law,² and therefore it is only in connection with Rabbinic laws that a lenient view is taken, but not in connection with Biblical laws?³ —

Be it so, that the author is R. Simeon; but does [the Baraitha] say: Because I assume that they exchange it? It says: Because they exchange it,¹ .e, they certainly exchange it. It follows, therefore, that if in connection with Rabbinic laws [we say] a person would not leave what is permitted and eat what is forbidden, how much more so in connection with Biblical laws!⁴ Can we say that the following [Baraitha] supports Raba's view? [For it was taught:] 'All may slaughter, even a Cuthean, even an uncircumcised Israelite, even an Israelite apostate'. Now, what is meant by an uncircumcised Israelite? Shall I say it is one whose brothers have died as a result of circumcision? Surely such a one is a good Israelite!⁵ Clearly, then, it can only mean one who is opposed to the law of circumcision; and the Tanna is of the opinion that one who is opposed to one law is not regarded as one opposed to the whole Torah. Let us now read the last statement: 'Even an Israelite apostate'. What is meant by an Israelite apostate? If it means one who is opposed to one particular law, then it is identical with [our interpretation of] an uncircumcised Israelite'.⁶ It can only mean one who is opposed to this particular practice [Shechitah, and yet he is permitted to slaughter,] thus supporting Raba's view! —

It is not so. Indeed, it might be said that one who is opposed to this particular practice [Shechitah] may not [slaughter], because since he constantly disregards it⁷ he deems it

legitimate;⁸ but [by 'Israelite apostate is meant] one who is an apostate in respect of idolatry, and the view expressed is in accordance with the view of R. 'Anan, who said in the name of Samuel: In the case of an Israelite who is an apostate in respect of idolatry, we may eat of his slaughtering. The text [above stated]: 'R. 'Anan said in the name of Samuel, 'In the case of an Israelite apostate in respect of idolatry, we may eat of his slaughtering'; for so we find it written concerning Jehoshaphat, king of Judah, that he partook of the feast of Ahab,⁹ as it is written: And Ahab slaughtered sheep and oxen for him in abundance, and for the people that were with him, and persuaded him to go up with him to Ramoth-gilead.¹⁰ But is it not possible that Ahab slaughtered but Jehoshaphat did not eat? —

It reads: And he persuaded him. Perhaps he persuaded him with words? — Persuasion [in Scripture] never means with words. Is this so? Is it not written: If thy brother persuade thee?¹¹ — This verse also means, by eating and drinking. But is it not written: And thou didst persuade Me to destroy him without cause?¹² With reference to the Most High it is different.¹³ But is it not possible that he drank [wine] and did not eat [meat]? — But why distinguish and say that drinking [the wine is permitted]? Because you hold the view that one who is an apostate in respect of idolatry is not regarded as opposed to the whole Torah. The same then holds good with regard to eating [meat], for one that is an apostate in respect of idolatry is not regarded as opposed to the whole Torah? —

How can you compare the two! With regard to drinking, the only ground for its prohibition is the law concerning the ordinary wine of gentiles,¹⁴ and at that period¹⁵ the ordinary wine of gentiles was not prohibited; but with regard to eating. I maintain that one that is an apostate in respect of idolatry is regarded as opposed to the whole Torah. — If you wish I can answer:

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It is not the custom of kings to drink without eating; and if you wish I can answer: It reads: And he slaughtered... and persuaded him,¹⁶ which suggests: How did he persuade him? By giving him to eat of what he had slaughtered. But perhaps it was Obadiah¹⁷ who slaughtered the animals! —

It reads: In abundance;¹⁶ Obadiah could not have managed it all by himself. Perhaps the seven thousand [righteous men] slaughtered, for it is written: Yet will I leave seven thousand in Israel, all the knees which have not bowed unto Baal!¹⁸ — These were in hiding because of Jezebel. But perhaps the servants of Ahab were righteous! —

You cannot assume such a thing, for it is written: If a ruler hearkeneth to falsehood, all his servants are wicked.¹⁹ But perhaps the servants of Jehoshaphat too were not righteous; therefore, that which was slaughtered by Ahab's men was eaten by Jehoshaphat's men, but that which was slaughtered by Obadiah was eaten by Jehoshaphat! —

You cannot assume such a thing, for 'if a ruler hearkeneth to falsehood all his servants are wicked', it follows that if a ruler hearkeneth to the truth all his servants are righteous. But perhaps that which was slaughtered by Ahab's servants was eaten by Ahab and his men, but that which was slaughtered by Jehoshaphat's servants was eaten by Jehoshaphat and his men! —

(1) And the leavened bread of non-Jews which remained over Passover is permitted to be eaten immediately after Passover, v. Pes. 28a. However, the transgressor himself, who made the exchange, may not eat it; for otherwise, the law forbidding any benefit to be derived from the Hamez of a Jew which has remained over Passover can be circumvented by exchanging it for the Hamez of non-Jews.

(2) V. Pes. 28aff for the dispute between R. Judah and R. Simeon.

(3) E.g., the law of nebelah, Deut. XIV, 21.

(4) For a prohibition specifically enacted in the Torah would be more strictly observed by the

Cutheans than a Rabbinic law. The result is that Raba's view is supported by the Baraita quoted whether the author of it is R. Judah or R. Simeon.

(5) One whose two brothers have died because of circumcision is not to be circumcised because of the danger to his life; he is, however, considered a good Jew.

(6) Which was interpreted to mean one who is opposed to the law of circumcision.

(7) Lit., 'to trample it', hence to treat with contempt.

(8) Therefore one cannot apply to him the principle: 'He would not leave what is permitted and eat what is forbidden', for to him an animal which has not been slaughtered according to ritual is still permitted.

(9) Ahab was an apostate in respect of idolatry and yet Jehoshaphat ate of his slaughtering.

(10) II Chron. XVIII, 2.

(11) Deut. XIII, 7.

(12) Job II, 3.

(13) In which case persuasion by eating and drinking is inapplicable.

(14) The ordinary wine of gentiles, about which it is not known whether it has been used for idolatrous purposes or not, was prohibited by the disciples of Shammai and Hillel in the first century C.E.

(15) Of Ahab and Jehoshaphat.

(16) II Chron. XVIII, 2.

(17) The God-fearing servant of Ahab, v. I Kings XVIII, 3.

(18) Ibid. XIX, 18.

(19) Prov. XXIX, 12.

Chullin 5a

Jehoshaphat would not have kept himself aloof.¹ How do you know this? Shall I say because it is written: I am as thou art, my people as thy people?² If so, can [the following words]. 'My horses as thy horses', bear such a meaning?³ You must therefore say that the meaning of the last phrase is: Whatever [burden] shall be on thy horses shall be on my horses;⁴ then the first phrase too might mean: Whatever [burden] shall be upon thyself and upon thy men shall be upon myself and upon my men! —

Rather its is derived from this verse: Now the king of Israel and Jehoshaphat king of Judah sat each on his throne, arrayed in their robes, in a threshing floor, at the entrance of the

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gate of Samaria.⁶ Now, what is meant by 'threshing-floor'? Shall I say it is to be taken literally? But surely the entrance of the gate of Samaria was not a threshing-floor! It can only mean [that they sat together] as in the 'threshing floor' [the court room],⁷ for we learnt: The Sanhedrin sat in the form of a semi-circular threshing-floor so that they might see one another.⁸ Can we say that the following supports his [R. 'Anan's] view? It is written: And the ravens brought him⁹ bread and flesh in the morning, and bread and flesh in the evening,¹⁰ and Rab Judah explained this in the name of Rab that [the ravens brought the flesh] from Ahab's slaughterers!¹¹ —

Being a Divine command it is different.¹² What is meant by 'the ravens' [Orebim]? — Rabina said: It means actually ravens. R. Ada b. Manyomi, however, suggested to him: May it not mean two men whose names were Oreb, as we find it written: And they slew Oreb at the rock of Oreb, and Zeeb?¹³ — He replied. Could it have happened that both were named Oreb? But perhaps they were so named after the town in which they lived? Just as it is written: And the Arameans had gone out in bands and had brought away captive out of the land of Israel a little maid.¹⁴ Now the difficulty was pointed out; [first] the verse refers to this girl as a maid [na'arah]¹⁵ and then as little [ketannah],¹⁶ and R. Pedath explained this to mean a little girl from the town of Na'aran!¹⁷ —

If so, the verse should read Orebiim.¹⁸ Can we say that the following supports his [R. 'Anan's] view? [For it was taught:] All may slaughter, even a Cuthean, even an uncircumcised Israelite, even an Israelite apostate.¹⁹ Now, what is meant by an uncircumcised Israelite? Shall I say, it is one whose brothers have died as a result of circumcision? Surely such a one is a good Israelite! Clearly, then, it can only mean one who is opposed to the law of circumcision. Let us now read the last statement: 'Even an

Israelite apostate'. What is meant by an Israelite apostate? Shall I say it means one who is opposed to one particular law, then is not this the same as [the case of] an uncircumcised Israelite? Hence it can only mean one who is an apostate in respect of idolatry [and yet he may slaughter] , thus supporting R. 'Anan's view! —

No. I 'might still maintain that an apostate in respect of idolatry may not [slaughter], for it has been said,²⁰ Grave is idolatry in that he who denies it is as if he accepts the whole Torah;²¹ and by 'Israelite apostate' is meant one who is opposed to this particular practice [of shechitah]; [and yet such a one may slaughter] in accordance with Raba's view.²² An objection was raised: [It is written]. Of you,²³ but not all of you,²⁴ thus excluding an apostate. Of you, that is, among you [Israelites] does this distinction apply but not among other nations.²⁵ 'Of the cattle' includes persons who are [devoid of merit] like animals; hence [the Rabbis] have declared: One should accept sacrifices from the transgressors in Israel, so that they may be inclined to repent, but not from an Israelite apostate, or from one who offers a wine libation [to idols], or from one who profanes the Sabbath publicly. Now this [Baraitha] is self-contradictory. It says. 'Of you, but not all of you, thus excluding an apostate'; and then it says: 'One may accept sacrifices from the transgressors in Israel!' —

This is no difficulty. The former statement refers to one who is opposed to the whole Torah,²⁶ while the latter statement refers to one who is opposed to one particular law. Consider now the last statement of the Baraitha: 'But not from an Israelite apostate, or from one who offers a wine libation [to idols], or from one who profanes the Sabbath publicly'. What is meant by apostate in this statement? If it means one who is opposed to the whole Torah, then it is identical with the first statement;²⁷ and if it means one who is

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opposed to one particular law, then it is inconsistent with the middle statement. Of necessity this must be the meaning of the last statement: But not from an Israelite apostate for offering a wine libation [to idols] or for profaning the Sabbath publicly. This proves that one who is an apostate in respect of idolatry is regarded as opposed to the whole Torah; consequently R. 'Anan's opinion is refuted. This is a conclusive refutation. But is this rule²⁸ derived from the above? Surely it is derived from the following statement, which was taught:²⁹

- (1) By having his own men slaughter for him; for this would give rise to mistrust in the mind of Ahab. Nevertheless Jehoshaphat would not have eaten of Ahab's slaughtering had he been in doubt as to Ahab's observance of the law of Shechitah.
- (2) I Kings XXII, 4. This verse suggests that the followers of the one king were as reliable in religious matters as the followers of the other king.
- (3) It is surely impossible for these words to have any religious significance.
- (4) Meaning: We shall bear the burden equally in the battle.
- (5) That Jehoshaphat regarded Ahab as reliable in religious matters even though the latter served idols.
- (6) I Kings XXII, 20.
- (7) I.e., just as among the Sanhedrin there was trust and friendship between one another so also between Jehoshaphat and Ahab.
- (8) V. Sanh. 36b (Sonc. ed.) p. 230, n. 10.
- (9) I.e., Elijah.
- (10) I Kings XVII, 6.
- (11) Thus proving that the meat slaughtered by Ahab's men, though idolaters, was permitted.
- (12) It may have been forbidden food, but God permitted it on that occasion. There is therefore no support from this verse for R. 'Anan's view.
- (13) Judg. VII, 25, hence we find a person named Oreb,
- (14) II Kings V. 2. Heb. נַעֲרָה קַטְנָה.
- (15) I.e., a girl over the age of twelve years and one day.
- (16) I.e., a girl under the age of twelve years and one day.
- (17) V. I Chron. VII, 28. Thus showing that people were called after the name of the town in which they lived.
- (18) Which would mean: Inhabitants of the town of Oreb.
- (19) V. supra p. 14.

- (20) V. Sheb. 29a (Sonc. ed.) p. 160, n. 9.
- (21) And conversely, he who accepts it denies the whole Torah.
- (22) Supra p. 13.
- (23) Lev. I, 2: When any man of you bringeth an offering unto the Lord, ye shall bring your offering of the cattle.
- (24) 'Of' has a partitive meaning, i.e., some of you but not all.
- (25) From other nations all may bring offerings to the Temple.
- (26) Therefore he is precluded from offering sacrifices.
- (27) Why should it be repeated?
- (28) Of not accepting sacrifices from apostates.
- (29) V. Hor. 11a (Sonc. ed.) p. 78.

Chullin 5b

Of the common people¹ excludes an apostate.² R. Simon b. Jose said in the name of R. Simeon: The verse: And doeth through error any of the things which the Lord his God hath commanded not to be done, and is guilty,³ implies that only he who repents when he becomes conscious of his sin brings a sacrifice⁴ for his error, but he who does not repent on becoming conscious of his sin does not bring a sacrifice for his error. And it was asked: What practical difference is there between them?⁵ And R. Hamnuna replied: The difference between them lies in the case of one who, being an apostate in respect of the eating of forbidden fat, brings a sacrifice for having eaten blood [in error]!⁶ —

[The rule is derived from both passages], but one⁷ speaks of the sin-offering, while the other of the burnt offering;⁸ and both are required. For if it were taught only in respect of a sin-offering, it would have been argued that the reason why he [the apostate] is precluded is because a sin-offering is brought for an atonement,⁹ but a burnt-offering, being in the nature of a gift [to the Lord], we might say should be accepted from him. And on the other hand, if it were taught only in respect of a burnt-offering, it would have been argued that the reason why he is precluded is because there is no obligation on his part to offer it, but a sin-offering, being

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obligatory, we might say should be accepted from him. [Therefore both statements] are required. But is it a general rule that whenever Scripture uses ‘cattle’¹⁰ it implies contempt? But is it not written: Man and cattle. Thou preservest, O Lord,¹¹ and Rab Judah said in the name of Rab: This verse refers to those who are wise in understanding and conduct themselves humbly like cattle? —

There is this difference; in the latter verse it reads: ‘Man and cattle’, but in our text it says, cattle by itself. But is it a general rule that whenever Scripture uses ‘Man and cattle’ it implies merit? But is it not written: And I will sow the house of Israel and the house of Judah with the seed of man and with the seed of cattle?¹² — In this latter case Scripture clearly distinguishes between the two, referring to the seed of man separately and to the seed of cattle separately.

(Mnemonic: *Niklaf[P]*).¹³

R. Hanan reported in the name of R. Jacob b. Idi, who reported in the name of R. Joshua b. Levi, who reported in the name of Bar Kappara, as follows: R. Gamaliel and his Court took a vote concerning the slaughtering by a Cuthean, and declared it invalid. Thereupon R. Zera suggested to R. Jacob b. Idi: May it not be that my Master heard this ruling only in the case where no Israelite was standing over him? — He retorted: This student is as one who has never studied the law!¹⁴ Where no Israelite was standing over him is it necessary to rule [that it is invalid]. Now, the question arises: Did R. Zera accept [the retort]¹⁵ or not? —

Come and hear: R. Nahman b. Isaac reported in the name of R. Assi as follows: I saw R. Johanan eating the flesh of an animal slaughtered by a Cuthean. Even R. Assi ate of the flesh of an animal slaughtered by a Cuthean. Now R. Zera was astonished at this. Could it be that they¹⁶ had not heard of this

ruling [of the Court of R. Gamaliel], but had they heard of it they would have abided by it; or did they know of it but did not accept it? In the end R. Zera came to the conclusion: It is reasonable to suppose that they knew of it but did not accept it; for if you were to say that they had not heard of it, but had they known of it they would have accepted it, it is difficult [to understand] how it should come about that such righteous men should eat something forbidden. If the Holy One, Blessed be He, would not permit the beast of the righteous to sin in error.¹⁷ how much less the righteous themselves!

(1) Lev. IV, 27. The context of this verse is: And if anyone of the common people sinned through error... 28. Then he shall bring for his offering a goat.

(2) From whom no sin-offering may be accepted.

(3) Lev. IV, 22.

(4) I.e., a sin-offering.

(5) I.e., between the first Tanna and R. Simeon. According to either view, one who is rebellious or opposed to the laws of the Torah is precluded from offering a sacrifice.

(6) According to the first Tanna his sacrifice is not accepted because he is an apostate, whereas according to R. Simeon's view it is, for he is not an apostate in respect of that particular law for which he is bringing his sacrifice. It is clear, however, that the rule precluding an apostate from offering sacrifices is derived from the verse quoted in this Baraita and not from the verse quoted above ‘Of you’.

(7) I.e., the second Baraita which derived the rule from the phrase ‘of the common people’.

(8) A sin-offering was an obligatory sacrifice to be brought whenever certain sins were committed; a burnt-offering was brought voluntarily as a gift to the Lord.

(9) And an apostate is not worthy of atonement since he would sin again and again.

(10) The Gemara now deals with the statement quoted above: ‘Of the cattle’ includes such persons who are devoid of merit like animals.

(11) Ps. XXXVI, 7.

(12) Jer. XXXI, 27. V. Sot. 22a. The seed of man is explained as referring to the righteous, and the seed of cattle as referring to the ignorant common people.

(13) Lit., ‘peeled’. A mnemonic of the characteristic letters of the respective Rabbis in

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whose names the statement is reported. N = Hanan, K = Jacob, L = Levi, FP = Kappara.

(14) Aliter: This student thinks that men do not study the law.

(15) Of R. Jacob b. Idi (that it is forbidden to eat of the Cuthean's slaughtering even if an Israelite stands over him) and abide by it.

(16) R. Johanan and R. Assi.

(17) V. infra p. 28.

Chullin 6a

Now, if you say that R. Zera did not accept [the retort of R. Jacob b. Idi], then he could have answered his query thus: In the one case there was an Israelite standing over [the Cuthean]¹ but in the other case there was not.² You must therefore say that R. Zera accepted [the retort]. It stands proved. For what reason did the Rabbis proscribe them? —

Because of the following incident. R. Simeon b. Eleazar was sent by R. Meir to fetch some wine from among the Cutheans. He was met by a certain old man who said to him. Put a knife to thy throat, if thou be a man given to appetite.³ Whereupon R. Simeon b. Eleazar returned and reported the matter to R. Meir who thereupon proscribed them. Why? —

R. Nahman b. Isaac explained: Because they⁴ found a figure of a dove on the top of Mount Gerizim and they worshipped it;⁵ R. Meir therefore, consistent with his principle that the minority must be taken into consideration,⁶ proscribed all Cutheans⁷ because of this minority, and R. Gamaliel and his Court also held this principle. What is the plain meaning of the above quoted text? —

It refers to a pupil sitting before his master. For R. Hiyya taught: When thou sittest to eat with a ruler, consider well him that is before thee. And put a knife to thy throat, if thou be a man given to an appetite.⁸ If the pupil knows that the master is capable of answering the question, then he may ask it; otherwise... Consider well him that is before

thee. And put a knife to thy throat, if thou be a man given to appetite, and leave him.⁹

R. Isaac b. Joseph was sent by R. Abbahu to fetch some wine from among the Cutheans. He was met by a certain old man who said to him: 'There are none here that observe the Torah'. R. Isaac went and reported the matter to R. Abbahu who reported it to R. Ammi and R. Assi; the latter forthwith¹⁰ declared the Cutheans to be absolute heathens. In what respect [were they declared absolute heathens]? If in respect of their slaughtering [that it is invalid] and in respect of their wine [that it is] idolatrous, had not the Rabbis proscribed them [in these matters] from that [former incident]?¹¹ —

The Rabbis had previously proscribed them but their decree was not accepted; R. Ammi and R. Assi came now and proscribed them and their decree was accepted.¹² What was meant by declaring them absolute heathens? —

Said R. Nahman b. Isaac: It meant that they have no longer the power to renounce or to transfer ownership.¹³ For it has been taught:¹⁴ An Israelite apostate who publicly¹⁵ observes the Sabbath may renounce and transfer his ownership, but if he does not observe the Sabbath publicly he may not renounce and transfer his ownership, because the Rabbis said: An Israelite may transfer or renounce his ownership, whereas with a heathen this can only be done by renting [his property].¹⁶ In what way [is ownership renounced]? One [Israelite] can say to another [Israelite]. 'My ownership is acquired by you', or, 'My ownership is renounced in your favor', and the latter has thereby acquired [the property] without the necessity of a formal acquisition.¹⁷

R. Zera and R. Assi happened to come to the inn of Yai. They were served with roasted eggs beaten up in wine. R. Zera did not eat it; R. Assi did. R. Zera asked R. Assi, 'Master,

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are you not concerned about the admixture of demai'?¹⁸ He replied: 'I did not think of it'. Can it be, thought R. Zera, that the Rabbis have prohibited demai in a mixed state and that it should come about that R. Assi should eat prohibited food? Surely, if the Holy One, Blessed be He, would not permit the beast of the righteous to sin in error, how much less the righteous themselves! R. Zera thereupon went out, looked into the matter and found [the law].¹⁹ For it was taught:²⁰ If one buys wine in order to pour it into muries²¹ or into alontith,²² or beans to make into grist, or lentils to make into groats, he must [tithe them], if they are demai;²³ it is needless to say so if they were certainly untithed. The mixtures themselves,²⁴ however, may be eaten [without tithing], because they are in a mixed state. But did the Rabbis, then, not prohibit demai in a mixed state? Has it not been taught: If a man gives to his neighbor's wife²⁵ dough to be baked, or a dish to be cooked, [and also provides her with leaven and spices,] he need have no fear that the leaven and the spices used are Seventh Year produce or are untithed;²⁶ if, however, he said to her, 'Make it with your own [ingredients]', he must suspect that the leaven and spices used are Seventh Year produce or untithed?²⁷ —

This last case is different for this reason: since he said to her, 'Make it with your own [ingredients]', it is as though he actually mixed it himself.²⁸ Rafram said: It is different with leaven and spices, since they are used primarily for seasoning, and seasoning never loses its distinctiveness.²⁹ But do we not suspect an exchange?³⁰ Have we not learnt:³¹ If a man gives to his mother-in-law [dough to be baked], he must tithe what he gives to her and what he takes from her,³² because she is suspected of changing it if it is spoilt? — In this case the reason [for her changing it] is added, viz., R. Judah says. Because she desires the welfare of her daughter and feels shamed for her son-in-law.³³

- (1) In the case of R. Johanan and of R. Assi.
- (2) For that was the ruling of the Court of R. Gamaliel.
- (3) Prov. XXIII, 2. Meaning thereby: If you are an observing Jew abstain from using their wine.
- (4) Those Cutheans living near Mount Gerizim.
- (5) Aliter: They (the Rabbis) found among them a figure of a dove... which they worshipped.
- (6) V. Yeb. 61b.
- (7) Even those who do not reside by Mount Gerizim.
- (8) Prov. XXIII, I, 2.
- (9) I.e., if you are athirst for knowledge seek for yourself another teacher, but do not put your teacher to shame.
- (10) Lit., 'they did not move from there until they declared, etc.'
- (11) R. Meir had prohibited their wine and R. Gamaliel and his Court their slaughtering.
- (12) It is not to be inferred that R. Ammi and R. Assi were greater than the earlier Rabbis. Rashi explains that in the days of these earlier Rabbis there was much intercourse with the Cutheans and it would have been a hardship for the people to have accepted their decree, while in the days of R. Ammi and R. Assi it was possible to enforce the restrictions.
- (13) It was a Rabbinic institution for each of the residents of a block of tenements to which was attached a common courtyard to contribute before the Sabbath a portion of food towards a common dish, the food being then deposited in one of the tenements. By this act all the tenements were regarded as one common dwelling, and it was thus permitted to carry objects on the Sabbath from one tenement to another and across the courtyard. This is known as עירובי חצירות. If a resident forgot to contribute his portion, he had the remedy of renouncing on the Sabbath the ownership of his tenement in favor of the other residents. Such a course was only open to a Jew.
- (14) V. 'Er. 69b.
- (15) Lit., 'in the market'.
- (16) And this could not be done on the Sabbath day.
- (17) I.e., a kinyan, V. Glos.
- (18) גמאי. Fruits and produce bought from an 'am ha-ares in respect of which there is a doubt whether the proper tithes have been taken. The demai in this case was the wine, but it was mixed with the roasted eggs and other ingredients.
- (19) Namely, that demai in a mixed state is not forbidden.
- (20) So Marginal Gloss. Cur. edd.: We learnt.
- (21) A pickle containing fish-hash and wine.
- (22) V. A.Z. 30a. A mixture of old wine, clear water and balsam, used as a cooling drink in the bath-house.

CHULLIN – 2a-30b

- (23) I.e., if bought from an 'am ha-ares. V. Glos.
(24) I.e., if one bought from an 'am ha-ares the mixture ready prepared.
(25) The wife of an 'am ha-ares.
(26) We do not suspect that she has exchanged the leaven and the spices given to her for her own, which may be Seventh Year produce or untithed. The produce of a field cultivated in the Seventh or Sabbatical Year was prohibited. V. Lev. XXV, 2ff.
(27) And he must tithe it, although it is in a mixed state.
(28) For the law regards him as having acquired the leaven and the spices before they were put into the mixture, therefore he must tithe it.
(29) Even in a mixture, and therefore he must tithe it.
(30) I.e., that she may have substituted her own ingredients for those given to her.
(31) Demai III, 6.
(32) For not only must he abstain from eating demai himself but he must avoid causing others to eat it.
(33) Normally a person is not suspected of exchanging, for, in the absence of any justifying circumstances, that would constitute stealing. A mother-in-law might well be tempted to make the exchange for the reason given by R. Judah.

Chullin 6b

In all other cases, then, do we not suspect [an exchange]? Have we not learnt: If a man gives to his landlady [dough to be baked], he must tithe what he gives to her and what he takes from her, because she is suspected of changing it?¹ —

In this case, too, she justifies herself by saying. Let the young student rather eat the fresh and I will eat the stale.² But [otherwise], do we not suspect an exchange? Surely it has been taught: The wife of a haber³ may assist the wife of an 'am ha-arez³ in grinding corn only when she⁴ is in a state of uncleanness,⁵ but not when she is in a clean state.⁶ R. Simeon b. Eleazar says. Even when she is in a state of uncleanness she may not assist in grinding, because the other would offer her some corn to eat. Now, if it is said that the wife of an 'am ha-ares is ready to steal [from her husband],⁷ surely she is to be suspected of making an exchange! —

In this case, too, she justifies herself by saying. The ox has a right to eat of what he threshes. R. Joshua b. Zeruz, the son of R. Meir's father-in-law, testified before Rabbi that R. Meir ate a leaf of a vegetable in Bethsheans [without tithing it]; on this testimony, therefore, Rabbi permitted the entire territory of Bethshean.⁹ Thereupon his brothers and other members of his father's family combined to protest, saying: The place which was regarded as subject to tithes by your parents and ancestors will you regard as free?

Rabbi, thereupon, expounded to them the following verse: And he [Hezekiah] broke in pieces the brazen serpent that Moses had made; for unto those days the children of Israel did offer to it; and it was called Nehushtan.¹⁰ Now, is it at all likely that Asa did not destroy it? Or that Jehoshaphat did not destroy it? Surely Asa and Jehoshaphat destroyed every form of idolatry in the world!

- (1) Demai III, 5,
(2) The exchange is made with a good intent.
(3) V. Glos.
(4) Sc. the wife of the haber.
(5) Because whenever she is in a state of uncleanness she is very careful not to handle food for fear of defiling it, and she will certainly not eat of it.
(6) For she may be tempted to eat of the corn, which is forbidden, being demai.
(7) And offer some to the wife of the haber.
(8) Scythopolis, in Galilee. R. Meir regarded it as territory outside Palestine, and therefore its fruits and vegetables were free from tithes; for the rule relating to tithing fruits and vegetables, being a Rabbinic injunction only, applied to Palestine proper.
(9) That the fruits and vegetables may be eaten without tithing.
(10) II Kings XVIII, 4.

Chullin 7a

It must therefore be that his ancestors left something undone whereby he [Hezekiah] might distinguish himself; so in my case, my ancestors left room for me to distinguish

CHULLIN – 2a-30b

myself. From this is to be learnt that whenever a scholar reports a decision [however strange it may sound], he should not be made to move [mezihin] from his tradition. Others say. He should not be rejected [maznihin]. And others say: He should not be regarded as arrogant [mazhihin]. Those who say. He should not be made to move from his tradition, base it on the verse. And the breastplate be not moved [yizzah] from the ephod.¹ Those who say: He should not be rejected, base it on the verse: For the Lord will not reject [yiznah] for ever.² And those who say. He should not be regarded as arrogant, base it on the following:³ For we learnt: When the arrogant increased, disputes increased in Israel.⁴ To this, Judah, son of R. Simeon b. Pazzi, demurred: Is there anyone who holds the view that Bethshean was not part of Palestine? Is it not written: And Manasseh did not drive out the inhabitants of Bethshean and its towns, nor of Taanach and its towns?⁵ —

[When he raised his objection] there must have escaped his attention the statement of R. Simeon b. Eliakim who reported R. Eleazar b. Pedath in the name of R. Eleazar b. Shammu'a [as follows]: Many cities which were conquered by the Israelites who came up from Egypt⁶ were not re-conquered by those who came up from Babylon,⁷ for he held the view that the consecration of the Holy land on the first occasion [by Joshua] consecrated it for the time being but not for the future. They therefore did not annex these cities in order that the poor might have sustenance therefrom in the Seventh Year.⁸ R. Jeremiah said to R. Zera: But R. Meir ate a mere leaf [of a vegetable]!⁹ —

He replied: He ate it from a bundle, and we have learnt: Vegetables which are usually tied in bundles [become due for tithing] on being tied up.¹⁰ But perhaps R. Meir forgot [to tithe it]? — [This cannot be.] Surely, if the Holy One, Blessed be He, would not permit

the beast of the righteous to sin in error, how much less the righteous themselves! But perhaps he set aside from other produce the tithe due for this [Vegetable]! —

One would not suspect a haber of setting aside the dues for the produce that is before us out of produce that is not before us.¹¹ But perhaps he had in mind to set aside the tithe from one end of the bundle, whilst he ate from the other end! — He replied: See how great a man testified concerning this!¹² What was the incident about the beast of the righteous? —

Once, R. Phinehas b. Jair was on his way to redeem captives, and came to the river Ginnai. 'O Ginnai', said he, 'divide thy waters for me, that I may pass through thee'. It replied. 'Thou art about to do the will of thy Maker; I, too, am doing the will of my Maker.¹³ Thou mayest or mayest not accomplish thy purpose;¹⁴ I am sure of accomplishing mine'. He said: 'If thou wilt not divide thyself, I will decree that no waters ever pass through thee'. It, thereupon, divided itself for him. There was also present a certain man who was carrying wheat for the Passover, and so R. Phinehas once again addressed the river: 'Divide thyself for this man, too, for he is engaged in a religious duty'. It, thereupon, divided itself for him too. There was also an Arab who had joined them [on the journey], and so R. Phinehas once again addressed the river, 'Divide thyself for this one, too, that he may not say. "Is this the treatment of a fellow traveler?"' It, thereupon, divided itself for him too.

R. Joseph exclaimed: How great is this man! Greater than Moses and the sixty myriads of Israel! For the latter [the sea divided itself] but once, whilst for the former thrice! May it not be, however, for the former also only once?¹⁵ — Rather say. As great as Moses and the sixty myriads of Israel! R. Phinehas happened to come to a certain inn. They

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placed barley before his ass, but it would not eat.

- (1) Ex. XXVIII, 28. Heb. יזה, which word is of the same root as מזהירין.
- (2) Lam. III, 31. Heb. יזני, which word is of the same root as צדנייהדין.
- (3) V. Sot. 47a. Heb. זחוחי, which word is of the same root as מזחיהדין.
- (4) The difference between the versions is merely textual, each version supporting its reading by a verse from the Bible or by a passage from the Mishnah.
- (5) Judg. I, 27.
- (6) At the first settlement in Palestine under the leadership of Joshua.
- (7) At the second settlement in Palestine under Ezra. The Holy land had to be consecrated a second time by the returning exiles, and therefore those towns which were not included in the re-consecration were not part of Palestine. Bethshean was one of the cities not included.
- (8) The law of the Seventh Year did not apply to land outside Palestine; therefore, certain towns near the boundary of Palestine were purposely not included in the re-consecration of the land so that these might be cultivated even in the seventh year.
- (9) This point destroys the basis of the preceding argument, for the eating of a snack, such as one leaf of a vegetable, is permitted even in Palestine without first tithing it. There is, therefore, no proof that Bethshean was regarded as being outside Palestine.
- (10) And once the duty of tithing has arisen one may not eat even a snack. V. Ma'as. I, 5.
- (11) Lit., 'from that which is not brought near'. For there is a danger that the produce which is not before us, and upon which he relies, may have been destroyed at the time that he purports to set it aside as tithe, and he would therefore be eating untithed produce.
- (12) R. Joshua b. Zeruz stated categorically that R. Meir did not tithe the vegetable, and a Rabbi of such eminence could certainly be relied upon in his testimony.
- (13) By divine command all rivers flow to the sea. V. Eccl. I, 7.
- (14) He may not succeed in redeeming the captives.
- (15) It may be that R. Phinehas addressed the river on the second and third occasions merely to ensure that the waters should remain parted and not resume their natural course.

Chullin 7b

It was sifted, but the ass would not eat it. It was carefully picked; still the ass would not eat it. 'Perhaps', suggested R. Phinehas, 'it is not tithed'? It was at once tithed, and the ass ate it. He, thereupon, exclaimed, 'This poor creature is about to do the will of the Creator, and you would feed it with untithed produce!' But was it at all necessary [to be tithed]? Have we not learnt: He who buys [corn from an 'am ha-ares] for sowing or for feeding animals, or flour for [preparing] hides, or oil for the lamp or for oiling vessels, need not tithe it because of demai?¹ —

Surely there has been reported on this [Mishnah] the dictum of R. Johanan that this is so only if one bought the corn specifically for animals; but if one bought it originally for human consumption and later decided to give it to animals, it must be tithed!² And so it has been taught in a Baraitha, viz., He who buys fruit in the market for eating and decides later to use it for animals, may not give it either to his own animal or to his neighbor's animal without first tithing it.

When Rabbi heard of the arrival of R. Phinehas, he went out to meet him. 'Will you please dine with me?' asked Rabbi. 'Certainly', he answered. Rabbi's face at once brightened with joy;³ whereupon R. Phinehas said: 'You imagine that I am forbidden by vow from deriving any benefit from an Israelite. Oh, no. The people of Israel are holy. Yet there are some who desire [to benefit others] but have not the means; whilst others have the means but have not the desire,⁴ and it is written: Eat thou not the bread of him that hath an evil eye, neither desire thou his dainties; for as one that hath reckoned within himself, so is he: Eat and drink, saith he to thee; but his heart is not with thee.⁵ But you have the desire and also the means. At present, however, I am in a hurry for I am engaged on a religious duty; but on my return. I will

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come and visit you'. When he arrived, he happened to enter by a gate near which were some white mules. At this he exclaimed: 'The angel of death is in this house! Shall I then dine here'?

When Rabbi heard of this, he went out to meet him. 'I shall sell the mules', said Rabbi. R. Phinehas replied: 'Thou shalt not put a stumbling block before the blind'.⁶ 'I shall abandon them'. 'You would be spreading danger'. 'I shall hamstring them'. 'You would be causing suffering to the animals'. 'I shall kill them'. 'There is the prohibition against wanton destruction'.⁷ Rabbi was thus pressing him persistently, when there rose up a mountain between them. Then Rabbi wept and said. 'If this is [the power of the righteous] in their lifetime, how great must it be after their death'! For R. Hanina b. Hama asserted: The righteous are more powerful after death than in life, for it is written. And it came to pass, as they were burying a man, that, behold, they spied a band; and they cast the man into the sepulcher of Elisha; and as soon as the man touched the bones of Elisha, he revived and stood up on his feet.⁸ Said R. Papa to Abaye: Perhaps [the restoration to life was] to fulfill Elijah's blessing, as it is written: Let a double portion of thy spirit be upon me!⁹ —

He replied: If so, why has it been taught: He stood upon his feet but walked not to his home?¹⁰ Wherein, then, was Elijah's blessing fulfilled? — As R. Johanan has said: He healed the leprosy of Naaman,¹¹ leprosy being the equivalent of death, as it is written: Let her not, I pray, be as one dead.¹²

R. Joshua b. Levi said: Why are they [mules] called yemim?¹³ — Because they cast fear [emah]¹⁴ upon men. For R. Hanina has said: 'No one has ever consulted me for a case of a wound from a white mule and has recovered'. But do we not see people recovering from it? — 'I mean, never has the wound healed'. But do we not see cases where

the wound has healed? — 'I am referring to [a wound inflicted by] a white-legged mule'. There is none else beside Him:¹⁵ R. Hanina said: Even sorcery.¹⁶ A woman once attempted to cast a spell over R. Hanina.¹⁷ He said to her, 'Try as you will, you will not succeed in your attempts, for it is written: There is none else beside Him'. Has not, however, R. Johanan declared: Why is sorcery called keshafim? Because it overrules [the decree of] the heavenly council?¹⁸ —

R. Hanina was in a different category, owing to his abundant merit.¹⁹ R. Hanina further said: No man bruises his finger here on earth unless it was so decreed against him in heaven, for it is written: It is of the Lord that a man's goings are established.²⁰ How then can man look to his way?²¹

R. Eleazar said: The blood of a bruise atones like the blood of a burnt-offering. Raba added: It is only the blood of a second bruising of the thumb of the right hand that atones, and then only if it happened to one who was about to do a religious act.

It is related of R. Phinehas b. Jair that never in his life did he say grace over²² a piece of bread which was not his own;²³ and furthermore, that from the day he reached years of discretion he derived no benefit from his father's table.

(1) Demai, I, 3.

(2) The barley supplied to the ass was intended originally for mao, and therefore it had to be tithed.

(3) For R. Phinehas had the reputation of never having dined at another's table; v. infra.

(4) Though they felt constrained to extend an invitation to wayfarers.

(5) Prov. XXIII, 6, 7.

(6) Lev. XIX, 14.

(7) Based on Deut. XX, 19.

(8) II Kings XIII, 21. In his lifetime Elisha had to exert himself both by action and prayer in order to revive the dead (v. II Kings IV, 33-35), while after his death his mere touch revived a dead man; thus proving that the righteous are greater after death than in life.

CHULLIN – 2a-30b

(9) II Kings II, 9. And not because of the greatness of Elisha after death.

(10) The inference to be drawn from the Baraitha being that the restoration to life of the dead man was not due to Elijah's blessing, for in that case the dead man should have lived on for some time, but to the greatness of Elisha, who could not suffer the wicked to touch him after his death.

(11) V. II Kings V.

(12) Num. XII, 12,

(13) V. Gen. XXXVI, 24. Heb, יַמִּים. The English versions translate the word 'yemim' by 'hot springs', but the traditional Jewish interpretation of the word is 'mules'.

(14) Heb. אַיִמָּה.

(15) Deut. IV, 35. R. Hanina having been quoted in the previous passage, the Gemara now deals with several other of his statements.

(16) I.e., not even by sorcery can one overrule His decree,

(17) Lit., 'to take earth from under R. Hanina's feet'.

(18) I.e., the law of nature (Rashbo). The word כִּשְׁפִים is treated as an abbreviation, thus: Keshafim: Kahash, Famalia, Ma'alah. (Opposes the Council on High).

(19) Therefore God would not allow him to come to harm by sorcery.

(20) Ps. XXXVII, 23.

(21) Prov. XX, 24.

(22) Lit., 'to break (bread)'.

(23) I.e., never accepted an invitation.

Chullin 8a

R. Zera said in the name of Samuel: If one made a knife red-hot and slaughtered with it, the slaughtering is valid, because [the effect of] the sharp edge precedes [the effect of] the heat.¹ But, what about the sides [of the knife]?² — The cut opens wide.³ The following question was raised: If one made a spit red-hot and struck with it, is the resulting wound⁴ to be regarded as a boils or as a burning?⁶ But what is the difference between the two?⁷ Even as it has been taught: A boil and a burning, each is declared unclean within seven days by one of two symptoms: by white hair, or spreading.⁸ Why, then, did the Torah deal with them separately? To teach you that they cannot unite one with the other.⁹ And we have learnt: What is a boil, and what is a burning? A wound caused by wood, or stone, or olive-

peat, or the hot springs of Tiberias, or any wound that is not caused by fire, including a wound caused by lead just taken from the mine, is a boil. And what is a burning? A burn caused by a live coal, or hot ashes, or boiling lime, or boiling gypsum, or any burn that is caused by fire, including a burn caused by water heated by fire, is a burning.

