

XIII

THE STRUCTURE OF BABYLONIAN TALMUD HULLIN

Whether or not the Talmud of Babylonia is carefully organized in large-scale, recurrent structures and guided by a program that we may call systematic forms the principal question addressed by an academic commentary. The preceding chapters therefore have pointed toward the presentation set forth here.

By “structure” I mean, a clearly-articulated pattern that governs the location of fully-spelled out statements. By “system,” I mean, a well-crafted and coherent set of ideas that explain the social order of the community addressed by the writers of a document, a social philosophy, a theory of the way of life, world view, and character of the social entity formed by a given social group. I see a collective, anonymous, and political document, such as the one before us, as a statement to, and about, the way in which people should organize their lives and govern their actions. At issue then in any document such as the remarkable one before us is simple: does this piece of writing present information or a program, facts to whom it may concern, or a philosophically and aesthetically cogent statement about how things should be?

The connection between structure and system is plain to see. From the way in which people consistently frame their thoughts, we move to the world that, in saying things one way rather than in some other, they wish to imagine the world in which they wish to live, to which they address these thoughts. For if the document exhibits structure and sets forth a system, then it is accessible to questions of rationality. We may ask about the statement that its framers or compilers wished to make by putting the document together as they did. But if we discern no structure and perceive no systematic inquiry or governing points of analysis, then all we find here is inert and miscellaneous information, facts but no propositions, arguments, viewpoints.

Now the Talmud commonly finds itself represented as lacking organization and exhibiting a certain episodic and notional character. That view moreover characterizes the reading and representation of the document by learned and experienced scholars, who have devoted their entire lives to Talmud study and exegesis. It must follow that upon the advocate of the contrary view — the one implicit in the representation of the document for academic analysis — rests the burden of proof. I set forth the allegation that the Talmud exhibits a structure and follows a system and therefore exhibits a commonly-intelligible rationality. The claim to write an academic commentary explicitly states that proposition. For the tractate before us, I have therefore to adduce evidence and argument.

I maintain that through the normal procedures of reasoned analysis we may discern in the tractate a well-crafted structure. I hold that the structure made manifest, we may further identify the purpose and perspective, the governing system of thought and argument, of those who collected and arranged the tractate's composites and put them together in the way in which we now have them. By "structure" I mean, how is a document organized? and by "system," what do the compilers of the document propose to accomplish in producing this complete, organized piece of writing? The answers to both questions derive from a simple outline of the tractate as a whole, underscoring the types of compositions and composites of which it is comprised. Such an outline tells us what is principal and what subordinate, and how each unit — composition formed into composites, composites formed into a complete statement — holds together and also fits with other units, fore and aft. The purpose of the outline then is to identify the character of each component of the whole, and to specify its purpose or statement. The former information permits us to describe the document's structure, the latter, its system.

While the idea of simply outlining a Talmud-tractate beginning to end may seem obvious, I have never made such an outline before, nor has anyone else.* Yet, as we shall now see, the character of the outline dictates all further analytical initiatives. Specifically, when we follow the layout of the whole, we readily see the principles of organization that govern. These same guidelines on organizing discourse point also to the character of what is organized: complete units of thought, with a beginning, middle, and end, often made up of smaller, equally complete units of thought. The former we know as composites, the latter as compositions.

*I have provided complete outlines for the Mishnah and for the Tosefta in relationship to the Mishnah, and, not always in outline form, for the Midrash-compilations of late antiquity as well.

Identifying and classifying the components of the tractate — the composites, the compositions of which they are made up — we see clearly how the document coheres: the plan and program worked out from beginning to end. When we define that plan and program, we identify the facts of a pattern that permit us to say in a specific and concrete way precisely what the compilers of the tractate intended to accomplish. The structure realizes the system, the program of analysis and thought that takes the form of the presentation we have before us. From what people do, meaning, the way in which they formulate their ideas and organized them into cogent statements, we discern what they proposed to do, meaning, the intellectual goals that they set for themselves.

These goals — the received document they wished to examine, the questions that they brought to that document — realized in the layout and construction of their writing, dictate the points of uniformity and persistence that throughout come to the surface. How people lay out their ideas guides us into what they wished to find out and set forth in their writing, and that constitutes the system that defined the work they set out to accomplish. We move from how people speak to the system that the mode of discourse means to express, in the theory that modes of speech or writing convey modes of thought and inquiry.

We move from the act of thought and its written result backward to the theory of thinking, which is, by definition, an act of social consequence. We therefore turn to the matter of intention that provokes reflection and produces a system of inquiry. That statement does not mean to imply I begin with the premise of order, which sustains the thesis of a prior

system that defines the order. To the contrary, the possibility of forming a coherent outline out of the data we have examined defines the first test of whether or not the document exhibits a structure and realizes a system. So everything depends upon the possibility of outlining the writing, from which all else flows. If we can see the order and demonstrate that the allegation of order rests on ample evidence, then we may proceed to describe the structure that gives expression to the order, and the system that the structure sustains.

The present work undertakes the exegesis of exegesis, for the Talmud of Babylonia, like its counterpart in the Land of Israel, is laid out as a commentary to the Mishnah. That obvious fact defined the character of my academic commentary, since we have already faced the reality that our Bavli-tractate is something other than a commentary, though it surely encompasses one. The problems that captured my attention derived from the deeper question of how people make connections and draw conclusions. To ask about how people make connections means that we identify a problem — otherwise we should not have to ask — and what precipitated the problem here has been how a composition or a composite fits into its context, when the context is defined by the tasks of Mishnah-commentary, and the composition or composite clearly does not comment on the Mishnah-passage that is subjected to comment.

The experience of analyzing the document with the question of cogency and coherence in mind therefore yields a simple recognition. Viewed whole, the tractate contains no gibberish but only completed units of thought, sentences formed into intelligible thought and self-contained in that we require no further information to understand those sentences, beginning to end. The tractate organizes these statements as commentary to the Mishnah. But large tracts of the writing do not comment on the Mishnah in the way in which other, still larger tracts do. Then how the former fit together with the latter frames the single most urgent question of structure and system that I can identify.

Since we have already examined enormous composites that find their cogency in an other than exegetical program, alongside composites that hold together by appeal to a common, prior, coherent statement — the Mishnah-sentences at hand — what justifies my insistence that an outline of the document, resting on the premise that we deal with a Mishnah-commentary, govern all further description? To begin with, the very possibility of outlining Babylonian Talmud tractate Sotah derives from the simple fact that the framers have given to their document the form of a commentary to the Mishnah. It is in the structure of the Mishnah-tractate that they locate everything together that they wished to compile. We know that is the fact because the Mishnah-tractate defines the order of topics and the sequence of problems.

Relationships to the Mishnah are readily discerned; a paragraph stands at the head of a unit of thought; even without the full citation of the paragraph, we should find our way back to the Mishnah because at the head of numerous compositions, laid out in sequence one to the next, clauses of the Mishnah-paragraph are cited in so many words or alluded to in an unmistakable way. So without printing the entire Mishnah-paragraph at the head, we should know that the received code formed the fundamental structure because so many compositions cite and gloss sentences of the Mishnah-paragraph and are set forth in sequence dictated by the order of sentences of said Mishnah-paragraph. Internal evidence alone suffices, then, to demonstrate that the structure of the tractate rests upon the Mishnah-tractate cited and discussed here. Not only so, but the sentences of the Mishnah-

paragraphs of our tractate are discussed in no other place in the entire Talmud of Babylonia in the sequence and systematic exegetical framework in which they are set forth here; elsewhere we may find bits or pieces, but only here, the entirety of the tractate.

That statement requires one qualification, and that further leads us to the analytical task of our outline. While the entire Mishnah-tractate of Sotah is cited in the Talmud, the framers of the Talmud by no means find themselves required to say something about every word, every sentence, every paragraph. On the contrary, they discuss only what they choose to discuss, and glide without comment by large stretches of the tractate. A process of selectivity, which requires description and analysis, has told the compilers of the Talmud's composites and the authors of its compositions* what demands attention, and what does not. Our outline has therefore to signal not only what passage of the Mishnah-tractate is discussed, but also what is not discussed, and we require a general theory to explain the principles of selection ("making connections, drawing conclusions" meaning, to begin with, making selections). For that purpose, in the outline, I reproduce the entirety of a Mishnah-paragraph that stands at the head of a Talmudic composite, and I underscore those sentences that are addressed, so highlighting also those that are not.

*This statement requires refinement. I do not know that all available compositions have been reproduced, and that the work of authors of compositions of Mishnah-exegesis intended for a talmud is fully exposed in the document as we have it. That is not only something we cannot demonstrate — we do not have compositions that were not used, only the ones that were — but something that we must regard as unlikely on the face of matters. All we may say is positive: the character of the compositions that address Mishnah-exegesis tells us about the concerns of the writers of those compositions, but we cannot claim to outline all of their concerns, on the one side, or to explain why they chose not to work on other Mishnah-sentences besides the ones treated here. But as to the program of the compositors, that is another matter: from the choices that they made (out of a corpus we cannot begin to imagine or invent for ourselves) we may describe with great accuracy the kinds of materials they wished to include and the shape and structure they set forth out of those materials. We know what they did, and that permits us to investigate why they did what they did. What we cannot know is what they did not do, or why they chose not to do what they did not do. People familiar with the character of speculation and criticism in Talmudic studies will understand why I have to spell out these rather commonplace observations. I lay out an argument based on evidence, not on the silences of evidence, or on the absence of evidence — that alone.

It follows that the same evidence that justifies identifying the Mishnah-tractate as the structure (therefore also the foundation of the system) of the Talmud-tractate before us also presents puzzles for considerable reflection. The exegesis of Mishnah-exegesis is only one of these. Another concerns the purpose of introducing into the document enormous compositions and composites that clearly hold together around a shared topic or proposition, e.g., my appendix on one theme or another, my elaborate footnote providing information that is not required but merely useful, and the like. My earlier characterization of composites as appendices and footnotes signalled the fact that the framers of the document chose a not-entirely satisfactory way of setting out the materials they wished to include here, for large components of the tractate do not contribute to Mishnah-exegesis in any way at all. If these intrusions of other-than-exegetical compositions were proportionately modest, or of topical composites negligible in size, we might dismiss them as appendages, not structural components that bear much of the weight of the edifice as a whole. Indeed, the language that I chose for identifying and defining these composites —

footnotes, appendices, and the like — bore the implication that what is not Mishnah-commentary also is extrinsic to the Talmud's structure and system.

But that language served only for the occasion. In fact, the outline before us will show that the compositions are large and ambitious, the composites formidable and defining. Any description of the tractate's structure that dismisses as mere accretions or intrusions so large a proportion of the whole misleads. Any notion that "footnotes" and "appendices" impede exposition and disrupt thought, contribute extraneous information or form tacked-on appendages — any such notion begs the question: then why fill up so much space with such purposeless information? The right way is to ask whether the document's topical composites play a role in the re-presentation of the Mishnah-tractate by the compilers of the Talmud. We have therefore to test two hypotheses:

1. the topical composites ("appendices," "footnotes") do belong and serve the compilers' purpose,

or

2. the topical composites do not participate in the re-presentation of the Mishnah-tractate by the Talmud and do not belong because they add nothing and change nothing.

The two hypotheses may be tested against the evidence framed in response to a single question: is this topical composite necessary? The answer to that question lies in our asking, what happens to the reading of the Mishnah-tractate in light of the topical composites that would not happen were we to read the same tractate without them? The outline that follows systematically raises that question, with results specified in due course. It suffices here to state the simple result of our reading of the tractate, start to finish: the question of structure, therefore also that of system, rests upon the position we identify for that massive component of the tractate that comprises not Mishnah-commentary but free-standing compositions and composites of compositions formed for a purpose other than Mishnah-commentary.

The principal rubrics are given in small caps. The outline takes as its principal rubrics two large-scale organizing principles.

The first is the divisions of the Mishnah-tractate to which the Talmud-tractate serves as a commentary. That simple fact validates the claim that the tractate exhibits a fully-articulated structure. But the outline must also underscore that the Mishnah-tractate provides both more and less than the paramount outline of the Talmud-tractate. It is more because sentences in the Mishnah-tractate are not analyzed at all. These untreated Mishnah-sentences are given in bold face lower case caps, like the rest of the Mishnah, but then are specified by underlining and enclosure in square brackets.

Second, it is less because the structure of the tractate accommodates large composites that address topics not defined by the Mishnah-tractate. That brings us to the second of the two large-scale modes of holding together both sustained analytical exercises and also large sets of compositions formed into cogent composites. These are treated also as major units and are indicated by Roman numerals, alongside the Mishnah-paragraphs themselves; they are also signified in small caps. But the principal rubrics that do not focus on Mishnah-commentary but on free-standing topics or propositions or problems are not given in boldface type. Consequently, for the purposes of a coherent outline we have to

identify as autonomous entries in our outline those important composites that treat themes or topics not contributed by the Mishnah-tractate.

I. Mishnah-Tractate Hullin 1:1A-D

A. (1) ALL SLAUGHTER, (2) AND THEIR ACT OF SLAUGHTER IS VALID, EXCEPT FOR A DEAF-MUTE, AN IMBECILE, AND A MINOR, LEST THEY IMPAIR THE FITNESS OF THE CARCASS THROUGH THEIR ACT OF SLAUGHTER:

1. I:1: The Mishnah presents us with a contradiction. All slaughter, implies that they may do so to begin with. And their act of slaughter is valid, implies that they may not do so to begin with but if they already performed the act of slaughter after the fact their actions are deemed proper. Said R. Aha the son of Raba to R. Ashi, “Does every use of the word All imply they may do so to begin with? Consider the case in M. **Temurah 1:1**, All effect a valid substitution i.e., substitute a beast for one they have first designated as a sacrifice and the second beast enters the status of the originally consecrated one — all the same men and women.” Said Rabbah bar Ulla, “This is what the Mishnah taught: All may slaughter, even an unclean person may slaughter an unconsecrated animal.”

a. I:2: Secondary expansion on a detail tangential to the foregoing.

I. I:3: As above.

2. I:4: Abbayye said, “Interpret the Mishnah as follows: All may slaughter even a Samaritan. Of what circumstance do we speak? When an Israelite was standing over him supervising his actions. But if the Israelite was coming and going and not constantly supervising him he is not permitted to slaughter. And if he did slaughter, they cut off an olive’s bulk of meat and offer it to him. If he eats it, then others are permitted to eat from animals he slaughtered. And if he does not eat it, then others are forbidden to eat from animals he slaughtered.”

a. I:5: Secondary expansion of foregoing: Our rabbis have taught on Tannaite authority: Meat from an animal slaughtered by a Samaritan is permitted. In what circumstance? If an Israelite was standing over him to supervise. But if one came and found that he did slaughter, they cut off an olive’s bulk of meat and offer it to him. If he eats it, then others are permitted to eat from animals he slaughtered. And if he does not eat it, then others are forbidden to eat from animals he slaughtered.

I. I:6: Gloss of a detail of the foregoing.

A. I:7: As above.

i. I:8: As above.

II. I:9: As above.

b. I:10: Said R. Hanan, said R. Jacob bar Idi, said R. Joshua b. Levi, in the name of Bar Qappara, “Rabban Gamaliel and his court voted regarding the validity of slaughtering done by a Samaritan and they forbade meat derived from it.” Said R. Zira to R. Jacob bar Idi, “Perhaps the master did not hear this only applies when an Israelite is not standing over him to supervise.” He said to him, “It is as if this rabbi has never studied at all! Do we need a

teaching about the obviously improper case of a Samaritan who slaughters when an Israelite is not standing over him?”

I. I:11: Illustrative case for a detail of the foregoing.

A. I:12: Expansion of a detail of the foregoing.

B. GENERAL RULES ON THE CORRECT ACT OF SLAUGHTER

1. I:13: Said R. Zira, said Samuel, “If he heated a knife and slaughtered with it, his act of slaughtering is valid because the sharp edge cuts through before the heat burns the animal.” But lo there are the sides of the slit in the throat that will be singed by the heat and that should render the act invalid. Not so because we have the principle that the site of the slaughtering widens as he cuts and the heat will not touch the sides of the throat. The passage turns to a secondary question, not pertinent to the foregoing except at the start.

2. I:14: Said R. Nahman, said Rabbah bar Abbuha, “The knife of a idolater — it is permitted to slaughter with it but it is forbidden to cut meat with it.” It is permitted to slaughter with it because technically speaking he diminishes the value of the animal through its slaughter. It can no longer be used for breeding or work. It is forbidden to cut meat with it because thereby he enhances the value of the animal by preparing it for consumption and this is deemed to be a forbidden benefit derived from a utensil belonging to idolatry.

3. I:15: It was stated: One who slaughters with a knife belonging to idolaters — Rab said, “He must cut a strip of meat from the throat where it touched the knife.” Rabbah bar bar Hannah said, “He must wash the throat where the knife touched it.”

4. I:16: Concerning the status of a knife used to slaughter an animal found to be a terefah — there was a dispute about this between R. Aha and Rabina. One says he must wash it in hot water. And the other says he may wash it even in cold water. And the law is: even in cold water.

5. I:17: Said R. Judah, said Rab, “The butcher who slaughters must have three knives: one for slaughtering, one for cutting meat, and one for cutting forbidden fats.” And why not designate one knife for two tasks? And he could cut the meat with it and afterward cut the fats with it. No. We fear lest he first cut the fats with it and afterward the meat with it. Here too if he has two knives he may mix them up! No. Since he has two he will be able to distinguish between them.

6. I:18: Said R. Judah, said Rab, “A disciple of the sages must learn three things: writing i.e., to sign his name, slaughtering, and circumcision.” And R. Hananiah bar Shalmaya in the name of Rab said, “Also to make the knot in tefillin, and the blessings for a wedding, and tying the knots in fringes.” And said R. Judah, said Samuel, “Any butcher who does not know the primary laws of slaughtering — it is forbidden to eat meat from an animal he slaughtered.”

7. I:19: If he did not inspect the organs after he slaughtered what is the law? R. Eliezer b. Antigonus in the name of R. Eleazar b. R. Yannai said, “It i.e., the animal is terefah and it is forbidden to eat it.”

a. I:20: Secondary development of a detail of the foregoing: Said R. Ashi. “Come and take note: A pitcher of water of purification that he left uncovered and he came and found it covered — it is unclean cf. M. **Parah 11:1**.” For I may say that an unclean person came in there and covered it up. But if he left it covered and came in and found it uncovered — if a weasel could drink from it, or if a serpent could drink from it according to R. Gamaliel, or if dew could have fallen in it at night — it is unfit for use as purification water, but it is not deemed unclean.

8. I:21: It was stated: One who slaughters with a knife and it is later ascertained that it is defective — said R. Huna, “Even if he chopped bones with it all day after slaughtering the animal with the knife it is unfit. We suspect that perhaps it became defective on account of the hide of the animal before he slaughtered the organs.” And R. Hisda said, “It is fit because we can posit that perhaps it became defective while chopping on a bone.”

a. I:22: What is the source for this matter that the rabbis stated: uphold a matter on the basis of its presumptive status? Said R. Samuel bar Nahmani, said R. Jonathan, said Scripture, “Then the priest shall go out of the house to the door of the house, and shut up the house seven days” (Lev. 14:38). Perhaps while he was going out of the house the spot became smaller than the required size. Is it not logical to deduce that he may presume this does not occur because we say we uphold the status of the house on the basis of its presumptive status?

b. I:23: What is the basis for this matter that the rabbis stated, “Go according to the majority?” As it is written, “Turn aside after a multitude” (Exo. 23: 2).

9. I:24: Said R. Nahman, said Rab, “One who watched an individual slaughter — if he watched him from beginning to end, it is permissible to eat meat from an animal prepared from that act of slaughtering. And if not, it is forbidden to eat meat from an animal prepared from that act of slaughtering.”

a. I:25: Let us say that the validity of the principle the majority of those who engage in slaughtering are experts, is a dispute between two Tannaite authorities. For it was taught on Tannaite authority, If one’s chicken was stolen and he came and found it slaughtered, or if one’s beast was stolen and he came and found it slaughtered — R. Hanania, the son of R. Yosé the Galilean, permits. And R. Judah prohibits. Said Rabbi, “The opinion of R. Hanania, the son of R. Yosé the Galilean, appears preferable in the case of his finding the carcass inside his house, and the opinion of R. Judah in the case of his finding the carcass in the rubbish heap” T. **Hul. 2:5**.

C. EXCEPT FOR A DEAF-MUTE, AN IMBECILE, AND A MINOR: LEST THEY IMPAIR THE FITNESS OF THE CARCASS THROUGH THEIR ACT OF SLAUGHTER:

1. II:1: “Lest they did impair” is not taught in the perfect tense but “Lest they impair” in the imperfect. Said Raba, “This means that they do not give to them unconsecrated animals to slaughter to begin with.”

D. BUT ALL OF THEM WHO PERFORMED AN ACT OF SLAUGHTER, WITH OTHERS WATCHING THEM — THEIR ACT OF SLAUGHTER IS VALID:

1. III:1: Who is the Tannaite authority who taught that you do not need intention during the act of slaughtering to make it a valid act? Said Raba, “It is R. Nathan.”
2. III:2: Said R. Hiyya bar Abba, “R. Yohanan posed this question: a minor — does he have the capacity of deliberation necessary for the intention of a ritual act or does he not have the capacity of deliberation?”

II. Mishnah-Tractate Hullin 1:1E-F

A. THE ACT OF SLAUGHTER OF A GENTILE PRODUCES CARRION.

1. I:1: Does the act of slaughter of a gentile produce carrion? Yes, but does it produce meat whose benefit is forbidden? No. Who is the Tannaite authority behind this teaching? Said R. Hiyya b. R. Abba, said R. Yohanan, “It does not accord with the view of R. Eliezer. For if it did accord with the view of R. Eliezer, lo, he said that the ordinary thoughts of a gentile are to serve idolatry. Accordingly deriving any benefit from the meat should be forbidden.”

B. AND THE MEAT IMPARTS UNCLEANNESS THROUGH BEING CARRIED:

1. II:1: But this is obvious. Because it is carrion it imparts uncleanness through being carried.

III. Mishnah-Tractate Hullin 1:1G-I

A. HE WHO SLAUGHTERS AT NIGHT — AND SO TOO A BLIND PERSON WHO SLAUGHTERED — HIS ACT OF SLAUGHTER IS VALID.

1. I:1: He who slaughters implies that if he slaughters, then after the fact it is valid. But he may not slaughter to begin with. But they raised an objection to that conclusion from the following: At any time do they slaughter —whether by day or by night. And in any place do they slaughter — whether on a ship or whether on a roof (T. [Hul. 1:4 A-D](#)).

IV. Mishnah-Tractate Hullin 1:1J-K

A. HE WHO SLAUGHTERS ON THE SABBATH OR ON THE DAY OF ATONEMENT, EVEN THOUGH HE THEREBY BECOMES LIABLE FOR HIS LIFE — HIS ACT OF SLAUGHTER IS VALID:

1. I:1: Said R. Huna, “R. Hiyya bar Abba interpreted the rule in the name of Rab, “The meat is prohibited to be eaten for that Sabbath day.”” And his associates proposed to say that this view corresponds with that of R. Judah. Which view of Judah?

a. I:2: Secondary expansion of a detail of the foregoing.

l. I:3: As above.

V. Mishnah-Tractate Hullin 1:2A-G

A. HE WHO SLAUGHTERS WITH THE SMOOTH EDGE OF A HAND SICKLE...— HIS ACT OF SLAUGHTERING IS VALID:

1. I:1: He who slaughters implies that if they already performed the act of slaughter after the fact, yes their actions are deemed proper. But to begin with, no their actions are not deemed proper. This makes sense with regard to a serrated hand sickle because he perhaps will cut with it in the opposite direction and tear the organs. But regarding a smooth flint or a reed, does it make sense to say that to begin with he may not slaughter with them?

a. I:2: Secondary development of a detail of the foregoing.

b. I:3: Continuation of the problem of the foregoing.

c. I:4: As above.

I. I:5: Gloss of the foregoing.

II. I:6: Secondary development of the same problem: Raba posed the following question, “An object that was detached from the ground and subsequently reattached — with regard to the rules of slaughtering — what is its status?”

A. I:7: Glosses of details cited in the foregoing from I:1.

B. ...OR WITH A REED:

1. II:1: Said R. Hisda, said R. Isaac, and some say it was taught in the Mishnah, “Five things were taught concerning the point of a reed: (1) they do not slaughter with it, (2) and they do not circumcise with it, (3) and they do not cut meat with it, (4) and they do not floss teeth with it, (5) and they do not wipe themselves with it. Because the reed is delicate, it may splinter and cause harm.”

2. II:2: Continuation of the foregoing.

C. ALL SLAUGHTER:

1. III:1: All slaughter implies that all animals are subject to the rules of slaughter, and even fowl.

D. ...AND AT ANY TIME DO THEY SLAUGHTER:

1. IV:1: Who is the Tannaite authority that taught this? Said Rabbah, “It is R. Ishmael.” For it was taught on Tannaite authority, “When the Lord your God enlarges your territory, as he has promised you, and you say, ‘I will eat flesh,’ because you crave flesh, you may eat as much flesh as you desire” (Deu. 12:20). Scripture comes to specifically permit them to eat the meat they craved i.e., from unconsecrated animals, as opposed to the meat of sacrifices. For at first when they wandered in the desert the meat they craved was prohibited to them. When they entered into the land, the meat they craved was permitted to them. And now that they were exiled, it is possible to conclude that they reverted to their original prohibition. Therefore we learned, At any time do they slaughter.

a. IV:2: Continuation of the foregoing dispute: R. Jeremiah raised the following objection: Concerning cuts of meat from animals killed by

stabbing that Israel brought with them into the land at the time they first entered it — what is its status? Concerning what interval are we asking this? If we say it was during the seven years when they conquered the land, at that time unclean things were permitted to them because of the urgency of the war of conquest. As Scripture states, “And houses full of all good things” (Deu. 6:11). And said R. Jeremiah bar Abba, said Rab, “This means they ate even bacon.” Do we need to specify that they could eat meat from an animal that was stabbed? No, because that is obvious. So it must be that the period of time referred to was after this first seven years. What then is the law with regard to meat from an animal killed by stabbing brought into the land?

2. IV:3: Said Rabbah, “You have explained, All slaughter. And at any time do they slaughter (M. **1:2 C-D**). How will you explain, With anything do they slaughter (M. **Hul. 1:2B**)?” And if you say it means, — even with a flint, even with glass, even with the point of a reed (T. **Hul. 1:5 A-B**) this is inconsistent as we have explained it thus far. The phrases in the Mishnah text should be parallel. If those first two phrases deal with those who may slaughter, then this third phrase also should deal with those who may slaughter. And that is not the case. And if those deal with that which is slaughtered, then this should deal with that which is slaughtered.

E. AND WITH ANYTHING DO THEY SLAUGHTER, EXCEPT FOR (1) A SCYTHER, AND (2) A SAW, AND (3) TEETH, AND (4) A FINGERNAIL, BECAUSE THEY DO NOT CUT BUT TEAR THE WINDPIPE AND CHOKE THE ANIMAL:

1. V:1: Except for (1) a scythe, and (2) a saw, and (3) teeth, and (4) a fingernail, because they do not cut, but they tear the windpipe and choke the animal (M. **Hul. 1:2 F-G**). The father of Samuel notched a knife and sent it to the rabbis in Israel for a ruling as to whether it was fit. He notched a knife again in another way and sent it a second time. They sent back to him the general ruling: the notch that invalidates must be like the tooth of saw as we learned in this Mishnah.

2. V:2: Said Raba, “There are three levels of rules for defects in a knife. (1) If it is jagged so that it chokes, he should not slaughter with it. And if he slaughtered with it, his act of slaughter is invalid. (2) If it is jagged so that it catches he should not slaughter with it to begin with. And if he slaughtered with it his act of slaughter is valid. (3) If it is bumpy but not jagged he may slaughter with it to begin with.”

3. V:3: Said R. Hisda, “From what source do we know that the requirement of inspecting a knife derives from the Torah?” Because Scripture stated, “Let every man bring his ox or his sheep, and slay them here lit.: with this, i.e., with a proper knife, and eat” (1Sa. 14:34).

a. V:4: In the West they inspected the knife for imperfection in the sun. In Nehardea they inspected it in water. R. Sheshet inspected it on the tip of his tongue. R. Aha bar Jacob inspected it with a hair.

4. V:5: Said R. Huna bar R. Qatina, said R. Simeon b. Laqish, “There are three rulings regarding notches: (1) the notch in the bone of the paschal lamb that invalidates it because it is prohibited to break a bone in the offering; (2) the notch in the ear of a firstling that renders it unfit for a sacrifice; (3) the notch causing a

blemish in a sacrifice.” R. Hisda said, “Also: the notch in a knife used for slaughtering.” And the other authority omits this because he was not dealing with unconsecrated things.

5. V:6: Said R. Huna, “Any butcher who does not present his knife to a sage for inspection — they ostracize him.” And Raba said, “They dismiss him and they announce that his meat is terefah.” And they are not in dispute with one another. This one refers to a case where his knife was inspected and found to be sound so they ostracize him for defying authority. This one refers to a case where his knife was not found to be sound so they dismiss him and declare his meat terefah.

6. V:7: Said Raba bar Huna, “A tooth which is detached and a fingernail which is detached — they slaughter therewith (T. **Hul. 1:6 B**) to begin with.” But lo in contradiction to this we have taught on Tannaite authority, Except for (1) a scythe, and (2) a saw, and (3) teeth, and (4) a fingernail, because they do not cut but tear the windpipe and choke the animal (M. **Hul. 1:2 F-G**).

VI. Mishnah-Tractate Hullin 1:2H-K

A. HE WHO SLAUGHTERS WITH A SCYTHE, DRAWING THE SCYTHE FORWARD — THE HOUSE OF SHAMMAI DECLARE INVALID. AND THE HOUSE OF HILLEL DECLARE VALID. AND IF THEY FILED DOWN ITS TEETH, LO, IT IS EQUIVALENT TO A KNIFE.

1. I:1: Said R. Hiyya bar Abba, said R. Yohanan, “Even where the House of Hillel declared it valid, they declared it valid only to exclude it from the category of carrion. But with regard to eating, it remains prohibited.”

VII. Mishnah-Tractate Hullin 1:3

A. HE WHO SLAUGHTERS BY CUTTING THROUGH THE TOP CARTILAGE RING OF THE WINDPIPE AND LEFT IN IT A THREAD’S BREADTH OF ITS WHOLE CIRCUMFERENCE TOWARDS THE HEAD, HIS ACT OF SLAUGHTER IS VALID. R. YOSÉ B. JUDAH SAYS, “A THREAD’S BREADTH OF THE GREATER PART OF ITS CIRCUMFERENCE:”

1. I:1: Rab and Samuel both said, “The law is in accord with the view of R. Yosé b. R. Judah.” And even R. Yosé b. R. Judah stated matters only with respect to the large ring since it encircles the entire windpipe. But with respect to one who cut through the greater part of one of the other rings, he did not hold this view. One must slaughter either through the large ring or between the rings.

a. I:2: When R. Zira departed for a stay in Israel he ate meat that was slaughtered by a cut slanting downward and thus was invalid according to the view of Rab and Samuel. They said to him, “Are you not from the same place as Rab and Samuel?” He said to them, “Who stated this rule? R. Joseph bar Hiyya. Joseph bar Hiyya learned rules from everyone i.e., he was an eclectic authority and I am not bound to follow him.”

2. I:3: R. Simeon b. Laqish declared it valid if the animal was slaughtered in the thyroid cartilage. R. Yohanan cried out about this ruling, “Too brash!” Said R.

Pappi in the name of Raba, “If he hit the arytenoid cartilages with the knife during the act of slaughter, it is terefah.” Two small triangular cartilages at the top of the larynx situated on either side in front of the cricoid.

3. I:4: Said R. Huna, said R. Assi, “There is a dispute in the case where he slaughtered through two thirds of the windpipe and slanted up above that area through one third. For the rabbis hold the view that the entire act of slaughter must be in the large ring. And R. Yosé b. R. Judah holds the view that cutting through at the proper place the majority of the way is as if he cut through the whole organ in the proper place. But if he first slanted up and cut above the area designated for slaughter through one third of the organ and then slaughtered through two thirds in the designated area of the organ all authorities hold the view that it is invalid. Because at the time that the animal dies i.e., at the moment he cuts through the mid-point of the organ we must have a majority of the organ cut by a proper act of slaughter, and we do not have it in this case where he cut one third above the area and then the remainder within the proper zone.

4. I:5: If he slanted up through one third of the organ, and then slaughtered in the proper location through one third, and then slanted up through one third — R. Huna said in the name of Rab, “It is valid.” R. Judah said in the name of Rab, “It is terefah.”

5. I:6: R. Nahman visited Sura. They posed this question to him: If he slaughtered in the proper zone through one third of the organ, and he slanted up and cut through one third, and he slaughtered in the proper zone through one third, what is the rule? They said to him, “Is this not the ruling of R. Eleazar bar Manyomi?”

6. I:7: R. Abba sat behind R. Kahana. And R. Kahana sat in front of R. Judah. He sat and said, “If he slaughtered in the proper zone through one third of the organ, and he slanted up through one third, and he slaughtered in the proper zone through one third, what is the rule?” He said to him, “The act of slaughter is valid.” “If he slanted up through one third of the organ, and then slaughtered in the proper location through one third, and then slanted up through one third, what is the rule?” He said to him, “His act of slaughter is invalid.” “If he slaughtered at a place in the organ where there already was a hole, what is the rule?” He said to him, “His act of slaughter is valid.” “If he slaughtered normally and came to a place where there was a hole in the organ, what is the rule?” He said to him, “His act of slaughter is invalid.”

VIII. Mishnah-Tractate Hullin 1:4

A. HE WHO SLAUGHTERS AN ANIMAL BY CUTTING AT THE SIDES OF THE THROAT — HIS ACT OF SLAUGHTER IS VALID. HE WHO WRINGS OFF THE NECK OF A BIRD WITH HIS FINGERNAIL FOR SACRIFICIAL PURPOSES AT THE SIDES OF THE THROAT — HIS ACT OF WRINGING THE NECK IS INVALID. HE WHO SLAUGHTERS BY CUTTING AT THE BACK OF THE NECK — HIS ACT OF SLAUGHTER IS INVALID. HE WHO WRINGS THE NECK OF A BIRD AT THE BACK OF THE NECK — HIS ACT OF WRINGING THE NECK IS VALID LEV. 5: 8. HE WHO SLAUGHTERS BY CUTTING AT THE FRONT OF THE THROAT — HIS ACT OF SLAUGHTER IS VALID. HE WHO WRINGS THE NECK AT THE FRONT OF THE THROAT — HIS ACT OF WRINGING THE NECK IS INVALID.

FOR THE WHOLE BACK OF THE NECK IS VALID FOR WRINGING THE NECK, AND THE WHOLE REGION ABOUT THE THROAT IS VALID FOR SLAUGHTERING.

IT TURNS OUT THAT WHAT IS VALID FOR SLAUGHTERING IS INVALID FOR WRINGING THE NECK, WHAT IS VALID FOR WRINGING THE NECK IS INVALID FOR SLAUGHTERING.

1. I:1: What does the “back of the neck” mean? If we say it means literally at the back of the neck, why specify that he who slaughters renders it invalid? Even he who wrings it there should render it invalid. “He shall wring its head from its neck (i.e., near the back of its neck)” (Lev. 5: 8), said the Torah, and not at its neck.

2. I:2: Said the children of R. Hiyya, “This is the way to fulfill the commandment of wringing the neck. You pull the organs of the throat around behind the neck and you wring them.”

3. I:3: Said R. Kahana, “This is the way to fulfill the commandment of wringing the neck. He cuts the organs by pressing down on them with a fingernail in one motion. And that is the way to fulfill the commandment.”

4. I:4: Said R. Jeremiah, said Samuel, “All of the zone of the front of the neck that is valid for slaughtering, the area in the back of the neck opposite it is valid for wringing. Lo this implies that that zone that is invalid for slaughtering, is invalid for wringing.”

5. I:5: Said Ziri, “If the neck bone was broken and along with it the majority of the flesh around it was torn, the animal is deemed carrion.” This calls into question the validity of the process of wringing the neck where the neck bone is broken and the flesh is torn.

6. I:6: Said R. Judah said Samuel, “If the neck bone was broken and along with it the majority of the flesh around it was torn in a human, it transmits uncleanness in a tent.”

7. I:7: Said R. Samuel bar Nahmani, said R. Yohanan, “If he cut it a body as he does to a fish, it transmits uncleanness in a tent.”

a. I:8: It was taught there in the Mishnah on Tannaite authority, If their heads were severed, even though they are convulsing, they are unclean. They are deemed to be dead and the convulsions are merely like those of the tail of a lizard that convulses even after it is cut off (M. **Ohal. 1:6 D-E**). What does “severed” mean? Resh Laqish said, “It means actually severed off.” R. Assi said in the name of Rabbi Mani, “It means severed in the manner of the burnt-offering of a fowl i.e., through both organs of the neck, but not completely cut off.”

I. I:9: Behold, the rule that the sin-offering of a fowl comes only from unconsecrated birds — based on what do we derive this? Said R. Hisda, “For Scripture says, ‘And Aaron shall offer the bull as a sin-offering for himself, and shall make atonement for himself and for his house’ (Lev. 16: 6). ‘For himself’ implies from his own property, and not from public property, and not from property set aside for second tithes.”

IX. Mishnah-Tractate Hullin 1:5

A. THAT WHICH IS VALID IN THE CASE OF TURTLEDOVES IS INVALID IN THE CASE OF PIGEONS. WHAT IS VALID IN THE CASE OF PIGEONS IS INVALID IN THE CASE OF TURTLEDOVES. THE BEGINNING OF THE BRIGHTENING OF THE NECK FEATHERS LIKE GOLD IN BOTH THIS ONE AND THAT ONE IS INVALID:

1. I:1: Our rabbis taught on Tannaite authority: Large i.e., mature turtledoves are valid. Small ones i.e., young are invalid. Small pigeons are valid. Large ones are invalid. It turns out that what is valid for turtledoves is invalid for pigeons. And what is valid for pigeons is invalid for turtledoves.

2. I:2: Our rabbis taught on Tannaite authority: “Turtledoves” in Scripture implies they must be large ones and not small ones. For I might have thought that it was logical to reason: what do we find regarding pigeons? They did not deem large ones valid, but they did deem small ones valid. For turtledoves, in that they did deem large ones valid, is it not logical to conclude that they deemed small ones valid? It comes to teach, “Turtledoves” (Lev. 1:14) to imply that they must be large ones and not small ones.

3. I:3: R. Zira posed the question, “He who said, ‘I make a vow to bring a burnt-offering of a beast from a ram or a lamb,’ and instead he brought a pallax i.e., a sheep in its thirteenth month, what is the law i.e., does he fulfill his vow?”

a. I:4: Parallel formulation: R. Zira posed the question, “He who says, ‘I take upon myself a vow to bring cakes of thanksgiving from either leavened or unleavened bread,’ and he brought partially leavened bread what is the rule?” Does he fulfill his obligation? Or do we say that partially leavened bread is in a category of its own?

X. Mishnah-Tractate Hullin 1:6A-B

A. WHAT IS VALID AS A MODE OF KILLING IN THE CASE OF THE RED COW IS INVALID IN THE CASE OF THE CALF WHOSE NECK IS TO BE BROKEN. WHAT IS VALID IN THE CASE OF THE CALF IS INVALID IN THE CASE OF THE COW.

1. I:1: Our rabbis taught on Tannaite authority: A red cow killed by slaughtering is valid; killed by breaking the neck is invalid. A calf killed by breaking the neck is valid; killed by slaughtering is invalid. We find that, What is valid as a mode of killing in the case of the red cow is invalid in the case of the calf whose neck is to be broken. What is valid in the case of the calf is invalid in the case of the cow.

XI. Mishnah-Tractate Hullin 1:6C-D

A. WHAT IS VALID IN THE CASE OF PRIESTS IS INVALID IN THE CASE OF LEVITES. WHAT IS VALID IN THE CASE OF LEVITES IS INVALID IN THE CASE OF PRIESTS:

1. I:1: Our rabbis taught on Tannaite authority: Priests are rendered invalid for service by blemishes; by falling outside of a specified range for age they remain valid. Levites remain valid for service even with blemishes, but they are rendered

invalid by criteria of age. We find that, What is valid in the case of priests is invalid in the case of Levites. What is valid in the case of Levites is invalid in the case of priests.

