

Daf Notes

Insights into the Daily Daf

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Chullin Daf 15

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Daily Daf

Forbidden on that Day

[Rav Huna said: Chiya bar Rav expounded in the name of Rav that the animal was nevertheless forbidden to be eaten on that day. [It cannot be eaten until after Shabbos or Yom Kippur.] His colleagues suggested that the reason for this ruling is because the Mishna is in accordance with Rabbi Yehudah. The Gemora seeks to find the ruling of Rabbi Yehudah which demonstrates this:]

Rather, Rav Ashi said: It is in reference to the Rabbi Yehudah regarding cooking on *Shabbos*, for it was taught in a *braisa*: If one cooked on *Shabbos* by mistake (he didn't realize that it was *Shabbos* or he didn't know that cooking was forbidden), he is permitted to eat the food (even on that *Shabbos*). If he cooked intentionally, he is prohibited from eating the food (on that *Shabbos*); these are the words of Rabbi Meir. Rabbi Yehudah says: If he cooked inadvertently, he is only permitted to eat the food after *Shabbos* is over (*Motzoei Shabbos* because the *Chachamim* penalized this case on account of a case where one cooked deliberately; others, however, are permitted to eat the food on that *Shabbos*). If, however, he cooked intentionally, he is prohibited from eating the food forever (so that he should not derive any benefit from the transgression; but others, may eat the food once *Shabbos* is over). Rabbi Yochanan Hasandler says: If he cooked inadvertently, others are only permitted to eat the food after *Shabbos* is over, but he may not eat from that food. If, however, he cooked intentionally, he and others are prohibited from eating the food forever.

The *Gemora* asks: Why don't we establish the *Mishna* to be referring to a case where it was slaughtered intentionally, and it is in accordance with Rabbi Meir (who holds that it is forbidden for consumption on that *Shabbos*)?

The *Gemora* answers: That is not a viable option, for the *Mishna* mentioned *Shabbos* and *Yom Kippur*, which seems to indicate that there is a similarity between the two: just as regarding *Yom Kippur*, there is no difference between a case where he cooked inadvertently and where he cooked intentionally, so too regarding *Shabbos*, there can be no difference between a case where he cooked inadvertently and where he cooked intentionally (and since R' Meir does make a distinction, the *Mishna* cannot be according to him).

The *Gemora* asks: But how can you establish the *Mishna* to be referring to a case where he cooked inadvertently? The *Mishna* explicitly states: even though he is put to death (and he is only sentenced to death if he slaughtered intentionally)!

The *Gemora* answers: This is what the *Mishna* means: Even though if it would have been done intentionally, he would have been put to death; nevertheless, here, where it was done inadvertently, the *shechitah* is valid.

The *Gemora* asks: Why don't we establish the *Mishna* to be in accordance with Rabbi Yochanan Hasandler, who holds that whether he slaughtered inadvertently, or whether he slaughtered intentionally, he is forbidden from eating it on that day?

The *Gemora* answers: Rabbi Yochanan Hasandler makes a distinction that it is permitted the night after *Shabbos* only for others, but not for him; whereas our *Tanna* states that the *shechitah* is valid – there is no difference between him and others. (15a)

Benefitting from Labor on Shabbos

One who taught *braisos* cited a *braisa* before Rav: Regarding one who cooked on *Shabbos*: if it was done inadvertently, he is permitted to eat it; if, however, it was done intentionally, he may not eat from it. Rav silenced him.

The *Gemora* asks: Why did Rav silence him? If it was because Rav ruled like Rabbi Yehudah and the *braisa* was in accordance with Rabbi Meir, is that reason enough to silence him? And furthermore, does Rav indeed hold like Rabbi Yehudah? Did not Rav Chanan bar Ammi say that whenever Rav ruled privately to his disciples he would rule (*leniently*) according to Rabbi Meir, but whenever he lectured at the public session, he would rule (*stringently*) according to Rabbi Yehudah because of the ignorant people present (*so they shouldn't come to act leniently*)? And if you will say that this teacher of *braisos* was teaching this ruling in the presence of Rav at the public session (and that is why Rav silenced him); would then the public pay attention to the teacher of *braisos*? [*They would not!*] They would pay attention to the speaker (*the official speaker attached to Rav who proclaimed aloud to the public what Rav said in a low voice*)!?