And it was further taught: In the case of [a wound which is both] a boil and a burning, if the boil came first then the subsequent burning annuls the boil [and it is considered a burn]; but if the burning came first then the subsequent boil annuls the burn [and it is considered a boil]. Now the circumstances of our case are as follows: A man had a boil of the size of half a bean,¹⁰ and was struck close to it with a red-hot spit, another wound of the size of half a bean resulting, [making the whole wound the size of a whole bean]. In such a case how [are we to consider the resulting wound]? Did the force of the blow take effect first, and the burn caused by the glowing heat that followed annul the effect of the blow, so that the whole wound is composed of a boil and a burning [each to the extent of half a bean] which do not unite [to make him unclean]? Or did the glowing heat take effect first, and the force of the blow that followed annul the effect of the glowing heat, and consequently the whole wound is composed of two boils [each to the extent of half a bean] which unite [to make him unclean]?

Come and hear: R. Zera said in the name of Samuel: If one made a knife red-hot and slaughtered with it, the slaughtering is valid, because the effect of the sharp edge precedes the effect of the heat. It thus proves that the force of the blow precedes [the glowing heat]! — No; in the case of a sharp edge it is different.¹¹

Come and hear: If one was struck with a red-hot spit, the resulting wound is regarded as a 'burning by fire'.¹² It thus proves that the

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force of the blow precedes [the glowing heat]. — No; here too, the wound was made by a thrust with the point, which is a sharp edge.¹³

R. Nahman said in the name of Rabbah b. Abbuha: A knife which has been used in connection with idolatrous services¹⁴ may be used for slaughtering, but it may not be used for cutting up meat — ‘It may be used for slaughtering’, for thereby one impairs [the value];¹⁵ ‘but it may not be used for cutting up meat’, for thereby one enhances [the value].¹⁶ Raba remarked: There are times when one may not slaughter with it, to wit, if the animal is at the point of death;¹⁷ and there are times when one may cut up meat with it, to wit, if the meat was in large pieces intended for a present.¹⁸ But should not the prohibition thereof be considered on account of the forbidden fat?¹⁹

(1) So that the throat is cut and not burnt.

(2) They would scorch the organs of the throat before the requisite amount had been cut through, and then the slightest scorching of the gullet would invalidate the slaughtering.

(3) Lit., ‘the place (or house) of slaughtering, i.e., the cut. The two sides of the cut spring apart as soon as the throat, which has been stretched taut, has been cut; therefore only the sharp edge touches the throat, but not the sides of the knife.

(4) Which turned into leprosy.

(5) Heb. שחייך V. Lev. XIII, 18.

(6) Heb. מכרה V. Ibid. 24.

(7) I.e., in what case is it of consequence whether the wound is regarded as a boil or a burn. The text proceeds to discuss the law as to boils and burns and provides an illustration of such a case.

(8) The appearance of white hair ill the wound, and the wound spreading further on the skin, are the symptoms, in cases of a burning or a boil, by which one is declared unclean as a leper. V. Lev. XIII, 18-28. Furthermore, if these wounds remained stationary for seven days they are declared clean, whereas with other leprosy wounds it is necessary to keep them under observation for a further seven days. V. Lev. XIII, 5.

(9) The minimum size of a leprosy wound to be declared unclean is that of a bean. Leprosy wounds of different classes cannot unite; e.g., a boil the size of half a bean next to a burning also the size of half a bean cannot unite to form

together a leprosy wound the size of a whole bean and make one unclean as a leper.

(10) This would not make him unclean as a leper.

(11) The sharp edge of a knife, being thin and pointed, cannot contain great heat; therefore only in such cases can it be said that the heat follows the blow, but not elsewhere.

(12) V. Lev. XIII, 24.

(13) And the case of a sharp edge is different, v. n. 1.

(14) It is forbidden to derive any benefit or advantage from idolatry or from that which is connected with idolatry.

(15) A living animal is more useful and of more value than a slaughtered one; for, living, it may be used for breeding, for plowing, and for food, but slaughtered, it has only its food value.

(16) For after slaughtering it becomes necessary to cut up the meat.

(17) By slaughtering an animal which is at the point of death one derives a gain, for otherwise it would have died and become carrion (which may not be eaten).

(18) In which case it has very little value if cut up in small pieces.

(19) Surely the knife should be forbidden to be used even for cutting up meat on account of the forbidden fat of carrion that it has absorbed in the past. This forbidden fat would now be imparted into the meat.

Chullin 8b

— It was a new [knife]. If new, [it should not be prohibited at all, since] it is merely an appurtenance for the worship of idols, and appurtenances of idols, both according to R. Ishmael and R. Akiba,¹ are not forbidden till actually used in idol worship. — If you wish I can answer: It was used for cutting up wood for the idol;² or if you wish I can answer: It was an old knife which was cleansed in the fire.³

It was stated: If a man slaughtered with the knife of a Gentile, Rab says. He must pare (the flesh);⁴ Rabbah b. Bar Hana⁵ says: He need only rinse it. Shall we say that their difference lies in this: One holds the view that the throat is cold.⁶ while the other holds the view that it is hot?⁷ No. All hold the view that the throat is hot; therefore, he who says: ‘he must pare it’, is clearly understood, but he

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who says that he need only rinse it [argues thus]: while the organs [of the throat] keep on spurting out blood they will not absorb [any fat from the knife].⁸ Some there are who state as follows: All hold the view that the throat is cold; therefore, he who says: 'he need only rinse it is clearly understood, but he who says that he must pare it [argues thus]: by reason of the pressure of the knife [the flesh] must absorb [to some extent].

A knife which was used for slaughtering an animal found to be trefah,⁹ is the subject of a dispute between R. Aha and Rabina. One says, [It must be cleansed] with hot water;¹⁰ the other says. [It may be cleansed even] with cold water. The law is: Even with cold water. And if there is at hand a piece of cloth¹¹ wherewith to wipe [the knife], nothing more is required. Now what is the reason of the one who says that it must be cleansed with hot water? It is [is it not] because it absorbed forbidden fat?¹² If so, even after slaughtering an animal which is permitted to be eaten it should also require [cleansing with hot water] because it absorbed [the fat] of the limbs of a living animal?¹³ — [It is not so;] for [the knife] absorbs [the fat] only when [the throat] is hot, and it becomes hot only at the end of the slaughtering when the animal is ritually permitted.

Rab Judah said in the name of Rab: A butcher requires three separate knives, one for slaughtering, one for cutting meat, and one for cutting away the [forbidden] fat. But why should he not use the same knife first for cutting meat and then for cutting fat? — It is forbidden to do so lest he cut with it the fat first and then the meat.¹⁴ Well, even now, he might get them mixed! — No; since he must have two separate knives he will make a distinguishing mark on each.¹⁵

Again Rab Judah said in the name of Rab: A butcher requires two separate pails of water, one in which he washes the meat and one in which he washes the fat. But why should he

not use the same pail for washing in it first the meat and then the fat? — It is forbidden to do so lest he wash in it the fat first and then the meat.¹⁶ Well even now, he might get them mixed! — No; since he must have two separate pails he will make a distinguishing mark on each.

Amemar said in the name of R. Papa: One should not place the loins on top of other meat for fear that the fat [attached to the loins] will run and will be absorbed by the meat. If so, why not apprehend the same even when the loins lie in their natural position, namely, that the fat [upon the loins] will run and will be absorbed by the flesh [of the loins]? — There is a membrane underneath [the fat of the loins] which separates it [from the flesh of the loins]. But then,

(1) V. A.Z. 51b. These Rabbis differ in the case of a newly made idol as to whether it is prohibited immediately or only after it has been worshipped; but in the case of appurtenances of idols they agree that these are not prohibited until actually used in worship.

(2) Therefore there is here no question of any forbidden fat.

(3) The knife was thus cleansed and all the forbidden fat removed from it.

(4) I.e., he must cut away from the parts of the throat which came into contact with this knife a thin layer of flesh because of the fat of forbidden foods that was absorbed in the knife and was now transmitted to the flesh.

(5) MS.M: Samuel.

(6) Lit. 'the place of slaughtering', I.e., the throat at the time of slaughtering is not sufficiently hot to absorb much from the knife and, therefore, Rabbah b. Bar Hana maintains that rinsing of the flesh in water is sufficient.

(7) Rab's view. Therefore the flesh of the throat must be pared.

(8) Nevertheless, it is necessary to wash the flesh because of the forbidden fat that may have been on the surface of the knife.

(9) V. Glos.

(10) Before slaughtering another animal with it.

(11) Lit., 'a shred of a curtain'.

(12) I.e., the fat of the Trefah animal that had been slaughtered previously.

(13) The fat, as well as the flesh, of a living animal is forbidden, and therefore in the duration of the

CHULLIN – 2a-30b

slaughtering before the requisite amount has been cut, the knife will have absorbed forbidden fat.

(14) Without first removing the fat from the knife. ‘Fat’ throughout the whole of this passage means forbidden fat.

(15) As regards the third knife, the knife for slaughtering, there is no fear that he will use it for any other purpose because of the danger of damaging or notching it.

(16) The danger is that particles of the fat will remain in the water and will adhere to any meat washed in the same water.

Chullin 9a

is there not a membrane above [the fat]?¹ — [This membrane,] since it is handled by the butcher, crumbles away.

Again Rab Judah said in the name of Rab: A scholar must learn three things, viz.: writing, shechitah, and circumcision. R. Hanania b. Shelemia said in the name of Rab, He must also learn the art of forming the knot of the Tefillin,² the benedictions recited at the marriage ceremony,³ and the art of binding the Zizith.⁴ And the other [Rab Judah]? — [He says], These are frequent.⁵

Rab Judah stated in the name of Samuel: One may not eat of the slaughtering of any butcher who does not know the rules of shechitah. And these are the rules of shechitah:⁶ [the rules as to] pausing,⁷ pressing,⁸ thrusting,⁹ deflecting,¹⁰ and tearing.¹¹ Why is it necessary to teach us this? Have we not learnt about each of these [elsewhere]? — It is only necessary for the case where one [not knowing the rules] slaughtered two or three times in our presence correctly. You might argue that since on those occasions he slaughtered correctly so now, too, he will slaughter correctly. It is therefore necessary to teach you that [he may not slaughter because,] since he does not know the rules, it may sometimes happen that he will pause or press, and will not know [that it is wrong to do so].

Again Rab Judah said in the name of Samuel: The butcher must examine the organs of the throat after slaughtering.¹² R. Joseph remarked: We have learnt the same [in a Mishnah]:¹³ R. Simeon says. If one paused for the time taken to examine...¹³ Now does it not mean the time taken to examine the organs [of the throat]? —

Abaye replied: No; thus did R. Johanan say: It means the time taken for the Sage to examine [the knife]. If this is the meaning, then the rule would vary according to circumstances?¹⁴ — Rather [the meaning is]: The time taken for a butcher [who is himself] a Sage to examine [the knife]. If one did not examine [the organs of the throat after slaughtering], what is the law?—

R. Eliezer b. Antigonus ruled in the name of R. Eliezer son of R. Jannai: The animal is trefah¹⁵ and may not be eaten. In a Baraita it was taught: The animal is nebelah¹⁵ and defiles one who carries it. On what principle do they differ? — On the principle laid down by R. Huna, who said: An animal while alive is presumed to be forbidden¹⁶ [and, therefore, remains forbidden when dead] until it becomes known to you that it was ritually slaughtered; once ritually slaughtered, it is presumed to be permitted until it becomes known to you how it became Trefah. The one¹⁷ reasons thus: It is presumed to be forbidden, and now that it is dead [it is nebelah and therefore defiles].¹⁸ The other¹⁹ reasons thus: The presumption holds good²⁰ only in respect of the prohibition [to be eaten], but there is no presumption in respect of defilement.²¹ The text [above stated]: ‘R. Huna said: An animal while alive is presumed to be forbidden [and, therefore, remains forbidden when dead] until it becomes known to you that it was ritually slaughtered; once ritually slaughtered, it is presumed to be permitted until it becomes known to you how it became Trefah’. Should he not [simply] have said: ‘Once ritually slaughtered it is permitted’?²² —

CHULLIN – 2a-30b

He teaches you this: That even if something happened to the animal to impair its status²³ [it is nevertheless permitted]. For example, the question which was put to R. Huna by R. Abba: If a wolf came and carried away the intestines [of a slaughtered animal], what is the law? [You ask] ‘carried away’! Then they are not here!²⁴ — Rather, say: ‘and perforated the intestines’. ‘Perforated the intestines’! Then it is evident that the wolf did it! Rather say: ‘carried away the intestines and brought them back perforated’ — Now, what is the law? Are we to apprehend that the wolf inserted [its teeth] in a perforation that was there previously,²⁵ or not? —

R. Huna replied: We do not apprehend that it inserted [its teeth] in a perforation.²⁶ [R. Abba] thereupon raised an objection [from the following Baraitha]: If one saw a bird nibbling at a fig or a mouse nibbling at a melon,

(1) For all fat is enclosed in a membrane so that there can be no harm when placing the fat of the loins on top of other meat.

(2) V. Glos. When properly tied the knot in the Tefillin worn on the head forms the shape of the Hebrew letter Daleth and that of the letter Yod in the Tefillin worn on the hand.

(3) V. Keth. 8b.

(4) V. Glos.

(5) I.e., the latter three acquirements. These being matters of common knowledge, it is not the special duty of a scholar to learn them. According to another explanation. ‘these’ refers to the accomplishments enumerated by Rab Judah. A scholar should particularly acquire these arts because he will be frequently called upon to practice them.

(6) The infringement of any of these rules invalidates the shechitah and renders the animal nebelah (v. Glos.).

(7) Heb. שהייה. There should be no pause or interruption while the slaughtering is being performed. The knife should be kept in continuous motion, forward and backward, until the organs or the greater part of them are cut through. V. infra 32a.

(8) Heb. דרסה. The knife must be moved horizontally across the throat and must not be pressed downwards. V. infra 30b.

(9) Heb. הלדה. During the act of slaughtering the whole of the knife must be visible. If e.g., one thrust the knife into the side of the throat and thus cut the organs, the slaughtering would be invalid, since the knife would have been covered either by the organs or the skin of the throat. V. infra 32a.

(10) Heb. הגרמה. The slaughtering must be performed within a certain prescribed region in the throat of the animal. If the knife cut anywhere outside this region the slaughtering would be invalid. V. infra 18a.

(11) Heb. עיקור. Various interpretations have been suggested as to the meaning of this term. According to Rashi it means: tearing out the windpipe after having cut through the gullet; V. infra 32a. According to Halakoth Gedoloth it means: cutting through the organs after the windpipe has been dislocated or torn out of its position; v, infra 85a. According to Tosaf. s.v. כוליהו it means: slaughtering with a notched knife, which tears and does not cut the organs. V. article by Dr. S. Daiches in Hazafeh vol. 12, pp. 255-8 where it is shown that the Halakoth Gedoloth in fact agrees with Rashi.

(12) To satisfy himself that they have been properly and sufficiently cut through.

(13) V. infra 32a.

(14) It would depend upon whether the Sage was close by or far away; in the latter case the time for examination must, of necessity, be longer than in the former case.

(15) V. Glos.

(16) Since it is not permitted to eat a limb or flesh cut off from a living animal. This being so, the animal retains its status of being forbidden food until we have definite proof that it has been properly slaughtered. Once, however, we know that an animal has been ritually slaughtered the presumption that it is permitted food will not be rebutted without proof that some internal defect has made it Trefah.

(17) The Baraitha.

(18) Following the general rule that any dead animal which has not been ritually slaughtered is nebelah and therefore defiles.

(19) R. Eliezer son of R. Jannai.

(20) Lit., ‘we say’.

(21) R. Eliezer's argument is: The animal is now forbidden only because of the presumption which arose during its lifetime. Now, during its lifetime the animal was forbidden only to be eaten; it certainly could not defile. The effect, therefore, of the presumption can only be to render the animal forbidden to be eaten and not that it should defile.

(22) Why speak of a presumption at all?

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(23) E.g., if some defect or disorder is now found in the animal, and there is a doubt whether it was there before the slaughtering or not, the animal is permitted because of the principle stated by R. Huna.

(24) If the intestines have been carried away we have no reason to apprehend that there was any defect in them.

(25) In which case the animal would be Trefah.

(26) Because of the presumption that, once ritually slaughtered, the animal is permitted until it becomes known how it became Trefah.

Chullin 9b

one must apprehend that it was nibbling in a pre-existing hole!¹ — He replied: How can you compare what is forbidden ritually with what is forbidden on account of possible danger to life! In the latter case we are certainly more apprehensive. Said Raba:² What difference is there? Whenever there arises a doubt concerning a prohibition based on danger to life the stricter view is preferred, and the same is the case with regard to a doubt in connection with a ritual prohibition! —

Said Abaye to him, Is there then no difference between laws concerning danger to life and laws concerning ritual prohibitions? But let us see! Whenever there is a doubt regarding any object whether it is clean or unclean, if such doubt arose in a public place, it is deemed clean; but whenever there is a doubt regarding water that was left uncovered it is deemed to be forbidden.³ He answered: In the case of uncleanness the rule is derived by analogy from the case of a woman suspected of adultery, viz., as [the doubt in connection with] the suspected woman can only occur in a private place.⁴ so [every doubt in connection with] uncleanness must have occurred in a private place.⁵

R. Shimi raised an objection: [We have learnt:] If a weasel has a [dead] reptile in its mouth, and walks over loaves of terumah,⁶ and it is doubtful whether the reptile came into contact with the loaves or not, they are

deemed clean.⁷ Yet in the case of water left uncovered, if there is any doubt about it, it is forbidden? — Here again, the rule [in the case of uncleanness] is derived by analogy from the case of a woman suspected of adultery, viz., as [the doubt in connection with] the suspected woman [relates to a person that] has understanding to be questioned about it,⁸ so every doubt in connection with uncleanness must relate to such as have understanding to be questioned about it.⁹

Come and hear: If a man left uncovered a bowl [containing purification water]¹⁰ and came and found it covered, it is regarded as unclean, for I can say that an unclean person entered and covered it. If he left it covered and came and found it uncovered, and a weasel or, even a snake, according to R. Gamaliel¹¹ — could have drunk from it, or if dew fell on it during the night,¹² the water is invalid.¹³ And R. Joshua b. Levi said: What is the reason for this?¹⁴

(1) I.e., , a hole made by a snake in which it deposited poison; the fruit is, therefore, prohibited to be eaten on account of this danger.

(2) V. D.S. a.l. Cur. edd.: Said Raba to him (R. Huna).

(3) Laws relating to uncleanness come under the category of ritual prohibitions, while the rule concerning waters left uncovered belongs to the class of laws concerning danger to life. The danger in this case is that a snake may have drunk from the water.

(4) Where this woman has been in seclusion with her paramour. It is only in such cases that the suspicion is well founded and the woman must undergo the ordeal of the bitter waters, v. Num. V. 11ff. Seclusion with a paramour in a public place is not considered an act of infidelity.

(5) And it is only in such cases that the law regards the object as unclean, v. A.Z. 36b. It is thus only because of the analogy drawn from the case of the suspected woman that a doubt of uncleanness in a public place constitutes an exception to the general rule that wherever doubt arises in cases of ritual prohibitions, as well as danger to life, the law adopts the stricter view.

(6) V. Glos.

(7) Even though the doubt arose in a private place; v. Toh. IV, 2, 'Ed. II, 7.

CHULLIN – 2a-30b

(8) The suspected woman could, if she so desired, answer the question whether she was defiled or not.

(9) And it is only in such cases that the law regards the person as unclean. Thus a further exception to the general rule is admitted in the case of a doubt regarding uncleanness arising in connection, with anything other than a human being. In the case of the weasel the loaves cannot be asked whether or not they have been defiled.

(10) V. Num. chap. XIX.

(11) R. Gamaliel holds the view that a snake also invalidates the purification water by drinking therefrom, because it spits back the water it drinks into the bowl, and this action invalidates the water because of the reasons given in n. 9, *infra*.

(12) And might have fallen into the water. V. MS.M. cur. edd. 'into it'.

(13) But not unclean. V. Parah IX, 3, where it is taught that if a weasel drinks from purification water it becomes invalid, because the weasel, when drinking, laps up the water. Lapping or spitting invalidates the purification water either because it disturbs the water and it is considered as though the water were put to some work, or because by lapping or spitting the water drips back out of the mouth into the bowl, and it is regarded as though the water were poured out of another vessel into the original bowl, and this is not permitted, for according to the biblical injunction there must be living water in the bowl; v. Num. XIX, 17.

(14) That in the second case (where the bowl was found uncovered) the water is merely invalid, whereas in the first case (where the bowl was found covered) it is also regarded as unclean.

Chullin 10a

Because it is the habit of reptiles to uncover [a vessel]¹ but not to cover one.² (Or you might argue thus: the above decisions only apply to the cases mentioned, viz., where he left the bowl uncovered and came and found it covered, and where he left it covered and came and found it uncovered, but if he found it as he left it, [the water] is neither unclean nor invalid.)³ Whereas, in the case of water left uncovered, if there is any doubt about it, it is forbidden.⁴ This, therefore, proves that regulations concerning danger to life are more stringent than ritual prohibitions. It stands proved. We have learnt elsewhere:⁵ Three liquids are prohibited if left

uncovered; water, wine and milk.⁶ How long must they have remained [uncovered] to become forbidden? Such time as it would take a reptile to come forth from a place near by and drink. What distance is meant by 'a place near by'?

R. Isaac the son of Rab Judah explained: Such time as it would take a reptile to come forth from under the handle of the vessel and drink therefrom. 'And drink therefrom'! Then you see it!⁷ — Rather; And drink therefrom and return to its hole. It was stated: If a man slaughtered with a knife which was found afterwards to have a notch in it, R. Huna says, even if he broke bones with it the whole day long [after the slaughtering], the shechitah is invalid, because we apprehend that it became notched while cutting the skin [before actually cutting the throat].

R. Hisda, however, says that the shechitah is valid, because we assume that it became notched by a bone. Now R. Huna's opinion is clear, it being in accordance with the principle he laid down above;⁹ but what is the reason of R. Hisda's opinion?— He reasons thus: A bone certainly notches [the knife], whereas the skin may or may not notch [the knife]; there is thus a doubt against a certainty, and a doubt cannot set aside a certainty.

Raba raised an objection [against R. Hisda], thereby supporting the opinion of R. Huna. [It was taught:] If a man immersed himself and came up,¹⁰ and then there was found something adhering to his body,¹¹ even though he was using that particular substance all day long [after his immersion], it is not regarded as a proper immersion unless he can declare: 'I am certain it was not upon me before [my immersion]' —

Now in this case, he certainly immersed himself, and there is a doubt whether the substance was or was not upon him [before

CHULLIN – 2a-30b

his immersion], yet the doubt sets aside the certainty! — This case is different, for one can say: Let the unclean person remain in his [unclean] status, and assume that there has been no immersion. Well, then, in our case too, one can say: let the animal remain in its [forbidden] status, and assume that there has been no slaughtering? — Surely the animal is slaughtered before us. But, here too, surely this man has immersed himself before us! In the latter case, something has happened to impair [his immersion]. But in the former case, too, something has happened to impair [the slaughtering]! —

No; the defect is in the knife but not in the animal. An objection was raised: If one cut through the gullet¹² and then the windpipe was torn away from its position, the slaughtering is valid. If the windpipe was first torn away and then one cut through the gullet, the slaughtering is invalid. If one cut through the gullet and then the windpipe was found to be torn away, and it is not known whether it was torn away before or after the slaughtering — this was an actual case [brought before the Rabbis], and they ruled: Any doubt whatsoever arising about the slaughtering makes it invalid. Now what is the scope of this rule?¹³ Does it not include the case mentioned above?¹⁴ — No. It includes those cases where there is a doubt as to whether or not one paused or pressed [in the act of slaughtering].

(1) Therefore, in the second case the alternatives are (a) the bowl might have been uncovered by a reptile or by a clean person — in either case the water remains clean; (b) it might have been uncovered by an unclean person which would make the water unclean. The chances being more in favor of the first alternative, the water is regarded as clean on the principle of following the majority.

(2) Therefore, in the first case, as the possibility of a reptile having covered the bowl is excluded, the only alternatives are that it was covered either by a clean person or by an unclean person; and as the one is not more probable than the other, the law adopts the stricter view and regards the water as unclean.

(3) This bracketed passage is omitted by Rashal, neither is it found in MS.M.

(4) On the ground of danger to life. In cases regarding uncleanness however, it is clear from the foregoing statements that the law does not always adopt the stricter view; v. n. 2.

(5) Ter. VIII, 4.

(6) It is feared that these liquids might have been poisoned by a snake or by other poisonous reptiles.

(7) According to the time limit here laid down, it is clear that a man who came at the end of this period would see the reptile at the vessel, if any reptile had come; and there would therefore be no doubt but that the liquids had been poisoned. If, on the other hand, no reptile is seen, it is clear that no reptile could have been there in his absence.

(8) It is assumed throughout the whole of this discussion that the knife was perfectly good at the beginning, i.e., it had been examined before the slaughtering and pronounced to be free from notches.

(9) V. supra p. 39.

(10) Out of the Mikweh, the ritual bath of purification.

(11) This substance may have been adhering to his body before the immersion and interposed between the water and his flesh, to which case the immersion is invalid.

(12) The statement deals with the slaughtering of a bird, in which case it is sufficient to cut through one organ, either the windpipe or the gullet.

(13) Lit., 'what does "whatsoever doubt about slaughtering" mean to include'.

(14) I.e., where after the slaughtering the knife was found to be notched.

Chullin 10b

But what is the difference?¹ — In the latter cases the defect has arisen in the animal, whereas in the above mentioned case the defect has arisen in the knife but not in the animal. The law is as R. Huna ruled² where he did not break up bones [with the knife after slaughtering]. And the law is as R. Hisda ruled³ where he did break up bones. It follows that R. Hisda maintains his view even where no bones were broken up;⁴ then the question is: how did the knife become notched? — You can say: It became notched through striking the bone of the neck.⁵ There happened such a case⁶ and R. Joseph declared as many as thirteen animals to be

CHULLIN – 2a-30b

Trefah. Now, whose view did he follow? Did he follow R. Huna's view [and so declared them all Trefah,] including the first animal?⁷ —

No, he may have followed R. Hisda's view, and [so declared then, all Trefah,] excepting the first animal.⁸ If you wish, however, I can say that he followed R. Huna's view, because if he followed R. Hisda's view, then, since R. Hisda adopts a lenient view, why is it suggested that the knife became notched through striking the neck-bone of the first animal? Should we not say that it became notched through striking the neck-bone of the last animal?⁹

R. Aha the son of Raba told R. Ashi that R. Kahana required the knife to be examined after each animal that was slaughtered. Now, whose view did he adopt? Was it R. Huna's view, with the result that [if the knife were not examined between each animal that was slaughtered,] even the first animal would be Trefah? — No. It was R. Hisda's view that he adopted,¹⁰ and [he therefore required the knife to be examined after each animal so that] even those slaughtered after [the first] should be permitted. If this is so, should not the knife be examined by a Sage?¹¹ — [It is not necessary, for] one witness is believed in matters concerning ritual prohibition.¹² If so, it should never be necessary.¹³ — Indeed, has not R. Johanan said that it is only out of respect to the Sage that it was ruled that one must present the knife to the Sage [for inspection]? Whence is derived the principle which the Rabbis have adopted, viz.: Determine every matter by its status?¹⁴ —

R. Samuel b. Nahmani said in the name of R. Jonathan. It is derived from the verse: Then the priest shall go out of the house to the door of the house, and shut up the house seven days.¹⁵ Now may it not have happened that, while he was going out, the leprous spot diminished in size?¹⁶ [Yet we do not apprehend this] because we say: Determine

every matter by its status.¹⁷ R. Aha b. Jacob demurred to this: Perhaps the priest in going out of the house walks backwards so that he can see [the spot] as he is leaving!¹⁸ —

Abaye retorted: There are two answers to your objection. In the first place, going out backwards is not a 'going out'.¹⁹ In the second place, what will you say when the leprous spot is behind the door?²⁰ And if you say that he opens up a window [in the door]; have we not learnt: In a dark house one may not open up windows to inspect the leprous spot?²¹ —

Said Raba to him, With regard to your statement that going out backwards is not a 'going out', the case of the High Priest on the Day of Atonement proves otherwise; for in that case, though it is written: And he shall go out,²² we have learnt: The High Priest goes out and leaves as he entered.²³ And with regard to your reference to the statement that 'in a dark house one may not open up windows to inspect the leprous spot', this rule only applies when the leprosy has not yet been ascertained; but once the leprosy has been ascertained the matter is determined.²⁴

A [Baraita] was taught which is not in agreement with the view of R. Aha b. Jacob: [Since it is written,] 'Then the priest shall go out of the house', you might think that he may go to his own house and shut up [the affected house from there].²⁵ The verse therefore reads: 'To the door of the house'. But if [we had only] 'the door of the house' to go by you might think that he may stand under the doorpost [of the affected house] and shut it up. The verse therefore reads: 'Out of the house', that is to say, he must go right out of the house. How is this done? He stands outside the doorpost and shuts it up. Moreover, whence do we know that if he went to his own home and shut it up [from there], or if he remained within the [affected] house and shut it up the shutting-up is valid? The verse therefore says. 'And he shall shut

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tip the house', implying that the shutting-up in whatever way effected [is valid].²⁶ And R. Ahab. Jacob?²⁷ —

(1) Between these various cases of doubt. Why is it that in the case of the notched knife the slaughtering is valid, while in the cases where there is a doubt as to pausing or pressing in the act of slaughtering, it is invalid?

(2) That the slaughtering is invalid.

(3) That the slaughtering is valid.

(4) For otherwise there would be no dispute between them.

(5) Which can only be done after having first cut through the organs of the throat, by which time the slaughtering has been completed and therefore the slaughtering is not affected thereby.

(6) Where several animals were slaughtered without the knife being examined between each slaughtering, and after all the animals had been slaughtered the knife was found to be notched.

(7) For R. Huna apprehends that the notch may have arisen in the knife while cutting the skin of the first animal.

(8) For R. Hisda assumes that the notch was caused by striking the neck-bone after the animal had been duly slaughtered. It is therefore clear that at least the first animal had been properly slaughtered. On this view we must assume that the number of animals slaughtered was fourteen.

(9) And therefore all the animals should have been permitted.

(10) I.e., that we assume this notch to have been caused by the neck-bone of the first.

(11) Since according to R. Hisda the purpose of the examination is to render valid those animals slaughtered after the examination, then it becomes necessary for a Sage to examine the knife, for there is a rule that the inspection of the knife before the slaughtering must be by a Sage; v. infra p. 85.

(12) Therefore the slaughterer is trusted and his word is accepted when he examines the knife and pronounces it free from notches.

(13) Lit., 'from the very beginning'. At no time should it be necessary to have the knife examined by a Sage since the slaughterer is trusted.

(14) In cases of doubt it is presumed, unless there is evidence to the contrary, that all things retain the same status which they were last known to have had.

(15) Lev. XIV. 38.

(16) And it may thus have become less than the minimum size of a bean required to render the house unclean, so that there would be no necessity to shut up the house at all, and the act of 'shutting up' is consequently invalid.

(17) And as the house has acquired the status of being unclean, it is presumed to remain so, and requires to be 'shut up'.

(18) He can thus be certain that the spot has not diminished in size.

(19) For when Scripture says: 'And he shall go out', it implies going out in the normal way.

(20) In which case the spot would not be visible to the priest even though he walks out backwards.

(21) Neg. II, 3; Sanh. 92a.

(22) Lev. XVI, 18.

(23) I.e., walking backwards, facing the Holy of Holies; V. Yoma 52b.

(24) And then any means may be used, e.g., opening up a window, in order to confirm the existence of the leprosy.

(25) By means of a long rope attached to the door of the affected house.

(26) According to this Baraitha the suggestion of R. Aba b. Jacob seems untenable; for the Baraitha regards it valid even when the priest shut up the affected house from his own home, in which case it would be impossible for him to keep the leprosy spot in view the whole time.

(27) How will he meet this objection?

Chullin 11a

[The Baraitha refers to a case] where there was a row of men who reported that the leprosy spot remained unaltered.¹ Whence is derived the principle which the Rabbis have adopted, viz.: Follow the majority? Whence? [you ask]; is it not expressly written: Follow the majority?² — In regard to those cases where the majority is defined,³ as in the case of the Nine Shops⁴ or the Sanhedrin,⁵ we do not ask the question. Our question relates to cases where the majority is undefined, as in the case of the Boy and Girl.⁶ Whence then is the principle derived?

(Mnemonic: *Zeman Shebah Mekanesh.*)⁷

R. Eleazar said: It is derived from the head of a burnt-offering. The verse reads: And he shall cut it into its pieces,⁸ which means, he shall cut it up into its pieces but not its pieces into [smaller] pieces. Now why do we not fear that the membrane which encloses the brain is perforated?⁹ Is it not because we follow the majority?¹⁰ But is this really so? Perhaps he

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splits open [the head] and examines the membrane, and as for the rule, 'he shall cut it into its pieces but not its pieces into [smaller] pieces', this only prohibits the cutting up of a limb into pieces but does not prohibit [the mere splitting open of a limb] so long as the parts remain joined!¹¹ Mar the son of Rabina said: It is derived from the rule concerning breaking the bones of the paschal lamb. The verse reads: And ye shall not break a bone thereof.¹² Now why do we not fear that the membrane which encloses the brain is perforated? Is it not because we follow the majority! But is this really so? Perhaps he places a burning coal upon the head, burns away the bone and examines the membrane; for it has been taught: He who cuts the sinews or burns away the bones [of the paschal lamb] has not transgressed the law of breaking the bones.¹³

R. Nahman b. Isaac said: It is derived from the law concerning the tail [of sheep]. The verse reads: The fat thereof, and the fat tail entire.¹⁴ Now why do we not fear that the spinal cord is severed? Is it not because we follow the majority! And should you say. He can cut off the fat tail lower down?¹⁵ Surely the Divine Law says [Which he shall take away] hard 'by the rump bone',¹⁶ that is to say, hard by the place where the counseling kidneys¹⁷ are seated!¹⁸ But perhaps he cuts open the fat tail and examines it; and as for [the law that] the fat tail be entire, this only prohibits the complete severing of it but does not prohibit cutting it open so long as it is still one piece!¹⁹

R. Shesheth the son of R. Idi said: It is derived from the case of the heifer whose neck was to be broken. The Divine Law says: Whose neck was broken,²⁰ [which has been interpreted] to mean that [after the neck has been broken] the heifer must remain whole. Now why do we not fear that it has some defect which makes it Trefah? Is it not because we follow the majority! And should you say. What does it matter [even if it is

Trefah]?²¹ Surely it was taught in the school of R. Jannai: Forgiveness²² is mentioned in connection therewith as with sacrifices!²³

Rabbah b. Shila said: It is derived from the case of the Red Cow. The Divine Law says. And he shall slaughter it... and he shall burn it,²⁴ which signifies, just as for the slaughtering the animal must be whole, so for the burning it must be whole. Now why do we not fear that it is Trefah? Is it not because we follow the majority? And should you say. What does it matter [even if it is Trefah]? Surely the Divine law calls it a sin-offering!²⁵

R. Aha b. Jacob said: It is derived from the case of the Scapegoat.²⁶ The Divine Law says. And he shall take the two goats, which implies that the two shall be alike in all respects,²⁷ Now why do we not fear

- (1) The report being passed along the line up to the priest.
- (2) Ex. XXIII, 2. This is the traditional interpretation of the verse by the Rabbis. In the English versions it is rendered: to turn aside after a multitude to pervert justice.
- (3) Lit., 'that is before us'; i.e., the number constituting the majority can be easily ascertained.
- (4) V. Pes. 9b. Where if in a particular neighborhood there are nine shops which sell ritually slaughtered meat and a tenth which sells Trefah meat, any meat found in that neighborhood is kosher or permitted, it being presumed to have come from the majority, i.e., one of the nine shops.
- (5) V. Sanh. 40a. The Great Sanhedrin was the supreme court of the Jews and consisted of seventy-one Judges; the Small Sanhedrin was an inferior court and consisted of twenty-three Judges. In each case the decision of the majority of the Judges was the decision of the court.
- (6) Where a boy who is a minor marries his deceased brother's wife who is also a minor, in accordance with the law of Levirate marriage laid down in Deut. XXV, 5, the marriage is valid, and we do not fear that one of them may prove to be sterile, in which case, the purpose of the levirate marriage having failed, the marriage would be unlawful as coming within the prohibited degrees. The reason is that we follow the majority, and the

CHULLIN – 2a-30b

majority of people are not sterile. V. Yeb. 61b, and 111b.

(7) This mnemonic is formed by taking a characteristic letter from each of the names of the Rabbis who are quoted in the following passages. The Hebrew letters form three words which may be translated: Time brings profit.

(8) Lev. I, 6. The animal was cut up into limbs and these were offered on the altar whole, but it was not permitted to cut up a limb into smaller pieces.

(9) This defect, as well as the other defects mentioned in these passages, would make the animal Trefah and consequently unfit for a sacrifice. The sacrifice of the burnt-offering is nevertheless valid, in spite of the fact that it was not possible to cut open the head and examine the membrane by reason of the prohibition against cutting up a limb.

(10) And the majority of animals are not Trefah.

(11) Since in the way suggested it is possible to examine the animal as to any defect there is no proof from here that we follow the majority.

(12) Ex. XII, 46.

(13) V. Pes. 84b. This suggestion thus fails to prove our principle.

(14) Lev. III, 9. The fat tail of a sheep or ram in cases of sin-offerings or peace-offerings was offered in one whole mass upon the altar.

(15) I.e., below the point of partition where the spinal cord branches off into three minor cords, one extending into the right thigh, the second into the left thigh, and the third continuing straight on into the tail. If any one of these minor cords is severed the animal does not become Trefah. V. infra 45b. It is therefore suggested that the fat tail should be cut off below the point of partition, in which case even if the cord is severed in the tail it is of no consequence.

(16) Lev. III, 9.

(17) Cf. Ber. 61a, where it is stated that the function of the kidneys is to give counsel.

(18) Which is above the point of partition.

(19) Since it is possible to examine the tail in the manner suggested, there is no proof from this case that we follow the majority.

(20) Deut. XXI, 6. After the breaking of the neck the heifer was immediately buried whole and on no account was it permitted to cut up the carcass.

(21) Since it was not a sacrifice in the ordinary sense of that term.

(22) Deut. XXI, 8: Forgive, O Lord, Thy people Israel.

(23) Therefore, just as a Trefah animal was unfit for a sacrifice, so the heifer, if Trefah, was unfit for the purpose. It is to be noted that R. Shesheth's argument succeeds in proving the principle of following the majority. This is also the case with the arguments used in the following passages, with

the possible exception of R. Mari's argument. V. infra p. 51, n. 6.

(24) Num. XIX, 3, 5.

(25) Ibid. 9. And therefore like all sacrifices the Red Cow may not be Trefah.

(26) Lev. XVI, 7. On the Day of Atonement two goats were required, one to be a sacrifice unto the Lord and the other, the Scapegoat, to be sent away to Azazel (ibid. 8), i.e., it was taken into the wilderness where it was hurled down a steep mountain. Lots were cast to decide which goat was to be for the Lord and which for Azazel.

(27) This interpretation suggests that the goat for Azazel may not be Trefah, just as the goat which was for the Lord clearly may not be Trefah. This, however, would seem to be superfluous as the reason why it may not be Trefah is stated subsequently. The words, 'that the two shall be alike in all respects' are omitted in MS.M.

Chullin 11b

that one of them is trefah?¹ Is it not because we follow the majority! And should you say, What does it matter [even if it is Trefah]? Surely it has been taught: The lot cannot determine [the goat] for Azazel unless it is fit to be for the Lord!² And should you say: It can be examined?³ Surely we have learnt: Before it reached half way down the mountain it was already broken into pieces!⁴

R. Mari said: It is derived from the case of one that smiteth his father, or his mother,⁵ for which offence the Divine law prescribes death. Now why do we not fear that the person struck may not have ben his father? Is it not because we follow the majority, and a woman cohabits with her husband more often [than with a stranger]? But perhaps [the law applies] only to the case where the father and mother were locked up in prison!⁶ — Even so there is no guardian against unchastity.⁷

R. Kahana said: It is derived from the case of a murderer, for whom the Divine law prescribes death. Now why do we not fear that the victim may have been trefah?⁸ Is it not because we follow the majority! And should you say: We can examine the body?

