

## OVERVIEW of the Daf

### 1) The upper limit for slaughtering (cont.)

The Gemara issues halachic rulings related to the upper limit for slaughtering.

R' Nachman's ruling about this matter is presented and the Gemara seeks to identify the Tanna he follows with this ruling.

At the conclusion of this analysis the Gemara declares that the halacha follows R' Chanina ben Antigonus because R' Nachman follows his position.

### 2) The dispute in the Mishnah

R' Huna in the name of R' Assi explains the point of dispute between Rabanan and R' Yosi the son of R' Yehudah.

R' Chisda suggests an alternative explanation of the dispute.

R' Yosef questions this explanation and then re-explains his objection in response to Abaye's challenge.

A second version of this discussion is recorded.

### 3) Slaughtering within and beyond the designated area

R' Huna in the name of Rav and R' Yehudah in the name of Rav disagree about an animal that was slaughtered partly within the designated area and partly beyond the designated area.

Each Amora explains the rationale behind his respective position.

In a slightly different circumstance R' Yehudah in the name of Rav ruled the animal is kosher and R' Huna ruled the animal is a tereifah.

Upon hearing that R' Yehudah was upset R' Huna considered retracting his opinion but R' Chisda encouraged him to maintain his position.

R' Nachman visited Sura and was asked about a slaughtering that was partially within and partially beyond the designated area and the question was not definitively resolved.

R' Kahana asks R' Yehudah a series of questions related to slaughtering.

R' Yochanan and R' Elazar discuss R' Yehudah's final psak.

Rava explains R' Yochanan's reaction to R' Elazar.

4) **MISHNAH:** The Mishnah contrasts the difference between slaughtering and melikah.

### 5) Defining terms

The meaning of the term *oref* is explained.

A Baraisa is presented that defines the phrase *ממול ערפו*.

The end of the Baraisa is explained.

### 6) Melikah

The Children of R' Chiya describe the proper procedure for melikah.

Two interpretations of this statement are noted.

Support for the opinion that melikah may be performed even when the pipes are moved to the back is presented. ■

## Distinctive INSIGHT

הגרמה—A cut done outside the area of the great ring

ורבן התם מקום שחיטה הכא לאו מקום שחיטה

The Mishnah (18a) presented a disagreement between Rabbanan (Tanna Kamama) and R' Yose. Rabbanan hold that even if most of a shechita was done properly within the area of the "great ring," but a minority of the shechita was done outside the proper range (a disqualification called *הגרמה*), the shechita is not valid. R' Yose contends that if the majority of the shechita was done in the proper range of the "great ring" the shechita is valid, even if a minority of it was done outside the permitted area.

Rav Chisda suggests that this debate is in regard to where the first one-third of the shechita began outside the permitted range, but the final two-thirds of the shechita was done in the proper range. Rav Yose permits the shechita because it was completed properly. He feels that this is comparable to a halacha found in a Baraisa later (28a) where the trachea was damaged and half-severed, and shechita was done by increasing the cut slightly. The shechita is valid because it was completed by being cut properly with a knife. Rav Yose notes that we see that where the shechita was with the majority of it previously severed and just completed with a proper cut, yet it is kosher because it is completed properly, so too in our case, it should be kosher even though the first third was cut in the wrong place. Tanna Kamama notes a significant flaw in the comparison between our case and the case of 28a of the half-severed trachea. There, the damaged trachea was at least severed in the range where the shechita must occur. Here, the first third of the cut was beyond the area which is allowed. However, says Rav Chisda, all would agree in a case where the first two-thirds was cut in the area of the "great ring" and the final third was done outside the allowed area (*הגרמה*), the shechita is valid based upon the majority which was completed properly.

Rashi explains that R' Yose permits the shechita when the trachea was half-severed, because the half-severed trachea does not detract from the continued cut which completes the shechita. Accordingly, Rashi asks why in our case R' Yose requires an additional two-thirds of a cut in the great ring area, and we do not suffice with a cut which completes the shechita of the majority of the trachea in the proper area. He explains that even R' Yose agrees that the cut outside the area is a deficient to the extent that it cannot be counted as part of the shechita at all. ■

Today's Daf Digest is dedicated

By Andrew Bransky

in memory of his mother

Mrs. Carole Bransky O.B.M.

