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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Melikah**

When Rabbi Zeira went to *Eretz Yisroel*, he found Rabbi Ami teaching the statement of Ze’iri, and he asked him how *melikah* can be done, as the pipes are being severed after the animal is dead. He thought for a moment, and then answered that only a minority of the flesh around the backbone is severed, leaving the bird alive.

The *Gemora* concludes with a supporting *braisa*, which states that the act of *melikah* on a *chatas* is to first sever the backbone, but not most of the flesh around it, then severing one of the pipes, and then severing most of the flesh around the backbone. But regarding an *olah*, he severs two pipes or most of them.

The *Gemora* asks: Whose opinion is the *braisa* following (when ruling regarding the *olah* bird)? It cannot be the Sages, for they hold that both pipes need to be severed completely, and it cannot be Rabbi Elozar the son of Rabbi Shimon either, for he maintains that most of the pipes need to be severed (but not in their entirety)!?

The *Gemora* answers: The *braisa* should read: he severs two pipes (completely) according to the Sages, and most of two pipes according to Rabbi Elozar the son of Rabbi Shimon.

Alternatively, you can say that both options (he severs two pipes or most of them) are according to Rabbi Elozar the son of Rabbi Shimon, and when it says that he severs both pipes, it means that it should be similar to two pipes (that it should appear clearly that the majority should be severed).

Rav Yehudah said in the name of Shmuel: If the neck bone (of a person) and most of the meat on it were severed, he transmits *tumah* through roof association (*tumas ohel* - if the *tumah* source and a person or object is under the same roof). [He is considered dead from that time.] And if you will object that the incident of Eli (the *Kohen Gadol*, who died upon hearing that the Holy Ark had been captured) is a case where the neck bone was broken without most of the meat on it, I will reply that in the case of old age it is different (and one can die with the severing of the neck bone without most of the meat), for it is written: And it came to pass when he made mention of the Ark of God, he fell off his chair backwards by the side of the gate, and his neck bone broke and he died; for he was an old man and heavy.

Rabbi Shmuel bar Nachmeini said in the name of Rabbi Yochanan: If one ripped up a person as one does a fish (the belly is split along its length and its innards are removed), he transmits *tumah* through roof association.

Rabbi Shmuel bar Yitzchak added: This is provided that he was cut along the back.

Shmuel said: If one split an animal into two (either by its width, or its neck was severed, or by its spine until its stomach), it is immediately regarded as a *neveilah*.

Rabbi Elozar said: If the thigh was removed and the cavity (up until the joint to the body) was noticeable (for all the skin and flesh was removed), the animal is immediately regarded as a *neveilah*.



Rava explains this to mean that when the animal is crouching there appears to be something (*a limb*) missing.

It was taught in a *Mishna*: If their heads (*of a sheretz - the Torah enumerates eight creeping creatures whose carcasses transmit tumah through contact*) have been severed, even though their limbs are jerking, they are *tamei*. Their convulsions are similar to the jerking movements of a lizard's tail (*after it has been cut off*).

When the *Mishna* said that their heads were severed, Rish Lakish explains that to mean that their heads were actually cut off (*both pipes were entirely cut*), whereas Rav Assi said in the name of Rabbi Mani that it means cut in the same manner as the separation of the head (*from the body*) of the *olah* bird.

Rabbi Yirmiyah asked Rav Assi: Do you mean 'in the same manner as the separation of the head (*from the body*) of the *olah* bird' according to the view of the Sages, and so you do not disagree at all; or do you mean 'in the same manner as the separation of the head (*from the body*) of the *olah* bird' according to the view of Rabbi Elozar the son of Rabbi Shimon, and so you do disagree?

He replied: I mean, 'in the same manner as the separation of the head (*from the body*) of the *olah* bird' according to the view of Rabbi Elozar the son of Rabbi Shimon, and so we disagree.

There were those who reported the above discussion as follows: Rish Lakish explains that to mean that their heads were actually cut off (*both pipes were entirely cut*), whereas Rav Assi said in the name of Rabbi Mani that it means cut in the same manner as the separation of the head (*from the body*) of the *olah* bird according to the view of Rabbi Elozar the son of Rabbi Shimon, and that is that most of the pipes were severed.