CHULLIN – 2a-30b

[This is not allowed because] it would thereby be mutilated! And should you say: Since a man's life is at stake, we should mutilate the body? Surely there is always the possibility that there was a hole [in the victim] in the place [where he was stuck] by the sword.⁹

Rabina said: It is derived from the law concerning witnesses who are found to be *zomemim*,¹⁰ in connection with whom the Divine Law says. Then shall ye do unto him, as he had purposed [to do unto his brother].¹¹ Now why do we not fear that the person against whom they gave false evidence [that he committed a capital offence] is *trefah*?¹² Is it not because we follow the majority! And should you say. We can examine him now? Surely it has been taught: *Beribbi*¹³ said: If the person [against whom their evidence was directed] has not been executed they are put to death; if he has been executed they are not put to death!¹⁴

R. Ashi said: It is derived from the law of *Shechitah* itself;¹⁵ for the Divine Law says [in effect]. Slaughter and eat. Now why do we not fear that there is a hole [in the gullet] in the place where It was cut through?¹⁶ Is it not because we follow the majority!

R. Ashi added: I put forward this argument to R. Kahana — others say: R. Kahana put forward this argument to R. Shimi — and he replied: perhaps the law is that where it is possible to ascertain the facts we must do so; it is only where it is impossible to ascertain the facts that we follow the majority.¹⁷ For if you do not accept this [argument], then the question will be asked: Did R. Meir, who is of the opinion that the minority must be taken into consideration, always abstain from eating meat? And if you reply that this indeed was the case, then it will be asked:

(1) I.e., the one which was to be sent to the wilderness. It was obviously impossible to examine it as to any defects, since it was sent away alive.

(2) In other words, though only one of the goats was offered as the sacrifice to the Lord, it was

necessary for both goats to be such as might have been sacrificed to the Lord; it follows therefore that neither goat might be *Trefah*.

(3) After being sent away.

(4) *Yoma* 67a.

(5) Ex. XXI, 15.

(6) Where his mother conceived him and where it would be impossible for the mother to have intercourse with strangers.

(7) So that the offence of striking a father is made punishable only by reason of the principle of following the majority. This answer, however, is omitted in MS.M; if it is omitted. R. Mari's argument stands disproved.

(8) A person afflicted with a fatal organic disease, for whose killing a person is not punishable as a murderer.

(9) The murderer may have killed the victim by striking him in a place where he was already suffering from a fatal wound, and in so doing removed all traces of the previous wound. In such a case it is clear that no amount of post mortem examination would show that the victim was *Trefah*; hence it is proved that we follow the majority.

(10) A technical term for a particular form of perjury. Cf, Deut. XIX, 16ff and Mak, chaps 1. The punishment meted out to these false witnesses is the sentence which the court had pronounced upon the person who was found guilty on the strength of their false evidence. This law, as will be seen from the subsequent statement, does not apply where the sentence has in fact been carried out.

(11) Deut. XIX, 19.

(12) Cf, p. 51, n. 7.

(13) I.e., a prominent scholar, or as Rashi suggests in Mak. 5 b a teacher of that name. V.J. E. III, p. 52.

(14) V.Mak. 5b. The position is this: if the person against whom the witnesses testified has been executed the witnesses are not punished at all, and if he has not been executed then it is not possible to examine him as to whether or not he is a *Trefah*; hence it is proved that we follow the majority.

(15) The basic law of *Shechitah*, which is that one may eat an animal which has been ritually slaughtered.

(16) And therefore the slaughtering should not be valid because the animal may have been *Trefah*.

(17) Lit., 'where (it is) possible, it is possible; where impossible, impossible'. Although in the cases previously quoted, it is true that the majority principle is adopted, it is not to be enlarged into a general principle, for in each of those cases it was impossible to ascertain the true

CHULLIN – 2a-30b

facts; where, however, it is possible to do so one should not follow the majority.

Chullin 12a

What about the meat of the paschal lamb and of other sacrifices?¹ You are therefore obliged to say [that R. Meir's view is]: where it is possible to ascertain the facts² one must do so, and only where it is impossible to ascertain the facts does one follow the majority. Our view then is the same: Where it is possible to ascertain the facts we must do so, and only where it is impossible to do so do we follow the majority.

R. Nahman said in the name of Rab: If [a man] saw another slaughtering, and he watched him from beginning to end, he may eat of the slaughtering; otherwise he may not eat of the slaughtering. What are the circumstances of the case? If he knows that the slaughterer is conversant [with the rules of shechitah], then why is it necessary to watch over him? If he knows that the slaughterer is not conversant [with the rules at all], then the case is obvious!³ Again, if he does not know whether the slaughterer is conversant [with the rules] or not, then should not the principle that ‘the majority of those who slaughter⁴ are qualified’ apply?⁵ For has it not been taught: If [a man] found a slaughtered chicken in the market, or if he said to his agent. ‘Go and slaughter [an animal]’, and subsequently found it slaughtered, it is presumed to have been ritually slaughtered? This proves that we apply the principle that ‘the majority of those who slaughter are qualified’; in our case, too, should we not apply this principle? —

The actual facts of our case are that he knows that the slaughterer is not conversant [with the rules at all] and that the latter has cut one of the organs [of the throat] in his presence properly [according to ritual]. Now it might be said: since he has cut the one organ properly [he will cut] the other just as well; Rab therefore teaches us [that we may not

assume such to be the case, because it might just as well be] that it happened merely by chance that he cut the one organ properly but in the cutting of the other he might pause or press. R. Dimi b. Joseph put to R. Nahman the following questions: If [a man] said to his agent: ‘Go and slaughter [an animal]’, and he subsequently found it slaughtered, what [is the law]? —

He replied: It is presumed to have been ritually slaughtered. If [a man] said to his agent: ‘Go and set aside the terumah’,⁶ and he subsequently found it set aside, what [is the law]? —

He replied: It is not presumed to have been validly set aside as terumah. [He thereupon contended:] What is your opinion? If you hold that there is a presumption that an agent carries out his instructions, then apply it also to the case of terumah;⁷ and if you hold that there is no presumption that an agent carries out his instructions, then even in the case of shechitah it should not be presumed! —

He replied: If you will measure out for it a kor of salt [I will then explain it to you].⁸ Actually there is no presumption at all that an agent carries out his instructions; now in the case of shechitah, even if we take into account the possibility that a stranger, having overheard the instructions, went and slaughtered [the animal], there is no harm, because of the principle that ‘the majority of those who slaughter are qualified’; whereas in the case of terumah if we take into account the possibility that a stranger, having overheard the instructions, went and set aside the terumah [it would be invalid] for he would have done so without the consent of the owner, and [the law is that] if one sets aside terumah without the consent of the owner the terumah is not valid.⁹ Shall we say that the principle, ‘The majority of those who slaughter are qualified’, is the issue between the following Tannaim? For it has been

CHULLIN – 2a-30b

taught: If [a man] lost his kids or his chickens and subsequently found them slaughtered. R. Judah forbids them [to be eaten], but R. Hanina the son of R. Jose the Galilean permits them [to be eaten].

Said Rabbi: R. Judah's view is acceptable [to me] in the case where they [the kids or chickens] were found on a rubbish heap,¹⁰ and R. Hanina's view is acceptable [to me] in the case where they were found in a house. May we not assume that the issue between them is the above principle; one [R. Hanina] accepts the principle that 'the majority of those who slaughter are qualified', and the other [R. Judah] does not accept this principle? —

R. Nahman b. Isaac replied: It is not so. Both accept the principle that 'the majority of those who slaughter are qualified', and if [the lost kids and chickens were found] in a house, both agree that they are permitted [to be eaten]; and furthermore, if [they were found] on a public rubbish heap, both agree that they are forbidden; the issue between them is only in the case where [the were found] on the rubbish heap of a private house: one [R. Judah] is of the opinion that a man is wont to cast a nebelah on to the rubbish heap in his house, while the other [R. Hanina] is of the opinion that a man is not wont to cast a nebelah on to the rubbish heap in his house.¹¹

The Master stated: 'Said Rabbi, R. Judah's view is acceptable [to me] in the case where they [the kids or chickens] were found on a rubbish heap'. Now what kind of rubbish heap is meant? Shall I say. A public rubbish heap? But you have said above that both agree that in such a case they are forbidden [to be eaten]! It must then be a rubbish heap of a private house. Now consider the next statement [of Rabbi]: 'And R. Hanina's view is acceptable [to me] in the case where they were found in a house'. What is meant by 'in a house'? Shall I say: In the house itself? But you have said above that in such a case both

agree that they are permitted [to be eaten]! It must then be on the rubbish heap of a private house. Is there not then a contradiction between these two statements of Rabbi? —

- (1) Did he likewise abstain therefrom? This is inconceivable, for it is a positive duty to eat the meat of the paschal lamb and of certain other sacrifices!
- (2) By carefully enquiring into the case, taking into account even the minority.
- (3) That the slaughtering is invalid unless some reliable person was watching him all the time.
- (4) Lit., 'who have to do with slaughtering'.
- (5) It would therefore be unnecessary to watch over him at all; v. supra 3b.
- (6) V. Glos.
- (7) The terumah would then be valid by reason of this presumption.
- (8) As a reward for my labor! A facetious remark, generally used when about to explain to some person a subtle distinction between two cases. Kor is a measure of capacity.
- (9) V. Ter. I, 1, and Git 23b.
- (10) The fact that they were found on a rubbish heap is an indication that they were unfit to be eaten, probably nebelah.
- (11) Therefore, whatsoever is found on a private rubbish heap is permitted to be eaten.

Chullin 12b

This is what he [Rabbi] meant to say: The view of R. Judah is acceptable to R. Hanina the son of R. Jose the Galilean in the case where they were found on a public rubbish heap; for the latter differs from R. Judah only in the case where they were found on the rubbish heap of a private house, but agrees with him if they were found on a public rubbish heap. And the view of R. Hanina is acceptable, etc.¹

EXCEPT A DEAF-MUTE. AN IMBECILE OR A MINOR, LEST THEY INVALIDATE THEIR SLAUGHTERING. It does not say: 'Lest they have invalidated', it says. **LEST THEY INVALIDATE**; this, said Raba, proves that one may not give them [even] common² beasts [to slaughter] in the first instance.³

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AND IF ANY OF THESE SLAUGHTERED WHILE OTHERS WERE STANDING OVER THEM, THEIR SLAUGHTERING IS VALID. Who is the author of this statement [which suggests] that one does not require to have the intention to slaughter according to ritual?⁴—

Raba answered, It is R. Nathan. For Oshaia, junior of the collegiates,⁵ learnt: If one threw a knife intending to thrust it into a wall, and [in its flight] it slaughtered an animal in the usual way. R. Nathan declares the slaughtering valid; but the Sages declare it invalid. And [Oshaia] having learnt this [Baraita] added that the halachah was in accordance with R. Nathan's view. But do we not require a forward and backward motion [in slaughtering]?⁶ — There was here a forward and backward motion⁷ in the usual way.

R. Hiyya b. Abba reported that R. Johanan raised the following question: Does the law recognize the [expression of the] intention of a minor or not?⁸—

Said R. Ammi to R. Hiyya. He might as well have put the question in regard to the act [of a minor].⁹ Why did he not put the question in regard to the act [of a minor]? [Presumably] because we have learnt that the law recognizes the act [of a minor as sufficient evidence of his intention]; for the same reason he need not have put the question in regard to the [expression of the] intention of a minor, because we have learnt that the law does not recognize the [expression of the] intention [of a minor as sufficient evidence of his intention]! For we have learnt:¹⁰ Acorns or pomegranates or nuts which children hollowed out in order to measure sand therewith, or which they fashioned into scales, are susceptible to uncleanness,¹¹ because the law recognizes the act [of a minor as sufficient evidence of his intention]

(1) These last words are omitted in MS.M., and it would also seem that Rashi did not have them in

his text, if they are to remain in the text they should be expanded thus: And the view of R. Hanina is acceptable to R. Judah in the case where they were found in a house, for the latter only differs from it. Hanina in the case where they were found on the rubbish heap of a private house, but agrees 'with him if they were found in a house.

(2) Hullin, v. Glos.

(3) Even when others are prepared to stand and watch over them they may not slaughter in the first instance, for they are liable at any moment to infringe the rules of shechitah.

(4) For the Tanna, in holding that the slaughtering of (inter alia) an imbecile is valid when others were standing over him, clearly is of opinion that the intention to slaughter according to ritual is not essential, since an imbecile is incapable of forming such an intention.

(5) Or, as others interpret, Oshaia Ze'ira of Haberya, v. Ta'an., Sonc. ed., p. 124, n. 2.

(6) V. infra 30b and Tosef. Hul. I, 4 and 5. In this case there was only a forward motion of the knife.

(7) The knife in its flight cut the throat in a forward motion, it then struck the wall, and in its rebound cut the throat again, now in a backward motion.

(8) The question refers to cases where the legal status of a thing is determined by the intention formed in relation thereto. It is not here disputed that it is sufficient if the necessary intention was formed by a minor; the question asked is: what evidence does the law require before it is satisfied that the minor has in fact formed the necessary intention? Is a minor's statement as to his intention sufficient evidence of that intention? Throughout this discussion Rashi's interpretation has been followed; v. however Tos. s.v. וְהִיבְעִי.

(9) I.e., whether the law is satisfied as to the existence of any particular intention on the part of a minor when that expressed intention is evidenced by some unequivocal act on his part.

(10) Kel. XVII, 15.

(11) All articles are rendered susceptible to uncleanness by the intention to use them for some purpose. Here the intention of the children is clearly seen from their act of hollowing out the nuts.

Chullin 13a

hut not [the mere expression of] his intention. — He replied. He certainly did not put the question in regard to the mere [expression of the] intention [of a minor]. What he asked was whether his intention¹ could be inferred from his act.² For example: there stood [an

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animal intended for] a burnt-offering on the south side [of the altar], and the minor brought it to the north side and slaughtered it there. Should we say that since he brought it to the north side and slaughtered it there [it is clear that] he had the proper intention,³ or should we rather say that he did not find a convenient place [in the south]?⁴

But has not R. Johanan already expressed his view in such a case? For we have learnt:⁵ If [a man] took his fruit up to the roof in order to keep it free from maggots and dew fell upon it, it does not come within the rule of 'if water be put'.⁶ If, however, he had the Intention [that the dew should fall upon it] it comes within the rule of 'if water be put'. If it was taken up by a deaf-mute, an imbecile or a minor, it does not come within the rule of 'if water be put', even though they had the intention [that the dew should fall upon it], because the law recognizes the act of a minor but not [mere] intention. And R. Johanan explained that this rule only applies where they⁷ did not turn the fruit over, but if they did turn the fruit over it comes within the rule of 'if water be put'.⁸ The question [R. Johanan] put was this: Was this rule⁹ laid down by the Torah or only by the Rabbis?¹⁰

R. Nahman b. Isaac gives this version [of the foregoing argument]. R. Hiyya b. Abba said that R. Johanan put this question: Does the law recognize the act of a minor [as sufficient evidence of his expressed intention] or not?

Said R. Ammi to R. Hiyya. He might as well have put the question in regard to the [expression of the] intention [of a minor]. Why did he not put the question in regard to the [expression of the] intention [of a minor]? Because we have learnt that the law does not recognize the [expression of the] intention of a minor [as sufficient evidence of his intention]; for the same reason he need not have put the question in regard to the act of a minor because we have learnt that the law recognizes the act of a minor [as sufficient

evidence of his expressed intention]! — The question [R. Johanan] put was this: Is this rule laid down by the Torah or only by the Rabbis? — And [R. Johanan himself] solved [it]: The act of a minor [as sufficient evidence of his unexpressed intention] is recognized even by the Torah; [the mere expression of] his intention is not recognized even by the Rabbis;¹¹ the [unexpressed] intention of the minor evidenced from his act is not recognized by the Torah but only by the Rabbis.

Samuel put the following question to R. Huna: Whence do we know that an act performed incidentally in connection with sacrifices¹² is invalid? — [He replied,] Because it is written: And he shall slaughter the bullock,¹³ thus teaching that the slaughtering should be intended for a bullock. Thereupon Samuel said: This we already know;¹⁴ but whence do we know that this rule is indispensable?¹⁵ — He replied: It is written: Ye shall slaughter it at your will,¹⁶ that is to say, slaughter it intentionally.¹⁷

MISHNAH. THAT WHICH IS SLAUGHTERED BY A GENTILE¹⁸ IS NEBELAH¹⁹ AND DEFILES BY CARRYING.²⁰

GEMARA. It is nebelah only but it is not prohibited for all other purposes. Who is the authority for this view? — R. Hiyya b. Abba in the name of R. Johanan replied: It cannot be R. Eliezer, for were it R. Eliezer [it should also be prohibited for all other purposes] since he maintains that the thoughts of a gentile are usually directed towards idolatry.²¹

R. Ammi said that the Mishnah is to be interpreted thus: THAT WHICH IS SLAUGHTERED BY A GENTILE IS NEBELAH, but [that which is slaughtered] by a min²² is presumed to be intended for idolatry.²¹ We thus learnt here what our Rabbis have taught: That which is slaughtered by a min [is regarded as]

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intended for idolatry, his bread as the bread of Cutheans,²³ his wine as wine used for idolatrous purposes, his scrolls of the Law as books of soothsayers,²⁴ his fruit as tebel.²⁵ Some add, even

- (1) I.e., where he did not express it.
- (2) In cases where the intention was unexpressed but the act was evidence thereof.
- (3) Sacrifices of the highest grade had to be slaughtered on the north side of the altar; v. Zeb, chap. V. Furthermore, every act in connection with any sacrifice had to be intended for the particular sacrifice.
- (4) So that the slaughtering of the animal may have been performed on the north side not because he knew that it was necessary to slaughter a burnt-offering there but because he found the place more convenient.
- (5) Maksh, VI, 1.
- (6) Lev. XI, 38. From this verse the law is derived that produce becomes susceptible to uncleanness only after it has been made wet by water or other liquids specified in Maksh. VI, 4. It is provided, however, that the owner must have applied the water to the produce intentionally, or, at least, that the presence of the water on the produce was acceptable to him.
V. Maksh. I, 1.
- (7) I.e., the deaf-mute, the imbecile or the minor.
- (8) Their turning over the fruit shows that they intended the dew to fall on the other side of the fruit too. It must be assumed, however, that they did not expressly state their Specific purpose, for if they did, it would not be necessary for R. Johanan to teach this, for it is obvious that their act is conclusive evidence of their expressed intention. Here is a clear case of an act which, though not conclusive, might well serve to indicate the minor's intention; yet R. Johanan ruled that the law was satisfied with such evidence of intention.
- (9) Viz., that the law recognizes the unexpressed intention of a minor where it can be inferred from his act.
- (10) If the rule is Biblical then it would be applied in all cases, even where the effect of such application would produce a more lenient result; e.g., in the case of the burnt-offering mentioned above, the result of applying the rule would be to declare the sacrifice valid. If, however, the rule was only laid down by the Rabbis, it would only be applied in such cases where the effect of such application would produce a more stringent result; e.g., in the case of the fruit on the roof, the result of applying the rule would be to regard the fruit as susceptible to uncleanness.

(11) And therefore the expression of his intention is ignored in all cases, even where the effect would produce a more stringent result.

(12) E.g., a person while handling a knife unintentionally slaughters a consecrated animal.

(13) Lev. I, 5.

(14) Lit., 'that is in our hand'.

(15) I.e., that if the proper intention was absent the sacrifice is invalid even after the act.

(16) Lev. XIX, 5.

(17) Since we have two verses each directing that the slaughtering of a consecrated animal must be accompanied by the proper intention the rule becomes indispensable, in accordance with the Rabbinic dictum: wherever Scripture repeats an injunction it is meant to be indispensable.

(18) Even though the slaughtering was performed according to ritual and in the presence of an Israelite, the animal is regarded as nebelah and may not be eaten; but also, like nebelah, it may be used for any other purpose.

(19) V. Glos.

(20) V. Lev. XI, 40.

(21) And it is established law that no use or benefit may be derived from anything connected with idolatrous worship.

(22) Heb. מִיֵּיִם pl. מִיֵּיִם. A Jew or a gentile who is devoted to the worship of idols, or who acts as priest unto idols, V. Glos.

(23) The bread of Cutheans (i.e., Samaritans) was forbidden to be eaten. V. Sheb. VIII, 10: He who eats the bread of a Cuthean is as one who eats the flesh of swine.

(24) Which serve for idolatrous purposes. V. Git. 45b: A scroll of the Law written by a min must be destroyed by fire.

(25) Produce from which there have not yet been separated the tithes and the priestly dues, and which may not be eaten on penalty of death at the hands of Heaven.

Chullin 13b

his children as bastards. And the first Tanna?¹ — He holds that he would not allow his wife to prostitute herself.

The Master stated above: 'THAT WHICH IS SLAUGHTERED BY A GENTILE IS NEBELAH'. But perhaps he is a min? — R. Nahman in the name of Rabbah b. Abbuha answered: There are no minim among the gentiles. But we see that there are! Say: The majority of gentiles are not minim. For he accepts the opinion expressed by R. Hiyya b.

CHULLIN – 2a-30b

Abba in the name of R. Johanan: The gentiles outside the land [of Israel] are not idolaters; they only continue the customs of their ancestors.

R. Joseph b. Minyomi stated in the name of R. Nahman: There are no minim among the idolatrous nations.² Now, to what would this rule apply? Do you say to shechitah? But surely, if what is slaughtered by a min who is an Israelite is prohibited, it goes without saying that what is slaughtered by a gentile min is prohibited! Do you then say it applies to the law of ‘casting down into a pit’?³ But surely, if a min who is an Israelite may be cast down, it goes without saying that a gentile min may be cast down!

R. ‘Ukba b. Hama said: The rule applies to the matter of accepting sacrifices from them. For it has been taught:⁴ Of you,⁵ but not all of you, thus excluding an apostate. ‘Of you’, that is to say, among you [Israelites] is a distinction drawn but not among the gentiles.⁶ But are you correct in this? Perhaps this is the meaning [of the Baraita]: As regards Israelites, you may accept sacrifices from the righteous but not from the wicked, but as regards gentiles you may not accept sacrifices from them at all?⁷ — You cannot entertain such a view, for it has been taught: [It would have sufficed had Scripture stated], a man,⁸ why does it state, ‘a man, a man? To include gentiles, that they may bring either votive or freewill-offerings like an Israelite.

AND DEFILES BY CARRYING. Is not this obvious? Since it is nebelah [it follows that] it defiles by carrying! Raba answered: This is the interpretation. This animal defiles by carrying, but there is another [similar] case where the animal even defiles [men and utensils that are] in the same tent.⁹ Which is that? It is the case of an animal slaughtered as a sacrifice to idols. This then is in accordance with the view held by R. Judah b. Bathyra.¹⁰ Some report this statement as follows: Raba answered: This is the

interpretation. This animal defiles by carrying, and there is another case which is similar to this one in that the animal [there too] only defiles by carrying but does not defile [men and utensils that are] in the same tent. Which is that? It is the case of an animal slaughtered as a sacrifice to idols. This then is not in agreement with R. Judah b. Bathyra. For it has been taught: R. Judah b. Bathyra said: Whence do we know that sacrifices unto idols defile [men and utensils that are] in the same tent? From the verse: They joined themselves also unto Baal-Peor and ate the sacrifices of the dead¹¹ as a dead body defiles [men and utensils that are] in the same tent so also do sacrifices unto idols.

MISHNAH. IF ONE SLAUGHTERED BY NIGHT,¹² LIKEWISE IF A BLIND MAN SLAUGHTERED. THE SLAUGHTERING IS VALID.

GEMARA. The expression ‘IF ONE SLAUGHTERED’ implies that the slaughtering is valid only after the act but it does not imply a right in the first instance.¹³ Now is not this contradicted [by the following statement]: At all times one may slaughter,¹⁴ by day or by night, and [in all places,] whether on the rooftop or on top of a ship?¹⁵—

R. Papa answered [that in the latter case] the man slaughters to the light of a torch. R. Ashi added. This is supported by the context, for in the latter case night and day are in juxtaposition,¹⁶ whereas in the Mishnah night and a blind man are in juxtaposition.¹⁷ This is conclusive.

(1) What is his view about the children?

(2) I.e., the law does not regard a gentile mill as a min.

(3) V. A.Z. 26a and b: Minim, betrayers and apostates may be endangered and need not be delivered from danger, whereas idolaters and Jewish shepherds of small cattle are not to be endangered, though one is not obliged to deliver them from danger. The expression ‘cast down into a pit’ is synonymous with ‘endangering life’.

CHULLIN – 2a-30b

(4) V. supra p. 19.

(5) Lev. I, 2.

(6) I.e., sacrifices may be accepted from all gentiles without exception.

(7) And so when the Baraitha states that no distinction is made among the gentiles it is entirely negative, i.e., on no account and in no circumstances may sacrifices be accepted from gentiles.

(8) Lev. XXII, 18. The verse, translated literally, reads: A man, a man of the children of Israel... that bringeth his offering, etc. It is suggested that the repetition of 'a man' extends the law to include such persons other than those contemplated in the ordinary meaning of the verse; in this case, gentiles.

(9) V. Num. XIX, 14: This is the law, when a man dieth in a tent, every one that cometh into the tent, and everything that is in the tent shall be unclean seven days. The rule laid down in this verse has been extended by the Rabbis to include a person or thing which is directly over (and thus forming a tent over) the unclean object.

(10) V. infra.

(11) Ps. CVI, 28.

(12) In the dark.

(13) And the reason is because it is to be feared that the slaughterer will not be able to ascertain whether he has sufficiently cut through the organs of the throat.

(14) This expression implies a right in the first instance to do so.

(15) Although we learnt (infra 41a) that one may not slaughter and allow the blood to run into the sea or vessel, lest it be said the slaughtering was an act of idolatrous worship to the deity of the sea, or that it was being collected for an idolatrous purpose, here, where the slaughtering is performed on the roof top and the blood collected in a vessel, there is no such apprehension, for it was collected in a vessel merely to avoid fouling the roof. Similarly where the blood is allowed to run into the sea from the top of the ship it is done merely to avoid fouling the top of the ship.

(16) Suggesting that the distinction is merely one of time but not necessarily that the slaughtering is done in the dark.

(17) Implying that the darkness of the night is intended, corresponding with the darkness of a blind man.

GUILTY AGAINST HIS OWN LIFE,¹ THE SLAUGHTERING IS VALID.

GEMARA. R. Huna said that Hiyya b. Rab in an exposition [on this Mishnah] said in the name of Rab that the animal was nevertheless forbidden to be eaten that same day.² The colleagues thereupon suggested that [the reason for this decision was that] the view [expressed in the Mishnah] was that of R. Judah. Now where does R. Judah express such a view? —

R. Abba said, in the matter of 'Readiness'.³ For we have learnt: One may cut up [on the Sabbath] pumpkins for beasts or a carcass⁴ for dogs. R. Judah says. It is forbidden to do so⁵ if the animal was not dead on the eve of the Sabbath, for then it would not belong to that class of things set in readiness for the Sabbath.⁶ This therefore shows that since it was not set in readiness on the eve of the Sabbath [for that particular use] it is forbidden [to be so used on the Sabbath]; so, too, in the case of our Mishnah, since the animal was not set in readiness on the eve of the Sabbath [for food] it is forbidden [to be so used on the Sabbath]. Thereupon Abaye said to him: What a comparison! In the case quoted the animal was originally set in readiness to serve for human food but now it merely serves for dog's food, whereas in the case of our Mishnah the animal was originally set in readiness to serve for human food and now too it serves for human food!⁷ — [He replied.] You are assuming that a living animal is intended for food; in reality it is intended for breeding purposes. If so, why is it permitted, on this view of R. Judah, to slaughter an animal on a festival?⁸ —

R. Abba then replied. The truth of the matter is that a living animal is intended both for breeding purposes and for food. If it is slaughtered,⁹ this act proves that it was intended originally to serve for food; if it is not slaughtered,⁹ it proves that it was intended originally for breeding purposes.¹⁰

Chullin 14a

MISHNAH. IF A MAN SLAUGHTERED ON THE SABBATH OR ON THE DAY OF ATONEMENT, NOTWITHSTANDING HE IS

CHULLIN – 2a-30b

But surely R. Judah does not hold bererah!¹¹ Whence do we know this? Shall we say from the following [Baraita] wherein it is taught: If a man bought wine from the Cutheans¹² he may say. 'Let two logs which I intend later to set aside be terumah,¹³ ten first tithe,¹⁴ nine second tithe',¹⁵ and then, after redeeming [this latter tithe with money], he may drink it. This is the opinion of R. Meir. R. Judah. R. Jose and R. Simeon do not allow this?¹⁶ —

(1) For breaking the Sabbath the offender is put to death by stoning, cf. Exod. XXXI, 14-15 and Num. XV. 35; and for profaning the Day of Atonement he incurs the heavenly punishment of Kareth (v. Glos.) in accordance with Lev. XXIII, 30.

(2) Even if he desires to eat it raw.

(3) Heb. הכנה. The rule adopted by R. Judah is that such things which on the eve of the Sabbath were not set in readiness or intended for the purpose which they actually serve on the Sabbath are forbidden to be so used on the Sabbath. They are mukzeh (v. Glos.), set apart, not counted on for use. This rule is based on Ex. XVI, 5, and applies particularly to fruit which fell from the tree on the Sabbath and also to an animal slaughtered on the Sabbath. In these cases neither the fruit nor the animal can be said to have been set in readiness for food on the Sabbath since on the eve of the Sabbath the fruit was still on the tree and the animal was still alive; v. Bez. 2b.

(4) Even though the animal died on the Sabbath.

(5) Sc. to cut up the carcass.

(6) Since on the eve of the Sabbath the animal was still alive and so was not set in readiness for food, it is forbidden to be so used (i.e., for food) on the Sabbath (Shab. 156b).

(7) It should therefore be permitted on the Sabbath.

(8) Since the animal on the eve of the festival was kept for breeding purposes it is clearly mukzeh on the festival, and therefore forbidden. Nevertheless the law is established beyond all doubt that one may slaughter an animal on a festival.

(9) At a time when it is permitted so to do.

(10) And so in the case of our Mishnah, since the animal was not slaughtered before the Sabbath, it is clear that the owner intended to keep it for breeding purposes, accordingly it is mukzeh and therefore forbidden to be eaten on the Sabbath.

(11) Heb. ברירה, retrospective designation, i.e., the legal effect resulting from an actual selection or disposal of things previously undefined as to their purpose. It is applied in our case thus: the purpose of a living animal is uncertain, but the subsequent use of the animal will define its purpose

retrospectively. Unless we hold that the animal was definitely intended for food on the eve of the Festival it would be forbidden, according to R. Judah's view, to slaughter it and eat it on the Festival.

(12) Also called Samaritans. V. supra p. 5, n. 6. It was doubtful whether the Cutheans were wont to set aside the terumah (v. next note) and other dues or not, and therefore it was necessary when purchasing wine or other produce from them to set aside the various dues. The circumstances of this case are as follows: A man has bought 100 logs (a liquid measure) of wine from the Cutheans and has got no other vessels wherein to set aside the dues; or the case may be that it is the eve of Sabbath and there is not sufficient time wherein to set aside the dues before the Sabbath begins.

(13) An offering to be given to the priest. The amount to be so given 15 not specified in the Torah but it was the general practice to offer two per cent of the produce. V. Glos.

(14) This tithe had to be given to the Levite.

(15) This tithe had to be consumed by the owner in Jerusalem. The Torah permits the redemption of this tithe with money, which money must be spent in Jerusalem; cf. Deut. XIV, 25. In the present case the circumstances do not prevent the owner from redeeming this tithe with some money that he may possess.

(16) It is assumed that the issue between these Rabbis relates to bererah. It must be remembered that the wine named as dues is not actually separate from the rest, and R. Meir, holding bererah, argues that when this purchaser subsequently sets aside the various dues, either after the Sabbath or when he acquires sufficient vessels, it is deemed that that which is now set aside is identical with that which was originally named, and there is no fear at all that this person has drunk any of the wine which was consecrated as dues. The other Rabbis, including R. Judah, apparently do not hold bererah, and therefore forbid this procedure on the ground that it is not established retrospectively that that which this person now separates as dues is identical with that which was previously named, and it is to be feared that he may have drunk of the wine consecrated as dues.

Chullin 14b

[This case is quite different for] there the reasoning is expressly stated, viz., They said to R. Meir: Do you not agree that if the cask were to break the result would be that this person has from the outset been drinking

CHULLIN – 2a-30b

untithed wine?¹ To this [R. Meir] replied:
When it breaks... !²

Rather we can derive it,³ from the teaching of Ayyo. For Ayyo taught: R. Judah says that a person cannot conditionally reserve for himself two contingencies simultaneously.⁴ [He may declare that] if a Sage comes to the east his ‘erub⁵ at the east should serve him,⁶ and if to the west his ‘Erub at the west should serve him; but on no account [may he make such conditions] in the event of two Sages coming one to this side and the other to that side. Now it was argued. Why is it that in the event of two Sages coming one to this side and the other to that side that he may not make conditions? It is, is it not, because bererah is not held?⁷ Then even in the event of the Sage coming [to one side only], either to the east or to — the west, he should not be allowed to make conditions. [for the very same reason] that bererah is not held? And R. Johanan had explained that [in the latter case] the Sage had already arrived.⁸

Rather said R. Joseph:⁹ It is the view of R. Judah expressed in the matter of ‘Vessels’. For we have learnt: Whatsoever vessels, which may be moved on the Sabbath, fragments thereof¹⁰ may likewise be moved on the Sabbath, provided they can perform aught in the nature of work,¹¹ e.g., fragments of a kneading trough that can be used for stopping the bung-hole of a cask, or fragments of a glass for covering the mouth of a flask.

R. Judah says: Provided they can perform aught in the nature of their former work, e.g., fragments of a kneading trough that can have porridge poured into them, or fragments of a glass that can have oil poured into them. Now according to R. Judah [they are permitted to be moved] only if they can perform aught in the nature of their former work, but not if they can perform aught in the nature of some other work. This, therefore, shows that since they were not set in readiness on the eve of

the Sabbath for that particular work, it is forbidden [to use them for such purpose on the Sabbath]; so, too. In the case of our Mishnah, since the animal was not set in readiness on the eve of the Sabbath for food, it is forbidden [to be so used on the Sabbath].

Thereupon Abaye said to him: What a comparison! There we are dealing with something that was originally a vessel and is now a fragment of a vessel, which is a case of nolad¹² and consequently forbidden; whereas here [in our Mishnah] we are dealing with something that was originally [intended for] food¹³ and now, too, is [intended for] food, it is therefore the same foodstuff merely more defined.¹⁴ And we have already ascertained that according to R. Judah, where the foodstuff is the same but more defined it is permitted.¹⁵ For we have learnt:¹⁶ One must not press fruit [on the Sabbath] in order to extract the juice, and even if the juice oozed out by itself it is forbidden.¹⁷

R. Judah says. If [the fruits were intended] to be eaten, the juice which oozed out is permitted,¹⁸ but if [they were kept only] for their juice, that which oozed out by itself is forbidden. [R. Joseph replied:¹⁹ But] has it not been stated in connection therewith: Rab Judah said in the name of Samuel that R. Judah accepts the opinion of the Rabbis in the case of baskets of olives and grapes?²⁰ Now the reason for this is clear, namely, since these fruits are usually kept for pressing one would always be inclined to do so at all times. Similarly it must be said [here in the case of our Mishnah], since an animal is usually kept for slaughtering one would always be inclined to do so.²¹ —

[Abaye replied]. Indeed, the whole argument is based upon Rab's original statement, is it not? And Rab has stated that R. Judah was in conflict with the Rabbis even in the case of baskets of olives and grapes!²²

CHULLIN – 2a-30b

Rather said R. Shesheth b. Idi, It is the view of R. Judah expressed in the matter of 'Lamps'. For it has been taught: A new lamp may be moved [on the Sabbath] from place to place but not an old one;²³ so according to R. Judah. But perhaps we are to understand R. Judah's view only in case of mukzeh on account of nauseousness,²⁴ but are we to understand that it applies also to cases of mukzeh in consequence of a ritual prohibition? — Yes, indeed, for it has been taught: R. Judah says,

(1) And it is because of the possibility of such an event happening that R. Judah and his colleagues prohibit this procedure and not because they do not hold bererah.

(2) I.e., R. Meir regards such a possibility too remote to be taken into consideration.

(3) That R. Judah does not hold bererah.

(4) This is explained anon.

(5) According to Sabbath law no person is allowed to go on the Sabbath beyond two thousand cubits from the boundaries of his town. If, however, he desires to go further, he must make an 'Erub, i.e., he deposits on the eve of Sabbath some food, enough for two meals, at a spot at the limit of the prescribed two thousand cubits' distance. This spot is regarded in law as his temporary abode and he may then go two thousand cubits beyond it. Having, however, gained two thousand cubits in one direction he forfeits his right of movement in any other direction outside the town boundaries. It is obvious that a person can make only one 'Erub and place it in that direction in which he intends to go. It is, however, provided for, in the event of a person being undecided as to which direction he will take on the Sabbath, that he may place a conditional 'Erub in each direction, and on the Sabbath when he makes his decision the 'Erub in the particular direction chosen will be effective.

(6) In order that he be enabled to attend the lecture of the Sage on the Sabbath which will be held at some place more than two thousand cubits beyond the boundaries of his town.

(7) In the case of a conditional 'Erub recourse must be had to the principle of bererah. For when each 'Erub is placed, it is not known which is to be effective; it is only when the decision is made on the Sabbath that a particular 'Erub is determined retrospectively to be the one intended to be effective from the outset.

(8) The latter case therefore does not come within the purview of bererah since it is actually known and determined before the Sabbath which 'Erub

is effective by the arrival of the Sage. All that remains is for this person to ascertain this fact. This Baraitha, however, clearly proves from the first clause that R. Judah does not hold bererah; hence the suggestion of R. Abba that the view in the Mishnah corresponds with that of R. Judah in the matter of 'Readiness' can no longer be maintained.

(9) In answer to the first question: Where does R. Judah express the view which accords with that of our Mishnah.

(10) Even if the vessel was broken on the Sabbath.

(11) That they might still be regarded as vessels and not as potsherds.

(12) Heb, נולד, 'born, created'. An object which is Produced, and only becomes available for a particular use, on a festival or on the Sabbath, may not be so used on that day.

(13) For it is established according to R. Judah that an animal while living is kept in order to be slaughtered and used as food, for otherwise it would be forbidden to slaughter an animal on the Festival.

(14) Lit., 'broken off', separated and distinct. Consequently the animal should be Permitted to be eaten even when slaughtered on the Sabbath.

(15) For it is not a case of nolad.

(16) Shab. 143b.

(17) It is a precautionary measure lest one will press the fruit deliberately for the sake of its juice on the Sabbath, which would constitute a breach of one of the main classes of work prohibited.

(18) R. Judah does not regard the juice which oozed out of the fruit as nolad, i.e., something new issuing from the fruit, but as the fruit itself in a more particular and defined form.

(19) The statement which follows is a counter argument against Abaye, and it further attempts to show that the view of R. Judah in the Mishnah quoted corresponds with the view of our Mishnah.

(20) For these fruits are usually kept for pressing, and it is only with such, other fruits as pomegranates and mulberries that R. Judah adopts a lenient view.

(21) And therefore the animal is forbidden to be eaten on the Sabbath for fear that one might deliberately slaughter it on the Sabbath.

(22) In which case also, R. Judah maintains a lenient view. Accordingly a similar view should be adopted in our Mishnah; so that the original question remains open: Why, according to R. Judah, is the animal forbidden to be eaten on the Sabbath?

(23) A new earthenware lamp before being used for lighting might well be used for other purposes, but an old lamp having already had oil poured into it for lighting would rarely be used for another purpose — it would be nauseating to do

CHULLIN – 2a-30b

so — and so would be regarded in law as mukzeh (set apart, not counted on for use), and consequently forbidden to be moved. This same reasoning applies to our Mishnah: since the animal was not slaughtered before the Sabbath it certainly was not counted on as food for the Sabbath; it is therefore mukzeh and forbidden to be eaten.

(24) As in the case of an old lamp which has been used for lighting. In the case of our Mishnah, however, the animal is mukzeh in consequence of a ritual prohibition.

Chullin 15a

All metal lamps¹ may be moved on the Sabbath, excepting a lamp that has been alight on this Sabbath.² But perhaps it might be suggested that in the latter case the law is exceptional since [the lamp] has been put away by the hand of man!³ Rather said R. Ashi: It is the view of R. Judah expressed in the matter of 'Cooking'. For it has been taught: If a man cooked food on the Sabbath inadvertently, [even] he himself may eat of it,⁴ but if deliberately, he may not eat of it:⁵ so R. Meir.