2. I:2: Continuation of the proof: Regarding the minimum age for service for the Levites one verse says, “From twenty-five years old and upward they shall go in to perform the work in the service of the tent of meeting” (Num. 8:24), and one verse says, “From thirty years old” (Num. 4:47). It is inconsistent to say “thirty,” for it was already said that the age is “twenty-five.” It is inconsistent to say “twenty-five,” for it was already said the age is “thirty.”

3. I:3: Our rabbis taught on Tannaite authority: A priest, from the time he produces two pubic hairs until he grows old, is valid for service. And blemishes invalidate him. A descendant of the Levites, from age thirty to fifty, is valid for service. And criteria of age invalidate him. Under what circumstances? In the tent of meeting that was in the desert. But in Shiloh or in the eternal Temple they are only rendered invalid because of a deficiency in their voices.

4. I:4: “Until he grows old” — until when? Said R. Ila, said R. Hanina, “Until he shakes in his hands and feet.”

5. I:5: Our rabbis taught on Tannaite authority, Once his pubic beard has filled out he is able to be appointed the messenger of the community to pass before the ark and to raise his hands in the priestly benediction. And he does not take a share of the Holy Things of the sanctuary until he produces two pubic hairs. Rabbi says, “I say, ‘Until he is twenty years old,’ since it says, ‘They appointed the Levites, from twenty years old and upward, to have the oversight of the work of the house of the Lord’ (Ezr. 3: 8)” (T. **Hag. 1:3 E-G**).

6. I:6: Our rabbis taught on Tannaite authority: “Say to Aaron, None of your descendants throughout their generations who has a blemish may approach to offer the bread of his God” (Lev. 21:17). On the basis of this said R. Eleazar, “A minor is invalid for Temple service, even if he is without blemish. From when is he valid for service? When he produces two pubic hairs. But his brothers the priests do not allow him to serve until he is twenty years old.”

XII. Mishnah-Tractate Hullin 1:6E-F

A. WHAT IS CLEAN INSUSCEPTIBLE TO UNCLEANNESS IN THE CASE OF CLAY UTENSILS IS UNCLEAN SUSCEPTIBLE IN THE CASE OF ALL OTHER UTENSILS. WHAT IS CLEAN IN THE CASE OF ALL OTHER UTENSILS IS UNCLEAN IN THE CASE OF THE CLAY UTENSILS.

1. I:1: Our rabbis taught on Tannaite authority, The contained airspace of a clay utensil is susceptible to uncleanness, but its outer side is insusceptible to uncleanness. The contained airspace of all other utensils is insusceptible. But its outer side is susceptible. You turn out to rule: What is clean insusceptible to uncleanness in the case of clay utensils is unclean susceptible in the case of all other utensils. What is clean in the case of all other utensils is unclean in the case of the clay utensils (T. **Hul. 1:20**).

XIII. Mishnah-Tractate Hullin 1:6G-H

A. WHAT IS CLEAN IN THE CASE OF WOODEN UTENSILS IS UNCLEAN IN THE CASE OF METAL UTENSILS. WHAT IS CLEAN IN THE CASE OF METAL UTENSILS IS UNCLEAN IN THE CASE OF WOODEN UTENSILS:

1. I:1: Our rabbis taught on Tannaite authority, Flat wooden utensils are insusceptible, and when in incomplete form, they are susceptible. Flat metal utensils are susceptible, but when in incomplete form, they are insusceptible. You turn out to rule: What is clean in the case of wooden utensils is unclean in the case of metal utensils. What is clean in the case of metal utensils is unclean in the case of wooden utensils T. **Hul. 1:21**.

XIV. Mishnah-Tractate Hullin 1:6I-J

A. WHAT IS LIABLE FOR TITHES IN THE CASE OF BITTER ALMONDS IS EXEMPT FROM TITHES IN THE CASE OF SWEET ALMONDS. WHAT IS LIABLE IN THE CASE OF SWEET ONES IS EXEMPT IN THE CASE OF BITTER ONES:

1. I:1: Our rabbis taught on Tannaite authority: Small bitter almonds are liable to tithes, but large ones are exempt. Large sweet ones are liable, but small ones are exempt (T. **Hul. 1:24**). R. Ishmael b. R. Yosé says in the name of his father, “Both are exempt.” And some say it was, “Both are liable.”

XV. Mishnah-Tractate Hullin 1:7A-D

A. GRAPE SKIN WINE: BEFORE IT HAS FERMENTED IS NOT PURCHASED WITH FUNDS DERIVING FROM SECOND TITHE AND INVALIDATES THE IMMERSION POOL. AFTER IT HAS FERMENTED, IT IS PURCHASED WITH FUNDS DERIVING FROM TITHE AND DOES NOT INVALIDATE THE IMMERSION POOL:

BROTHERS WHO ARE PARTNERS: WHEN THEY ARE LIABLE TO SURCHARGE, THEY ARE EXEMPT FROM TITHE OF CATTLE. WHEN THEY ARE LIABLE TO TITHE OF CATTLE, THEY ARE EXEMPT FROM SURCHARGE.

1. I:1: Who is the authority behind our Mishnah? Not R. Judah and not the rabbis. For it was taught on Tannaite authority, One who steeps grape pulp in water to form a beverage, and added a fixed measure of water, and then found the same measure of liquid in the tub after pressing the water from the pulp — the liquid is exempt from the removal of tithes. R. Judah declares the liquid liable (M. **Ma’as. 5:6 A-E**).

2. I:2: Said R. Nahman, said Rabbah bar Abbuha, “Grape skin wine that was purchased with funds deriving from second tithe, and then fermented, it is acquired as second tithe.” What is the basis for this view? It turns out retroactively that it was fruit beverage

3. I:3: Our rabbis taught on Tannaite authority: Grape skin wine, before it ferments he can bring a quantity that had become unclean in its own vessel in contact with

water of a ritual bath so as to render it clean. Once it had fermented, if it became unclean he cannot bring it in contact with water to render it clean.

XVI. Mishnah-Tractate Hullin 1:7E-F

A. IN ANY SITUATION IN WHICH THERE IS A RIGHT OF SALE, THERE IS NO FINE. AND IN ANY SITUATION IN WHICH THERE IS A FINE, THERE IS NO RIGHT OF SALE:

1. I:1: Said R. Judah, said Rab, “These are the words of R. Meir. But sages said, ‘There is a fine in a situation in which there is a right of sale.’” M. gives several monetary rules for a young girl. Up to age twelve and one day, a father may sell his daughter as a maid servant (Exo. 21: 7). From ages twelve and one day to twelve and six months, one who seduces the girl must pay a fine of fifty shekels (Exo. 21:15-16).

XVII. Mishnah-Tractate Hullin 1:7G-H

A. IN ANY SITUATION IN WHICH THERE IS A RIGHT OF REFUSAL, THERE IS NO HALISAH. AND IN ANY SITUATION IN WHICH THERE IS HALISAH, THERE IS NO RIGHT OF REFUSAL:

1. I:1: Said R. Judah, said Rab, “These are the words of R. Meir. But sages say, ‘There is a right of refusal in a situation in which there is halisah.’”

XVIII. Mishnah-Tractate Hullin 1:7I-O

A. IN ANY SITUATION IN WHICH THERE IS A SOUNDING OF THE SHOFAR, THERE IS NO HABDALAH (I.E., PRAYER OF SEPARATION). AND IN ANY SITUATION IN WHICH THERE IS HABDALAH, THERE IS NO SOUNDING OF THE SHOFAR. A FESTIVAL WHICH COINCIDED WITH FRIDAY THE EVE OF THE SABBATH — THEY SOUND THE SHOFAR, AND THEY DO NOT SAY HABDALAH:

1. I:1: In what manner do they sound the shofar between the festival day and the Sabbath? Said R. Judah, “He sounds a long blast and continues by sounding short blasts.”

B. AND A FESTIVAL WHICH COINCIDED WITH SUNDAY THE DAY AFTER SABBATH THEY SAY HABDALAH AND THEY DO NOT SOUND THE SHOFAR. HOW DO THEY SAY HABDALAH? “WHO DISTINGUISHES BETWEEN ONE HOLY SEASON AND ANOTHER HOLY SEASON:”

1. II:1: Where does he say it? Said R. Judah, “In the concluding phrase of the prayer of separation.”

C. R. DOSA SAYS, “WHO DISTINGUISHES BETWEEN A MORE HOLY SEASON AND A LESS HOLY SEASON:”

1. III:1: And the law does not follow in accord with his view.

2. III:2: Said R. Zira, “If a festival day fell in the middle of the week in the prayer of separation at the conclusion of the day he says, ‘Who separates between the holy and the profane, between light and darkness, between Israel and the nations, between the seventh day and the six day of creation.’”

XIX. Mishnah-Tractate Hullin 2:1

A. HE WHO SLAUGHTERS ONE ORGAN:

1. I:1: He who slaughters implies that if he already performed the act of slaughter after the fact, yes the act is deemed proper, but to begin with, no he may not perform the act. But this leads to a question. If he cut two both the windpipe and the gullet in the case of a beast do we say that if he did this to begin with, no it is not valid? Just how much more must he slaughter?

B. THE SCRIPTURAL FOUNDATIONS FOR VARIOUS RULES GOVERNING THE SLAUGHTER OF BEASTS AND FOWL

1. I:2: Said R. Kahana, “On what basis do we know that slaughtering must be done at the neck?” As it says, “Then he shall kill the bull before the Lord; and Aaron’s sons the priests shall present the blood, and throw the blood round about against the altar that is at the door of the tent of meeting” (Lev. 1: 5). This implies that at the place it bends its head, i.e., bows from the neck from there you should drain the blood to cleanse the animal; alt., he must prepare it for eating, in either case a play on the Hebrew word for slaughter. And on what basis do we draw the conclusion that this language implies he must drain and cleanse it? For it is written, “Thus he shall cleanse the house with the blood of the bird, and with the running water, and with the living bird, and with the cedarwood and hyssop and scarlet stuff” (Lev. 14:52). And another possibility is to derive this from here, “Purge me with hyssop and I shall be clean” (Psa. 51: 7).

2. I:3: R. Yemar said, “The verse says, ‘If the place which the Lord your God will choose to put his name there is too far from you, then you may kill zbt, any of your herd or your flock, which the Lord has given you, as I have commanded you; and you may eat within your towns as much as you desire’ (Deu. 12:21). This implies that you should cut or break, t it at the place where the blood flows zb, i.e., at the neck.” Again this is derived from a play on the Hebrew word.

3. I:4: The House of R. Ishmael taught: “Then he shall kill...” (Lev. 1: 5), do not read it “Then he shall kill” but “Then he shall squeeze.”

4. I:5: And a Tannaite authority derives that slaughtering must be at the neck from this: R. Hiyya said, “On what basis do we know that slaughtering must be done at the neck?” As it says, “And Aaron’s sons the priests shall lay the pieces, the head, and the fat, in order upon the wood that is on the fire upon the altar” (Lev. 1: 8). It was not necessary to tell us, “the head and the fat.” Why does it tell us, “the head and the fat?” Is it not the case that “the head and the fat” were included already in the category of “the pieces?” Why were they removed from that general category and stated separately? Because it said, “And he shall flay the burnt offering and cut it into pieces” (Lev. 1: 6). Based on that verse I would have deduced they must lay on the altar only those pieces that are included in the rule of flaying. How then would we know to include “the head” that was already cut off? It comes to tell us, “And he shall cut it into pieces, with its head and its fat, and the priest shall lay them in order upon the wood that is on the fire upon the altar” (Lev. 1:12).

5. I:6: And this Tannaite authority derives it that slaughtering must be at the neck from this: as it was taught on Tannaite authority: “This is the law lit. Torah pertaining to beast and bird and every living creature that moves through the waters and every creature that swarms upon the earth” (Lev. 11:46). And in what respects did the Torah equate the beast to the bird and the bird to the beast? The carrion of a beast renders unclean through contact and carrying. The carrion of a bird does not render unclean through contact and carrying. The carrion of a bird renders unclean the clothing of one who swallows it. The carrion of a beast does not render unclean the clothing of one who swallows it.

6. I:7: Taught Bar Qappara, “This is the law pertaining to beast and bird and every living creature that moves through the waters and every creature that swarms upon the earth” (Lev. 11:46). The Torah interjected the bird in the verse between the beast and the fish. Why? It could not be so as to require that one who slaughters a bird cut two organs, because it was already juxtaposed in the verse to fish that do not require any slaughtering to render them fit. It could not be so as to free it from every act of slaughter, because it was already juxtaposed in the verse to the beast. Lo, what then? The proper way to render a bird fit is by the slaughter of one organ.

7. I:8: What is the source of the assertion that fish are not subject to the requirement of slaughtering? If you say it is because it is written, “Shall flocks and herds be slaughtered for them, to suffice them? Or shall all the fish of the sea be gathered together for them, to suffice them?” (Num. 11:22), this suggests that gathering alone suffices for them to render them fit for consumption.

8. I:9: An itinerant Galilean expounded: For a beast that was created from the earth, its preparation is slaughtering two organs. For a fish that was created from the water, its preparation is exempt from every act of slaughter. For a bird that was created from mud, its preparation is slaughtering one organ.

a. I:10: And a Roman official asked him i.e., Rabban Gamaliel, further: one verse says, “And God said, ‘Let the waters bring forth swarms of living creatures, and let birds fly above the earth across the firmament of the heavens.’” (Gen. 1:20). It seems logical to conclude that they were created out of the waters. And it is written, “So out of the ground the Lord God formed every beast of the field and every bird of the air, and brought them to the man to see what he would call them; and whatever the man called every living creature, that was its name” (Gen. 2:19). It seems logical to conclude that they were created out of the ground.

9. I:11: Said R. Judah in the name of R. Isaac b. Phineas, “There is no requirement to slaughter a bird to render it fit for consumption based on the authority of the Torah.” As it says, “Any man also of the people of Israel, or of the strangers that sojourn among them, who takes in hunting any beast or bird that may be eaten shall pour out its blood and cover it with dust (Lev. 17:13). This implies that pouring the blood by itself suffices to render the bird fit.

10. I:12: They posed the question concerning the following teaching regarding a wild animal or a bird: “He who slaughters and it becomes carrion through his actions, or if he stabbed it, or if he ripped out its organs, he is exempt from the

obligation to cover the blood.” And if you say that there is no requirement to slaughter a bird based on the authority of the Torah, then ripping out its organs serves as a valid means of slaughtering and it should be necessary for him to cover the blood.

C. HE WHO SLAUGHTERS CUTS ONE ORGAN, EITHER THE WINDPIPE OR THE GULLET IN THE CASE OF FOWL, OR TWO BOTH THE WINDPIPE AND THE GULLET IN THE CASE OF A BEAST — HIS ACT OF SLAUGHTER IS VALID.

1. II:1: He who slaughters cuts one organ, either the windpipe or the gullet in the case of fowl — It was stated: R. Nahman said, “Either the gullet or the windpipe.” R. Ada bar Ahava said, “The gullet, but not the windpipe.” They posed the question: Consider the following teaching as a contradiction to R. Nahman’s view above: If he slaughtered the gullet and afterward the windpipe was displaced — displaced from its articulation in the larynx — it is valid. If the windpipe was displaced and afterward he slaughtered the gullet, it is invalid. If he slaughtered the gullet and afterward it was found that windpipe was displaced and he does not know whether before the act of slaughter it was displaced or after the act of slaughter it was displaced, this was a case and they said, “Any case of doubt regarding the act of slaughter — it is invalid.” The implication is that only where he slaughters the gullet is it valid in agreement with the view of Ada bar Ahava.

D. AND THE GREATER PART OF ONE OF THE ORGANS IS EQUIVALENT TO THE WHOLE OF IT. R. JUDAH SAYS, “THIS IN THE CASE OF FOWL IS SO ONLY ON CONDITION THAT HE WILL SLAUGHTER CUT THROUGH THE JUGULAR VEINS OF THE NECK OF THE BIRD.”

1. III:1: Said R. Hisda, “R. Judah only stated this with regard to a bird because it is roasted whole. But regarding a beast that is cut into sections, you do not need to say this.”

a. III:2: R. Jeremiah posed the question: During the process of cutting the veins, according to the view of R. Judah, what is the rule if he paused or pressed? Said to him a certain elder, “This is what R. Eleazar said.” And another version: said a certain elder to R. Eleazar, “This is what R. Yohanan said.” The teaching alluded to is: he may pierce them the veins with a thorn and they are valid.

E. HE WHO CUTS THROUGH HALF OF ONE ORGAN IN THE CASE OF FOWL AND ONE AND A HALF ORGANS IN THE CASE OF A BEAST — HIS ACT OF SLAUGHTER IS INVALID.

1. IV:1: It was stated: Rab said, “Halfway is deemed a majority.” R. Kahana said, “Halfway is not deemed a majority.”

a. IV:2: It was taught in the Mishnah on Tannaite authority: He who cuts through half of one organ in the case of fowl and one and a half organs in the case of a beast — his act of slaughter is invalid (M. 2:1 D). If you say halfway is deemed a majority, why is it invalid? Lo, he has performed an act of slaughter of the majority of the organ. It is invalid on the authority of the rabbis who feared that perhaps if they permitted where he slaughtered

half he might not perform an act of slaughter even on half of the organ and this would be invalid by all reckoning.

F. HE WHO CUTS THROUGH THE GREATER PART OF ONE ORGAN IN THE CASE OF FOWL OR THE GREATER PART OF TWO ORGANS IN THE CASE OF A BEAST — HIS ACT OF SLAUGHTER IS VALID.

1. V:1: He who cuts through the greater part of one organ in the case of fowl or the greater part of two organs in the case of a beast — his act of slaughter is valid. It was already taught on Tannaite authority one time: And the greater part of one of the organs is equivalent to the whole of it. Why repeat it? Said R. Hoshaya, “One refers to unconsecrated animals and one to consecrated animals. And it is necessary to state both. For if we had been instructed about unconsecrated animals I might have argued that there cutting a majority of the organ suffices because he does not need to remove the blood for the sacrificial ritual. But for a consecrated animal he does need to remove the blood. It makes sense to say that cutting a majority of the organ does not suffice. He must cut the whole thing.

2. V:2: Said R. Simeon b. Laqish in the name of Levi the Elder, “We do not call it ‘slaughtering’ until the finish of the act.” And R. Yohanan said, “We call it ‘slaughtering’ from the start to the finish.” Said Raba, “All agree where an idolater slaughtered one organ and an Israelite slaughtered the other organ, that it is invalid. For behold an act rendering it terefah was done at the hand of an idolater. And both parties agree with regard to the burnt-offering of a bird also where he wrung one organ below the red line of the altar and one organ above, that it is invalid, because he has already performed upon the bird the ritual of the service of the sin-offering of a bird below the red line. They disputed only in a case where he slaughtered one organ outside the Temple and one organ inside.”

a. V:3: R. Zira posed a question: All those who are engaged in the work of the cow from the beginning to the end of the process: (1) render clothing or other utensils which they touch unclean, and (2) render it the rite unfit through other work. If an invalidity happened to it in its slaughter, it does not render clothing unclean. If it happened to it in its sprinkling, all who participate in the work involving it before its unfitness — it renders clothing unclean. And those who do so after its unfitness — it does not render clothing unclean (M. **Parah 4: 4**). And if you say, “We call it ‘slaughtering’ from the start to the finish,” we should make a distinction within the process of slaughtering itself. We should say, if an invalidity happened to it in its slaughter, all those who participate in the work involving it before its unfitness — it renders clothing unclean. And those who do so after its unfitness — it does not render clothing unclean.

b. V:4: R. Idi bar Abin posed an objection: If he slaughtered an animal that was supposed to have been brought as a Passover-offering and had leaven in his possession during the festival — for its own sake as a Passover-offering he is free of liability because it is the wrong time and the sacrifice is invalid; not for its own sake, he is liable for offering a sacrifice with leaven on Passover because it functions as a peace-offering. And we argued concerning this: the basis for the liability is that he did it not for its

own sake, but had he done it with no specification, he would be free from liability.

3. V:5: Said R. Judah said Rab, “He who slaughters in two or three places on the neck his act of slaughtering is valid. And when I said this to Samuel he said to me, ‘You must have an act of slaughter that is well-defined and here you do not have it in this kind of cut.’”

a. V:6: There was a cow that was slaughtered in two or three places. R. Isaac bar Samuel bar Marta came up and took from the best cuts of meat of this animal. Said to him R. Zira, “Our master has taught that our teaching refers to a case of slaughter with two knives and by two persons.”

4. V:7: Said R. Judah, said Rab, “If he thrust the knife between the organs and he severed it the bottom organ and removed the knife and cut the top organ as normal, it is invalid. If he thrust the knife under the hide and then cut the organs, it is valid.”

XX. Mishnah-Tractate Hullin 2:2, 2:3A-K

A. HE WHO SLAUGHTERS CUTS THROUGH TWO HEADS OF CATTLE SIMULTANEOUSLY — HIS ACT OF SLAUGHTER IS VALID.

IF TWO PEOPLE HOLD THE KNIFE AND EFFECT AN ACT OF SLAUGHTER OF A SINGLE BEAST, EVEN IF ONE HOLDS THE KNIFE AT THE UPPER END, AND ONE AT THE LOWER, THEIR ACT OF SLAUGHTER IS VALID.

1. I:1: What is the source of these assertions? Said Samuel, “Scripture said, ‘Their tongue is a deadly arrow; it speaks deceitfully’ (Jer. 9: 8).” The House of R. Ishmael says to derive it from, “Then he shall kill the bull before the Lord; and Aaron’s sons the priests shall present the blood, and throw the blood round about against the altar that is at the door of the tent of meeting” (Lev. 1: 5); “Then he shall kill” can mean only he shall draw it back and forth and not chop it.

2. I:2: Raba inspected the sharp edge of an arrow for R. Jonah bar Tahlifah and he slaughtered with it a bird in flight. We may object: but perhaps it slaughtered through thrusting into the neck between the organs. No. We could see that the feathers around the neck were cut.

B. IF ONE CHOPPED OFF THE HEAD WITH A SINGLE STROKE, IT IS INVALID. IF ONE WAS ENGAGED IN THE ACT OF SLAUGHTER AND CHOPPED OFF THE HEAD WITH A SINGLE STROKE, IF THE KNIFE IS AS LONG AGAIN AS THE WIDTH OF THE NECK, IT IS VALID.

IF ONE WAS ENGAGED IN THE ACT OF SLAUGHTER AND CHOPPED OFF TWO HEADS SIMULTANEOUSLY, IF THE KNIFE WAS AS LONG AGAIN AS THE WIDTH OF THE NECK OF ONE OF THEM, IT IS VALID.

1. II:1: Said R. Zira, “As wide as the neck and again as long outside of the neck.” They posed a question: “As wide as the neck and outside of the neck” does this mean that the amount outside is as wide as the neck so you would have to have a knife two necks wide? Or rather, “As wide as the neck and outside of the neck” that the knife be any amount wider than the neck?

C. UNDER WHAT CIRCUMSTANCES? WHEN THE SLAUGHTERER MOVED THE KNIFE FORWARD BUT NOT BACKWARD, OR BACKWARD BUT NOT FORWARD. BUT IF HE MOVED IT FORWARD AND BACKWARD, HOWEVER SHORT THE KNIFE, EVEN WITH A SCALPEL, IT IS VALID.

1. III:1: Said R. Menasheh, “A scalpel that does not have projections.”

XXI. Mishnah-Tractate Hullin 2:3L-P

A. IF THE KNIFE FELL AND EFFECTED THE ACT OF SLAUGHTER, EVEN IF IT EFFECTED THE ACT OF SLAUGHTER PROPERLY, IT IS INVALID. AS IT IS SAID, “AND YOU WILL SLAUGHTER...AND YOU WILL EAT...” (DEU. 12:21) — JUST AS YOU EFFECT THE ACT OF SLAUGHTER, SO DO YOU EAT.

1. I:1: The reason it is invalid is because it fell. Lo, if he threw it, it is valid and even if he did not intend it to slaughter when he threw it. Who is the Tannaite authority who holds the view that you do not need to have intention for the act of slaughter? Said Raba, “It is R. Nathan.”

a. I:2: It was stated: A menstruating woman who was forced to immerse in a miqveh, i.e., did so against her will or by accident without intention to do so — said R. Judah, said Rab, “She is deemed clean with regard to her marital relations, but she is not permitted to eat heave-offering.” And R. Yohanan said, “Even with regard to her marital relations she is not deemed clean.”

l. I:3: What is the circumstance of, A menstruating woman who was forced to immerse in a miqveh, i.e., did so against her will or by accident without intention to do so,?

2. I:4: Said Raba, “If he slaughtered the red cow and he slaughtered another animal along with it, according to everyone it is invalid.” Performing any extraneous labor while preparing the cow invalidates the cow. If another animal was slaughtered unintentionally along with it — according to R. Nathan the cow is invalid by definition but the other animal is valid even lacking intention for the act. According to the rabbis the cow is valid because he had no distracting intention and the other animal is invalid because he had no intention to slaughter it.

XXII. Mishnah-Tractate Hullin 2:3Q-W

A. IF THE KNIFE FELL AND ONE RAISED IT UP, OR IF HIS CLOTHING FELL AND HE PICKED THEM UP, OR IF HE WAS WHETTING THE KNIFE, OR IF HE BECAME WEARY, AND HE THEREFORE INTERRUPTED THE ACT OF SLAUGHTER, AND HIS FELLOW CAME AND COMPLETED THE ACT OF SLAUGHTER — IF THE DELAY WAS SUFFICIENT FOR AN ACT OF SLAUGHTER CUTTING OF TWO ORGANS, IT IS INVALID.

1. I:1: What does it mean, “sufficient for an act of slaughter”? Said Rab, “Sufficient time to slaughter another animal.”

2. I:2: Said Raba, “If he slaughters one animal with a dull knife even all day long it is valid i.e., as long as he does not pause his cutting motions.” Raba posed the question, “Pauses during the act of slaughter — what is the rule about combining

them together?” And should we not answer this based on his own rule just stated above at I? Not necessarily. There it could have been the case that he did not pause even though he was slaughtering all day long.

B. R. SIMEON SAYS, “THAT IS THE RULE IF THE DELAY WAS SUFFICIENT FOR EXAMINING THE KNIFE.”

1. II:1: What does sufficient for examining mean? Said R. Yohanan, “Sufficient time for examination by a sage.”

XXIII. Mishnah-Tractate Hullin 2:4

A. IF ONE SLAUGHTERED CUT THROUGH THE GULLET AND TORE OPEN THE WINDPIPE, OR SLAUGHTERED CUT THROUGH THE WINDPIPE AND AFTERWARD TORE OPEN THE GULLET, OR SLAUGHTERED CUT THROUGH ONE OF THEM AND WAITED UNTIL THE ANIMAL DIED, OR AFTER PROPERLY CUTTING ONE ORGAN, THRUST THE KNIFE INTO THE SECOND OF THE ORGANS AND TORE IT FROM BELOW TO ABOVE, R. YESHEBAB SAYS, “IT IS CARRION.” AND R. AQIBA SAYS, “IT IS TEREFAH.” A GENERAL PRINCIPLE DID R. YESHEBAB STATE IN THE NAME OF R. JOSHUA, “WHATEVER IS INVALIDATED WHILE IT IS BEING SLAUGHTERED IS DEEMED CARRION. WHATEVER IS SUBJECT TO AN ACT OF SLAUGHTER WHICH IS PROPER, BUT WHICH SOME OTHER MATTER CAUSED TO BE INVALIDATED, IS TEREFAH.” AND R. AQIBA CONCURRED WITH HIM.

1. I:1: If one slaughtered... And R. Aqiba concurred with him. They raised the contradiction: These are the terefah carcasses among cattle: (1) one in which the gullet is pierced, (2) and one in which the windpipe is torn (M. 3:1 A-B). Our Mishnah rules that these are carrion. Why does that Mishnah rule they are terefah? Said Raba, “This is not a valid contradiction. Here the case is that he slaughtered the gullet and then he tore the windpipe and it is carrion. There he tore the windpipe and then he slaughtered the gullet and it is terefah.” Where he slaughtered the gullet and then he tore the windpipe, it becomes invalid through the act of slaughter. Where he tore the windpipe and then slaughtered the gullet, it is as if something else beside the act of slaughter caused it to become invalid.

2. I:2: Answering the same question, R. Simeon b. Laqish said, “Here in our M. we deal with one who slaughtered in the same place where there was a gash. There in chapter 3 we deal with one who slaughtered not in the place where there was a gash. Where he slaughtered in the same place where there was a gash, it is rendered invalid through the act of slaughter and is carrion. Where he slaughtered not in the same place where there was a gash, it is as if something else beside the act of slaughter caused it to become invalid.

a. I:3: Gloss of foregoing.

I. I:4: Expansion of a detail of the foregoing.

XXIV. Mishnah-Tractate Hullin 2:5

A. HE WHO SLAUGHTERS A BEAST, A WILD ANIMAL, OR FOWL, FROM WHICH BLOOD DID NOT EXUDE — THEY ARE VALID. AND THEY ARE EATEN WITH DIRTY

HANDS, BECAUSE THEY HAVE NOT BEEN MADE SUSCEPTIBLE TO UNCLEANNESS BY BLOOD:

1. I:1: The basis for this is, blood did not exude from them. But if blood did exude from them, they are not eaten with dirty hands. Why not? The hands are deemed unclean in the second degree. And an object unclean in the second degree does not render unconsecrated things unclean in the third degree. Vs. Said R. Nahman, said Rabbah bar Abbuha, “Here we are dealing with unconsecrated things that were bought with the money of tithes, and not in accord with the view of R. Meir.”

B. UNCONSECRATED FOOD PREPARED IN ACCORD WITH THE REGULATIONS GOVERNING HOLY THINGS

a. I:2: Said R. Zira, said R. Assi, said R. Yohanan, said R. Yannai, “He who eats food unclean in the third remove from those unconsecrated things that were prepared in conditions of cleanness appropriate to consecrated things, his body becomes unclean in the second remove with regard to consecrated things.”

b. I:3: Said Ulla, “He who eats food unclean in the third remove from those unconsecrated things that were prepared in conditions of cleanness appropriate to heave-offering, his body becomes unfit to eat heave-offering.” What new point does this make? It was taught: One who is unclean in the third remove is deemed to be unclean in the second remove with regard to consecrated things and not deemed unclean in the second remove with regard to heave-offering. This pertains to unconsecrated things that were prepared in conditions appropriate to heave-offering. He is not deemed unclean in the second remove. But he is deemed unclean in the third remove. Ulla’s statement is redundant.

c. I:4: Said R. Jonathan, said Rabbi, “He who eats heave-offering itself unclean in the third remove, he is forbidden to eat thereafter any heave-offering but he is permitted to come in contact with it.”

d. I:5: R. Isaac bar Samuel bar Marta sat before R. Nahman and he sat and said, “He who eats foods unclean in the third remove of unconsecrated things that were prepared in conditions of cleanness appropriate to consecrated things, he is deemed clean enough to eat consecrated things. For there is no such thing as a fourth remove of uncleanness in consecrated things in such an instance but only in uncleanness transmitted from consecrated foods themselves to other consecrated foods but not from unconsecrated foods prepared as if they were consecrated.”

C. R. SIMEON SAYS, “THEY ARE RENDERED SUSCEPTIBLE TO UNCLEANNESS BY THE ACT OF SLAUGHTER ITSELF:”

1. II:1: Said R. Assi, R. Simeon used to say, “The act of slaughter renders it susceptible to uncleanness and not the presence of blood.”

a. II:2: It was taught by the House of R. Ishmael: “And drinks the blood of the slain” (Num. 23:24) — this excludes the blood that spurts out at the time of slaughter for it does not render seeds susceptible to uncleanness. Our rabbis taught: He who slaughters and spurts blood on the gourd of

heave-offering — Rabbi says, “It is rendered susceptible to uncleanness.”
R. Hiyya says, “We suspend judgment.”

2. II:3: R. Simeon b. Laqish posed the question: The dry part of a meal-offering — if it becomes unclean do they reckon for it the ability to transmit uncleanness of the first remove and second remove or do they not reckon for it uncleanness of the first remove and second remove? Does the veneration due sancta enable the offering itself to become invalid, but we should not reckon for it the ability to transmit uncleanness in the first or second degree? Or does it make no difference?

XXV. Mishnah-Tractate Hullin 2:6

A. HE WHO SLAUGHTERS AN ANIMAL WHICH WAS AT THE POINT OF DEATH — RABBAN SIMEON B. GAMALIEL SAYS, “IT IS INVALID UNLESS IT JERKS A FORELEG OR HIND LEG.” R. ELIEZER SAYS, “IT IS SUFFICIENT FOR IT TO BE VALID IF THE BLOOD SPURTS FORTH.” SAID R. SIMEON, “ALSO: HE WHO SLAUGHTERS BY NIGHT AND AT DAWN ARISES AND FINDS THE WALLS FULL OF BLOOD — IT IS VALID, FOR THE BLOOD HAS SPURTED.” AND HIS OPINION IS CONSISTENT WITH THE REASONING OF R. ELIEZER. AND SAGES SAY, “IT IS INVALID UNLESS IT JERKS A FORELEG OR A HIND LEG, OR UNLESS IT MOVES ITS TAIL.”

ALL THE SAME ARE A SMALL BEAST SHEEP, GOATS AND A LARGE BEAST OXEN. A SMALL BEAST WHICH PUT FORTH ITS FORELEG AND DID NOT WITHDRAW IT IS INVALID, FOR THIS IS ONLY A TOKEN OF ITS EXPIRING. UNDER WHAT CIRCUMSTANCES? WHEN IT WAS IN THE PRESUMPTION OF BEING AT THE POINT OF DEATH. BUT IF IT WAS IN THE ASSUMPTION OF BEING SOUND, EVEN IF NONE OR ALL OF THESE TOKENS PERTAINS TO IT, IT IS VALID.

1. I:1: At the point of death? Why should you be permitted to eat such an animal at all? And why would you even think that it is forbidden? As it is written, “Say to the people of Israel, These are the living things which you may eat among all the beasts that are on the earth” (Lev. 11: 2). What is living, you may eat. What is not living, you may not eat. And lo, an animal at the point of death is not considered living.

2. I:2: What is the definition of “an animal at the point of death?” Said R. Judah, said Rab, “Any animal that cannot stand up on its own.”

3. I:3: Samuel found the students of Rab. He said to them, “What did Rab say regarding an animal at the point of death?” They said to him, “Here is what Rab said: If it lows, or makes an excretion, or twitches its ear, lo this is considered to be jerking.” Any of these is enough of an indication that the animal is still alive. He did not rule in accord with Rabban Simeon b. Gamaliel that it is invalid unless it jerks a foreleg or hind leg.

a. I:4: Gloss of foregoing. Said R. Hisda, “These jerking motions about which they spoke, they refer to motions in the animal at the end of the act of slaughter.”

b. I:5: Continuation of the same. R. Nahman bar Isaac said, “These jerking motions about which we spoke, they refer to jerking motions in the animal at the beginning of the act of slaughter.”

c. I:6: Continuation of the same. Raba said, “These jerking motions about which we spoke, they refer to jerking motions in the animal at the end of the act of slaughter.”

XXVI. Mishnah-Tractate Hullin 2:7

A. HE WHO SLAUGHTERS A GENTILE’S BEAST ON BEHALF OF A GENTILE — HIS ACT OF SLAUGHTER IS VALID. AND R. ELIEZER DECLARES IT INVALID. SAID R. ELIEZER, “EVEN IF HE SLAUGHTERED IT SO THAT THE GENTILE MIGHT EAT FROM ITS MIDRIF AND AN ISRAELITE CONSUMES THE REST, IT IS INVALID. FOR THE UNSTATED INTENTION OF A GENTILE IS DEEMED TO BE FOR THE PURPOSE OF IDOLATRY.” SAID R. YOSÉ, “IT THE PROPOSITION IS AN ARGUMENT FROM THE LESS TO THE GREATER: NOW IF IN A SITUATION IN WHICH INTENTION INVALIDATES, NAMELY, IN THE CASE OF HOLY THINGS, ALL MATTERS FOLLOW ONLY THE INTENTION OF THE ONE WHO PERFORMS THE RITES REQUIRED IN THE OFFERING, IN A SITUATION IN WHICH IMPROPER INTENTION DOES NOT INVALIDATE, NAMELY, IN THE CASE OF UNCONSECRATED THINGS, IS IT NOT LOGICAL THAT ALL MATTERS SHOULD FOLLOW ONLY THE INTENTION OF THE ONE WHO PERFORMS THE ACT OF SLAUGHTER?”

1. I:1: These Tannaite authorities accord with R. Eliezer the son of R. Yosé. For it was taught on Tannaite authority, Said R. Eliezer b. R. Yosé, “I heard the rule that the owner can invalidate the offering by harboring wrongful intent.” How is it? The first Tannaite authority reasons if I did hear that he thought to offer it to idolatry, then yes, it is invalid. But if not, then no it is not invalid. I do not say that the ordinary intention of an idolater is to slaughter for the sake of idolatry. And R. Eliezer reasons that even though I did not hear that he thought to offer it to idolatry, I do say that the ordinary intention of an idolater is to slaughter for the sake of idolatry. And R. Yosé comes along to tell us that even though he did hear that he thought to offer it to idolatry, it makes no difference because we do not say that this one thinks to invalidate and this other one performs the service that is thereby invalidated.

2. I:2: It was stated: He who slaughters an animal in order to sprinkle its blood for idolatry, or to burn its fats for idolatry — R. Yohanan said, “It is invalid.” R. Simeon b. Laqish said, “It is permitted.”

a. I:3: It was taught on Tannaite authority in accord with the view of R. Yohanan, He who slaughters a beast intending to toss its blood for the purposes of idolatry and to burn its fat for the purposes of idolatry, lo, this is meat of the sacrifices of corpses. If after one slaughtered it, he tossed its blood for the purposes of idolatry or burned its fat for the purposes of idolatry, lo, this was an actual case in Caesarea. So they came and asked sages, who did not rule either to prohibit or to permit the meat (T. **Hul. 2:13**).

l. I:4: Illustrative case.

3. I:5: Said R. Aha the son of R. Avya to R. Ashi, “According to R. Eliezer, if he i.e., an idolater gave a zuz to an Israelite butcher to purchase meat from an animal that he was going to slaughter what is the law?”

XXVII. Mishnah-Tractate Hullin 2:8

A. HE WHO SLAUGHTERS (1) FOR THE SAKE OF MOUNTAINS, (2) FOR THE SAKE OF VALLEYS, (3) FOR THE SAKE OF SEAS, (4) FOR THE SAKE OF RIVERS, (5) FOR THE SAKE OF DESERTS — HIS ACT OF SLAUGHTER IS INVALID. IF TWO TAKE HOLD OF A KNIFE AND PERFORM AN ACT OF SLAUGHTER, ONE FOR THE SAKE OF ANY OF THE FORENAMED, AND ONE FOR THE SAKE OF A VALID PURPOSE, THEIR ACT OF SLAUGHTER IS INVALID:

1. I:1: In the cases specified in M. we say the slaughter is invalid, yes, but not like sacrifices of corpses. And in contradiction: He who slaughters (1) for the sake of mountains, (2) for the sake of valleys M. 2:8 A... He who slaughters for the sake of the sun, for the sake of the moon, for the sake of the stars, for the sake of the planets, for the sake of Michael, prince of the great host, and for the sake of the small worm Shilshul — lo, this is deemed to be flesh deriving from the sacrifices of corpses (T. Hul. 2:18).

2. I:2: Said R. Huna, “If the animal of his fellow was lying before idolatry, as soon as he slaughtered one organ he rendered it forbidden. He reasoned in accord with the view of that which Ulla said in the name of R. Yohanan, “Even though they said that one who bows down to his fellow’s animal did not render it forbidden, if he performed an act on it, he rendered it forbidden.”

3. I:3: R. Nahman and R. Amram and R. Isaac say, “A person cannot render forbidden that which does not belong to him.” Our Mishnah-paragraph contributes data for the analysis of the stated proposition.

XXVIII. Mishnah-Tractate Hullin 2:9

A. THEY DO NOT PERFORM AN ACT OF SLAUGHTER IN SUCH A WAY THAT THE BLOOD FALLS EITHER INTO SEAS, OR INTO RIVERS, OR INTO UTENSILS. BUT ONE SLAUGHTERS SO THAT THE BLOOD FALLS INTO A DISH FILLED WITH WATER, OR, WHEN ON BOARD A BOAT, ON TO THE BACKS OF UTENSILS:

1. I:1: They do not perform an act of slaughter in such a way that the blood falls either into seas: Why is it that they may not slaughter so that the blood falls into seas? Because we say, “He is slaughtering for the god of the sea.” If he slaughters so that the blood falls into a pool of water we also should say, “He is slaughtering to the image in the pool.”

