



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h

Tzvi Gershon ben Yoel (Harvey Felsen) o”h

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

Why is the verse necessary to explain Rabbi Yehudah's view? Surely the prohibition of the 'limb' [from a live animal] can be superimposed upon the prohibition of non-kosher, since the prohibition of the former applies even to the sons of Noah!¹ — Indeed this is so, and the verse is necessary only to explain Rabbi Elozar's view.²

It has been taught likewise: The [prohibition of the] limb of a living creature applies to cattle, non-domesticated animals and birds, either kosher or non-kosher, for it is written: Only be strong in not eating the blood etc., that is to say, where you are forbidden the blood you are also forbidden the limbs severed from it, and where you are not forbidden the blood of an animal³ you are not forbidden the limbs severed from it; these are the words of Rabbi Elozar. The Sages say: It applies only to kosher animals, for it is written: You shall not eat the life with the flesh, but the flesh alone [you may eat]; therefore, where you are permitted the flesh you are then forbidden the limbs severed from it, but where you are not permitted the flesh you are then not forbidden the limbs severed from it. Rabbi Meir says: It applies only to kosher cattle.

¹ The sons of Noah were forbidden to eat the limb of a living animal. This was one of the seven commandments imposed upon them.

² As he maintains that a prohibition cannot take effect on something already forbidden, even when the second prohibition is graver than the first. The verse is coming to teach us that this case is an exception to the rule.

³ The blood of fish and of locusts.

(Mnemonic: Shmuel, Shila, Shimi). Rabbah bar Shmuel said in the name of Rav Chisda or, as some say: Rav Yosef; others say: Rabbah bar Shila said in the name of Rav Chisda or, as some say: Rav Yosef; and others say: Rabbah bar Shimi said in the name of Rav Chisda or, as some say: Rav Yosef: What is the reason for Rabbi Meir's view? Because the verse reads: You shall slaughter your cattle and your flocks.⁴

Rav Giddal said in the name of Rav: The dispute⁵ refers only to Jews, but as for a descendant of Noah all agree that he is warned against [eating the limb of] non-kosher as well as kosher animals.

It has been taught likewise: As to the limb of a living creature a descendant of Noah is warned against [eating] it, whether it be of a kosher or non-kosher animal, whereas a Jew is warned only against [eating] the limb of a kosher animal.

Some read 'of a kosher one'⁶ and it is in accordance with Rabbi Meir's view; but others read 'of kosher ones',⁷ and it is in accordance with the view of the Sages.

⁴ This verse precedes the law of the limb of a living animal) and as it expressly mentions cattle and flocks, non-domesticated animals and birds are excluded.

⁵ Between Rabbi Elozar, the Sages, and Rabbi Meir.

⁶ In the singular, which refers to cattle only and excludes non-domesticated animals and birds.

⁷ In the plural, so as to include every living creature that is kosher.

Rav Shizbi said: We have also learned it [in the following Mishnah]: If a person ate a limb [severed] from it⁸ while alive, he does not incur forty lashes; and the slaughtering of it does not render it kosher.⁹ Of whom is this said? Should you say of a Jew, but is it not obvious that the slaughtering does not render it kosher? It could only have been said of a descendant of Noah,¹⁰ and this proves that it is forbidden to him.

Rav Mani bar Patish pointed out a contradiction between the first clause and the second clause¹¹ and resolved it thus: The first clause speaks of a Jew, but the second clause of a descendant of Noah.

Rav [Yehudah] said [in the name of Rav]: The [prohibition of a] limb severed from a living creature requires [at least] an olive's bulk, because the expression 'eating'¹² is used with regard to it.

Rav Amram raised an objection [against this]: [We have learned:] If a person ate a limb from it¹³ while alive, he

⁸ A non-kosher bird, i.e., one that is forbidden to be eaten.

⁹ I.e., does not render it permitted to be eaten. 'Kosher' cannot mean here 'free from tumah' because no tumah whatsoever is attached to the carcass of a bird that is forbidden to be eaten.

¹⁰ And the implication is that even after the slaughtering the descendant of Noah is not permitted to eat of it until it is quite dead, for otherwise he would be eating the limb of a living animal and this is forbidden to him.