R. Judah says: If inadvertently, he may eat of it only after the termination of the Sabbath,⁶ but if deliberately, he may never eat of it.⁷ R. Johanan ha-Sandlar⁸ says: If inadvertently, it may be eaten after the termination of the Sabbath by others only but not by himself, but if deliberately, it may never be eaten, neither by him nor by others.⁹ But may we not explain [the Mishnah] to be the case of a deliberate act and so in accord with R. Meir's view? — This cannot be, for [in our Mishnah,] Sabbath and the Day of Atonement are stated in juxtaposition, suggesting that as on the Day of Atonement the one who slaughtered may on no account eat of it whether he acted inadvertently or deliberately,¹⁰ so on the Sabbath he may not eat of it whether he acted inadvertently or deliberately.¹¹ But how can you explain [the Mishnah] to be a case of inadvertence and in accord

with R. Judah's view? Does it not read: **NOTWITHSTANDING HE IS GUILTY AGAINST HIS OWN LIFE?**¹² —

This is the interpretation: **NOTWITHSTANDING HE IS GUILTY AGAINST HIS OWN LIFE** had he acted deliberately, since in our case he has acted inadvertently, the slaughtering is valid. But may we not explain the Mishnah in accordance with R. Johanan ha-Sandlar who holds the view that whether he acted inadvertently or deliberately he may never eat of it? — Nay, for R. Johanan ha-Sandlar discriminates between him and others after the termination of the Sabbath, whereas the Tanna of our Mishnah states: **THE SLAUGHTERING IS VALID**, without discriminating between him and others.

A Tanna recited before Rab: If a man cooked food on the Sabbath inadvertently, even he himself may eat of it, but if deliberately he may not eat of it. Rab thereupon bade him to keep silent. Now why did Rab silence him? Was it because Rab accepts the view of R. Judah and the Tanna was reciting the teaching in accordance with R. Meir's view? [Is he then justified,] because he himself accepts R. Judah's view, in bidding one who recites according to R. Meir's view to keep silent? Moreover, is it true to say that Rab accepts R. Judah's view? Has not R. Hanan b. Ammi reported that whenever Rab laid down the rule to his disciples he would rule according to R. Meir's view, but whenever he lectured at the public session he would expound the law according to R. Judah's view because of the ignorant masses present?¹³ And if you will say that this Tanna was reciting the teaching in the presence of Rab at the public Session?¹⁴ — Would then the public pay attention to the Tanna? They would pay attention to the Amora!¹⁵ —

R. Nahman b. Isaac answered that the Tanna recited before Rab the case of slaughtering, thus: If a man slaughtered on the Sabbath

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inadvertently, he himself may eat of it, but if deliberately, he may not eat of it. Whereupon [Rab] said to him, You are inclined, no doubt, to accept R. Meir's view; but even so, R. Meir adopts a lenient view only in the case of cooking, inasmuch as the food could indeed be chewed raw;¹⁶ but not in case of slaughtering, since the animal could not be eaten raw.¹⁷ But then our Mishnah is a case of slaughtering and [it has been remarked above that] R. Huna said that Hiyya b. Rab in an exposition [on the Mishnah] in the name of Rab said that the animal was nevertheless forbidden to be eaten that same day, and furthermore that the colleagues thereupon suggested that the view expressed was that of R. Judah. Now does it not follow, therefore, that R. Meir would permit it to be eaten [that same day]?¹⁸ — R. Meir only permits it in such circumstances

(1) Even old ones.

(2) I.e., when the Sabbath began this lamp was alight, and so it immediately became mukzeh in consequence of the law prohibiting the moving of a lighted lamp for fear of extinguishing it, and it remains mukzeh the whole of the Sabbath.

(3) The mukzeh in this case is brought about by the definite act of man, that is, when he lights the lamp; whereas in our Mishnah the mukzeh comes of itself with the commencement of the Sabbath. In this latter case it is suggested that the mukzeh is not so strict, and if by some means it comes about that the animal is fit for eating it should be permitted.

(4) Immediately on the same day.

(5) Nor anybody else on the Sabbath.

(6) He and also others, but only after the lapse of such time as would be taken to cook the food, so that no benefit be derived from cooking on the Sabbath.

(7) Though others may eat of it after the Sabbath.

(8) The sandal maker; or, the Alexandrian. He was a disciple of R. Akiba.

(9) It is suggested that in our Mishnah the slaughtering was done inadvertently, nevertheless the animal is permitted to be eaten only after the Sabbath, thus being entirely in agreement with R. Judah's view.

(10) For it is a day of fasting.

(11) According to R. Meir, however, if he acted inadvertently he may eat of it immediately on the Sabbath.

(12) The death penalty is incurred only when one acts deliberately.

(13) Because of these, Rab would teach the stricter view, i.e., R. Judah's, merely as a precautionary measure.

(14) And for this reason Rab silenced him.

(15) Sc. Rab's Amora. The official speaker attached to a school or synagogue who expounded aloud to the public what the Rabbi said to him in brief and in a low voice.

(16) So that not only is there no infringement of the Sabbath laws, since the cooking was done inadvertently, but there is not even the prohibition of mukzeh since whilst raw it was also fit for food.

(17) I.e., whilst alive; so that it would be prohibited on the ground of mukzeh.

(18) In contradiction to what has just been stated in the name of Rab as to the view of R. Meir.

Chullin 15b

as when there was an invalid in the house on the eve of the Sabbath.¹ If that be so, then why does R. Judah forbid it? — It must be the case of an invalid who recovered [on the Sabbath].² The above view³ agrees with the statement of R. Aha b. Adda in the name of Rab, (others say, with the statement of R. Isaac b. Adda in the name of Rab), viz., If a man slaughtered [an animal] on the Sabbath for an invalid,⁴ it may not be eaten by a healthy person, but if a man cooked food on the Sabbath for an invalid, it may be eaten by a healthy person. What is the reason? — In the latter case the food could be eaten raw, in the former the animal could not be eaten raw.⁵

R. Papa⁶ stated: In certain cases even when a man-slaughtered [for an invalid on the Sabbath], it may be eaten [by a healthy person], e.g., where the invalid was ill already on the eve of the Sabbath.⁷ And in certain cases even when a man cooked [for one who fell ill on the Sabbath], it may not be eaten [by a healthy person], e.g., where a pumpkin was plucked [out of the ground on the Sabbath and cooked].⁸

R. Dimi of Nehardea said: The law is that where a man slaughtered on the Sabbath for

CHULLIN – 2a-30b

an invalid,⁹ [the meat] may be eaten raw by a healthy person. What is the reason? — Inasmuch as one cannot have even an olive's bulk of meat without slaughtering [the animal], it is clear that the slaughtering was done for the sake of the invalid. But where a man cooked on the Sabbath for an invalid,⁹ it [the food] may not be eaten by a healthy person, for [otherwise] it is to be feared lest a greater amount will be cooked on account of the healthy person.

MISHNAH. IF ONE SLAUGHTERED WITH [THE SMOOTH EDGE OF] A HAND SICKLE,¹⁰ WITH A FLINT OR WITH A REED, THE SLAUGHTERING IS VALID. ALL MAY SLAUGHTER; AT ALL TIMES ONE MAY SLAUGHTER; WITH ANY IMPLEMENT ONE MAY SLAUGHTER, EXCEPTING A SCYTHE,¹¹ A SAW, TEETH¹² OR A FINGER NAIL,¹³ SINCE THESE STRANGLE.¹⁴

GEMARA. The expression 'IF ONE SLAUGHTERED' implies that the slaughtering is valid only after the act but it does not imply a right in the first instance. Now this view is reasonable in the case of a hand sickle, for it is always to be feared lest one will slaughter with the other edge;¹⁵ but is it right to say that one may not slaughter with a flint or reed in the first instance? Is there not an obvious contradiction from the following [Baraita]: With any implement one may slaughter.¹⁶ with a flint, with glass or with a reed haulm? —

It is no contradiction, for the latter statement refers to [a reed or flint] that is detached [from the ground], whereas our Mishnah refers to [a reed or flint] that is attached [to the ground]. For R. Kahana reported: If one slaughtered with an implement that was attached to the ground. Rabbi declares the slaughtering invalid; but R. Hiyya declares it valid. And even R. Hiyya declares it valid only after the act, but there is no right to do so in the first instance.¹⁷ Now what is the position? [Our Mishnah is] in agreement with

R. Hiyya and the slaughtering is valid only after the act! Then what of the following which was taught: With any implement one may slaughter,¹⁶ whether it be detached or attached, whether the knife be on top and the throat below, or the knife below and the throat on top? Who can be the author [of this Baraita]? It can be neither Rabbi nor R. Hiyya: If R. Hiyya, the slaughtering is valid only after the act but not in the first instance; if Rabbi, such slaughtering is invalid even after the act! —

In truth, the author is R. Hiyya and he is [indeed] of the opinion that such¹⁸ slaughtering is permitted even in the first instance; and as to the reason why the dispute is reported with regard to the validity of such slaughtering after the act it is in order to demonstrate the [strong] view of Rabbis.¹⁹ If this be so, what of our Mishnah which reads: IF ONE SLAUGHTERED, implying that it is valid only after the act but not a right in the first instance, who can be the author thereof? It can be neither Rabbi nor R. Hiyya; if R. Hiyya, the slaughtering should be permitted even in the first instance; if Rabbi, it is always invalid even after the act! —

In truth, the author [of the Baraita] is R. Hiyya who holds that such slaughtering is permitted even in the first instance; and as to our Mishnah, which reads: IF ONE SLAUGHTERED, the author of it is Rabbi. But is not Rabbi then contradicting himself?²⁰ — There is no contradiction; for in the one case²¹ the implement had always been so attached [by nature], whereas in the other case²² the implement was first loose and subsequently attached. Whence do you know that a distinction is to be drawn between that which was always attached and that which was first loose and subsequently attached? —

From the following [Baraita] which was taught: If one slaughtered with a wheel,²³ the slaughtering is valid; with an implement that

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was attached to the ground, the slaughtering is valid; if one inserted a knife into a wall and slaughtered, [moving the throat of the animal to and fro across the knife], the slaughtering is valid; if there was a sharp flint jutting from the wall, or a reed growing of itself, and one slaughtered therewith, the slaughtering is invalid.

(1) In the case of an invalid animal, even alive, is always regarded as set aside for food, for in such circumstances it is permitted to slaughter it on the Sabbath, in accordance with the Rabbinic dictum: the duty of saving life supersedes the Sabbath laws.

(2) And the animal was slaughtered after the invalid had recovered. Mukzeh of course does not apply, since on the eve of Sabbath the animal was set in readiness for food for the invalid. The difference of opinion between R. Meir and R. Judah is, therefore, only with regard to the breaking of the Sabbath by the slaughterer inadvertently; according to the latter he is to be penalized for his inadvertent act, whilst according to the former he is not.

(3) Sc. the explanation by R. Nahman b. Isaac as to why Rab bade the Tanna to keep silent, which introduced the distinction between foodstuffs which can be eaten raw and those which cannot.

(4) Who fell ill on this Sabbath.

(5) For although there is no infringement of the Sabbath laws, since the work was done for the invalid, there is, however, in the case of slaughtering the prohibition of mukzeh involved.

(6) MS.M. Raba.

(7) There is here neither the profanation of the Sabbath, since the slaughtering was for the invalid, nor mukzeh, since the invalid was already ill before the Sabbath.

(8) It is forbidden to be eaten because of mukzeh, since on the eve of the Sabbath the pumpkin was still attached to the ground. Cf. however Tosaf ad loc.

(9) Who was ill already on the eve of the Sabbath.

(10) An implement with two cutting edges, one being smooth and the other serrated.

(11) An implement with indentations.

(12) Attached to the jaw bone of a dead animal.

(13) Attached to the person.

(14) These implements do not cut but tear the organs of the throat and consequently strangle the animal. In the case of the finger-nail it is prohibited because it is attached to the person. V. infra 16a.

(15) Which is serrated and so invalidates the slaughtering.

(16) Even in the first instance.

(17) Accordingly our Mishnah is in agreement with R. Hiyya's view.

(18) I.e., slaughtering with an implement which is attached to the ground.

(19) That the slaughtering is invalid even after the act.

(20) In the Mishnah Rabbi maintains that slaughtering with an implement attached to the ground is valid after the act, yet in dispute with R. Hiyya he declares such slaughtering absolutely invalid.

(21) In dispute with R. Hiyya, where Rabbi declares the slaughtering invalid.

(22) In our Mishnah, where Rabbi declares the slaughtering valid after the act.

(23) A knife was fixed to the wheel so that it cut the throat of the animal whilst the wheel revolved.

Chullin 16a

Now is there not a contradiction here?¹ — This proves that there is a distinction between that which was always attached and that which was first loose and subsequently attached.² This is proved. The Master said: 'If one slaughtered with a wheel, the slaughtering is valid'. But was it not taught [in another Baraitha] that the slaughtering is invalid? —

It is no contradiction, for the former [Baraitha] deals with a potter's wheel,³ whereas the latter with a wheel turned by water.⁴ If you wish, however, I can say that in both [Baraithas] the wheel was turned by water, and yet there is no contradiction, for in the former case it was turned by the first onrush⁵ [of the water], whereas in the latter case it was turned by the subsequent onrush [of the water]. And this [distinction] is in agreement with R. Papa's statement, who said that if a man bound his neighbor and turned on to him a jet of water so that the victim died, he is culpable. What is the reason? —

It [the water jet] is, as it were, his arrow wherewith the victim has been attacked. But this is [the law] only [in the case] where [the victim was killed] by the first onrush⁶ of the

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water, but not [where he was] killed by the subsequent onrush⁷ of the water, for then the act was but the indirect cause of the death.

Rab was once sitting behind R. Hiyya whilst R. Hiyya was before Rabbi, when Rabbi, in session, expounded the following: Whence is it derived that the slaughtering must be performed with a detached implement? From this verse: And he took the knife to slay.⁸

Rab then asked R. Hiyya: What can he mean? — He replied: It is just idle talk!⁹ But does he not adduce a verse? — The verse merely serves to show the enthusiasm of Abraham.¹⁰

Raba stated: I have no doubt at all that in the law concerning idolatry, an object which was first loose and subsequently attached to the ground is regarded as detached. For Rab¹¹ has ruled that if a man worshipped his own house,¹² it thereby becomes forbidden [to be used for any purpose]. Now if you were to hold that such an object is to be regarded as attached, wherefore is the house forbidden? Is it not written, [Ye shall surely destroy. . .] their gods upon the mountains,¹³ but not the mountains which are themselves their gods?¹⁴ In the law concerning the susceptibility of plants to become unclean,¹⁵ it is the subject of dispute between Tannaim.¹⁶ For we have learnt:¹⁷ If one inverted a dish and placed it upon a wall in order that the dish might be washed [by the rainwater, and the rainwater subsequently ran off the dish on to foodstuffs], the rule of 'if water be put' applies.¹⁸ If, however, it was placed in order that the wall might not be damaged, [and the rainwater ran off the dish on to the foodstuffs], the rule of 'if water be put' does not apply.¹⁹ Now is there not an inconsistency here?

The first clause reads: 'If. . . in order that the dish might be washed, the rule of "if water be put" applies'. It follows, however, that if one placed it in order that the wall might be

washed, [and the rainwater subsequently fell on the foodstuffs], the rule of 'if water be put' does not apply. Yet the second clause reads: 'If it was placed in order that the wall might not be damaged, the rule of "if water be put" does not apply'. It follows, however, that if it was placed in order that the wall might be washed [and the rainwater subsequently fell on the foodstuffs], the rule of 'If water be put' applies. —

R. Eleazar replied. You must break up [this Mishnah], for he who taught the first clause could not have taught the second!²⁰ R. Papa, however, answered: Indeed, the whole was taught by one Tanna, but the first clause deals with the wall of a cave,²¹ whereas the second clause deals with a built-up wall. Accordingly, the Mishnah is to be read thus: If one inverted a dish and placed it upon a wall in order that the dish might be washed, the rule of 'if water be put' applies; from which it follows that if one placed it in order that the wall might be washed, the rule of 'if water be put' does not apply. Now this is stated only in the case of a cave wall; but in the case of a built-up wall the law is: if one placed it in order that the wall might not be damaged, the rule of 'if water be put' does not apply; from which it follows that if one placed it in order that the wall might be washed, the rule of 'if water be put' applies. Raba now raised the question:

(1) Between the second and last statements of this Baraitha.

(2) In the second clause the implement was first loose and subsequently attached to the ground, in which case the slaughtering is valid, whilst in the last clause it was always so attached by nature, and so the slaughtering is invalid.

(3) A wheel turned by the hand of the potter, in which case the slaughtering is valid. It is suggested, however, that even in the case of a potter's wheel the slaughtering is valid only if the throat was cut by the first revolution of the wheel. The subsequent revolutions are not directly referable to the human act. V. comment of R. Jonah on Ber.; end of chap. VIII.

(4) The slaughtering in this case is invalid for it is essential that there should be man power in the

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act of slaughtering. V. infra 31a and Deut. XXVII, 7.

(5) The water having been released by man, the slaughtering of the animal is directly referable to the act of man and is therefore valid.

(6) In this case the victim was placed close to the water outlet and the murderer then released the water jet, which in its first spurt inundated the victim.

(7) Here the victim was placed some distance away from the water outlet, so that the act of releasing the water jet was not the immediate and direct cause of death, for death came about only later on when the water actually reached the victim.

(8) Gen. XXII, 10. This verse certainly suggests that the knife used was a detached implement.

(9) Lit., 'a vav carved on wood', i.e., something unintelligible and indistinct like a line drawn on a rough piece of wood. He meant to say that Rabbi was not to be taken seriously, for R. Hiyya is of the opinion that it is not essential for the slaughtering to be performed with a detached implement.

(10) Abraham took a knife with him merely because he was in doubt whether he would find on the holy mountain a suitable implement wherewith to slaughter his sacrifice.

(11) So Bah.; cur. ed: 'A master said'.

(12) A house consists of materials originally loose which were subsequently built up and attached to the ground.

(13) Deut. XII, 2.

(14) This verse proves that whatever is attached cannot become prohibited, even if it is itself an object of idolatrous worship.

(15) From the verse in Lev. XI, 38: If water be put upon seed, and aught of their carcass fill thereon, it is unclean unto you, is derived the rule that produce or foodstuffs, in order to be rendered capable of becoming unclean, must first be made wet by water or other specified liquids (v. Maksh. VI, 4). So that the rule should apply, that is, that the produce should become susceptible to uncleanness, it is necessary that: (a) the water should have been applied purposely, or (b) the presence of the water on the foodstuff should have afforded pleasure or should have been acceptable at some time to the owner, or (c) where the water on the foodstuff was not acceptable, the presence of this same water on some other object should have previously afforded pleasure, provided that such object was loose or detached.

(16) Whether what was first loose and subsequently attached is to be regarded as attached or not. V. R. Eleazar's view infra.

(17) Maksh. IV, 3.

(18) This case would come under rule (c) in note 5 supra.

(19) Because here the rainwater is in no wise acceptable; cf. rule (b).

(20) I.e., this Mishnah contains the different opinions of two Tannaim.

(21) I.e., a wall so formed by nature, as opposed to a wall built up from loose materials.

Chullin 16b

In the law concerning slaughtering, how are we to regard an implement which was first loose and subsequently attached?

Come and hear: If there was a sharp stone jutting from the wall, or a reed growing of itself, and one slaughtered therewith, the slaughtering is invalid!¹ — It is dealing here with the wall of a cave. Indeed the context proves this, for it puts 'wall' in juxtaposition with 'a reed growing of itself'.² This is proved.

Come and hear: If one inserted a knife into a wall and slaughtered, the slaughtering is valid! — This case is different because one would not allow the knife to remain fixed [to the wall].³

Come and hear: [If one slaughtered] with an implement that was attached to the ground, the slaughtering is valid!⁴ — perhaps this clause is defined by the subsequent clause [of this Baraitha, thus]: What is meant by 'an implement that was attached'? A knife, which clearly would not remain fixed permanently.⁵

The Master said: 'If one inserted a knife into a wall and slaughtered, the slaughtering is valid'. Said R. 'Anan in the name of Samuel: This is the law provided the knife was on top and the throat of the animal below.⁶ If, however, the knife was below and the throat of the animal on top, [the slaughtering is invalid], for it is to be feared that the head might press down heavily upon the knife.⁷

But does not the aforementioned [Baraitha] read: 'Whether the knife be below and the

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throat on top or the knife on top and the throat below'? —

R. Zebid answered: The cases are to be interpreted each in its own way, thus: 'Whether the knife be below and the throat on top', where [the knife is] loose;⁹ 'or the knife on top and the throat below', where [the knife is] attached. R. Papa answered, [The Baraitha deals] with [the slaughtering of] a bird which is of light weight.¹⁰

R. Hisda stated in the name of R. Isaac, (others report that it was taught in a Baraitha) viz., Five rules have been laid down in connection with a reed haulm:¹¹ (i) One must not slaughter with it, (ii) One must not perform circumcision with it. (iii) One must not cut flesh with it, (iv) One must not pick the teeth with it. (v) One must not cleanse oneself with it. 'One must not slaughter with it'. But has it not been taught: One may slaughter with any implement, with flint, with glass or with a reed haulm? —

R. Papa answered: [This Baraitha deals] with simuna of the marshes.¹² 'One must not cut flesh with it'. R. Papa used to cut with it the entrails of fish, for they are transparent.¹³ Rabbah son of R. Huna used to cut with it the flesh of chicken, for it is tender.¹⁴ 'One must not cleanse oneself with it'. But is it not indeed [prohibited to do so] because of what a Master said viz., Whosoever cleanses himself [after an evacuation] with a material that is inflammable tears away the ligaments [of the anus]?¹⁵ R. Papa answered: We must say [that the Baraitha deals with] the cleansing of the opening of a wound.

ALL MAY SLAUGHTER; AND AT ALL TIMES ONE MAY SLAUGHTER. ALL MAY SLAUGHTER, that is to say, everything must be slaughtered,¹⁶ including birds.¹⁷

AT ALL TIMES ONE MAY SLAUGHTER. Who is the Tanna who holds this view?

Rabbah replied: It is R. Ishmael. For it has been taught: [It is written] When the Lord thy God shall enlarge thy border, as He hath promised thee, and thou shalt say: 'I will eat flesh'...¹⁸ This verse, says R. Ishmael, is stated specially in order to permit the Israelites to eat flesh at will.¹⁹ For in the beginning they were forbidden to eat flesh at will,²⁰ but on entering the land of Israel they were permitted. But, now they are exiled, it might be said that they should revert to the former restriction; the Mishnah therefore teaches us: **AT ALL TIMES ONE MAY SLAUGHTER.**

To this R. Joseph demurred, [In the first place,] why does the Mishnah read: **AT ALL TIMES ONE MAY SLAUGHTER?** It should read, 'At all times one may slaughter and eat the flesh'!²¹ And in the second place, why were they forbidden in the beginning? [Surely] because they were near to the Sanctuary.²² And why were they permitted subsequently? [Similarly] because they were far away from the Sanctuary.

(1) It is suggested now that the stone was at some time inserted into the wall; nevertheless the slaughtering is said to be invalid, thus proving that such an implement is to be regarded as attached.

(2) Indicating that in each case it was so attached by nature.

(3) Lit., 'he does not abandon it'. It was attempted to prove from this clause that whatever was loose and subsequently attached is regarded as loose; but it fails because it deals only with the case of a knife, which could not have been intended to be attached permanently. Other things, however, which could be thought of as attached permanently might be regarded as attached.

(4) This clause deals with an implement which was loose but was subsequently attached, v. supra p. 75, n.6.

(5) The slaughtering is therefore valid. The question put by Raba remains unanswered.

(6) And the slaughterer moved the head to and fro across the knife.

(7) This would invalidate the slaughtering; v. p. 37, n. 8.

(8) Supra p. 74.

(9) In this case the slaughterer holds the knife beneath the throat of the animal and cuts upwards.

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(10) There is, therefore, no fear of the head pressing heavily on to the knife. According to R. Papa, both cases of the Baraitha deal with a knife which is attached.

(11) In all the following cases there is the danger of splinters breaking away from the reed and penetrating into the matter which is being cut, causing thereby damage or hurt. In the case of slaughtering it is feared that a splinter will perforate the gullet of the animal, thus invalidating the slaughtering.

(12) A species of reed which is smooth and hard. With such reeds there is no fear of splinters breaking off.

(13) And any splinter that might be lodged in them would easily be seen.

(14) So that there is no fear of splinters, for no pressure is necessary in cutting the flesh of a chicken.

(15) V. Shab, 81a. The teacher no doubt had in mind such materials as wood or twigs which if used for cleansing oneself might easily cause the injury mentioned.

(16) The word כּלל 'all, everything', might just as well be taken as the object of the sentence, thus: One must slaughter everything.

(17) For in no passage in the Torah is shechitah ever mentioned in connection with birds. There is even the view that according to Biblical law birds need not be slaughtered at all. V. infra 27b.

(18) Deut. XII, 20.

(19) Lit., 'of desire'. I.e., on entering the Holy Land the Israelites would be permitted to slaughter animals at will and eat the flesh without having recourse to sacrifices.

(20) When the Israelites were in the wilderness they were not permitted to slaughter and eat flesh at will. The animal had first to be offered up as a sacrifice, v. Lev. XVII, 3 and 4.

(21) Seeing that the main point of the teaching is the permission to eat flesh at will.

(22) Lit., 'tabernacle'. It was therefore within reach of anyone who desired to eat meat to bring the animal as a sacrifice and to receive the meat for his own use after the blood and the fat had been offered upon the altar.

Chullin 17a

Then is there not all the more reason [for them to be permitted] now that they are even further away from the Sanctuary!¹

Rather said R. Joseph: The Tanna of our Mishnah is R. Akiba. For it has been taught: [It is written] If the place which the Lord thy

God will choose to put his name there be too far from thee, then thou shalt slaughter of thy herd and of thy flock.² This verse, says R. Akiba, is stated specially in order to prohibit the flesh of a stabbed animal. For in the beginning the Israelites were permitted to eat the flesh of a stabbed animal,³ but on entering the land of Israel they were forbidden. But now that they are in exile it might be said that they should revert to their former license, the Mishnah therefore teaches us: **AT ALL TIMES ONE MAY SLAUGHTER.**⁴ Wherein do they differ? —

R. Akiba maintains that at no time was it ever forbidden to eat flesh at will. R. Ishmael maintains that at no time was it ever permitted to eat the flesh of a stabbed animal. Now according to R. Ishmael the verse: And he shall slaughter the bullock,⁵ is of significance; but according to R. Akiba what is the purpose of 'And he shall slaughter'?⁶ [In the case of] consecrated animals, the law is different. Again, according to R. Ishmael the verse. Shall flocks and herds be slaughtered for them?⁷ is of significance; but according to R. Akiba why does the verse read 'be slaughtered for them'? It should rather read 'be stabbed for them'! — The stabbing of animals constituted their slaughtering. Again, according to R. Ishmael we can understand what we learnt: If a man slaughtered [a wild animal or a bird] and it became nebelahs under his hand, or if he stabbed it, or he tore away [the organs of the throat], there is no obligation to cover the blood.⁹ But according to R. Akiba, wherefore is there no obligation to cover the blood?¹⁰ — Since stabbing became prohibited it is regarded as an unlawful [slaughtering].¹¹ Now according to R. Akiba, who maintains that at no time was it ever forbidden to eat flesh at will, the significance of the verse. Howbeit as the gazelle and as the hart is eaten, so shalt thou eat thereof; [the unclean and the clean may eat thereof alike].¹² is evident; but according to R. Ishmael [the verse is incomprehensible],

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for was the gazelle or the hart ever permitted to be eaten at all?¹³ — When the Divine Law prohibited [the eating of flesh at will it was] only the flesh of an animal that was fit for a sacrifice but not [the flesh of] a wild animal that was not fit for a sacrifice.

R. Jeremiah raised the following question: What was the law regarding portions of meat of stabbed animals that were brought into the land of Israel by the Israelites?¹⁴ But then, at what period could this Question have arisen? Should you say during the seven years of conquest? Behold! They were permitted to eat unclean things, for it is written: And houses full of all good things,¹⁵ and R. Jeremiah b. Abba stated ill the name of Rab that even bacon was permitted! Can there then be any question regarding the flesh of a stabbed animal? — The question could have arisen only after this period.¹⁶ If you wish, however, I can say that the question refers to the seven years' period of conquest, and it would have arisen, [since it might be argued] that when permission was granted it was only with regard to the spoil taken from the idolaters but not their own [stabbed meat]! The question remains unanswered.

Raba remarked: You have interpreted the clause: ALL MAY SLAUGHTER, and so too the clause: AT ALL TIMES ONE MAY SLAUGHTER, but how do you interpret the final clause: WITH ANY IMPLEMENT ONE MAY SLAUGHTER? Should you say it means: whether with a flint or a glass or a reed haulm, [there is this difficulty]. Behold it is in juxtaposition with the other clauses [in our Mishnah]; if their the other clauses deal with the subjects that may slaughter,¹⁷ this also must deal with the subjects that may slaughter; and if the others deal with the subjects that are to be slaughtered, this also must deal with the subjects that are to be slaughtered! —

Rather said Raba [interpret the Mishnah thus]: ALL MAY SLAUGHTER [is stated

twice],¹⁸ one to include a Cuthean and the other to include an Israelite apostate.

AT ALL TIMES ONE MAY SLAUGHTER, whether by day or by night, whether on the roof top or on the top of a ship.

WITH ANY IMPLEMENT ONE MAY SLAUGHTER, with a flint or a glass or a reed haulm.

EXCEPTING A SCYTHE AND A SAW. The father of Samuel made a notch in a knife and sent it¹⁹ [up to Palestine], and also on another occasion he made a notch and sent it up; whereupon the authorities sent back word to him: We have been taught in the Mishnah: A SAW.²⁰

Our Rabbis taught:

- (1) Consequently it is unnecessary for the Tanna of our Mishnah to teach us that it is permitted to slaughter at will.
- (2) Deut. XII, 21.
- (3) נחירה, generally denoting stabbing at the throat. In the wilderness the Israelites were permitted to eat the flesh of an animal no matter how it was killed, because the injunction to slaughter according to ritual was not intended to be effective until they had entered the land of Israel.
- (4) I.e., for all times in the future one must slaughter in order to eat meat.
- (5) Lev. I, 5. Apparently the Israelites in the wilderness were commanded to slaughter according to ritual.
- (6) This verse was apparently meaningless to the Israelites in the wilderness since according to R. Akiba they were permitted to kill an animal in any manner whatsoever.
- (7) Num. XI, 22.
- (8) I.e., became ritually unfit by unskillful slaughtering. e.g., by pausing or pressing in the act of slaughtering. V. Glos.
- (9) From Lev. XVII, 13, is derived the law that the obligation to cover the blood applies only to such slaughtering which permits the flesh to be eaten. V. infra 85a.
- (10) Inasmuch as stabbing was the ordinary form of killing an animal practiced by the Israelites in the wilderness, and the law for covering the blood was made known to the Israelites also in the wilderness, it is difficult to understand, according

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to R. Akiba, why there should be exemption from covering the blood when such a mode of slaughtering is adopted nowadays.

(11) Therefore there is no need to cover the blood in such cases.

(12) Deut. XII, 22. The meaning of the verse is: Just as now, in the wilderness, it is permitted to eat the gazelle and the hart even in a state of uncleanness, so will it be the practice with all unconsecrated animals on entering the land of Israel.

(13) For according to R. Ishmael the Israelites in the wilderness were permitted to eat only sacrificial meat, and since the gazelle and the hart were not permitted to be offered as sacrifices, it follows that these animals could never have been eaten. The comparison therefore in the verse is meaningless.

(14) This question is based on the view of R. Akiba and is purely an academic question as to what was the position at that particular period in history. Cf. however, comment of Asheri a.l.

(15) Deut. VI, 11.

(16) I.e., during the following seven years when the land was being divided among the tribes, and during which period the concessions of the Torah did not obtain.

(17) I.e., rules as to who may slaughter and with what implements. The first and second clauses, however, do not deal with such matters. These two clauses deal rather with that which has to be slaughtered. V. supra 16b.

(18) In the Mishnah supra 15b and in the opening Mishnah of this tractate supra 21.

(19) To enquire from the authorities in Palestine on the law concerning a notch in the knife.

(20) I.e., only such notches like the teeth of a saw render the knife unfit for slaughtering.

tear [the organs]! — [The reference is to a notch] that is at the top of the knife.³ But even so, when the knife is moved forward [the edge of the notch] cuts [the skin and flesh] and when it is drawn back it tears [the organs]! — [The reference is where the slaughterer] moved [the knife] forward but did not draw it back.⁴

Raba stated: There are three rules with regard to the knife: (i) if it has an ogereth, one may not slaughter with it, and if one did the slaughtering is invalid; (ii) if it has a mesakseketh, one may not slaughter with it in the first instance, but if one did the slaughtering is valid; (iii) if its edge is uneven,⁵ one may slaughter with it even in the first instance.

R. Huna the son of R. Nehemiah asked R. Ashi: Did you teach us in the name of Raba that a knife with a mesakseketh is unfit for use? Is it not well known that Raba said: A knife with a mesakseketh is fit for use? — It is no contradiction, for in the one case [the slaughterer] moved the knife forward and backward⁶ but in the other case he moved the knife forward but not backward.⁷

R. Aha the son of R. Awia asked R. Ashi: What if the edge of the knife resembles an awn?⁸ — He replied: Would that we were given such meat to eat!⁹

R. Hisda said: Whence do we learn from Scripture that it is necessary to examine the slaughtering knife? From the verse: And slaughter with this and eat.¹⁰ But is it not obviously necessary so to do, seeing that if the gullet is perforated the animal is trefah?¹¹ — We mean: [Whence do we learn from Scripture that] it is essential that the knife be examined by a Sage?¹² But surely has not R. Johanan said that the ruling that one must present the knife to a Sage for examination was laid down only out of respect to the Sage? — The rule is actually Rabbinic; and the verse adduced is merely a support.

Chullin 17b

A knife with many notches must be regarded as a saw; with but one notch, if it is ogereth,¹ it may not be used; if it is mesakseketh,² it may be used. What is meant by ogereth and what is meant by mesakseketh? — Ogereth, said R. Eleazar, is a notch with two edges; mesakseketh, a notch with but one edge. Why is it that if the notch has two edges [the knife is invalid]? [presumably] because the first edge will cut [the skin and flesh] and the second edge will tear [the organs]. Then, even if the notch has but one edge it should likewise be said. The sharp edge of the knife will cut [the skin and flesh] and the notch will

CHULLIN – 2a-30b

In the West¹³ the knife is usually examined by the light of the sun.¹⁴ In Nehardea it is usually examined with water.¹⁵ R. Shesheth used to examine it with the tip of his tongue. R. Aha b. Jacob used to examine it with a hair. In Sura it was said: Seeing that it is to cut flesh it must be examined with flesh.¹⁶ R. Papa ruled: It must be examined with the flesh of the finger and with the fingernail, and the examination must be of the three edges [of the knife].¹⁷ Rabina said to R. Ashi: R. Sama the son of R. Mesharsheya told us in your name that you said to him in the name of Raba that it must be examined with the flesh and the nail on the three edges. R. Ashi replied: I said: 'With the flesh and the nail', but not, 'on the three edges'. Another version reads: R. Ashi replied: I said: 'With the flesh and the nail on the three edges', but not 'in the name of Raba'.

Rabina and R. Aha the son of Raba were sitting before R. Ashi when a knife was brought to R. Ashi for examination. He thereupon asked R. Aha to examine it, who did so with the flesh of his finger and with his finger nail, on the three edges of the knife. 'Well done!' said R. Ashi. R. Kahana held a similar view.

R. Yemar said: It must be examined with the nail and the flesh but not on the three edges. For did not R. Zera say in the name of Samuel¹⁸ that if one made a knife red-hot and slaughtered with it the slaughtering is valid, because the effect of the sharp edge precedes the effect of the heat; and the question was raised as to the sides of the knife, and the answer was given that the cut opens wide? Then in this case, too, we should also say that the cut opens wide.¹⁹

R. Huna son of R. Kattina said in the name of R. Simeon b. Lakish. In three matters the law regards a notch as of consequence: (i) A notch in the bone of the paschal lamb;²⁰ (ii) A notch in the ear of a male firstling;²¹ (iii) A

notch in any organ which, if blemished, invalidates a sacrifice.²² R. Hisda adds: (iv) Also a notch in the slaughtering knife. And [why does not] the other [teacher include this last]? — Because he does not deal with unconsecrated matters. In all these cases the notch is measured by the standard of a notch which renders the altar unfit.

(1) Heb. אָוּרָה from the root אָוַר, 'to gather, to take in', i.e., to catch or intercept the finger-nail as it passes along the edge of the knife.

(2) Heb. מִסְכֵּסֶת; so MS.M., cur. edd. מְסִיכֵסֶת; from the root סָכַסַךְ, 'to entangle'.

(3) So that the part of the knife which has this one-edged notch will merely cut the skin and perhaps also the flesh, but the organs will be properly cut by the rest of the knife which is not notched.

(4) There is therefore no possibility of the notch having come into contact with the organs at all.

(5) Lit., 'it rises and descends'.

(6) The slaughtering is then invalid.

(7) In which case the slaughtering is valid.

(8) I.e., the edge of the knife is rough, though without notches. According to the Alfasi: the knife is so sharp that it resembles an awn.

(9) I.e., of an animal slaughtered with such a knife.

(10) I Sam. XIV, 34. With this, i.e., a knife prepared and examined according to law.

(11) And a knife with a notch will most certainly perforate and tear the gullet.

(12) And this apparently is derived from the verse quoted.

(13) I.e., Palestine.

(14) In order to detect any notches; either by holding up the knife to the light of the sun or by watching the shadow of the knife on the ground.

(15) Either by passing the sharp edge of the knife across a smooth surface of water, the presence of a notch being detected by the ripple caused; or by allowing a drop of water to trickle down the edge of the knife, when any notch would impede the course of this drop of water.

(16) I.e., with the soft flesh of the finger or, as R. Shesheth did, with the tip of the tongue.

(17) I.e., the sharp edge, and also the sides of this edge must be examined.

(18) V. supra, 8a. (p. 32) and notes.

(19) It is therefore unnecessary to examine the side edges of the knife, for these cannot come into contact with the flesh since the cut opens wide apart.

(20) A notch or cut made in the bone of the paschal lamb is a transgression of the law: Neither shall ye break a bone thereof. Ex. XII, 46.

CHULLIN – 2a-30b

(21) This is regarded as a blemish and renders the animal unfit for a sacrifice. Consequently this firstling may be slaughtered and used for ordinary purposes. The same would apply to a notch in any other organ besides the ear (v. Bek. 36a).

(22) This refers to such blemishes which are only to be found in female animals and which are not included in class (ii). E.g., if the female genital organs were defective.

Chullin 18a

And what is the size of a notch which renders the altar unfit?¹ — Such a notch as would catch the finger-nail [when passed over it]. An objection was raised. It was taught: What size of notch renders the altar unfit?

R. Simeon b. Yohai says: The size of a handbreadth; R. Eliezer b. Jacob says: The size of an olive. — This is no objection, for ‘the opinions in this [Baraitha] refer to an altar of cement, whereas here we are dealing with an altar of stones.²

R. Huna said: A slaughterer who does not present his knives³ to a Sage for examination is to be placed under the ban. Raba said: He is to be removed [from his vocation], and it is to be announced publicly that his meat is Trefah. Now these Rabbis do not disagree; for the former deals with the case where the knife on examination was found to be satisfactory,⁴ whereas the latter deals with the case where it was not found to be satisfactory.

Rabina said that where the knife was not found to be satisfactory the meat is to be soiled with dung so that it may not even be sold to gentiles. There was a case of a slaughterer who did not present his knife for examination to Raba b. Hinena. The latter thereupon put him under the ban, removed him [from his] vocation and announced publicly that his meat was Trefah. Mar Zutra and R. Ashi happened to call on the said Raba b. Hinena who said to them, ‘Would you, Masters, look into this case, for there are small children dependent on him?’ R. Ashi

examined the knives and found it satisfactory; he thereupon declared him fit again [to act as slaughterer]. Mar Zutra then said to him: ‘Are you not concerned at all in overruling this Sage?’⁶ — R. Ashi replied. ‘We were only carrying out his instructions’.

Rabbah son of R. Huna said: One may slaughter in the first instance with a loose tooth or a loose finger-nail. But have we not learnt: EXCEPTING A SCYTHER, A SAW, TEETH OR A FINGERNAIL, SINCE THESE STRANGLE? — As regards teeth there is no contradiction, for Rabbah's statement deals with a single [tooth], whereas our Mishnah deals with two [teeth];⁷ and as regards a finger-nail there is no contradiction, for Rabbah's statement deals with a nail that is detached from the finger, whereas our Mishnah deals with a nail that is attached to the finger.⁸

MISHNAH. IF ONE SLAUGHTERED WITH A SCYTHER,⁹ MOVING IT FORWARD ONLY, BETH SHAMMAI DECLARE THE SLAUGHTERING INVALID, AND BETH HILLEL DECLARE IT VALID. IF THE TEETH OF THE SCYTHER WERE FILED AWAY IT IS REGARDED AS AN ORDINARY KNIFE.