B. THEY DO NOT SLAUGHTER IN SUCH A WAY THAT THE BLOOD FALLS INTO A HOLE. BUT ONE MAKES A HOLE IN HIS HOUSE, SO THAT THE BLOOD WILL FLOW DOWN INTO IT. AND IN THE MARKET ONE MAY NOT DO SO, SO THAT ONE WILL NOT IMITATE THE MINIM IN THEIR WAYS:

1. II:1: They do not slaughter in such a way that the blood falls into a hole: But lo you stated, They do not slaughter in such a way that the blood falls into a hole, at all. They you stated that one makes a hole in his house.

XXIX. Mishnah-Tractate Hullin 2:10

A. HE WHO SLAUGHTERS AN UNCONSECRATED BEAST OUTSIDE OF THE TEMPLE (1) FOR THE SAKE OF A BURNT-OFFERING, (2) FOR THE SAKE OF ANIMAL OFFERINGS, (3) FOR THE SAKE OF A SUSPENDED GUILT-OFFERING, (4) FOR THE SAKE OF A PASSOVER-OFFERING, (5) FOR THE SAKE OF A THANK-OFFERING — HIS ACT OF SLAUGHTERING IS INVALID. AND R. SIMEON DECLARES VALID.

TWO HOLD ONTO A KNIFE AND PERFORM AN ACT OF SLAUGHTER, ONE FOR THE SAKE OF ONE OF ALL THE FORENAMED ITEMS, AND ONE FOR THE SAKE OF A VALID PURPOSE — THEIR ACT OF SLAUGHTER IS INVALID.

1. I:1: He who slaughters an unconsecrated beast outside of the Temple (1) for the sake of a burnt-offering, (2) for the sake of animal offerings, (3) for the sake of a suspended guilt-offering: Is a suspended guilt-offering offered as fulfillment of a vow or as a freewill offering? Said R. Yohanan, “Who is this in accord with? It is in accord with the view of R. Eleazar who said, ‘A person any day he wishes may offer as a freewill offering a suspended guilt-offering.’”

B. HE WHO SLAUGHTERS AN UNCONSECRATED BEAST OUTSIDE OF THE TEMPLE (1) FOR THE SAKE OF A SIN-OFFERING,

1. II:1: For the sake of a sin-offering: Said R. Yohanan, “They repeated this only regarding someone who is not obligated to bring a sin-offering. But for someone who was obligated to bring a sin-offering it would make sense that he was acting in slaughtering the animal for the sake of his sin-offering.”

C. (2) FOR THE SAKE OF AN UNCONDITIONAL GUILT-OFFERING, (3) FOR THE SAKE OF A FIRSTLING, (4) FOR THE SAKE OF TITHE OF CATTLE, (5) FOR THE SAKE OF A SUBSTITUTE OFFERING — HIS ACT OF SLAUGHTER IS VALID:

1. III:1: For the sake of a substitute offering: Said R. Eleazar, “They repeated this only regarding someone who does not have another sacrifice in his house that he could exchange for this animal. But if he does have another sacrifice in his house it makes sense that he substituted this one for it.”

D. THIS IS THE GENERAL PRINCIPLE: AS TO ANYTHING WHICH IS OFFERED AS FULFILLMENT OF A VOW OR AS A FREEWILL OFFERING, HE WHO SLAUGHTERS IT FOR THE SAKE OF ITS OWN NAME — IT IS PROHIBITED:

1. IV:1: This is the general principle: What does this phrase encompass under its rule? It encompasses a person who slaughters an animal as the burnt-offering of a Nazirite. For what might I have said? Lo he did not vow to be a Nazirite. His act of slaughter would have no validity for that purpose. But I could say that he vowed secretly.

E. BUT AS TO ANYTHING WHICH IS NOT OFFERED AS FULFILLMENT OF A VOW OR AS A FREEWILL OFFERING — HE WHO SLAUGHTERS IT FOR ITS NAME — IT IS VALID.

1. V:1: But as to anything which is not offered as fulfillment of a vow or as a freewill offering: This encompasses the burnt-offering of a woman after childbirth. Said R. Eleazar, "They repeated this only regarding someone who does not have a wife. But if he does have a wife, it makes sense that he might be doing this for her sake."

XXX. Mishnah-Tractate Hullin 3:1

A. THE PROHIBITION AGAINST EATING MEAT FROM TEREFAH-CARCASSES:

1. I:1: Said R. Simeon b. Laqish, "Where in the Torah is there an allusion to the prohibition of eating an animal that is terefah?" Where is there an allusion? There is an explicit rule: "You shall not eat any flesh that is torn by beasts in the field" (Exo. 22:31). Hence this rule is explicit.

2. I:2: Said Ulla, "Eight kinds of terefot were stated to Moses at Sinai: An animal with an organ that was damaged when it was pierced, or severed, or if the organ was missing, or deficient, torn, or mauled, or if the animal suffered a fall, or suffered a fracture."

3. I:3: And said R. Isaac b. R. Joseph, said R. Yohanan, "The law concerning the liver that was removed (M. 3:1 C6) is in accord with the authority who says if an olive's bulk of the liver remains it is valid."

4. I:4: And said R. Isaac b. R. Joseph, said R. Yohanan, "If the gizzard was pierced and its membrane was intact, it is valid."

5. I:5: Said Raba, "The gullet has two layers of skin. The exterior one is red and the interior one is white. If this one was pierced but not the other, it is valid."

6. I:6: And said Rabbah, "A membrane that formed as a result of an injury to the gullet is not considered to be a membrane with regard to the law of piercing."

7. I:7: Said Ulla, "If a thorn was lodged in its gullet we do not suspect that perhaps it had pierced the gullet but then the wound healed."

8. I:8: It was stated: To render the animal terefah the amount that must be pierced in the pharynx lit., the forecourt of the gullet, is a matter of dispute. Rab said, "Any amount." And Samuel said, "The majority."

a. I:9: Illustrative case.

9. I:10: At the top of the gullet how far does the place valid for slaughter extend? Said R. Nahman, "Up to the place where there is enough left over for the hand to grasp the gullet at the top." At the bottom of the gullet how far does the place valid for slaughter extend? Said R. Nahman, said Rabbah bar Abbuha, "Up to the place where it has hair."

10. I:11: Said R. Nahman, said Samuel, "In an animal even if the pharynx is completely detached from the jaw, it is valid." And our Tannaite authority teaches in accord with this: And these are the valid carcasses among cattle: ... if the lower jaw is removed (M. 3: 2).

B. THESE ARE THE TEREFAH CARCASSES AMONG CATTLE: ONE IN WHICH THE GULLET IS PIERCED, AND ONE IN WHICH THE WINDPIPE IS TORN:

1. II:1: It was taught: How much constitutes a torn windpipe? A majority. And how much is a majority? Rab said, “A majority of the thickest part.” And others say, “A majority of the circumference of its cavity.”

2. II:2: Said R. Judah, said Rab, “If the windpipe was pierced with a number of perforations like a sieve, they combine them together to constitute a majority and render the animal a terefah.” Holes combine to constitute the measure for a tear in the windpipe.

3. II:3: If it the windpipe was slit lengthwise — said Rab, “Even if there remained only one ring intact at the top and one ring intact at the bottom but all the other rings were split it is valid.” They said this before R. Yohanan. He said, “What is the need for this ring to be intact at the top and what is the need for this ring to be intact at the bottom that Rab spoke of? Rather it makes sense to maintain that even if there remained any amount intact at the top and any amount at the bottom, it is valid.”

4. II:4: R. Hiyya bar Joseph taught in the name of R. Yohanan, “Any place in the neck is valid for slaughtering, from the large ring until the bottom lobe of the lung.”

C. IF THE MEMBRANE OF THE BRAIN IS PIERCED:

1. III:1: Rab and Samuel, the two of them said, “This rule refers to a case where the exterior membrane was pierced, the dura mater, even if the interior membrane pia mater was not pierced it is terefah.”

D. IF THE HEART IS PIERCED UP TO THE CAVITY THEREOF:

1. IV:1: R. Zira posed the question: Does this mean the small cavity the atrium or the large cavity the ventricle? Said to him Abbaye, “What is your question? Was it not taught in an analogous case in the Mishnah on Tannaite authority, R. Simeon says, ‘It is not terefah until its bronchial tubes are pierced’ (M. 3:1 E)?”

2. IV:2: Concerning a piercing of the main artery of the heart i.e., the aorta — Rab says, “Any amount renders the animal terefah.” And Samuel says, “A majority renders the animal terefah.”

E. IF THE BACKBONE IS BROKEN SO THAT THE SPINAL CORD IS SEVERED:

1. V:1: It was taught on Tannaite authority, If the spinal cord was snapped, it is invalid Talmud adds: the words of Rabbi. R. Jacob says, “Even if it the spinal cord was perforated, it is invalid (T. 3:1 F-G).” Rabbi taught that the law was in accord with R. Jacob. Said R. Huna, “The law is not in accord with R. Jacob.” And how much constitutes a majority of the cord? Rab said, “A majority of its skin i.e., its membrane.” And some say, “A majority of its inner matter i.e., of the medulla even if the membrane is intact.

2. V:2: Said Rabbah bar bar Hannah, said R. Joshua b. Levi, “If the spinal matter turned into liquid, it is invalid. If the spinal matter turned soft, it is invalid.” What is the definition of “turned into liquid”? And what is the definition of “turned soft”? “Turned into liquid” means it can be poured. “Turned soft” means it cannot stand on its own without a container.

3. V:3: How long is the spinal cord as far as the laws of defects are concerned? Said R. Judah, said Samuel, “It extends to the place where the sacral nerves branch off.”

4. V:4: In a fowl up to what point in the spinal cord does severing render it terefah? R. Yannai says, “Any place in the cord down to the area below the wings i.e., the bottom of the wings.” And Resh Laqish says, “Until the area of the cord parallel to the area between the wings i.e., the top of the wings.”

F. IF THE LIVER IS REMOVED MISSING, SO THAT NOTHING WHATSOEVER REMAINS OF IT:

1. VI:1: Lo this implies that if any amount of the liver remains, it is valid, even if it was not equivalent to the volume of an egg's bulk. But lo, it was taught on Tannaite authority, It is valid if the liver is removed, but an olive's bulk of which remains (M. 3:2 C)! Said R. Joseph, “This is not a contradiction. One is the ruling of R. Hiyya and the other is the ruling of R. Simeon bar Rabbi. Regarding an animal with less than an olive's bulk of liver like this case, R. Hiyya used to discard it because he ruled it was terefah, and R. Simeon b. Rabbi would dip it i.e., eat it because he ruled that it was valid.

a. VI:2: There was a regiment that came to Pumbedita. Rabbah and R. Joseph fled. R. Zira met them. He said to them, “You who flee should remember this teaching: the olive's bulk about which they spoke in the Mishnah refers to that amount in the area of the gall-bladder.” Perhaps this was an indirect chastisement that the rabbis remain in the town where it is bitter because of the occupation by a regiment.

2. VI:3: R. Zeriqa posed a question to R. Ammi: What is the rule in the case of an animal whose liver was dangling, but still attached to the diaphragm?

G. THE LUNG THAT IS PIERCED OR LACKING ANY PART THEREOF:

1. VII:1: Rab and Samuel and R. Assi say, “The exterior membrane must be pierced to render it invalid.” And others say about this, “The interior membrane must be pierced.”

a. VII:2: Gloss of a detail of the foregoing. Said Raba, “This animal whose lung had its exterior membrane peeled off so that it looked like a red date is valid.”

b. VII:3: And Raba said, “An animal with a lung that dried up partially is terefah.” And how much must dry up for it to be deemed terefah? Said R. Pappi in the name of Raba, “Dry enough so that scraping it with a fingernail will crack it.”

2. VII:4: Said R. Kahana, “A lung that looks in its color like a liver is valid. If it looks like flesh, it is terefah.” And a mnemonic for this rule is the verse where the words flesh and terefah appear together, “Therefore you shall not eat any flesh that is torn by beasts in the field (terefah)” (Exo. 22:31).

3. VII:5: Said Rabina, “If there is an obstruction in the lung, they take a knife and cut into it. If pus exudes then it is surely on account of the pus that there was an obstruction, not another defect and it is valid. And if none exudes then they place

upon it a feather or some saliva. If it flutters or bubbles because air passes through, then it is valid. And if not, it is terefah because this is a substantive defect of the lung.”

4. VII:6: Said R. Joseph bar Manyomi, said R. Nahman, “Regarding a lung that adjoins the wall of the chest cavity, we are not concerned that it is a sign of a terefah. If ulcerations erupted on the lung near the place it adjoins the chest, we are concerned that this indicates it is a terefah.”

5. VII:7: R. Nehemiah the son of R. Joseph inspected it the lung detached from the chest wall in warm water. Said Mar Zutra, the son of R. Huna, the son of R. Pappi to Rabina, “Do you cite this procedure of R. Nehemiah the son of R. Joseph in connection with this case? We cite it in connection with this case taught by Raba. For said Raba, ‘Animals that have these two lobes of the lung that adhere to one another cannot be inspected to render them fit without thereby tearing the tissue’.”

a. VII:8: Gloss of a detail of the foregoing.

6. VII:9: Rabbah bar bar Hannah posed a question to Samuel, “If ulcerations erupt on the lung what is the law?” He said to him, “It is valid.” He said to him, “I also say this. But the students balked at the ruling in this matter.”

7. VII:10: R. Isaac bar Joseph was following R. Jeremiah through the butcher’s market. He saw some lungs that had upon them ulcerations. he said to him, “Does not the master want a fine piece.” He said to him, “I have no money.” He said to him, “I’ll vouch for you that your credit is good.” He said to him, “What will I do with you? You are so persistent.” But he gave no indication of his view on the matter.

8. VII:11: It was stated: If a needle was found in the lung, R. Yohanan and R. Eleazar and R. Hanina declared it valid. And R. Simeon b. Laqish and R. Mani bar Patish and R. Simeon b. Eliakim declared it terefah.

a. VII:12: Illustrative cases.

9. VII:13: Said R. Yohanan, “Why do they call the lung ry’h? Because of the play on the Hebrew words: it lights up m’yrh, from the same root the eyes of the person who eats it.” They posed a question: Does the statement that the lung lights up the eyes mean eating the lung or applying it to the eyes along with medications.

10. VII:14: If the lung was pierced in a place where the butcher normally handles it, do we impute the defect to his handling or not. R. Ada bar R. Nathan says, “We impute it to him.” Mar Zutra the son of R. Mari said, “We do not impute it to him.” And the law is that we do impute it to him.

11. VII:15: A worm that bored a hole in the lung of an animal — there is a dispute over this matter between R. Joseph bar Dostai and the rabbis. One said we may presume that it bored through before the animal was slaughtered and so the defect is of consequence. And the other said we may presume that it bored through after the animal was slaughtered and so the defect is of no consequence. And the law follows the view that we presume it bored through after the animal was slaughtered.

H. R. SIMEON SAYS, “IT IS NOT TEREFAH UNTIL ITS BRONCHIAL TUBES ARE PIERCED:”

1. VIII:1: Said Rabbah bar Tahlifa, said R. Jeremiah bar Abba, “This means until the major bronchial tube is pierced.”

I. IF THE BELLY ABOMASUM IS PIERCED:

1. IX:1: Said R. Isaac bar Nahmani, said R. Oshaia, “The fat attached to the abomasum, the priests were accustomed to treating it as permitted for eating in accord with the view of R. Ishmael, who stated the matter in the name of his ancestors.”

2. IX:2: Said Rab, “Clean i.e., permitted fat can seal a hole in an organ. Unclean i.e., forbidden fat cannot.” And R. Sheshet, “Both can seal a hole.”

a. IX:3: Gloss of a detail of the foregoing. Manyomin, the pot merchant, left a pot of honey uncovered. They brought it before Raba for a ruling. He said, “What shall we be concerned with. First, it was taught in the Mishnah on Tannaite authority, Three kinds of liquids are forbidden for consumption on account of danger of poisoning in an instance of being discovered in a vessel that is uncovered: (1) water, (2) wine, and (3) milk. But all other liquids are permitted for consumption, even if left uncovered (M. **Ter. 8: 4**). And furthermore, we should invoke the principle that the Torah had mercy on the money of an Israelite.”

3. IX:4: Said R. Nahman, “Forbidden fat on an organ in the shape of a hat does not serve to seal up a hole.” What is this fat? Some say this is the fat nodules of the rectum. And some say that this is the pericardium.

4. IX:5: It was taught on Tannaite authority: Rabban Simeon b. Gamaliel says, “The intestines which were perforated, but which the fluid stops up — it is valid (T. **3:11A**). What is the fluid? Said R. Kahana, “It is the liquid that can be squeezed out of the intestines.”

5. IX:6: Said R. Shimi bar Hiyya, “They may compare defects of the intestines to determine if the defect arose before or after the animal was slaughtered.”

6. IX:7: R. Yohanan and R. Eleazar both said, “They may compare defects of the lung.” Said Raba, “They said this only for defects in lungs of the same side right or left. But from one side to the other they may not compare defects.”

7. IX:8: Said Ziri, “If the rectum was pierced it is valid because the hips support it.”

J. IF THE GALLBLADDER IS PIERCED, IF THE INTESTINES ARE PIERCED; IF THE INNERMOST BELLY RUMEN IS PIERCED:

1. X:1: If the innermost belly rumen is pierced: Said R. Judah, said Rab, “Nathan Ben Shila, head of the butchers of Sepphoris, testified before Rabbi in the name of R. Nathan, ‘This is the mucal sieve’ (cf. T. **3:2 E**).”

K. THE GREATER PART OF THE OUTER EXTERIOR COATING WHICH IS PIERCED. R. JUDAH SAYS, “IN THE CASE OF A LARGE ANIMAL, A HANDBREADTH, AND IN THE CASE OF A SMALL ONE, ITS GREATER PART:”

1. XI:1: Said R. Benjamin bar Yapet, said R. Eleazar, “Neither does large mean actually in a large animal. Nor does small mean actually in a small animal. But in any case where if the size of a handbreadth was torn and this did not constitute the major part, this is what we meant by, In the case of a large animal, a handbreadth. And in any case where if a major part was torn and this did not constitute the size of a handbreadth, this is what we meant by, In the case of a small one, its greater part.”

2. XI:2: Said Geniba said R. Assi, “If it a circular part of the rumen was cut out in the size of a large coin, it is terefah. For if you stretch it out the circumference will equal a handbreadth.”

L. THE OMASUM OR THE SECOND STOMACH RETICULUM WHICH ARE PIERCED ON THE OUTER SIDE EXTERIOR:

1. XII:1: The rabbis taught, A needle which is found in the thick wall of the reticulum, when it protrudes from one side, it the animal is valid. When it protrudes on both sides, it is invalid. If there is in its place a coagulated drop of blood, one may be certain that the needle was in place before slaughter. If there is not in its place a coagulated drop of blood, one may be certain that the needle was in place after slaughter. If the surface of a wound formed a scab, one may be certain that it was there three days before slaughter. If the surface of a wound did not form a scab, then he who makes a claim against his fellow must bring proof that the animal is invalid (T. **3:11 B-D**).

M. IF IT FELL FROM THE ROOF

1. XIII:1: Said R. Huna, “If he left an animal above on the roof and came and found it below on the ground, we do not suspect there is any hidden injury to its limbs.” If we did suspect so, we would require that he wait for twenty-four hours before slaughtering the animal. Said R. Huna, “In the case of rams that butt one another we do not suspect there is any hidden injury to its limbs. Even though they groan in pain we generally may assume that the intensity of the contest has overcome them. If they fall to the ground as a result of the butting then we certainly should suspect they suffered serious injury.”

2. XIII:2: Said R. Judah, said Rab, “If he hit it an animal on its head and it the reflex from the blow travelled to its tail, or if he hit it on the tail and it travelled to the head, or if the reflex went through the entire spine, we do not suspect there is any hidden injury to its limbs. And if he hit an animal with a thick stick on the back we suspect that he broke the back of the animal. And if the stick has on it nodes, we suspect there is hidden injury to its limbs. And if he hit the animal with a stick that is fresh i.e., not brittle, we suspect the spine was broken.”

3. XIII:3: Said R. Judah, said Rab, “If an animal that had fallen stood up, it is not necessary to wait twenty-four hours to see if it suffered a serious injury in the fall. It certainly requires an inspection. If it walked after falling, it is not even necessary to perform an inspection.”

4. XIII:4: Said R. Judah, said Samuel, “A bird that accidentally fell into the water — if it propelled itself one body length, that is enough to show that there was no serious injury. “ And they said this only in the case of where it propelled itself from

downstream to upstream. But upstream to downstream we may say the water that propelled it. And if the water was still with no current, then it makes no difference which way the bird goes. And if it was littered with twigs and the bird overtook them even while going downstream, it overtook them and this is a sign that there was no serious injury to the bird.

5. XIII:5: A bird whose wings are clipped — R. Ashi permits consumption of the bird if it crashed to the ground when it tried to fly off and might have injured itself in the process. Amemar prohibits consuming it since he suspects there is hidden injury to its limbs.

N. IF THE GREATER NUMBER OF ITS RIBS ARE BROKEN;

1. XIV:1: Our rabbis taught: These constitute the majority of the ribs: Six on one side and six on the other. Or eleven on one side and one on the other. Twelve of the twenty-two ribs must be broken.

2. XIV:2: Said Rabbah bar Rab Shila, said R. Matna, said Samuel, “If a rib was dislocated from its socket, or if a majority of the skull was shattered, or if a majority of the membrane that covers the rumen was torn, it is terefah.”

a. XIV:3: Said Rabbah bar Rab Shila, said R. Matna, said Samuel, “If a rib was dislocated from its socket, or if a majority of the skull was shattered. R. Jeremiah posed a question, “Does this mean the majority of the diameter or of the circumference?”

O. AND ONE WHICH HAS BEEN MAULED BY A WOLF. R. JUDAH SAYS, “ONE MAULED BY A WOLF, IN THE CASE OF A SMALL BEAST, AND ONE MAULED BY A LION IN THE CASE OF A LARGE BEAST, ONE MAULED BY A HAWK, IN THE CASE OF SMALL FOWL, AND ONE MAULED BY A FALCON, IN THE CASE OF LARGE FOWL.”

1. XV:1: Said R. Judah, said Rab, “For beasts that were mauled, the Mishnah means by a wolf or by any animal larger than that in size. And for birds that were mauled, the Mishnah means by a hawk or by any bird of prey larger than that in size.”

2. XV:2: Said R. Amram, said R. Hisda, “Mauling by a cat or a marten renders the animal terefah in the case of goats and lambs. Mauling by a weasel renders the animal terefah in the case of fowl.”

3. XV:3: R. Kahana posed a question to Rab, “Does the rule of mauling that renders an animal terefah apply to a cat or not?” He said to him, “The rule of mauling applies even to a weasel.” He said to him, “Does the rule of mauling apply to a weasel?” He said to him, “The rule of mauling does not apply even to a cat.” He said to him, “Does the rule of mauling apply to a cat or to a weasel or not?” He said to him, “The rule of mauling applies to a cat but not to a weasel.”

4. XV:4: R. Ashi posed a question, “Does the rule of mauling apply to other kinds of unclean birds of prey or not?” Said R. Hillel to R. Ashi, “When I was in the house of R. Kahana he said that the rule of mauling applies to other unclean birds.”

5. XV:5: Said R. Kahana in the name of R. Shimi bar Ashi, “The rule of mauling does not apply to a fox.”

6. XV:6: Said Rabbah bar R. Huna, said Rab, “If a lion entered the midst of a herd of oxen and then a claw was found in the back of one of them, we are not concerned that perhaps the lion mauled it.” What is the basis for this conclusion? It is based on the principle that the majority of lions do maul and the minority do not maul. And for any species of animal that mauls, its nail is not likely to come off even if that particular animal is not wont to maul.

7. XV:7: It was stated: Rab said, “We are not concerned with the possibility of a case of a doubt as to whether the animal had been mauled.” And Samuel said, “We are concerned with the possibility of a case of a doubt as to whether the animal had been mauled.”

a. XV:8: A duck that was at the house of R Ashi went up into the reeds. It came out with its neck covered with blood. Said R. Ashi, “Did we not say, ‘Where there is a doubt about an instance of mauling whether it was done by a dog or a cat, it makes sense to say that it was done by a dog’? Here too we should say, ‘Where there is a doubt about an instance of mauling whether it was done by a reed or a cat, it makes sense to say that the injury was done by a reed.’”

8. XV:9: Ilfa posed a question: Does the rule of mauling apply to the organs of the throat or not? Said R. Zira, “The rule for that question which Ilfa posed was already specified by R. Hanan bar Raba.” For said R. Hanan bar Raba, said Rab, “The mauled animal that they spoke of must be inspected around the entire abdominal cavity including the organs of the throat.”

9. XV:10: R. Nahman said, “A thorn — the animal is not terefah unless it has pierced the abdominal cavity. A mauling — The animal is terefah when the flesh around the intestines turns red.”

10. XV:11: R. Isaac bar Samuel bar Marta sat before R. Nahman and he sat and said, “The mauled animal that they spoke of must be inspected around its intestines.”

P. THIS IS THE GENERAL PRINCIPLE: ANY THE LIKE OF WHICH DOES NOT LIVE IS TEREFAH.

1. XVI:1: This is the general principle: Any the like of which does not live is terefah: What does this statement encompass? It encompasses the seven categories of terefot that were taught.

XXXI. Mishnah-Tractate Hullin 3:2

A. AND THESE ARE THE VALID CARCASSES AMONG CATTLE: IF THE WINDPIPE IS PIERCED OR IS SLIT LENGTHWISE:

1. I:1: It was stated: R. Yohanan said, These are the terefah carcasses specifies all the cases. And R. Simeon b. Laqish said, These are the valid carcasses specifies all the cases.

a. I:2: Gloss on a detail of the foregoing.

B. HOW LARGE MAY THE HOLE BE? RABBAN SIMEON B. GAMALIEL SAYS, “SO MUCH AS AN ITALIAN ISSAR:”

1. II:1: How large may the hole be? Rabban Simeon b. Gamaliel says, “So much as an Italian issar.” Said Ziri, “You who are not familiar with this measure of an Italian issar may take the measure of a Gordian dinar. And that is the same as a small peshitta coin. And it is found circulating among the peshittas of Pumbedita.”

2. II:2: Said R. Nahman, “A measure the size of a sela exactly is treated as if it were larger than a sela. A measure the size of an issar exactly is treated as if it were larger than an issar.” It seems logical to conclude that R. Nahman reasons in accord with the principle that in measures of size, ‘So much as’ a certain size means not equal to that size.

C. IF THE SKULL IS DAMAGED, BUT THE MEMBRANE OF THE BRAIN IS NOT PIERCED, IF THE HEART IS PIERCED, BUT NOT UP TO THE EMPTY SPACE CAVITY THEREOF, IF THE BACKBONE IS BROKEN, BUT THE SPINAL CORD IS NOT SEVERED, IF THE LIVER IS REMOVED, BUT AN OLIVE’S BULK OF IT REMAINS, THE OMASUM OR THE SECOND STOMACH RETICULUM THAT ARE PIERCED SO THAT THE HOLES LEAD ONE INTO THE OTHER, IF THE SPLEEN IS REMOVED,

1. III:1: According to R. Meir, it is valid. And said R. Avira in the name of Raba, “They taught this rule only in the case where it was removed. But if it was pierced, it is terefah”

D. IF THE KIDNEYS ARE REMOVED,

1. IV:1: Said R. Akhish bar Pappa in the name of Rab, “If the animal was diseased in one kidney, it is terefah.” They said in the West in Israel, “And this is the case only if the disease reached the hilum.”

2. IV:2: They said in the West All that renders unfit in regard to the lung is valid in regard to the kidney. For lo, a hole renders unfit in regard to the lung and it is valid in regard to the kidney. And all the more so that which is valid in regard to the lung, is valid in regard to the kidney.

E. IF THE LOWER JAW IS REMOVED,

1. V:1: According to R. Meir, it is valid. Said R. Zira, “They taught this only where it could survive by force feeding. But where it could not survive by force feeding such a case is terefah.”

F. IF THE WOMB IS REMOVED.

1. VI:1: according to Meir, it is valid. It was taught, The womb, that is the tarpahat, that is the slpwhy.

G. AND ONE THE LUNG OF IT IS DRIED NATURALLY.

1. VII:1: Our rabbis taught, What is the case of a dried lung? Any animal whose lung shrunk. If it dried naturally it is valid. If it was dried by human intervention it is terefah. R. Simeon b. Eleazar says, “Even if it was dried out by the intervention of any creature it is terefah.”

H. ONE THAT HAS LOST ITS HIDE HAVING BEEN FLAYED — R. MEIR DECLARES VALID. AND SAGES DECLARE INVALID.

1. VIII:1: One that has lost its hide having been flayed: Our rabbis taught: One that lost its hide — R. Meir declares valid. And sages declare invalid And Eleazar the

scribe and Yohanan b. Gudguda already testified concerning the animal that lost its hide that it is invalid.

a. VIII:2: Gloss of foregoing.

XXXII. Mishnah-Tractate Hullin 3:3

A. AND THESE ARE THE TEREFAH CARCASSES AMONG FOWL: (1) ONE THE GULLET OF WHICH IS PIERCED, (2) ONE THE WINDPIPE OF WHICH IS TORN. (3) IF THE WEASEL PIERCED ITS HEAD AT A POINT WHICH RENDERS IT TEREFAH; (4) IF THE GIZZARD IS PIERCED; (5) IF THE SMALL INTESTINES ARE PIERCED:

1. I:1: Rab and Samuel and Levi said, “He inserts his hand inside and inspects it i.e., the mouth of a bird whose head was pierced by a weasel. If it oozes from a hole in the skull it is terefah. And if not, it is valid.”

2. I:2: Said Ziri, “There is no effective inspection for piercing by a weasel because its teeth are thin.” But what difference does it make if its teeth are thin?

a. I:3: Said R. Nahman to R. Anan, “Did not the master say, ‘Samuel inspected by hand and declared it valid if he found no defect.’ And did not Huna our associate say, ‘Rab inspected by hand and declared it valid.’ But Levi taught, ‘The terefot that the sages enumerated for an animal all have equivalents for a fowl. There is an additional one for fowl: If the bone is pierced it is invalid even if the membrane of the brain was not pierced.’”

I. I:4: A certain hen that was in the house of R. Hana and they sent it for a ruling before R. Matna because it fell under the rule of: If the bone is pierced it is invalid even if the membrane of the brain was not pierced. And he declared it valid! They said to him, “But lo Levi taught, ‘The terefot that the sages enumerated for an animal all have equivalents for a fowl. There is an additional one for fowl: If the bone is pierced it is invalid even if the membrane of the brain was not pierced.’”

II. I:5: R. Shizbi inspected the membrane for signs of piercing in the sun. R. Yemar inspected it for leaks in water. R. Aha bar Jacob inspected it with a stalk of wheat i.e., as they did with a nail or needle.

B. IF IT FELL INTO THE FIRE AND THE INTESTINES WERE SCORCHED — IF THEY ARE GREEN, THEY ARE INVALID. IF THEY ARE RED, THEY ARE VALID:

1. II:1: Said R. Yohanan in the name of R. Yosé b. Joshua, “The minimum quantity that must turn green to render it invalid is the same as the minimum quantity that must be pierced to render it invalid. Just as the minimum quantity that must turn green to render it invalid is any amount at all, the minimum quantity that must be pierced to render it invalid is any amount at all.”

a. II:2: Rabbi Joshua b. Levi had a certain hen that had fallen into a fire that he sent before R. Eleazar Haqqappar beribbi for a ruling. He said to him, “They are green.” And he declared them valid. But lo we were taught, If they are green, they are invalid. This is not a contradiction. They only said,

If they are green, they are invalid regarding the gizzard, the heart and the liver.

C. IF ONE TRAMPLED IT OR KNOCKED IT AGAINST THE WALL, OR IF A BEAST TRAMPLED ON IT, AND IT FLUTTERS — IF IT REMAINS ALIVE FOR TWENTY-FOUR HOURS, AND ONE THEN SLAUGHTERED IT, IT IS VALID.

1. III:1: Said R. Eleazar b. Antigonus in the name of R. Eleazar b. R. Yannai, “In any case it must be inspected for defects that would render it terefah.”

XXXIII. Mishnah-Tractate Hullin 3:4

A. AND THESE ARE VALID CARCASSES AMONG FOWL: (1) IF THE WINDPIPE IS PIERCED OR SEVERED LENGTHWISE, (2) IF THE WEASEL PIERCED ITS HEAD AT A POINT WHICH DOES NOT RENDER IT TEREFAH, (3) IF THE CROP WAS PIERCED, RABBI SAYS, “EVEN IF IT IS REMOVED”

1. I:1: Our rabbis taught on Tannaite authority: Once R. Simai and R. Zadok went to intercalate the year in Lod and they spent the Sabbath in Ono. And they ruled regarding defects in a bird’s womb in accord with the view of Rabbi regarding defects in a bird’s crop.

B. IF THE INTESTINES PROTRUDE BUT ARE NOT PIERCED, (5) IF ITS WINGS ARE BROKEN:

1. II:1: Said R. Samuel bar R. Isaac, “They taught this only where he did not twist them. But if he twisted them, it is terefah.” As it is written, “Is not he your father, who created you, who made you and established you?” (Deu. 32: 6). This teaches us that the Holy One, blessed be He, established order in the organs in a person. And if one of them should become twisted, he cannot live.

a. II:2: A certain Aramean alt.: Roman, but from the context: illusionist saw a certain man fall from the roof to the ground. His abdomen burst and his intestines protruded. He brought the man’s son and created the illusion that he was slaughtering him the son before him the father. He the father, upon seeing the apparition, swooned and sighed deeply and drew his intestines back into his abdomen and they stitched up his belly.

C. IF ITS LEGS ARE BROKEN, (7) IF ITS WING FEATHERS ARE PLUCKED:

1. III:1: A certain basket of crippled birds was brought before Raba for a ruling. Raba inspected them at the nexus of the sinews and he declared them fit. Said R. Judah, said Rab, “A case of a dislocated fore-leg in an animal is valid. A case of a dislocated femur in an animal is terefah. A case of a dislocated femur in a bird is terefah. A case of a dislocated wing in a bird is terefah. In that case we suspect that perhaps the lung was pierced.”

2. III:2: Said R. Huna, said Rab, “A case of a dislocated femur in a bird is valid.” Said to him Rabbah bar R. Huna to R. Huna, “But lo the rabbis who came from Pumbedita said that R. Judah in the name of Rab said, ‘A case of a dislocated femur in a bird is terefah.’”

a. III:3: Amplification of a detail of the foregoing: They said concerning R. Simeon b. Halafta that he was an inventor. And he performed an act to

dissuade R. Judah from his view. For R. Judah used to say, If the fuzz is removed, it is invalid (M. **3:4F**). And R. Simeon b. Halafta had a hen whose fuzz had been removed. And he put it in an oven and he dressed it in a leather apron of bronze workers that is constantly hot. And it grew more new feathers than it had originally.

3. III:4: Said R. Huna, “A sign that an animal with a physical defect is not to be deemed a terefah is that it lives twelve months after developing the defect.”

4. III:5: Said Amemar, “Regarding these eggs laid by a bird that was deemed terefah the first batch produced after the bird became terefah are prohibited. Any eggs produced thereafter are deemed to fall under the principle of two antecedent causes i.e., the prohibited-mother and permitted-father produce the offspring and therefore the eggs are permitted.”

5. III:6: Said R. Huna, “Any creature that does not have a bone i.e., and invertebrate does not live longer than twelve months.”

6. III:7: It was taught there in the Mishnah on Tannaite authority: A beast with five legs or that has only three... lo these are deemed blemishes (M. Bekh. 6: 7). Said R. Huna, “They taught this only if a fore-leg was missing or added. But if a hind-leg was missing or added, it is also deemed to be a terefah.” One what basis? It is based on the principle that we treat every added limb like a missing limb and that renders the animal terefah.

7. III:8: Nathan bar Shila, the chief butcher of Sepphoris, testified before Rabbi that if two intestines protrude from an animal at the same time it is terefah. And the equivalent case for a bird is valid. Under what circumstances? If they protrude from two different places. But if they protrude from the same place and end within a finger’s breadth or each other, it is valid.

D. R. JUDAH SAYS, “IF THE FUZZ IS REMOVED, IT IS INVALID:”

1. IV:1: Said R. Yohanan, “R. Judah and R. Ishmael said the same thing. R. Judah, as we stated in the Mishnah. And R. Ishmael, as it was taught in the Mishnah on Tannaite authority, R. Ishmael says, ‘The down joins together i.e., the fuzz combines with other parts of the carcass to constitute the minimum quantity to render unclean and to contract uncleanness (M. **Toh. 1:2B**).’”

XXXIV. Mishnah-Tractate Hullin 3:5

A. (1) A BEAST WHICH SUFFERS FROM CONGESTION OF BLOOD, (2) AND ONE WHICH HAS SUFFERED FROM SMOKE, (3) AND ONE WHICH HAS SUFFERED FROM COLD, (4) AND ONE WHICH HAS EATEN OLEANDER, (5) AND ONE WHICH HAS EATEN CHICKEN EXCREMENT, (6) OR WHICH HAS DRUNK DIRTY WATER IS VALID. IF IT ATE DEADLY POISON, OR IF A SNAKE BIT IT, IT IS PERMITTED TO EAT IT IN RESPECT TO THE LAWS OF TEREFAH, BUT IT IS PROHIBITED AS A DANGER TO LIFE.

1. I:1: Said Samuel, “If it chewed asafoetida, it is terefah.” On what basis? On the assumption that it is so strong it perforated the animal’s internal organs.

XXXV. Mishnah-Tractate Hullin 3:6-7

A. THE TOKENS BY WHICH WE KNOW WHETHER OR NOT ANIMALS ARE DEEMED CLEAN OR FIT OF CATTLE AND WILD BEASTS HAVE BEEN STATED BY THE TORAH:

1. I:1: Our rabbis taught on Tannaite authority: These are the tokens of cattle by which we know whether or not animals are deemed fit (M. **Hul. 3:6A**): “Whatever parts the hoof and is cloven-footed and chews the cud among animals you may eat” (Lev. 11: 3). Whatever chews the cud we know has no upper teeth (T. **3:20 A-B**) and it is clean.

2. I:2: Our rabbis taught on Tannaite authority: What are the tokens by which we know whether an animal is a wild beast? Any that has horns and pointed hooves (T. **3:21 A-B**). Are not the wild beasts subsumed in the same rules as cattle with regard to the tokens that signify whether they are clean?

a. I:3: Gloss of a detail of the foregoing: And the antelope, even though it has only one horn its fat is permitted. Said R. Judah, “The antelope is called the deer in Be Ilai. The tiger is called the lion in Be Ilai.”

B. GOD, CREATOR OF THE WILD BEASTS

1. I:4: Said Caesar to R. Joshua b. Hananiah, “Your God is like a lion. As it is stated, ‘The lion has roared; who will not fear? The Lord God has spoken; who can but prophesy?’ (Amo. 3: 8).” What is exceptional about this? Any horseman can kill a lion. He Joshua said to him, “He is not like any lion. He is like the lion of Be Ilai.” He said to him, “You must show it to me.” He Joshua said to him, “You cannot see it. That lion is too terrifying.” He said to him, “Really! Show it to me!”

2. I:5: Said R. Judah, “An ox has a wide belly and wide hooves, a large head and a large tail. And the ass has the opposite.” What difference does it make to know this? For buying and selling one needs to know the signs of identification. And said R. Judah, “The ox that Adam offered had one horn on its forehead. As it says, ‘This will please the Lord more than an ox or a bull with horns and hooves’ (Psa. 69:31).” And said R. Judah, “The ox that Adam offered produced horns before it produced hooves. As it says, ‘This will please the Lord more than an ox or a bull with horns and hooves’ (Psa. 69:31).” It states, ‘With horns’ first and then ‘hooves.’”

3. I:6: R. Simeon b. Pazzi raised a contradiction: It is written, “And God made the two great lights.” And it is written, “The greater light to rule the day, and the lesser light to rule the night; he made the stars also.” (Gen. 1:16). Said the moon to the Holy One, blessed be He, “Master of the Universe. it is possible to have two kings serve with one crown?” He said to her, “Go and be smaller.” She said to him, “Master of the Universe. Is it fair that because I said to you something that is proper, that I have to make myself smaller?” He said to her, “Go and rule over both the day and the night.”