¹¹ For the first clause implies that the prohibition of a limb severed from a living creature does not apply to non-kosher animals since it rules that he who eats it does not incur lashes, whereas the inference from the second clause is that the limb of a non-kosher living animal is forbidden.

¹² An olive's bulk is the minimum amount to constitute 'eating'.

¹³ A non-kosher bird, i.e., one that is forbidden to be eaten.

¹⁴ For which he would incur lashes, quite apart from any consideration regarding the limb of a living creature.

does not incur forty lashes; and the slaughtering of it does not render it kosher. Now if you were to hold that there must be an olive's bulk, then liability is established because of eating an olive's bulk [of what is non-kosher]?¹⁴

The Gemara answers: As Rav Nachman suggested elsewhere that there was only a little flesh but the sinews and bones [combined to make up the olive's bulk], so here too, we must say that there was only a little flesh but the sinews and bones [combined to make up the olive's bulk].¹⁵

Come and hear from the following statement of Rav: If a person ate a kosher bird whilst it was yet alive, however small it was [he is liable],¹⁶ if dead, only if it was as large as an olive's bulk.¹⁷ [If he ate] a non-kosher bird, whether alive or dead, however small it was, [he is liable].¹⁸

¹⁵ This would not involve the prohibition of flesh of a non-kosher animal since there must be an olive's bulk of flesh excluding bones and sinews; on the other hand, a limb consisting of flesh, bones and sinews, in all the size of an olive, is subject to the prohibition of a limb severed from a living creature.

¹⁶ He is liable for transgressing the prohibition of a limb of a living creature, for the eating of the entire bird alive is certainly equivalent to the eating of a limb severed from the living bird. It is apparent, therefore, that Rav does not insist upon the minimum quantity of an olive's bulk with regard to this prohibition, thus contradicting his own previous statement.

¹⁷ He is liable for eating neveilah for which there must be the minimum quantity of an olive's bulk.

¹⁸ Because it is a complete entity expressly prohibited by the Torah, and one is liable for it no matter how small it is.

The Gemara answers: Here too we must suppose there was only a little flesh but the sinews and bones [combined to make up the olive's bulk].¹⁹

Come and hear: [It was taught]: If a person took a [kosher] bird, the whole of which was not as large as an olive's bulk, and ate it, Rebbe holds that he is not liable,²⁰ and Rabbi Elozar son of Rabbi Shimon declares him liable. Rabbi Elozar son of Rabbi Shimon said: Is there not here a kal vachomer argument? If he is liable for a limb of it,²¹ surely he is liable for the whole of it! If he strangled it and ate it, all agree that there must be as much as an olive's bulk [in order to render him liable].²² Now their disagreement is only on this point, viz., one holds that [an animal even] while alive stands to be dismembered into limbs,²³ and the other holds that while alive it does not stand to be dismembered into limbs;²⁴ but thus far they are agreed, namely, that [in the case of a limb] the size of an olive's bulk is not necessary!

Rav Nachman said: [it is a case where] there was only a little flesh but the sinews and bones [combined to make up the olive's bulk].²⁵

¹⁹ The expression 'however small it was' refers to the amount of flesh, but actually a whole olive's bulk was eaten which included the sinews and bones.

²⁰ Because the law concerning the limb of a living animal refers specifically to a limb and does not include the entire living creature.

²¹ Even though the whole limb was not as large as an olive's bulk. This is not disputed by Rebbe, hence the objection is apparent against Rav.

²² As the prohibition here is that of neveilah, the minimum quantity of an olive's bulk is essential.

²³ So that the prohibition of a limb of a living creature attaches to the animal while yet whole, and if a man eats an entire living creature he has certainly eaten a limb of a living creature as comprehended within the prohibition. In fact he

The Gemara asks: But is there such a creature, the whole of which does not carry an olive's bulk of flesh and yet in one limb there is as much as an olive's bulk made up of a little flesh and sinews and bones?