GEMARA. R. Hiyya b. Abba said in the name of R. Johanan. Even when Beth Hillel declared the slaughtering valid they intended thereby to teach that the animal was to be regarded as clean and not a nebelah, but as for eating it they certainly held that it was forbidden.¹⁰ R. Ashi said: This is supported by the context, for it reads in the Mishnah: BETH SHAMMAI DECLARE THE SLAUGHTERING INVALID, AND BETH HILLEL DECLARE IT VALID; but it does not read: Beth Shammai forbid it¹¹ and Beth Hillel permit it! But according to your argument, should not the Mishnah read: ‘Beth Shammai declare it unclean and Beth Hillel declare it clean’? The fact is that the expressions ‘declare valid and invalid’ and ‘permit and forbid’ are synonymous.

CHULLIN – 2a-30b

MISHNAH. IF ONE SLAUGHTERED [BY CUTTING] AT THE [TOP] RING¹² [OF THE WINDPIPE] AND LEFT A HAIR'S BREADTH OF ITS ENTIRE CIRCUMFERENCE [TOWARDS THE HEAD]. THE SLAUGHTERING IS VALID. R. JOSE SON OF R. JUDAH SAYS, IF ONLY THERE WAS LEFT [TOWARDS THE HEAD] A HAIR'S BREADTH OF THE GREATER PART OF ITS CIRCUMFERENCE,¹³ [THE SLAUGHTERING IS VALID].

GEMARA. Rab and Samuel both agree that the law is in accordance with the view of R. Jose son of R. Judah.¹⁴ Howbeit, R. Jose son of R. Judah said this only with regard to the top ring, since [the cartilage] surrounds the windpipe entirely, but he did not say this with regard to the other rings.¹⁵ But does he not hold such a view with regard to the other rings? Surely it has been taught: R. Jose son of R. Judah says.

(1) Cf. Zeb. 59a.

(2) In this case the altar must be perfectly smooth for it is written: Thou shalt build the altar of the Lord thy God of whole stones. Deut. XXVII, 6.

(3) Lit., 'to turn' (the slaughtering knife on all sides).

(4) He is, therefore, to be put under the ban in accordance with the rule: The Court excommunicates a person for lack of respect to a Rabbi; Ber. 29a.

(5) On the instructions of Raba b. Hinena.

(6) Lit., 'the elder' Sc. Raba b. Hinena.

(7) In which case the slaughtering is invalid, even though the teeth are detached from the animal, because of the notch that must of necessity be between one tooth and the other.

(8) The slaughtering is therefore invalid in accordance with the view of Rabbi, supra 15b.

(9) A scythe has a serrated edge but the points all run in the one direction, to wit, the handle. Therefore by moving the scythe forward the points glide over the throat without tearing.

(10) Only as a precautionary measure lest the slaughterer makes both a forward and backward motion, in which case the edges of the scythe would certainly tear the throat.

(11) To be eaten.

(12) V. Gemara. The reference is to the cricoid cartilage which forms a complete ring around the

trachea or windpipe, as opposed to the other rings of the trachea which are incomplete. Lit., 'from within', i.e., beginning at the ring and proceeding upwards or downwards. This top ring of the windpipe is regarded in this Mishnah as the uppermost limit of the prescribed area within which the slaughtering may be performed.

(13) I.e., after cutting the greater part of the top ring the slaughterer slipped the knife outside the ring towards the head and completed the slaughtering there. It is nevertheless valid according to R. Jose b. R. Judah, since in slaughtering it is not essential to cut through more than the greater part of the organ.

(14) Accepting the principle that the greater portion of anything is regarded as the whole.

(15) Which do not completely surround the windpipe but are connected by a mucous substance. These rings, therefore, being incomplete, are not regarded as the proper place for slaughtering. Accordingly Rab and Samuel hold that the slaughtering can only be performed by cutting either in the top ring or between the other rings. This is Rashi's interpretation. There are other interpretations suggested by Rashi and Tosaf. q.v.

Chullin 18b

If one slaughtered by cutting in the other rings, although they do not surround the whole of it, yet since they surround the greater part of the windpipe, the slaughtering is valid. Any deflection [of the knife outside the top ring] invalidates the slaughtering. R. Hanina b. Antigonus testified that a deflection is permitted! —

R. Joseph answered that R. Jose son of R. Judah gave both rulings,¹ but Rab and Samuel agreed with one and not with the other.² But do they not say: 'he did not say this, etc.'? — They mean to imply: the halachah is in accordance with the view of R. Jose son of R. Judah with regard to the top ring, but the halachah is not in accordance with his view with regard to the other rings.³

When R. Zera went up [to Palestine] he ate there of an animal [which was slaughtered in that part of the throat] which was regarded as a deflection by Rab and Samuel.⁴ He was

CHULLIN – 2a-30b

asked, ‘Are you not from the place of Rab and Samuel’?⁵ —

He replied: ‘Who taught it [in the name of Rab and Samuel]? Was it not Joseph b. Hiyya?⁶ Well, Joseph b. Hiyya took traditions from everyone!’⁷ When R. Joseph [b. Hiyya] heard of this he was annoyed and said: ‘What! I take my traditions from every one! Indeed, I received my traditions from Rab Judah who recited in his statements of tradition even the doubt as to his authorities. As in the following statement: “Rab Judah said in the name of R. Jeremiah b. Abba (and I am in doubt whether he reported it in the name of Rab or in the name of Samuel): Three ordinary persons may declare a firstling permitted for use where there is no specialist available”’.⁸ But does not R. Zera accept the rule: [When a person arrives in a town] he must adopt the restrictions of the place which he has left and also the restrictions of the place he has entered?⁹ —

This rule applies only when one travels from town to town in Babylon, or from town to town in the land of Israel, or from the land of Israel to Babylon, but when one travels from Babylon to the land of Israel, inasmuch as we are subject to their authority,¹⁰ we must adopt their customs. R. Ashi said: You may even hold that the rule applies when one travels from Babylon to the land of Israel, but only when such a person intends to return; R. Zera, however, had no intention to return [to Babylon]. Abaye remarked to R. Joseph. The Rabbis who came from Mahuza¹¹ report in the name of R. Nahman that this deflection¹² is permitted. He replied: Every river has its own course.¹³

R. Simeon b. Lakish held that [if the windpipe was cut] at the top of the thyroid cartilage¹⁴ the slaughtering was valid. R. Johanan thereupon exclaimed: Too bold! Indeed, too bold!¹⁵

R. Papi reported in the name of Raba: If the knife reached the arytenoid cartilages,¹⁶ the slaughtering is invalid. The question was raised: Does ‘reached’ mean that it actually touched [the cartilages] as in the verse: And he fell upon him and slew him;¹⁷ or does it mean that it came close to but did not touch [the cartilages], as in the verse: And the angels of God met him?¹⁸ —

It was stated: R. Papa said in the name of Raba: If the knife cut through the arytenoid cartilages leaving part of them [on the side of the head], the slaughtering is valid. Amemar b. Mar Yanuka said: I was once standing in the presence of R. Hiyya the son of R. Awia and he told me that if the knife cut through the arytenoid cartilages leaving part of them [on the side of the head], the slaughtering is valid.

Rabina said to R. Ashi, R. Shaman of Sikara¹⁹ told me that Mar Zutra once happened to come to our town and ruled that if the knife cut through the arytenoid cartilages, leaving part of them [on the side of the head], the slaughtering is valid. Mar son of R. Ashi said: If the knife reached the arytenoids cartilages the slaughtering is valid; if, however, [the knife cut through the arytenoid cartilages,] leaving part of them [on the side of the head] the slaughtering is invalid.²⁰

(1) (a) That it is sufficient if only the greater part of the top ring is cut; and (b) that the slaughtering may be performed in the other rings too.

(2) They accepted the first ruling (a), but not (b); v. preceding note.

(3) ‘He did not say this’ means, his view in this respect is of no consequence, as the halachah is not according to him (Rashi).

(4) I.e., the cut was made in one of the incomplete rings of the windpipe, which according to Rab and Samuel is no slaughtering.

(5) And therefore within their jurisdiction.

(6) I.e., R. Joseph who reported supra the views of Rab and Samuel. Aliter: (They said,) Joseph b. Hiyya (Rashi).

(7) I.e., he is unreliable as regards the source of his traditions.

CHULLIN – 2a-30b

(8) The first born male of cattle was sacred and had to be offered as a sacrifice; if, however, it had a permanent defect it could then be slaughtered and eaten by Priests. It was for an expert to decide whether a particular defect was or was not permanent. If, however, the defect was obviously permanent and no expert was available, it is ruled that three lay men could come together and declare the first born animal permitted for use.

(9) And in R. Zera's home town people, in point of fact, abstained from the flesh slaughtered in the manner mentioned, if not on account of Rab and Samuel's ruling, then as a matter of stringency; v. Tosaf s.v. יוסף.

(10) Particularly with regard to the fixing of the Calendar. V. however, Tosaf. s.v. גיין.

(11) A large Jewish town situated on the Tigris.

(12) I.e., if the windpipe was cut in any of the other rings. This slaughtering is invalid according to Rab and Samuel.

(13) I.e., every place has its own usages.

(14) Which is far beyond the cricoid cartilage; lit., 'helmet', 'turban'. In human beings this is commonly known as the Adam's apple.

(15) Or: 'O, my brother-in-law! My brother-in-law!' R. Simeon b. Lakish had married R. Johanan's sister, v. B.M. 84a.

(16) Lit., 'wheat grains'; two small triangular cartilages at the top of the larynx situated on either side in front of the cricoid.

(17) I Kings II, 46. Heb. ויפגע. Accordingly the term פגע in the question would mean actual contact; i.e., the knife cut through the cartilages leaving part of them on the side of the head.

(18) Gen. XXXII, 2. In this verse, too, the verb פגע is used, but clearly in the sense of 'coming up to but not touching'. Accordingly even though the knife did not touch these cartilages, since it cut quite close to them, the slaughtering is invalid (Rashi). Tosaf., however, interprets the expression 'coming up to but not touching' as actually cutting beyond or above the cartilages, but where the knife cut through them the slaughtering would be valid. V. Tosaf. s.v. וא.

(19) So according to MS.M.; in cur. edd. Subra or Sukhra. A village near Mahuza.

(20) According to the interpretation of Tosaf. (v. supra p. 92, n.7) this statement of Mar b. R. Ashi must be reversed thus: If the knife reached the cartilages (i.e., cut beyond or above them) the slaughtering is invalid, but if it cut through them the slaughtering is valid. This view is also accepted by Maim. in Yad, Shechitah, III, 12.

But the law is: [If the windpipe was cut] at or below the point where the thyroid cartilage narrows,¹ the slaughtering is valid. This then corresponds with [the aforementioned view that] if the knife cut through the arytenoid cartilages, leaving part of them [on the side of the head the slaughtering is valid]. R. Nahman held that the slaughtering was valid [if the windpipe was cut] at or below the point where the thyroid cartilage narrows.

R. Hanan son of R. Kattina asked R. Nahman: But whose view do you adopt? It is neither the view of the Rabbis nor that of R. Jose son of R. Judah [of our Mishnah]!² — He replied. I know no Hillak and no Billak;³ I only know a tradition. For R. Hiyya b. Abba, said in the name of R. Johanan (some read: R. Abba b. Zabda said in the name of R. Hanina, and others read: R. Jacob b. Idi said in the name of R. Joshua b. Levi). At or below the point where the thyroid cartilage narrows the slaughtering is valid.

R. Joshua b. Levi also said: That which is regarded as a deflection by the Rabbis⁴ is permitted by R. Jose b. Judah, and that which is regarded as a deflection by R. Jose b. Judah⁵ is permitted by R. Hanina b. Antigonos.⁶ Is not this obvious? — You might have thought that the statement of R. Hanina b. Antigonos refers to that of the Rabbis;⁷ we are therefore taught that it does not. But perhaps it does? — If so, it should read: 'He testified concerning it [that it was permitted]'.⁸ The law is in accordance with the view of R. Hanina b. Antigonos, since R. Nahman agrees with him.

R. Huna said in the name of R. Assi: They differ⁹ only where the slaughterer cut¹⁰ two thirds [of the windpipe in the top ring] and then the last third above it;¹¹ for the Rabbis hold the view that all the slaughtering must be within the top ring and R. Jose son of R. Judah holds the view that the greater portion is equal to the whole. But in the case where the slaughterer first cut a third above the top

CHULLIN – 2a-30b

ring and then the other two thirds in it, all are of the opinion that the slaughtering is invalid; because at the moment when the life escapes¹² the greater portion should have been cut in the ritual manner¹³ and this was not the case here.

Said R. Hisda to him: On the contrary, the Master might just as well say the opposite thus: They differ only where the slaughterer first cut a third above the top ring and then the other two thirds in it—according to R. Jose son of R. Judah it is analogous with the case where half the windpipe was mutilated¹⁴ [before the slaughtering], and according to the Rabbis [it is to be distinguished thus:] in the latter case [the mutilation was] in the prescribed area for slaughtering,¹⁵ whereas in our case [the cutting of the first third] was outside the prescribed area for slaughtering. But where the slaughterer first cut two thirds [in the top ring] and then the last third above it, all are of the opinion that the slaughtering is valid, for we have learnt [in a Mishnah]: The greater part of an organ is equivalent to [the whole of] it!¹⁶

R. Joseph said to him: Who can tell us that the rule there concerning the greater portion is not the view of R. Jose son of R. Judah? It might indeed be the [individual] opinion of R. Jose son of R. Judah! —

Abaye interposed: Are you suggesting that wherever it is held that a majority is sufficient it is the individual opinion of R. Jose son of R. Judah? — He replied. I mean that the view that a majority is sufficient in matters concerning shechitah [is the individual opinion of R. Jose son of R. Judah], for we know that the Rabbis hold a different view.

Another version of the above reads as follows: R. Huna said in the name of R. Assi: They differ only where the slaughterer first cut a third above [the top ring] and then the other two thirds in it — according to R. Jose

son of R. Judah it is analogous with the case where half the windpipe was mutilated [before the slaughtering] and according to the Rabbis [it is to be distinguished thus:] in the latter case [the mutilation was] within the prescribed area for slaughtering, whereas in our case [the cutting of the first third] was outside the prescribed area for slaughtering. But in the case where the slaughterer first cut two thirds [in the top ring] and then the last third above it, all are of the opinion that the slaughtering is valid, for we have learnt: The greater part of an organ is equivalent to [the whole of] it.

To this R. Hisda demurred: Who can tell us that the rule there concerning the greater portion is not the view of R. Jose son of R. Judah? It might indeed be the [individual] opinion of R. Jose son of R. Judah! Said R. Joseph to him: Are you suggesting that wherever it is held that a majority is sufficient it is the individual opinion of R. Jose b. Judah? — He replied: I mean that the view that a majority is sufficient in matters concerning shechitah [is the individual view of R. Jose b. R. Judah], for we know that the Rabbis hold a different view. If a slaughterer first cut a third [of the windpipe] outside the prescribed area, another third within it, and the last third outside it,¹⁷

R. Huna said in the name of Rab that the slaughtering was valid; Rab Judah said in the name of Rab that the slaughtering was invalid. ‘R. Huna said in the name of Rab that it was valid’, because at the moment when the life escaped he was cutting in the ritual manner. ‘Rab Judah said in the name of Rab that it was invalid’, because the greater portion of the cutting must be in the ritual manner, and this was not the case here. If a slaughterer first cut a third [of the windpipe] within the prescribed area, another third outside it and the last third within it Rab Judah said in the name of Rab that the slaughtering was valid.

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When this case was put to R. Huna, he said that the slaughtering was invalid. Rab Judah heard of this and became annoyed, saying: ‘When I say invalid he says valid, and when I say valid he says invalid!’ R. Huna then said: ‘He is rightly annoyed. In the first place, he heard the decision from Rab himself and I did not; and in the second place, in this case the greater portion of the cutting was in the ritual manner’. Thereupon R. Hisda said to him, ‘Do not withdraw your decision,

(1) Lit., ‘slants downwards’.

(2) For according to the Rabbis the slaughtering must be performed entirely within the large ring, and according to R. Jose b. R. Judah at least the greater part of the slaughtering must be in the large ring, whereas R. Nahman permits the slaughtering at the thyroid cartilage which is completely above the large ring.

(3) Fictitious names for any person (similar to our ‘Tom, Dick and Harry’). V. Sanh. 98b. According to a view in Rashi the interpretation is: I know of no opinion which insists on severing (= Heb. חילק) the top ring completely (i.e., the view of the Rabbis in the Mishnah), nor of any opinion which insists on rending (= Heb. בילק) the greater portion of it (i.e., the view of R. Jose b. R. Judah), etc.... V. Aruch s.v. חלק VI.

(4) I.e., the least cutting of the windpipe above the top ring.

(5) I.e., the cutting of half or more of the windpipe above the top ring.

(6) V. supra p. 90.

(7) With the result that even according to R. Hanina b. Antigonus the slaughtering would be invalid if the whole of the windpipe was cut above the top ring.

(8) The fact that R. Hanina b. Antigonus testifies ‘that a deflection... indicates that he refers to deflection in general, for were he to refer to the deflection contemplated by the Rabbis he would have testified in these words: ‘concerning it’.

(9) The Rabbis and R. Jose b. R. Judah.

(10) שחט, Lit., ‘he slaughtered according to ritual manner’.

(11) Heb. הגרים, Lit., ‘he deflected by cutting outside the prescribed area’.

(12) This occurs as soon as the larger Portion of the windpipe has been cut through; i.e., during the cutting of the middle third.

(13) Lit., ‘in (the manner of) shechitah’, that is within the prescribed area.

(14) V. infra 28a. In the case of a bird, which, according to law only requires one of the organs to be cut, if half the windpipe was mutilated before

the slaughtering by reason of an accident, and a person cut just a fraction more of the windpipe according to ritual, the slaughtering is valid, although when the life escaped the greater part had not been cut in the ritual manner. In our case, therefore, the cutting outside the prescribed area should be regarded as a mutilation of the windpipe, so that when the greater part of the windpipe is cut immediately afterwards the slaughtering should be valid.

(15) And as such mutilation is not considered a defect it is as though the animal were not affected, and when the life escapes the greater part of the windpipe is severed within the prescribed area.

(16) Therefore whatever is done to the windpipe after the greater portion of it has been cut through is of no consequence and cannot affect the already valid slaughtering. V. infra 27a.

(17) Lit., ‘he deflected, he slaughtered and deflected’.

Chullin 19b

because if you do you defeat your decision in the first case. For there your reason for declaring it valid was that the life escaped at the time that he was cutting within the prescribed area; it follows then that in this case it should be invalid, because here the life escaped at the time that he was cutting outside the prescribed area’.

When R. Nahman once happened to come to Sura he was asked: What is the law if a slaughterer first cut a third of the windpipe within the prescribed area, another third outside it, and the last third within it? — He replied: Is not this the case that was taught by R. Eleazar b. Manyomi? For R. Eleazar b. Manyomi said: Where the cutting of the organ is like a zigzag,¹ the slaughtering is valid. But perhaps this decision applies only to a slaughtering entirely within the prescribed area? ‘Within the prescribed area’! But this goes without saying [that the slaughtering is valid]! — Indeed no. For you might have thought that there must be an open cut,² and here it is not so; we are therefore taught [that it is not essential].³

(Mnemonic: *Bakad*.)⁴

CHULLIN – 2a-30b

R. Abba was once sitting behind R. Kahana whilst R. Kahana was before Rab Judah, when R. Kahana asked: What is the law if a slaughterer first cut a third [of the windpipe] within the prescribed area, another third outside it and the last third within it? —

Rab Judah answered: The slaughtering is valid. And what is the law if a slaughterer first cut a third [of the windpipe] outside the prescribed area, another third within it, and the last third outside it? —

He replied: The slaughtering is invalid. And what is the law if a slaughterer cut the windpipe in an existing gash?⁵ —

He replied: The slaughtering is valid. And what is the law if a slaughterer cut the windpipe terminating in an existing gash [in the windpipe]?⁶ —

He replied: The slaughtering is invalid. R. Abba then went and reported these decisions to R. Eleazar, and the latter went and reported them to R. Johanan. R. Johanan asked: Wherein lies the difference? —

He [R. Eleazar] replied, [The case] where one cut the windpipe in an existing gash is the same as when a gentile began the slaughtering and an Israelite finished it;⁷ and [the case] where one cut the windpipe terminating in an existing gash is the same as when an Israelite began the slaughtering and a gentile finished it.⁸ Whereupon R. Johanan exclaimed: Gentile, gentile!⁹ Raba said: He was right in exclaiming. Gentile, gentile! For, in that case, [where the gentile finished the slaughtering.] the decision¹⁰ is reasonable, because the Israelite should have cut [at least] the greater portion and this he did not do, with the result that life escaped at the hand of the gentile. In this case, however, [where there is a gash in the windpipe,] he has indeed cut as much as he could, what difference, therefore, can there be whether he cuts in a gash or cuts terminating in a gash?

MISHNAH. IF ONE CUT AT¹¹ THE SIDE [OF THE NECK], THE SLAUGHTERING IS VALID; IF ONE NIPPED OFF¹² [THE HEAD] FROM THE SIDE OF THE NECK, THE NIPPING IS INVALID; IF ONE CUT AT THE BACK OF THE NECK. THE SLAUGHTERING IS INVALID; IF ONE NIPPED OFF [THE HEAD] FROM THE BACK OF THE NECK, THE NIPPING IS VALID. IF ONE CUT AT THE FRONT OF THE NECK. THE SLAUGHTERING IS VALID; IF ONE NIPPED OFF [THE HEAD] FROM THE FRONT OF THE NECK. THE NIPPING IS INVALID. FOR THE WHOLE OF THE BACK OF THE NECK IS THE APPROPRIATE PLACE FOR NIPPING, AND THE WHOLE OF THE FRONT OF THE NECK IS THE APPROPRIATE PLACE FOR SLAUGHTERING. IT FOLLOWS, THEREFORE, THAT THE PLACE WHICH IS APPROPRIATE FOR SLAUGHTERING IS INAPPROPRIATE FOR NIPPING, AND THE PLACE WHICH IS APPROPRIATE FOR NIPPING IS INAPPROPRIATE FOR SLAUGHTERING.

GEMARA. What is meant by THE BACK OF THE NECK?¹³ Does it mean the actual back of the neck? If so, why is it, that only if one slaughtered there it is invalid? If one nipped there it would also be invalid, for in the Divine Law it is stated: Close to the back of its neck,¹⁴ but not the actual back of the head! — THE BACK OF THE NECK really means [the region] close to the back of the neck, and this is indicated in the subsequent clause which reads: FOR THE WHOLE OF THE BACK OF THE NECK IS THE APPROPRIATE PLACE FOR NIPPING.¹⁵ Whence do we know this? —

From the following statement. Our Rabbis taught: ‘Close to the back of its neck’, that is to say, the region which overlooks the back of the neck, as it is written: And they dwell close to me;¹⁶ and it is also written: For they have turned unto Me the back of the neck and not the face.¹⁷ Why another verse? — Because

CHULLIN – 2a-30b

you might argue that [so long as] we do not know the true meaning of the back of the neck we cannot know what is meant by [the region] which is close to it. Therefore come and hear: It is written: ‘For they have turned unto Me the back of the neck and not the face’; thus clearly showing that the back of the neck is directly opposite the face.

The sons of R. Hiyya said: This is the proper method for nipping: [the priest] twists the organs of the throat around to the back of the neck and then nips off [the head].¹⁸ Some read, ‘may twist’; others, ‘must twist’. It is more reasonable, however, to adopt the reading, ‘may twist’. Why? — For the Mishnah reads: **IF ONE CUT AT THE BACK OF THE NECK, THE SLAUGHTERING IS INVALID; IF ONE NIPPED OFF [THE HEAD] FROM THE BACK OF THE NECK, THE NIPPING IS VALID.**

(1) Lit., ‘like a comb’. The line of slaughtering is zigzagged like the teeth of a comb.

(2) I.e., cut in one place with a clean cut.

(3) The position therefore is that the question put to R. Nahman cannot be decided with certainty from the teaching of R. Eleazar b. Manyomi.

(4) A mnemonic, lit., ‘in a jug’ — omitted in many MSS. — consisting of the characteristic letters of the names of the Rabbis mentioned in the following passage: R. Abba, R. Kahana and R. Judah.

(5) I.e., the upper half of the windpipe was already mutilated and the slaughterer merely placed the knife in the gash and continued to cut.

(6) In this case the lower half of the windpipe was already mutilated and the slaughterer cut the windpipe until he came to the gash.

(7) In which case the slaughtering is valid, for that part of the windpipe severed by the gentile is of no consequence.

(8) In which case the slaughtering is invalid.

(9) Meaning: The analogy with the case of a gentile performing part of the slaughtering is not correct.

(10) That the slaughtering is invalid.

(11) Lit., ‘from within’, cf. supra p. 89, n.3.

(12) Heb. גִּלַק, ‘to nip off, to rend’. This is the method prescribed by the law for killing a pigeon or a turtle dove consecrated for a sacrifice. The officiating priest breaks with his finger-nail the

neck-bone, the spinal cord and the surrounding flesh, and also one (in the case of a sin-offering) or both (in the case of a burnt-offering) of the organs of the throat. V. infra 21aff.

(13) Heb. עֶרְוָה: strictly the second cervic vertebra, rendered in the LXX by Gr. **, which has this meaning. V. article by S. Daiches in Expository Times; Vol. XXXIX p. 426.

(14) Lev. V, 8. This verse prescribes the method for nipping off the head of a bird.

(15) In this clause **THE BACK OF THE NECK** cannot mean the second cervic vertebra for one could not reasonably refer to it in such terms as: **THE WHOLE OF THE BACK OF THE NECK.** It must mean, therefore, the whole region close to and in front of the back of the neck.

(16) Num. XXII, 5.

(17) Jet. II, 27.

(18) Intending to sever the organs first and then the neck-bone.

Chullin 20a

Now if you adopt the reading, ‘must twist’, then why is it that only if one nipped off [the head] there it is valid? Even if one slaughtered there [it would] also [be valid].¹ You can, therefore, prove from this that the correct reading is, ‘may twist’; and as for our Mishnah the case is that the organs were not twisted around, [and therefore the slaughtering is invalid]. R. Jannai said: Let these young men receive the refutation of their view.

For our Mishnah reads: **IT FOLLOWS, THEREFORE, THAT THE PLACE WHICH IS APPROPRIATE FOR SLAUGHTERING IS INAPPROPRIATE FOR NIPPING. AND THE PLACE WHICH IS APPROPRIATE FOR NIPPING IS INAPPROPRIATE FOR SLAUGHTERING.** Now what does this rule exclude? presumably the case where one twisted the organs around to the back of the neck!² —

Rabbah b. Bar Hannah said: It is not so, but it excludes the use of a tooth or a finger-nail.³ But is not a tooth or a fingernail expressly stated [to be invalid for slaughtering]?⁴ — Rather, said R. Jeremiah, it excludes the act of moving to and fro.⁵ This is well, however,

CHULLIN – 2a-30b

according to the one who holds that to move [the fingernail] to and fro whilst nipping is not allowed; but according to the one who holds that it is allowed, how is it to be explained? — The sons of R. Hiyya agree with him who holds that to move the fingernail to and fro whilst nipping is not allowed.

R. Kahana said: The precept of nipping requires pressing [with the finger-nail] downward; and this is the proper method. Now R. Abin thought this to mean that if he pressed with his finger-nail downward it is [valid], but if he moved it to and fro it is not [valid]. Whereupon R. Jeremiah said to him: But surely, to move the finger-nail to and fro whilst nipping is most certainly allowed!⁶ And as for the words: ‘This is the proper method’, read instead, ‘This also is a proper method’.

R. Jeremiah said in the name of Samuel: Whatsoever part of the front of the neck is valid for slaughtering, the corresponding part on the back of the neck is valid for nipping. It follows, no doubt, that what is invalid for slaughtering is invalid for nipping. Now what does this exclude? Can it exclude the case where the organs of the throat had been torn loose?⁷ Surely not! For Rami b. Ezekiel has taught: The fact that the organs of the throat have been torn loose is not a defect in a bird.⁸ — R. Papa said: It excludes the head.⁹ ‘The head’! But this is obvious! For the Divine law enjoins. Close to the back of its neck.¹⁰ but not on the head! — By ‘head’, he meant the slope of the head;¹¹ and the case is as follows: he commenced to nip at the slope of the head and, moving [his finger-nail] gradually downwards, ended the nipping below.¹² This view is in agreement with that stated by R. Huna in the name of R. Assi. For R. Huna said in the name of R. Assi: If one cut a third [of the windpipe] outside the prescribed area [for slaughtering] and then cut two thirds within it, the slaughtering is invalid.¹³

R. Aha the son of Raba said to R. Ashi: This dictum of Rami b. Ezekiel, namely, the fact that the organs have been torn loose is not a defect in a bird, can be maintained only by him who holds that according to the law of the Torah birds do not require shechitah;

- (1) Since the organs would have been cut first.
- (2) In which case the slaughtering would be valid and the nipping invalid. This case, therefore, exemplifies the first clause of the rule stated, the second clause being added merely for the sake of completeness.
- (3) The finger-nail is essential in nipping whereas one is not permitted to slaughter with a finger-nail attached to the person. As to whether it is permitted to nip off the head with the teeth or not, v. Tosaf. ad. loc. This case, as explained, exemplifies the second clause of the rule stated.
- (4) V. supra 15b.
- (5) Such movement of the fingernail, it is assumed, invalidates the nipping, whereas it is essential to do so with the knife in the case of slaughtering. Accordingly the first clause of the rule in our Mishnah is the important one.
- (6) For so long as any particular act is not expressly excluded by the law, the more the nipping is made to resemble the slaughtering the better.
- (7) And implying that just as the slaughtering in such a case is invalid so presumably also the nipping.
- (8) Either for slaughtering or for nipping; but v. infra.
- (9) For it is a place invalid for slaughtering as well as for nipping.
- (10) Lev. V, 8.
- (11) I.e., the lower part of the head which slopes down towards the neck.
- (12) Although the nipping was concluded within the proper region, i.e., at the back of the neck, it is nevertheless invalid according to Samuel.
- (13) V. supra 19a

Chullin 20b

but according to the one who holds that birds do require shechitah by the law of the Torah,¹ then it must also be held that the tearing loose of the organs is a defect.

R. Ashi retorted: On the contrary, the reverse argument is the more reasonable.

CHULLIN – 2a-30b

Thus, according to him who holds that birds do require shechitah by the law of the Torah,¹ it can well be argued that he² was expressly informed that the tearing loose of the organs [in the case of birds] was not a defect. Furthermore, even according to him who obtains this result by analogy with cattle,³ it can nevertheless be argued that as regards the tearing loose of the organs [he was informed that]⁴ birds are to be different from cattle.⁵ But, according to the one who holds that birds do not require shechitah by the law of the Torah but only by Rabbinic enactment, and the Rabbis obviously derived this rule only by a comparison with cattle, surely then [birds] should be compared with cattle in all respects! —

Rabina answered: Rabin b. Kissi told me that the dictum of Rami b. Ezekiel, namely, the fact that the organs have been torn loose is not a defect in a bird, is to be applied only to the case of nipping, but in the case of slaughtering it is certainly a defect. But did not R. Jeremiah report in the name of Samuel: 'Whatsoever part of the neck is valid for slaughtering the corresponding part on the back of the neck is valid for nipping', and from which followed [the corollary] viz., What is invalid for slaughtering is invalid for nipping?⁶ —

This is at variance [with the teaching of Rabin b. Kissi]. Ze'iri said: If the neck-bone of an animal was broken together with the major portion of the surrounding flesh, the animal is nebelah forthwith.⁷ R. Hisda said: We have also learnt the same: If one nipped off [the head of a consecrated bird] with a knife, the carcass, whilst in the gullet, renders clothes unclean.⁸ Now if you were to say that [in Ze'iri's case] the animal is merely Trefah, should not the knife in this case have the effect of removing [from this bird] the uncleanness of nebelah,⁹ inasmuch as nipping with a knife is tantamount to slaughtering?¹⁰ — It is so,¹¹ I say, because the slaughtering is not in accordance with ritual. Why? —

R. Huna says: Because he thrusts [whilst cutting the organs].¹² Rabbah¹³ says: Because he presses [the knife downwards]. Now he who says: 'Because he thrusts', wherefore does he not say: 'Because he presses [the knife downwards]? — He is of the opinion that to move the finger-nail to and fro whilst nipping is allowed.¹⁴ And he who says: 'Because he presses [the knife downwards]', wherefore does he not say: 'Because he thrusts'? — He argues thus: What is meant by 'thrusting'?¹⁵ Clearly [any cutting where the knife is] covered, just like a weasel which is covered¹⁶ by the foundations of a house; in our case, however, the knife is visible.¹⁷

Raba said: If there is any difficulty [in connection with Ze'iri's statement] it is this: Why proceed with the nipping if it is already dead?¹⁸ Abaye thereupon said to him, You can raise the same difficulty in the case of the burnt-offering of a bird which requires both organs to be nipped through, thus: Why proceed with the nipping if it is already dead?¹⁹ — He replied: In this latter case, he does so merely to carry out the precept of severance.²⁰ If so, the skin, too, [should be severed!]²¹ —

The rule is: Whatever is indispensable in the slaughtering is indispensable in the precept of severance, and whatever is not indispensable in the slaughtering is not indispensable in the precept of severance.²² But what of the lesser portion²³ of each organ, which is not indispensable in the slaughtering, nevertheless according to the ruling of the Rabbis is indispensable in the precept of severance? —

Read, therefore, Whatever comes within the purview of slaughtering comes within the precept of severance and whatever does not come within the purview of slaughtering does not come within the precept of severance.²⁴

(1) In this case, 'Torah' means the oral law which Moses received on mount Sinai.

CHULLIN – 2a-30b

- (2) Sc. Moses during his stay on the mountain.
- (3) By reason of the juxtaposition of the words 'cattle' and 'birds' in Lev. XI, 46: This is the law of cattle and of birds, the result is obtained that birds require shechitah. V. infra 27b.
- (4) V. Rashi.
- (5) It was only in the main principle of shechitah that the comparison was made, but it was not to be extended to include all the rules 'and regulations of shechitah.
- (6) This dictum precludes any possible distinction between nipping and slaughtering, and whatever is a defect in the one is a defect in the other.
- (7) And conveys uncleanness from this moment, as it is regarded already as dead; although the animal still shows sign of life by movements and jerks.
- (8) I.e., whilst a person is eating an olive's bulk of it, even if he did not touch it, as when it was thrust into his mouth, he becomes unclean and so do also the clothes that he is wearing at the time. This unusual and unique form of conveying uncleanness is found only in connection with the carcass of a clean bird, and is derived by Rabbinic interpretation from Lev. XVII, 15 and XXII, 8. The other modes of conveying uncleanness, e.g., by contact or by carrying, do not apply to the carcass of a bird.
- (9) In accordance with the Rabbinic dictum, infra 228b: A Trefah animal that has been ritually slaughtered does not convey any uncleanness.
- (10) For after the neck-bone has been cut through the subsequent cutting of the organs is akin to slaughtering.
- (11) That the bird conveys uncleanness of the gullet and is not rendered clean by the slaughtering.
- (12) For 'thrusting' v. supra p. 37, n. 9. Here the cervical vertebrae close up and cover the knife as soon as it has cut through the neck-bone, and there is therefore a 'thrusting'. According to R. Gershom and Tosaf. it is invalid because he is cutting the neck from back to front.
- (13) So MS.M. and R. Gershom. In current editions 'Raba'.
- (14) There is, therefore, in this case no pressure upon the organs.
- (15) Heb. חלדה, derived from חולדה, a weasel which burrows into the ground and is covered by earth.
- (16) Lit., 'which dwells'.
- (17) So that it does not come within the law of 'thrusting'.
- (18) For in nipping one must sever the neck-bone and also the organs, but if in the first stage of the nipping the bird is already dead then why continue with it?
- (19) For as soon as the first organ is severed the bird is certainly dead; hence the slaughtering of a

bird is valid even if only one organ has been cut through. V. infra 27a.

(20) V. infra 21b, in contradistinction from the sin-offering of a bird which must not be severed, cf. Lev. V, 8.

(21) But this has never been suggested to be the law.

(22) Slaughtering is valid even if the skin at the throat had been removed by some other means before the slaughtering.

(23) I.e., that portion which remains after the greater portion has been cut through.

(24) The term 'slaughtering' applies to the organs of the throat; therefore, even the lesser portion of the organs comes within the purview of slaughtering. On the other hand, the skin of the throat is outside the scope of the slaughtering, for the slaughtering would be valid even though the skin of the throat had been removed.

Chullin 21a

But after all does not the original objection stand?¹ — Raba answered: Read [in the text]. 'This is what he does: He [the priest] cuts [with his finger-nail] the spinal cord and the neck-bone without cutting through the major portion of the surrounding flesh'.²

When R. Zera went up [to Palestine] he found R. Ammi sitting and reciting the above statement [of Ze'iri], and at once put to him the question: Why proceed with the nipping if it is already dead? He was astounded for a moment,³ but then replied. Read [in the text]. This is what he does: He cuts [with his finger-nail] the spinal cord and the neck-bone without cutting through the major portion of the surrounding flesh. The same is taught [in the following Baraitha]: How must he [the priest] nip off [the head] of the sin-offering of a bird? He cuts [with his finger-nail] the spinal cord and the neck-bone without cutting through the major portion of the surrounding flesh, until he reaches the gullet or the windpipe. On reaching the gullet or the windpipe he cuts through one of them or the major portion of one of them, and then cuts through the major portion of the surrounding flesh. In the case of a burnt-

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offering he cuts through both, or the major portion of both, of these organs.

Who is the author of this [Baraita]? Is it the Rabbis?⁴ Surely they hold that both organs must be severed! Is it R. Eleazar son of R. Simeon?⁴ Surely he holds that the major portion only of both organs [shall be cut through]! — Interpret it thus: ‘Both organs’ — that is, according to the view of the Rabbis; ‘or the major portion of both organs’ — that is, according to the view of R. Eleazar son of R. Simeon. If you wish, however, I can say that the whole [Baraita] is in accordance with the view of R. Eleazar son of R. Simeon, and as to the term ‘both organs’ it means that both organs appear to be severed.⁵

Rab Judah said in the name of Samuel: If [in a human being] the neck-bone and the major portion of the surrounding flesh was broken, the body immediately defiles [men and vessels that are] in the tent. And if you will contend: But was not the incident of Eli a case where the neck-bone was broken without the major portion of the surrounding flesh having been cut?⁷ [I reply that] in the case of old age it is different, for it is written: And it came to pass when he made mention of the ark of God, that he fell off his seat backward by the side of the gate, and his neck broke and he died; for he was an old man and heavy.⁸

R. Samuel b. Nahmani said in the name of R. Johanan. If one ripped up a human being as one does a fish, the body immediately defiles [men and vessels that are] in the tent. R. Samuel b. Isaac added: provided [he was ripped up] along the back. Samuel said: If one split an animal into two, it is immediately nebelah. R. Eleazar said: If the thigh was removed and the cavity was noticeable, the animal is [immediately] nebelah. What is the meaning of ‘And the cavity was noticeable’?⁸

—

Raba replied: It means that when the animal is crouching there appears to be something missing. We have learnt elsewhere:⁹ If their¹⁰ heads have been cut off, even though their limbs move convulsively, they are unclean [the convulsions being] but similar to the convulsive movements of the lizard's tail [after it has been cut off].¹¹ What is meant by ‘Have been cut off’? —

Resh Lakish said, [It means] actually cut off; R. Assi said in the name of R. Mani, [It means severed in the sense] as the head of the burnt-offering of a bird is severed. Whereupon R. Jeremiah asked R. Assi: Do you mean ‘as the head of the burnt-offering of a bird is severed’ according to the view of the Rabbis,¹² and so you do not disagree at all; or do you mean ‘as the head of the burnt-offering of a bird is severed’ according to the view of R. Eleazar son of R. Simeon,¹³ and so you do disagree? —

He replied: I mean, ‘as the head of the burnt-offering of a bird is severed’ according to the view of R. Eleazar son of R. Simeon, and so we disagree. Some there are who read [the above passage thus]: Resh Lakish said: It means actually cut off; R. Assi said in the name of R. Mani, [It means severed in the sense] as the head of the burnt-offering of a bird is severed according to the view of R. Eleazar son of R. Simeon, [and that is.] cut off to the extent of the greater portion of both organs. What is [this dispute between] the Rabbis and R. Eleazar son of R. Simeon? —

It was taught: It is written: And he shall prepare the second for a burnt-offering, according to the ordinance.¹⁴ This means, according to the ordinance prescribed for the sin-offering of an animal. You say it means, ‘according to the ordinance prescribed for the sin-offering of an animal’; but perhaps it is not so, but rather, according to the ordinance prescribed for the sin-offering of a bird! [This cannot be], for when it says. And he shall bring it near,¹⁵ the verse thereby

CHULLIN – 2a-30b

draws a distinction between the sin-offering of a bird and the burnt-offering of a bird. How then must I interpret the verse: 'According to the ordinance'? [It must mean,] according to the ordinance of the sin-offering of an animal. Thus, as the sin-offering of an animal must be brought

- (1) Raba's original objection against Ze'iri's statement viz., Why proceed with the nipping if the bird is already dead? V. supra n. 1.
- (2) And as long as the major Portion of the surrounding flesh has not been cut the bird is not regarded as dead.
- (3) Dan. IV, 16.
- (4) V. infra.
- (5) I.e., according to R. Eleazar son of R. Simeon a substantial portion of the organs must be cut so that it would appear as though both organs were severed, although in reality only the major portion of each has been actually cut through.
- (6) For the meaning of 'defilement in the tent' v. supra p. 62, n. 2.
- (7) There is no mention in the verse of the flesh of the neck being torn, and nevertheless he is referred to as dead.
- (8) I Sam. IV, 28.
- (9) Ohol. I, 6.
- (10) Either the heads of those reptiles that convey uncleanness (Rashi and R. Gershom); or the heads of cattle and birds (Tosaf.).
- (11) These movements are clearly no signs of life, since the tail is here absolutely severed from the body.
- (12) I.e., that both organs of the throat must be severed. Accordingly, this view is substantially the same as that of Resh Lakish.
- (13) I.e., that only the greater portion of the organs must be severed.
- (14) Lev. V, 10.
- (15) Ibid. I, 15. This verse deals with a freewill burnt-offering of a bird, and the fact that the pronoun 'it' is expressly stated serves to indicate that this sacrifice must be dealt with differently from others of the same class.