4. I:7: R. Assi raised a contradiction: It is written, “The earth brought forth vegetation” (Gen. 1:12) on the third day of the week. And it is written, “When no plant of the field was yet in the earth” (Gen. 2: 5) at the end of the week. This teaches us that the plants came forth but remained just beneath the surface of the

ground until Adam came and prayed for them. And rain fell and they sprouted forth. This will teach you that the Holy One, blessed be He yearns for the prayers of the righteous.

5. I:8: Said R. Hanan bar Raba, “The *ssw’h* is another category of creature unto itself.” The verse is: “Yet of those that chew the cud or have the hoof cloven (the Hebrew is *hssw’h*, taken to mean another type of creature) you shall not eat these: the camel, the hare, and the rock badger, because they chew the cud but do not part the hoof, and are unclean for you” (Deu. 14: 7). It has two backs and two back bones. And how did Moses know about all the creatures? Was Moses a hunter or was he an archer who would know all this? This serves as a refutation of anyone who says that the Torah is not divinely inspired.

C. AND THE TOKENS OF FOWL HAVE NOT BEEN SO STATED. BUT SAGES HAVE RULED: “ANY FOWL THAT SEIZES IS UNCLEAN. ANY FOWL THAT HAS AN EXTRA TALON THE HALLUX AND A CRAW, AND THE SKIN OF THE STOMACH OF WHICH CAN BE STRIPPED OFF IS CLEAN.” R. ELEAZAR B. SADOQ SAYS, “ANY BIRD THAT PARTS ITS TOES EVENLY TWO IN FRONT AND TWO IN BACK IS UNCLEAN” (LEV. 11: 3)

1. II:1: And the tokens of fowl have not been so stated— Have they not? But lo it was taught on Tannaite authority, “The eagle” (Lev. 11:13) — just as the eagle is distinctive in that it does not have an extra claw, and it does not have a crop, and the skin of its gizzard cannot be peeled off, and it mauls its prey and eats it, and the eagle is unclean. So too all birds similar to it are unclean. Taught R. Hiyya, “A bird that has one token is clean. Because it does not resemble the eagle.” We reason as follows: The eagle that has none of the tokens, that is the kind of bird that may not be eaten. Lo, if there is one kind of bird that has one token of cleanness may be eaten.

2. II:2: Said R. Nahman, “To one who is knowledgeable of them i.e., the various kinds of birds and their names, a bird that has one token is deemed clean. To one who is not knowledgeable of them and their names, a bird that has one token is deemed unclean. A bird that has two tokens is deemed clean.”

3. II:3: Said Amemar, “The law is that any bird that has one token is deemed clean as long as in addition it does not maul its prey.”

4. II:4: Said R. Judah, “A bird that can scratch with its talon is valid for the sacrifice one must bring for the purification of the leper. And this is the white bellied swallow about which there is a dispute between R. Eliezer and the sages.”

5. II:5: Said Rehaba, said R. Judah, “The *tasil*-dove is invalid for a sacrifice requiring a turtle dove. But it is valid for a sacrifice requiring a young pigeon. *Dazi*pe and the *Rehaba*-doves are valid for a sacrifice requiring a turtle dove. But they are invalid for a sacrifice requiring a young pigeon.” Said R. Judah, “*Zuzinian* doves are valid as sacrifices upon the altar. And these are identical with *Rehaba*-doves.”

6. II:6: Said R. Judah, “The winged creatures of the rushes are permitted. Those of the cabbages are prohibited.”

7. II:7: Our rabbis taught on Tannaite authority: The verse says, “Every raven according to its kind” (Lev. 11:15). “Raven” is the raven itself. “Every raven”

includes in the category the raven of the valley. “According to its kind” includes in the category the raven that travels in front of the doves.

8. II:8: Our rabbis taught: The verse says, “The hawk according to its kind” (Lev. 11:16). “The hawk” is the hawk according to its kind. This includes the bar hyry’. What is the bar hyry’? Said Abbaye, “It is the falcon.”

9. II:9: Said R. Hanan bar R. Hisda, said R. Hisda, said R. Hanan the son Raba, said Rab, “There are twenty-four categories of unclean birds.” Said R. Hanan bar R. Hisda to R. Hisda, “Where are they? If you refer to Leviticus, there are twenty categories there. If you refer to Deuteronomy, there are twenty-one categories there. And if you maintain that you should take the category of the kite (Lev. 11:14) that is written in Leviticus but not written in Deuteronomy and add it to the others that are listed, you still have only twenty-two!”

10. II:10: It was taught on Tannaite authority: Isi b. Judah says, “There are one hundred categories of unclean birds in the East and all of them are kinds of ‘yh.”

11. II:11: Said R. Isaac, “A clean bird may be eaten on the basis of the received tradition. The hunter is trusted to say, ‘This bird is clean. My master passed the tradition on to me.’”

D. THE RULES GOVERNING CLEAN AND UNCLEAR EGGS

1. II:12: Our rabbis taught on Tannaite authority: They may buy eggs from idolaters anywhere. And they need not suspect that they are from carrion nor from terefot. But perhaps they are from an unclean bird? Said the father of Samuel, “This rule applies where he the seller said, ‘They are from such-and-such a bird that is clean.’” And it was taught on Tannaite authority with regard to eggs: These are the tokens of cleanness for eggs: Any egg that is arched and rounded, that is with one end broad and one end narrow, is clean. Any eggs that have both ends broad or both ends narrow are unclean. Any egg with the white on the outside and the yolk on the inside, is clean. Any egg with the yolk on the outside and the white on the inside, is unclean. Any egg that is arched (on top, not pointed) and rounded, one may be certain, derives from an unclean bird, and any that is not arched and rounded, one may be certain, derives from a clean bird (T. **3:23 C**).

a. II:13: Said the master, “Any egg with the yolk and the white intermingled, it is known that this is an egg from an unclean creeping thing D, above.” What is the legal implication of this statement that is from a creeping thing? Said R. Uqba bar Hama, “This tells us that if the embryo in the egg formed and the shell was pierced, it conveys uncleanness in any amount more than a lentil’s-bulk.”

2. II:14: Our rabbis taught: Clean eggs boiled together with unclean eggs are permitted because the unclean eggs do not contaminate the clean ones in this manner ... Eggs that were addled by the mother — one with a strong constitution may eat them. If a drop of blood was found upon it, he may wipe away the blood and eat the rest. (T. **Ter. 9:5D, K-L**).

3. II:15: Said Hezekiah, “What is the source of the assertion that an unclean egg is prohibited by the Torah?” As it states, “The ostrich” (Lev. 11:16) bt hy’nh, lit.: the

daughter of the Ya'anah. And does the Ya'anah have a daughter? No. But what then is this that the verse refers to? This is an unclean egg.

E. BUT SAGES HAVE RULED: “ANY FOWL THAT SEIZES IS UNCLEAN. ANY FOWL THAT HAS AN EXTRA TALON THE HALLUX AND A CRAW, AND THE SKIN OF THE STOMACH OF WHICH CAN BE STRIPPED OFF IS CLEAN.” R. ELEAZAR B. SADOQ SAYS, “ANY BIRD THAT PARTS ITS TOES EVENLY TWO IN FRONT AND TWO IN BACK IS UNCLEAN:”

1. III:1: It was taught on Tannaite authority: Rabban Simeon b. Gamaliel says, “Any fowl that has an extra talon and a crawl, and the skin of the stomach of which can be stripped off is clean. Any fowl that seizes prey is unclean” M. **Hul. 3:6 C**. R. Eleazar bar Sadoq says, “They stretch out a cord for it. Any that, when placed on a cord divides its toes, two before it and two behind it, is unclean” (M. **Hul. 3:6 D**). Any bird that divides its toes three on one side and one on the other, is clean (T. **3:22 A-C**).

F. AND AMONG LOCUSTS: ANY THAT HAS (1) FOUR LEGS, (2) FOUR WINGS, AND (3) JOINTED LEGS (LEV. 11:21), AND (4) THE WINGS OF WHICH COVER THE GREATER PART OF ITS BODY. R. YOSÉ SAYS, “AND (5) THE NAME OF WHICH IS LOCUST.”

1. IV:1: What is the greater part of its body? Said R. Judah, said Rab, “The greater part of its length.” And some say, “The greater part of its circumference.” Said R. Pappa, “Therefore, we must have them cover both the greater part of its length and the greater part of its circumference.”

2. IV:2: Our rabbis taught on Tannaite authority: “Of them you may eat: the locust according to its kind, the bald locust according to its kind, the cricket according to its kind, and the grasshopper according to its kind” (Lev. 11:22). “The locust,” this is the migratory locust. “The bald locust,” this is the bald locust. “The cricket,” this is the green grasshopper. And “the grasshopper,” this is the cricket.

3. IV:3: The House of R. Ishmael taught: Some of these are general rules added to general rules. And some of these are specific rules added to specific rules. Here is how you should interpret the verse. “The locust,” this is the migratory locust. “According to its kind” includes the vine-hopper. I only have a rule that includes a locust that migrates and is not bald. Based on what would I have a rule for a locust that migrates and is bald? It comes to teach, “The bald locust sl'm,” this is the nypwl. “According to its kind” includes the 'yskp that is bald.

4. IV:4: On what principle do the Tannaite authority from the house of Rab and the Tannaite authority of the house of Ishmael dispute? In the case of a locust that has a long head they dispute. The Tannaite authority of the house of Rab reasons as follows: “Yet among the winged insects that go on all fours you may eat those which have legs above their feet, with which to leap on the earth” (Lev. 11:21) — this is a general rule. “Of them you may eat: the locust according to its kind, the bald locust according to its kind, the cricket according to its kind, and the grasshopper according to its kind” (Lev. 11:22) — this is a specification of the rule. Where you have a general rule and a specification of the rule, you can only subsume under the rule what you have in the specifications. This then means if it is of the same kind, yes you may subsume it under the rule. But if it is not of the

same kind, no you may not subsume it. And we encompass in the rule all kinds that match it in all manners.

a. IV:5: Gloss on a detail of the foregoing.

G. AND AMONG FISH: ANY THAT HAS FINS AND SCALES. R. JUDAH SAYS, “TWO SCALES AND A SINGLE FIN ARE SUFFICIENT.” AND WHAT ARE SCALES? THOSE THAT ARE IMMOVABLE. AND FINS? THOSE WITH WHICH IT SWIMS BUT NOT PROPELLING ITSELF ON DRY LAND WITH THEM.

1. V:1: Our rabbis taught on Tannaite authority: If a species of fish has no fins and scales now but is going to grow them later on, for example, the sultanit fish and the aphis fish, lo, this species of fish is permitted. If it has fins and scales now but is going to slough them off when it is taken out of the water, for example, the colias, scomber, swordfish, anthias, and tunny, it is permitted.

2. V:2: Our rabbis taught on Tannaite authority: From what was stated that one may eat those fish that do have them fins and scales, I derive that one may not eat those that do not have them. And from what was stated that one may not eat those that do not have them, I derive that one may eat those that do have them. So why did it teach both? To inform us that if he eats a fish that is prohibited he transgresses for that both a positive and a negative commandment. The verses are: “These you may eat, of all that are in the waters. Everything in the waters that has fins and scales, whether in the seas or in the rivers, you may eat. But anything in the seas or the rivers that has not fins and scales, of the swarming creatures in the waters and of the living creatures that are in the waters, is an abomination to you” (Lev. 11: 9-10).

H. PROHIBITED CREEPING THINGS

1. V:3: Said R. Huna, “A person should not pour his beer through a filter at night lest a worm fall off from the filter into the cup. And he would thereby transgress the prohibition in Scripture against eating it, to wit, ‘Every swarming thing that swarms upon the earth is an abomination; it shall not be eaten’ (Lev. 11:41).” Once the worm crawls on the filter it is forbidden to eat it.

2. V:4: Said Samuel, “A cucumber that became infested with worms while growing on the vine is prohibited on account of the verse, ‘Every swarming thing that swarms upon the earth is an abomination; it shall not be eaten’ (Lev. 11:41).”

3. V:5: R. Joseph posed questions regarding the definition of a prohibited creeping thing: If it i.e., and insect detached from the produce and died without ever crawling on the ground, what is the law? If part of the insect detached and crawled on the ground, what is the law? If it detached, but a person ate it before it touched the ground, i.e., while in mid-air, what is the law? These questions stand unresolved.

4. V:6: Our rabbis taught on Tannaite authority: “Scripture states: Whatever goes on its belly, and whatever goes on all fours, or whatever has many feet, all the swarming things that swarm upon the earth, you shall not eat; for they are an abomination” (Lev. 11:42). “Whatever goes on its belly” — this includes the snake; “whatever” — this includes the earthworm and any like it; “on all fours” — this is the scorpion; “and whatever goes” —this includes the beetle and any like it;

“has many feet” — this is the centipede; “or whatever” — this includes any like it or any like those that are like it.

XXXVI. Mishnah-Tractate Hullin 4:1

A. A BEAST THAT WAS IN HARD LABOR, AND ITS OFFSPRING PUT ITS HOOF OUT AND WITHDREW IT — WHEN THE DAM IS PROPERLY SLAUGHTERED, IT THE OFFSPRING IS PERMITTED TO BE EATEN. NOT BEING DEEMED BORN, IT IS NOT A LIVING BEAST THAT ITSELF MUST BE SLAUGHTERED BEFORE BEING EATEN. IF IT PUT FORTH ITS HEAD, EVEN THOUGH IT WITHDREW IT, LO, THIS IS DEEMED AS FULLY BORN:

1. I:1: Said R. Judah, said Rab, “And the limb itself that the animal put out and withdrew is prohibited.” What is the basis for this? Because Scripture said, “You shall not eat any meat that is mangled by beasts in the field” (Exo. 22:31). As soon as the meat of the limb went outside of the confines of the womb it became prohibited.

2. I:2: Said Ulla, said R. Yohanan, “And the limb itself it permitted.” Said R. Judah to Ulla, “But lo, Rab and Samuel both said, ‘The limb itself is prohibited.’” He said to him, “Who will give us the dust of Rab and Samuel so that we may fill our eyes with it. We are not worthy enough even to sit at their feet as students.” They posed a question: “Therefore you shall not eat any flesh that is torn by beasts in the field” (Exo. 23:31). What does this come to teach by stating “terefah”? Because we maintain regarding second tithes and first fruits, that even if they go beyond their prescribed enclosures in Jerusalem and return, they are permitted, you might wish to infer that even this case of an offspring that put its hoof out and withdrew it is the same. It comes to teach us that it is not by adding, “terefah.”

a. I:3: Gloss on foregoing.

3. I:4: In the West Israel they taught as follows: Rab said, “Limbs can be born on their own.” And R. Yohanan said, “Limbs cannot be born on their own.” What is the matter of the dispute between them? The dispute between them is the matter of whether to prohibit the lesser part of the limb that is inside the animal where the major part of the limb already emerged.

4. I:5: R. Hanania posed a question: If the offspring of a peace-offering put forth its limb while the mother was in the Temple court, what is the law? Do we reason that since the Temple court is an enclosure for Holy Things, it serves as such for this offspring as well and when the mother is slaughtered, the offspring is rendered permitted? Or perhaps we reason what with regard to this case the Temple court does not serve as an enclosure. For the enclosure for an offspring with regard to the effectiveness of slaughter for the mother upon the offspring is its mother. Ilfa posed a question: If the offspring put out its limb between the actual slaughter of one organ of the neck and the other, what is the law? Do we reason that the slaughter of the first organ combines with that of the second organ to render it clean of the status of carrion? Or do we not reason in this manner? R. Jeremiah posed a question: What is the law with regard to taking into account the seed of the offspring that had put forth its limb and that was born alive after the slaughter of the mother in determining the status of the progeny? What is the situation? If we

say that it went and mated with a normal cow, why specify this case that has a prohibited limb that it put out of the mother's womb? Why not consider also even the more general case of an offspring that was born alive with no protruding limb after the slaughter of the mother?

B. IF ONE CUTS OFF PART OF THE OFFSPRING THAT IS IN ITS WOMB — IT WHAT IS CUT OFF IS PERMITTED TO BE EATEN. IF HE CUT OFF PART OF THE SPLEEN OR KIDNEYS OF THE BEAST ITSELF, IT IS PROHIBITED TO BE EATEN. THIS IS THE GENERAL PRINCIPLE: (1) SOMETHING THAT IS PART OF ITS THE DAM'S BODY IS PROHIBITED. (2) SOMETHING THAT IS NOT PART OF ITS BODY IS PERMITTED.

1. II:1: What is the basis in Scripture for this rule? As it is written, "Every animal that parts the hoof and has the hoof cloven in two, and chews the cud, among the animals, you may eat it" (Deu. 14: 6). It repeats, "animal" and "among the animals" to include the offspring under the rules.

XXXVII. Mishnah-Tractate Hullin 4:2

A. A BEAST PRODUCING ITS FIRSTBORN THAT IS IN HARD LABOR — ONE CUTS OFF THE LIMBS OF THE OFFSPRING ONE BY ONE AND THROWS THEM TO THE DOGS. IF THE GREATER PART OF IT CAME FORTH, LO, THIS IS TO BE BURIED. AND IT BEAST IS FREE OF THE LAW OF THE FIRSTLING.

1. I:1: It was stated: If one third of a firstborn animal came forth and he sold it to an idolater and then another third came forth — R. Huna said, "It is holy." Rabbah said, "It is not holy."

2. I:2: It was taught in the Mishnah on Tannaite authority: A beast producing its firstborn that is in hard labor — one cuts off the limbs of the offspring one by one and throws them to the dogs. Is it not the case that he cuts off and puts aside the limbs and later throws them to the dogs? And if you say that it is holy retroactively, it should be necessary then for him to bury them.

3. I:3: Raba posed a question: Did they for determining the status of the limbs follow the status of the majority or not? What is the situation that Raba refers to? If you say that the case in question is one where the major part of the animal came forth, with the lesser part of a limb and he posed the question: This lesser part that is outside, do we say it follows the status of the major part of the limb that is still inside? Or do we say that it follows the status of the major part of the animal that has already come forth? If this is the question then it is obvious that we do not ignore the major part of the foetus and follow the greater part of the limb to determine the status!

4. I:4: Raba posed a question: What is the law with regard to the holiness of a firstborn if he wrapped the foetus during its birth in a sheathe? In a cloak? In its afterbirth? The foetus in these cases does not come in contact with the birth canal. 'In its afterbirth' is the natural manner of birth, so why should this be a question? Rather it must mean, if he wrapped it in the afterbirth of another animal, what is the law? If she wrapped it and brought it forth.

XXXVIII. Mishnah-Tractate Hullin 4:3A-E

A. A BEAST, THE FOETUS OF WHICH DIED IN ITS WOMB, AND THAT FOETUS THE SHEPHERD PUT IN HIS HAND AND TOUCHED — WHETHER IN THE CASE OF AN UNCLEAN BEAST OR A CLEAN BEAST— HE IS CLEAN. R. YOSÉ THE GALILEAN SAYS, “IN THE CASE OF AN UNCLEAN BEAST, HE IS UNCLEAN, AND IN THE CASE OF A CLEAN BEAST, HE IS CLEAN.”

1. I:1: What is the basis for the view of the first Tannaite authority? Said R. Hisda, “It is based on a logical deduction a fortiori: If being in the womb of the mother when she is slaughtered can have the effect of rendering it the foetus permitted for eating should it not have the effect of rendering it clean from the uncleanness of carrion?” And what is the basis for the view of R. Yosé the Galilean? Said R. Isaac, “Scripture stated, ‘And all that go on their paws, among the animals that go on all fours, are unclean to you; whoever touches their carcass shall be unclean until the evening’ (Lev. 11:27). I declared unclean to you as carrion all those animals that go on their paws.”

2. I:2: It was taught on Tannaite authority: Said R. Jonathan, “I remarked to Ben Azzai, ‘We have learned that the carcass of a clean beast renders unclean as carrion, and the carcass of an unclean beast renders unclean as carrion, and that the carcass of an unclean wild animal renders unclean as carrion. Regarding the carcass of a clean wild beast we have not learned that it renders unclean as carrion. What is the source of this rule?’”

XXXIX. Mishnah-Tractate Hullin 4:3F-G

A. THE WOMAN WHOSE FOETUS DIED IN HER WOMB, WHOSE FOETUS THE MIDWIFE PUT IN HER HAND AND TOUCHED — THE MIDWIFE IS UNCLEAN WITH A SEVEN-DAY UNCLEANNES, AND THE WOMAN IS CLEAN UNTIL THE FOETUS WILL EMERGE:

1. I:1: Said Rabbah, “Just as an unclean object that is contained inside a body does not render unclean the body, so also a clean object contained inside a body does not become unclean if the body comes in contact with uncleanness.” What is the source of the rule for uncleanness that is contained? As it is written, “And if any animal of which you may eat dies, he who touches its carcass shall be unclean until the evening and he who eats of its carcass shall wash his clothes and be unclean until the evening; he also who carries the carcass shall wash his clothes and be unclean until the evening” (Lev. 11:39-40). Are we not dealing with a case where he ate unclean food close to sunset? And the Torah said that he is clean even though undigested unclean food is contained inside him.

a. I:2: Gloss on foregoing.

XL. Mishnah-Tractate Hullin 4:4

A. A BEAST THAT IS IN HARD LABOR, AND THE YOUNG PUT FORTH ITS HOOV (AND) THAT ONE CUT OFF, AND AFTERWARD ONE SLAUGHTERED ITS DAM — THE HOOV IS UNCLEAN AS CARRION BUT THE MEAT OF THE OFFSPRING IN THE WOMB IS CLEAN.

IF HE SLAUGHTERED ITS MOTHER AND AFTERWARD CUT IT OFF — “THE MEAT OF THE OFFSPRING IS IN THE STATUS OF THAT WHICH HAS TOUCHED CARRION NAMELY, THE HOOF, WHICH, LOCATED OUTSIDE THE WOMB, IS UNAFFECTED BY THE SLAUGHTER OF THE MOTHER,” THE WORDS OF R. MEIR:

1. I:1: Why do they rule it the foetus is unclean? This should come under the principle of uncleanness that is concealed from view. And uncleanness that is concealed from view does not render unclean. R. Meir says it is unclean because he follows in accord with his own view. As it was taught in the Mishnah on Tannaite authority: Three-by-three finger-sized-cloth that was divided is clean from midras-uncleanness but is unclean from the contact with midras-uncleanness — the words of R. Meir (the Talmud adds this attribution). Said R. Yosé, “And with what midras did this have contact? But only if a zab has touched it is it unclean, on account of contact with the zab” (M. [Kel. 27:11](#)).

B. AND SAGES SAY, “IT IS IN THE STATUS OF THAT WHICH HAS TOUCHED TEREFAH THAT HAS BEEN SLAUGHTERED:”

1. II:1: Does a terefah-animal that has been slaughtered render unclean? Yes. In accord with the view of the father of Samuel. For said the father of Samuel, “A terefah-animal that was slaughtered renders Holy Things unclean”

C. THEY SAID TO R. MEIR, “JUST AS WE FIND IN THE CASE OF THE TEREFAH THAT SLAUGHTERING IT RENDERS IT CLEAN, SO THE SLAUGHTERING OF A BEAST SHOULD RENDER THE LIMB CLEAN.” SAID TO THEM R. MEIR, “NO. IF THE SLAUGHTERING OF A TEREFAH ANIMAL HAS RENDERED IT CLEAN, IT IS SOMETHING WHICH IS PART OF ITS BODY. BUT SHOULD IT RENDER THE LIMB CLEAN, WHICH IS NOT PART OF ITS BODY?” HOW DO WE KNOW CONCERNING A TEREFAH ANIMAL THAT SLAUGHTERING IT RENDERS IT CLEAN? AN UNCLEAN BEAST IS PROHIBITED TO BE EATEN, SO TOO A TEREFAH BEAST IS PROHIBITED TO BE EATEN. JUST AS IN THE CASE OF AN UNCLEAN BEAST SLAUGHTERING IT DOES NOT RENDER IT CLEAN, SO IN THE CASE OF A TEREFAH BEAST, SLAUGHTERING IT SHOULD NOT RENDER IT CLEAN. NO. IF YOU HAVE SO STATED IN THE CASE OF AN UNCLEAN BEAST, THAT NEVER HAD A MOMENT WHEN IT WAS VALID, WILL YOU SAY SO IN THE CASE OF A TEREFAH BEAST, THAT HAD A MOMENT WHEN IT WAS VALID. TAKE FOR YOURSELF WHAT YOU HAVE BROUGHT THE IMPLICATIONS OF YOUR OWN LOGIC! LO, WHAT IS BORN AS A TEREFAH FROM THE WOMB — HOW SHOULD WE KNOW THE RULE THAT SLAUGHTERING IT RENDERS IT CLEAN? NO. IF YOU HAVE SO STATED IN REGARD TO THE UNCLEAN BEAST, THE SPECIES OF WHICH ANIMAL IS NOT SUBJECT TO SLAUGHTER, WILL YOU SAY SO IN THE CASE OF TEREFAH, THE SPECIES OF WHICH ANIMAL IS SUBJECT TO SLAUGHTER

1. III:1: It was taught on Tannaite authority: Said to them R. Meir, “And what rendered this limb of the offspring clean from the uncleanness of carrion? The slaughter of its mother. If this is so, then let us permit it for eating.” They said to him, “In some instances, through the act of slaughter, you can more effectively save what is not a primary part of the body than what is a primary part of the body. For we learned: If one cuts off part of the offspring which is in its womb — it what is cut off is permitted to be eaten. If he cut off part of the spleen or kidneys of the beast itself, it is prohibited to be eaten (M. [4:1 D-F](#)).”

2. III:2: Said R. Simeon b. Laqish, “Just as the dispute between Meir and sages in pertains to the protruding limbs of fetuses, so the dispute pertains to dangling limbs of the animal itself.” And R. Yohanan said, “The dispute between them pertains to the protruding limb of a fetus. But regarding the dangling limb of the animal itself, all agree that as far as the act of slaughter is concerned, it is considered to be detached.”

3. III:3: Said R. Yohanan, “All agree that as far as an animal that dies is concerned, it is considered to be detached. As far as the act of slaughter is concerned, it is not considered to be detached.”

4. III:4: Said R. Joseph, “Take in hand the ruling of R. Isaac bar Joseph because Rabbah bar bar Hannah upholds his view.” For it was taught on Tannaite authority: “You shall not eat any flesh that is torn by beasts in the field” (Exo. 22:31) — this brings under the rule the limb and the flesh that are dangling from a beast, or a wild animal, or a bird that he slaughtered to tell us that they the dangling parts are prohibited. And said Rabbah bar bar Hannah, said R. Yohanan, “For these entities, there is a duty only to avoid them.” This implies that with regard to slaughter they are deemed attached to the animal and in fact permitted.

D. AS TO A LIVE EIGHT-MONTH’S BIRTH, SLAUGHTERING IT DOES NOT RENDER IT CLEAN, BECAUSE THE LIKE OF IT IS NOT SUBJECT TO SLAUGHTERING.

1. IV:1: As to a live eight-month’s birth, slaughtering it does not render it clean, because the like of it is not subject to slaughtering (M. 4:4 N). But lo it was taught on Tannaite authority: The case of a live eight-month’s birth will decide the matter. For even though the like of it is subject to slaughtering, the act of slaughter does not render it clean. This teaching implies that the act of slaughter does not render clean a terefah-animal either.

2. IV:2: R. Hoshiaia posed a question: If one inserted his hand into the womb of an animal and slaughtered a nine-month-old fetus what is the law? You may pose the question to R. Meir. And you may pose the question to the rabbis of our Mishnah.

XLI. Mishnah-Tractate Hullin 4:5

A. HE WHO SLAUGHTERS A BEAST AND FOUND IN IT AN EIGHT-MONTHS’ BIRTH, LIVING OR DEAD, OR A DEAD NINE-MONTHS’ BIRTH, TEARS IT OUT AND REMOVES ITS BLOOD. “IF HE FOUND A LIVE NINE-MONTHS’ BIRTH, IT REQUIRES SLAUGHTERING. AND IT IS LIABLE TO THE RULE CONCERNING IT AND ITS YOUNG, WHICH ARE NOT TO BE SLAUGHTERED ON THE SAME DAY,” THE WORDS OF R. MEIR. AND SAGES SAY, “THE SLAUGHTERING OF ITS MOTHER RENDERS IT CLEAN:”

1. I:1: Said R. Eleazar, Said R. Oshaia, “They followed this line of reasoning discussed in the Mishnah only with regard to the need to perform on the offspring an act of slaughtering.”

2. I:2: Said R. Simeon b. Laqish, “According to the authority who permits the fats, he would also permit the blood of this animal. According to the authority who prohibits the fats, he would also prohibit the blood.” And R. Yohanan said, “Even according to the authority who permits the fats, he would prohibit the blood.”

3. I:3: They raised a question: What is the rule for whether one may redeem a first born ass with a live birth of a lamb from a slaughtered mother? According to the view of R. Meir you should have no question. Because since he says that you must slaughter it, it is a perfectly good lamb. Where will you have a question? In accord with the view of the rabbis who said that the act of slaughter for the mother renders it clean.

4. I:4: They raised a question: What is the law with regard to counting for this live birth from a slaughtered mother first- and second-remove uncleanness. R. Yohanan said, “They count for it first- and second-remove uncleanness.” And R. Simeon b. Laqish said, “They do not count for it first- and second-remove uncleanness.” It is considered to be analogous to a nut that is enclosed in its shell.

5. I:5: If it aborted the foetus what is the status of the fat of the aborted foetus? R. Yohanan said, “Its fat has the same status of that of the beast its mother.” And R. Simeon b. Laqish said, “Its fat has the same status of that of a wild animal.”

6. I:6: Said R. Ammi, “He who slaughters a terefah-animal and found in it a live nine-months’ birth, in accord with the view of the one who prohibits in the same case, but where the mother is not a terefah-animal, i.e., Meir in M. 4:5D, he should permit the slaughter and consumption of the offspring in this case, since the status of the mother has no bearing on the offspring. And in accord with the view of the one who permits in the same case, but where the mother is not a terefah-animal. i.e., sages in M. 4:5 E, he should prohibit the slaughter and consumption of the offspring, since the status of the mother is applicable to the offspring.”

B. R. SIMEON SHEZURI SAYS, “EVEN IF IT GREW TO THE AGE OF EIGHT YEARS AND PLOUGHS A FIELD — THE SLAUGHTERING OF ITS MOTHER RENDERS IT CLEAN.” IF ONE CUT INTO A BEAST AND FOUND IN IT A LIVING NINE-MONTHS’ BIRTH, IT REQUIRES SLAUGHTERING, BECAUSE ITS MOTHER HAS NOT BEEN SLAUGHTERED.

1. II:1: R. Simeon Shezuri says, “Even if it grew to the age of eight years and ploughs a field — the slaughtering of its mother renders it clean: This is the same as the view of the first Tannaite authority. Said R. Kahana, “The case of where it walked away on the ground is a matter of dispute between them i.e., between the first Tannaite authority and Simeon.” Sages would require slaughter in that instance on the authority of the rabbis.

2. II:2: Said R. Haninah, “The law follows in accord with R. Simeon b. Shezuri.” And so R. Simeon b. Shezuri would permit its offspring and the offspring of that offspring down through all the generations of offspring. R. Yohanan said, “It an offspring that was born alive after the slaughter of the mother is permitted. Its offspring is prohibited.”

XLII. Mishnah-Tractate Hullin 4:6

A. A BEAST, THE HIND LEGS OF WHICH ARE CUT OFF BELOW THE KNEE, IS VALID. IF THEY ARE CUT OFF ABOVE THE KNEE, IT IS INVALID.

1. I:1: Said R. Judah, said Rab, said R. Hiyya, “Below, means below the knee. Above, means above the knee. About which part of the leg beneath the joint did

they speak? The part of the leg beneath the joint that is sold with the head as waste.”

B. AND SO IF THE JUNCTURE OF THE THIGH SINEWS WAS REMOVED IT IS INVALID:

1. II:1: And this is the juncture of the thigh sinews. Said Rabbah, said R. Ashi, “Beyond the point of adhesion of the sinews to the bone up to the place the sinews separate.” Said Rabbah bar R. Huna, said R. Ashi, “Within the point of adhesion of the sinews to the bone up to the joint.” Said Raba the son of Rabbah bar R. Huna, said R. Assi, “That part above the heel.”

2. II:2: In fowl — the juncture of the thigh sinews consists of sixteen tendons. If one of them is severed, it is terefah.

3. II:3: Said R. Judah, said Rab, “The juncture of the thigh sinews about which they spoke render the animal terefah if they sever the major part of them. What does ‘the major part’ mean? The major part of one of them. When I spoke of these matters before Samuel he said to me, “What is the case? There are three tendons. If one is severed completely, lo, there are two. The basis for this reasoning is that there are two remaining. Lo, if there are not two remaining, then no it would not be valid.”

C. IF THE BONE BROKE BUT WAS NOT CUT OFF, IF MOST OF THE MEAT REMAINS, SLAUGHTERING IT RENDERS IT THE BROKEN LEG CLEAN. AND IF NOT, SLAUGHTERING IT DOES NOT RENDER IT CLEAN AND THE BROKEN LEG CANNOT BE EATEN, BUT THE REST OF THE BEAST IS VALID

1. III:1: Said Rab, “If it broke above the knee, if most of the flesh is intact, both the limb and the animal are permitted. And if not, both are prohibited. If it broke below the knee, if most of the flesh is intact, both are permitted. And if not, the limb is prohibited, but the rest of the animal is permitted.” And Samuel said, “If it broke whether above or below the knee, if most of the flesh is intact, both are permitted. And if not, the limb is prohibited, but the rest of the animal is permitted.”

2. III:2: Our rabbis taught on Tannaite authority: If the bone was broken and it extrudes through the skin, if the hide and the flesh cover the major part of it, it is permitted. And if not, it is prohibited.

a. III:3: There was a case of a bird whose bone was broken and extruded outside the skin. A fragment of the bone was taken away from it. They brought it before Abbaye for a ruling. He delayed ruling on the matter for three festivals. Said to him R. Ada bar Matna, “Go before Raba the son of R. Joseph bar Hama for a ruling because he is as sharp as a tack and will find a way to permit the use of the bird.

XLIII. Mishnah-Tractate Hullin 4:7

A. HE WHO SLAUGHTERS THE BEAST AND FOUND IN IT AN AFTERBIRTH — SLAUGHTERING THE MOTHER RENDERS IT CLEAN, SO A ROBUST PERSON WILL EAT IT:

1. I:1: What is the source of these assertions? As it was taught by our rabbis on Tannaite authority: “Every animal that parts the hoof and has the hoof cloven in two, and chews the cud, among the animals, it you may eat” (Deu. 14: 6) — this phrasing of the verse has extraneous words and thereby includes in the rule the afterbirth. You might infer that even if part of it the foetus came out it, the afterbirth, should be permitted as it is a different entity. It comes to teach to the contrary by the addition of the word, “it you may eat.” “It you may eat” and not its afterbirth.

B. BUT IT IS SUBJECT TO NEITHER THE UNCLEANNESS OF FOODS NOR IF THE BEAST DIES THE UNCLEANNESS OF CARRION. IF HE GAVE THOUGHT TO IT FOR USE AS FOOD, IT IMPARTS THE UNCLEANNESS OF FOODS , BUT NOT THE UNCLEANNESS OF CARRION:

1. II:1: R. Isaac bar Nappaha posed a question: What is the law regarding the hide of an ass that was boiled until it softened? To which law is he referring? If the question refers to the law of rendering foods unclean, this was taught on Tannaite authority. If the question refers to the law of rendering unclean as carrion, this was taught on Tannaite authority.

C. AN AFTERBIRTH, PART OF WHICH EMERGED, IS PROHIBITED TO BE EATEN. IT IS A TOKEN OF THE BIRTH OF AN OFFSPRING IN A WOMAN, AND THE TOKEN OF THE BIRTH OF AN OFFSPRING IN A BEAST.

1. III:1: Said R. Eleazar, “They taught this only in the case where there is no foetus with it i.e., with that part that remains in the womb of the mother. But where there is a foetus with it, they do not suspect that there is another foetus and that it came out with the first part of the afterbirth.” And R. Yohanan said, “Whether there is not or is a foetus with it, we do suspect that there is another foetus.”

D. A BEAST WHICH, PRODUCING ITS FIRST BORN, DROPPED AN AFTERBIRTH — ONE SHOULD THROW IT TO THE DOGS:

1. IV:1: What is the basis for this rule? Said R. Iqa the son of R. Ammi, “We have a principle: The majority of animals give birth to a firstling that is holy. And a minority of animals give birth to a firstling that is not holy.” And what is that animal that is not holy? A sheep or a goat that gave birth to a similar species of animal.

E. AND IN THE CASE OF HOLY THINGS, IT IS TO BE BURIED:

1. V:1: What is the basis for this rule? The majority of offspring of holy animals are holy.

F. THEY DO NOT BURY IT AT THE CROSSROADS. AND THEY DO NOT HANG IT ON A TREE, BECAUSE OF THE PROHIBITION AGAINST IMITATING THE WAYS OF THE AMORITES.

1. VI:1: Abbayye and Raba both said, “Anything that is done to heal, may not be classified as a prohibited practice of the Amorites. Anything that is not done to heal, may be classified as a prohibited practice of the Amorites.”

XLIV. Mishnah-Tractate Hullin 5:1-2

A. THE PROHIBITION AGAINST SLAUGHTERING ON THE SAME DAY “IT AND ITS YOUNG” (LEV. 22:28) APPLIES (1) IN THE LAND AND OUTSIDE THE LAND, (2) IN THE TIME OF THE TEMPLE AND NOT IN THE TIME OF THE TEMPLE, (3) IN THE CASE OF UNCONSECRATED BEASTS AND IN THE CASE OF CONSECRATED BEASTS:

1. I:1: Our rabbis taught on Tannaite authority: Based on what source do we say that the prohibition against slaughtering on the same day “it and its young” applies to Holy Things? it comes to teach us in the verse, “When a bull or sheep or goat is born, it shall remain seven days with its mother; and from the eighth day on it shall be acceptable as an offering by fire to the Lord” (Lev. 22:27). And it is written after that, “And whether the mother is a cow or a ewe, you shall not kill both her and her young in one day” (Lev. 22:28). This teaches us that the prohibition against slaughtering on the same day “it and its young” applies to Holy Things.

a. I:2: Gloss of a detail of the foregoing.

I. I:3: As above.

2. I:4: Our rabbis taught on Tannaite authority: The prohibition against slaughtering on the same day “it and its offspring” applies to hybrid animals and to the koy. R. Eleazar says, “To the hybrid of a ewe and a goat — it applies. But to that of a koy it does not apply.” Said R. Hisda, “What is the parentage of the koy that is the subject of the dispute between R. Eliezer and sages? It is that offspring that comes out of the union of a goat and a female deer.”

3. I:5: Said R. Judah, “The koy is another category of creature unto itself. And the sages did not decide whether it is a kind of beast or a kind of wild animal.”

4. I:6: Said R. Zira, said R. Safra, said R. Hamnuna, “These goats of Lebanon are valid to be brought upon the altar.” He reasons regarding this in accord with what R. Isaac said, “Scripture enumerated ten kinds of beasts that are valid for slaughtering and eating.” And no more. And these goats, since they were not understood to be classed together with the wild beasts, we derive from this that they are in the general category of goat.

B. HOW SO? HE WHO SLAUGHTERS IT AND ITS OFFSPRING, (1) WHICH ARE UNCONSECRATED, (2) OUTSIDE THE TEMPLE COURTYARD —BOTH OF THEM ARE VALID. AND FOR SLAUGHTERING THE SECOND HE INCURS FORTY STRIPES. HE WHO SLAUGHTERS (1) HOLY THINGS (2) OUTSIDE — FOR THE FIRST IS HE LIABLE TO EXTIRPATION, AND BOTH OF THEM ARE INVALID, AND FOR BOTH OF THEM HE INCURS FORTY STRIPES. HE WHO SLAUGHTERS (1) UNCONSECRATED BEASTS (2) INSIDE THE TEMPLE COURTYARD — BOTH OF THEM ARE INVALID, AND FOR THE SECOND HE INCURS FORTY STRIPES. HE WHO SLAUGHTERS (1) HOLY THINGS (2) INSIDE — THE FIRST IS VALID, AND HE IS EXEMPT FROM ANY PUNISHMENT, AND FOR THE SECOND HE INCURS FORTY STRIPES, AND IT IS INVALID.