The *Gemora* now cites the *braisa* where the dispute between the Sages and Rabbi Elozar the son of Rabbi Shimon is recorded: It is written: [*For certain sins, one brings a sliding-scale offering. If he is wealthy, he brings an animal for a chatas; if he cannot afford one, he brings two birds – one as a chatas and one as an olah.*] And the second bird he shall prepare as an *olah*, according to the law. This means - according to the law prescribed for the *chatas* offering of an animal.

The *braisa* proves this: You say that it means 'according to the law prescribed for the *chatas* offering of an animal,' but perhaps it is referring to the law prescribed for the bird *chatas*! This cannot be, for when it says: *And he shall bring it near*, the verse draws a distinction between the bird *chatas* and the bird *olah*. How then must I interpret the verse: 'According to the law'? It must mean according to the law prescribed for the *chatas* offering of an animal.

We derive the following: Just as the *chatas* of an animal must be brought only from unconsecrated animals, offered only by day, and performed with the *Kohen's* right hand, so too, the *olah* bird must be brought only from unconsecrated animals, offered only by day, and performed with the *Kohen's* right hand.

The *braisa* continues: But perhaps then, just as by the animal *chatas*, one must cut the greater portion of both organs, so too regarding the *olah* bird, one must cut (*through melikah*) the greater portion of both pipes; therefore, the verse states: *And he shall perform melikah. . . and he shall burn it*. Through analogy, we draw the following conclusion: Just as for the purposes of burning, the head and the body are each by itself, so too, regarding the *melikah*, the head and the body should each be by itself (*by severing both pipes*).

Rabbi Yishmael says: 'According to the law' means, according to the law prescribed for the *chatas* bird. Just as the *melikah* of a *chatas* bird must be done from the nape, so too, the *melikah* of an *olah* bird must be done from the nape.



The *braisa* continues: But perhaps then, just as by the *chatas* bird, one performs *melikah* through only one pipe, without severing the other (*for he is prohibited from doing so*), so too, by an *olah* bird, one must perform *melikah* through only one pipe without severing the other? The Torah therefore states: *And he shall bring it near.* [The verse draws a distinction between the bird *chatas* and the bird *olah*; the prohibition against severing the second pipe applies only to the *chatas* bird, and not the *olah* bird.]

Rabbi Elozar the son of Rabbi Shimon says: ‘According to the law’ means, according to the law prescribed for the *chatas* bird. Just as by the *chatas* bird, the *Kohen* sprinkles the blood while holding the head and the body in his hand, so too, by an *olah* bird, he sprinkles the blood while holding the head and the body in his hand. The *Gemora* explains the meaning: Just as by the *chatas* bird, he sprinkles the blood while the head is still attached to the body, so too, in the case of the *olah* bird, he sprinkles the blood while the head is still attached to the body.

The *braisa* continues: But perhaps then, just as by the *chatas* bird, the head is attached to the body with one complete pipe, so too by the *olah* bird, the head should be attached to the body by one complete pipe; the Torah therefore states: *And he shall bring it near.* [The verse draws a distinction between the bird *chatas* and the bird *olah*; the prohibition against severing the second pipe applies only to the *chatas* bird, but one would be required to cut the second pipe by an *olah* bird.] (21a – 22a)

### DAILY MASHAL

Rav Zalman Sorotzkin zt”l explained regarding the purpose of *melikah* as opposed to *shechitah*. “Why does *shechitah* suffice for the rich man’s sacrifice but the poor man’s must have *melikah*? Why not do *shechitah* on bird *korbanos* like we do for animals? To understand this we must consider why sacrifices are slaughtered. This is to break the heart of the sinner since he will contemplate that it is fitting to kill him

instead of the animal. That is enough to break the heart of a wealthy man who brings an animal, but what about a poor man? He has such a hard life that he may literally prefer death. After all, once it’s over he will stop suffering and eventually enjoy his eternal reward. This is why we do *melikah* which is much more painful. This is to show that until one dies things can also be very bitter. And death itself can also be very painful. It is only in this way that the poor person will also break his heart and do *teshuvah*.”