

II.

BAVLI HULLIN CHAPTER TWO

FOLIOS 27A-42A

2:1

- A. [27a] 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.
- B. And the greater part of one [of the organs] is equivalent to [the whole of] it.
- C. 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].”
- D. [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.
- E. [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.
- I.1** A. **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. *One possibility [to explain the implication of the Mishnah text is that it states matters to include a case of one who slaughtered] one organ in a fowl.*

- C. *Another possibility [to explain the text is that it states matters to include a case of one who slaughtered] the majority of an organ [that it has the same status as slaughtering the entire organ] itself.*

The Scriptural Foundations for Various Rules Governing the Slaughter of Beasts and Fowl

- I.2** A. [A mnemonic is given.] 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 (see Rashi), in either case a play on the Hebrew word for slaughter].
- B. *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 cedar-wood 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).*
- C. *And would it not make sense to say that it bends its tail [and you should slaughter it there]? [No.] We must have a place that is generally upright [and that the animal can bend] and this [tail] is constantly bent down.*
- D. *And would it not make sense to say [that you slaughter it] at the ear [because it bends its ear or lifts it up]? [No.] We must have [a case of a cut that drains] the life blood [of the animal] and we do not have that [where he cuts at the ear].*
- E. *And would it not make sense to say that he continue to cut from the ear until the life blood [drains from the animal]? [Accordingly, the verse cited does not provide enough specific information to serve as the source for slaughter at the neck.]*
- F. *And further [if we rely on this verse] how would we know [the rules for] pausing, pressing, thrusting, deflecting and tearing? Accordingly [they must have been] taught [as an oral tradition]. The rule that slaughtering must be at the neck must also have been taught [as an oral tradition].*
- G. [In that case] *what purpose is served by the verse? It comes [to teach us] that he may not sever [the head from the body].*

- I.3** A. 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 [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.]
- B. *Based on what can we draw the conclusion that the cited word means to break? As it is written, “[Behold, the Lord your God has set the land before you; go up, take possession, as the Lord, the God of your fathers, has told you]; do not fear or be dismayed” (Deu. 1:21). [I.e., do not be broken.]*
- C. *And would it not make sense to say [based on this derivation that he cut it] at its nose where it flows [mucus]? [No.] We must have a flow by virtue of a cut and this [from the nose] flows by itself.*
- D. *And would it not make sense to say [based on this derivation that he cut it] at its heart [where, if cut, the blood flows freely]? [No.]*
- E. *And further [if we rely on this verse] how would we know [the rules for] pausing, pressing, thrusting, deflecting and tearing? Accordingly [they must have been] taught [as an oral tradition]. The rule that slaughtering must be at the neck must also have been taught [as an oral tradition].*
- F. *[In that case] what purpose is served by the verse? It comes [to teach us] that he may not sever [the head from the body].*
- I.4** A. *A member of the House of R. Ishmael taught: “Then he shall kill...” (Lev. 1: 5), do not read it “Then he shall kill [*wst*]” but “Then he shall squeeze [*wst*].” At the place it makes its sounds [*sh*, i.e., the neck], there you should drain [*t*, or cleanse] it.*
- B. *And would it not make sense to say [that you slaughter it] at its tongue [because it makes its sounds with that organ]? [No.] We must have [a case of a cut that drains] the life blood [of the animal] and we do not have that [where he cuts at the tongue].*
- C. *And would it not make sense to say that he continue to cut from the tongue until the life blood [drains from the animal]? [Accordingly, the verse cited does not provide enough specific information to serve as the source for slaughter at the neck.]*
- D. *And further [if we rely on this verse] how would we know [the rules for] pausing, pressing, thrusting, deflecting and tearing? Accordingly [they must have been] taught [as an oral tradition]. The rule that slaughtering must be at the neck must also have been taught [as an oral tradition].*

E. [In that case] *what purpose is served by the verse? It comes [to teach us] that he may not sever [the head from the body].*

I.5 A. *And a Tannaite authority derives it [that slaughtering must be at the neck] from this: as it was taught on Tannaite authority: 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).*

B. *Since it says, “the head” [implying that] it was already cut off, we may derive the rule that slaughtering must be done at the neck.*