HE WHO SLAUGHTERS (1) UNCONSECRATED BEASTS AND (2) HOLY THINGS OUTSIDE THE TEMPLE COURTYARD, THE FIRST IS VALID, AND HE IS FREE ON ITS ACCOUNT OF THE PENALTY OF EXTIRPATION, AND FOR THE SECOND HE INCURS FORTY STRIPES, AND IT IS INVALID. HE WHO SLAUGHTERS (1) HOLY THINGS AND

(2) UNCONSECRATED BEASTS OUTSIDE, FOR THE FIRST HE IS LIABLE TO EXTIRPATION, AND IT IS INVALID. AND THE SECOND IS VALID. AND FOR BOTH OF THEM HE INCURS FORTY STRIPES. HE WHO SLAUGHTERS (1) UNCONSECRATED BEASTS AND (2) HOLY THINGS INSIDE THE TEMPLE, BOTH OF THEM ARE INVALID. AND FOR THE SECOND HE INCURS FORTY STRIPES. HE WHO SLAUGHTERS (1) HOLY THINGS AND (2) UNCONSECRATED BEASTS INSIDE, THE FIRST IS VALID. AND HE IS FREE ON ITS ACCOUNT OF THE PENALTY OF EXTIRPATION. AND FOR THE SECOND HE INCURS FORTY STRIPES, AND IT IS INVALID. HE WHO SLAUGHTERS UNCONSECRATED BEASTS (1) OUTSIDE AND (2) INSIDE, THE FIRST IS VALID, AND HE IS FREE OF THE PENALTY OF EXTIRPATION. AND FOR THE SECOND HE INCURS FORTY STRIPES, AND IT IS INVALID. HE WHO SLAUGHTERS HOLY THINGS (1) OUTSIDE AND (2) INSIDE, FOR THE FIRST HE IS LIABLE TO EXTIRPATION, AND BOTH OF THEM ARE INVALID. AND FOR BOTH OF THEM HE INCURS FORTY STRIPES. HE WHO SLAUGHTERS UNCONSECRATED BEASTS (1) INSIDE AND (2) OUTSIDE, THE FIRST IS INVALID. AND HE IS FREE OF THE PENALTY OF EXTIRPATION. AND FOR THE SECOND HE INCURS FORTY STRIPES. AND IT IS VALID. HE WHO SLAUGHTERS HOLY THINGS (1) INSIDE AND (2) OUTSIDE, THE FIRST IS VALID. AND HE IS FREE OF THE PENALTY OF EXTIRPATION. AND FOR THE SECOND HE INCURS FORTY STRIPES, AND IT IS INVALID.

1. II:1: Said R. Oshaia, “The entire Mishnah does not accord with the view of R. Simeon.” In what way is this the case? Since it teaches, He who slaughters (1) Holy Things (2) outside — for the first is he liable to extirpation, and both of them are invalid, and for both of them he incurs forty stripes (M. 5:1 D). Consider and take note that R. Simeon said, “An act of slaughter that is improper, is not a valid act of slaughter.”

2. II:2: And should he not incur stripes also on account of offering a sacrifice at the wrong time? For it was taught on Tannaite authority: On what basis do they rule that all invalid animals that are offered as sacrifices of oxen or sheep are subsumed under the prohibition established by the phrase, “It cannot be accepted” (Lev. 22:23)? It comes to teach in the verse, “A bull or a lamb which has a part too long or too short you may present for a freewill offering; but for a votive offering it cannot be accepted” (Lev. 22:23). This teaches us about the invalid animals that are offered as sacrifices of oxen or sheep that they are subsumed under the prohibition established by the phrase, “It cannot be accepted.” Why then does the Mishnah not specify that he be liable for stripes for this violation?

3. II:3: Said R. Hamnuna, “R. Simeon used to say, ‘The prohibition against slaughtering it and its offspring on the same day does not apply to Holy Things.’” What is the basis for this assertion? It is based on the fact that R. Simeon said, “An act of slaughter that is improper, is not a valid act of slaughter.”

XLV. Mishnah-Tractate Hullin 5:3A-I

A. (1) HE WHO SLAUGHTERS A BEAST, AND IT TURNS OUT TO BE TEREFAH, (2) HE WHO SLAUGHTERS A BEAST FOR IDOLATROUS PURPOSE:

1. I:1: Said R. Simeon b. Laqish, “They taught this rule that he is liable only where he slaughtered the first one for idolatrous purposes and the second one for

consumption at his table. But where he slaughtered the first one for his table and the second one for idolatrous purposes, he is exempt from punishment because of the principle that with regard to his liability to punishment the greater violation overrides the lesser violation and cancels its punishment.”

B. (3) AND HE WHO SLAUGHTERS A COW TO BE BURNED FOR PURIFICATION WATER,

1. II:1: And is the slaughter of a cow to be burned for purification water and act of slaughter that is invalid? But lo, it was taught on Tannaite authority: R. Simeon says, “A cow for purification renders foodstuffs and liquid unclean if there was at least a moment when it was fit” (T. **Parah 7:9 A**).

C. AND AN OX WHICH IS TO BE STONED, AND A HEIFER WHOSE NECK IS TO BE BROKEN NONE OF THESE IS EATEN — R. SIMEON DECLARES EXEMPT FROM PUNISHMENT FOR VIOLATING THE PROHIBITION AGAINST SLAUGHTERING IT AND ITS OFFSPRING ON ONE DAY. AND SAGES DECLARE LIABLE:

(1) HE WHO SLAUGHTERS A BEAST, AND IT IS MADE CARRION BY HIS OWN DEED, (2) HE WHO PIERCES THE WINDPIPE, (3) AND HE WHO TEARS OUT THE WINDPIPE IS EXEMPT ON ACCOUNT OF VIOLATING THE PROHIBITION AGAINST SLAUGHTERING IT AND ITS OFFSPRING ON ONE DAY.

1. III:1: And is the slaughter of a heifer whose neck is to be broken an act of slaughter that is invalid? But lo, it was taught in the Mishnah on Tannaite authority: If the murderer was found before the neck of the heifer was broken, it simply goes forth and pastures in the herd M. Sotah 9:7 A. If it is then slaughtered, it is valid.

XLVI. Mishnah-Tractate Hullin 5:3J-L

A. TWO WHO PURCHASED, ONE A COW, AND THE OTHER ITS OFFSPRING — THAT ONE WHO PURCHASED THE FIRST SLAUGHTERS FIRST. BUT IF THE SECOND DID IT FIRST, HE HAS ACQUIRED THE RIGHT TO DO SO.

1. I:1: Said R. Joseph, “The Mishnah taught this with regard to the legal rights of the purchasers and not with regard to the prohibition itself.”

XLVII. Mishnah-Tractate Hullin 5:3M-Q

A. IF HE SLAUGHTERED A COW AND AFTERWARD ITS TWO OFFSPRING, HE INCURS EIGHTY STRIPES. IF HE SLAUGHTERED ITS TWO OFFSPRING AND AFTERWARD SLAUGHTERED IT, HE INCURS FORTY STRIPES.

1. I:1: Why is it the case that he is liable? The Torah stated, “It and its offspring” (Lev. 22:28) and not “Its offspring and it.” No. You cannot have concluded that. For it was taught on Tannaite authority: From the verse, “It and its offspring” I may derive only that it is prohibited to slaughter in order, “It and its offspring.” What is the source of the prohibition of slaughtering in the reverse order, It and its mother? When it says, “And whether the mother is a cow or a ewe, you (plural) shall not kill both her and her young in one day” (Lev. 22:28). Lo, here you have reference to two people who are liable to punishment.

B. IF HE SLAUGHTERED IT, ITS DAUGHTER, ITS GRANDDAUGHTER, HE INCURS EIGHTY STRIPES. IF HE SLAUGHTERED IT AND ITS GRANDDAUGHTER AND AFTERWARD SLAUGHTERED ITS DAUGHTER, HE INCURS FORTY STRIPES. SUMKHOS SAYS IN THE NAME OF R. MEIR, “HE INCURS EIGHTY STRIPES.”

1. II:1: Said Abbaye to R. Joseph, “What is the basis for the view of Sumkhos. Does Sumkhos reason in accord with the view that one who ate two olive-bulks of forbidden fat in one inadvertent violation is liable to bring two sin-offerings ?

XLVIII. Mishnah-Tractate Hullin 5:3R-V, 5:4

A. AT FOUR SEASONS IN THE YEAR DOES HE WHO SELLS A BEAST TO HIS FELLOW HAVE TO INFORM HIM, “ITS MOTHER DID I SELL FOR SLAUGHTER, ITS DAUGHTER DID I SELL FOR SLAUGHTER,” AND THESE ARE THEY: (1) ON THE EVE OF THE LAST FESTIVAL DAY OF THE FESTIVAL OF SUKKOT; (2) ON THE EVE OF THE FIRST FESTIVAL DAY OF PASSOVER; (3) ON THE EVE OF ASERET , (4) AND ON THE EVE OF THE NEW YEAR.

1. I:1: It was taught on Tannaite authority: If they did not inform him, he may go and slaughter and does not have refrain from slaughtering in any way.

B. AND IN ACCORD WITH THE OPINION OF R. YOSÉ THE GALILEAN, “ALSO ON THE EVE OF THE DAY OF ATONEMENT IN GALILEE.” SAID R. JUDAH,”UNDER WHAT CIRCUMSTANCES? WHEN THERE IS NO SPACE OF TIME BETWEEN SALES. BUT IF THERE IS A SPACE OF TIME BETWEEN SALES HE DOES NOT NEED TO INFORM HIM.” AND R. JUDAH AGREES IN THE CASE OF ONE WHO SELLS THE DAM TO THE BRIDEGROOM AND THE DAUGHTER TO THE BRIDE, THAT HE NEEDS TO INFORM HIM. FOR IT IS CERTAIN THAT BOTH WILL SLAUGHTER THEM ON THE SAME DAY.

1. II:1: Why must I teach, the dam to the bridegroom and the daughter to the bride? This teaches us a novel point about one matter incidental to another. That is, it is normal that the house of the bridegroom makes a more elaborate celebration than the house of the bride. Because the Mishnah speaks of a case where the bridegroom slaughter the dam and the bride slaughter the offspring.

C. AT THESE FOUR SEASONS DO THEY FORCE THE BUTCHER TO SLAUGHTER AN ANIMAL AGAINST HIS WILL. EVEN IF IT WAS AN OX WORTH A THOUSAND DENARS, AND THE PURCHASER HAS ONLY ONE DENAR, THEY FORCE HIM TO SLAUGHTER IT. THEREFORE IF IT DIES, THE LOSS IS THAT OF THE CUSTOMER. BUT ON THE REST OF THE DAYS OF THE YEAR, IT IS NOT SO. THEREFORE IF IT DIES, THE LOSS IS THAT OF THE SELLER.

1. III:1: But lo, he did not yet draw it the animal toward him as a means of acquiring possession. Therefore the customer should not take any loss contrary to C. Said R. Huna, said Rab, “We deal with a case where he did draw it to him.”

XLIX. Mishnah-Tractate Hullin 5:5

A. CONCERNING THE PHRASE, “ONE DAY” WHICH IS STATED IN CONNECTION WITH “IT AND ITS YOUNG” WITH REGARD TO THE LAW THIS MEANS THE DAY ACCORDS WITH THE PRECEDING NIGHT. THIS DID SIMEON B. ZOMA EXPOUND: “IT IS STATED

WITH REFERENCE TO THE WORKS OF CREATION, ‘ONE DAY’ (GEN. 1: 5), AND IT IS STATED WITH REFERENCE TO ‘IT AND ITS YOUNG,’ ‘ONE DAY’ (LEV. 22:28). JUST AS ‘ONE DAY’ STATED WITH REFERENCE TO THE WORKS OF CREATION MEANS AS TO THE LAW THE DAY ACCORDS WITH THE PRECEDING NIGHT, SO ‘ONE DAY’ STATED WITH REFERENCE TO ‘IT AND ITS YOUNG’ MEANS THE DAY ACCORDS WITH THE PRECEDING NIGHT.”

1. I:1: Our rabbis taught on Tannaite authority: R. Simeon b. Zoma expounded this: Because the entire context of the rules of our prohibition speaks only about Holy Things, and because in regard to Holy Things the night follows the day, you might infer that even here that is the case that the night follows the day. Therefore it is stated here, ‘One day’ and stated with reference to the works of creation, ‘One day.’ Just as ‘One day’ stated with reference to the works of creation means as to the law the day accords with the preceding night, so ‘One day’ stated with reference to ‘it and its young’ means the day accords with the preceding night.

L. Mishnah-Tractate Hullin 6:1

A. THE REQUIREMENT TO COVER UP THE BLOOD APPLIES IN THE LAND AND ABROAD, (2) IN THE TIME OF THE TEMPLE AND NOT IN THE TIME OF THE TEMPLE, (3) IN THE CASE OF UNCONSECRATED BEASTS, BUT NOT IN THE CASE OF HOLY THINGS. AND IT APPLIES (4) TO A WILD BEAST AND A BIRD, (5) TO THAT WHICH IS CAPTIVE AND TO THAT WHICH IS NOT CAPTIVE. AND IT APPLIES (6) TO A KOY, BECAUSE IT IS A MATTER OF DOUBT WHETHER IT IS WILD OR DOMESTICATED. AND THEY DO NOT SLAUGHTER A KOY ON THE FESTIVAL. BUT IF ONE HAS SLAUGHTERED IT, THEY DO NOT COVER UP ITS BLOOD.

1. I:1: On what basis does the rule not apply to Holy Things? Do you say it is on account of the view of R. Zira? For said R. Zira, “One who slaughters must put dust below and dust above the blood. For it says, ‘Any man also of the people of Israel, or of the strangers that sojourn among them, who takes in hunting any beast or bird that may be eaten shall pour out its blood and cover it in dust’ (Lev. 17:13). It does not say ‘with dust,’ but it does say, ‘in dust.’ This teaches us that the one who slaughters must put dust below and dust above the blood.”

2. I:2: Jacob the heretic said to Raba, “We have the principle that a wild animal is included under the rule for beasts with regard to the tokens of cleanness. It would make sense to maintain also that the beast is included under the rule for wild animals with regard to the obligation to cover the blood.”

3. I:3: Our rabbis taught on Tannaite authority: “Any man also of the people of Israel, or of the strangers that sojourn among them, who takes in hunting any beast or bird that may be eaten shall pour out its blood and cover it with dust” (Lev. 17:13). I have only the rule that he cover the blood for those that he “takes in hunting.” What is the basis for the rule for those that are already taken and make themselves ready, such as geese and chickens? It comes to teach, “in hunting” implying any way he takes them they are subject to the rule. If so what does it come to teach by stating “who takes”? The Torah taught proper behavior. For a person should eat meat only after this kind of extensive preparation. One should not eat meat often lest he become poor.

4. I:4: Our rabbis taught on Tannaite authority: “When the Lord your God enlarges your territory, as he has promised you, and you say, ‘I will eat flesh,’ because you crave flesh, you may eat as much flesh as you desire” (Deu. 12:20). The Torah taught proper behavior. A person should eat meat only when he craves it.

a. I:5: We have this related exposition about self-sufficiency based on these two verses in Proverbs: “The lambs will provide your clothing, and the goats the price of a field. There will be enough goats’ milk for your food, for the food of your household and maintenance for your maidens” (Pro. 27:26-27). “The lambs will provide your clothing,” means from the shearing of your lambs you should make your clothes. “And the goats the price of a field,” means a person in general may sell his field to buy goats. But he may not sell his goats to buy a field. “There will be enough goats’ milk” means it is enough if a person sustains himself through the milk of goats and lambs that are in his household. “For your food, for the food of your household” means your food should take precedence over the food for your household.

b. I:6: R. Avira expounded, sometimes he said this in the name of R. Ammi and sometimes he said this in the name of R. Assi, “What is the meaning of what is written, ‘It is well with the man who deals generously and lends, who conducts his affairs with justice’ (Psa. 112: 5)? A person should always eat and drink on a standard lower than his means. And he should dress and clothe himself in accord with his means. And he should respect his wife and children on a standard that is beyond his means. For they depend on him and he depends on the one who spoke and brought the world into being.”

5. I:7: R. Ayna expounded at the gate of the house of the Exilarch: “One who slaughters a bird on the Sabbath on behalf of a person who is ill is liable to cover the blood with dust.” Rabbah said to them, “Mute him!” He meant, “Take his Amora [public speaker] away from him.”

II. Mishnah-Tractate Hullin 6:2

A. (1) HE WHO SLAUGHTERS A WILD BEAST OR A BIRD AND IT TURNS OUT TO BE TEREFAH, (2) HE WHO SLAUGHTERS FOR THE PURPOSE OF IDOLATRY, (3) HE WHO SLAUGHTERS AN UNCONSECRATED WILD ANIMAL OR BIRD INSIDE THE TEMPLE OR CONSECRATED ONES OUTSIDE (4) A WILD BEAST AND A BIRD WHICH ARE TO BE STONED — R. MEIR DECLARED LIABLE FOR THE COVERING UP OF THE BLOOD. AND SAGES DECLARE FREE OF THE LIABILITY.

(1) HE WHO SLAUGHTERS A WILD BEAST OR A BIRD AND IT IS MADE CARRION BY HIS OWN DEED, (2) HE WHO PIERCES THE WINDPIPE, (3) HE WHO TEARS OUT THE WINDPIPE, IS FREE OF THE OBLIGATION TO COVER UP THE BLOOD.

1. I:1: Said R. Hiyya bar Abba, said R. Yohanan, “Rabbi concurred with the words of R. Meir regarding the prohibition against slaughtering it and its offspring on the same day. And he repeated it here attributing it to the sages. And he concurred

with the words of R. Simeon regarding the obligation to cover the blood. And he repeated it here, attributing it to the sages.”

2. I:2: Said R. Abba, “Not for every matter did R. Meir say that an improper act of slaughter is a valid act of slaughter. R. Meir would agree that it does not render the animal permitted for eating. And not for every purpose did R. Simeon say that an improper act of slaughter is not a valid act of slaughter. R. Simeon would agree that it renders the animal clean of the uncleanness of carrion.”

3. I:3: Worms infested the flax of R. Hiyya. He came before Rabbi for advice. He said to him, “Take a bird and slaughter it over the vat of water that the flax is soaking in. For they will smell the blood and leave the flax.” Now how could act in accord with this advice? Lo, was it not taught on Tannaite authority: He who slaughters and needs to use the blood, he is liable to cover it. What must he do to kill it in order to use the blood without covering it? Either he stabs it or he rips out its organs.

LII. Mishnah-Tractate Hullin 6:3

A. A DEAF-MUTE, AN IMBECILE, AND A MINOR WHO SLAUGHTERED WITH OTHERS OVERSEEING THEM ARE LIABLE TO COVER UP THE BLOOD. IF THEY DID SO ALL BY THEMSELVES, THEY ARE FREE OF LIABILITY TO COVER UP THE BLOOD. AND SO WITH REGARD TO THE MATTER OF, “IT AND ITS OFFSPRING:” IF THEY HAVE SLAUGHTERED AND OTHERS OVERSEE THEM, IT IS PROHIBITED TO SLAUGHTER THE OFFSPRING AFTER THEM. IF THEY DID SO ALL BY THEMSELVES, R. MEIR PERMITS ONE TO SLAUGHTER THE OFFSPRING AFTER THEM. AND SAGES PROHIBIT. BUT THEY AGREE THAT IF ONE HAS SLAUGHTERED THE OFFSPRING AFTER THE DEAF-MUTE, IMBECILE, OR MINOR HAS SLAUGHTERED THE DAM, HE DOES NOT INCUR FORTY STRIPES.

1. I:1: And for the rabbis what difference is there between the first text of the Mishnah, where they did not dispute, and the last text of the Mishnah, where they did dispute? In respect to the ruling of the first text if we say that they are liable to cover the blood, people will say that their act of slaughter is fine and will come to eat from what they slaughtered.

2. I:2: Rabbi taught in accord with the view of R. Meir. And Rabbi taught in accord with the view of sages. Which of these was his last and definitive ruling?

LIII. Mishnah-Tractate Hullin 6:4A-D

A. (1) IF ONE HAS SLAUGHTERED A HUNDRED WILD BEASTS IN ONE PLACE, A SINGLE COVERING UP OF THE BLOOD SERVES FOR ALL OF THEM. (2) IF ONE HAS SLAUGHTERED A HUNDRED BIRDS IN ONE PLACE, A SINGLE COVERING UP OF THE BLOOD SERVES FOR ALL OF THEM. (3) IF ONE HAS SLAUGHTERED A WILD BEAST AND A BIRD IN ONE PLACE, A SINGLE COVERING UP OF THE BLOOD SERVES FOR ALL OF THEM. R. JUDAH SAYS, “IF ONE HAS SLAUGHTERED A WILD BEAST, HE SHOULD COVER UP ITS BLOOD, AND AFTERWARD LET HIM SLAUGHTER THE BIRD.”

1. I:1: Our rabbis taught on Tannaite authority: “Any man also of the people of Israel, or of the strangers that sojourn among them, who takes in hunting any beast or bird that may be eaten shall pour out its blood and cover it in dust” (Lev. 17:13). “Any beast” means any number of beasts, whether many or few. “Any... bird” means any number of birds, whether many or few.

2. I:2: Said R. Hanina, “R. Judah would agree that with regard to reciting a blessing over the acts of slaughtering a beast and a bird,, that he recites only one blessing even though the act of covering the blood interposes.”

LIV. Mishnah-Tractate Hullin 6:4E-G

A. IF HE SLAUGHTERED A WILD BEAST OR A BIRD AND HE DID NOT COVER UP ITS BLOOD AND ANOTHER PERSON SAW HIM, HE THE OTHER PERSON IS LIABLE TO COVER UP THE BLOOD:

1. I:1: Our rabbis taught on Tannaite authority: “He shall pour out its blood and cover it with dust” (Lev. 17:13) means the one who pours it out should cover it. If he slaughtered a wild beast or a bird and he did not cover up its blood and another person saw him, on what basis is he the other person liable to cover up the blood? As it says, “Therefore I have said to the people of Israel” (Lev. 17:14). This is an admonition to all the people of Israel

B. IF HE COVERED UP THE BLOOD AND IT BECAME UNCOVERED, HE IS FREE OF LIABILITY TO COVER IT UP AGAIN:

1. II:1: Said R. Aha the son of Raba to R. Ashi, “Why is this different from the obligation to return a lost object?” For said the master, “You shall take them back to your brother” (Deu. 22: 1) means even a hundred times.

C. IF THE WIND BLEW DIRT AND COVERED IT UP AND IT BECAME UNCOVERED, HE IS LIABLE TO COVER IT UP:

1. III:1: Said Rabbah bar bar Hannah, said R. Yohanan, “They taught this matter only where it again became uncovered. But where it did not again become uncovered, his is exempt from the obligation to cover it.”

LV. Mishnah-Tractate Hullin 6:5, 6:6A-C

A. BLOOD THAT WAS MIXED WITH WATER, IF IT HAS THE APPEARANCE OF BLOOD, ONE IS LIABLE TO COVER IT UP. IF IT WAS MIXED WITH WINE, THEY REGARD IT AS IF IT WERE WATER. IF IT WAS MIXED UP WITH BLOOD OF A DOMESTICATED BEAST OR WITH BLOOD OF A WILD BEAST, THEY REGARD IT AS IF IT WERE WATER. R. JUDAH SAYS, “BLOOD DOES NOT ANNUL BLOOD.”

1. I:1: It was taught there in the Mishnah on Tannaite authority: Blood that was mixed with water, if it the mixture has the appearance of blood, it is valid. If it was mixed with wine, they regard it as if it were water and if the mixture is blood-color, it is valid. If it blood of Holy Things was mixed with the blood of a beast or with the blood of a fowl that were unconsecrated, they regard it as if it were water. R. Judah says, “Blood under any circumstances does not annul blood” (M. [Zeb. 8: 6](#)). Said R. Hiyya bar Abba, said R. Yohanan, “They taught this rule of M. [6:7](#)

A-C only where the water fell into the blood. But where the blood fell into the water, as each drop falls in it is annulled.”

2. I:2: In a Tannaite tradition it was taught: A mixture of water with blood from a corpse renders unclean in a tent as long as there is a quarter-log of blood in the mixture.

B. BLOOD THAT SPLASHES AND THAT IS ON THE KNIFE, ONE IS LIABLE TO COVER IT UP. SAID R. JUDAH, “UNDER WHAT CIRCUMSTANCES? WHEN THERE IS THERE ONLY THAT BLOOD. BUT IF THERE IS THERE BLOOD OTHER THAN THAT, HE IS FREE OF THE LIABILITY TO COVER IT UP.”

1. II:1: Our rabbis taught on Tannaite authority: “And cover it with dust” (Lev. 17:13) — this teaches us that, Blood that splashes and that is on the knife, one is liable to cover it up. Said R. Judah, “Under what circumstances? When there is there only that blood. But if there is there blood other than that, he is free of the liability to cover it up.” Another Tannaite teaching: “And cover it with dust” (Lev. 17:13) — this teaches us that he is liable to cover up all of its blood. Based on this they said, Blood that spurts and that is on the sides of the neck where it is slaughtered, one is liable to cover it up. Said Rabban Simeon b. Gamaliel, “Under what circumstances? Where he did not cover the life-blood that spurts out at the time of slaughter. But where he did cover the life-blood, he is exempt from the obligation to cover this other blood.”

LVI. Mishnah-Tractate Hullin 6:7

A. WITH WHAT DO THEY COVER UP THE BLOOD, AND WITH WHAT DO THEY NOT COVER UP THE BLOOD? THEY COVER UP THE BLOOD (1) WITH FINE DUNG AND (2) WITH FINE SAND AND (3) WITH LIME AND (4) WITH PIECES OF POTSHERD AND (5) WITH BRICK AND (6) WITH THE PLUG OF A JAR BOTH (5,6) OF WHICH ONE HAS CRUSHED. BUT THEY DO NOT COVER UP THE BLOOD EITHER (1) WITH COARSE DUNG OR (2) WITH COARSE SAND OR (3) WITH A BRICK OR (4) WITH THE PLUG OF A JAR NEITHER (3,4) OF WHICH ONE HAS CRUSHED. AND ONE SHOULD NOT TURN A UTENSIL OVER ON IT. A GENERAL PRINCIPLE DID RABBAN SIMEON B. GAMALIEL STATE: “WITH SOMETHING IN WHICH ONE GROWS PLANTS, THEY COVER IT UP, AND WITH SOMETHING IN WHICH ONE DOES NOT GROW PLANTS, THEY DO NOT COVER IT UP.”

1. I:1: What is the definition of “fine sand”? Said Rabbah bar bar Hannah, said R. Yohanan, “Any sand that the potter does not have to crush up before using it.”

2. I:2: Our rabbis taught on Tannaite authority: “And cover it with dust” (Lev. 17:13) — you might infer that he may cover it with stones or that he may overturn a vessel on it. It comes to teach us, “With dust.” I only have derived from this that he may cover it with dust. What is the source that includes in the rule that he may cover it with, (1) with fine dung and (2) with fine sand and with crushings of stones, and crushings of shards, and fine scrapings of flax, and fine sawdust, and (3) with lime and (4) with pieces of potsherd and (5) with brick and (6) with the plug of a jar both (5,6) of which one has crushed? It comes to teach, “And cover it.”

3. I:3: R. Nahman bar R. Hisda expounded, “They may cover the blood only with a substance in which you may plant and things will grow.”

4. I:4: Our rabbis taught on Tannaite authority: “They may cover the blood only with dust,” the words of the House of Shammai. And the House of Hillel say, “We find ashes that are called dust. As it says, ‘For the unclean they shall take some ashes (the word is ‘dust’) of the burnt sin-offering, and running water shall be added in a vessel’ (Num. 19:17).”

5. I:5: It was taught on Tannaite authority: Add to them that may be used to cover the blood soot, stibium, and dust from chiselling from the grindstone. And some say, “Even orpiment.”

B. ABRAHAM ANSWERED, BEHOLD, I HAVE TAKEN UPON MYSELF TO SPEAK TO THE LORD, I WHO AM BUT DUST AND ASHES

1. I:6: Said Raba, “As a reward for what Abraham our forefather said, ‘Abraham answered, Behold, I have taken upon myself to speak to the Lord, I who am but dust and ashes’ (Gen. 18:27), his descendants merited two commandments, the ashes of the Red Heifer and the dust given to the sotah-woman.”

2. I:7: Said R. Abba, “How severe is the sin of a theft of something that is consumed. For even the completely righteous cannot return it. As it says, ‘I will take nothing but what the young men have eaten, and the share of the men who went with me; let Aner, Eshcol, and Mamre take their share’ (Gen. 14:24).”

3. I:8: Said Raba, and some say said R. Yohanan, “What Moses and Aaron said was more humble than what Abraham said. For Abraham it was written, ‘I am but dust and ashes.’ But for Moses and Aaron it was written, ‘What are we?’”

4. I:9: Said R. Zira, “They may cover the blood with the dust of a condemned city (cf. Deu. 13).”

LVII. Mishnah-Tractate Hullin 7:1

A. THE PROHIBITION OF THE SINEW OF THE HIP SCIATIC NERVE APPLIES (1) IN THE LAND OF ISRAEL AND OUTSIDE OF THE LAND, (2) IN THE TIME OF THE TEMPLE AND NOT IN THE TIME OF THE TEMPLE, (3) TO UNCONSECRATED ANIMALS AND TO HOLY THINGS. IT APPLIES (1) TO DOMESTICATED CATTLE AND TO WILD BEASTS:

1. I:1: Mishnah states: The prohibition of the sinew of the hip applies... to Holy Things — but this is obvious! Might you have assumed that when it became holy the prohibition of the sinew ceased to apply to it?! And if you maintain that this item is included in the Mishnah to teach a new concept, namely that the principle of imparting flavor as if they were meat applies to sinews and accordingly the prohibition against eating holy meat will apply to a sinew, then it should have stated the reverse in the Mishnah, The prohibition of Holy Things applies to the sinew of the hip.

2. I:2: Said R. Hiyya bar Joseph, “They taught this matter with regard to those Holy Things that are eaten e.g., the sin-offering. But with regard to those Holy Things that are not eaten e.g., the burnt-offering, the prohibition of the sinew does not apply to them.” And R. Yohanan said, “Both with regard to those Holy

Things that are eaten and with regard to those Holy Things that are not eaten, the prohibition of the sinew does apply to them.” And said R. Pappa, “And they do not dispute. Here where Yohanan said the prohibition does apply, he means it with regard to the obligation to administer stripes to one who eats it. Here where Hiyya said the prohibition does not apply, he means it with regard to the permission to offer it up on the altar with other meat even though eating the sinew is prohibited.”

a. I:3: Expansion of a secondary problem in the foregoing: Said R. Huna, “The sinew of the hip of the burnt-offering — one removes it to place it on the ash-pile in the middle of the altar to be burned.” Said R. Hisda, “Consider this, master! Is it written, ‘Therefore to this day the altar does not consume the sinew of the hip?’ It is written, ‘Therefore to this day the Israelites do not eat...’ (Gen. 32:32).” They raised an objection: The sinew of the hip of the peace-offering — they sweep it into the sewer. And that of the burnt-offering they offer up. Is it not the case that they offer it up and burn it? No. It is the case that they offer it up and remove it and place it on the ash-pile. But as long as he removes it, why does he offer it up in the first place? Because it says, “When you offer blind animals in sacrifice, is that no evil? And when you offer those that are lame or sick, is that no evil? Present that to your governor; will he be pleased with you or show you favor? says the Lord of hosts” (Mal. 1: 8).

B. ...TO THE RIGHT HIP AND TO THE LEFT HIP:

1. II:1: To the right hip and to the left hip: This Mishnah-passage does not accord with the view of R. Judah. For it was taught on Tannaite authority: R. Judah says, “It applies only to one, and it seems likely that it is the right one” (T. **7:1 C**). R. Samuel bar Nahmani said, “The angel appeared to him in the form of an idolater. As the master said: An Israelite who goes along with an idolater on the road, he puts him at his right hand and he does not put him at his left hand (T. **A. Z. 3:4 F-G**). And the angel then struck the hip nearest to him.”

a. II:2: And what is the rabbis’ basis for holding the view that both hips are prohibited? The angel came up from behind him and dislocated both of them.

C. EXEGESIS OF THE STORY OF JACOB’S WRESTLING WITH THE ANGEL

1. II:3: Said R. Yosé b. R. Hanina, “Why is it written, ‘The Lord sent a word against Jacob, and it fell on Israel’ (Isa. 9: 8). ‘The Lord sent a word against Jacob,’ this is the prohibition on account of Jacob’s wrestling with the Angel of the sinew of the hip. ‘And it fell on Israel,’ its prohibition spread through all of Israel.”

2. II:4: “Jacob was left alone; and a man wrestled with him until daybreak” (Gen. 32:24): Said R. Eleazar, “This teaches us that he stayed behind on account of some small jars. This serves as a source of proof of the maxim that for the righteous, their material possessions are more dear to them than their own well-being. And why do they go to this length to protect their small possessions? Because they do not engage in theft and they are poor.”

3. II:5: Said R. Aqiba, “I asked R. Gamaliel and R. Joshua, at the meat market of Emmaus, where they went to buy an animal for the feast of the son of R. Gamaliel,

about this verse. It is written: 'The sun rose upon him.' But did the sun rise only upon him? The sun rose upon the entire world!" Said R. Isaac, "This tells us that the sun which had set on his account, rose on his account. For it is written: "Jacob left Beer-sheba, and went toward Haran" (Gen. 28:10). And it is written: "And he came to a certain place, and stayed there that night, because the sun had set. Taking one of the stones of the place, he put it under his head and lay down in that place to sleep" (Gen. 28:11).

4. II:6: It is written: "Taking one (lit.: from among) of the stones of the place, he put it under his head and lay down in that place to sleep" (Gen. 28:11). And it is written: "So Jacob rose early in the morning, and he took the stone which he had put under his head and set it up for a pillar and poured oil on the top of it (Gen. 28:18). Said R. Isaac, "This teaches us that all of the stones gathered to this one place. And each one was saying, "Upon me shall this righteous person rest his head." It was taught: All of them miraculously fused together into one." Hence the reference to a single stone in the latter verse.

5. II:7: "Then he said, 'Let me go, for the day is breaking.' But Jacob said, 'I will not let you go, unless you bless me'" (Gen. 32:26): He Jacob said to him, "Are you a robber or a kidnapper, that you are afraid of the daybreak?" He said to him, "I am an angel. And from the day I was created, my time did not come to sing praise to God in the morning service until now."

6. II:8: "He strove with the angel and prevailed, he wept and sought his favor" (Hos. 12: 4). I do not know who prevailed. Since it says, "For you have striven with God and with humans, and have prevailed" (Gen. 32:28) I would say that Jacob prevailed over the angel. "He wept and sought his favor" — I do not know who wept for whom. Since it says, "Let me go" I would say that the angel wept for Jacob.

7. II:9: "And on the vine there were three branches (srygym); as soon as it budded, its blossoms shot forth, and clusters ripened into grapes" (Gen. 40:10): Said R. Hiyya bar Abba, said Rab, "These are the three princes of distinction that come forth in Israel in every generation. Sometimes two of them are here in Babylonia and one is in the Land of Israel. And sometimes two are in the Land of Israel and one is here."

8. II:10: "So I bought her for fifteen shekels of silver and a homer and a letekh of barley" (Hos. 3: 2): Said R. Simeon b. Yozadaq: The first language used in the verse — always implies buying (i.e., pointing out the relationship between kyrh and mkyrh). As it says, "My father made me swear, saying, 'I am about to die: in my tomb which I bought (kryty) hewed out for myself in the land of Canaan, there shall you bury me.' Now therefore let me go up, I pray you, and bury my father; then I will return'" (Gen. 50: 5). "Fifteen" — specified in the verse this is a symbolic reference to the fifteenth day of Nissan on which Israel was redeemed from Egypt. "Shekels of silver" — these are symbols of the righteous. And so it says, "He took a bag of money with him; at full moon he will come home" (Pro. 7:20).

D. BUT IT DOES NOT APPLY (3) TO A BIRD, BECAUSE IT HAS NO HOLLOW OF THE THIGH OR SPOON-SHAPED HIP SOCKET.

1. III:1: But lo, we observed that it does have a hollow! It has but it is not rounded.

E. AND IT APPLIES TO THE FOETUS. R. JUDAH SAYS, “IT DOES NOT APPLY TO THE FOETUS:”

1. IV:1: Said Samuel, “And its fat is permitted according to all authorities.”

2. IV:2: Said R. Isaac bar Samuel bar Marta, said Rab, “The Torah prohibited only the branches of the sinew.” Ulla said, “It is tasteless like wood, but the Torah made him liable for eating it anyway.”

a. IV:3: Gloss of a detail of the foregoing.

l. IV:4: As above.

3. IV:5: Said R. Abba, said R. Judah, said Samuel, “The fat on the omasum and on the reticulum is prohibited and the punishment for eating it is extirpation.” And this what the verse refers to as “the fat that is on the entrails.” The verse is: “And from the sacrifice of the peace offering, as an offering by fire to the Lord, he shall offer the fat covering the entrails and all the fat that is on the entrails” (Lev. 3: 3).

4. IV:6: Said R. Judah, said Samuel, “The fat on the first cubit of intestines needs to be scraped off.” And this is what they refer to as “the fat that is on the small intestines.” And said R. Judah, “The veins in the rump are prohibited as forbidden fat.”

a. IV:7: Gloss of a detail of the foregoing.

5. IV:8: Defective testicles of a beast — R. Ammi and R. Assi disputed their status. One prohibited eating them. And one permitted eating them. The one who prohibited them did so because he reasoned that since they will not heal back, they have the status of a limb torn from a live animal. The one who permitted them did so because he reasoned that as long as they do not putrefy, there is life in them i.e., they are living tissue. And the other would respond to this point by arguing these do not putrefy because they are not exposed to the air but they are not living tissue. And the other would respond to the first justification by arguing these do not heal back because they became emaciated.

6. IV:9: A head put on hot ashes — if he put it down on the neck opening where it was slaughtered, the blood exudes and it is permitted. If he put it down sideways, the blood congeals inside it and it is prohibited. If he put it down on its nostrils, if he stuck something into them so the blood would flow out it is permitted. If he did not, it is prohibited.

7. IV:10: Said R. Judah said Samuel, “As to the two sinews, the inner one (the great sciatic nerve), near the bone, is prohibited, and one is liable on account of eating it to a flogging; the outer one (the common peroneal, the longest branch of the nerve), near the meat, is prohibited, but one is not liable on its account.”

8. IV:11: It was stated: A butcher who was found after cutting the meat to leave fat on it through negligence — R. Judah said, “The bulk of a barley-corn.” R. Yohanan said, “An olive’s bulk.”

F. AND ITS FAT IS PERMITTED. “BUTCHERS ARE NOT BELIEVED CONCERNING THE CLAIM THAT THEY REMOVED THE SINEW OF THE HIP,” THE WORDS OF R. MEIR. AND SAGES SAY, “THEY ARE BELIEVED:”

1. V:1: Said R. Hiyya bar Abba, said R. Yohanan, “They reverted to say they are believed.” Said R. Nahman, “Have the generations become more proper?” No, the reason they said this is originally when they reasoned in accord with the view of R. Meir, they did not believe them. Finally they reasoned in accord with the view of R. Judah.

G. CONCERNING IT AND CONCERNING THE FORBIDDEN FAT:

1. VI:1: Where was fat mentioned earlier? Here is how you should state the matter: “Butchers are not believed (1) concerning the claim that they removed the sinew of the hip, or (2) concerning the forbidden fat” the words of R. Meir. And sages say, “They are believed (1) concerning it and (2) concerning the forbidden fat.”

LVIII. Mishnah-Tractate Hullin 7:2A

A. A MAN SENDS TO A GENTILE A THIGH IN WHICH THE SINEW OF THE HIP IS LOCATED, BECAUSE ITS PLACE PRESENCE IS KNOWN:

1. I:1: A man sends a whole one, yes; a cut-up one, no. What circumstance are we dealing with? If you maintain that we deal with a place where they do not publicize it in the event that an animal was found to be terefah one should be permitted to send to him also a cut-up thigh with the sinew in it because lo, they i.e., Jews would not buy any meat from him i.e., from a gentile since they suspect it is terefah.

B. ON AUTHENTIC GENEROSITY, AND THE SENDING OF GIFTS

1. I:2: It was taught on Tannaite authority: R. Meir used to say, “A person should not implore his friend to dine with him if he knows that he will not dine with him. And one should not proffer him favors if he knows that he will not accept. And one should not open for him casks of wine whose remains were already sold to a merchant without apprising him of the arrangement” (T. **B.B. 6:14 A-E**). And one should not suggest to his friend that he anoint himself with oil if the flask is empty. In each case he misleads the friend into thinking that he is willing to do something special for him. But if he does any of these things as a sign of respect for him, it is permitted.