Rav Nachman bar Yitzchak explained as follows: The teacher recited before Rav the case of slaughtering, and said: Regarding a man who slaughtered on *Shabbos*: if it was done inadvertently, he is permitted to eat it; if, however, it was done intentionally, he may not eat from it. Rav then said to him: Why do you hold that way (*that if it was done inadvertently, he is permitted to eat it*)? It is because you accept Rabbi Meir's position! But even Rabbi Meir maintained his lenient view only with regard to cooking, for there (*it is not muktzeh*), the food could indeed be chewed raw; but with regard to slaughtering, since the animal could not be eaten raw, Rabbi Meir would not permit it!?

The *Gemora* asks: But our *Mishna* is a case of slaughtering and it has been stated above that Rav Huna said that Chiya bar Rav expounded in the name of Rav that the animal was nevertheless forbidden to be eaten on that day, and his colleagues suggested that the reason for this ruling is because

the *Mishna* is in accordance with Rabbi Yehudah. Evidently, Rabbi Meir would permit it to be eaten on that same day!?

The *Gemora* answers: Rabbi Meir would only permit it in such circumstances as when there was a critically ill person in the house from before *Shabbos* (*and in such circumstances it is permitted to slaughter on Shabbos, for the obligation of saving life overrides the Shabbos prohibitions; it is therefore not regarded as muktzeh*).

The *Gemora* asks: If so, why does Rabbi Yehudah forbid it?

The *Gemora* answers: It must be referring to a case where the person recovered on *Shabbos*. [*Therefore, there is a prohibition against slaughtering the animal. If he inadvertently slaughters it on Shabbos, he is forbidden from eating it on Shabbos, for he cannot benefit from illegal labor performed on Shabbos. However, the animal is not muktzeh, for it was prepared for food from before Shabbos. Accordingly, R' Meir, who holds that it is permitted to benefit from an inadvertent action performed on Shabbos, would maintain that it is permitted to eat, for in this case, it is not muktzeh either.*]

And this agrees with that which Rav Acha bar Adda said in the name of Rav, and others say that it was Rabbi Yitzchak bar Adda in the name of Rav: If a man slaughtered an animal on *Shabbos* for a critically ill person, it may not be eaten by a healthy person, but if a man cooked food on *Shabbos* for a critically ill person, it may be eaten by a healthy person. What is the reason (*for this distinction*)? With regard to cooking, the food could be chewed raw, but with regard to slaughtering, the animal could not be eaten raw.

Rav Pappa said: Sometimes, even when one slaughtered for a critically ill person on *Shabbos*, it may be eaten by everyone (*including a healthy person*), e.g., where he was ill already from before *Shabbos* (*and the meat is not regarded as muktzeh*). And there are times, even when one cooked for a critically ill person on *Shabbos*, it may not be eaten by a healthy person, e.g., where a goard was plucked from a vine on *Shabbos* (*and then cooked; in this case, it is deemed to be muktzeh*).