Chullin 21b

only from unconsecrated animals,¹ [must be sacrificed] by day, and [all the services in connection therewith must be performed] with the [priest's] right hand, so, too, the burnt-offering of a bird must be brought only from unconsecrated birds, must be sacrificed

by day, and, [all the services in connection therewith must be performed] with the [priest's] right hand. But then it should follow that just as in the former case [one has only to cut] the greater portion of both organs,² so in the latter case [one has only to nip off] the greater portion of both organs? There is, therefore, another text which reads: And he shall nip off... and he shall burn it,³ from which one can draw the following conclusion: as for the purposes of burning the head must be separate from the body,⁴ so, too, in nipping the head shall be made separate from the body.⁵

R. Ishmael says: 'According to the ordinance' means, according to the ordinance prescribed for the sin-offering of a bird; thus, as the nipping of the head of the sin-offering of a bird must be done close to the back of the neck, so, too' the nipping of the head of the burnt-offering of a bird must be done close to the back of the neck.⁶ But then it should follow, should it not, that as in the former case one must nip through only one organ without severing the other,⁷ so in the latter case one must nip through only one organ without severing the other? It is, therefore, written: And he shall bring it near.⁸

R. Eleazar son of R. Simeon says: 'According to the ordinance' means, according to the ordinance of the sin-offering of a bird; thus, as in the latter case

- (1) I.e., from the common herd but not from those animals that had been purchased with Second Tithe money.
- (2) For slaughtering does not require more than this, v. infra 27a.
- (3) Lev. I, 15.
- (4) For the expression, 'And he shall burn it' is repeated in this passage (vv. 15 and 27), indicating that there must be two separate burnings, one of the head of the bird and the other of the body.
- (5) I.e., both organs must be absolutely severed. It is this opinion expressed here anonymously which has been repeatedly referred to previously as the view of the Rabbis.

CHULLIN – 2a-30b

(6) This inference is necessary, since the Law does not specify in the case of a freewill burnt-offering of a bird the place where the nipping must be done.

(7) For in connection with the sin-offering of a bird the Torah adds: And he shall not divide it asunder (Lev. I, 17).

Therefore the priest is not allowed to nip off any more than is necessary to render the bird valid i.e., one organ.

(8) The pronoun it specifically distinguishes the freewill burnt-offering of a bird from other similar sacrifices.

Chullin 22a

the priest sprinkles the blood whilst holding the head and the body in his hand, so in this case, too, he sprinkles the blood whilst holding the head and the body in his hand.

(What can this mean?¹ — It means this: Just as in the latter case he sprinkles the blood whilst the head is still attached to the body,² so, too, in the case of the burnt-offering of a bird he sprinkles the blood whilst the head is still attached to the body.)

But then it should follow, should it not, that just as in the former case only one organ shall be severed, so here, too, only one organ shall be severed? It is, therefore, written: ‘And he shall bring it near’.³ Now it may be asked against the first Tanna: since he derives the rule⁴ from the verse: ‘And he shall nip off... and he shall burn it’, what need is there for the verse: ‘And he shall bring it near’?⁵ — Without the verse: ‘And he shall bring it near’, he would have interpreted, ‘According to the ordinance’, to mean, according to the ordinance of the sin-offering of a bird;⁶ and as to the verse: ‘And he shall nip off... and he shall burn it’, he would have explained it thus: as the burning [of the sacrifice is performed] upon the top of the altar, so shall [the draining of the blood following] the nipping be performed upon the upper part of the altar wall.⁷ But now that the Divine Law states: ‘And he shall bring it near’, [this verse therefore serves to

distinguish in every respect the burnt-offering of a bird from the sin-offering of a bird, and from the verse: ‘And he shall nip off... and he shall burn it’] he can derive this too.⁸ Whence do we know that the sin-offering of an animal must be brought only from unconsecrated animals?⁹ —

R. Hisda answered: From the verse: And Aaron shall offer the bullock of the sin-offering which is his;¹⁰ [that is to say], it must come from his own means and not from the money of the community nor from Second Tithe. Is not [the rule that sacrifices may only be offered] by day inferred from the verse: In the day that he commanded?¹¹ — It is indeed stated [above] to no purpose. Is not [the rule that all the services in connection therewith must be performed] with the right hand derived from the following dictum of Rabbah b. Bar Hannah; for Rabbah b. Bar Hannah declared in the name of R. Simeon b. Lakish. Wherever the word ‘finger’ or ‘priest’ is employed it signifies that the right hand only [shall be Used].¹² — And the other?¹³ [He is of the opinion that the word] ‘priest’ requires [with it the word] ‘finger’ [in order that the above rule may apply], though [the word] ‘finger’ does not require [with it the word] ‘priest’.¹⁴ Whence do the first Tanna and R. Eleazar son of R. Simeon¹⁵ derive the Jaw [that the nipping in the case of the burnt-offering of a bird shall be] close to the back of the neck?¹⁶ — They derive it from the fact that nipping is prescribed in both cases.¹⁷

MISHNAH. [THE AGE] WHICH QUALIFIES TURTLE DOVES [FOR SACRIFICE] DISQUALIFIES PIGEONS, AND [THE AGE] WHICH QUALIFIES PIGEONS [FOR SACRIFICE] DISQUALIFIES TURTLE DOVES. AT THE PERIOD WHEN THE NECK FEATHERS BEGIN TO GLISTEN IN EITHER KIND THEY ARE DISQUALIFIED.

GEMARA. Our Rabbis taught: Turtle doves are qualified [for sacrifice] when fully grown, but not when small; pigeons are qualified [for

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sacrifice] when small, but not when fully grown. It follows, therefore, that the age which qualifies turtle doves for sacrifice disqualifies pigeons, and the age which qualifies pigeons for sacrifice disqualifies turtle doves.

Our Rabbis taught: The expression, turtle doves,¹⁸ implies fully grown birds, but not small. For [without the Biblical direction] I would have argued by an a fortiori argument thus:

- (1) This conclusion cannot be accepted, for there is no authority which insists that the priest shall hold the head and body of the bird in his hand whilst sprinkling the blood.
- (2) For it is written: And he shall not divide it asunder (Lev. I,17).
- (3) Lev. I, 25. The term 'it' implies a distinction, with the result that in the case of the burnt-offering of a bird the second organ must also be cut, though not severed, in order to conform with the rule that the head be attached to the body. Hence the view of R. Eleazar b. R. Simeon, frequently mentioned previously, that the greater portion of both organs must be cut, but no more.
- (4) That both organs of the throat shall be severed in the case of the burnt-offering of a bird.
- (5) Which also serves to prove the same rule, v. p. 108, n. 8.
- (6) Which was dealt with in the preceding passage in Scripture. The result would then be that even in the case of the burnt-offering of a bird only one organ shall be severed.
- (7) On the other hand, the draining of the blood following the nipping of the sin-offering of a bird must be carried out upon the lower half of the altar wall. V, Zeb. 64b. In all other respects, however, the burnt-offering of a bird shall be like unto the sin-offering of a bird.
- (8) (a) That the blood of the burnt-offering shall be drained upon the upper part of the altar wall; and (b) that both organs of the throat in the case of the burnt-offering shall be absolutely severed.
- (9) V. supra p. 107.
- (10) Lev. XVI, 6.
- (11) Lev. VII, 38. The rule contained in this verse, namely, that sacrifices may only be offered by day, applies to all the sacrifices enumerated in the preceding verse. Wherefore is it necessary to derive the burnt-offering of a bird from the sin-offering of an animal?

(12) V. Men. 10a. And in the passage dealing with the burnt-offering of a bird there is written: And the 'priest' shall

bring it near, Lev. I, 17.

(13) The first Tanna of the foregoing Baraitha. What was his opinion?

(14) Cf. Men. 10a. The first Tanna in our Baraitha is in agreement with this view, and since in connection with the burnt-offering of a bird the word 'finger' is not found, he is obliged to derive the rule of 'right hand' from the analogy.

(15) The first Tanna utilizes the analogy for comparing the burnt-offering of a bird with the sin-offering of an animal; and R. Eleazar b. R. Simeon, although comparing the burnt-offering of a bird with the sin-offering of a bird, utilizes the analogy in order to obtain the result that the head of the bird must remain attached to the body.

(16) Which R. Ishmael (supra) derives from the above mentioned analogy.

(17) The inference being that the place for nipping is the same in all cases.

(18) Lev. I, 14.

Chullin 22b

If pigeons which are disqualified for sacrifice when fully grown are nevertheless qualified when small, turtle doves which are qualified when fully grown should surely be qualified when small! It is, therefore, written: 'turtle doves', to indicate that only the fully grown are qualified for sacrifice, but not the small. Young pigeons implies small birds, but not fully grown. For [without the Biblical direction] I would have argued by an a fortiori argument thus: If turtle doves which are disqualified for sacrifice when small are nevertheless qualified when fully grown, pigeons which are qualified for sacrifice when small should surely be qualified when fully grown! It is, therefore, written, young pigeons, to indicate that only the small are qualified for sacrifice, but not the fully grown. Where is this indicated in the verse?

—

Raba explained: Because Scripture should not have omitted to state at least once [the expression], 'Of young turtle doves or of pigeons'.¹ But I will now say that pigeons, inasmuch as in the Divine Law they are

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always preceded by the epithet ‘young’, are qualified for sacrifice only when small, and not when fully grown; whereas turtle doves [I submit] may be offered either when fully grown or even when small! — [Turtle doves must be placed under conditions] similar to pigeons; thus, just as pigeons are qualified [for sacrifice] only when small and not when fully grown, so turtle doves are qualified [for sacrifice] only when fully grown and not when small.²

Our Rabbis taught: One might conclude that all turtle doves [that are not small] and all pigeons [that are not fully grown] are qualified for sacrifice; it is, therefore, written: Of the turtle doves,³ implying that some, but not all, turtle doves are qualified. [Similarly, it is written.] Of the young pigeons,³ implying that some, but not all, pigeons are qualified. Hence, there is excluded [from either kind] those whose neck feathers begin to glisten.⁴ When do turtle doves first become qualified for sacrifice?⁵ When their wing plumage becomes golden. And when do pigeons become disqualified?⁶ When their neck feathers begin to glisten.

Jacob Karha learnt: When do pigeons first become qualified?⁷ As soon as the limbs have absorbed [ye'ale'u]⁸ the blood. He reported this passage and also explained [the word ye'ale'u by reference to the verse.] Her young ones also suck up [ye'ale'u] blood.⁹ When is this?¹⁰ — **Abaye answered:** If when a feather is plucked out there flows blood [it is an indication that the limbs have absorbed the blood].

R. Zera put the following question: What is the law if a man said: ‘Behold, I undertake to offer for a burnt-offering either [a pair] of turtle doves or [a pair] of pigeons’, and he brought a pair of each kind, both pairs, however, being at the stage when the neck feathers were beginning to glisten?¹¹ If this stage is a period of doubt,¹² then in this case he at all events fulfils his obligation; but if it

is a distinct intermediate stage,¹³ then he does not fulfill his obligation. —

Raba said: Come and hear: ‘Hence there is excluded¹⁴ from either kind those whose neck feathers begin to glisten?’ Now if you say that it is an intermediate stage, it is well.¹⁵ But if you say that it is a period of doubt, [it will be asked]: Surely a verse cannot serve to exclude a condition of doubt!¹⁶ —

- (1) The fact that ‘young’ always precedes ‘pigeons’ establishes the proposition that pigeons are qualified for sacrifice only when small.
- (2) The conditions are that in each kind there shall obtain a qualifying as well as a disqualifying age.
- (3) Lev. I, 14. ‘Of’, Hebrew ׀ has a partitive significance.
- (4) At this stage turtle doves would be regarded as too small, and pigeons as already fully grown.
- (5) I.e., when are they regarded as fully grown?
- (6) That they are no longer regarded as small.
- (7) It surely cannot be that as soon as they are hatched they are fit to be sacrificed!
- (8) Heb. יעלעו.
- (9) Job XXXIX, 30.
- (10) I.e., how can one ascertain whether the limbs have already absorbed the blood?
- (11) The translation here is based upon the interpretation of Maharam, q.v.
- (12) I.e., whether a bird at this period is to be regarded as small or fully grown. If the former, then he has fulfilled his obligation by offering the pair of pigeons; and if the latter, by offering the pair of turtle doves. Therefore, by offering a pair of each kind he certainly fulfils his obligation.
- (13) Lit., ‘a (special) species’. I.e., a period in which the bird is neither regarded as small nor fully grown.
- (14) By the verse in Lev. I, 14: Of the turtle doves or of the young pigeons. V. supra.
- (15) To say that the verse expressly excludes this intermediate stage in each kind.
- (16) The Divine Law could not have been in doubt as to the exact stages in the development of birds.

Chullin 23a

The verse is required to exclude birds that have suffered an unnatural crime or that have been worshipped.¹ For since it is written: For their corruption is in them, there is a blemish in them,² and a Tanna of the school of R. Ishmael taught: Wherever

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'corruption' is mentioned it means either sexual perversion or idolatry — sexual perversion: for it is written: For all flesh had corrupted his way upon earth;³ idolatry: for it is written: Lest ye corrupt yourselves and make you a graven image⁴ — it might well be argued that whatever is rendered unfit for sacrifice by reason of a blemish will similarly be rendered unfit by reason of sexual perversion or idolatry, and, on the other hand, whatever is not rendered unfit for sacrifice by reason of a blemish will not be rendered unfit by reason of sexual perversion or idolatry, with the result that birds, inasmuch as they are not rendered unfit for sacrifice by reason of a blemish⁵ — for a Master said:⁶ The unblemished state and the male sex are prerequisites only to sacrifices of cattle but not of birds — will likewise not be rendered unfit by reason of sexual perversion or idolatry! The verse therefore teaches us [that they are excluded].

R. Zera put the following question: What is the law if a man said: 'Behold, I undertake to offer for a burnt-offering either a ram or a lamb', and he brought a pallax?⁷ Of course according to R. Johanan the question does not arise, since he holds that it is a distinct species.⁸ For we have learnt:⁹ If a man [under an obligation to bring a lamb or a ram as a sacrifice] offered a pallax, he must bring for it libations as for a ram,¹⁰ but he does not thereby discharge the obligation of his sacrifice. And R. Johanan said that the verse. Or a ram,¹¹ included a pallax. The question, however, does arise according to the view of Bar Padda,

(1) These birds may not be offered as sacrifices. The suggestion, therefore, that the verse Purports to exclude such birds whose neck feathers begin to glisten, is now abandoned.

(2) Lev. XXII, 25. From which is derived the rule that animals 'corrupt' or blemished are not acceptable for sacrifice.

(3) Gen. VI, 12. This verse refers to the sexual perversion of the generation.

(4) Deut. IV, 16.

(5) Minor blemishes do not disqualify a bird for sacrifice though a major blemish e.g., the loss of a limb, does.

(6) V. Kid. 24b.

(7) A sheep in its first twelve months is called a 'lamb', after thirteen months it is termed a 'ram', in its thirteenth month it is known as a pallax. Heb. פֶּלֶאֶךְ, from Greek **, specifically a youth not yet arrived at adolescence, below the age of eighteen years.

(8) Consequently he will not have discharged his obligation.

(9) Par. I, 3; Men. 91b.

(10) The wine libations and offerings of meal which were brought with the sacrifice varied in quantity according to the animal offered. For a bullock it was necessary to bring three tenths of an ephah meal and one half of a hin wine; for a ram two tenths meal and one third of a hin wine; for a lamb one tenth meal and one quarter of a hin wine.

(11) Num. XV, 6 which prescribes the libations for a ram. The word 'or', Heb. וְ, being superfluous, is employed to extend the rule contained in this verse so as to include the pallax. Now it is evident that R. Johanan, by his interpretation that the verse purports to include the pallax, holds that it is a distinct species; for were it indeed a case of doubt he surely would not have explained the verse as purporting to include a condition of doubt! Cf. supra. p. 113, n. 3.

Chullin 23b

who holds that he must bring [for it libations as for a ram] and account for the possibilities.¹ The question therefore is: must he account only for the possibility of it being either a ram or a lamb but not of it being a distinct species.² or must he also account for the possibility of it being a distinct species and declare that if it is a distinct species all the libations shall be regarded as a freewill-offering?³ The question remains undecided.

R. Zera put the following question: What is the law if a man said: 'Behold, I undertake to bring [ten] cakes of a Thankoffering⁴ either leavened or unleavened', and he brought siur?⁵ According to whose definition of siur does the question arise? If [he brought] that siur as defined by R. Meir, and [the question is asked] according to R. Judah's ruling

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about it, then it is undoubtedly unleavened! And if [he brought that siur] as defined by R. Judah and [the question is asked] according to R. Meir's ruling about it, then it is clearly leavened! Again if [he brought that siur] as defined by R. Meir and [the question is asked] according to R. Meir's ruling about it, then it is evidently leavened, since one is liable to stripes [for eating it on the Passover]!

Indeed, the question arises on R. Judah's definition [of siur] and according to R. Judah's ruling about it; thus, is it a condition of doubt, then in our case he at all events fulfils his obligation;⁶ or is it a distinct state,⁷ then he does not fulfill his obligation? But has not R. Huna said that if a man said: 'Behold, I undertake to offer the cakes of a Thank-offering', he must bring a Thank-offering as well as the cakes? Now in our case, since there is imposed upon this person the duty of bringing a Thank-offering as well as the cakes, he does not know whether he must regard these [cakes of siur] as leavened and so bring for the rest unleavened cakes, or as Unleavened and so bring leavened cakes [among the others]!⁸ —

The question could only arise where a man said: 'Behold, I undertake to bring [ten] cakes, [either leavened or unleavened] in order to release So-and-so from this obligation in his Thank-offering'.⁹ Even so, that other person does not know whether to regard these [cakes of siur] as leavened and bring the unleavened himself, or to regard these as unleavened and bring the leavened himself!¹⁰ —

The question only arises in the case where he did not say. 'In order to release', and the point is this: Has this person fulfilled his obligation or not?¹¹ — The question remains undecided.

MISHNAH. [THE METHOD OF KILLING] WHICH RENDERS THE RED COW¹² VALID

RENDERS THE HEIFER¹³ INVALID, AND THE METHOD WHICH RENDERS THE HEIFER VALID RENDERS THE RED COW INVALID.

GEMARA. Our Rabbis taught: The Red Cow is rendered valid by slaughtering and invalid by breaking its neck; the Heifer is rendered valid by breaking its neck and invalid by slaughtering. It follows, therefore, that [the method of killing] which renders the Red Cow valid renders the Heifer invalid, and the method which renders the Heifer valid renders the Red Cow invalid. But should not the Red Cow be rendered valid by breaking its neck by the following a fortiori argument? Thus, if the Heifer which is not rendered valid by slaughtering is nevertheless rendered valid by breaking its neck, the Red Cow which is rendered valid by slaughtering should surely be rendered valid by breaking its neck!

(1) Lit., 'and stipulates'. By declaring: (a) if it is a ram then the quantity of libations offered is correct; (b) if it is a lamb then such amount as is required for a lamb shall be taken from this quantity, and the remainder shall be treated as a freewill libation offering. A third possibility would have to be accounted for if one were to take into consideration the possibility of it being a distinct species, in which case the declaration would be in addition to the two possibilities already stated; (c) if it is a distinct species and therefore no libations are necessary, then the whole of the libations offered shall be treated as a freewill-offering.

(2) Consequently in the circumstances of R. Zera's case the person will have discharged his obligation.

(3) With the result that in R. Zera's case the person will not have discharged his obligation.

(4) V. Lev. VII, 12 and 13, where it is prescribed that with a thank-offering one had to bring four kinds of cakes, viz., unleavened cakes mingled with oil, unleavened cakes smeared with oil, unleavened cakes of fine flour saturated in oil and leavened cakes. At present it is assumed that the man's obligation was merely to bring ten cakes, and by bringing cakes made from siur (v. next note), the question arises whether or not he has fulfilled his obligation.

(5) V. Pes. 48b. In the matter of siur there are two disputes between R. Meir and R. Judah. (a) As to the definition of siur: R. Meir says. It is dough the surface of which has already become pale (which

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indicates that fermentation has already begun); R. Judah says. It is dough the surface of which has become wrinkled (which is some time after it has turned pale). (b) As to the law of siur: R. Meir says that whosoever eats siur (as defined by him) on the Passover is liable to stripes; R. Judah says that whosoever eats siur (as defined by him) on the Passover is not liable to any punishment. Moreover, siur as defined by R. Judah is regarded by R. Meir as leavened, and whosoever eats of it on the Passover is liable to the punishment of Kareth; and on the other hand, siur, as defined by R. Meir is regarded by R. Judah as unleavened, and one may eat it on the Passover:

(6) For it is either leavened or unleavened.

(7) I.e., a definite stage in the process of fermentation, at which time the dough is neither leavened or unleavened.

(8) The difficulty that is raised by R. Huna's statement is this. The original assumption that this man's obligation ended with the bringing of the cakes cannot stand, for according to the law as stated by R. Huna he must bring all the forty cakes that accompany the thank-offering as well as the thank-offering itself. Consequently this man is in a dilemma, for even if it were accepted that siur is a condition of doubt, his position is no better, since he does not know what other cakes he must now bring.

(9) In this case the man has no other obligation than to bring ten cakes and therefore he would be fulfilling his obligation if it were held that siur was a condition of doubt.

(10) The purpose of this man's promise is to release that other person from part of his obligation; but since the other cannot avail himself of these cakes, for he does not know what other cakes he must bring, this man's purpose has not been achieved and consequently his obligation has not been discharged.

(11) Here the man undertakes to add ten cakes to his friend's thank-offering. The other person is in no way affected by this promise, for he must bring the full complement of cakes with his thank-offering, and the only Point that has to be considered is whether this man has fulfilled his own obligation by bringing these cakes of siur or not.

(12) V. Num. XIX.

(13) V. Deut. XXI.

Chullin 24a

The verse, therefore, says: And he shall slaughter it,¹ and in addition [the law is stated to be] a statute,² in order to indicate that it is rendered valid only by slaughtering

and not by breaking its neck. But is it established that whenever 'statute' is written [in connection with a law] one may not apply to it an a fortiori argument? But what of the Day of Atonement in connection wherewith statute' is written,³ nevertheless, it was taught: [Upon which the lot fell for the Lord,] and it shall determine it for the sin-offering,⁴ implies that only the lot can determine it for the sin-offering, but designation⁵ cannot determine it for the sin-offering. For [without this Biblical direction] I would have argued by an a fortiori argument thus: If offerings which are not consecrated by lot are nevertheless consecrated by designation,⁶ an offering which is consecrated by lot should surely be consecrated by designation! It is therefore written: 'And it shall determine it for the sin-offering', to indicate that the lot only can determine it for a sin-offering, but designation will not determine it for a sin-offering. Now this is so, only because it is written in the Divine Law, 'And it shall determine it for the sin-offering', but without this verse one would have applied the a fortiori argument!⁷ —

The Divine Law excluded all others when it stated in connection with the Heifer, 'Whose neck was broken',⁸ indicating that only this shall have its neck broken, but no other. And should not the Heifer be rendered valid by slaughtering by the following a fortiori argument?

Thus, if the Red Cow which is not rendered valid by breaking its neck is nevertheless rendered valid by slaughtering, the Heifer which is rendered valid by breaking its neck should surely be rendered valid by slaughtering! The verse states: And they shall break the neck,⁹ and also, 'Whose neck was broken', thus emphasizing that the Heifer is rendered valid only by breaking its neck and not by slaughtering.¹⁰

MISHNAH. [THE DISABILITY] WHICH DOES NOT DISQUALIFY¹¹ PRIESTS DISQUALIFIES

CHULLIN – 2a-30b

LEVITES, AND [THE DISABILITY] WHICH DOES NOT DISQUALIFY LEVITES DISQUALIFIES PRIESTS.

GEMARA. Our Rabbis taught: priests are disqualified by reason of a bodily blemish,¹² and not by reason of age; Levites are disqualified by age¹³ and not by bodily blemish. It follows, therefore, that [the disability] which does not disqualify priests disqualifies Levites, and [the disability] which does not disqualify Levites disqualifies priests. Whence do we know this? —

From the following Baraitha. Our Rabbis taught: It is written: This is that which pertaineth unto the Levites.¹⁴ Now what does this teach us? From the verse: And from the age of fifty years they shall return [from the service of the work],¹⁵ we know that Levites are disqualified by age. Now I might have argued [by an a fortiori argument] that they are disqualified by bodily blemish too; thus, if priests who are not disqualified by age are nevertheless disqualified by bodily blemish, Levites who are disqualified by age should surely be disqualified by bodily blemish! It is therefore written: ‘This is that which pertaineth unto the Levites’, that is to say, this¹⁶ only disqualifies Levites, but nothing else disqualifies them. Now I might also have argued [by an a fortiori argument] that priests are disqualified by age too; thus, if Levites who are not disqualified by bodily blemish are nevertheless disqualified by age, priests who are disqualified by bodily blemish should surely be disqualified by age! It is therefore written: ‘Which pertaineth unto the Levites’, and not ‘unto the priests’. I might further have supposed that this rule¹⁷ [as regards Levites] obtains even at Shiloh and at the permanent House;¹⁸ It is, therefore, written: To do the work of service and the work of bearing burdens,¹⁹ that is to say: ‘I ordained this rule only when the work was that of bearing burdens upon the shoulder’.²⁰ One verse says: From twenty and five years old and upward;¹⁴ and another

verse says: From thirty years old and upward.²¹ Now one cannot accept the age of thirty²² because of the verse which mentions twenty-five, and one cannot accept the age of twenty-five because of the verse which mentions thirty. How are these verses to be reconciled?

Thus: at the age of twenty-five [the Levite enters the service] for training, and at the age of thirty he performs service. Hence the dictum: If a student does not see a sign of blessing [progress] in his studies after five years, he never will. R. Jose says, [After] three years, for it is written: That they be trained three years.²³ And that they be taught the learning and the tongue of the Chaldeans.²⁴ And the other, [how does he explain these latter verses]? — He would say that the Chaldean language is an exception, for It is easy [to master].²⁵ And the other, [R. Jose]? — He would say that the Temple service is an exception, for its rules are difficult.²⁶

Our Rabbis taught: A priest, from the time that he has grown two hairs²⁷ until he grows old, is qualified for service; a bodily blemish, however, disqualifies him. A Levite, from thirty years old until fifty years old, is qualified for service; and becomes disqualified by age. This law [of the Levite], however, applied only at the Tent of Meeting in the wilderness; but at Shiloh or at the Permanent House they were only disqualified because of their voices.²⁸ Said R. Jose: Where is this indicated in any verse? —

(1) Sc. the Red Cow; Num. XIX, 3.

(2) Ibid. 2: This is the statute of the law.

(3) Cf. Lev. XVI, 29: And it shall be a statute for ever unto you.

(4) Ibid. 9. The usual translation is. And he (sc. the priest) shall offer it for a sin-offering. The Rabbis, however, take ‘the lot’ as the subject of this sentence, and so derive from this verse the rule that it is the lot which decides the animal for the sacrifice.

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(5) I.e., merely naming or specifying by word of mouth which goat shall be for the sacrifice and which shall be sent away.

(6) E.g., when a Pair of doves is offered, one of them for a sin-offering and the other for a burnt-offering (cf. Lev. XII, 8; XIV, 22), it is not the lot that determines them for their respective offerings, for even after the casting of lots they can be changed over; but it is the express designation of the owner that determines them.

(7) Although the law in connection with the Day of Atonement is stated to be a statute. This being so, the a fortiori argument should be applied in our Mishnah, with the result that the Red Cow be also rendered valid by breaking its neck.

(8) Deut. XXI, 6.

(9) Ibid. 4.

(10) This is the reading of MS.M.; v. Rashi. In cur. edd. only one verse is quoted in this final answer; v. Rashal. The injunction 'to break the neck' is repeated to indicate that this is the only method of killing the Heifer and no other is admissible. This answer is therefore in accordance with the accepted Rabbinic dictum: Wherever Scripture repeats an injunction it is meant to be indispensable.

(11) From taking part in the Temple service.

(12) V. Lev. XXI, 17.

(13) For they are qualified for service only from the age of thirty to fifty.

(14) Num. VIII, 24.

(15) Ibid, 25.

(16) Sc. age.

(17) That Levites are disqualified by age.

(18) I.e., the Temple at Jerusalem where the service of the Levites was to sing in the choir and to guard the doors of the Temple.

(19) Ibid. IV, 47.

(20) The disqualification of Levites by age was, therefore, effective only from the service of the Tabernacle in the wilderness, where their duties consisted of dismantling the entire Tabernacle and bearing the various parts on their shoulders.

(21) Ibid. IV, 23.

(22) I.e., as the proper age for commencing service.

(23) Dan. I, 5.

(24) Ibid. 4.

(25) Therefore in three years one ought to expect good results.

(26) Because of the numerous details that had to be mastered; and, therefore, in such a case even R. Jose admits that five years are necessary.

(27) These refer to the pubic hairs which indicate maturity and generally appear in males at the age of thirteen years and one day, and in females at the age of twelve years and one day.

(28) I.e., when they lost their voices and thus could no longer sing in the Temple choir.

Chullin 24b

It is written: And it came to pass when the trumpeters and singers were as one to make one loud sound.¹ 'Until he grows old'. Until when is this? — R. Ila'a said in the name of R. Hanina: Until he begins to tremble.²

We have learnt elsewhere:³ If a man [who was unclean] by reason of a seminal emission, immersed himself [in a Mikveh] but did not first urinate, when he does urinate he [again] becomes unclean.⁴ R. Jose says: If he was ill or elderly he [again] becomes unclean, but if he was young and healthy he is clean.⁵ How long [is one regarded as young and healthy]? —

R. Ila'a said in the name of R. Hanina: As long as one is able to stand on one foot and put on and take off one's shoe. It was said of R. Hanina that at the age of eighty years he was able to stand on one foot and put on and take off his shoe. R. Hanina said: The warm baths and the oil with which my mother anointed me in my youth have stood me in good stead in my old age.

Our Rabbis taught: He whose beard is fully grown is qualified to act as the representative of a community,⁶ to descend before the Ark⁷ and to pronounce the priestly benediction.⁸ When does he [the priest] become qualified for Temple service? When he produces two hairs. Rabbi says: I say, only when he is twenty years old. R. Hisda asked: What is Rabbi's reason? — Because it is written: And they appointed the Levites from twenty years old and upward to have oversight of the work of the house of the Lord.⁹ And the other Tanna? He maintains that 'to have oversight' is quite a different matter.¹⁰ But is not this verse stated in connection with the Levites?¹¹ — One must accept the statement of R. Joshua b. Levi. For R. Joshua b. Levi said: In twenty-four passages the priests are referred

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to as Levites, and the following is an example: And the priests the Levites the sons of Zadok.¹²

Our Rabbis taught: It is written: Any man of thy seed throughout their generations... [let him not approach to offer];¹³ hence R. Eliezer derived the rule that a minor is not qualified for service even though he is without bodily blemish. When does he become qualified for service? When he has grown two hairs. His brother priests, however, would not permit him to take part in the service until he was twenty years old. Some say that this [Baraitha] agrees with the view of Rabbi, for he maintains that [under the age of twenty years] there is no legal disqualification whatsoever, not even by Rabbinic enactment.¹⁴ Others say that Rabbi's view is that [under the age of twenty years] one is disqualified by Rabbinic enactment, and that this [Baraitha], however, agrees with the view of the Sages; for they maintain that [under the age of twenty years] there is a restriction only in the first instance, but if he did serve, the service would be valid.¹⁵

MISHNAH. THAT WHICH CANNOT BE RENDERED UNCLEAN IN EARTHENWARE VESSELS CAN BE RENDERED UNCLEAN IN ALL OTHER VESSELS, AND THAT WHICH CANNOT BE RENDERED UNCLEAN IN ALL OTHER VESSELS CAN BE RENDERED UNCLEAN IN EARTHENWARE VESSELS.

GEMARA. Our Rabbis taught: The air-space of an earthenware vessel can be rendered unclean, but the outside of it cannot. The air-space of all other vessels cannot be rendered unclean, but the outside of them can. It follows, therefore, that that which cannot be rendered unclean in earthenware vessels can be rendered unclean in all other vessels, and that which cannot be rendered unclean in all other vessels can be rendered unclean in earthenware vessels. Whence do we know this? — From [the following Baraitha] which our Rabbis taught: It is written: And every

earthen vessel into which [toko] any of them falleth,¹⁶ that is to say, even though it does not actually touch the vessel.¹⁷ You say: 'Even though it does not actually touch', but perhaps it is not so but only if it actually touches the vessel!

R. Jonathan b. Abtolmos said: There is used the word 'toko'¹⁸ in connection with the vessel conveying uncleanness, and also the word 'toko'¹⁹ in connection with the vessel receiving uncleanness; therefore, just as 'toko', used in connection with the vessel conveying uncleanness, means, 'even though it does not actually touch', so, too, 'toko', used in connection with the vessel receiving uncleanness, means, 'even though it does not actually touch'.²⁰ But whence do we know this in the former case? —

R. Jonathan said: The Torah has declared the contents of an earthenware vessel [to be unclean]

(1) II Chron. V, 13. This verse shows that the singers in the Temple were chosen because they were able to sing 'as one' and could 'make one loud sound'. Such voices as would introduce a discordant note in the choir were eliminated.

(2) I.e., his hands and feet shake because of old age.

(3) Mik. VIII, 4.

(4) For it is possible that when he suffered the emission not all the semen was ejaculated, but there might have remained some drops in the passage of his organ, which, when he urinates after his immersion, would pass out with the urine and make him unclean again. Cf. Lev. XV, 16.

(5) These would have ejaculated the semen completely, whereas a sick or elderly person would not; only the latter, therefore, would again become unclean after urinating.

(6) Heb. שליח ציבור, lit., 'messenger of the congregation'. This usually connotes the person who acts as the reader of the congregation in conducting the prayers. Since, however, the subsequent words, 'descend before the Ark', clearly refer to the function of the reader, the representative of the community would mean, therefore, the warden or person appointed to attend to the affairs of the community. Cf. R. Gershom and Rashi.

(7) V. preceding note.

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(8) Lit., ‘to lift up his hands’. Of course, provided he is a priest. V. Num. VI, 22-27.

(9) Ezra III, 8.

(10) It is conceded that a Levite under the age of twenty years would not be appointed to supervise the work.

(11) How, then, can this verse be adduced in support of the rule concerning the priests?

(12) Ezek. XLIV, 15. The term ‘Levites’ in this verse means descendants of the tribe of Levi, or it might mean ‘attendants’ (Rashi).

(13) Lev. XXI, 17. The Heb., אִישׁ, ‘a man’, excludes a minor.

(14) The statement of Rabbi, supra, ‘I say, only when he is twenty years old’, is therefore to be interpreted to correspond with this Baraitha; i.e., under the age of twenty years he is not legally disqualified, but, as the Baraitha states: ‘His brother priests would not permit him to take part in the service’.

(15) Accordingly, the view of the Sages, supra, is to be qualified in the light of this Baraitha. ‘From the time that he produces two hairs he is qualified’, i.e., if he did serve the service would he valid, but he would not be allowed to serve in the first instance, as the Baraitha continues, ‘His brother priests would not permit him to take part in the service.’

(16) Lev. XI, 33. Heb. תוכו, ‘in it’, i.e., in its air-space.

(17) I.e., even though the reptile does not come into contact with the vessel, but is merely suspended in the air-space, the vessel becomes unclean.

(18) Ibid. Whatsoever is in it (toko) shall be unclean, i.e., foodstuffs in the air-space of the earthen vessel become unclean from the vessel.

(19) Ibid. And every earthen vessel into which (toko) any of them falleth.

(20) So that an earthenware vessel will receive uncleanness from a reptile which is suspended in its air-space, even though there has been no contact; and will also convey uncleanness, if itself unclean, to foodstuffs that are in its air-space.

Chullin 25a

even though it is filled with mustard seed.¹ R. Ada b. Ahabah asked Raba: Should not an earthenware vessel be rendered unclean [by contact] from the outside by the following a fortiori argument: If all other vessels which are not rendered unclean through their air-space are nevertheless rendered unclean from the outside, an earthenware vessel which is rendered unclean through its air-

space should surely be rendered unclean from the outside? —

He replied: The verse reads: And every open vessel, which has no covering close-bound upon it, is unclean.² Now what kind of vessel is it to which uncleanness comes first through its opening? You must say: It is an earthenware vessel.³ And [the verse teaches that] if it has no covering close-bound upon it is unclean, but if it has a covering close-bound upon it, it is clean.⁴ And should not all other vessels be rendered unclean through their air-space by the following a fortiori argument: If an earthenware vessel which is not rendered unclean from the outside is nevertheless rendered unclean through its air-space, all other vessels which are rendered unclean from the outside should surely be rendered unclean through their air-space? —

The verse says: In its [toko], meaning the air-space of this⁶ [can suffer uncleanness] but the air-space of no other [can suffer uncleanness]. But have we not already interpreted these [terms] toko for other purposes?⁷ Indeed, four expositions may be derived from ‘toko’, by reason of ‘toko-tok’, ‘toko-tok’:⁸ one [is required] for [the rule of] the text itself;⁹ another for the analogy;¹⁰ and again another for [the rule that] the air-space of this [vessel can suffer uncleanness], and not the air-space of any other [vessel]; and again another for [the rule that] the air-space of this [vessel can suffer uncleanness], and not the air-space [of another vessel] which is within the air-space [of this vessel];¹¹ hence even a rinsable vessel¹² is a protection [against uncleanness]. [One might argue that] all other vessels should not be rendered unclean [by contact] from the outside, but only by contact from the inside, by the following a fortiori argument: If an earthenware vessel which is rendered unclean through its air-space is nevertheless not rendered unclean from the outside, all other vessels which are not rendered unclean

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through their air-space should surely not be rendered unclean from the outside! —

The verse therefore reads: And every open vessel, which has no covering close-bound upon it, is unclean,¹³ that is to say, only with regard to this¹⁴ [is the distinction made, namely,] if it has no covering close-bound upon it, it is unclean, and if it has a covering close-bound upon it, it is clean; whereas all other vessels, whether they have or have not a covering close-bound upon them, are unclean.¹⁵

MISHNAH. THAT WHICH CANNOT BE RENDERED UNCLEAN IN WOODEN ARTICLES CAN BE RENDERED UNCLEAN IN METAL ARTICLES, AND THAT WHICH CANNOT BE RENDERED UNCLEAN IN METAL ARTICLES CAN BE RENDERED UNCLEAN IN WOODEN ARTICLES.