C. *And [why was it that] the Tannaite authority began with [reference to the verse], “the head and the fat” and concluded with [reference to the verse], “its head and its fat”? Here is what you should say. On what basis do we know to include the head that was already cut off [in the category of pieces that are laid on the wood on the altar]? It comes to tell us, “the head and the fat.”*

D. *Why then [must I have a second verse specify] “its head and its fat”? We need this in accord with what was taught on Tannaite authority: On what basis do we say that the head and the fat go up on the altar before all the other pieces? It comes to tell us, “its head and its fat, and the priest shall lay them in order.”*

E. **[27b]** *And for what purpose do I need the first reference written in the Torah to “the fat”? In accord with what was taught on Tannaite authority: How does he do it [i.e., offer the fat]? He places the fat over the place it was slaughtered [i.e., he covers the cut in the neck] and he offers it up. And this is the way to offer honor on high.*

I.6 A. *And the following 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 [carcass of a] beast renders unclean through contact and carrying. The [carcass of a] bird does not render unclean through contact and carrying. The [carcass of a bird] renders unclean the clothing of one who swallows it. The [carcass of a beast] does not render unclean the clothing of one who swallows it.

- B. [So] in what respects did the Torah equate the beast to the bird and the bird to the beast? To tell you that just as a beast is [rendered clean] through slaughtering, so also a bird is [rendered clean] through slaughtering.
- C. If so then [we should also extend the rules from the beast to the bird] just as there it, [the slaughtering, is effective only after he cuts] the majority of the two organs, here [it should be effective only after he cuts] the majority of the two organs. It comes to tell us, "This." [This limits the equation of the rules for the two categories.]
- D. R. Eliezer says, "In what respects did the Torah equate the beast to the bird and the bird to the beast?" To tell you that just as the bird is prepared [by slaughtering] at the neck, so too is the beast prepared [by slaughtering] at the neck.
- E. If so then [we should also extend the rules from the bird to the beast] just as there [the bird may be rendered fit by wringing it] opposite its neck, so too the beast [should be rendered fit by wringing it] opposite its neck. It comes to tell us, "He shall wring its head from its neck, but shall not sever it" (Lev. 5: 8). [Only] this one's head [may be wrung to render it fit] opposite its neck, but the head of no other [kind of animal may be wrung to render it fit] opposite its neck.
- F. *And what does R. Eliezer do with this* [exclusion based on the interpretation of the word,] "This" [in C]? If not for [this exclusion based on the interpretation of the word,] "This" *I would have reasoned*, just as a bird [is rendered fit by the slaughter of] one organ, so also a beast [is rendered fit by the slaughter of] one organ. *The Torah wrote*, "This" [to tell us that this rule for a bird does not apply to a beast].
- I.7** A. *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.

- I.8** A. *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].*
- B. *But now consider regarding the quail it is written, “[And the people rose all that day, and all night, and all the next day,] and gathered the quails; [he who gathered least gathered ten ‘omers; and they spread them out for themselves all around the camp]” (Num. 11:32), [should not] this too [suggest] that they are not subject to the requirement of slaughtering? But lo we said [regarding birds], “[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” [III.1 A].*
- C. *[The difference is that] there [regarding the quail] it was not written that you need to gather it [to render it fit] rather than to slaughter it, as [you would need to do] for other [creatures]. Here [regarding the fish] it was written that you need to gather it [to render it fit] rather than to slaughter it, as [you would need to do] for other [creatures].*
- I.9** A. 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.
- B. Said R. Samuel of Cappadocia, “You should know [that they were created from mud because] some birds have scales on their feet like fish.”
- I.10** A. And [a Roman official] asked him [i.e., Rabban Gamaliel (Rashi and cf. b. Bekh. 5a)] 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.*
- B. He [Gamaliel] said to him, “They were created out of the mud.” He saw that his students were looking at one another [in puzzlement]. He said to them, “Is it difficult for you to understand that I deflected his question with a straw? They were [in fact] created from out of the waters [as the first verse indicates]. And why

[are birds mentioned in the other verse in connection with the ground? To tell us, as the verse indicates in its conclusion], that He brought them before Adam so that he could give them names.”

- C. And another version: He offered the other [second] explanation to that official. And he offered the first explanation to his students, *because it is written*, “God formed (Gen. 2:19)” concerning [the birds indicating that more must be deduced from this verse than just the fact that Adam named them].