Rav Dimi of Nehardea said: The *halachah* is that where one slaughtered on *Shabbos* for a critically ill person, the meat is permitted to be chewed raw by a healthy person. What is the reason? Since it is impossible to eat an olive's volume of meat without slaughtering the animal first, it is evident that the slaughtering was done for the sake of the ill person. [*He*

needed the entire slaughtering; nothing extra was done for the healthy person. Therefore, the healthy person may partake of it.] However, regarding one who cooked on *Shabbos* for a critically ill person, the food may not be eaten by a healthy person, for a decree was issued out of concern that a greater amount (*than necessary for the ill person*) will be cooked on account of the healthy person. (15a – 15b)

Mishna

If one slaughtered with (*the blade of*) a hand sickle, with a (*sharp*) flint or reed, the *shechitah* is valid. All are slaughtered; at all times may we slaughter; we may slaughter using any implement, except a harvesting sickle, a saw, teeth (*of an animal*) or a finger nail, since these strangle (*but do not cut*). (15b)

Slaughtering with other Implements

The expression 'if one slaughtered' implies that the slaughtering is valid only after the fact, but one should not do so in the first instance. Now this is understandable in the case of a hand sickle, for there exists a concern that one will slaughter with the other side (*which is serrated, not smooth*); but with regards to a flint or reed, is it so that they cannot be used in the first instance? This is contradicted from the following *braisa*: One may slaughter with any instrument – a flint, glass or a stalk of reed.

The *Gemora* answers: This is not difficult, for the *braisa* refers to a reed or flint that is detached from the ground, whereas our *Mishna* refers to a reed or flint that is still attached to the ground. This is as Rav Kahana had said: If one slaughtered with an implement that was still attached to the ground, Rebbe declares the *shechitah* invalid; but Rabbi Chiya declares it valid. And even Rabbi Chiya declares it valid only after the fact, but one should not do so in the first instance.

The *Gemora* asks: You have established our *Mishna* according to Rabbi Chiya, and the *shechitah* is valid only after the fact; then how can the following *braisa* be explained: We may slaughter using any implement, whether it is detached or whether it is attached to the ground, whether the knife is on top and the animal's neck below (*which is the usual method*), or the knife below and the animal's neck on top? The author of this *braisa* cannot be Rebbe, nor Rabbi Chiya: If it is in accordance with Rabbi Chiya, the *shechitah* is valid only after the fact but not in the first instance; if it is Rebbe, such slaughtering is invalid even after the fact!?

The *Gemora* answers: In truth, the author of the *braisa* is Rabbi Chiya, and such 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 fact, it is in order to demonstrate the extent to which Rebbe prohibits the usage of such implements.

The *Gemora* asks: If so, then what of our *Mishna* which states: if one slaughtered, implying that it is only valid after the fact but not in the first instance, who can be the its author? It cannot be Rebbe, nor Rabbi Chiya: If it is in accordance with Rabbi Chiya, the *shechitah* should have been allowed even in the first instance; if it is Rebbe, such slaughtering is invalid even after the fact!?

The *Gemora* answers: In truth, the author of the *Mishna* is Rabbi Chiya, and such slaughtering is permitted even in the first instance; and as to our *Mishna*, which states: if one slaughtered (*implying that it is only valid after the fact but not in the first instance*), that represents Rebbe's view.

The *Gemora* asks: But is Rebbe then not contradicting himself?

The *Gemora* answers: This is not difficult, for the *braisa* (*cited by Rav Kahana*) is referring to an implement which had always been attached to the ground (*and therefore the shechitah is invalid*), whereas the *Mishna* is discussing a case where the implement was first detached from the ground and subsequently attached (*and slaughtering with it will be valid after the fact*). (15b)

INSIGHTS TO THE DAF

The question of the flowers in Bnei Berak

By: Meoros HaDaf HaYomi

What halachic issue can connect a *shechitah* knife; flowers in Rabbi Tarfon Street in Bnei Berak; HaGaon Rabbi Meir Shapira zt"l, founder of the Daf HaYomi; and a *lulav* and *esrog* still attached to the ground? Indeed, it turns out that this *sugya* combines them all.

Rebbe and Rabbi Chiya disagree in our Gemara as to if a slaughtering knife attached to the ground is kosher for

slaughtering. Rebbi maintains that *shechitah* with an attached knife is not kosher, as we are told about Avraham: "...and he **took** the knife" (Bereishis 32:10), proving that he meant to slaughter with a detached knife as an attached knife is not **taken** from place to place.