C. SENDING THE GIFT OF A HIP TO AN ISRAELITE

1. I:3: Our rabbis taught on Tannaite authority: He who sends a whole hip to his fellow, he does not have to separate from it the sinew of the hip. He who sends a cut-up hip to his fellow must separate from it the sinew of the hip.

2. I:4: A certain butcher said to his fellow with whom he was feuding, “If you had appeased me I would have provided you with meat from the fatted ox I processed yesterday.” He said to him, “I ate from its choicest cut.” He said to him, “Where did you get it?” He said to him, “So-and-so the idolater bought it and provided it to me.” He said to him, “I processed two and that one was terefah.”

a. I:5: Said Rab, “Valid meat that vanished from sight for any time at all is prohibited because it could have been switched with carrion-meat.”

I. I:6: Rab was once going to the house of R. Hanan, his son-in-law. He saw a ferry coming toward him. He said, “A ferry is coming towards me. It will be a good day.” He went on his way and came to the gate at his destination. He looked in through a crack in the door and saw an animal hanging there. He knocked on the door. Everyone came out to greet him. The butchers came too. Rab did not let it the meat out of his sight. He said to them, “If this is how you watch the meat you will end up feeding my daughter’s children prohibited food.” Rab did not eat this meat.

A. I:7: Rab scrutinized a ferry for an omen. Samuel scrutinized the recitation of a passage from a book for an omen. R. Yohanan scrutinized the saying of a child for an omen.

3. I:8: R. Nahman from Nehardea came upon R. Kahana at Pum Nahara the mouth of the Tigris on the eve of the Day of Atonement. Ravens came and dropped pieces of liver and kidneys. He Kahana said to him, “You may take them and eat them. Nowadays permitted meat is more common.”

LIX. Mishnah-Tractate Hullin 7:2B-C, 7:3

A. HE WHO REMOVES THE SINEW OF THE HIP MUST REMOVE THE WHOLE OF IT. R. JUDAH SAYS, “HE MUST REMOVE ONLY ENOUGH TO CARRY OUT THEREWITH THE REQUIREMENT OF REMOVING THE SINEW OF THE HIP.”

1. I:1: Bar Piyuli was attending before Samuel and removing the sinews from a side of beef by scraping off the top layer. He Samuel said to him, “Dig in deeper. Now if I had not seen you doing this incorrectly you would have provided for me prohibited meat.” His hand trembled and he dropped the knife. He Samuel said to him, “Do not tremble. The one who taught you to remove the sinews in this manner taught you in accord with the view of R. Judah.”

B. HE WHO EATS AN OLIVE’S BULK OF THE SINEW OF THE HIP INCURS FORTY STRIPES. IF HE ATE IT AND IT DOES NOT CONTAIN AN OLIVE’S BULK, HE IS NONETHELESS LIABLE. IF HE ATE AN OLIVE’S BULK OF THE SINEW OF THIS HIP AND AN OLIVE’S BULK OF THAT ONE, HE INCURS EIGHTY STRIPES. R. JUDAH SAYS, “HE INCURS ONLY FORTY STRIPES.”

1. II:1: Said Samuel, “The Torah prohibited only that part of the sinew on the spoon-socket of the thigh, i.e., the sinew that runs through the muscles at the proximal end of the thigh.” As it says, “Therefore to this day the Israelites do not eat the thigh muscle that is on the hip socket, because he struck Jacob at the hip socket at the thigh muscle”

LX. Mishnah-Tractate Hullin 7:4,5

A. A THIGH WITH WHICH THE SINEW OF THE HIP WHICH WAS NOT REMOVED WAS COOKED, IF IT THE SINEW IS SUFFICIENT TO IMPART A FLAVOR TO THE THIGH, LO, THIS IS PROHIBITED.

1. I:1: Said Samuel, “They taught the matter only if the sinew was cooked in it i.e., the thigh. But if it was roasted in it, one may trim off meat and eat it until he reaches the sinew.”

a. I:2: Gloss on a secondary detail of the foregoing: Said Raba, “Our rabbis have said that one operative criterion to determine whether a component of a mixture imparts its status to the whole is by its taste. And our rabbis have said that another operative procedure to determine whether a component of the mixture imparts its status to the whole is by giving it to taste to a gentile chef. And our rabbis have said that a third operative criterion to determine whether a component of a mixture imparts its status to the whole is to see if, in the mixture, it constitutes more than one part in sixty.”

2. I:3: These sides of beef that the Exilarch salted with the sinews of the hip in them — Rabina prohibited them; R. Aha bar R. Ashi var.: R. Aha the son of Rab permitted them. They went and posed the issue to Mar bar R. Ashi. He said to them, “My father permitted them in such a case.”

3. I:4: When evaluating the quantities in a mixture of a prohibited substance with a permitted substance of the same kind they include in the evaluation the gravy, the froth, the pieces and the pot. Some say: the bulk of the pot itself. And some say: what was absorbed of the foods by the pot.

4. I:5: Said R. Ashi, “When we were at the house of R. Kahana he posed a question to us: Do you evaluate the quantity prohibited substance itself, or do you evaluate the quantity of the substance that came forth from it into the mixture?”

5. I:6: An egg of an unclean bird is nullified in a mixture equivalent to sixty times its quantity. And you do not count the egg itself in the quantity.” Said R. Idi bar Abin to Abbaye, “Does this mean that it imparts flavor in a mixture? But lo, people say to make the point that an item has no flavor, ‘It is like the ordinary water of eggs.’”

a. I:7: Illustrative cases: There was an olive’s bulk of fat that fell into a caldron of meat. R. Assi reasoned that they evaluate the quantity of mixture including whatever was absorbed into the cauldron. Said our rabbis to R. Ashi, “Is it the case that it absorbed permitted matter but it did not absorb prohibited matter?” We take into account what is visible in the mixture and not what is absorbed in the sides of the pot.

b. I:8: A person came before Rabban Gamaliel bar Rabbi to inquire regarding quantities needed to nullify a prohibited substance in a mixture. He said to him, “My father did not evaluate that a mixture containing a prohibited substance along with forty-seven times the bulk of permitted substance was prohibited. Will I evaluate that a mixture containing a prohibited substance along with forty-five times the bulk nullifies it?”

6. I:9: Said R. Hiyya bar Abba, said R. Joshua b. Levi, in the name of Bar Qappara, “All of the prohibited substances of the Torah are nullified in a mixture of permitted substance sixty times its bulk.”

7. I:10: R. Dimi was sitting in session and stated this teaching: All of the prohibited substances of the Torah are nullified in a mixture of permitted substance one hundred times its bulk. Said to him Abbaye, “And is it so that all of the prohibited substances of the Torah are nullified in a mixture of permitted substance one hundred times its bulk?”

B. HOW DO THEY ESTIMATE THE MATTER? LIKE MEAT COOKED WITH TURNIPS.

1. II:1: Said R. Huna, “Like meat cooked with turnip-heads or: -roots.” The Mishnah-passage does not accord with the view of this Tannaite authority, as it was taught on Tannaite authority: R. Yohanan ben Beroqah says, “The principle of imparting a flavor does not apply to sinews” (T. 7:6 E).

C. THE SINEW OF THE HIP WHICH WAS COOKED WITH OTHER SINEWS, AND ONE RECOGNIZES IT — IT MUST BE REMOVED, AND THE REMAINDER IS PROHIBITED IF THERE IS ENOUGH TO IMPART A FLAVOR. AND IF ONE DOES NOT RECOGNIZE THE PRESENCE OF THE SINEW OF THE HIP, ALL OF THEM ARE PROHIBITED FOR ANY ONE MIGHT BE THE SCIATIC NERVE. AS TO THE BROTH, IT IS PROHIBITED IF IT IMPARTS A FLAVOR:

1. III:1: But it should be nullified by the majority of the mixture which is permitted. The sinew is another category unto itself of substance, i.e., not food, and thus subject to a different rule.

D. AND SO WITH A PIECE OF CARRION, AND SO WITH A PIECE OF UNCLEAN FISH WHICH WERE COOKED WITH OTHER PIECES: WHEN ONE RECOGNIZES THEIR PRESENCE, THEY MUST BE REMOVED AND THE REST ARE FORBIDDEN IF THERE IS ENOUGH TO IMPART FLAVOR. AND IF ONE DOES NOT RECOGNIZE THEIR PRESENCE THEY ARE ALL FORBIDDEN. AS TO THE BROTH, IT IS FORBIDDEN ONLY IF THE CARRION OR UNCLEAN FISH IMPARTS A FLAVOR.

1. IV:1: But it should be nullified by the majority of the mixture which is permitted

2. IV:2: Rabbah bar bar Hannah expounded the Mishnah-passage under discussion here: “A piece of carrion, and... a piece of unclean fish does not render the mixture prohibited until it imparts flavor to the gravy, the froth and the pieces of meat.”

LXI. Mishnah-Tractate Hullin 7:6

A. THE PROHIBITION OF THE SINEW OF THE HIP APPLIES TO A CLEAN BEAST, BUT IT DOES NOT APPLY TO AN UNCLEAN BEAST. R. JUDAH SAYS, “ALSO TO AN UNCLEAN ONE:”

1. I:1: And does R. Judah reason in accord with the view that one prohibition can apply on top of another prohibition? But lo, it was taught on Tannaite authority: R. Judah says, “You might infer that when located in the esophagus, the carrion of an unclean bird should impart uncleanness such that the person makes the clothing that he is wearing unclean? Scripture states explicitly, ‘That which dies of itself or

is torn by beasts he shall not eat to defile himself therewith' (Lev. 22: 8) — only that which is subject to the prohibition of eating carrion. But this is excluded, since it is not subject to the prohibition of eating carrion but to the prohibition of eating what is unclean." The added prohibition cannot apply to what is already prohibited.

a. I:2: Gloss of a detail of the foregoing.

3. I:3: Said R. Judah, said Rab, "One who eats the sinew of the hip of carrion — R. Meir declares him liable on two counts. And the sages say, 'He is only liable on one count.' And the sages agree with R. Meir that one who eats the sinew of the hip of a whole burnt-offering or of an ox condemned to stoning that he would be liable on two counts. These latter two are more inclusive and severe and would apply on top of the prohibition of the sinew.

B. SAID R. JUDAH, "AND IS IT NOT SO THAT THE SINEW OF THE HIP WAS PROHIBITED TO THE CHILDREN OF JACOB, WHILE AN UNCLEAN BEAST STILL WAS PERMITTED TO THEM?" THEY SAID TO HIM, "AT SINAI WAS THE LAW STATED, BUT IT WAS WRITTEN DOWN IN ITS PRESENT PLACE."

1. II:1: It was taught on Tannaite authority: They said to R. Judah, "It does not say, 'Therefore the children of Jacob, Reuben and Simeon,' will not eat the sinew of the thigh, but, 'the children of Israel' — those who were present before Mount Sinai. So why does he Moses write it there in the setting of Jacob? To tell you on what account it is prohibited" (T. 7:8 D-E).

C. THE VOLUME OF PROHIBITED MEAT ON ACCOUNT OF WHICH ONE INCURS LIABILITY; THE COMBINATION OF SMALL QUANTITIES OF A GIVEN PROHIBITED SUBSTANCE TO COMPRISE THE PROHIBITED VOLUME

1. II:2: Our rabbis taught on Tannaite authority: He who eats a limb from a living animal, whether from beast or wild animal or clean fowl, in any measure at all, he is liable (T. **Zabim 5:12 A-C**). "It applies to both unclean and clean species," the words of R. Judah and R. Eleazar. And the sages say, "It applies only to clean species."

2. II:3: Said R. Judah, said Rab, "To be liable for violating the prohibition against eating a limb from a live animal, you must have a minimum quantity of an olive's bulk. What is the basis in scripture for this view? The verse uses the language of 'eating' concerning it. Eating is defined as entailing at least an olive's bulk."

a. II:4: Said R. Nahman, "Any amount of meat combines with sinews and bones to constitute the olive's bulk." But is there such a bird that does not have a total of an olive's bulk of meat but on one limb has an olive's bulk of substance if you combine the small amount of meat on it with its sinews and bones? Said R. Sherabia, "Yes, the kallanita blue-footed gull."

b. II:5: Said Raba, "If you wish to say that Rabbi in T. **A.Z. 8:6**, cited above reasoned in accord with the view that deliberation regarding foods is effective in changing its status, then if he deliberated to eat it limb by limb and then he ate it whole, he would be liable for eating limbs from a living animal."

3. II:6: Said R. Yohanan, "'And you shall not eat the life with the flesh' (Deu. 12:23) — this is the source of the prohibition against eating a limb from a

living animal. ‘You shall not eat any meat that is mangled by beasts in the field’ (Exo. 22:31) — this is the source of the prohibition against eating flesh torn from a living animal and flesh torn from a terefah-animal.” Said R. Simeon b. Laqish, “‘And you shall not eat the life with the flesh’ (Deu. 12:23) — this is the source of the prohibition against eating a limb from a living animal and flesh torn from a living animal. ‘You shall not eat any meat that is mangled by beasts in the field’ (Exo. 22:31) — this is the source of the prohibition against eating flesh torn from a terefah-animal.”

a. II:7: When R. Dimi came from the Land of Israel he said: R. Simeon b. Laqish posed a question to R. Yohanan: “If he cut up the olive’s bulk of a limb of a living animal outside of his mouth and then ate it in smaller quantities what is the law?” He Yohanan said to him, “He is exempt from any violation.” He asked: “What if he separated the olive’s bulk inside of his mouth and swallowed pieces that were each less than an olive’s bulk?” He said to him, “He is liable.”

b. II:8: Said R. Simeon b. Laqish, “The olive’s bulk that they speak of includes all of what one ate except for the material that sticks between his teeth.” And R. Yohanan said, “You may include in the olive’s bulk the material that sticks between his teeth.”

LXII. Mishnah-Tractate Hullin 8:1A-E

A. EVERY KIND OF FLESH, MEAT, OF CATTLE, WILD BEAST, AND FOWL IS IT PROHIBITED TO COOK IN MILK, EXCEPT FOR THE FLESH OF FISH AND LOCUSTS:

1. I:1: Lo from the rule of Mishnah we may deduce that mixing the flesh of fowl with milk is prohibited based on the authority of the Torah. In accord with whose view is this premise? It is not in accord with the view of R. Aqiba. For if it were in accord with the view of R. Aqiba, lo he said explicitly, “Wild beasts and fowl are not prohibited on the authority of the Torah to be mixed with milk.”

B. AND IT IS PROHIBITED TO SERVE IT UP ONTO THE TABLE WITH CHEESE, EXCEPT FOR THE FLESH OF FISH AND LOCUSTS. HE WHO VOWS TO ABSTAIN FROM FLESH IS PERMITTED TO MAKE USE OF THE FLESH OF FISH AND LOCUSTS.

1. II:1: Said R. Joseph, “We may derive from this the conclusion that cooking the flesh of fowl with milk is prohibited based on the authority of the Torah. Because if you concluded that it was prohibited based on the authority of the rabbis, then that means that the act of eating it was itself prohibited as a rabbinic decree. Would we then have the power to prohibit by decree serving fowl and cheese on the same table lest he come to eat fowl and cheese together? This would amount to a rabbinic decree imposed upon another such prohibition.

LXIII. Mishnah-Tractate Hullin 8:1F-J

A. “FOWL GOES UP ONTO THE TABLE WITH CHEESE, BUT IT IS NOT EATEN,” THE WORDS OF THE HOUSE OF SHAMMAL. AND THE HOUSE OF HILLEL SAY, “IT DOES NOT GO UP, AND IT IS NOT EATEN,” SAID R. YOSÉ, “THIS IS ONE OF THE LENIENT

RULINGS OF THE HOUSE OF SHAMMAI AND THE STRICT RULINGS OF THE HOUSE OF HILLEL.” CONCERNING WHAT SORT OF TABLE DID THEY SPEAK? CONCERNING A TABLE ON WHICH ONE EATS. BUT AS TO A TABLE ON WHICH ONE LAYS OUT FOODS TO PREPARE THEM FOR COOKING, ONE PUTS THIS FLESH BESIDE THAT CHEESE AND DOES NOT SCRUPLE:

1. I:1: It appears that the view of R. Yosé is identical to that of the first Tannaite authority of the Mishnah. But if you wish to maintain that the difference between them is whether they may actually eat fowl and cheese at the same table — then this is what the views would imply: The first Tannaite authority would hold the view that they disputed about the rule of whether they may bring up flesh and milk to the table. With regard to whether they may eat flesh and cheese at the same table they did not dispute. And R. Yosé would say to him that whether they may eat is one of the rules that are classified as a leniency of the House of Shammai and a stringency of the House of Hillel.

2. I:2: Agra the father-in-law of R. Abba taught, “Fowl and cheese may be eaten without compunction.” He taught this principle and he stated its intent: One may eat fowl and cheese in the same meal without washing one’s hands and without wiping one’s mouth between eating the fowl and the cheese.

3. I:3: It was taught on Tannaite authority: “The House of Shammai say he must wipe his mouth between eating meat and cheese. And the House of Hillel say he must wash it out.”

a. I:4: Gloss of a detail of the foregoing.

4. I:5: R. Assi posed a question of R. Yohanan: “How much time must one wait between eating meat and cheese?” He said to him, “None at all.”

B. COMPOSITE ON WASHING ONE’S HANDS AT DINNER WITH WATER

1. I:6: Said R. Idi bar Abin, said R. Isaac bar Ashian, “Washing one’s hands at dinner with water — the first time fulfills a commandment; the last time is an obligation.”

a. I:7: Gloss of a detail of the foregoing.

b. I:8: Continuation of the foregoing.

c. I:9: Washing in the middle of the dinner is optional. Said R. Nahman, “They taught that this only applies to washing between one cooked dish and another. But washing between a cooked dish and cheese is an obligation.”

2. I:10: Said Abbaye, “At first I reasoned that the reason they do not permit a person to wash and let the water go on the ground was because that pollutes the house. But then my master said to me that is because an evil spirit will rest upon them.”

3. I:11: When R. Dimi came from the Land of Israel to Babylonia he said, “On account of not washing with water — the first time, they fed swine’s flesh to a person. A storekeeper would sell properly slaughtered to Jews and cook it for them and feed it to them. But if a Gentile came into his store he would feed him carrion. One time a Jew came to eat and did not wash before eating. The

storekeeper thought he was a gentile and accordingly fed him swine's flesh. On account of not washing the last time, a woman was taken from her husband."

4. I:12: It was stated: Concerning washing the first time before eating with: Water heated over a fire — Hezekiah said, "They do not wash their hands with it." And R. Yohanan said, "They do wash their hands with it."

5. I:13: Said R. Idi bar Abin, said R. Isaac bar Ashian, "They instituted the ritual of washing one's hands for unconsecrated foods to maintain adherence to the ritual of washing for heave-offering. And moreover they instituted it on account of fulfilling a commandment."

6. I:14: Said R. Eleazar, said R. Oshaia, "They only stated an obligation to wash one's hands for fruit on account of concern for cleanliness."

7. I:15: It was taught on Tannaite authority: Concerning the ritual of washing one's hands for unconsecrated foods, one must wash them up to the second finger joint. For heave-offering, one must wash them up to the third finger joint — the junction of the phalanges and the metacarpus. Concerning washing from the laver for sanctification of the hands and feet in the Temple, one must wash them up to the wrist joint.

8. I:16: Said Rab, "A person may wash both his hands in the morning and rely on them that this washing remains effective the entire day."

9. I:17: Said R. Pappa, "In an irrigation ditch, they do not wash their hands because the flow is not the direct result of human force. People pour into the ditch vessels of water. It then flows through the field on its own power. But if one is close to the one who pours where the water flows on account of direct human force, at that place they may wash their hands with the water flowing in the ditch."

a. I:18: Continuation of a secondary detail of the foregoing: Said R. Sheshet to Amemar, "Are you fussy about the condition of the container that you use for washing your hands, that it not be damaged?" He said to him, "Yes." "About the appearance i.e., the clarity, of the water?" He said to him, "Yes." "About the quantity of water, that there be a quarter-log?" He said to him, "Yes."

b. I:19: The same issue continued: R. Jacob of Nehar Peqod set a standard for a washing vessel that it hold a quarter-log. R. Ashi in Husal set a standard for a wine pitcher that it hold a quarter-log.

10. I:20: They posed a question: What is the rule concerning whether one may eat without washing one's hands by holding the food with a napkin? Do we suspect that perhaps he touched the food or not?

11. I:21: They posed a question: Must a person who is eating by being fed by another person wash his hands or not? Come and take note: R. Hamnuna bar Sehora was attending R. Hamnuna. He cut him some meat and he ate it. He said to him, "If you were not R. Hamnuna, I would not have fed you without seeing you wash first."

12. I:22: Our rabbis taught on Tannaite authority: A person eating at a meal should not feed a morsel to the servant, whether he is holding the cup in his hand or the

householder is holding the cup in his hand, lest some misfortune occur at the dinner. And the servant who did not wash his hands is prohibited to put a morsel into his mouth.

13. I:23: They posed a question: Must a person who is feeding another person wash his hands or not? Come and take note: The House of Menasheh taught, Rabban Simeon b. Gamaliel says, “On the Day of Atonement when it is prohibited to wash, a woman may wash one hand in water and give the bread to her young child. They said concerning Shammai the Elder that he did not want to feed his child with one hand because he did not want to wash at all on the Day of Atonement. And they decreed that he wash and feed his child with both hands.” These rules prove that a person who feeds another must wash.

LXIV. Mishnah-Tractate Hullin 8:2

A. A MAN TIES UP MEAT AND CHEESE IN A SINGLE CLOTH, PROVIDED THAT THEY DO NOT TOUCH ONE ANOTHER:

1. I:1: And if they do touch one another what difference does it make? It is a case of one cold food that touches another cold food and that does not result in a forbidden mixture.

B. RABBAN SIMEON B. GAMALIEL SAYS, “TWO GUESTS EAT ON ONE TABLE, THIS ONE MEAT, AND THAT ONE CHEESE, AND THEY DO NOT SCRUPLE.”

1. II:1: Said R. Hanan bar Ammi, said Samuel, “They taught this only where the two guests do not know each other. But where they know each other, it is prohibited for them to eat meat and cheese at the same table.

2. II:2: Said R. Yemar bar Shalmaya to Abbaye, “If there were two brothers who were angry at each other sitting at the same table, one eating meat and the other cheese what is the law? He said to him, “Will they say that this is a horse of a different color?”

LXV. Mishnah-Tractate Hullin 8:3A-B

A. A DROP OF MILK WHICH FELL ON A PIECE OF MEAT, IF IT IS SUFFICIENT TO IMPART FLAVOR TO THAT PIECE OF MEAT — IT IS PROHIBITED. IF ONE STIRRED THE POT, IF THERE IS IN IT SUFFICIENT MILK TO IMPART FLAVOR TO THAT ENTIRE POT’S CONTENTS, IT THE CONTENTS OF THE POT IS PROHIBITED.

1. I:1: Said Abbaye, “We may derive from the biblical prohibition of a mixture of milk and meat that any mixture that contains the flavor of a prohibited ingredient but not the substance of the ingredient is consistently prohibited based on the authority of the Torah.

2. I:2: Said Rab, “As soon as the milk imparts flavor to the piece of meat, the piece itself takes on the status of carrion. It in turn renders prohibited all the other pieces in the pot because they are of the same classification. The principle is that items of the same classification do not nullify one another in a mixture. Therefore all the pieces of meat are prohibited on the basis of the presence of that one piece.”

a. I:3: Gloss of a detail of the foregoing.

b. I:4: Continuation of the foregoing.

l. I:5: Gloss of the foregoing.

LXVI. Mishnah-Tractate Hullin 8:3C-H

A. THE UDDER: ONE CUTS IT OPEN AND TAKES OUT ITS MILK. IF HE DID NOT CUT IT OPEN, HE DOES NOT TRANSGRESS ON THAT ACCOUNT. THE HEART: ONE CUTS IT OPEN AND TAKES OUT ITS BLOOD. IF HE DID NOT CUT IT OPEN, HE DOES NOT TRANSGRESS ON THAT ACCOUNT.

1. I:1: Said R. Zira, said Rab, “One who eats the udder does not transgress on that account and he is permitted to eat it to begin with.”

2. I:2: How does one cut it? Said R. Judah, “He cuts it across its length and width and presses it against the wall to squeeze out the milk.”

a. I:3: Secondary expansion of the foregoing... Said Yalta to R. Nahman, “What is the case? For everything that the Torah prohibited, it permitted something equivalent in its place. (1) It prohibited eating an animal’s blood. But it permitted us to eat its liver. (2) It prohibited intercourse during the issue of menstrual blood. But it permitted intercourse during the issue of blood of purification i.e., that flows after initial intercourse with a virgin or after childbirth. (3) It prohibited eating the fat of beasts. But it permitted eating the fat of wild animals. (4) It prohibited eating meat of the swine. But it permitted eating the brain of the mullet fish or sturgeon. (5) It prohibited eating the moor-hen. But it permitted eating the tongue of a fish. (6) It prohibited relations with a married woman. But it permitted relations with a divorced woman even during the life of her husband. (7) It prohibited relations with one’s brother’s wife. But it permitted relations with a levir i.e., the brother’s wife after he dies with no issue. (8) It prohibited relations with a Samaritan woman. But it permitted relations with a captive woman who was attractive.”

3. I:4: When R. Eleazar went up to the Land of Israel he found Ziri. He said to him, “Is there a Tannaite authority here who taught Rab the rule regarding the udder?” (“One who eats the udder he does not transgress on that account and he is prohibited to eat it to begin with” They the people of that place pointed out R. Isaac bar Abdimi. He Isaac said to him Eleazar, “I did not teach him anything about the udder. But Rab found an open valley and erected a fence around it.” Rab enacted the rule on his own authority to counteract the lax observance of the prohibitions against mixing meat and milk.

a. I:5: Illustrative case on the same law: Rabin and R. Isaac bar Joseph came to the house of R. Pappi. They brought before them a dish containing the meat of an udder. R. Isaac bar Joseph ate it. Rabin did not eat it

b. I:6: As above. In Sura they did not eat the udder. In Pumbedita they did eat the udder. Rami bar Tamri, who was also known as, or the father-in-law of Rami bar Dikuli from Pumbedita came to Sura on the eve of the Day of Atonement. Everyone of the residents took the udders of their animals and threw them away. He went and took them and ate them. They brought

him before R. Hisda for a judgment. He said to him, "Why did you do this?" He said to him, "I am from the place of R. Judah where we eat it."

4. I:7: Said Abbayye to R. Safra, "When you journey there to the land of Israel, ask them: With regard to liver, what do you do with it to prepare it for eating?"

5. I:8: Rab bar Sheba called upon the house of R. Nahman. They brought before him boiled liver and he did not eat it. They said to him Nahman, "There is a member of the house of Rab inside who does not eat. And who is he? Rab bar Sheba." R. Nahman said to them, "Make him eat."

6. I:9: It was stated: Broiling liver on top of meat is permitted because the blood slides off. Broiling spleen on top of meat is prohibited. What is the basis for this? The fat in the liquid that exudes adheres and penetrates.

7. I:10: Said R. Nahman, said Samuel, "The knife that he used for slaughtering — he is prohibited from using it to cut any scalding hot foods. What is the rule regarding the use of this knife to cut cold foods? There are some that say that it must be washed first before it is used to cut cold foods. And there are some that say that it does not have to be washed first."

8. I:11: R. Kahana the brother of R. Judah sat in session before R. Huna. And he sat and stated, "On the platter on which one salted meat to remove the blood, it is prohibited to eat scalding foods. But with regard to a radish that one cut with a knife that was used for cutting meat, it is permitted to eat it in a milk concoction."

9. I:12: It was stated: Hot fish served on a platter used for meat — Rab said, "It is prohibited to eat them in a milk concoction." And Samuel said, "It is permitted to eat them in a milk concoction."

a. I:13: Illustrative case: R. Eleazar was attending Mar Samuel. They brought before him fish on a platter used for meat and he ate them in a milk concoction. He served some to him Eleazar but he did not eat it. He Samuel said to him, "They served this to your master i.e., to Rab and he ate it. And yet you do not eat it?"

b. I:14: As above: R. Huna and R. Hiyya bar Ashi were sitting. One was on one side of the ferry to Sura and the other was on the other side of the ferry. They brought to one master fish on a platter used for meat and he ate them in a milk concoction. They brought to the other master figs and grapes in the middle of the dinner and he ate them and did not recite a separate blessing for them. One master said to his companion, "You oaf! Would your master do that?" And the other master said to his companion, "You oaf! Would your master do that?"

10. I:15: Hezekiah said in the name of Abbayye, "The law accords with the view that hot fish served on a platter used for meat — it is permitted to eat them in a milk concoction. A radish that one cut with a knife that was used for cutting meat, it is prohibited to eat it in a milk concoction."

11. I:16: R. Dimi posed a question of R. Nahman, "What is the rule about putting a jar of salt next to a jar of milk concoction?" He said to him, "It is prohibited." Some of the concoction may fall into it.

a. I:17: There was a fledgling that fell into a jar of milk concoction. R. Hinnena the son of Raba from Pashrunia permitted the eating of the food even though the concoction was salty . Said Raba, “Who is smart enough to permit such a case if not R. Hinnena the son of Raba from Pashrunia? For he reasoned that when did Samuel say, ‘With regard to the rules of mixtures of foods salting is equivalent to scalding’ ? This principle applies only where the salted solution is so salty that it is inedible. But this milk concoction is salty but still edible.

12. I:18: Said R. Nahman, said Samuel, “A loaf of bread that he sliced meat upon — it is prohibited to eat it because the bread absorbs blood from the meat.”

13. I:19: Said R. Nahman, said Samuel, “They do not place a receptacle to collect the dripping fat under roasting meat until the red color is gone from it visibly indicating that the blood has drained out. How can one tell that the meat has reached this stage? When it starts to smoke indicating that the fluid that drips out onto the coals is fat and not blood.”

14. I:20: Said R. Nahman, “Fish and fowl that he salted with each other are prohibited.” The fish absorb the blood that comes out of the fowl. What is the circumstance? If he salts them together in a vessel that is not perforated to allow the fluids to drain out, then even if he salts fowl with other fowl, it should be prohibited. If he salts them together in a vessel that is perforated, then even fish and fowl salted together should be permitted.

15. I:21: Said Samuel, “Meat only escapes the prohibited status given it by its blood if one salts it very well and one washes it very well.”

16. I:22: Said R. Mesharshayya, “We make no presumption about the presence of blood in the intestines of an animal.” Accordingly they do not need to be salted. Interpret this to mean: the rectum, small intestines and the coil of the colon.

17. I:23 Said Samuel in the name of R. Hiyya, “He who breaks the neck bone of a beast after slaughtering it but before its life ceases i.e., while it still shows signs of reflex actions, lo he causes its meat to become heavy, he commits an act of theft because he will sell it by weight, and he causes excess blood to be absorbed in its limbs.”

LXVII. Mishnah-Tractate Hullin 8:3I

A. HE WHO SERVES UP FOWL WITH CHEESE ON THE TABLE DOES NOT TRANSGRESS A PROHIBITION.

1. I:1: Lo, one who eats it does transgress a prohibition. You may derive from this that eating the meat of fowl with milk is prohibited on the authority of the Torah. We know this is not the case. It makes sense accordingly to say that the Mishnah implies, He who serves up fowl with cheese on the table does not come close to transgressing a prohibition. Even if he eats it he does not violate a prohibition.

LXVIII. Mishnah-Tractate Hullin 8:4

A. (1) THE MEAT OF CLEAN CATTLE WITH THE MILK OF A CLEAN CATTLE— IT IS PROHIBITED TO COOK ONE WITH THE OTHER OR TO DERIVE BENEFIT THEREFROM. (2) THE MEAT OF CLEAN CATTLE WITH THE MILK OF AN UNCLEAN CATTLE, (3) THE MEAT OF UNCLEAN CATTLE WITH THE MILK OF CLEAN CATTLE— IT IS PERMITTED TO COOK AND PERMITTED TO DERIVE BENEFIT THEREFROM.

1. I:1: What is the source of these assertions? Said R. Eleazar, “Scripture says, ‘When Judah sent the kid of the goats — gdy h’zym — by his friend the Adullamite, to receive the pledge from the woman’s hand, he could not find her’ (Gen. 38:20). Here it says, ‘Kid of the goats.’ Lo wherever it says just plain, ‘Kid’ it implies that even the young of a cow or a sheep are subsumed by the term.”

2. I:2: Said Samuel, “(1) The word ‘kid’ includes in the prohibition against cooking meat and milk together forbidden fats from an animal. (2) The word ‘kid’ includes in the prohibition against cooking meat and milk together carrion meat from an animal that died. The word ‘kid’ includes in the prohibition against cooking meat and milk together meat from a foetus of an animal. (3) The word ‘kid’ excludes from the prohibition against cooking meat and milk together blood from an animal. (4) The word ‘kid’ excludes from the prohibition against cooking meat and milk together the afterbirth of an animal. The word ‘kid’ excludes from the prohibition against cooking meat and milk together meat from an unclean animal.

3. I:3: R. Ahadaboy bar Ammi posed a question to Rab, “Concerning a case where one cooked meat in the milk of a young goat that had never suckled any young, what is the law?”

4. I:4: It was stated: Concerning the case of one who cooks forbidden fat with milk there is a dispute between R. Ammi and R. Assi. One says he incurs the penalty of stripes. And one says he does not incur the penalty of stripes.

5. I:5: Our rabbis taught on Tannaite authority: “In its mother’s milk” — based on this phrase all I would know is that it is prohibited to seethe the kid in the milk of its mother, a goat. What is the source of the assertion that it is prohibited to cook meat in the milk of a cow or sheep?

6. I:6: Another Tannaite teaching: “In its mother’s milk” — from this verse all I would know is that it is prohibited to seethe it in its mother’s milk. What is the source of the assertion that it is prohibited to cook meat in the milk of its older sister? The reference here is either to one of the goats counted for tithing the year before, or to cows, i.e. larger animals of another species.

7. I:7: We have found a basis for prohibiting the milk of its older sister. What is the source of the assertion that it is prohibited to cook meat in the milk of its younger sister? The reference here is either to one of the goats counted for tithing the next year, or to sheep, i.e. smaller animals of another species.

8. I:8: Said R. Ashi, “What is the source for the prohibition against eating meat cooked with milk? As it says, ‘You shall not eat any abominable thing’

(Deu. 14: 3). This means that everything I have declared abominable for you is prohibited to eat.”

9. I:9: Said Resh Laqish, “What is the source for the prohibition against eating meat cooked with milk? As it says, ‘Do not eat any of it raw or boiled with water, but roasted, its head with its legs and its inner parts’ (Exo. 12: 9). Now it did not have to teach us, ‘With water.’ What does it come to teach us by adding, ‘With water’? To inform you that there is another kind of boiling that is prohibited like this is prohibited. And what is that? It is the boiling together of meat and milk.”

10. I:10: Another source for deriving the prohibition against selling meat cooked with milk: The House of R. Eliezer taught: “You shall not eat anything that dies of itself; you may give it to the alien who is within your towns, that he may eat it, or you may sell it to a foreigner; for you are a people holy to the Lord your God. You shall not boil a kid in its mother’s milk” (Deu. 14:21). Scripture implies that if you sell it i.e., meat of carrion, you should not first cook it in milk and sell it because that is prohibited. The House of R. Eliezer taught: The Torah states, “You shall not boil a kid in its mother’s milk” (Exo. 23:19, 34:26, Deu. 14:21) three times. One for the prohibition of eating; and one for the prohibition of deriving benefit from the mixture; and one for the prohibition of cooking. It was taught on Tannaite authority: Issi b. Judah says, “What is the source for the rule that meat cooked with milk is prohibited? It is stated here, ‘For you are a people holy to the Lord your God. You shall not boil a kid in its mother’s milk’ (Deu. 14:21). And it is stated further, ‘You shall be people consecrated to me; therefore you shall not eat any meat that is mangled by beasts in the field; you shall throw it to the dogs’ (Exo. 22:31). Based on the commonality of the word in both verses you may conclude that the same laws apply to both instances. What is the case there? The verse prohibits it. So too here the verse prohibits it.”

11. I:11: Our Mishnah-passage is not in accord with the view of this Tannaite authority. As it was taught on Tannaite authority: R. Simeon b. Judah says in the name of R. Simeon, “Meat that was cooked with milk is prohibited for eating but it is permitted to derive benefit from it. As it says, ‘You shall not eat anything that dies of itself; you may give it to the alien who is within your towns, that he may eat it, or you may sell it to a foreigner; for you are a people holy to the Lord your God. You shall not boil a kid in its mother’s milk’ (Deu. 14:21).”

B. R. AQIBA SAYS, “A WILD BEAST AND FOWL ARE NOT PROHIBITED TO BE MIXED WITH MILK BY THE TORAH. FOR IT IS SAID, ‘YOU WILL NOT SEETHE A KID IN ITS MOTHER’S MILK’ (EXO. 23:19, 34:26, DEU. 14:21) — THREE TIMES, FOR THE PURPOSE OF EXCLUDING FROM THE PROHIBITION OF MILK AND MEAT (1) THE WILD BEAST, (2) THE BIRD, (3) AND UNCLEAN CATTLE.”

1. II:1: Lo, we employed these verses as the basis for the inferences above of Samuel. R. Aqiba reasons in accord with the principle that one prohibition can apply on top of another prohibition. Therefore he does not need the verses for the special cases of meat cooked with milk. Meat of forbidden fats or of an animal that died do not require a verse to prohibit the mixture if they are cooked with milk. He deems a foetus to have the status of a regular kid. All the verses are extraneous

according to his view and can be used to exclude a wild beast, fowl and an unclean animal from the rules prohibiting the cooking of meat and milk.

C. R. YOSÉ THE GALILEAN SAYS, “IT IS SAID, ‘YOU WILL NOT EAT ANY SORT OF CARRION’ (DEU. 14:21), AND IT IS SAID, ‘YOU WILL NOT SEETHE THE KID IN ITS MOTHER’S MILK’ (DEU. 14:21) — THE MEANING IS THIS: WHAT IS PROHIBITED ON THE GROUNDS OF CARRION ALSO IS PROHIBITED TO BE COOKED IN MILK. FOWL, WHICH IS PROHIBITED ON THE GROUNDS OF CARRION, IS IT POSSIBLE THAT IT IS PROHIBITED TO BE SEETHED IN MILK? SCRIPTURE SAYS, ‘IN ITS MOTHER’S MILK’ — EXCLUDING FOWL, THE MOTHER OF WHICH DOES NOT HAVE MILK.”

1. III:1: What is the matter in dispute between R. Yosé the Galilean and R. Aqiba? The matter in dispute is the wild beast. R. Yosé the Galilean reasons that meat of a wild beast is prohibited with milk based on the authority of the Torah. R. Aqiba reasons that meat of a wild beast is prohibited with milk based on the authority of the rabbis.

LXIX. Mishnah-Tractate Hullin 8:5

A. THE MILK IN THE STOMACH OF A BEAST SLAUGHTERED BY A GENTILE WHICH IS CARRION, M. 1:1, AND THAT IN THE STOMACH OF CARRION — LO, THIS IS PROHIBITED. HE WHO CURDLES MILK IN THE SKIN OF THE STOMACH OF A VALIDLY SLAUGHTERED BEAST, IF IT IS SUFFICIENT TO IMPART A FLAVOR — LO, THIS CHEESE IS PROHIBITED.

1. I:1: Is not the stomach of a beast slaughtered by a gentile itself carrion? Said R. Huna, “Here we are dealing with a case where one purchased a kid from a gentile. And we are concerned that perhaps it suckled milk from a terefah-animal.”

B. A VALID BEAST WHICH SUCKED FROM A TEREFAH BEAST — THE MILK IN ITS STOMACH IS PROHIBITED. A TEREFAH BEAST WHICH SUCKED FROM A VALID BEAST — THE MILK IN ITS STOMACH IS PERMITTED, IN BOTH CASES (C, D) BECAUSE THE MILK REMAINS COLLECTED TOGETHER IN ITS INTESTINES.

1. II:1: But lo, this was taught in the first text of the Mishnah-passage: The milk in the stomach of a beast slaughtered by a gentile which is carrion, and that in the stomach of carrion — lo, this is prohibited. It appears to be repetitious.

2. II:2: Said R. Hiyya bar Abba, said R. Yohanan, “They may curdle milk in the stomach of carrion. But they may not curdle milk in the stomach of an animal that was slaughtered by a gentile.”