GEMARA. Our Rabbis taught: Unfinished wooden articles can be rendered unclean, but flat wooden articles cannot;¹⁶ unfinished metal articles cannot be rendered unclean, but flat metal articles can. It follows, therefore, that that which cannot be rendered unclean in wooden articles can be rendered unclean in metal articles, and that which cannot be rendered unclean in metal articles can be rendered unclean in wooden articles. The following wooden articles are regarded as unfinished: whatever still requires to be smoothed, or adorned with designs, or planed, or trimmed round, or polished with [the skin of a] tunny-fish. Whatever still lacks the base or the rim or the handle can be rendered unclean, but whatever still requires to be hollowed out cannot be rendered unclean. ‘Whatever still requires to be hollowed out’! But this is obvious!¹⁷ —

It is necessary to be mentioned for the following case: where one hollowed out of [a block which was intended to hold] a Kab only as much as would hold a Kapiza.¹⁸ The following metal articles are regarded as unfinished: whatever still requires

(1) All the mustard seeds in the vessel are rendered unclean, even those which are in the center of the vessel. Now these latter become unclean only because they are in the air-space of an unclean earthenware vessel. It cannot be suggested that the seeds which touch the side of vessel convey uncleanness to those next to them, one seed conveying uncleanness to the other, and so on as far as the seeds in the center of the vessel, for the following reasons: (a) no foodstuff less than the size of an egg can convey uncleanness; (b) one foodstuff cannot convey uncleanness to another foodstuff; and (c) with unconsecrated food uncleanness can at the most be extended to the second degree, but no further. In our case, therefore, the vessel, being unclean in the first degree, would convey uncleanness by contact to the seeds next to it, and these would be unclean in the second degree and could not pass on the uncleanness to others even by contact.

(2) Num. XIX, 15.

(3) The fact that the verse specifically mentions ‘open’ suggests immediately that it is dealing with an earthen vessel which has a special rule concerning its ‘opening’ i.e., its air-space, for no other vessel can be rendered unclean or can convey uncleanness through its air-space.

(4) Hence it is proved that an earthenware vessel cannot be rendered unclean from the outside.

(5) Lev. XI, 33. Heb. תוכו, the air-space.

(6) Sc. an earthenware vessel.

(7) For the purposes of the analogy, v. supra 24b ad fin, p. 123.

(8) Actually the word ‘toko’ is mentioned twice in Lev. XI, 33, but it would have served the purpose of the text if in each case the word ‘tok’ was used. The addition to each word indicates further exposition.

(9) Viz., that the air-space of an unclean earthenware vessel should render unclean foodstuffs or liquids which are within it.

(10) V. supra p. 123, n.5.

(11) I.e., if a vessel containing foodstuffs or liquids is suspended in the airspace of an earthenware vessel in such a way that the rim of the inner vessel is above the rim of the outer vessel, and a reptile is suspended in the airspace between the two vessels, then the contents of the inner vessel are not unclean, for they are not regarded as being within the air-space of the earthenware vessel, but only within the air-space of a vessel which is itself within the air-space of the earthenware vessel. The inner vessel, in other words, is a protection against the uncleanness reaching its contents, and for this reason, viz., since a vessel—even one which can be rendered unclean by contact from the outside — cannot be rendered unclean if it comes within the

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air-space of an unclean earthenware vessel (v. Pes. 20a), its contents will be protected from uncleanness.

(12) I.e., all vessels except earthenware vessels. The former are called rinsable because, if unclean, they can be rendered clean by being rinsed in the waters of a Mikweh.

(13) Num. XIX, 15.

(14) I.e., an earthenware vessel.

(15) It follows therefore that all other vessels can be rendered unclean from the outside, seeing that the fact that these vessels have a covering close-bound upon them is no protection.

(16) For wooden vessels do not contract uncleanness unless they contain a cavity.

(17) For it is merely a flat piece of wood.

(18) A small measure equal to three logs; a Kab is a measure that holds four logs. In this case, since the wood was to be hollowed out in order to hold a Kab it is regarded as unfinished as long as this had not been done.

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to be smoothed, or adorned with designs, or planed, or trimmed round,¹ or hammered out. Whatever still lacks the base or the rim or the handle, cannot be rendered unclean, but whatever only requires the lid can be rendered unclean. Why is there a difference between the one and the other?² —

R. Johanan said: Because these [metal vessels] are made for occasions of honour.³ R. Nahman said: Because they are expensive,⁴ What practical difference is there between them? — Bone vessels.⁵ And indeed R. Nahman is consistent in his view, for R. Nahman said: Bone vessels are regarded on the same footing as metal vessels. It appears then that bone vessels can be rendered unclean!⁶ —

It is so; for it was taught: R. Ishmael, the son of R. Johanan b. Beroka says. What does the following verse teach us: And everything made from goats... ye shall purify?⁷ To include anything made from goats, either from the horns or from the hoofs. And whence do we know [that articles made from the horns or the hoofs] of other animals or beasts [are included]? From the words, ‘And

everything made’. Why, then, is it written: ‘From goats’? To exclude [articles made from] birds.⁸

MISHNAH. WHEN BITTER ALMONDS ARE SUBJECT TO TITHING SWEET ALMONDS ARE EXEMPT, AND WHEN SWEET ALMONDS ARE SUBJECT TO TITHING BITTER ALMONDS ARE EXEMPT.

GEMARA. Our Rabbis taught: Small bitter almonds are subject to tithing, but the large are exempt;⁹ large sweet almonds are subject to tithing, but the small are exempt.¹⁰ R. Ishmael b. R. Jose says in the name of his father: Both¹¹ are exempt. Others have the reading: Both¹² are subject to tithing. R. Ila'a said that R. Hanina ruled in Sepphoris in accordance with the view of him who maintains that both are exempt. But according to him who maintains that both are subject to tithing [it will be asked]: What use can be made of large bitter almonds? — R. Johanan answered: They can surely be sweetened by [roasting in] the fire!

MISHNAH. TAMAD¹³ BEFORE IT HAS FERMENTED MAY NOT BE BOUGHT WITH SECOND TITHE MONEY¹⁴ AND RENDERS A MIKWEH INVALID;¹⁵ AFTER IT HAS FERMENTED IT MAY BE BOUGHT WITH SECOND TITHE MONEY AND DOES NOT RENDER A MIKWEH INVALID.¹⁶ BROTHERS WHO ARE PARTNERS [IN THEIR INHERITANCE], WHEN THEY ARE LIABLE TO PAY THE AGIO,¹⁷ ARE EXEMPT FROM THE CATTLE TITHE,¹⁸ AND WHEN THEY ARE LIABLE TO THE CATTLE TITHE,¹⁹ THEY ARE EXEMPT FROM THE AGIO.²⁰

GEMARA. Who is the author of our Mishnah? It is neither R. Judah nor the Rabbis! For we have learnt: If a man made Tamad putting in a certain measure of water, and he subsequently found the same measure of liquid, he is exempt from tithing it.²¹ R. Judah however, makes him liable.²² Now who is the author [of our Mishnah]?²³ If the

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Rabbis, then even though it has fermented [it should not be purchasable with Second Tithe money], and if R. Judah, then even though it has not fermented at all [it should be purchasable with Second Tithe money]! —

R. Nahman said, in the name of Rabbah b. Abbuha,

(1) Reading לכרכב; so MS.M. and also the 'Aruch. In cur. edd. לכרכר, which, according to Rashi, means 'to adorn with figures'.

(2) Why is it that unfinished metal articles cannot be rendered unclean whereas unfinished wooden articles can?

(3) Since metal vessels are reserved for use on special occasions they would not serve the purpose unless they were absolutely finished in all detail and decoration.

(4) And they would not realize their price unless they were finished in every detail.

(5) These are expensive but are not used on special occasions of honor; consequently, according to R. Johanan unfinished bone vessels can be rendered unclean, but according to R. Nahman they cannot.

(6) Where is it indicated in the Torah?

(7) Num. XXXI, 20.

(8) E.g., articles made from the claws of birds. These cannot be rendered unclean and therefore the law of purification does not apply.

(9) The test is edibility; therefore, large bitter almonds are exempt from tithing because they are not edible, whereas the small bitter ones before they are fully ripened are edible and so subject to tithing.

(10) In the case of sweet almonds, the small ones are exempt from tithing for they are not yet fully ripe.

(11) I.e., both sweet and bitter almonds when small are exempt from tithing (Rashi). According to R. Gershom and Tosaf the meaning is: Bitter almonds both large and small are exempt from tithing.

(12) I.e., both sweet and bitter almonds when large are subject to tithing (Rashi). According to A. Gershom and Tosaf. the meaning is: Bitter almonds both large and small are subject to tithing.

(13) תמיד. An inferior wine made by steeping the kernels and skins of grapes in water, or by pouring water on to the lees of wine.

(14) Before fermentation has taken place it is merely water, and water may not be bought with Second Tithe money, v. 'Er. 27b.

(15) A Mikweh (i.e., a ritual bath) must be filled with waters which flow directly from a river or a

stream or with rainwater, but not with waters which have been drawn from the river into vessels. An admixture of three logs or more of drawn water into a Mikweh which does not contain the requisite amount of water (i.e., 40 se'ah) renders the Mikweh invalid for all time. But an admixture of wine into a Mikweh does not render it invalid.

(16) For it is regarded as wine.

(17) Heb. קלבון from Greek **. This was a small coin which every person had to add to his annual contribution of a half-shekel to the Temple in order to compensate the Temple Treasury for the loss it might sustain on exchanging the half-shekel for other coinage. It was not permissible for two people to evade this additional payment by combining and paying one shekel between them. On the other hand, this law of agio was relaxed in favor of a person who paid the half-shekel on behalf of another by way of gift to that other person; and therefore, if a father paid a whole shekel on behalf of his two sons by way of gift to them, he was not liable to pay any agio at all. In the case of our Mishnah the circumstances are that the brothers had divided the inheritance on the death of their father and subsequently entered into partnership; consequently each one must pay the agio when contributing his half-shekel even though they pay one whole shekel jointly, in the same way as when two people pay together one whole shekel.

(18) Cf. Lev. XXVII, 32. In Bek. 56b it is laid down that cattle born to partnership stock is exempt from the tithe.

(19) I.e., if they had never divided the inheritance. In this case it is held that cattle born to the partnership stock is subject to the tithe, for it is deemed in law to be the deceased father's stock.

(20) Since the inheritance had never been divided the combined contribution of one shekel which they make is regarded as a payment made by a father by way of gift in respect of his two sons, and in these circumstances they are exempt from the agio. V. p. 128, n. 7.

(21) For it is regarded as water, even though its taste may be that of wine, since there is here no increase in the mixture.

V. Ma'as. V, 6. It is assumed for the present that such considerations, as to whether the mixture has fermented or not, are of no consequence.

(22) For it is regarded as fruit juice.

(23) It is assumed that the Tamad of our Mishnah had not increased at all but the whole of it measured exactly the same as the quantity of water that was put in.

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Their dispute¹ referred only to the case where it had fermented; and our Mishnah, therefore, is in accordance with R. Judah's view.² R. Jose b. Huna also reported that their dispute referred only to the case where it had fermented.

R. Nahman further said in the name of Rabbah b. Abbuha: If a man bought Tamad with Second Tithe money and it subsequently fermented, that which he has purchased is Second Tithe.³ Why is this? — Because it now appears that from the outset it was fruit [juice].⁴ But [cannot the same argument be applied to] our Mishnah, which teaches that only if it had fermented [is it purchasable with Second Tithe money] but that if it had not fermented it is not [purchasable with Second Tithe money]? For it might be argued that had he let it stand it would have fermented?⁵ —

Rabbah answered [that our Mishnah deals with the case] where he let some of it stand in a glass and it did not ferment. Raba, however, said that the author of our Mishnah was R. Johanan b. Nuri. For we have learnt: If a Kortob⁶ of wine fell into three logs less a Kortob of water, the mixture having the color of wine, and the whole of this mixture fell into a [deficient] Mikweh, it does not render the Mikweh invalid.⁷ If a Kortob of milk fell into three logs less a Kortob of water, the mixture having the color of water, and the whole of this mixture fell into a [deficient] Mikweh, it does not render it invalid.⁷ But R. Johanan b. Nuri says: It all depends upon the colour.⁸ Now did not R. Johanan b. Nuri lay down the rule that we must determine every mixture by its color? Then in the case of our Mishnah, too, one ought to determine the mixture by its color, and the taste⁹ and color of the mixture is that of water.¹⁰ The above view¹¹ differs from that of R. Eleazar.

For R. Eleazar said: All¹² agree that one may not set aside other [Tamad] as tithe for this [Tamad], unless this had already fermented. It is clear, then, that he [R. Eleazar] is of the opinion that the dispute [between R. Judah and the Rabbis] refers only to the case where it has not fermented; and when R. Judah said that he was liable to tithe it, he only meant [that he must set aside] some of it [as tithe] for the whole, but not that he may set aside other [Tamad as tithe for this], for then¹³ he might be setting aside that which is subject to tithing [as tithe] for that which is exempt, or that which is exempt [as tithe] for that which is subject to tithing.¹⁴

Our Rabbis taught: Tamad before it has fermented

- (1) Between R. Judah and the Rabbis.
- (2) For only R. Judah holds the view that fermented Tamad is regarded as wine juice, consequently it may be purchased with Second Tithe money. Unfermented Tamad, however, even R. Judah admits is but water. It should be noted that there is an alternative answer possible, namely, that the dispute between the Rabbis and R. Judah concerned unfermented Tamad, and accordingly our Mishnah would follow the view of the Rabbis. R. Nahman, however, did not suggest this, for then R. Judah's view would be unintelligible as it is inconceivable that he would hold that unfermented Tamad should be regarded as wine juice (Rashi).
- (3) I.e., a valid substitution has been effected, so that now the Tamad must be treated with the sanctity due to Second Tithe, and the original Second Tithe money, now in the hands of the vendor, has no sanctity whatsoever.
- (4) Even though at the time of purchase there was no semblance of wine juice in the Tamad.
- (5) It should therefore be regarded at all times as wine juice, even before it has actually fermented, and consequently it should not render a Mikweh invalid.
- (6) A small liquid measure equal to 1/64 of a log.
- (7) For there is not here the minimum quantity of drawn water (three logs) necessary to render the Mikweh invalid.
- (8) So that in the first case the mixture would not render the Mikweh invalid, but in the second case it would. V. Mik. VII, 5; Mak. 3b.
- (9) In some MSS. this word is omitted and it is apparently superfluous, but v. Tosaf. ad loc.

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(10) Before fermentation. Consequently it is not purchasable with Second Tithe money and it also renders a Mikweh invalid. R. Nahman, however, who does not decide the mixture by its color but by its potency to ferment in the future, follows the view of the first Tanna.

(11) Of R. Nahman which he reported in the name of Rabbah b. Abbuha concerning the dispute between R. Judah and the Rabbis.

(12) Even R. Judah agrees with the Rabbis.

(13) Since the one kind of Tamad might ferment later on and the other might not.

(14) And in either case the act is of no effect in law, with the result that in the former instance the priest, and in the latter the owner, will be eating tebel i.e., untithed produce.

Chullin 26b

can be rendered clean by bringing it into contact with the water [of a Mikweh];¹ after it has fermented it cannot be rendered clean by bringing it into contact with the water [of a Mikweh]. Raba remarked: This rule applies only if the Tamad was made with water that was clean and it subsequently became unclean, but not if the water was unclean from the outset. R. Gabiha of Be-Kathil² went and reported this statement to R. Ashi and raised this question: Why does not the rule apply if the water was unclean from the outset? Is not the reason because we say that the water, being heavy, will sink to the bottom of the vessel, whilst the fruit [skins] being light will float on the surface of the water, and consequently the contact made with the waters [of the Mikweh] will be of no effect? If so, is not the same reasoning to be applied to the case where the water was first clean and subsequently became unclean? You must, therefore, say that in this case they mix well together;³ then in the former case, too, we should say that they mix well together.⁴

MISHNAH. WHEN THERE IS A POWER TO SELL⁵ THE FINE IS NOT PAYABLE,⁶ AND WHEN THE FINE IS PAYABLE THERE IS NO POWER TO SELL.

GEMARA. Rab Judah said in the name of Rab. This is R. Meir's opinion, but the

Rabbis say that the fine is payable even when there is a power to sell.⁷ For it has been taught: The power to sell applies to a minor from the age of one day until the time she has grown two hairs,⁸ but the fine is not payable; from the time that she has grown two hairs until maturity⁹ the fine is payable but there is no power to sell. Thus R. Meir; for R. Meir used to say. 'When there is a power to sell the fine is not payable, and when the fine is payable there is no power to sell'. But the Rabbis say: In the case of a minor, from the age of three years and one day until maturity, the fine is payable. 'The fine is payable!' [you say]; but is there not also a power to sell? — **Render:** The fine is payable and there is also a power to sell.

MISHNAH. WHEN THERE IS THE RIGHT OF REFUSAL¹⁰ THERE CAN BE NO HALIZAH,¹¹ AND WHEN THERE CAN BE HALIZAH THERE IS NO LONGER THE RIGHT OF REFUSAL.

GEMARA. Rab Judah said in the name of Rab: This is R. Meir's opinion, but the Rabbis say that there is a right of refusal even when there can be halizah.¹² For it has been taught: Until what age can a daughter refuse? Until she has grown two hairs. Thus R. Meir, but R. Judah says. Until the dark hairs appear in abundance over the white [skin].¹³

MISHNAH. WHEN THE SHOFAR IS BLOWN¹⁴ THERE IS NO HABDALAH¹⁵ SERVICE, AND WHEN THERE IS THE HABDALAH SERVICE THE SHOFAR IS NOT BLOWN. THUS, IF A FESTIVAL FALLS ON THE DAY BEFORE THE SABBATH THE SHOFAR IS BLOWN¹⁶ BUT THERE IS NO HABDALAH SERVICE;¹⁷ IF IT FALLS ON THE DAY FOLLOWING THE SABBATH THERE IS HABDALAH SERVICE¹⁸ BUT THE SHOFAR IS NOT BLOWN.¹⁹ WHAT IS THE FORM OF THE HABDALAH BENEDICTION?²⁰ 'WHO MAKEST A DISTINCTION BETWEEN HOLY AND HOLY'.²¹ R. DOSA SAYS, 'WHO MAKEST A

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DISTINCTION BETWEEN THE MORE HOLY AND LESS HOLY DAY'.²²

GEMARA. How was the shofar blown then?²³ — Rab Judah said: A teki'ah²⁴ was blown, which in the end was converted into a teru'ah.²⁵ R. Assi said: A teki'ah was blown, and then a teru'ah all in one breath. R. Assi instituted the custom in Huzal²⁶ in accordance with his view. An objection was raised from the following Baraitha: If a festival fell on the day before the Sabbath, a teki'ah was blown but no teru'ah. Now does not this mean that no teru'ah was blown at all? — It is not so; but Rab Judah interprets [this Baraitha] in accordance with his view, and R. Assi interprets it in accordance with his view. Rab Judah interprets it in accordance with his view thus, 'But no teru'ah', that is to say, not separately, but the teki'ah was converted into a teru'ah. R. Assi interprets it in accordance with his view thus, 'But no teru'ah', that is to say, not with a second breath, but all in one breath.

IF IT FALLS ON THE DAY FOLLOWING THE SABBATH... ['WHO MAKEST A DISTINCTION BETWEEN HOLY AND HOLY']. At what part [of the Habdalah service] is this [formula] said? — Rab Judah said: At the conclusion.²⁷ R. Nahman also said: At the conclusion. R. Shesheth the son of R. Idi said: Even at the beginning. The law, however, is not in accordance with his view.

R. DOSA SAYS, 'WHO MAKEST A DISTINCTION BETWEEN THE MORE HOLY AND THE LESS HOLY DAY'. The law, however, is not in accordance with his view. R. Zera said: If a festival falls in the middle of the week one must say [in the Habdalah service]: 'Who makest a distinction between holy and profane, between light and darkness, between Israel and other nations, between the seventh day and the six working days'. Why is this?²⁸ — He is merely enumerating the 'distinctions'.²⁹

(1) V. Bezah 17b and Pes. 34a. Water that has become unclean can be rendered clean by pouring it into a stone vessel and lowering it into a Mikweh, so that the water in the vessel touches (lit., 'kisses') the water of the Mikweh and becomes one with the latter. Now Tamad before fermentation is regarded as water and therefore can be rendered clean in this way. Other liquids, however, once unclean, can never be rendered clean, and therefore fermented Tamad, being regarded as wine, cannot be rendered clean in this way.

(2) V. A.Z. 22a (Sonc. ed.) p. 112, n. 1.

(3) I.e., the water and the grape skins; so that there is nothing actually interposing when the contact is made between the waters of the Mikweh and the Tamad.

(4) The result is that no distinction can be drawn between the cases; accordingly Tamad before fermentation can always be rendered clean, whether it was made originally with unclean water or originally with clean water and it subsequently became unclean.

(5) A father, according to Ex. XXI, 7, has the power to sell his daughter as a maidservant during her minority, i.e., until she attains the age of twelve years and one day.

(6) V. Ex. XXI, 15-16, and Deut. XXII, 28-29. A fine of 50 shekels was payable by the person who seduced or violated a na'arah, technically a girl between the ages of twelve years and one day and twelve years and six months.

(7) I.e., the fine is payable even though the girl was a minor. V. Keth. 40b.

(8) These refer to the pubic hairs which generally appear on a girl at the age of twelve years and one day, whereupon she becomes a na'arah.

(9) Or, adolescence. This is reached by a girl when she has attained the age of twelve years and six months.

(10) A fatherless girl whose mother or brother gave her away in marriage, even with her consent, can at any time during minority 'refuse' the continuance of the marriage, and in this way break the marriage bond without the necessity of a bill of divorce.

(11) A girl who, during her minority, has become a widow even though she is childless cannot be subject to the ceremony of Halizah (v. Glos.) with regard to her brother-in-law. V. Deut. XXV, 5-10.

(12) I.e., there is a right of refusal even after the age of twelve years.

(13) V. Nid. 52a.

(14) It was the custom in Talmudic times to blow the shofar on the eve of the Sabbath or of the festival before the sacred day commenced, so that

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the community might cease work and prepare for the sacred day.

(15) Heb. הבדלה, 'distinction', 'separation'. A benediction recited over a cup of wine at the termination of the Sabbath or of the festival.

(16) Before the commencement of the Sabbath, in order to make known to the public that all work must cease, even such as was permitted on the festival e.g. cooking.

(17) The rule is that no Habdalah service is recited at the termination of a sacred day, if that day is immediately followed by a day more sacred. Thus, there will be no Habdalah service at the termination of a festival if it is immediately followed by the Sabbath.

(18) In order to distinguish between the greater sanctity of the Sabbath and the lesser sanctity of the festival.

(19) Since there is no need to warn people to abstain from work for they have been at rest the whole of the Sabbath day.

(20) At the termination of the Sabbath that is immediately followed by a festival.

(21) V. P.B., p. 231.

(22) The Sabbath being referred to as the more holy and the festival as the less holy day.

(23) Sc. at the conclusion of a festival that is immediately followed by the Sabbath. There must have been some slight difference on this occasion, when the purpose of the shofar was to warn People to abstain from such work as was permitted on the festival, in order to distinguish it from the blowing of the shofar at every Sabbath eve which served to warn people to cease work absolutely.

(24) Heb. תקיעה a blast on the shofar of one prolonged note.

(25) Heb. תרועה, a series of rapid short blasts.

(26) Near Nehardea.

(27) Whereas at the beginning of the Habdalah prayer of formula used is: 'who makest a distinction between holy and profane'. V. P.B. loc. cit.

(28) I.e., why should one include in the benediction the distinction 'between the seventh day', etc., seeing that the occasion is a midweek festival and not the Sabbath?

(29) Which are to be found in the Torah; cf. Lev. X, 10 Gen. I, 4; and Lev. XX, 26.

OF A BIRD, OR BOTH ORGANS IN THE CASE OF CATTLE, THE SLAUGHTERING IS VALID. THE GREATER PART OF AN ORGAN IS EQUIVALENT TO [THE WHOLE OF] IT. R. JUDAH SAYS, HE MUST CUT THROUGH THE JUGULAR VEINS. [IF ONE CUT] HALF OF ONE ORGAN IN THE CASE OF A BIRD, OR ONE AND A HALF ORGANS IN THE CASE OF CATTLE, THE SLAUGHTERING IS INVALID. [IF A MAN CUT] THE GREATER PART OF ONE ORGAN IN THE CASE OF A BIRD, OR THE GREATER PART OF EACH ORGAN IN THE CASE OF CATTLE, THE SLAUGHTERING IS VALID.

GEMARA. 'IF A MAN CUT' implies that the slaughtering is valid only after the act but that one is not permitted to do so in the first instance. [This would mean that] to cut both organs in the case of cattle is not sufficient in the first instance. Indeed, how much further can one go on cutting? — If you wish I can say that the expression 'IF ONE CUT' refers to the clause, ONE ORGAN IN THE CASE OF A BIRD; alternatively it refers to the clause, THE GREATER PART OF AN ORGAN IS EQUIVALENT TO [THE WHOLE OF] IT.³

*(Kemash)*⁴

R. Kahana said: Whence do we know that slaughtering must be performed at the neck? From the verse: And he shall slaughter [we-shahat] the bullock,⁵ that is to say, he shall cleanse [hat] it [from blood] in the place where it bends down [shah].⁶ And whence do we know that hat means to cleanse? — From the verse: And he shall cleanse [we-hitte] the house;⁷ or, if you wish, from the verse: Cleanse me [tehatte'eni] with hyssop and I shall be clean.⁸ perhaps [it should be performed] at the tail? — the word shah, we say, implies, bent down, of something that is usually erect,⁹ but that [sc. the tail] is always bent down. Perhaps [it should be performed] at the ear?¹⁰ — It is necessary to obtain the life blood. Perhaps one should keep on

Chullin 27a

CHAPTER II

MISHNAH. IF A MAN CUT¹ ONE [OF THE ORGANS OF THE THROAT]² IN THE CASE

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cutting [the ear] until one reaches the life blood! Moreover,¹¹ whence would we know the rules against pausing, pressing, thrusting, deflecting, and tearing? [We must therefore say that] we know them by tradition; then the rule that slaughtering must be performed at the neck is also derived from tradition. What then does this verse teach us? — That one may not cut the animal into two.¹²

R. Yemar said: We can derive it from the verse: And thou shalt slaughter [we-zabahta]¹³ that is to say, one must break [hat] it in the place where [the blood] flows [Zab].¹⁴ And whence do we know that hat means to break? — From the verse: Fear not neither be dismayed [tehath].¹⁵ perhaps [it should be performed] at the nose?¹⁶ — The word Zab implies to flow by reason of a cut, but that [sc. the nose] flows of its own. Perhaps [it should be performed] at the heart! Moreover, whence would we know the rules against pausing, pressing, thrusting, deflecting, and tearing? [We must therefore say that] we know them by tradition; then the rule that slaughtering must be performed at the neck is also derived from tradition. What then does this verse teach us? — That one may not cut the animal into two.

The school of R. Ishmael taught: It is written: And he shall slaughter [we-shahat];¹⁷ read not we-shahat but we-sahat, meaning, one shall cleanse [hat] it [from blood] in the place where it utters Sound [sah].¹⁸ Perhaps [one should perform it] at the tongue? — It is necessary to obtain the life blood. Perhaps one should keep on cutting until one reaches the life blood! Moreover, whence would we know the rules against pausing, pressing, thrusting, deflecting, and tearing? [We must say] therefore [that] we know them by tradition; then the rule that slaughtering must be performed at the neck is also derived from tradition. What then does this verse teach us? — That One may not cut the animal into two.

A Tanna derives it from the following Baraitha: R. Hiyya said: Whence do we know that slaughtering must be performed at the neck? From the verse: And Aaron's sons, the priests, shall lay in order the pieces, [the head and the fat].¹⁹ Now it was quite unnecessary for the verse to add 'the head and the fat'. Why is it written: 'the head and the fat'? Are not the head and the fat included in 'the pieces'? Why are they mentioned separately? [For this reason]; since it is written: And he shall flay the burnt-offering and cut it [into its pieces].²⁰ I would have thought that only such limbs as must be flayed are included [in the pieces];²¹ whence would I learn to include also the head which is already severed?²² It is therefore written explicitly. [And he shall cut it into its pieces,] with its head and its fat and he shall lay them in order.²³ Now since the Tanna speaks of the head as severed, it is evident that slaughtering must be performed at the neck. Why does the Tanna open his argument with, 'And the head and the fat',²⁴ and conclude with, 'Its head and its fat'?²⁵ — This is what he means. Whence would I learn to include the head which is already severed? From the verse: 'And the head and the fat'. Then for what purpose do I require the verse,²⁶ 'Its head and its fat'? — For the purpose shown in the following Baraitha: Whence do I know that the head and the fat precede all limbs [on the altar]? From the verse: Its head and its fat, and he shall lay them in order.²⁷

(1) Lit., 'slaughtered'.

(2) There are two main organs in the throat which are considered for the purpose of slaughtering and they are (i) the windpipe or the trachea, and (ii) the food-pipe or the gullet or esophagus.

(3) Thereby suggesting that in such cases the slaughtering is valid only after the act.

(4) A mnemonic (probably with the meaning 'to wither') consisting of the characteristic letters of the names of the Rabbis whose statements follow.

(5) Lev. I, 5. Heb. וְשָׁחַט.

(6) I.e., the neck. The Hebrew word שָׁחַט is divided into component parts thus: שָׁח, to bend, and חָטַט, to cleanse.

(7) Lev. XIV, 52. Heb. וְשָׁחַט.

(8) Ps. LI, 9. Heb. תְּהַטְטֵנִי.

CHULLIN – 2a-30b

(9) E.g. the neck.

(10) The ear is sometimes bent down and sometimes erect.

(11) I.e., even if it were accepted that the rule that to slaughter one must cut the neck is derived from the verse adduced, this further question confronts us: Whence would we derive the rules...? V. Tosaf. s.v. וְהוּ .

(12) Heb. גִּיסְטְרָא. This prohibition is implicit in the word וּשְׁחַט i.e., cleanse the animal from its blood by cutting the main organs of the throat and no more. Others interpret גִּיסְטְרָא to mean, 'to cut with force'; the verse is therefore taken as a direct prohibition against chopping the neck or pressing the knife downwards while slaughtering, on this interpretation the rule against pressing has a Biblical basis, v. Rashi.

(13) Deut. XII 21. Heb. וְזָבַחַת.

(14) I.e., at the neck. The Heb. זָבַחַת is divided into component parts thus: זָבַח, to flow, and חַת, to break.

(15) Deut. 1, 21. Heb. תַּחַת be broken in spirit, be dismayed.

(16) From which there flows mucus.

(17) Lev. I, 5.

(18) I.e., at the neck. The word וּשְׁחַט is interpreted as וּשְׁחַט which being divided into component parts would give: שָׁח, to talk, to utter sound, and חַט, to cleanse.

(19) Ibid. 8.

(20) Ibid. 6.

(21) To which the ordinance 'And he shall lay them in order' applies.

(22) For as soon as the two or throat have been cut the head is to all intents and purposes ed, and therefore the ordinance of flaying the animal does head (cf. Zeb. 85b); consequently as the head is not flayed the pieces in order would not apply to it.

(23) Lev. I, 12.

(24) From verse 8.

(25) From verse 12.

(26) Var. lec., (v. Rashi) 'and as to the verse', etc., all this being the continuation of R. Hiyya's Baraitha.

(27) Indicating by the order of the words in this verse that the head and the fat ate offered before all other things upon the altar.

Chullin 27b

And why did the Divine Law mention the fat in the first verse?¹ — For the purpose shown in the following Baraitha: How does he offer it? He covers the throat with the fat and thus offers it upon the altar; and in this way there

is glory given to the Most High. Another Tanna derives it from the following Baraitha: It is written: This is the law of cattle and of birds.² Now in which law [of the laws of uncleanness] are birds and cattle treated alike. On the one hand the carcass of cattle conveys uncleanness by contact or by carrying whereas the carcass of a bird does not. On the other hand the carcass of a bird whilst in the gullet renders clothes unclean³ whereas the carcass of cattle does not. In which respect then are birds and cattle alike? In this respect: As cattle [are rendered clean] by slaughtering, so birds [are rendered clean] by slaughtering. But it should follow, should it not, that as in the case of cattle the greater part of both organs must be cut, so in the case of birds the greater part of both organs must be cut? The verse therefore reads: This [is the law].⁴

R. Eliezer says: In which respect are birds and cattle alike? In this: As birds are rendered fit at the neck,⁵ so cattle are rendered fit at the neck.⁶ But then it should follow, should it not, that as in the case of birds [the nipping is done] close to the back of the neck, so in the case of cattle [the slaughtering should be done] close to the back of the neck? The verse therefore reads. And he shall nip off its head close to the back of its neck but shall not divide it asunder,⁷ that is to say, its head shall be [nipped off] close to the back of its neck but the head of no other shall be [cut] close to the back of its neck.⁸ And how does R. Eliezer interpret the word 'this'? — Without 'this', I would have argued that as in the case of birds only one organ [is severed], so in the case of cattle only one organ [shall be cut]; the Divine Law therefore states. This [is the law].⁹

Bar Kappara taught: It is written: This is the law of cattle and of birds [and of every living creature that moveth in the waters].⁹ This verse has interposed birds between cattle and fishes. Now one cannot say that [in the case of birds] both organs of the throat must be cut, for they are, on the one hand, grouped with

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fishes. And one cannot say that none of the organs are to be cut, for they are, on the other hand, grouped with cattle. How is this to be explained? — They are rendered fit by the cutting of one organ.¹⁰ Whence do we know that fish do not require to be ritually slaughtered? Shall I say from the verse: If flocks and birds be slain for them, will they suffice them? or if all the fish of the sea be gathered together for them, will it suffice them?¹¹ which implies that the mere gathering [of fishes] is sufficient?¹² But if so, with regard to quails, of which it is written: And they gathered the quails,¹³ can it similarly be said [that the mere gathering is sufficient and] that no slaughtering is necessary? Have you not said [above], ‘And one cannot say that none of the organs are to be cut for they are grouped with cattle’? — In the latter verse ‘gathering’ is not written in the same verse which mentions slaughtering for others, but in the former verse ‘gathering’ [in the case of fishes] is written in the same verse which mentions slaughtering for others.¹⁴

A Galilean travelling lecturer expounded: Cattle were created out of the dry earth and are rendered fit by the cutting of both organs; fish were created out of the water and are rendered fit without any ritual slaughtering; birds were created out of the alluvial mud and are therefore rendered fit by the cutting of one organ. R. Samuel of Cappadocia said: You can prove this from the fact that birds have scales on their legs like the scales of fishes. He¹⁵ put to him this further question: One verse says. And God said: Let the waters bring forth abundantly the moving creature that hath life, and let birds fly above the earth,¹⁶ from which it would appear that birds were created out of the water; but another verse says. And the Lord God formed out of the ground every beast of the field and every bird of the air,¹⁷ from which it would appear that they were created out of the earth? —

He replied: They were created out of the alluvial mud. He thereupon noticed his disciples looking at each other with surprise. ‘You are no doubt displeased’, said he, ‘because I brushed aside my opponent with a straw. The truth is that they were created out of the water but they were brought before Adam only in order that he might name them’.¹⁸ Others say that he replied to the [Roman] general in accordance with the latter view, but to his disciples he gave the first explanation.¹⁹ since they [birds] are mentioned in connection with the expression: And He formed.²⁰

Rab Judah said in the name of R. Isaac b. Phinehas: Birds do not require to be slaughtered ritually by the law of the Torah, for it is written: And he shall pour out the blood thereof,²¹ that is to say, the mere pouring out of the blood is sufficient [to render the bird fit]. But if so, should not the same be said of wild beasts too?²² — No, for wild beasts have been compared [by Biblical analogy] with consecrated animals that have become unfit [for sacrifice].²³ Well, then, birds have also been compared with cattle in the following verse: This is the law of cattle and of birds.²⁴ —

Surely there is also the verse: He shall pour out the blood thereof!²⁵ But why do you choose to apply the latter verse to birds rather than to wild animals? — It is more reasonable to do so since [birds] are mentioned last.²⁶

(Mnemonic: ‘*It became nebelah*’. ‘*Blood*’. ‘*Nipping*’).²⁷

An objection was raised: If a man slaughtered [a wild animal or a bird] and it became nebelah under his hand, or if he stabbed, or if he tore away the organs of the throat [of a wild animal or a bird], he is exempt from covering the blood. Now if you were right in holding that birds do not require to be ritually slaughtered by the law

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of the Torah, then stabbing is all the slaughtering that is required for them, consequently there is surely an obligation to cover the blood! — You are assuming that the above [Mishnah] deals with a bird; in fact it deals with the case of a wild animal only.²⁸

Come and hear: If a man slaughtered, even though he requires the blood for use, he must nevertheless cover it. But what should he do [so that he may use the blood]? He should either stab it or tear away the organs.

- (1) I.e., in verse 8. For ‘the pieces’ generally include all the limbs; now the head had to be specifically mentioned for the reason given in the text, but why was it necessary to mention the fat?
- (2) Lev. XI, 46. The passage deals with the laws of uncleanness of the carcasses of animals.
- (3) V. supra p. 103, n. 1.
- (4) I.e., only with regard to the general principle of shechitah are cattle and birds alike, but not with regard to all the detailed rules of slaughtering.
- (5) I.e., a consecrated bird is rendered fit for sacrifice by nipping off its head at the neck.
- (6) By slaughtering there. This Tanna accordingly proves from this verse that to slaughter one must cut the neck.
- (7) Lev. V, 8.
- (8) But only at the front of the neck.
- (9) Ibid. XI, 46. ‘This’ suggests limitation, I.e., not all the laws of this case shall apply to others.
- (10) Compromising between the requirements of cattle and of fish.
- (11) Num. XI, 22.
- (12) To render them fit without any ritual slaughtering.
- (13) Ibid. 32.
- (14) Since this verse mentions slaughtering with regard to cattle and gathering with regard to fishes it is apparent that the Torah refers to the practice that is proper in each case.
- (15) A Roman general put the following question, amongst others, to R. Johanan b. Zakkai (according to Rashi, to Rabban Gamaliel). V. Bek. 5a.
- (16) Gen. I, 20.
- (17) Ibid. II, 19.
- (18) The answer is that the former verse (I. 20) refers to the substance out of which birds were created, whereas the latter verse (II, 19) merely informs us that birds as well as all other creatures were brought to Adam that he might name them.

(19) That the verses are reconciled by the suggestion that birds were created out of the alluvial mud.

(20) Consequently this verse (Gen. II, 19), also deals with the substance out of which birds were created and not merely with the subject of naming the creatures. Therefore, to reconcile these verses the correct answer is, as originally suggested, that they were created out of the alluvial mud. V. Rashi.

(21) Lev. XVII, 13.

(22) For in the verse quoted are mentioned birds and wild beasts.

(23) V. infra 285, whence it is concluded that wild animals must be ritually slaughtered.

(24) Lev. XI, 46. And therefore on the strength of this analogy it should be held that birds should be ritually slaughtered like cattle.

(25) Which clearly indicates that no particular form of slaughtering is necessary.

(26) The law derived from the words: And he shall pour out the blood thereof, would most likely refer to that which immediately precedes these words in the verse, i.e., birds.

(27) A mnemonic indicating the subject matter of the three statements which follow.

(28) Which is rendered fit only by slaughtering, and therefore if one stabbed the beast to death there is no obligation to cover the blood.

Chullin 28a

Now presumably this statement refers to [the slaughtering of] a bird whose blood he would require for [destroying] the flax worm?¹ — No, it refers to [the slaughtering of] a wild animal whose blood he would require for dyeing purposes.²

Come and hear: If one nipped off [the head of a consecrated bird] with a knife, the carcass, whilst in the gullet, renders clothes unclean.³ Now if you were right in holding that birds do not require to be ritually slaughtered by the law of the Torah, then, granting that as soon as its neck-bone and spinal cord have been sundered the bird is Trefah,[the subsequent cutting of the organs with] the knife should at least have the effect of rendering the carcass free from the uncleanness of nebelah?⁴ —

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He [R. Isaac b. Phinehas] accepts the view of the Tanna in the following Baraita: R. Eleazar ha-Kappar Beribbis says: What does the verse: Howbeit as the gazelle and as the hart is eaten [so shalt thou eat there of]⁶ teach us? What do we learn from the gazelle and the hart? Indeed, 'it comes as a teacher but turns out to be a pupil';⁷ we must put the gazelle and the hart on the same footing as consecrated animals which have been rendered unfit for sacrifice. Thus, as the latter must be ritually slaughtered so the gazelle and the hart must also be ritually slaughtered. Birds, however, need not be ritually slaughtered by the law of the Torah, but only by Rabbinic enactment. Who is the Tanna who disagrees with this view of R. Eleazar ha-Kappar? —

It is Rabbi. For it has been taught: Rabbi says. The verse: And thou shalt slaughter... as I have commanded thee,⁸ teaches us that Moses was instructed concerning the gullet and the windpipe; concerning the greater part of one of these organs [that must be cut] in the case of a bird, and the greater part of each in the case of cattle.