Rav Sheravya replied: Yes, it is the klanisa.²⁶

The Gemara asks: Consider then the final clause. It reads: If he strangled it and ate it, all agree that there must be as much as an olive's bulk [in order to render him liable]. Isn't the klanisa a non-kosher bird, and Rav has stated: [If a person ate] a non-kosher bird, whether alive or dead, however small it was, [he is liable]!

The Gemara answers: What was meant was a [kosher] bird like the klanisa.

Rava said: If you can find authority for saying that Rebbe holds, an intention with regard to food is of consequence, then if a person intended to eat this bird²⁷ limb by limb but actually ate it whole, he is liable.²⁸

has eaten many such limbs, nevertheless he is liable but once since presumably he received only one warning. This is the view of Rabbi Elozar son of Rabbi Shimon.

²⁴ The prohibition of a limb of a living creature only comes about when the limb is actually severed from the body; such is the opinion of Rebbe.

²⁵ The expression 'the whole of which was not as large as an olive's bulk' refers to the flesh only, but with the bones and sinews there certainly was as much as an olive's bulk.

²⁶ A thin and scraggly bird.

²⁷ A bird the whole of which was not as large as an olive's bulk.

²⁸ Since this person had expressed his intention to eat the bird limb by limb the prohibition of the limb of a living creature attaches to it, and he would be liable even though he ate it whole.

Abaye said to him: Is there anything which if another were to eat, that other would not be liable,²⁹ and if this person were to eat he would be liable?

He replied: Each man is considered according to his intention with regard to it.

Rava also said: If you can find authority for saying that Rabbi Elozar son of Rabbi Shimon holds, an intention with regard to food is of consequence, then if a person intended to eat the bird dead³⁰ and he ate it alive, he is not liable.

Abaye said to him: Is there anything which if another were to eat, that other would be liable, and if this person were to eat he would not be liable?

He replied: Each man is considered according to his intention with regard to it.

DAILY MASHAL

Tishrei without Yom Kippur!

The *Gemora* says that once Yom Kippur fell on Shabbos but that someone who committed a transgression on that Yom Kippur was punished only for desecrating Shabbos and not for desecrating Yom Kippur. The only hint to solve the mystery lies in the word *shamda*, which Rava added to explain the issue. According to Rashi (s.v. *Veshalchu mitam*), in that year the regime decreed that the Jews should not observe Yom Kippur and on Shabbos before Yom Kippur they observed a sort of a remembrance for Yom Kippur “so that the law of Yom Kippur should not be

²⁹ So long as that other person had expressed no intention with regard to it.

forgotten.” Therefore, someone who sinned on that day was punished only for desecrating Shabbos as it was really not Yom Kippur.

We must sacrifice ourselves because of a decree of *shmad*: Many Rishonim adopt this approach but the Ritva wondered how people obeyed the government and didn’t observe the holy day: after all, that is a decree of *shmad*, which should be opposed with *mesirus nefesh* - self-sacrifice. He therefore explains that the Amoraim in our Gemara recount a most fascinating historical event. In his opinion in that year the government decreed that the month should not be sanctified. As the month was not sanctified, Yom Kippur did not occur, and that’s the reason that in that year someone who did *melachah* on 10 Tishrei did not desecrate Yom Kippur!

A month without sanctity: HaGaon Rabbi Baruch Dov Povarski explains (*Bad Kodesh*, III, 1) that the Ritva does not mean that **Tishrei** did not fall in that year. The months change by themselves after 30 days, whether or not they are sanctified. The Ritva means that sanctifying the months has two aims: The first is to determine if the new month will begin after the 29th or 30th day of the previous month; if the month is not sanctified it starts after 30 days. The second aim is to **sanctify** the new month, by which the holidays of the month become sanctified. Therefore, when they didn’t sanctify the month, the sanctity of the holidays ceased and the month was without sanctity or holidays (see *ibid* as to what he explains according to the opinion of the Tana'im in Rosh HaShanah 24a, and when we apply the rule of “Heaven sanctified it” and see *Kli Chemdah, Parashas Bo*, cited in the remarks on the Ritva).

³⁰ It is evident from the expressed intention that the bird was not to be dismembered while alive; therefore the prohibition of the limb of a living creature does not apply to it.