LXX. Mishnah-Tractate Hullin 8:6

A. A MORE STRICT RULE APPLIES TO FAT THAN TO BLOOD, AND A MORE STRICT RULE APPLIES TO BLOOD THAN TO FAT. A MORE STRICT RULE APPLIES TO FAT: FOR AS TO FAT: (1) THE LAWS OF SACRILEGE APPLY TO IT. AND (2) THEY ARE LIABLE ON ITS ACCOUNT TO THE LAWS OF REFUSE, REMNANT, AND UNCLEANNES,

1. I:1: What is the source of these assertions that the law of sacrilege applies to fat? Said R. Yannai, “As scripture stated: ‘Just as these are taken from the ox of the sacrifice of the peace offerings, and the priest shall burn them upon the altar of

burnt offering' (Lev. 4:10). And what rule did we learn from, 'The ox of the sacrifice of the peace offerings'? Behold this comes to teach us a rule about another case and it turns out that it derives a rule from another source."

B. ...WHICH IS NOT THE CASE WITH BLOOD, FOR THE LAW FORBIDDING BLOOD APPLIES TO CATTLE, A WILD BEAST, AND A BIRD, WHETHER UNCLEAN OR CLEAN. BUT THE PROHIBITION OF FAT APPLIES ONLY TO A CLEAN CATTLE ALONE.

1. II:1: What is the source of these assertions that blood is not subject to sacrilege?

a. II:2: And why to I need three phrases in Lev. 11:17 to serve as exclusions concerning blood? One excludes the blood of Holy Things from the rules for a remnant of a sacrifice. And one excludes it from the rules of sacrilege. And one excludes it from the rules of uncleanness that pertain to Holy Things.

LXXI. Mishnah-Tractate Hullin 9:1

A. THE HIDE, (AND GREASE, AND SEDIMENT, AND FLAYED-OFF MEAT, AND BONES, AND SINEWS, AND HORNS AND HOoves JOIN TOGETHER WITH THE MEAT TO WHICH THEY ARE ATTACHED TO FORM THE REQUISITE VOLUME TO IMPART FOOD UNCLEANNESS, BUT THEY DO NOT JOIN TOGETHER TO IMPART UNCLEANNESS OF CARRION):

1. I:1: We taught on Tannaite authority in our Mishnah that which our rabbis taught on Tannaite authority: Protectors i.e., husks, peels, shells, hides, count to make up the minimum quantity needed for less severe forms of uncleanness. But protectors do not count for more severe forms of uncleanness.

B. THE SOURCES OF THE LAW GOVERNING THE RELATIONSHIP OF ATTACHMENTS, E.G., HANDLES, TO THAT TO WHICH THEY ARE ATTACHED, THUS, HIDE TO CARCASS

[1. I:2: This composite serves M. **Uqs. 1:1**. It was taught on Tannaite authority there in a Mishnah-passage: Whatever is a handle but not a protector contracts uncleanness and imparts uncleanness but does not join together. If it protects even though it is not a handle, it contracts uncleanness and imparts uncleanness and joins together. If it is not a protector and not a handle, it does not contract uncleanness and does not impart uncleanness (M. **Uqs. 1:1**). Handles — where is it written in the Torah concerning them? As it is written, "But if water is put on the seed and any part of their carcass falls on it, it is unclean to you" (Lev. 11:38). "To you" implies to all that is needed by you. This includes in the rule for contracting uncleanness handles.]

[2. I:3: Said R. Hiyya bar Ashi, said Rab, "The rule of a handle pertains with regard to the transfer of uncleanness. But the rule of a handle does not apply with regard to rendering the object susceptible to uncleanness." Said R. Yohanan, "The rule of a handle pertains with regard to the transfer of uncleanness and with regard to rendering the object susceptible to uncleanness."]

[3. I:4: Said Rab, "There is no rule of a handle for anything less than an olive's bulk. And there is no rule of a protector for anything less than the bulk of a pulse." And R. Yohanan said, "There is a rule of a handle for something less than

an olive's bulk. And there is a rule of a protector for something less than the bulk of a pulse."]

[a. I:5: It was stated: R. Hanina said, "This bean-bulk in T. above is the minimum quantity." And R. Yohanan, said, "This is not the minimum quantity." But how can you say, "This is not the minimum quantity"? Lo it teaches, "As much as a bean." Since the first Tannaite authority stated a quantity for his view, they also stated a quantity for their view. But it need not be the size of a bean.]

[b. I:6: It was stated: R. Hanina said, "This bean-bulk in T. above is the minimum quantity." And R. Yohanan, said, "This is not the minimum quantity." But how can you say, "This is not the minimum quantity"? Lo it teaches, "As much as a bean." Since the first Tannaite authority stated a quantity for his view, they also stated a quantity for their view. But it need not be the size of a bean.]

[I. I:7: Gloss of foregoing.]

C. ...AND GREASE:

1. II:1: What is grease? Said Raba, "The fat." Said to him Abbaye, "That by itself would render unclean by virtue of the uncleanness of foods. Rather it grease is the gel that congeals after seeping from the meat."

D. ...AND SEDIMENT:

1. III:1: What is sediment? Said Raba, "The particles of meat that form a mush." Said to him Abbaye, "That by itself would render unclean by virtue of the uncleanness of foods. Rather it is in accord with what R. Pappa said, 'The spices.'"

a. III:2: Secondary expansion of a detail of the foregoing: And lo it was taught on Tannaite authority: The verse says, "These are unclean to you among all that swarm; whoever touches them when they are dead shall be unclean until the evening" (Lev. 11:31). This specification prohibits also the fluids and gravy and froth from them. Why do I need to teach this derivation? Let us derive the rule for these from those three rules relating to fat, leaven and carrion of a bird, above.

b. III:3: Secondary expansion of a detail of the foregoing: And lo it was taught on Tannaite authority: Untithed produce, new produce, consecrated produce, produce of the seventh year, produce of mixed kinds — for all of these, the liquids that ooze from them have the same status as the produce itself. What is the source of this rule? If you maintain that we derive it from these three i.e., fat, leaven, carrion of a bird, above, this will not work because we can object. What is the case regarding these three? They are all prohibited by virtue of their self-defined status.

E. AND (4) FLAYED-OFF MEAT: AND (5) BONES, AND (6) SINEWS, AND (7) HORNS AND (8) HOOVES JOIN TOGETHER WITH THE MEAT TO WHICH THEY ARE ATTACHED TO FORM THE REQUISITE VOLUME TO IMPART FOOD UNCLEANNESS, BUT THEY DO NOT JOIN TOGETHER TO IMPART UNCLEANNESS OF CARRION.

1. IV:1: What is flayed-off meat? R. Yohanan says, “Dead meat.” And Resh Laqish said, “Meat flayed-off by a knife.

2. IV:2: It was taught there in the Mishnah on Tannaite authority: The beak and the claws are susceptible to uncleanness and convey uncleanness and join together (M. **Toh. 1:2 C**). But the beak is like wood and should not be subject to uncleanness. Said R. Eleazar, “It means the lower section of the beak.” But the lower section of the beak is also like wood. Said R. Pappa, “It means the lower membrane of the upper section of the beak.”

F. SIMILARLY: HE WHO SLAUGHTERS UNCLEAR CATTLE FOR A GENTILE, WHILE IT YET IS WRITHING — IT IMPARTS FOOD UNCLEANNESS, BUT IT DOES NOT IMPART UNCLEANNESS OF CARRION — UNTIL IT DIES, OR UNTIL ONE WILL CUT OFF ITS HEAD. SCRIPTURE HAS PRESCRIBED MORE CONDITIONS TO IMPART FOOD UNCLEANNESS THAN UNCLEANNESS OF CARRION.

1. V:1: Said R. Assi, “They teach: Concerning an Israelite who slaughtered an unclean animal and a gentile who slaughtered a clean animal — in order that the meat be susceptible to uncleanness they must deliberately treat it as a food and it must be rendered susceptible to uncleanness by liquid from another source.”

a. V:2: Gloss of a detail of the foregoing.

G. R. JUDAH SAYS, “THE FLAYED-OFF MEAT WHICH WAS COLLECTED TOGETHER, IF THERE IS THE VOLUME OF AN OLIVE’S BULK IN ONE PLACE — ONE IS LIABLE ON ITS ACCOUNT IF ONE TOUCHED IT AND ENTERED THE TEMPLE.”

1. VI:1: Said R. Huna, “And only if he collected it.” And said R. Huna, “Two half-olive bulks of meat that were stuck to the hide, the hide nullifies them.”

LXXII. Mishnah-Tractate Hullin 9:2

A. IN THE CASE OF THESE, THEIR SKIN HIDE IS DEEMED EQUIVALENT TO THEIR MEAT: (1) THE SKIN OF MAN:

1. I:1: Said Ulla, “As a matter of the law of the Torah, the skin of a human being is insusceptible to uncleanness. And what is the consideration that led sages to declare it unclean? It is a decree to take account of the possibility that someone will turn the skin of his father and mother into spreads for an ass.”

B. AND (2) SKIN OF A DOMESTICATED PIG — R. YOSÉ SAYS, “ALSO: THE HIDE OF A WILD BOAR” —

1. II:1: What is the basis for this dispute? One master reasons in accord with the view that the skin of this one the wild boar is hard and the skin of this one a domesticated pig is soft. And one master Yosé reasons in accord with the view that the skin of this one the wild boar is also soft.

C. AND (3) SKIN OF THE HUMP OF A YOUNG CAMEL:

1. III:1: Said Ulla, said R. Joshua b. Levi, “As long as it has not carried a load.”

D. AND (4) THE SKIN OF THE HEAD OF A YOUNG CALF:

1. IV:1: And until when is it A young calf? Ulla said, “Until it is one year old.” R. Yohanan said, “As long as it suckles.”

2. IV:2: Resh Laqish posed a question to R. Yohanan, “The skin of the head of a young calf — what is its status regarding the transfer of uncleanness?” He said to him, “It does not render unclean other objects through contact.” He said to him, “Did not our rabbi teach us in the Mishnah-passage, In the case of these, their skin hide is deemed equivalent to their meat: ... the skin of the head of a young calf?”

E. AND (5) THE SKIN OF THE HOOVES:

1. V:1: What is the skin of the hooves? Rab said, “The actual skin of the hooves.” R. Hanina said, “The metatarsus which is sold with the head as offal.”

F. AND (6) THE SKIN OF THE GENITALS, AND (7) THE SKIN OF THE FOETUS, AND (8) THE SKIN WHICH IS UNDER THE FAT TAIL,

AND (9) THE SKIN OF THE HEDGEHOG:

1. VI:1: Our rabbis taught on Tannaite authority: “These are unclean to you among all that swarm; whoever touches them when they are dead shall be unclean until the evening” (Lev. 11:31) — which encompasses their hides in the classification of their flesh. You might infer that this inference applies to all of them i.e., the creatures mentioned in verses 29-30: “And these are unclean to you among the swarming things that swarm upon the earth: the weasel, the mouse, the great lizard according to its kind, the gecko, the land crocodile, the lizard, the sand lizard, and the chameleon.” It comes to inform us that, “These” mentioned in verse 30 are subsumed under the rule.

G. AND THE CHAMELEON, AND THE LIZARD, AND THE SNAIL. R. JUDAH SAYS, “THE LIZARD IS EQUIVALENT TO THE WEASEL.” AND ALL OF THEM WHICH ONE TANNED, OR ON WHICH ONE TRAMPLED SO THAT THEY ARE FIT FOR USE ARE CLEAN AND DO NOT IMPART FOOD UNCLEANNES:

1. VII:1: This implies that If he trampled upon them, yes they are clean. If he did not trample on them, no they are not clean. But lo taught R. Hiyya, “The ear of an ass that he patched onto his basket is clean.” This implies that if he patched it on, it is clean even though he did not trample upon it. If he did not patch it on, then if he trampled upon it, yes it is clean. If he did not trample upon it, no it is not clean, in accord with our rule.

a. VII:2: Said R. Abbahu, said Resh Laqish, “For the purposes of kneading dough in cleanness, praying together with a congregation, and procuring water for washing one’s hands one must go out of his way up to four miles.”

H. EXCEPT FOR THE SKIN OF MAN.

R. YOHANAN B. NURI SAYS, “THE EIGHT CREEPING THINGS (LEV. 11:29-30) HAVE HIDES.”

1. VIII:1: Our rabbis taught on Tannaite authority in T.: A legion that is going from place to place and enters a house, the house is unclean. T.: he who overshadows it is unclean. For every legion has with it some human scalps (T. **8:16B-D**).

LXXIII. Mishnah-Tractate Hullin 9:3

A. HE WHO FLAYS A BEAST OR A WILD ANIMAL, WHETHER CLEAN OR UNCLEAN, WHETHER LARGE OR SMALL FOR THE PURPOSE OF MAKING A COVERING — THE SKIN IS DEEMED CONNECTED TO THE CARCASS SO THAT IT CONTRACTS FROM, AND CONVEYS UNCLEANNESS TO, THE CARCASS, AS LONG AS THERE IS NOT YET FLAYED ENOUGH FOR A HOLD ON THE CARCASS; FOR THE PURPOSE OF A WATER-SKIN — THE SKIN IS DEEMED CONNECTED TO THE CARCASS UNTIL HE WILL FLAY THE BREAST. HE WHO FLAYS FROM THE FEET UPWARDS — IT IS WHOLLY CONNECTED FOR UNCLEANNESS, FOR CONTRACTING UNCLEANNESS AND FOR IMPARTING UNCLEANNESS. IF HE DID NOT YET FLAY THE HIDE WHICH IS ON THE NECK — R. YOHANAN B. NURI SAYS, “IT IS NOT CONNECTED.” AND SAGES SAY, “IT IS CONNECTED, UNTIL HE WILL FLAY OFF THE WHOLE OF IT.”

1. I:1: Beyond this point i.e., if he flayed, leaving less than enough for a hold what is the case? Said Rab, “Whatever was flayed off is clean.” R. Assi said, “The skin within a handbreadth of the flesh of the animal is a handle and if it comes into contact with uncleanness it renders the animal unclean.”

2. I:2: The following composite is included only because our Mishnah-paragraph makes a contribution of fact to the analytical discussion:] It was taught there in the Mishnah on Tannaite authority: A cloak that one began to tear, once one has torn the greater part, is not connected (M. **Kel. 28:8B**) and it is clean.]

[a. I:3: Continuation of the foregoing. Said R. Huna in the name of R. Simeon b. R. Yosé, “They learned the rule that once torn a garment is clean of prior uncleanness, referring back to I.2 A only if one has not left enough of the cloth to be used as an apron, but if one has left enough of the cloth not torn to be used as an apron, it is deemed joined to the rest and therefore the garment remains unclean.” Said Resh Laqish, “They learned the rule only with regard to a cloak. But with regard to [one who tears up an unclean garment made of leather — it is sturdy [and if they piece it back together it regains its original status including its uncleanness].”]

[b. I:4: As above. R. Huna said in the name of R. Ishmael b. R. Yosé, “They learned the rule that once torn a garment is clean of prior uncleanness, referring back to I.2 A even if one has left enough of the cloth to be used as an apron, it is not deemed joined to the rest and therefore the garment remains clean..Said Resh Laqish, “They learned the rule only with regard to a cloak. But with regard to one who tears up an unclean garment made of leather — it is sturdy and if they piece it back together it regains its original status including its uncleanness.” And R. Yohanan said, “Even leather is not sturdy enough. And if it is torn to shreds and pieced together it does not regain its original status.”]

LXXIV. Mishnah-Tractate Hullin 9:4

A. HIDE ON WHICH IS AN OLIVE'S BULK OF CARRION MEAT — HE WHO OR THAT WHICH TOUCHES THE SHRED WHICH JUTS FORTH FROM IT OR HAIR WHICH IS ON THE OPPOSITE SIDE IS UNCLEAN:

1. I:1: Said Ulla, said R. Yohanan, "They only taught the matter where a wild beast tore the animal and exposed it i.e., the shred which juts forth. But where the knife of the butcher exposed it, it is a null entity with regard to the transmission of uncleanness."

B. "IF THERE WERE ON IT TWO HALF-OLIVE'S BULKS, IT IMPARTS UNCLEANNESS TO THE ONE WHO CARRIES IT, BUT NOT TO THE ONE WHO TOUCHED IT," THE WORDS OF R. ISHMAEL. R. AQIBA SAYS, "NEITHER TO THE ONE WHO TOUCHES IT NOR TO THE ONE WHO CARRIED IT." AND R. AQIBA AGREES IN THE CASE OF TWO HALF-OLIVE'S BULKS OF MEAT WHICH ONE STUCK ONTO A SPINDLE AND MOVED, THAT HE IS UNCLEAN. AND ON WHAT ACCOUNT DOES R. AQIBA DECLARE CLEAN IN THE CASE OF HIDE? BECAUSE THE HIDE RENDERS THEM NEGLIGIBLE.

1. II:1: Said Bar Padda, "They only taught the matter regarding a case where they were behind where the person touched. But if they were in the front where he touched them, there could be an instance where he touched one and then touched the other and they combine to render him unclean." And R. Yohanan said, "There is no instance where he touched one and then touched the other and they combine to render him unclean."

a. II:2: R. Avya the Elder posed a question to Rabbah bar R. Huna, "A marrow bone that is stopped up — in accord with the view of R. Ishmael what is the law as to whether it renders unclean through carrying? Does R. Ishmael hold in accord with the principle: That which enters the category of touching enters the category of carrying. That which does not enter the category of touching does not enter the category of carrying?"

2. II:3: Said Ulla, "Two half-olive's bulks of meat which one stuck onto a spindle and even if he waved them back and forth all day long, he is clean. What is the basis in scripture for this rule? It is written, "He also who carries the carcass shall wash his clothes and be unclean until the evening" (Lev. 11:40). We read it "carries" even though it is written "carried". This implies that we need to have a case where he carries what can be carried together i.e., in one and not in two pieces.

LXXV. Mishnah-Tractate Hullin 9:5

A. THE MARROW BONE OF THE CORPSE AND THE MARROW BONE OF INVALIDATED CONSECRATED ANIMALS — HE WHO TOUCHES THEM, WHETHER THEY ARE STOPPED UP OR HOLLOWED OUT, IS UNCLEAN.

1. I:1: If one touches them, yes he is unclean. But if one overshadows it, no he is not unclean. What is the situation? If there is an olive's bulk of flesh on the bone

in the contained space of the tent created when one overshadows it, let him be made unclean by it. So it must be that there is not an olive's bulk of flesh on it.

2. I:2: Said R. Abin, and some maintain it was R. Yosé bar Abin, "We have been taught: He who touches half an olive's bulk and overshadows half an olive's bulk, or touches half an olive's bulk, and half an olive's bulk overshadows him (M. **Ohalot 3:1 G-H**) is unclean. It makes perfect sense if you say uncleanness imparted by touching and by overshadowing have the same status, then on that basis they combine the act of touching half a measure and overshadowing half a measure to make up a full measure for uncleanness. But if you say they have two distinct statuses, would they then combine?

a. I:3: Gloss of a detail of the foregoing.

B. THE MARROW BONE OF CARRION AND THE MARROW BONE OF A CREEPING THING — HE WHO TOUCHES THEM, IF THEY ARE STOPPED UP, IS CLEAN. IF THEY ARE HOLLOWED OUT IN ANY AMOUNT AT ALL — THEY IMPART UNCLEANNESS TO THE ONE WHO TOUCHES THEM.

HOW DO WE KNOW THAT ALSO TO THE ONE WHO CARRIES THEM THE MARROW BONES OF CARRION THAT THEY DO IMPART UNCLEANNESS? SCRIPTURE STATES, "HE WHO TOUCHES" AND "HE WHO CARRIES" (LEV. 11:39, 40). THAT WHICH ENTERS THE CATEGORY OF TOUCHING ENTERS THE CATEGORY OF CARRYING. THAT WHICH DOES NOT ENTER THE CATEGORY OF TOUCHING DOES NOT ENTER THE CATEGORY OF CARRYING.

1. II:1: Our rabbis taught on Tannaite authority: "And if any animal of which you may eat dies, he who touches its carcass shall be unclean until the evening" (Lev. 11:39) — but not if he touches a stopped up marrow bone. You might infer that even if they are hollowed out he who touches it is not unclean. It comes to teach, "He who touches its carcass shall be unclean." That implies: What is possible to touch is unclean. What is not possible to touch is clean.

LXXVI. Mishnah-Tractate Hullin 9:6

A. THE EGG OF A CREEPING THING IN WHICH THE FOETUS IS FORMED IS CLEAN. IF IT WAS PIERCED IN ANY MEASURE AT ALL, IT IS UNCLEAN.

1. I:1: Our rabbis taught on Tannaite authority: "These are the unclean to you among all that swarm; whoever touches them when they are dead shall be unclean until the evening" (Lev. 11:31) — this language is used to include in the law the egg of a creeping thing and the thigh-bone of a creeping thing.

B. A MOUSE, HALF OF WHICH IS FLESH AND HALF DIRT — HE WHO TOUCHES THE FLESH IS UNCLEAN. HE WHO TOUCHES THE DIRT IS CLEAN. R. JUDAH SAYS, "ALSO: HE WHO TOUCHES THE DIRT WHICH IS OVER AGAINST THE FLESH IS UNCLEAN."

1. II:1: Said R. Joshua b. Levi, "This is so if it turned into a creeping thing along the whole length of its body."

2. II:2: Our rabbis taught on Tannaite authority: Because the rule was stated for a mouse, I derive from this that the rule applies to even the mouse of the sea because

its name has in it “mouse.” But it is logical to argue that this is not the case as follows: The Torah declared the weasel unclean and declared the mouse unclean. What is the case regarding the weasel? The rule applies only to a species that inhabits the land. So too regarding the mouse the rule must apply only to a species that inhabits the land.

3. II:3: Our rabbis taught on Tannaite authority: “And these are unclean to you among the swarming things that swarm upon the earth: the weasel, the mouse, the great lizard according to its kind” (Lev. 11:29) — this includes in the rule the water snake, the skunk, and the salamander.

4. II:4: Our rabbis taught on Tannaite authority: Every kind of creature that there is on dry land, there is in the sea except for the weasel. Said R. Zira, “What scriptural basis is there for this? ‘Hear this, all you peoples; give ear, all inhabitants of the world (hld)’ (Psa. 49: 1).” The similarity of the words for world and weasel (hld) suggests that the creature lives only on dry land.

LXXVII. Mishnah-Tractate Hullin 9:7

A. THE DANGLING LIMB AND FLESH IN THE CASE OF CATTLE IMPART FOOD UNCLEANNESS WHEN THEY ARE IN THEIR PLACE ATTACHED. AND THEY REQUIRE PREPARATION I.E., WETTING DOWN, TO RECEIVE UNCLEANNESS.

1. I:1: According to the passage, a dangling limb is subject to uncleanness of foods, yes. Uncleanness of carrion, no. Why not?

B. “IF THE CATTLE IS SLAUGHTERED, THEY ARE DEEMED PREPARED THROUGH ITS BLOOD TO RECEIVE UNCLEANNESS,” THE WORDS OF R. MEIR. AND R. SIMEON SAYS, “THEY ARE NOT DEEMED PREPARED TO RECEIVE UNCLEANNESS, SINCE THE ACT OF SLAUGHTER, NOT BLOOD, RENDERS MEAT SUSCEPTIBLE, AND THESE ARE UNAFFECTED BY SLAUGHTER (M. 2: 5).”

1. II:1: Concerning what principle do they dispute? Said Rabbah, “They dispute concerning the principle of whether the animal becomes a handle to the limb. One master Meir reasons in accord with the view that the animal does not become a handle to the limb. And the other master Simeon reasons in accord with the view that the animal does become a handle to the limb.”

2. II:2: Rabbah posed a question: Does a live animal serve as a handle to convey uncleanness to its limb? The question stands unresolved.

3. II:3: Said R. Jeremiah, “Behold they said: One who bows down to half a gourd rendered it prohibited as idolatry.”

4. II:4: Said R. Pappa, “Behold they said: The branch of a fig tree which was broken off but was still attached by its bark — R. Judah declares clean. And sages say, ‘If it can live it is clean; and if not it is unclean’ (M. **Uqsin 3:8 E-G**). R. Pappa posed a question based on this: Does it serve as a handle to convey uncleanness to the remainder of the tree? The question stands unresolved.

5. II:5: Said R. Zira, “Behold they said: The stone with a plague which is in the corner shared by two walls, one serving one house, the other serving the neighbor’s house — when he takes it out, he takes the whole stone out. And when

he tears it down, he tears down that which is his, but leaves that which belongs to his neighbor (M. **Neg. 13:2 A-C**).” R. Zira posed a question based on this: Does it serve as a handle to convey uncleanness to the remainder of the house? The question stands unresolved.

C. “IF THE CATTLE DIED, THE FLESH REQUIRES PREPARATION TO RECEIVE UNCLEANNESS. THE LIMB IMPARTS UNCLEANNESS AS A LIMB CUT FROM A LIVING BEAST, AND IT DOES NOT IMPART UNCLEANNESS AS A LIMB OF CARRION,” THE WORDS OF R. MEIR.

1. III:1: What distinction is there with regard to rules of uncleanness between a limb severed from a live animal and a limb severed from carrion. The difference between them is apparent in the status of flesh that is separated from them, from the limb of an animal. Flesh that is separated from a limb severed from a live animal does not render unclean other objects. Flesh that is separated from a limb severed from carrion does render unclean.

2. III:2: Our rabbis taught on Tannaite authority: One who cuts an olive’s bulk of flesh from a limb severed from a live animal — if he cut it and afterward deliberated on it as food for a gentile, it is clean; if he deliberated on it, and afterward cut it, it is unclean.

D. AND R. SIMEON DECLARES CLEAN:

1. IV:1: Any way you wish to look at the matter the dangling limb should be unclean. If you hold the view that regarding an animal that dies that the dangling flesh is considered to be detached — let it be subject to uncleanness as a limb severed from a live animal. If you hold the view that regarding an animal that dies that the dangling flesh is not considered to be detached — let it be subject to uncleanness as a limb severed from carrion.

LXXVIII. Mishnah-Tractate Hullin 9:8

A. THE DANGLING LIMB AND FLESH IN THE CASE OF MAN ARE CLEAN. IF THE MAN DIED, THE FLESH IS CLEAN. “THE LIMB IMPARTS UNCLEANNESS AS A LIMB CUT FROM A LIVING CREATURE, AND IT DOES NOT IMPART UNCLEANNESS AS A LIMB OF A CORPSE,” THE WORDS OF R. MEIR. AND R. SIMEON DECLARES CLEAN.

1. I:1: Any way you wish to look at the matter the dangling limb should be unclean. If you hold the view that regarding a being that dies that the dangling flesh is considered to be detached — let it be subject to uncleanness as a limb severed from a live being. If you hold the view that regarding a being that dies that the dangling flesh is not considered to be detached — let it be subject to uncleanness as a limb severed from a corpse

2. I:2: And what difference is there regarding the transmission of uncleanness between a limb cut from a living creature and a limb from a corpse? The difference is in the case of an olive’s bulk of flesh or a barley’s bulk of bone that is severed from a limb cut from a living creature.

LXXIX. Mishnah-Tractate Hullin 10:1-2

A. THE REQUIREMENT TO GIVE TO THE PRIESTS THE SHOULDER, THE TWO CHEEKS, AND THE MAW (DEU. 18: 3) APPLIES (1) IN THE LAND AND OUTSIDE OF THE LAND, (2) IN THE TIME OF THE TEMPLE AND NOT IN THE TIME OF THE TEMPLE, (3) TO UNCONSECRATED BEASTS, BUT NOT TO CONSECRATED BEASTS. FOR IT THE CONTRARY TO A3 MIGHT HAVE APPEARED LOGICAL: NOW, IF UNCONSECRATED ANIMALS, WHICH ARE NOT LIABLE FOR THE BREAST AND THIGH WHICH ARE TAKEN FROM PEACE OFFERINGS FOR THE PRIESTS, (LEV. 7:31), ARE LIABLE FOR THE PRIESTLY GIFTS OF THE SHOULDER, CHEEKS, AND MAW, HOLY THINGS, WHICH ARE LIABLE FOR THE BREAST AND THIGH, LOGICALLY SHOULD BE LIABLE TO THE PRIESTLY GIFTS. SCRIPTURE THEREFORE STATES, “AND I HAVE GIVEN THEM TO AARON THE PRIEST AND TO HIS SONS AS A DUE FOR EVER” (LEV. 7:34) — HE HAS A RIGHT IN CONSECRATED BEASTS ONLY TO THAT WHICH IS EXPLICITLY STATED NAMELY, THE BREAST AND THIGH.

ALL HOLY THINGS IN WHICH A PERMANENT BLEMISH OCCURRED BEFORE THEY WERE SANCTIFIED, AND WHICH WERE REDEEMED, (1) ARE LIABLE TO THE LAW OF THE FIRSTLING AND FOR PRIESTLY GIFTS, (2) AND THEY GO FORTH FOR UNCONSECRATED PURPOSES, TO BE SHEARED AND TO BE USED FOR LABOR, (3) AND THEIR OFFSPRING AND THEIR MILK ARE PERMITTED AFTER THEY ARE REDEEMED, (4) AND HE WHO SLAUGHTERS THEM OUTSIDE OF THE SANCTUARY IS FREE OF LIABILITY TO PUNISHMENT, (5) AND THEY ARE NOT SUBJECT TO THE LAW OF THE SUBSTITUTE, (6) AND IF THEY DIED, THEY THE CARCASSES ARE REDEEMED, EXCEPT FOR THE FIRSTLING AND TITHE. ALL HOLY THINGS IN WHICH A PERMANENT BLEMISH OCCURRED AFTER THEY WERE SANCTIFIED OR IN WHICH A TRANSIENT BLEMISH OCCURRED BEFORE THEY WERE SANCTIFIED, AND AFTERWARD A PERMANENT BLEMISH APPEARED IN THEM, AND WHICH WERE REDEEMED (1) ARE FREE OF THE LAW OF THE FIRSTLING AND OF THE PRIESTLY GIFTS, (2) AND THEY DO NOT GO FORTH FOR UNCONSECRATED PURPOSES, TO BE SHEARED AND TO BE USED FOR LABOR, (3) AND THEIR OFFSPRING AND THEIR MILK ARE PROHIBITED AFTER THEY ARE REDEEMED, (4) AND HE WHO SLAUGHTERS THEM OUTSIDE IS LIABLE AQIBA, M. ZEB. 9:3, (5) AND THEY ARE SUBJECT TO THE LAW OF THE SUBSTITUTE, (6) AND IF THEY DIED, THEY ARE TO BE BURIED.

1. I:1: The basis for the rule is that the Torah wrote, “And I have given them to Aaron the priest and to his sons as a due for ever” (Lev. 7:34). Lo, if not for this, would I have reasoned that Holy Things are liable to the priestly gifts as Mishnah proposes

a. I:2: Gloss of a detail of the foregoing.

2. I:3: Ulla used to give his gifts to a priest-girl who was married to an Israelite. Raba raised an objection to Ulla: The meal-offering of a priest-girl is eaten, the meal-offering of a priest is not eaten (M. **Sotah 3:6 D**). And if you say that “priest” means even a priest-girl, lo is it not written, “And every meal-offering of a priest shall be wholly burned, it shall not be eaten” (Lev. 6:23)? He said to him, “Rabbi, let me turn it back on you. Aaron and his sons are specified in the passage excluding thereby the daughter of a priest: “And the rest of it Aaron and his sons

shall eat; it shall be eaten unleavened in a holy place; in the court of the tent of meeting they shall eat it” (Lev. 6:16). “This is the offering which Aaron and his sons shall offer to the Lord on the day when he is anointed: a tenth of an ephah of fine flour as a regular cereal offering, half of it in the morning and half in the evening” (Lev. 6:20). In other instances, mention of a priest subsumes the daughter of a priest.

3. I:4: Our rabbis taught: The requirement to give to the priest the shoulder, the two cheeks, and the maw (M. **Hul. 10:1A**) applies to hybrid beasts and to the koy. R. Eleazar b.’s text has Eliezer says, “To the hybrid beast born of ewe and the goat it does apply. To that of the koy — he who lays claim against his fellow must bring proof of the validity of his claim” (T. **Hul. 9: 1**). What is the case? We hold the rule that with regard to the matter of covering the blood and gifts to the priest we find that the obligation applies for a koy only in the case of a deer that mated with a female goat. For both in accord with the view of the rabbis and of R. Eliezer there is a doubt about whether or not we take into account the seed of the sire. And they dispute over whether or not we say the specification that it be a sheep to be liable to the prohibition means that an animal that is partly a sheep is included.

a. I:5: When Rabin came from Israel he said in the name of R. Yohanan, “A koy in accord with the view of the rabbis is subject completely to the gifts to the priests.”

LXXX. Mishnah-Tractate Hullin 10:3

A. A BLEMISHED FIRSTLING WHICH WAS MIXED UP AMONG A HUNDRED OTHER UNCONSECRATED BEASTS — WHEN A HUNDRED PEOPLE, IN ADDITION TO THE OWNER OF THE FIRSTLING SLAUGHTER ALL ONE HUNDRED AND ONE OF THEM, THEY RENDER ALL OF THEM FREE OF PRIESTLY DUES. IF ONE SLAUGHTERS ALL OF THEM, THEY FREE ONE FOR HIM.

1. I:1: Referring to the rule of A-C exempting all the mixed animals from liability to priestly dues why is this the case? Let the priest come and argue that he has a right to the gifts from both sides of the question. Let him maintain, “If this one is a firstling, then it is entirely mine. And if it is not a firstling, then give me my gifts from it.”

B. HE WHO SLAUGHTERS FOR A PRIEST OR FOR A GENTILE — IT IS FREE OF REQUIREMENT TO GIVE THE PRIESTLY DUES.

1. II:1: Let it teach: A priest or a gentile are free of the requirement to give priestly dues. Said Raba, “This informs us that the claim of the priests for gifts must be brought against the butcher who slaughters the animal.”

a. II:2: The host of R. Tabla was a priest and was strapped for funds. He came before R. Tabla for business advice. He said to him, “Go form a partnership with an Israelite butcher. For since this will free them from liability to gifts to the priest for all the animals that they slaughter they will be willing to form a partnership with you.” R. Nahman declared them the host and his partner liable to the priestly gifts. He the host said to him Nahman, “But lo, R. Tabla freed us from this obligation.” He Nahman said

to him, “Go remove the priestly dues and give them to the priests. And if you do not, I will remove R. Tabla from your community.”

2. II:3: Said R. Hisda, “Any priest who does not separate priestly gifts will be under the ban of excommunication of the God of Israel.”

3. II:4: And said R. Hisda, “One may distribute the gifts to the priests as follows: the shoulder to one priest, the maw to another priest, the cheeks to two other priests.” Said Rabbah bar bar Hannah, said R. Yohanan, “It is prohibited to eat from an animal from which the gifts have not been taken.”

4. II:5: Said R. Hisda, “The priestly gifts are eaten only roasted and only with mustard.” What is the basis for this view? Scripture says, “Then the Lord said to Aaron, ‘And behold, I have given you whatever is kept of the offerings made to me, all the consecrated things of the people of Israel; I have given them to you as a portion, and to your sons as a perpetual due’” (Num. 18: 8).

5. II:6: Said R. Abba, said R. Huna, said Rab, “The veins of the cheek are prohibited on account of the blood that they contain. And to any priest who does not know how to remove them, they do not give to him the cheek as a gift.”

6. II:7: Said Raba, “R. Joseph tested us with this question: A priest who grabbed priestly gifts — is he showing his esteem for the commandment or is he making a mockery of the commandment?” And we answered the question as follows: It says, “They shall give to the priest the shoulder and the two cheeks and the stomach” (Deu. 18: 3) — it does not say that he should take them himself. Accordingly, if he does grab them, he is making a mockery of the commandment.

7. II:8: Said R. Joseph, “A priest, in whose neighborhood there is a rabbinic scholar who is strapped for funds and the priest wants to help him, he may assign to him priestly gifts, even if he did not yet receive them, as long as he is recognized among the priests and Levites.”

C. AND ONE WHO IS A PARTNER WITH THEM HAS TO GIVE SOME INDICATION THAT THE ANIMAL IS EXEMPT FROM THE PRIESTLY DUES.

1. III:1: And even if he is a partner with a gentile he must give some indication.

a. III:2: Gloss of a detail of the foregoing.

2. III:3: Said R. Huna, “If the priest was a partner in the head of the animal, then it is exempt from the gift of the cheeks. If he was a partner in the foreleg, then it is exempt from the gift of the shoulder. If he is a partner in the entrails, then it is exempt from the gift of the stomach.” And Hiyya bar Rab said, “Even if the priest was a partner in only one of these parts of the animal, it is exempt from all the gifts.”

3. III:4: Development of the foregoing: They posed a question: If a priest said to an Israelite, “The head is yours and all the rest is mine” i.e., the reverse of the case above, what is the law regarding the liability to give the cheeks to the priest? Do we consider the legal status the part of the animal where the liability rests? And the part of the animal where the liability rests belongs to an Israelite and hence he is liable to give the cheeks to the priest? Or perhaps we consider the legal status of

the major part of the animal. And the major part of the animal belongs to the priest so he would not be liable to give the cheeks to the priest.

D. AND IF THE PRIEST OR GENTILE WHO SOLD THE BEAST TO AN ISRAELITE SAID, “THE BEAST IS SOLD EXCEPT FOR THE PRIESTLY GIFTS,” HE THE ONE WHO SLAUGHTERS (D) IS FREE OF THE PRIESTLY GIFTS.

1. IV:1: And they raised by way of contradiction to M.: If a priest who sells the beast to an Israelite said that he sells it on the condition that the gifts are mine, the Israelite may give them to any priest that he chooses.

E. IF HE SAID, “SELL ME THE INTESTINES OF THE COW = THE MAW,” AND THE PRIESTS’ DUES WERE IN THEM, HE GIVES THEM TO THE PRIEST, AND DOES NOT DEDUCT THEIR VALUE FROM WHAT HE PAYS HIM. IF HE PURCHASED IT FROM HIM BY WEIGHT, HE GIVES THEM TO THE PRIEST, AND HE DOES DEDUCT THEIR VALUE FROM WHAT HE PAYS HIM.

1. V:1: And said Rab, “The latter ruling pertains to a case in which the purchaser weighed it for himself, but if the butcher weighed it for him, then the priest would sue the butcher” note: here there was no renunciation of title. And R. Assi said, “Even if the butcher weighed it for him, the priest would sue the purchaser.”

LXXXI. Mishnah-Tractate Hullin 10:4A-C

A. A CONVERT WHO CONVERTED AND HAD A COW — IF IT WAS SLAUGHTERED BEFORE HE CONVERTED, IT IS FREE OF PRIESTLY DUES. IF IT WAS SLAUGHTERED AFTER HE CONVERTED, IT IS LIABLE. IF IT IS A MATTER OF DOUBT, IT IS FREE OF LIABILITY, FOR HE WHO MAKES A CLAIM AGAINST HIS FELLOW BEARS THE BURDEN OF PROOF.

1. I:1: When R. Dimi came from Israel he said, “R. Simeon b. Laqish posed this contradiction to R. Yohanan: Our Mishnah teaches that a matter of doubt is free of liability. It seems logical to conclude in accord with the rule that a matter of doubt is resolved in accord with the more lenient position.”

2. I:2: Levi planted in Kishor and there were no poor people to collect the gleanings. He came before R. Sheshet for a ruling as to whether he could collect them himself. He said to him, “Scripture says, ‘You shall leave them for the poor and for the sojourner: I am the Lord your God’ (Lev. 19:10) — not for ravens and bats.” They posed a question: They do not have to bring heave-offering to a priest neither from the granary to the city, nor from the wilderness to the settlement. But if there is no priest thereabouts, he must hire a beast and bring it in to hold it for a priest on account of the need to prevent the destruction of heave-offering. Likewise they should bring in the gleanings and hold them for a poor person.

a. I:3: There was a sack of gold denars that came to the study hall as a gift. R. Ammi went ahead and took possession of them as a priest. Now how could he do this? Lo, is it not written, “They shall give to the priest the shoulder and the two cheeks and the stomach” (Deu. 18: 3), and not that he should take it himself. R. Ammi also must have taken them on behalf of the poor.

LXXXII. Mishnah-Tractate Hullin 10:4D-J

A. WHAT IS THE SHOULDER? FROM THE JOINT TO THE SHOULDER SOCKET OF THE FORELEG. AND THAT PERTAINS ALSO TO THE NAZIRITE (NUM. 6:19). AND THE CORRESPONDING PART IN THE HIND LEG IS THE THIGH. R. JUDAH SAYS, “THE THIGH IS FROM THE JOINT TO THE FLESHY PART OF THE HIND LEG.”

1. I:1: Our rabbis taught on Tannaite authority: “The shoulder” (Deu. 18: 3) — this is the right shoulder. You say it is the right shoulder. But perhaps it is only the left one (T. **9:12 A-B**)? It comes to teach, “The shoulder.”