I.11 A. 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]*.

- B. *If so then a wild animal also* [should be rendered fit by just pouring out its blood since the verse refers to a beast that is hunted]. [No. References to wild beasts are] *juxtaposed* [in the Torah] to unfit Holy Things [and accordingly, like them, can be rendered fit only by an act of slaughter (cf. b. Hul. 28a below)].

- C. *Birds also have been juxtaposed to beasts [in the Torah], as it is written*, “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).

- D. *But lo, it is written*, “[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). *And why do you seek to apply this [rule only] to birds? You should apply it [as well] to wild beasts. It makes more sense [to apply it to birds] because [the phrase] comes right after it [i.e., the mention of birds in the verse]*.

I.12 A. [A mnemonic is given.] 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.

- B. *Does it make sense to reason* that this [exemption] refers to a bird? No. It refers to a wild beast [that can only be rendered fit through slaughter. Hence if it was killed in another fashion the obligation to cover the blood does not apply.]

- C. *Come and take note:* He who slaughters and needs to use the blood, he is obligated to cover it. What must he do [to kill it in order to use the blood]? Either he stabs it or he rips out its organs.
- D. **[28a]** *Is it not [the case here that reference is made to killing] a bird because he needs to use its blood for killing worms? [This then would prove that birds are subject to the laws of slaughter and the obligation of covering the blood.] No, [the reference is to killing a] wild beast because he needs to use its blood for dyeing. [So we can draw no conclusion from this rule regarding the obligations for a bird.]*
- E. *Come and take note:* “He who wrings [the neck of a bird-offering and cuts the neck from the back] with a knife — [if he eats the meat from this fowl] it renders unclean the clothing of he who swallows it.” *And if you say that [we hold the principle that] “there is no requirement to slaughter a bird on the authority of the Torah,” it also should be the case that when he severs the neck bone and spinal cord that renders the bird terefah, the knife should have the effect [slaughtering through the organs] of saving the bird from the uncleanness of carrion.* [The principle is that a terefah animal that was slaughtered properly does not become unclean as carrion.]
- F. *[It must be the case that] he [Isaac] states matters according the view of that Tannaite authority. As it was taught on Tannaite authority:*
- G. R. Eleazar Haqqappar Be-rabbi says, “What does Scripture tell us in the verse, ‘Just as the gazelle or the hart is eaten, so you may eat of it; the unclean and the clean alike may eat of it’ (Deu. 12:22)? What do we deduce from [the presence in the verse of] the gazelle and the hart? Now look. Lo, it comes [ostensibly] to teach [some new detail of the law for other types of animals] and instead it ends up learning [i.e., deriving rules for the gazelle and hart from the procedures for other animals].
- H. The gazelle and hart are juxtaposed to unfit Holy Things. [Accordingly they share rules.] Just as unfit Holy Things are subject to the requirement of slaughter, so too the gazelle and the hart are subject to the requirement of slaughter. But a bird is not subject to the requirement of slaughter on the authority of the Torah, but only on the authority of the scribes [i.e., the rabbis].
- I. *Who is the Tannaite authority who disputes the view of R. Eleazar Haqqappar? It is Rabbi. For it was taught on Tannaite authority, Rabbi 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 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 teaches us that Moses was commanded concerning [the requirement to slaughter by cutting] the gullet and the windpipe [and the requirement to slaughter] the majority of one organ for a bird and the majority of two organs for a beast.”

II.1 A. He who slaughters [cuts] one [organ, either the windpipe or the gullet] in the case of fowl [M. 2:1 A] — *It was stated:* R. Nahman said, “Either the gullet or the windpipe.” R. Ada bar Ahava said, “The gullet, but not the windpipe.”

B. R. Nahman said, “Either the gullet or the windpipe” [based on his interpretation of the text of the Mishnah] — **one**, *was the way it was taught, meaning either one.*

C. R. Ada bar Ahava said, “The gullet, but not the windpipe” [based on his interpretation of the text of the Mishnah] — *what does one imply?* The one that is singled out. [The rule is that a small defect in the gullet renders the animal *terefah*. Only a major defect in the windpipe renders the animal *terefah* (Rashi).]