מרת סיבה ריבה בת ר' יהודה לייבן הלוי ע"ה

# HALACHAH Highlight

## Disqualifications at the end of the slaughter

מדהוה ליה לישראל למשחט רובא ולא שחט

Since a Jew should have slaughtered the majority but did not do so

**R**ava explains that in a case where a Jew cut half the trachea and a non-Jew finished the slaughtering, the slaughtering is invalid since the Jew was supposed to cut the majority of the trachea but did not do so. Rashi<sup>1</sup> emphasizes that the Jew only severed half of the trachea which implies that had the Jew severed the majority of the trachea, when the idolater completes the slaughtering it would not invalidate the slaughter. Drisha<sup>2</sup> notes that Rashi seems to contradict himself about this matter. Rashi<sup>3</sup> maintains that if someone pauses while slaughtering, even if it is as he is about to sever the last part of the trachea, the slaughtering is invalid. If a slaughter could be rendered invalid by pausing at the end why doesn't the completion of the slaughtering by an idolater invalidate the slaughtering? He answers by differentiating between a case in which the one who began the slaughter completed the slaughter and a case in which someone else completed the slaughter. If the one who began the slaughtering completed the slaughtering and did something to invalidate the slaughtering it is seen as one act of slaughter and thus invalidated. If, however, another person completed the slaughter in an invalid manner it does not combine with the first person's slaughter so that as long as he slaughtered a sufficient amount himself, the slaughter is valid.

Shach<sup>4</sup> also addresses this question and offers his own res-

# REVIEW and Remember

1. How does R' Huna in the name of R' Assi understand the dispute between Rabanan and R' Yosi the son of R' Yehudah?

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2. What is the point of dispute between R' Huna and R' Yehudah?

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3. Why would one think that a jagged cut would not be a valid slaughter?

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4. What is the correct procedure for melikah?

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olution. He asserts that slaughtering by a non-Jew invalidates the slaughtering only if the non-Jew slaughtered the amount that could render the animal a *tereifah*. Therefore, if a Jew slaughtered the majority of the trachea it is no longer possible for the animal to be a *tereifah* and thus the slaughtering done by the non-Jew does not invalidate the slaughter performed by the Jew. In contrast, the disqualification of pausing is not related to making the animal a *tereifah*; rather one may not pause while in the act of slaughtering. Therefore, even if he pauses after he has slaughtered the minimum amount it is invalid, since he is still in the act of slaughtering. ■

1. רש"י ד"ה ולא.
2. דרישה סי' כ"ג אות ד'.
3. רש"י לקמן ל: ד"ה תיקון.
4. ש"ך יו"ד סי' ב' ס"ק כ"ז. ■

# STORIES Off the Daf

## Majority Rules?

"אטו כל רובא דעלמא..."

**O**n today's daf we find the laws of when we follow the majority.

It is difficult to imagine the precarious state of our fellow just a few centuries ago. Even in places where they were relatively safe and prospered, the status quo could change at any time. Virtually all clergy were antisemites, always trying to trip up the Jews who were generally no more than tenuous second-class citizens in their host countries. If a Jewish rabbi could not give a satisfactory reply to a prominent priest's questions or accusa-

tions, the entire community could be exiled from their homes with hardly any notice and no time or even right to sell their possessions, most of which were often confiscated. And if the king himself asked a question which could not be answered, things were at least as bad.

Once, a priest primed his sovereign to ask Rav Yonasan Eybeschuetz, זת"ל, what he thought was a genuine stumper. The king was delighted at this trick, since if Rav Yonasan could not answer the question he would fill the coffers of his treasury with Jewish property—an excellent way to improve the economy.

He asked, "The Talmudic rule is that one should follow the majority. Since the non-Jews are the majority of the world's population, why don't you join our reli-

gion? According to your own law you must follow the custom of the majority!"

But Rav Yonasan could not be bested. "We only follow the majority when we are in doubt. When we know the truth, the practice of the majority is irrelevant."<sup>1</sup>

Rav Elchonon Wasserman, Hy"d, offered a different explanation. "A sober person would never follow the opinion of even a hundred drunks since they are not thinking straight. The Jewish sages are likened to a sober minority since they purify themselves from ulterior motives and personal agenda. How can we expect people who have not purified themselves from impure agenda to find the truth?"<sup>2</sup> ■

1. שרי המאה בחלק על רב יונתן אייבשיטץ
2. ביאורי אגדות על דרך הפשט ■