2. I:2: The imaginative interpreters used to say these gifts are given to the priest on account of the zealous act of Phineas the priest and symbolize aspects of it as follows: “The shoulder” symbolizes the hand of Phineas. And so it states, “Taking a spear in his hand, he went after the man of Israel into the inner room, and pierced both of them, the man of Israel and the woman, through her stomach. Thus the plague was stayed from the people of Israel” (Num. 25: 7-8). For our purposes: He used his right hand to pierce, proving that it means the right shoulder.

B. WHAT IS THE CHEEK? FROM THE JOINT OF THE JAW TO THE KNOB OF THE WINDPIPE THE TIP OF THE THYROID CARTILAGE, THE WHOLE LOWER JAW AND THE TONGUE.

1. II:1: But lo it was taught on Tannaite authority: What is the cheek? One removes it from the place at which the animal is slaughtered, and the whole place where the animal is slaughtered with it (T. **9:11 D-E**).

2. II:2: But lo it was taught on Tannaite authority: What is the cheek? One removes it from the place at which the animal is slaughtered, and the whole place where the animal is slaughtered with it (T. **9:11 D-E**). This is not a contradiction. We may explain that this one view in M. represents the opinion of the rabbis. And this one view in T. represents the opinion of R. Hanina b. Antigonus.

LXXXIII. Mishnah-Tractate Hullin 11:1

A. THE LAWS CONCERNING THE OBLIGATION TO DONATE TO THE PRIEST THE FIRST SHEARINGS OF WOOL FROM THE SHEEP OF ONE’S FLOCK (DEU. 18: 4) APPLY BOTH INSIDE THE LAND OF ISRAEL AND OUTSIDE THE LAND OF ISRAEL, IN THE TIME THE TEMPLE IN JERUSALEM STANDS AND IN THE TIME THE TEMPLE DOES NOT STAND. AND THE LAWS APPLY TO THE FLEECE OF UNCONSECRATED ANIMALS BUT NOT TO THE FLEECE OF ANIMALS THAT WERE CONSECRATED TO THE TEMPLE.

1. I:1: The law of the first shearings does not apply to animals that were consecrated to the Temple (M. 11:1 C). What is the basis in scripture for this exclusion?

2. I:2: Raba said, “The Mishnah’s rule, that the law of the first shearings does not apply to animals that were consecrated to the Temple applies to a case where he consecrated the shearings themselves to the Temple treasury.”

a. I:3: If we do not use the words “Of your flock” to exclude a consecrated animal from the obligation to give the first shearings to the priest, what then does “Of your flock” come to teach us?

I. I:4: Said Raba, “R. Ilai agrees with regard to heave-offering that produce held by a Jew in partnership with another Jew is liable to that rule. Though it says in the verse, ‘Your grain’ implying what is yours alone is subject to the law and grain held by partners is not included in the rule— The Torah also states, ‘Your heave-offerings’ using the plural form of the noun, implying even what belongs to more than one person is subject to the law, cf. Num. 18:27, Eze. 20:40 and 44:30.”

3. I:5: In the rules for dough-offering, Scripture states, “The first part of your dough you shall take as a gift” (Num. 15:20). And you might say that we should derive an inference from the common use of the words “first” with regard to dough offering and “first” with regard to the first shearings as follows: Just as there in the rules regarding the first shearings, the law is that produce belonging to partners is not liable, here too with regard to the rules of dough-offering, produce belonging to partners is not liable. But to rule out this inference the Torah stated, “Your dough-offerings” using the plural form of the noun and implying that dough made from flour belonging to partners is liable to the rules of dough-offering.

4. I:6: And in the case of the produce one must leave over in the corners of his field though scripture states, “Your field” Lev. 19: 9, implying what is yours alone is liable to these rules and not a field held by partners, the Torah stated additionally, “And when you plural form reap the harvest of your plural form land” including by that land owned by partners. Why then do we have the language, “Your field?” It excludes from liability to the law of the corners of a field land held by a Jew in partnership with a gentile.

5. I:7: And in the case of the obligation to give to the priest the first born of your animals though scripture states, “Every firstling which is born in your herd or your flock” (Deu. 12: 6), implying what is yours alone is liable to these rules and not a firstling held by partners, the Torah stated additionally, “And the firstling of your plural herds and of your plural flocks” including by that animals owned by partners. Why then do we have the language, “In your herd or your flock?”

a. I:8: And in the case of the obligation to affix to one’s door posts a mezuzah though scripture states, “Of your houses” (Deu. 6: 9), implying what is yours alone is liable to these rules and not a house held by partners, the Torah stated additionally, “So that you plural may lengthen your plural days, and the days of your plural children” (Deu. 9:21), including in the rule houses owned by more than one party. Why then do we have the language, “Of your houses?”

6. I:9: And in the case of the obligation to separate from one’s crops tithes though scripture states, “Tithes of your grain” (Deu. 14:23), implying what is yours alone is liable to these rules and not grain held by partners, the Torah stated additionally, “Of your plural tithes” (Deu. 12: 6), including in the rule grain owned by partners. Why then do we have the language, “Tithes of your grain?”

7. I:10: And in the case of the obligation to give to the priests their gifts the shoulder, two cheeks and maw from an animal that one slaughters the Torah stated, “And he shall give” (Deu. 18: 3). And we may therefore derive that an animal held by partners is not liable to the gifts because we may say that we can learn an inference by virtue of the common usage of the language concerning “giving” “And he shall give” in the case of the priestly gifts and “giving” “Of the first shearings of your flock you shall give to him” (Deu. 18: 4) in the case of first shearings as spelled out in what follows. Just as there animals held in partnership are not liable to the obligation to the gift of the first shearings, here too animals held in partnership are not liable to the obligation of the gifts to the priest of the shoulder, two cheeks and maw.

8. I:11: And in the case of first fruits even though scripture states “Of your land” (Deu. 26: 2), implying what is yours alone is liable to these rules and not produce held by partners, the Torah stated additionally, “The first fruits of all that is in their land” (Num. 18:13), implying that even fruit held by partners is liable to the laws of the first fruits. Why then do we need the language of the verse, “Of your land?”

a. I:12: And in the case of the obligation to tie fringes to the corners of one’s garment though the Torah stated, “On your cloak” (Deu. 22:12), implying what is yours alone is liable to the rule and not a garment held by partners, the Torah stated additionally, “On the fringes of their plural garments for their generations” (Num. 15:38), implying that even a garment held by partners is liable to the law of fringes. Why then do we need the language of the verse, “On your cloak?”

b. I:13: And in the case of the obligation to erect a parapet around one’s roof though the Torah stated, “For your roof” (Deu. 22: 8), implying what is yours alone is liable to the rule and not a house held by partners, the Torah stated additionally, “If any person shall fall from it” *ibid.*, implying that any house from which one might fall is liable to the law, even one owned by partners. Why then do we need the language of the verse, “For your roof?”

9. I:14: Said R. Bibi bar Abbayye, “We do not accept these principles of law enunciated by Raba, that Ilai admits in the cases enumerated that items held by a Jew in partnership with another Jew is liable to those various rules.” For it was taught on Tannaite authority to the contrary: An animal belonging to partners is liable to the rules of the first born. And R. Ilai exempts it from those rules. Said R. Hanina from Sura, “We do not accept these principles of law enunciated by Raba, that Ilai admits in the cases enumerated that items held by a Jew in partnership with another Jew are liable to those various rules.”

a. I:15: What is the basis for R. Ilai’s ruling that the obligation to give from an animal the first shearings applies only to animals in the Land of Israel?

I. I:16: Said R. Nahman bar Isaac, “Nowadays the common custom accords with views of these three elders. With the view of R. Ilai regarding the first shearings. As it was taught: R. Ilai says, ‘The obligation to give from an animal the first shearings applies only to animals in the Land of Israel. With the view of R. Judah b. Beterah

regarding words of Torah. As it was taught on Tannaite authority: R. Judah b. Beterah says, ‘Words of Torah are not susceptible to uncleanness. That is, one who is unclean due to a seminal emission may recite words of Torah. And with the view of R. Oshaia regarding the laws of mixed kinds. As it was taught on Tannaite authority: R. Oshaia says, ‘In no way is a person liable for violating the prohibition against sowing mixed kinds until he sows wheat and barley and grape kernels together with one cast of the hand.’”

B. A STRICTER RULE APPLIES TO THE OBLIGATION TO GIVE TO THE PRIEST THE SHOULDER, THE TWO CHEEKS AND THE MAW OF ONE’S ANIMALS THAN TO THE OBLIGATION TO GIVE TO THE PRIEST THE FIRST SHEARINGS OF WOOL FROM THE SHEEP OF ONE’S FLOCK. FOR THE OBLIGATION TO GIVE TO THE PRIEST THE SHOULDER, THE TWO CHEEKS AND THE MAW OF ONE’S ANIMALS APPLIES BOTH TO THE LARGE ANIMALS OF ONE’S HERD AND TO THE SMALL ANIMALS OF ONE’S FLOCK. AND THE LAW APPLIES TO A CASE WHERE ONE SLAUGHTERED A LARGE NUMBER OF ANIMALS OR A SMALL NUMBER OF ANIMALS — EVEN ONE ANIMAL.

1. II:1: And why not teach that a stricter rule applies to the obligation to give to the priest the first shearings, since that applies to terefah-animals, which is not the case with regard to the obligation to give to the priest the other gifts. The law for them does not apply to terefah-animals.

C. BUT THE LAW REGARDING THE FIRST SHEARINGS OF WOOL FROM THE SHEEP OF ONE’S FLOCK APPLIES ONLY TO SHEEP, AND ONLY IN A CASE WHERE ONE SLAUGHTERED A LARGE NUMBER OF ANIMALS.

1. III:1: What is the basis in scripture for this matter?

2. III:2: It was taught in one source: One who shears off the hair of goats or one who washes the wool of sheep and plucks it off is exempt in both cases from separating first shearings because this is not the usual practice. And it was taught in another source: One who shears off the hair of goats is exempt from separating first shearings. And one who washes the wool of sheep and plucks it off is liable to separate first shearings.

a. III:3: Said R. Aha the son of Raba to R. Ashi, “R. Yosé concedes that produce not cut in the harvest is liable to the laws of gleanings wherever the produce is gathered in any way in accord with the normal practice for that produce.”

D. AND HOW MANY CONSTITUTE “A LARGE NUMBER?” THE HOUSE OF SHAMMAI SAY, “AT LEAST TWO SHEEP.” AS IT SAYS IN SCRIPTURE, “A MAN SHALL REAR A YOUNG COW AND TWO SHEEP” (ISA. 7:21). THE TERM FOR FLOCK IS USED IN THE VERSE REFERRING TO TWO ANIMALS. AND THE HOUSE OF HILLEL SAY, “A LARGE NUMBER MEANS AT LEAST FIVE.” AS IT SAYS IN SCRIPTURE, “FIVE SHEEP PREPARED” (1SA. 25:18). “PREPARED” IMPLIES THAT THEY HAD BEEN SUBJECT TO THE GIFT OF THE FIRST SHEARINGS.

1. IV:1: And how many constitute “a large number?” The view of the House of Shammai in the Mishnah makes sense. Two sheep also may be called a “flock.” “A

man shall rear a young cow and two sheep.” The term for flock is used in the verse referring to two animals, and this may apply to any situation.

2. IV:2: It was taught on Tannaite authority: A member of the House of R. Ishmael the son of R. Yosé says in the name of his father, “The minimum number of sheep subject to the rule of first shearings is four.”

E. R. DOSA B. HYRCANUS SAYS, “FIVE SHEEP FROM WHICH ONE PRODUCES THE VALUE OF A MANEH AND A HALF EACH OF WOOL — THESE SHEARINGS ARE SUBJECT TO THE RULES OF THE FIRST SHEARINGS.” AND SAGES SAY, “FIVE SHEEP FROM WHICH ONE SHEARS ANY AMOUNT THESE SHEARINGS ARE SUBJECT TO THE RULES OF THE FIRST SHEARINGS.”

AND HOW MUCH MUST ONE GIVE TO HIM I.E., TO THE PRIEST FROM THE FIRST SHEARINGS OF THE FLOCK? AN AMOUNT EQUIVALENT TO THE VALUE OF FIVE SELA IN JUDEA. AND THIS IS EQUIVALENT TO THE VALUE OF TEN SELA IN THE GALILEE. AND HE MUST GIVE WHITE BLEACHED WOOL AND NOT SOILED UNBLEACHED WOOL I.E., THE HIGHER QUALITY OF WOOL. AND HE MUST GIVE ENOUGH TO MAKE A SMALL GARMENT FROM THE WOOL. AS IT SAYS IN SCRIPTURE, “YOU SHALL GIVE TO HIM (DEU. 18: 4).” THIS IMPLIES THAT YOU MUST GIVE HIM ENOUGH SO THAT LEGITIMATELY IT CAN BE CONSIDERED A GIFT.

1. V:1: And how much is “any amount?” Said Rab, “A maneh and a half of wool in all as long as each animal yields a fifth of the total.” This equals thirty-seven and a half sela. And Samuel said, “The sheep must produce at least sixty sela of wool. And he must give one sela to the priest.” Said Rabbah bar bar Hannah, said R. Yohanan, “Even six sela is liable to the laws of first shearings. And from that he must give five sela to the priest, and one he may keep for himself.” Said Ulla, said R. Eleazar, “Any amount is what was taught in the Mishnah, and that should be taken literally.”

2. V:2: It was taught on Tannaite authority in the Mishnah: And how much must one give to him i.e., to the priest from the first shearings of the flock? An amount equivalent to the value of five sela in Judea. And this is equivalent to the value of ten sela in the Galilee (M. 11:1 N-P). This rule of the Mishnah is consistent with the view of Rab and R. Yohanan in the previous discussion, since they accept that he must give five sela to the priest. The matter is settled. But this contradicts the views of Samuel and R. Eleazar who both say above that one may give less than five to the priest.

a. V:3: Gloss of foregoing.

I. V:4: As above.

3. V:5: When Issi bar Hini left to go to the Land of Israel, R. Yohanan found him teaching his son our Mishnah at L, with a variation in the plural suffix of the word sheep: “Five sheep masculine plural suffix, rhylym.” He Yohanan said to him, “It was taught in the Mishnah differently, namely using the plural feminine suffix: ‘Sheep rhylywt.’”

4. V:6: When R. Dimi came from the Land of Israel he said, “Concerning the first shearings, Rab said the minimum for liability is sixty, and R. Yohanan in the name of R. Yannai said six.”

F. AND HOW MUCH MUST ONE GIVE TO HIM...AND HE MUST GIVE WHITE BLEACHED WOOL AND NOT SOILED UNBLEACHED WOOL I.E., THE HIGHER QUALITY OF WOOL.

1. VI:1: It was taught on Tannaite authority: It is not necessary that he bleach the wool and give it to him. But he should give him a sufficient amount so that when the priest will bleach it he will end up with a quantity of bleached wool worth five sela.

G. AND HE MUST GIVE ENOUGH TO MAKE A SMALL GARMENT FROM THE WOOL. AS IT SAYS IN SCRIPTURE, “YOU SHALL GIVE TO HIM (DEU. 18: 4).” THIS IMPLIES THAT YOU MUST GIVE HIM ENOUGH SO THAT LEGITIMATELY IT CAN BE CONSIDERED A GIFT.

1. VII:1: What is the basis in scripture for this matter? Said R. Joshua b. Levi, “Scripture said, ‘Because the Lord your God chose him (Levi) from among all of your tribes to stand and serve in the name of the Lord, him and his sons forever’ (Deu. 18: 5). This implies that to be included in the obligation of first shearings an item must be fit for service.”

H. IF HE DID NOT HAVE A CHANCE TO GIVE TO THE PRIEST A SHARE FROM THE FIRST SHEARINGS BEFORE THEY DYED THE WOOL, HE IS FREE OF HIS OBLIGATION TO GIVE THE SHEARINGS TO THE PRIEST AFTER DYING IT. IF THEY BLEACHED THE WOOL BEFORE GIVING A SHARE TO THE PRIEST BUT AS YET DID NOT DYE IT, HE IS LIABLE TO GIVE A SHARE OF THE WOOL TO THE PRIEST:

1. VIII:1: It was stated: If one sheared and sold the first sheep immediately after shearing it, R. Hisda said, “He is obligated to give first shearings even though at the time he completes shearing five sheep, he no longer owns the first one.” R. Nathan bar Hoshaia said, “He is exempt.” R. Hisda said, “He is obligated” — for lo he sheared five sheep. R. Nathan bar Hoshaia said, “He is exempt. At the time that one reaches the minimum [of the shearing of five sheep] he must fulfill the requirement of the verse that they be ‘your sheep.’ And this instance he does not.”

I. ONE WHO BUYS SHEARINGS OF WOOL FROM A GENTILE IS EXEMPT FROM THE OBLIGATION TO GIVE FROM IT A GIFT OF THE FIRST SHEARINGS TO THE PRIEST. ONE WHO BUYS SHEARINGS OF WOOL FROM HIS FELLOW IS SUBJECT TO THE FOLLOWING RULES: IF THE BUYER DID NOT BUY THE ENTIRE LOT OF THE WOOL BUT LEFT OVER SOME OF THE WOOL OF THE LOT IN THE POSSESSION OF THE SELLER, THE SELLER IS LIABLE TO GIVE FROM THAT A GIFT OF WOOL TO THE PRIEST. BUT IF THE BUYER DID NOT LEAVE OVER ANY WOOL IN THE POSSESSION OF THE SELLER, BUT PURCHASED THE ENTIRE LOT, THE BUYER IS LIABLE TO GIVE THE PRIEST A GIFT FROM THE WOOL. IF THE SELLER HAD TWO KINDS OF WOOL, GRAY AND WHITE THE RULE IS AS FOLLOWS: IF HE SOLD HIM THE GRAY WOOL, BUT NOT THE WHITE WOOL, OR IF HE HAD SEPARATE LOTS OF WOOL FROM MALES AND FROM FEMALES AND HE SOLD HIM THE WOOL FROM THE MALES, BUT NOT FROM THE FEMALES, THIS ONE THE BUYER GIVES OF HIS OWN A GIFT OF WOOL TO THE PRIEST AND THIS ONE THE SELLER GIVES OF HIS OWN.

1. IX:1: Who is the Tannaite authority who holds that in Mishnah’s case where there is wool left over with the seller we must go after the seller to give a gift of wool to the priest?

LXXXIV. Mishnah-Tractate Hullin 12:1-2

A. THE REQUIREMENT TO LET THE DAM GO FROM THE NEST (DEU. 22:6-7) APPLIES (1) IN THE LAND AND OUTSIDE OF THE LAND, (2) IN THE TIME OF THE TEMPLE AND NOT IN THE TIME OF THE TEMPLE:

1. I:1: R. Abin and R. Meyasha offered two explanations of a matter: One said, “Any time it is taught in the Mishnah that a certain rule applies, in the Land and outside of the Land, it is unnecessary to state it, except for the instance where it is stated in M. 11:1: The laws concerning the obligation to donate to the priest the first shearings of wool from the sheep of one’s flock apply both inside the Land of Israel and outside the Land of Israel. This explicit statement negates the view of R. Ilai who said, ‘The laws concerning the obligation to donate to the priest the first shearings of wool from the sheep of one’s flock applies only to animals in the Land of Israel.’” And the other said, “Any time it is taught in the Mishnah that a certain rule applies, in the time of the Temple and not in the time of the Temple, it is unnecessary to state it, except for the instance where it is stated in M. **5:1 A**, The prohibition against slaughtering on the same day ‘it and its young’ (Lev. 22:28) applies (1) in the Land and outside the Land, (2) in the time of the Temple and not in the time of the Temple.”

B. TO UNCONSECRATED BIRDS BUT NOT TO CONSECRATED ONES:

1. II:1: To unconsecrated birds but not to consecrated ones: Why not? Because scripture says, “You shall let the mother go, but the young you may take to yourself; that it may go well with you, and that you may live long” (Deu. 22: 7). The rule applies to that which you are commanded to let go. This excludes that which you are not commanded to let go i.e., consecrated birds, but that you must bring to the Temple treasurer.

2. II:2: What is the circumstance regarding these consecrated ones? If we say the case was that he had a nest in his house and he consecrated it, would he be liable [to let the dam go]? [The verse stipulates], “If you chance to come upon a bird’s nest, [in any tree or on the ground, with young ones or eggs and the mother sitting upon the young or upon the eggs, you shall not take the mother with the young]” (Deu. 22: 6) — this excludes from the obligation that which is captive [in a house]. Rather [it must be the case that] he saw a nest elsewhere and consecrated it.

3. II:3: Rab said, “The case of consecrated birds in question in the Mishnah is where one consecrated the young offspring of his dovecote and then they escaped.” And Samuel said, “The case in question is where one consecrated his chicken to the Temple treasury.”

C. A MORE STRICT RULE APPLIES TO COVERING UP THE BLOOD THAN TO LETTING THE DAM GO FROM THE NEST: FOR THE REQUIREMENT OF COVERING UP THE BLOOD APPLIES (1) TO A WILD BEAST AND TO FOWL, (2) TO THAT WHICH IS CAPTIVE AND TO THAT WHICH IS NOT CAPTIVE. BUT LETTING THE DAM GO FROM THE NEST APPLIES ONLY (1) TO FOWL AND APPLIES ONLY (2) TO THAT WHICH IS NOT CAPTIVE

1. III:1: A more strict rule applies to covering up the blood than to letting the dam go from the nest (M. 12:1 B). Our rabbis taught on Tannaite authority: “If you chance to come upon a bird’s nest on the way, in any tree or on the ground, with young ones or eggs and the mother sitting upon the young or upon the eggs, you shall not take the mother with the young” (Deu. 22: 6). What does this come to teach us? Because it says, “You shall let the mother go, but the young you may take to yourself; that it may go well with you, and that you may live long” (Deu. 22: 7), you might infer that one must search the hills and valleys in order to find a nest so that he may fulfill the commandment. It comes to teach us, “If you chance to come upon” — if by happenstance you find before you a nest then you must send away the mother.

D. WHAT IS THAT WHICH IS NOT CAPTIVE? FOR EXAMPLE, GEESE AND FOWL WHICH MAKE THEIR NEST IN AN ORCHARD. BUT IF THEY MAKE THEIR NEST IN THE HOUSE (AND SO HERODIAN DOVES), ONE IS FREE OF THE REQUIREMENT OF LETTING THE DAM GO.

1. IV:1: R. Hiyya and R. Simeon offered two readings of a name for the doves in M.: One taught, Hadresian. And one taught, Herodian. The one who taught, Herodian says they were called that on account of Herod. The one who taught, Hadresian says they were called that on account of their place of origin.

E. AN UNCLEAN BIRD IS EXEMPT FROM THE REQUIREMENT OF LETTING THE DAM GO:

1. V:1: What is the source of this assertion? Said R. Isaac, “As scripture says, ‘If you chance to come upon a bird’s nest on the way’ (Deu. 22: 6). The word ‘bird’ i.e., the Hebrew word here includes both clean and unclean. The word ‘bird’ i.e., the Hebrew *spwr*, does not include both. We find clean birds that are called *spwr*. We do not find unclean birds that are called *spwr*.”

F. IF AN UNCLEAN BIRD SITS ON THE EGGS OF A CLEAN BIRD, OR A CLEAN BIRD SITS ON THE EGGS OF AN UNCLEAN BIRD, ONE IS FREE OF THE REQUIREMENT OF LETTING THE DAM GO:

1. VI:1: If an unclean bird sits on the eggs of a clean bird (M. 12:2 B) — it makes perfect sense to say that where an unclean bird sits on the eggs of a clean bird one is free of the requirement of letting the dam go. We need to have “a bird” and that is lacking in this case. But where a clean bird sits on the eggs of an unclean bird C, lo this is “a bird” and he should be liable to the requirement.

2. VI:2: R. Hoshaya posed a question: If one thrust his hand into the nest and slaughtered a portion of the organs of a young bird by slitting less than half of its windpipe or esophagus in its throat what is the law? Do we say that because if he leaves it in this condition it renders the young bird *terefah*, therefore we must follow the implication of the verse that the law applies to young that, “you may take to yourself” (Deu. 22: 7), but not to those *terefah* birds that you must feed to your dogs? Or perhaps since he has it in his power to complete the act of slaughter, we label this a case where the verse, “you may take to yourself” applies and he is liable to the requirement of letting the dam go. The question stands unresolved.

3. VI:3: R. Jeremiah posed these questions: In cases where the mother bird was not sitting directly on the young, would one be liable to the requirement of letting the dam go? To wit, if a cloth separated the mother from the young what is the law as to whether it interposes and the result is a circumstance not covered by the commandment of the verse? If its wings separated the mother from the young what is the law as to whether it interposes and the result is a circumstance not covered by the commandment of the verse? If spoiled eggs separated the mother from the young what is the law as to whether it interposes and the result is a circumstance not covered by the commandment of the verse? If there were two rows of eggs, one on top of another and the upper row separated the mother from the lower row what is the law as to whether it interposes and the result is a circumstance not covered by the commandment of the verse? If the male bird sat on the eggs and the female bird sat upon the male bird and separated the mother from the young what is the law as to whether it interposes and the result is a circumstance not covered by the commandment of the verse? The question stands unresolved.

4. VI:4: R. Zira posed these questions: If a dove sat on the eggs of a tasil-dove, what is the law as to whether the circumstance is covered by the commandment of the verse? If a tasil-dove sat on the eggs of a dove, what is the law as to whether the circumstance is covered by the commandment of the verse?

G. A COCK PARTRIDGE — R. ELIEZER DECLARES LIABLE TO THE LAW OF LETTING THE DAM GO. AND SAGES EXEMPT:

1. VII:1: Said R. Abbahu, “What is the basis for the view of R. Eliezer? He derives the inference from the common use in two verses of the term ‘brood.’” It is written here, “Like the partridge that gathers a brood which he did not hatch, so is he who gets riches but not by right; in the midst of his days they will leave him, and at his end he will be a fool” (Jer. 17:11). And it is written there, “There shall the owl nest and lay and hatch and gather her young brood in her shadow; yea, there shall the kites be gathered, each one with her mate” (Isa. 34:15).

2. VII:2: Said R. Eliezer, “The dispute pertains only to a case of a cock-partridge. But in the case of a hen-partridge sitting on eggs, all agree that one is liable to the requirement to send away the dam.”

3. VII:3: And said R. Eliezer, “The dispute pertains only to a case of a cock-partridge. But in the case of any other cock sitting on eggs, all agree that one is exempt from the requirement to send away the bird.”

LXXXV. Mishnah-Tractate Hullin 12:3A-L

A. IF THE DAM WAS HOVERING OVER THE NEST, WHEN ITS WINGS TOUCHED THE NEST, ONE IS LIABLE TO SEND FORTH THE DAM. IF ITS WINGS ARE NOT TOUCHING THE NEST, HE IS EXEMPT FROM THE REQUIREMENT TO SEND FORTH THE DAM:

1. I:1: Our rabbis taught: The rule applies when the dam is “Sitting upon” but not “hovering over” the nest. You might infer that even when its wings touched the nest that the rule does not apply. It comes to teach, “Sitting upon.” On what basis do we derive this teaching? Because it is not written simply, “Sitting.”

2. I:2: Said R. Judah, said Rab, “If she [the dam] was sitting [perched above the nest] upon two interlaced branches of a tree — we assess the situation. In any case where, if the branch is removed, she would fall down upon them [the young in the nest] — one is liable to send forth [the dam]. And if not — one is exempt.” They posed a question: If she was sitting among them, one is exempt from letting the dam go. If she was sitting on them, one is liable to let the dam go. If she the dam was hovering over the nest, even when its wings touched the nest, he is exempt from the requirement to send forth the dam.

B. IF THERE WAS THERE ONLY ONE NESTLING OR ONE EGG, ONE IS LIABLE TO SEND FORTH THE DAM, AS IT IS SAID, “A BIRD’S NEST” (DEU. 22: 6) — A BIRD’S NEST OF ANY KIND:

1. II:1: Said one of the rabbis to Raba, “It makes sense to say the opposite: If there was there only one nestling or one egg, one is exempt from sending forth the dam, as it is said, “A bird’s nest” (Deu. 22: 6) — a bird’s nest of any kind. For we must have several young birds or several eggs and we do not have it.

C. IF THERE WERE THERE NESTLINGS ABLE TO FLY OR SPOILED EGGS:

IF THERE WERE THERE NESTLINGS ABLE TO FLY OR SPOILED EGGS ONE IS EXEMPT FROM THE REQUIREMENT OF SENDING FORTH THE DAM, AS IT IS SAID, “AND THE DAM SITTING UPON THE YOUNG OR UPON THE EGGS” — JUST AS THE NESTLINGS ARE THOSE LIKELY TO LIVE, SO THE EGGS MUST BE THOSE LIKELY TO LIVE, EXCLUDING THOSE WHICH ARE SPOILED. AND JUST AS THE EGGS REQUIRE THEIR DAM, SO THE NESTLINGS REQUIRE THEIR DAM, EXCLUDING THOSE THAT CAN FLY.

1. III:1: Why not say that one is liable to the requirement of sending forth the dam? as it is said, “A nest” — any kind of nest.

LXXXVI. Mishnah-Tractate Hullin 12:3M-Q

A. IF ONE SENT IT FORTH AND IT RETURNED, EVEN FOUR OR FIVE TIMES, HE IS LIABLE TO SEND IT FORTH AGAIN, AS IT IS SAID, “YOU SHALL SURELY SEND IT FORTH.” IF ONE SAID, “LO, I SHALL TAKE THE DAM AND SEND FORTH THE YOUNG,” HE IS LIABLE TO SEND FORTH THE DAM, AS IT IS SAID, “YOU SHALL SURELY SEND FORTH THE DAM.” IF ONE TOOK THE YOUNG AND THEN RETURNED THEM TO THE NEST AND AFTERWARD THE DAM RETURNED TO THEM, HE IS FREE OF THE OBLIGATION TO SEND FORTH THE DAM FROM THE NEST.

1. I:1: Said one of the rabbis to Raba, “It makes sense to say that, ‘You shall send forth’ means send it one time and ‘You shall surely send forth’ means send it two times.” How do we derive in M. from this, even four or five times?

LXXXVII. Mishnah-Tractate Hullin 12:4

A. HE WHO TAKES THE DAM WITH THE YOUNG — R. JUDAH SAYS, “HE INCURS THE PENALTY OF STRIPES, BUT HE DOES NOT SEND FORTH THE DAM.” AND SAGES SAY, “HE SENDS FORTH THE DAM, BUT DOES NOT INCUR THE PENALTY OF STRIPES. THIS IS THE GENERAL PRINCIPLE: FOR ANY NEGATIVE PROHIBITION THAT IS AVERRUNCATED BY AFFIRMATIVE COMMANDMENT TO RISE UP AND DO

SOMETHING, ONE DOES NOT INCUR THE PENALTY OF STRIPES.” THE COMMANDMENT ELIMINATES OR AVERRUNCATES THE PROHIBITION.

1. I:1: R. Abba bar Mamal posed a question, “Is the basis of the view of R. Judah that he reasoned in accord with the opinion that a negative prohibition that encompasses an affirmative commandment to rise up and do something, does one incur the penalty of stripes? Or perhaps in general he holds the view that, for any prohibition that encompasses an affirmative commandment to rise up and do something, one does not incur the penalty of stripes. But here the basis for his view that he does incur it is because he reasoned in accord with the view that, ‘You shall... send’ implies there is a commandment only at the outset but if he takes the dam, there is no longer any applicable commandment at a later time?”

2. I:2: How far must he let it go when he sends forth the dam? Said R. Judah, “Until it is beyond his reach.”

a. I:3: There was once a person who clipped the wings of a dam and sent it away and afterward captured it. R. Judah administered lashes to him. He said to him, “Go and allow its feathers to grow back and send it away.” In accord with whose view of our Mishnah is this decision? If it is in accord with the view of R. Judah then, “He incurs the penalty of stripes, but he does not send forth the dam.”

b. I:4: A person came before Raba to obtain a legal ruling. He said to him, “What is the law with regard to sending away the dam for the bullfinch?” He said, “Does this man not know that it is a clean bird and one must send away the dam?”

3. I:5: Our rabbis taught on Tannaite authority: The pigeons of a dovecote and the pigeons of an attic are liable to the requirement of sending forth and prohibited because of robbery, in order to keep peace T. **10:13 C-D**. But if we accept what R. Yosé b. R. Hanina said, “A person can take possession through his courtyard, even without his knowledge,” then we should call this a case of, “If you chance to come upon a bird’s nest, in any tree or on the ground, with young ones or eggs and the mother sitting upon the young or upon the eggs, you shall not take the mother with the young” (Deu. 22: 6) — this excludes from the obligation that which is captive in a house.

a. I:6: Levi bar Simon gave possession of the stock of his dovecote to R. Judah. He came before Samuel. He said to him, “Go disturb the nest so they will fly up and you may acquire them.”

LXXXVIII. Mishnah-Tractate Hullin 12:5

A. ONE WOULD NOT TAKE THE DAM WITH THE YOUNG EVEN FOR THE PURPOSE OF PURIFYING A MESORA. NOW IF CONCERNING AN UNIMPORTANT COMMANDMENT, THE LOSS INCURRED IN THE PERFORMANCE OF WHICH IS WORTH ONLY AN ISSAR, SCRIPTURE HAS SAID, “THAT IT MAY BE WELL WITH YOU AND THAT YOU MAY PROLONG YOUR DAYS” (DEU. 22: 7), HOW MUCH THE MORE SO FOR THE WEIGHTIER COMMANDMENTS THAT ARE IN THE TORAH WILL REWARD BE GIVEN:

1. I:1: It was taught on Tannaite authority: R. Jacob says, “You will find no other commandment in the Torah, the specification of the reward for which is (not) located by its side, and the promise of the resurrection of the dead is written alongside it as well (T. **10:16 C-D**).” Regarding the commandment to honor one’s father and mother it is written, “Honor your father and your mother, as the Lord your god commanded you; that your days may be prolonged, and that it may go well with you, in the land which the Lord your God gives you” (Deu. 5:16).

a. I:2: Said R. Joseph, “If only Aher Elisha b. Abuya had interpreted this verse in accord with R. Jacob, his daughter’s son, he would not have sinned committing heresy.”

Points of Structure

1. DOES BABYLONIAN TALMUD-TRACTATE HULLIN FOLLOW A COHERENT OUTLINE GOVERNED BY A CONSISTENT RULES?

The fact that we can outline nearly the whole of the document simply by following the sequence of Mishnah-paragraphs — with one very important composite formed around a Mishnah-paragraph of another tractate altogether — proves that the Talmud tractate is formulated as a commentary to the Mishnah. The rules of structure and the sequence of problems are consistent and coherent with those of other tractates.

2. WHAT ARE THE SALIENT TRAITS OF ITS STRUCTURE?

The Mishnah's program governs throughout; where the Talmud strikes out on its own, it is nearly everywhere a secondary exploration of a question provoked by Mishnah-commentary, e.g., once we have the source in Scripture of a rule of the Mishnah, we may raise questions about other ways of reading Scripture in the same setting.

3. WHAT IS THE RATIONALITY OF THE STRUCTURE?

What makes sense to the framers is the systematic exegesis of the Mishnah's statements and the secondary expansion of those exegeses. The source of exegesis is a corpus of statements relevant to the statements of the Mishnah but not located in the Mishnah; another source of exegesis is the systematic interrelationship of the Mishnah's with Scripture's statements. A third source of exegesis — and a poor third at that — is the principles of the Mishnah in comparison with the application, in other areas of law, of those same principles; or principles of law pertinent to the Mishnah-tractate's subject-matter at two or more passages.

4. WHERE ARE THE POINTS OF IRRATIONALITY IN THE STRUCTURE?

These are the large-scale composites that define their focus elsewhere than in the exegesis of the Mishnah: I.B [general rules on the correct act of slaughter]; XIX.B [The Scriptural Foundations for Various Rules Governing the Slaughter of Beasts and Fowl]; XXIV.B [Unconsecrated Food Prepared In Accord with the Regulations Governing Holy Things]; XXV.B [God, Creator of the Wild Beasts]; XXXV.D [The Rules Governing Clean and Unclean Eggs]; XXXV.H [Prohibited Creeping Things]; LVI.B [Abraham answered, Behold, I have taken upon myself to speak to the Lord, I who am but dust and ashes]; LVII.C [Exegesis of the Story of Jacob's Wrestling with the Angel]; LVIII.B [On Authentic Generosity, and the Sending of Gifts]; LVIII.C [Sending the Gift of a Hip to an Israelite]; LXI.C [The Volume of Prohibited Meat On Account of Which One Incurs Liability; The Combination of Small Quantities of a Given Prohibited Substance to Comprise the Prohibited Volume]; LXIII.B [Composite on Washing One's Hands at Dinner with Water]; LXXI.B [The Sources of the Law Governing the Relationship of Attachments, e.g., Handles, to That to Which They are Attached, thus, Hide to Carcass]; LXXIII.A/1.2-4, A Talmud for M. Kel. 28:8].

Points of System

1. DOES THE BABYLONIAN TALMUD-TRACTATE HULLIN SERVE ONLY AS A REPRESENTATION OF THE MISHNAH-TRACTATE OF THE SAME NAME?

Most of the statements of the Mishnah — surely in excess of 90% — are subjected to systematic exegetical work; words and phrases, but no large-scale and principal statement, in the Mishnah are everywhere dealt with and seldom ignored. And, as we shall now see, little is added to the work of exegesis of the Mishnah-tractate essentially in its own terms. Therefore it follows that the Talmud-tractate serves only as a re-presentation of the Mishnah-tractate of the same name.

2. HOW DO THE TOPICAL COMPOSITES FIT INTO THE TALMUD-TRACTATE AND WHAT DO THEY CONTRIBUTE THAT THE MISHNAH-TRACTATE OF THE SAME NAME WOULD LACK WITHOUT THEM?

We distinguish once more between those composites that carry forward the proposition or the topic of the Mishnah-exegetical composites where they find their location and those that introduce an essentially fresh topic and so, in one way or another, impose upon the Mishnah a distinct and fresh topical or even propositional program. I indent the former and not the latter.

I.B [general rules on the correct act of slaughter]

XIX.B [The Scriptural Foundations for Various Rules Governing the Slaughter of Beasts and Fowl]

XXIV.B [Unconsecrated Food Prepared In Accord with the Regulations Governing Holy Things]

XXV.B [God, Creator of the Wild Beasts]

XXXV.D [The Rules Governing Clean and Unclean Eggs]

XXXV.H [Prohibited Creeping Things]

LVI.B [Abraham answered, Behold, I have taken upon myself to speak to the Lord, I who am but dust and ashes]

LVII.C [Exegesis of the Story of Jacob's Wrestling with the Angel]

LVIII.B [On Authentic Generosity, and the Sending of Gifts]

LVIII.C [Sending the Gift of a Hip to an Israelite] In the context of the Mishnah, these two items fit right in.

LXI.C [The Volume of Prohibited Meat On Account of Which One Incurs Liability; The Combination of Small Quantities of a Given Prohibited Substance to Comprise the Prohibited Volume]

LXIII.B [Composite on Washing One's Hands at Dinner with Water] This is secondary to the topic of the Mishnah, which is spelled out here.

LXXI.B [The Sources of the Law Governing the Relationship of Attachments, e.g., Handles, to That to Which They are Attached, thus, Hide to Carcass]

3. CAN WE STATE WHAT THE COMPILERS OF THIS DOCUMENT PROPOSE TO ACCOMPLISH IN PRODUCING THIS COMPLETE, ORGANIZED PIECE OF WRITING?

Only two items fall outside of the framework of the Mishnah's program of principles and rules. Both amplify the origin, among the patriarchs, of some of the rules before us, thus underscoring the claim that even before Sinai Israel kept certain commandments concerning food. That that issue occurs en passant and not by reason of a polemic against a contrary claim is suggest by the paucity of such composites. Not only so, but the point at which the specified items occur remains well within the framework of the Mishnah's own topical program. So the composites are formed around their own topical interest, but inserted here essentially in conformity to what is natural to the Mishnah's. The upshot is simply stated: the framers of the Bavli-tractate have vastly expanded the rules set forth in the Mishnah, but they have done so mainly by collecting and arranging other rules on the same topics, rather than by a systematic reconsideration of principles and problems of a theoretical character. They have clarified, extended, amplified, and otherwise improved upon the Mishnah, all the while recapitulating the Mishnah's own statement. Here is a tractate that, sum and substance, re-presents the Mishnah in the Mishnah's own terms and for the Mishnah's own purposes.