D. [A mnemonic is given.] *They objected:* [Consider the following teaching as a contradiction to R. Nahman’s view above:] If he slaughtered the gullet and afterward the windpipe was displaced (Cashdan: 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.]

E. [The response is that we may draw no conclusion to settle the dispute above from this teaching.] Slaughter of only the windpipe *is not taught because the windpipe is more likely to be displaced.*

F. *Come and take note:* If he slaughtered half of the two organs in a bird, it is invalid. And we need not even state this with regard to a beast [that it is invalid in the circumstance].

G. R. Judah says, “For a bird [it is not valid] unless he slaughters the gullet and the jugular veins.” [Actually he could cut the windpipe and the jugular veins and it would be valid too. The reason it specifies the gullet is] because the gullet is near the jugular veins.

H. *Come and take note:* If he slaughtered half of the windpipe and then he paused long enough to complete a whole other act of slaughter, and then he finished slaughtering, it is valid.

- I. *What do we say is the case? He was [slaughtering] a bird. And what does it mean, “then he finished”? It means that he finished [slaughtering only the windpipe]. [This disproves the view of Ada above.]*
- J. *No. [This is not a valid proof against Ada.] [It refers to slaughter] of a beast. And what does it mean, “then he finished”? It means he finished the whole act of slaughter.*
- K. *Come and take note: Behold, if half the windpipe was defective and he added to it [by cutting] a bit more and thereby he completed its slaughter, it is valid.*
- L. *What do we say is the case? He was [slaughtering] a bird. And what does it mean, “then he finished”? It means that he finished [slaughtering only the windpipe]. [This disproves the view of Ada above.]*
- M. *No. [This is not a valid proof against Ada.] [It refers to slaughter] of a beast. And what does it mean, “then he finished”? It means he finished cutting the gullet.*
- N. *Come and take note: “What is the procedure for wringing the neck of the sin-offering of a fowl? He cuts the spinal cord and the neck bone without [cutting] the majority of the flesh until he reaches the gullet or the windpipe. Once he reaches the gullet or the windpipe, he cuts one of the organs or [a majority of one and at that point he may cut] the major portion of the flesh along with it. And for a whole burnt-offering, [the procedure is the same but] he cuts the two organs or the majority of the two organs [cf. b. Hul. 21a].” [It is logical to conclude that it is valid if either organ is cut when it is slaughtered.]*
- O. *This is a valid objection to the view of R. Ada bar Ahava.*
- P. *It is a valid objection.*
- Q. *[It is not!] What does this have to do with that? [That rule pertains to wringing and not to slaughtering.] What this has to do with that is as we stated matters! [The rules for wringing and slaughtering are parallel.] But perhaps they are different! There [in the case of wringing he already cut through] the spine and neck bone. [He can complete the act by cutting either organ. In the case of an act of slaughter, cutting the windpipe might not be enough. So] why [is this a valid objection to Ada]?*
- R. *Come and take note: They found a certain duck in Raba’s house with its neck smeared with blood. Said Raba, “What shall we do with it?” [28b] Shall we slaughter it and then inspect [it for defects]? Perhaps at the place of defect we will slaughter [and obscure the evidence that it was terefah.] Shall we inspect it and then slaughter it? Lo, Rabbah said, “The gullet cannot be examined externally, only internally.”*

- S. *Said to him R. Joseph his son, "Let us inspect the windpipe and slaughter it at the windpipe and declare it valid. And afterward let us turn to the gullet and inspect that [for defects]."*
- T. *Said Raba, "My son Joseph is as smart as R. Yohanan [cf. b. Hul. 95b] when it comes to terefot." It is logical to say, one [organ that was stated in the Mishnah means] either one.*