The *berachah* on the scent of unpicked roses: Bnei Berak old-timers remember Rabbi Tarfon Street when it was a boulevard lined with fragrant flowers. Reb Itche Erlich, a local resident at the time, asked the author of *Eretz Tzvi* of Kozhiglov if one could bless the *berachah* on the scent of those flowers. Usually one only pronounces such a *berachah* on plants placed where they are for their fragrance (*Shulchan 'Aruch, O.C. 217:1* and in *Magen Avraham*) whereas those roses were planted for beauty and were still attached to the ground.

"To take" an attached plant: The author of *Eretz Tzvi* discusses the topic and mentions the ruling of *Pri Megadim* (217) and *Shulchan 'Aruch HaRav* (end of section II, *Seder Birchos Hanehenin, 11:10*) concerning something not readily intended (*'omeid*) for its fragrance, that if a person took it to smell it, he must pronounce a *berachah*, as it was placed in his hand for smelling (and so the halachah was ruled in *Mishnah Berurah, ibid, S.K. 1*). Therefore, apparently, someone who passes a row of sweet-smelling plants and grasps one or two to smell must pronounce a *berachah* on their scent.

However, the *Eretz Tzvi* contends that our *sugya* strongly opposes this ruling as if one cannot "take" an attached knife, there's no use in "taking" an attached plant since this has no halachic implication. It is as though the plant just sways without really moving – the hand is not a "new place" for something that is still attached.

The difference between "taking" and "placing": After this ingenious remark he repels the rejection and claims that the two instances cannot be compared. Granted that "taking" means moving an article from place to place, it could be that the obligation for a *berachah* on a smell does not require moving the plant to another place. It suffices to position it in a new manner for smelling, and perhaps grasping the plant is considered repositioning it (*Eretz Tzvi, II, 13*; see *ibid*, that he adds further concepts, and see *Chazon Ish, O.C. 35, os 7*, who wrote: "If he comes close to smell it, it is as if he handled it"; and see further *ibid*, that according to the Vilna Gaon, one shouldn't pronounce a *berachah* even if one grasps it; and see *Vezos HaBerachah, Ch. 19, p. 178*).

Taking up the four species with unpicked willows: The reply of the *Eretz Tzvi* is based on the assumption that one cannot

"take" an attached article. However, HaGaon Rabbi Meir Shapira of Lublin zt"l contended that one **can** "take" an attached article. He treats this topic concerning a tremendous *chidush* of the author of *Noda' BiYehudah*, mentioned briefly in his *Tziyun Lenefesh Chayah (Tzlach, Shabbos 131)*, that one may observe the mitzvah of the four species even if they are attached to the ground! Could it be? After all, concerning the mitzvah of the four species we are told "and you shall take" (Vayikra 23:40) and just as our *sugya* explains that one cannot "take" an attached knife, one cannot "take" an attached willow! (*Eretz Tzvi, ibid*; Rabbi Meir Arik in *Minchas Pitim*, cited by the Maharsham, 651:5; Rabbi Meir Shapira of Lublin in *Margenisa deRabbi Meir on Sukkah 33a* and in *Responsa Or Hameir, 40*).

One can "take" an attached article: Rabbi Shapira solves the question in the following manner. Tosfos explain (s.v. *Minayin*) that the Gemara learns from the verse "and he took the knife" that one must slaughter with a detached knife as the Torah did not say "and he **prepared** the knife". We thus learn that the term "taking" can also concern attached articles but that in this verse *Chazal* interpreted from the **change** in the wording that one must slaughter only with a detached knife. Therefore, we cannot learn from our Gemara that wherever "taking" is mentioned, it only concerns a detached article (as for the *chidush* of *Tzlach*, see *Arba'as HaMinim Hashalem, p. 418*, who mentions the opinions as to if one must lift the four species or if it suffices to hold them).