ONE ORGAN IN THE CASE OF A BIRD. It was stated: R. Nahman says. Either the gullet or the windpipe; whilst R. Adda b. Ahabah says. Only the gullet and not the windpipe. 'R. Nahman says. Either the gullet or the windpipe', for the Mishnah says **ONE ORGAN**, that is, any one. R. Adda b. Ahabah says: Only the gullet and not the windpipe', for 'ONE ORGAN' means the vital one.⁹

(Mnemonic: *He cut. Half of each. The windpipe. Mutilated. The sin-offering of a bird.*)

An objection was raised: If a man cut the gullet [of a bird] and afterwards the windpipe was torn away,¹⁰ the slaughtering is valid. If the windpipe was torn away and he then cut the gullet, the slaughtering is invalid. If he cut the gullet and the windpipe was

found to be torn away, and it is not known whether it was torn away before or after the slaughtering — this was an actual case [which came before the Rabbis] and they ruled: Any doubt whatsoever arising about the slaughtering makes it invalid. Now there is no mention here at all of the cutting of the windpipe!¹¹ — It is because the windpipe is more liable to be torn away.¹²

Come and hear: If a man cut half of each organ in the case of a bird, the slaughtering is invalid; needless to say this is so in the case of cattle. R. Judah says. In a bird he must cut through the gullet and the jugular veins.¹³ — It is because the gullet lies close to the jugular veins.¹⁴

Come and hear: If a man cut half of the windpipe and paused for the length of time required for another slaughtering, and then finished it, the slaughtering is valid,¹⁵ presumably this passage deals with a bird, and 'finished it' means, finished cutting the windpipe?¹⁶ — No, it deals with cattle, and 'finished it' means, finished the entire slaughtering.¹⁷

Come and hear: If half of the windpipe was mutilated and a man cut a fraction more and finished it, the slaughtering is valid. Presumably this deals with a bird, and 'finished it' means, finished cutting the windpipe? — No, it deals with cattle, and 'finished it' means, finished cutting the gullet.

Come and hear: How must he [the priest] nip off the head of the sin-offering of birds? He must cut [with his fingernail] the spinal cord and the neck-bone, but must not cut the major portion of the surrounding flesh before he reaches the gullet or the windpipe. On reaching the gullet or the windpipe he cuts one, or the greater portion of one, organ and then the major portion of the surrounding flesh; and in the case of a burnt-offering both, or the greater portion of both, organs and then the major portion of the

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surrounding flesh.¹⁸ This is a refutation of R. Adda b. Ahaba's view!¹⁹ It is a refutation.

What has been decided about the matter? 'What has been decided' [you ask]! Surely it is as you have stated.²⁰ — [No] but it might be said that in that case the law is different, since there is [the breaking] of the spinal cord and neckbone.²¹ What then is the law? —

Come and hear: A duck belonging to Raba's house was found with its neck smeared with blood.²² Said Raba: How shall we deal with it?

(1) This clearly proves that birds must be ritually slaughtered by the law of the Torah; hence where they were not ritually slaughtered there would be no obligation to cover the blood and so it might be used for any purpose.

(2) Heb. כַּזָּבִי. Probably 'lac', a red resinous substance used as a dye.

(3) V. supra 20b.

(4) In accordance with the Rabbinic dictum: The carcass of a Trefah animal when ritually slaughtered does not render anything unclean. V. supra p. 103.

(5) V. supra p. 52, n. 4.

(6) Deut. XII, 22. This verse deals with consecrated animals that have become unfit for a sacrifice by reason of a blemish.

(7) A proverbial saying. The suggestion here is that the gazelle and the hart were apparently mentioned in the verse in order to elucidate the law with regard to consecrated animals that have become unfit (i.e., to act the teacher), but in reality it is the law with regard to The latter which throws light on the position concerning the gazelle and the hart (i.e., it is now the pupil).

(8) Deut. XII. 22.

(9) Lit., 'the distinct one' i.e., the gullet. It is the vital organ because the slightest perforation in it will render the animal Trefah, but this is not so with regard to the windpipe.

(10) I.e., it had become detached from its articulation in the larynx.

(11) In any clause such as this: If he cut the windpipe and afterwards the gullet was torn away, the slaughtering is valid; presumably because the cutting of the windpipe alone would not render the animal valid, contra R. Nahman.

(12) And therefore the case quoted refers to the tearing away of the windpipe, as this is most usual.

(13) In order to let the blood run out, since a bird is often roasted whole without being cut up. The

first Tanna only disagrees with R. Judah on this point about the jugular veins, but apparently all hold that it is only the cutting of the gullet that renders the bird fit, contra R. Nahman.

(14) Hence it is usual when cutting the jugular veins to cut the gullet too. The law, however, would be the same if the windpipe were cut with the jugular veins.

(15) For the cutting of the first half of the windpipe is not reckoned as part of the slaughtering, since even if half of the windpipe was mutilated by an accident the subsequent cutting of the remainder of the windpipe would be valid; therefore whatever fault occurs at this stage of the cutting is of no consequence.

(16) Hence by the cutting of the windpipe only the slaughtering is valid, contra R. Adda b. Ahaba.

(17) By cutting both organs.

(18) V. supra 21a.

(19) For the Baraita expressly states that for nipping one may cut either organ. Presumably this is so in the case of slaughtering too.

(20) That the rule as stated with regard to nipping will apply likewise to slaughtering.

(21) I.e., in the case of nipping, where the spinal cord and neck-bone are broken, it is admitted that one may cut any one organ and it would be sufficient, but with regard to slaughtering it might be held that the cutting of the windpipe only would not be sufficient.

(22) It was therefore necessary to examine the organs of the throat against any perforation of the gullet or laceration of the windpipe.

Chullin 28b

If we first slaughter it and then examine the organs [it is of no avail, for] it might have been slaughtered in the very place where there was a perforation [in the gullet]. If we first examine it and then slaughter it [it is also of no avail, for] has not Rabbah taught that the gullet cannot be examined from the outside but only from the inside?¹ His son, R. Joseph, said to him: We could first examine the windpipe and then cut it,² and thereafter the gullet can be turned inside out and examined.³ Raba exclaimed. My son Joseph is as versed in the laws concerning what is Trefah as R. Johanan!⁴ This proves that [the Mishnah] when it says ONE ORGAN, means either the one or the other.

CHULLIN – 2a-30b

R. JUDAH SAYS, HE MUST CUT THROUGH THE JUGULAR VEINS. R. Hisda said that R. Judah deals with the case of a bird only, [and his reason is] because it is often roasted whole,⁵ but in the case of cattle, since the animal is usually cut up into limbs, it is not necessary [to cut the jugular veins]. Shall we say that the reason for R. Judah's ruling is on account of the blood? Surely we have learnt: R. JUDAH SAYS: HE MUST CUT⁶ THROUGH THE JUGULAR VEINS? — Say: He must pierce⁷ the jugular veins. Why then does it say: HE MUST CUT? — Because he must pierce them at the time of the ritual cutting.

Come and hear: The jugular veins must be ritually cut; so R. Judah. — Say: 'The jugular veins must be pierced at the time of the ritual cutting; so R. Judah'.

Come and hear: They said to R. Judah: 'Since the jugular veins were referred to only for the purpose of drawing out the blood, what does it matter whether they are cut ritually or not?' It is evident, is it not, that R. Judah is of the opinion that they must be cut ritually? — This is what they said to him, 'What does it matter whether one pierces them at the time of the ritual cutting or not?' He, however, is of the opinion that if [the jugular veins are] pierced at the time of the ritual cutting, the blood, being warm, will flow freely, but after the ritual cutting the blood will not flow so freely, for it is already cold.

R. Jeremiah raised the question: According to R. Judah, what would be the law if one paused or pressed downwards whilst cutting the jugular veins?⁸ — A certain old man answered him: This is what R. Eleazar has said (others read: A certain old man said to R. Eleazar: This is what R. Johanan has said): They may be pierced with a thorn and are thus rendered valid.⁹

[A Baraitha] was taught in accordance with R. Hisda's view, viz., If a man cut ritually half of each organ in a bird the slaughtering is invalid; it is needless to say so in the case of cattle. R. Judah says. In a bird he must cut through ritually the gullet and the jugular veins.

HALF OF ONE ORGAN IN THE CASE OF A BIRD, etc. It was stated: Rab said: An exact half¹⁰ is equivalent to the greater portion; R. Kahana said: An exact half is not equivalent to the greater portion. 'Rab said: An exact half is equivalent to the greater portion', because what the Divine Law instructed Moses was: 'Thou shalt not leave the greater portion [uncut]'. 'R. Kahana said: An exact half is not equivalent to the greater portion', because what the Divine Law instructed Moses was: 'Thou shalt cut the greater portion'.

(Mnemonic: A half. Kattina. The windpipe. Mutilated.)

We have learnt: [IF A MAN CUT] HALF OF ONE ORGAN IN THE CASE OF A BIRD. OR ONE AND A HALF ORGANS IN THE CASE OF CATTLE. THE SLAUGHTERING IS INVALID. Now if you say that an exact half is equivalent to the greater portion, why is the slaughtering invalid? Has he not cut here the greater portion? — [It is invalid only] by Rabbinic ruling as a precaution lest he should cut less than an exact half.¹¹

R. Kattina said: Come and hear: If he divided it¹² into two equal parts, both parts are unclean, because it is impossible to make an exactly equal division.¹³ It follows, however, that if it were possible to make an exactly equal division both parts would be clean. Now if you say that an exact half is equivalent to the greater portion, why would both parts be clean? When you turn to one part you must regard it as the greater portion [and therefore unclean], and when you turn

CHULLIN – 2a-30b

to the other part you must regard it as the greater portion [and therefore also unclean]? — R. Papa answered: There cannot be two greater portions in one vessel!¹⁴

Come and hear: If a man cut half of the windpipe and paused

(1) The gullet or esophagus has two principal coats, the outer or muscular coat being red and the inner or mucous coat pale or whitish. A perforation would not be noticeable in the outer coat but only in the inner coat.

(2) And this in itself would be sufficient to render the slaughtering valid.

(3) I.e., the inner coat of the gullet can be examined.

(4) v. infra 50a and 95b.

(5) It is therefore necessary to cut these veins in order to allow the blood to flow out.

(6) Lit., 'slaughter'. I.e., ritually, since they are an intrinsic part of the slaughtering, and not merely cut for the purpose of allowing the blood to run out.

(7) With any instrument and not necessarily the slaughtering knife; the sole purpose being to allow the blood to flow.

(8) I.e., do they require ritual cutting? It is quite apparent that R. Jeremiah had not heard of R. Hisda's statement supra, for otherwise this question would not arise.

(9) For the piercing of these veins does not form part of the slaughtering and therefore it is of no consequence if one paused or pressed whilst cutting them.

(10) Lit., 'half on half'.

(11) By the law of the Torah the slaughtering in this case would be valid; the carcass therefore is not regarded as nebelah and will not render anything unclean.

(12) Sc. an unclean earthenware stove. An earthenware vessel, once unclean, can in no wise be rendered clean and must be broken (V. Lev. XI, 35). There must not remain one whole piece larger than half of the original vessel, for then the greater Part of the vessel is whole and would retain the uncleanness.

(13) Since one must necessarily be larger than the other, and it is not known which is the larger piece, both pieces remain unclean.

(14) In this case therefore, since each half must clearly be treated on the same footing, each must be considered as a half and no more, with the result that each half is clean. In the case of shechitah however, the two parts of the organ are not treated on the same footing, for we are only

concerned with the part that is cut; hence we may regard the exact half which is cut as equivalent to the greater portion, with the result that the slaughtering is valid.

Chullin 29a

for the length of time required for another slaughtering and then finished it, the slaughtering is valid. Now if you say that an exact half is equivalent to the greater portion then here the animal is already trefah!¹ — You are assuming, are you not, that the Baraitha is dealing with cattle? Indeed it deals with a bird, and whichever view you take the result is the same. For if an exact half is equivalent to the greater portion then he has cut here the greater portion;² and if an exact half is not equivalent to the greater portion then he has done nothing at all [which would render the slaughtering invalid].³

Come and hear: If half of the windpipe [of a bird] was mutilated and a man cut a fraction more and finished it, the slaughtering is valid. Now if you say that an exact half is equivalent to the greater portion, then was it not already Trefah [before the slaughtering]? — Raba answered: With regard to the law of Trefah it is different, for there [all agree that] we require such a greater portion as is perceptible to the eye.⁴ Thereupon Abaye said to him: But is there not here an a fortiori argument: If in the law concerning Trefah, notwithstanding that [in certain cases] the slightest defect will render an animal Trefah, nevertheless whenever we do require a greater portion we insist upon a greater portion that is perceptible to the eye, how much more in the law concerning shechitah, where no slaughtering is valid without the greater portion having been cut, should we insist upon a greater portion which is perceptible to the eye? —

Rather say [thus]: All are of the opinion that an exact half is not equivalent to the greater portion, and when the dispute between Rab

CHULLIN – 2a-30b

and R. Kahana was reported it was only in connection with the Passover sacrifice. Thus: If the community of Israel was exactly equally divided, half being clean and half unclean, Rab said that an exact half was equivalent to the greater portion;⁵ R. Kahana said that an exact half was not equivalent to the greater portion.⁶ And what is the reason for Rab's view in that case?⁷ — For it is written: If any man of you shall be unclean by reason of a dead body,⁸ signifying that only an individual is obliged to postpone [his Passover sacrifice on account of uncleanness] but not a community.⁹

THE GREATER PART OF ONE ORGAN IN THE CASE OF A BIRD. Has not the Tanna already taught this: **THE GREATER PART OF AN ORGAN IS EQUIVALENT TO [THE WHOLE OF] IT?** —

(Mnemonic: *Hakesh; Pashah.*)¹⁰

R. Hoshaiia answered: One clause refers to unconsecrated animals, the other clause to consecrated animals. And they are both necessary. For had he taught the rule only in connection with unconsecrated animals I should have said that only there is the greater portion of the organ sufficient since the blood is not required for any purpose, but in the case of consecrated animals, since the blood is required for a special purpose.¹¹ I should have said that the greater portion of the organ was not sufficient but that the whole organ must be cut? — [Hence the rule had to be stated in connection with consecrated animals.] And if he taught the rule only in connection with consecrated animals I should have said that only there [is the greater portion of the organ necessary], since the blood is required for a special purpose, but in the case of unconsecrated animals, since the blood is not required for any purpose. I should have said that half of the organ was sufficient. Hence both are necessary. Which clause refers to unconsecrated animals and which to consecrated animals? —

R. Kahana said: It is reasonable to say that the first clause refers to unconsecrated animals and the second to consecrated animals. Why? Because the Mishnah opens with, **IF A MAN CUT [ONE ORGAN IN THE CASE OF A BIRD]**'; now if you were to say that the first clause refers to consecrated animals it should open with, 'If one nipped'.¹² You say, therefore, that the second clause refers to consecrated animals! but then why does it state, **'THE SLAUGHTERING IS VALID'**; it should state, 'The nipping is valid'? This is no real difficulty, for one can say that because the Tanna mentioned 'cattle' last, he therefore stated: **THE SLAUGHTERING IS VALID.** But [this argument is conclusive:] for since it,¹³ the first clause, clearly refers to the case of a bird, if you were to say that it refers to consecrated birds, the Tanna ought to have stated: 'If one nipped'.¹⁴

R. Shimi b. Ashi said: It can be proved that the first portion [of the Mishnah] deals with unconsecrated animals from this clause, viz., **ONE ORGAN IN THE CASE OF A BIRD.** For if you were to say that the first portion deals with consecrated animals.[the question would be raised:] What about the burnt-offering of a bird which requires both organs [to be cut]?¹⁵ You therefore say that the second portion of the Mishnah deals with consecrated animals; but then [the same question will be raised upon the clause which reads]. **THE GREATER PART OF ONE ORGAN IN THE CASE OF A BIRD,** viz., What about the burnt-offering of a bird which requires both organs [to be cut]? —

THE GREATER PART OF ONE ORGAN really means the greater part of each organ, and strictly the Mishnah should have stated: 'The greater part of both'; since, however, there is the case of the sin-offering of a bird, for which one organ is sufficient, the Tanna stated the clause ambiguously.¹⁶

CHULLIN – 2a-30b

R. Papa said: It can be proved that the first portion [of our Mishnah] deals with unconsecrated animals from this clause: R. JUDAH SAYS, HE MUST CUT THROUGH THE JUGULAR VEINS. The Rabbis, however, disagree. Now if you say that the first portion deals with unconsecrated animals it is well, but if you were to say that it deals with consecrated animals, why do the Rabbis disagree [with the view of R. Judah]? Is not the whole purpose of the slaughtering [of consecrated animals] for the sake of obtaining the blood?¹⁷

R. Ashi said: It can be proved that the latter portion¹⁸ [of the Mishnah] deals with consecrated animals from the following statement: If one slaughtered two animals¹⁹ Simultaneously, the slaughtering is valid. And this expression, 'If one slaughtered', clearly implies that the slaughtering is valid only after the act, but that there is no right to slaughter thus in the first instance. Now if you say that this latter portion [of the Mishnah] deals with consecrated animals, then it is evident why there is no right to slaughter thus in the first instance.

For R. Joseph learnt: It is written: Thou shalt slaughter,²⁰ [to teach] that two persons shall not slaughter one sacrifice; and also, 'Thou shalt slaughter it', [to teach] that one person shall not slaughter two sacrifices [simultaneously]. And R. Kahana said that this exposition was based upon the Kethib which is: Thou shalt slaughter it. Now if you were to say that the latter portion [of the Mishnah] deals with unconsecrated animals, then surely there is a right to slaughter thus even in the first instance!

Resh Lakish is also of the opinion that the first clause [of our Mishnah] deals with unconsecrated animals whilst the second deals with consecrated animals. For Resh Lakish said: Since our Mishnah teaches us, **THE GREATER PART OF AN ORGAN IS EQUIVALENT TO [THE WHOLE OF] IT,**

what need is there for the further statement, **THE GREATER PART OF ONE ORGAN IN THE CASE OF A BIRD. OR THE GREATER PART OF EACH ORGAN IN THE CASE OF CATTLE?** It is necessary because we have learnt elsewhere:²¹ When they brought unto him [sc. the High priest on the Day of Atonement] the Daily Sacrifice, he made an incision²² but another [priest] completed the slaughtering for him. Now from this Mishnah I might have thought that if another had not completed the slaughtering it would have been invalid; our Mishnah therefore teaches us. **[IF A MAN CUT] THE GREATER PART OF ONE ORGAN IN THE CASE OF A BIRD, OR THE GREATER PART OF EACH ORGAN IN THE CASE OF CATTLE. THE SLAUGHTERING IS VALID.**²³

The Master said: 'I might have thought that if another had not completed the slaughtering it would have been invalid.'

- (1) For it is assumed for the present that an animal which requires the cutting of both organs was being slaughtered, and the pause, occurring as it does after the greater portion of the windpipe has been cut (for that is the equivalent of an exact half according to Rab), renders it Trefah, and no subsequent slaughtering could render it valid.
- (2) And this in the case of a bird is sufficient to render the slaughtering valid.
- (3) And his having cut half of the windpipe is of no consequence for the bird would not be rendered Trefah thereby; v. infra 44a-b.
- (4) So that an exact half even though equivalent in law to the greater portion, would not be sufficient to render Trefah.
- (5) Therefore those members of the community who are unclean, regarded in law as a majority, will sacrifice the paschal offering in its due season, even though they are all in a state of uncleanness.
- (6) So that those who are unclean must postpone their paschal offering until the following month in accordance with Num. IX, 2-14; v. Pes. 79a.
- (7) Seeing that elsewhere the exact half is not considered equivalent to the greater portion.
- (8) Ibid. 10.
- (9) Half of the community cannot be regarded as individuals and are therefore not obliged to postpone their sacrifice.

CHULLIN – 2a-30b

(10) A mnemonic (meaning perhaps ‘Strike’, ‘Pull out’) consisting of the characteristic letters of the names of the Rabbis whose dicta follow.

(11) For sprinkling upon the altar.

(12) Nipping is the only method prescribed by the Torah for slaying a consecrated bird.

(13) Which opens with קשהט, ‘IF A MAN CUT’.

(14) Thus proving that the first clause deals with unconsecrated birds.

(15) So that it would not be correct for the Mishnah to state generally that one organ in the case of a bird was sufficient, for this would not be taking into account the case of a burnt-offering of a bird, where both organs must be severed. V. supra 21a.

(16) The expression may mean either the greater portion of one organ, to meet the case of the sin-offering of a bird, or the greater portion of each organ, to meet the case of the burnt-offering of a bird.

(17) Even the Rabbis would concede that in the case of consecrated animals one should cut the jugular veins in order to obtain as much blood as possible for sprinkling upon the altar.

(18) I.e., the Mishnah which follows infra 30b, which is the continuation of the last clause of our Mishnah.

(19) Lit., ‘two heads’.

(20) Lev. XIX, 5. The traditional reading (קרי Kere) of the Hebrew is תזבחהו [תזבחהו] ‘Ye shall slaughter it’, but the traditional spelling (כתב, Kethib) is תזבחהו, ‘Thou shalt slaughter it’. R. Joseph's exposition is based upon the Kethib, laying special emphasis upon the subject ‘thou’ and upon the object ‘it’, each of which excludes the plural.

(21) Yoma 31b.

(22) I.e., he cut the greater part of each organ and no more.

(23) This latter clause was therefore stated with regard to consecrated animals.

Chullin 29b

But if this were so, then a [vital] service would have been performed by another, and it has been taught: The entire service of the Day of Atonement must be performed by the High Priest alone! — This is rather what he meant: I might have thought that [if another had not completed the slaughtering] it would have been invalid by decree of the Rabbis, (for it might have been argued that the Rabbis declared [the slaughtering] invalid);¹ our Mishnah therefore teaches us. [IF A

MAN CUT] THE GREATER PART OF ONE ORGAN IN THE CASE OF A BIRD, OR THE GREATER PART OF EACH ORGAN IN THE CASE OF CATTLE, THE SLAUGHTERING IS VALID. But now that it is established that there is not even a Rabbinic decree against it, wherefore is it necessary [for another] to complete the slaughtering? —

It is meritorious to complete it.² Resh Lakish said in the name of Levi the Elder: The term shechitah applies only to the last stage of the slaughtering. R. Johanan said: The term shechitah applies to the entire process of slaughtering from beginning to end. Raba remarked: All agree that where a gentile cut the first organ of the throat and an Israelite the second, the slaughtering is invalid, for the animal has already been rendered Trefah by the hand of the gentile.³ Furthermore all agree that in the case of a burnt-offering of a bird, where the priest nipped the first organ below⁴ [the red line] and the second organ above it, the nipping is invalid,⁵ for by nipping the first organ below he has already done to this offering all that is prescribed for a sin-offering of a bird. The dispute arises only where a person cut the first organ⁶ outside [the Sanctuary] and the second inside [the Sanctuary]. According to the one who says that the term shechitah applies to the entire process of slaughtering from beginning to end, he would in this case be liable.⁷ But according to the one who says that the term shechitah applies only to the last stage of the slaughtering, he would not be liable.

Rabbah b. Shimi said to him: But the Master (that is R. Joseph) did not say so. For [he said that] even where a person cut the first organ⁸ outside the Sanctuary and the second inside he would also be liable,⁹ because he has done to this offering outside the Sanctuary such an extent of service as would render the sin-offering of a bird valid [if performed inside the Sanctuary]. Rather [the dispute arises only] where a person cut the lesser portion of

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the organ outside [the Sanctuary] and completed it inside. According to the one who says that the term shechitah applies to the entire process of slaughtering from beginning to end, he would in this case be liable. But according to the one who says that the term shechitah applies only to the last stage of the slaughtering, he would not be liable.

R. Zera raised this objection: All who take part in the service of the Red Cow, either at the beginning or at the end, render their garments unclean.¹⁰ And if they do any other work at the same time,¹¹ they render it [the Red Cow] invalid. If any invalidating defect befell it during the slaughtering it does not render unclean the garments worn by those who, either before or after the [occurrence of] the defect, took part in any service in connection with it.¹² If the defect occurred during the sprinkling [of the blood], the Red Cow renders unclean the clothes worn by those who took part in any service before the defect, but it does not render unclean the clothes worn by those who took part in any service after the defect. Now if you say that the term shechitah applies to the entire process of slaughtering from beginning to end, then the Tanna should have drawn a distinction even in the slaughtering; thus: If any invalidating defect befell it during the slaughtering, it renders unclean the clothes worn by those who took part in any service before the defect,¹³ but not the clothes worn by those who took part in any service after the defect! —

Raba replied: You are alluding, are you not, to a defect which invalidated the slaughtering? But that is quite a different matter! For it is now apparent that there never was a valid slaughtering!¹⁴ But, said Raba, if I have any difficulty [about this Mishnah] it is this: According to the one who says that the term shechitah applies only to the last stage of the slaughtering, the Tanna might have drawn a distinction even where the slaughtering of the Red Cow was entirely

according to ritual, as in the case where two persons slaughtered it;¹⁵ in which case, the first does not render his clothes unclean but the second does! —

R. Joseph thereupon interposed. You are suggesting, are you not, the case of two persons slaughtering one sacrifice? Away with this suggestion! For I have learnt: It is written: Thou shalt slaughter, [to teach] that two persons shall not slaughter one sacrifice; also: Thou shalt slaughter it, [to teach] that one person shall not slaughter two sacrifices [simultaneously].¹⁶ And R. Kahana had said that this exposition was based upon the Kethib which is: Thou shalt slaughter it.

Whereupon Abaye said to him: Was there not reported in conjunction with this exposition the dictum of Rabbah b. Bar Hana in the name of R. Johanan, namely, that the opinion expressed was that of R. Eleazar son of R. Simeon

(1) MS.M. omits bracketed words.

(2) In order to obtain as much blood as possible.

(3) For if the cutting of the first organ is considered an act of shechitah the slaughtering here is invalid because it has been done by a gentile (v. supra 13a); and if it is not considered an act of shechitah then it can only be regarded as a mutilation of the organ, a defect which renders the animal Trefah and any subsequent slaughtering invalid.

(4) There was a red line running horizontally along the wall of the altar and the blood had to be sprinkled either above or below this line according to the particular sacrifice offered. With regard to a consecrated bird the priest, immediately after the nipping, (which in the case of a burnt-offering had to be performed whilst the priest was standing on the circuit round the altar which was above the red line) had to allow the blood to drain by pressing the neck of the bird against the wall of the altar, below the red line in the case of a sin-offering, and above it in the case of a burnt-offering. V. Zeb. 64b-65a.

(5) And even according to Resh Lakish who holds that the term 'nipping' does not apply to the nipping of the first organ it is invalid here, for he has done to a burnt-offering all that is prescribed for the sin-offering, namely, the nipping of one organ above the red line.

CHULLIN – 2a-30b

(6) Of a consecrated bird (Rashi); of a consecrated beast (Tosaf.).

(7) To the punishment of Kareth for slaughtering unconsecrated animals outside the Temple court, v. Lev. XVII, 4.

(8) V. p. 154, n. 6.

(9) Even according to Resh Lakish.

(10) I.e., the garments worn by them whilst performing the service, in accordance with Num. XIX. 7, 8, and 10.

(11) E.g., if he cut a cabbage whilst he was slaughtering the Red Cow.

(12) The reason being that so long as it has not been validly slaughtered it can in no wise be regarded as the Red Cow, and therefore all the rules of uncleanness stated in connection with it do not apply.

(13) For up to the moment of the occurrence of the defect there was a valid shechitah, since this term, according to R. Johanan, applies even to the first stage of the slaughtering, so that the Red Cow should render unclean the clothes worn by those who took part in any service before the occurrence of the defect.

(14) Not even before the occurrence of the defect.

(15) One commenced the slaughtering and the other finished it.

(16) V. supra p. 152, n. 6.

Chullin 30a

[who was often] quoted anonymously, whereas the Rabbis are of the opinion that two persons may slaughter one sacrifice?¹ Moreover, even adopting the view of R. Eleazar son of R. Simeon, the Tanna might have drawn a distinction in the case where only one person slaughtered it but he wore two different garments while slaughtering;² in which case the first garment is clean and the second unclean. The truth of the matter³ is that the Tanna dealt only with those circumstances where the Red Cow was in fact rendered invalid, but not where everything was done entirely according to ritual.

R. Idi b. Abin raised this objection: [We have learnt: If a man slaughtered the paschal lamb whilst having leaven in his possession] during the festival⁴ under its own name,⁵ he has not incurred guilt; under the name of another,⁶ he has incurred guilt. And we argued upon it as follows:⁷ 'This is so only because it was

slaughtered under the name of another, but if it were slaughtered under no specific name [it follows that] no guilt would have been incurred. But why is no guilt incurred? Is not the paschal lamb at any time of the year [save on the eve of Passover] regarded as a peace-offering?⁸ Will not then this [Mishnah] prove the rules⁹ that for a paschal lamb [to become valid as a peace-offering] at any other time of the year its name must first be repealed.

R. Hiyya b. Gamada said: It was suggested by the whole assembly¹⁰ that the circumstances of the case were these: The owners of this paschal lamb were rendered unclean by a corpse, so that they had to postpone the offering of the paschal lamb until the Second Passover;¹¹ hence [if this lamb was slaughtered during the first Passover] under no specific name it would certainly be regarded [as slaughtered] under its own name'.¹² Now, only in this particular case must [the name of the paschal lamb] be repealed [before it is valid as a peace-offering], but in no other case is repeal necessary.¹³ This is right if you were to say that the term shechitah applies to the entire process of the slaughtering from beginning to end, for then the paschal lamb is rendered invalid at the beginning of the slaughtering,¹⁴ [and therefore no guilt is incurred]. But if you say that the term shechitah applies only to the last stage of the slaughtering, then as soon as the person commenced to slaughter it, it can no longer be intended to serve as¹⁵ the paschal lamb.¹⁶ and as he continues to slaughter he is really slaughtering a peaceoffering¹⁷ [consequently, he should incur guilt!]

Thereupon Abaye answered him, Granted that this lamb can no longer serve as a paschal lamb, but its price can serve this purpose!¹⁸ And should you say that [in order to sell a consecrated animal] it must be placed¹⁹ [before the priest] and appraised. [I reply that] we have learnt:²⁰ If one cut both, or the greater portion of both organs, and the

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animal still moves convulsively, it is regarded as alive for all purposes.

Rab Judah said in the name of Rab, 'If one cut the throat in two or three places the slaughtering is valid. But when I reported this statement to Samuel he said to me, "We must have a wide open cut²¹ and it is not so here.'" Resh Lakish is also of the opinion that there must be a wide open cut. For Resh Lakish taught. Whence do we know that shechitah implies a wide open cut? From the verse: Their tongue is a sharpened arrow, it speaketh deceit.²²

R. Eleazar raised an objection. [We have learnt,] If two persons held a knife and slaughtered, even if one cut higher up and the other cut lower down [in the neck], the slaughtering is valid.²³ Now why is this so? There is not here a wide open cut! — R. Jeremiah answered: Our Mishnah deals with the case of two persons holding one knife.²⁴

Thereupon R. Abba said to him: If so, let us consider the comment upon this Mishnah, viz.: 'And there is no fear that one will render the animal Trefah on account of the other.' Now if you say that it deals with the case of two knives and two persons [each holding a knife], then [the comment is] most proper. For you might have said that we must apprehend lest they come to rely one upon the other, and neither the one nor the other will cut the required greater Portion [of the organs]; we are therefore informed that there is no fear of this. But if you say that it deals with the case of two persons holding one knife, then why the comment, 'And there is no fear that one will render the animal Trefah on account of the other'? It should rather read: 'And there is no fear that one will cause the other to press upon the throat!²⁵ — R. Abin said: Then read: 'And there is no fear

(1) So that, according to the view of the Rabbis, Raba's original objection stands, viz., 'The Tanna should have drawn a distinction in the case where

two persons slaughtered it'. V. supra p. 256 and notes.

(2) E.g., while he was slaughtering the Red Cow another person came, removed the slaughterer's coat and placed another coat on him. If therefore we were to say that the term shechitah applies only to the last stage of the slaughtering then the coat which was removed before the end of the slaughtering would not be unclean.

(3) To meet the difficulty raised by Raba.

(4) The proper time for slaughtering the paschal lamb was on the eve of the Passover festival and it is enjoined in Ex. XXIII, 18, that at the time of slaughtering the paschal lamb — and indeed at the time of slaughtering any sacrifice during the Passover festival (v. Pes. 63a) there must be no leaven in one's possession. In our case the circumstances were these: A lamb was originally set apart for the paschal offering but was lost, and another was offered as a sacrifice in its place. Subsequently, the original lamb was found and is now being offered on the festival as a sacrifice.

(5) I.e., as a paschal lamb. As such it is invalid, since it is not being offered in its proper time, and therefore the prohibition of Ex. XXIII, 18, will not apply.

(6) E.g., as a peace-offering. As such it is a valid sacrifice, except that guilt will be incurred under Ex. XXIII, 18.

(7) v. Pes. 64a.

(8) Ibid. 70b and Zeb. 9a.

(9) Although in Pes. 73b this rule is a subject of dispute among the scholars.

(10) תבורה, 'fellow', 'associate', v. Glos.

(11) On the fourteenth day of the second month (Iyar) in accordance with Num. IX. 11.

(12) I.e., as a paschal lamb, since it was intended to serve as the paschal lamb to be offered on the Second Passover.

(13) So that in ordinary circumstances the slaughtering of the paschal lamb during the Passover Festival would be regarded as a valid peace-offering.

(14) For although it is not slaughtered under the specific name of the paschal lamb it is nevertheless considered as such, and inasmuch as the first act of the slaughtering renders it invalid, since it is not being slaughtered at the proper time, no guilt is incurred.

(15) Lit., 'it has been rejected from',

(16) I.e., as the paschal lamb for the Second Passover, for it could not be kept till then as it is partly slaughtered.

(17) In accordance with the rule now established that whatever cannot, or is not, intended to serve as a paschal lamb is regarded as a peace-offering. And the fact that when the slaughtering was commenced the lamb was still intended for the

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paschal-offering is of no consequence, for according to Resh Lakish it is only the last stage of the slaughtering which is the decisive factor.

(18) For the animal can be sold even now before the slaughtering has been completed, and the money it fetched could be used for purchasing the paschal lamb for the Second Passover, so that the first lamb at no time ceases to serve as a paschal lamb.

(19) This rule is derived from Lev. XXVII, 11 and 12. The implication is that the animal must be able to stand, i.e., living, when it is being valued by the priest.

(20) This teaching is not found in any Mishnah but it might be inferred from the Mishnah, *infra*, 117b. V. Tosaf s.v. וההניג.

(21) Since the organs of the throat are tightened in preparation for the slaughtering, if they are cut in one place there will be a wide open cut, but if cut in several places none of the cuts will open wide; hence the slaughtering is invalid (Rashi). Accordingly a wide open cut is synonymous with a single cut. V. however Tosaf *ad loc.* for other interpretations.

(22) Jer. IX. 7. Heb. חץ שחוט, lit., ‘an arrow thrust as in a slaughtering’. i.e., the cut in slaughtering should be wide open like the thrust of an arrow.

(23) V. *infra*, 30b. It is assumed for the present that there were two knives in use and each person held a knife and cut in a different part of the throat.

(24) They hold the knife in a slanting direction, one holding the handle and the other the head of the knife, and in this way one would be cutting the organs high up towards the head and the other lower down towards the body of the animal. There is, however, only one cut made.

(25) When two persons hold one knife the only danger is that they might not pull simultaneously, and therefore undue pressure would be exerted upon the organs.

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that one will cause the other to press upon the throat’. R. Abin raised an objection. It was taught: If a man cut the gullet low down and the windpipe high up or the gullet high up and the windpipe low down, the slaughtering is valid. But why? There is not here a wide open cut?¹ — He raised the objection but answered it himself thus: The cutting in this instance was slanting,² like the cut of a writing reed. An ox was once slaughtered, its throat having been cut in

several places, and R. Nahman b. Samuel b. Martha came and obtained some of the choicest meat of this animal. Whereupon R. Zera said to him, You have [by your action] taught us. Master, that our Mishnah deals with the case of two knives and two persons.

Rab Judah said in the name of Rab: If a man thrust the knife between the two organs and cut them,³ the slaughtering is invalid. If he thrust it underneath the skin, the slaughtering is valid. [What does he teach us?] Have we not learnt this already: ‘Or, if he thrust the knife underneath the second organ and cut it,⁴ R. Jeshebab says: The animal is nebelah; R. Akiba says: It is trefah’?⁵ —

From that Mishnah, I might have argued that only there [is the slaughtering invalid] because he cut the organs from below upwards, which is not the usual way of slaughtering, but where he cut the organs from above downwards, which is the usual way of slaughtering. I might have said that the slaughtering was proper; he therefore teaches us [that it is not valid]. ‘Underneath the skin the slaughtering is valid’. ‘In the school of Rab it was said that underneath the skin it was doubtful [whether the slaughtering was valid or not]. The question was raised: According to the view of the school of Rab that ‘underneath the skin’ was a doubtful case, what would be the law if a man thrust the knife underneath a rag,⁶ or underneath the entangled wool?⁷ The question is undecided. R. Papa put the question: What is the law if he placed the knife under cover [on cutting] the lesser portions of the organs?⁸ This question too is undecided.

MISHNAH. IF A MAN SLAUGHTERED TWO ANIMALS⁹ SIMULTANEOUSLY, THE SLAUGHTERING IS VALID. IF TWO PERSONS HELD THE KNIFE AND SLAUGHTERED. EVEN IF ONE CUT HIGHER UP AND THE OTHER CUT LOWER DOWN [IN

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THE NECK]. THE SLAUGHTERING IS VALID.¹⁰ IF HE CHOPPED OFF THE HEAD WITH ONE STROKE, THE SLAUGHTERING IS INVALID.¹¹ IF, WHILST CUTTING,¹² HE CUT THROUGH THE NECK WITH ONE STROKE. THE SLAUGHTERING IS VALID PROVIDED THE KNIFE EXTENDED THE WIDTH OF A NECK.¹³ IF, WHILST CUTTING, HE CUT THROUGH TWO NECKS¹⁴ WITH ONE STROKE, THE SLAUGHTERING IS VALID. PROVIDED THE KNIFE EXTENDED THE WIDTH OF A NECK.¹³ THESE PROVISIONS APPLY ONLY TO THE CASE WHERE THE SLAUGHTERER MOVED THE KNIFE FORWARD AND NOT BACKWARD, OR BACKWARD AND NOT FORWARD; BUT IF HE MOVED THE KNIFE TO AND FRO, HOWEVER SMALL IT WAS, EVEN IF IT WAS ALANCET, THE SLAUGHTERING IS VALID.

GEMARA. [IF HE CHOPPED OFF THE HEAD WITH ONE STROKE THE SLAUGHTERING IS INVALID]. Whence do we know this? — Said Samuel: From the verse: Their tongue is a sharpened arrow. It speaketh deceit.¹⁵ A Tanna of the school of R. Ishmael taught: It is written: And he shall slaughter [we-shahat].¹⁶ and ‘we-shahat’ means nothing else than ‘And he shall draw’, as in the verse: Beaten [shahut] gold,¹⁷ and as it is also written: ‘Their tongue is a sharpened [shahut] arrow, it speaketh deceit’. Why the second verse? You might have said that ‘gold shahut’ really means ‘gold woven in threads’;¹⁸ therefore, come and hear: It is written: ‘Their tongue is a sharpened [shahut] arrow’.¹⁹

Raba examined²⁰ [the head of] an arrow for R. Jonah b. Tahlifa, and the latter slaughtered with it a bird in its flight. Perhaps there was a thrust?²¹ — We saw

- (1) It being assumed that there were two separate cuts.
- (2) There was, however, only one cut.
- (3) He first cut the lower organ under cover of the upper one, and then cut the upper one.

(4) After having cut the first organ in the ordinary way he placed the knife underneath the second organ and cut it from below upwards.

(5) At all events whether the animal is nebelah or Trefah the slaughtering is invalid. V. infra 32a.

(6) Which was wrapped round the neck of the animal.

(7) Which covers the necks of sheep.

(8) I.e., he had already cut the greater portion of each organ in the ordinary way, and had he stopped at this, the slaughtering would certainly be valid; but he now placed the knife under cover on cutting the remaining portion of each organ. So Rashi, but v. Tosaf. s.v. הקליד.

(9) Lit., ‘heads’.

(10) It might also mean: One held the top end of the knife and the other the bottom end, v. supra 30a.

(11) This is the classic example of דרסה, ‘pressing’. i.e., cutting with a downward thrust of the knife, and not moving it horizontally to and fro.

(12) I.e., whilst drawing the knife horizontally across the neck.

(13) V. Gemara.

(14) Of two animals lying side by side.

(15) Jer. IX, 7. Heb. הקץ שחוט. As the arrow moves horizontally in its flight, so in slaughtering one must move the knife horizontally to and fro.

(16) Lev. I, 5. ושחט.

(17) I Kings X, 16. שחוט, lit., ‘drawn out’, ‘thinned out’, ‘beaten’.

(18) From חוט. ‘a thread’.

(19) In this verse שחוט can only be explained in the sense of ‘drawn along’ ‘moved horizontally’.

(20) To see that it was absolutely free from notches.

(21) ‘The arrow might have entered the side of the neck and cut the organs whilst the external skin was intact; this would be a case of חלדה, (‘thrusting’), and would render the slaughtering invalid.