- III.1** A. **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] [M. 2:1C]."** 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.*"
- B. *And that statement bears the implication that the basis for the rule of R. Judah [that he must cut the veins is] because of the [need to drain the] blood. But lo it was taught, 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]."* [This language implies that cutting the veins is an integral part of the act of slaughter and not a separate concern for removing the blood.]
- C. *It makes sense to say that he means, "That he will pierce the veins." And why [then does it say], "that he will slaughter the veins"?* [It means], "that he will pierce them at the time he slaughters."
- D. *Come and take note [by way of objection to the preceding]: "The veins are subject to slaughtering," the words of R. Judah. [This is not contradiction because] it makes sense to say he means, "The veins must be pierced at the time of slaughtering," the words of R. Judah.*
- E. *Come and take note [by way of objection]: They said to R. Judah, "[According to your view] as long as the veins were mentioned only because you must remove the blood from them, what difference does it make if they are slaughtered or not?" In general it appears that R. Judah reasons that they must be slaughtered [not pierced].*
- F. *This is the way they stated the matter to him: "[According to your view] what difference does it make whether they pierce them at the time of slaughtering or if they pierced them not at the time of slaughtering?" And he reasoned that [the difference is that if he pierces them] at the time of slaughtering the blood flows out because it is hot, [if he does so later], not at the time of slaughtering, the blood does not flow out because it is cool.*

III.2 A. *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.

B. *It was taught on Tannaite authority in accord with R. Hisda:* If he slaughtered [exactly] half of two organs in a bird, it is invalid. And you do not even have to mention that [it is invalid if he slaughtered in this fashion] in the case of a beast. R. Judah says, “For a bird [it is invalid] until he slaughters the gullet and the veins.”

IV.1 A. **[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. 2:1D].** *It was stated:* Rab said, “Halfway is deemed a majority.” R. Kahana said, “Halfway is not deemed a majority.”

B. Rab said, “Halfway is deemed a majority” — *this is what the Torah [in the oral tradition defining the proper means of slaughter] said to Moses, “Do not leave a majority [uncut].”*

C. R. Kahana said, “Halfway is not deemed a majority” — *this is what the Torah [in the oral tradition defining the proper means of slaughter] said to Moses, “Slaughter a majority [of the organ].”*

IV.2 A. [A mnemonic is given.] *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].*

B. [In the case of one who had a clay oven that became unclean and therefore had to be broken —] Said R. Qatina, “*Come and take note:* If he divided it [an unclean clay oven] in two equal pieces — they are unclean because it is not possible to be precise [in dividing or measuring the pieces and we cannot determine which one is smaller than the major part of the oven].”

- C. Lo, [this implies that] if it were possible to be precise [i.e., to divide it into two exactly equal pieces] — they would be clean. *Why would they be clean? Consider this [first] piece [and say that half the oven is equivalent to the majority] and you have a majority [and it is unclean]. Consider this [second] piece [and say that half the oven is equivalent to the majority] and you have a majority [and it is unclean].*
- D. Said R. Pappa, “[This case regarding an oven is not parallel to the issue of cutting the organs during slaughter. In the case of an unclean oven you have to conclude that it is not possible to declare there are] two majority entities in one object. [With regard to the organ of a bird we simply wish to determine that the major portion was cut.]”
- E. *Come and take note:* If he slaughtered half of the gullet and he paused [29a] for long enough to have completed another act of slaughter, and then he completed his act of slaughter — it is valid.
- F. *Now if you say,* “Halfway is deemed a majority” *he already rendered the animal terefah* [by pausing in between the slaughter of the two organs. The cut in the first organ is deemed a defect in the major portion of the organ. Hence it must be that cutting halfway is not deemed a majority.]
- G. *Does it make sense to reason [that this refers to a case of one who slaughters] a beast? No, [it refers to one who slaughters] a bird. Any way you wish [to look at the matter it will turn out that the act of slaughter is valid]. If halfway is deemed a majority then lo, he performed [an act of slaughter] on the major portion [of the organ]. And if halfway is not deemed a majority then he has performed nothing of consequence [in cutting into one organ of the bird].*
- H. *Come and take note:* If half of the gullet was defective and he added any amount [by cutting into it past the midpoint of the organ] and completed it — it is valid.
- I. *Now if you say* halfway is deemed a majority — it should be *terefah* [since the organ then is deemed defective in its major part]!
- J. Said Raba, “*The rule is different for determining* [the amount of defect in an organ necessary to render it] *terefah. You must have* an obvious majority.”
- K. Said to him Abbaye, “*Is this not certainly logical? Regarding terefah [in some cases] any amount is enough to render it terefah. Where [the rule is] that you must have a major portion [defective in the organ to render it*

terefah] *you must have an obvious majority. With regard to slaughtering that [in all cases] is not deemed fit until there is a majority [of the organ cut] most certainly you must have cut an obvious majority.*”

L. *But according to everyone halfway is not deemed a majority. And what was stated by Rab and R. Kahana was stated concerning Passover: Behold if in Israel half the people was clean and half was unclean — Rab said, “Half is deemed a majority.” R. Kahana said, “Half is not deemed a majority.”*

M. *And here what is the basis for the view of Rab? As it is written, “[Say to the people of Israel], If any man of you or of your descendants is unclean through touching a dead body, [or is afar off on a journey, he shall still keep the Passover to the Lord] (Num. 9:10). An individual person postpones [celebrating Passover until he is clean] but an entire community does not postpone [celebrating if they are unclean].*

V.1 A. [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 [M. 2:1E]. *It was already taught on Tannaite authority one time [in M. 2:1C], And the greater part of one [of the organs] is equivalent to [the whole of] it. [Why repeat it?]*

B. *[A mnemonic is given.] Said R. Hoshaya, “One refers to unconsecrated animals and one to consecrated animals.”*

C. *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. And if we had been instructed about consecrated animals [I might have argued that there cutting the entire organ is necessary] because he needs to remove the blood [for the ritual]. But for an unconsecrated animal he does not need to remove the blood. It makes sense then to say that cutting a half of the organ should suffice. It informs us [by teaching the matter twice that the rule holds for both categories of animals].”*

D. *Which one [of the two references in M.] applies to unconsecrated animals and which one applies to consecrated animals?*

- E. Said R. Kahana, “It makes sense to say that the first text refers to unconsecrated animals and the last text refers to consecrated animals.”
- F. Why draw this conclusion? Because it teaches, **he who slaughters [M. 2:1 A]**. And if you think to conclude that the first text refers to consecrated animals, it should say, **he who wrings**. What then? The last text must refer to consecrated animals. [Why then does it say], **his act of slaughter is valid**? It should say, **his act of wringing is valid**. This is not a problem? Because it just left off from making reference to beasts [in the text], it taught further [using the same language], **his act of slaughter is valid**.
- G. What then [proves that] the first text [refers to unconsecrated animals]? It specifically refers to birds. If you thought to conclude that it refers to consecrated animals it should say, **he who wrings**. [Accordingly it must refer to unconsecrated animals.]
- H. R. Shimi bar Ashi says, “The first text refers to unconsecrated animals, derived from this which it taught, **[He who cuts through] half of one [organ] in the case of fowl [M. 2:1 D]**. And if you think to conclude that it refers to unconsecrated animals, lo we have the case of the burnt-offering of the bird that *requires* that you slaughter both organs. What then? It must be the last text that refers to consecrated animals [in E], **[He who cuts through] the greater part of one [organ] in the case of fowl**. [Still you can say] lo we have the case of the burnt-offering of the bird that *requires* that you slaughter both organs [so it cannot refer here to consecrated animals.]
- I. “But what then? The last text must refer to consecrated animals. [But what do we do with the text], **[He who cuts through] the greater part of one [organ] in the case of fowl**? [Still you can say] lo we have the case of the burnt-offering of the bird that *requires* that you slaughter both organs [so it cannot refer here to consecrated animals.] [You can respond that] what does **the greater part of one [organ] in the case of fowl** mean? [It means] the greater part of each one.”
- J. And it is logical to say that it should have taught then, **the greater part of two**. [It did not] because we have the case of the sin-offering where it suffices to slaughter one organ. On account of this [the Tannaite authority] did not specify [more clearly].
- K. R. Pappa said, “The first text refers to unconsecrated animals based on this that was taught: **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].’**” And the rabbis disputed his view.

- L. *If you say it is consistent [that the text refers to] unconsecrated animals, it makes perfect sense. But if you say it refers to consecrated animals why do the rabbis dispute his view? The whole point [of slaughtering a consecrated animal] is because he needs the blood [for the ritual].*
- M. R. Ashi said, “The last text refers to consecrated animals based on this that was taught: **He who slaughters [cuts through] two heads [of cattle] simultaneously — his act of slaughter is valid [M. 2:2 A]. He who slaughters** [implies that] *after the fact, yes [we deem it effective]. But to begin with, no [we do not permit this].*”
- N. *If you say it is consistent that this refers to consecrated animals and that to begin with, no, [we do not permit this], that is based on what was taught by R. Joseph, “[Scripture says], ‘[When you offer a sacrifice of peace offerings to the Lord], you shall offer it [so that you may be accepted]’ (Lev. 19: 5). [The form of the verb indicates action in the singular implying] two people should not slaughter one sacrifice. ‘You shall offer it’ [implies further] one person should not slaughter two sacrifices.”*
- O. Said R. Kahana, “[You can draw this inference because] the orthography of the Hebrew word ‘You shall slaughter it’ is *tzbhw* [the singular form of the verb].”
- P. *But if you say that this [last text] refers to unconsecrated animals, then even to begin with I would also [say we permit it].*
- Q. *And even R. Simeon b. Laqish reasons that the first text refers to unconsecrated animals and the last text refers to consecrated animals. For said R. Simeon b. Laqish, “After we repeated [in M.] the rule that the major portion of one organ is equivalent to the whole, why then did we repeat [the rules for slaughter], **[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 is because we repeated [the following rule in b. Yoma 31b]: ‘When they bring him [i.e., the High Priest] the daily-offering, he cuts it and another priest completes [cf. Tosafot, *ad. loc.*] the slaughter.’ You might have concluded that if he did not complete [the slaughter] that it would be invalid. Therefore the rule was repeated, **[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].**”*
- R. Said the master, “You might have concluded that if he did not complete [the cutting] that it would be invalid. **[29b]** [If another priest completes it]

if so it would be in the category of service performed by another [priest] and it was taught on Tannaite authority, ‘All of the service of the Day of Atonement is valid only if performed by him [the High Priest]’ [b. Yoma 32a].”

- S. *This is how you should state matters:* You might conclude that [if another priest did not cut it through the rest of the way] it should be invalid on the authority of the rabbis. Because it would have made sense to say that there is a rule to invalidate it on the authority of the rabbis. Therefore we repeated the rule, **[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].**
- T. *And finally, if there is not even a reason to invalidate [if a priest did not finish cutting] based on the authority of the rabbis, why then complete the cutting? It is [an additional active fulfillment of the] commandment to complete [the cutting].*

- V.2** A. 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.”
- B. 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.
- C. “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].
- D. “They disputed only in a case where he slaughtered one organ outside [the Temple] and one organ inside.”
- E. *According to the authority [R. Simeon b. Laqish in the name of Levi the Elder] who holds the view, “We do not call it ‘slaughtering’ until the finish [of the act]” he is liable [for slaughtering outside the Temple].*
- F. *And according to [R. Yohanan] the authority who holds the view, “We call it ‘slaughtering’ from the start to the finish,” he is not liable.*
- G. *Said to him Rabbah bar Shimi, “Our master did not say this. And who is [the master]? R. Joseph.*

- H. “Where he slaughtered one organ outside [the Temple] and the other organ inside, this too would render it invalid. For behold he performed [the equivalent of] the service of the sin-offering of a bird outside.”
- I. They disputed only in a case where he slaughtered a small part of the organ outside and finished inside.
- J. *According to the authority [R. Yohanan] who holds the view, “We call it ‘slaughtering’ from the start to the finish,” he is liable [for slaughtering outside the Temple].*
- K. *And according to the authority [R. Simeon b. Laqish in the name of Levi the Elder] who holds the view, “We do not call it ‘slaughtering’ until the finish [of the act],” he is not liable.*

V.3 A. *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]. But note: 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. Said Raba, “*You are speaking of an act of slaughter that was botched. That case is different. For it is clarified retroactively [after it was botched] that this was not at all an act of slaughter.*”
- C. *Said Raba, “If I have a problem, this is it. According to the authority who holds the view, ‘We do not call it ‘slaughtering’ until the finish [of the act],’ we should make a distinction within the process of the preparation of the cow in an instance where it was slaughtered by two people. The first person would not become unclean [because there is no act of slaughter yet] and the last person would become unclean [because he completes an act of slaughter].”*

- D. *Said R. Joseph, "Are you saying that two persons may perform one act of slaughter? Get out of here!" For it was taught: "[Scripture says], '[When you offer a sacrifice of peace offerings to the Lord,] you shall offer it [so that you may be accepted'] (Lev. 19: 5). [The form of the verb indicates action in the singular implying] two people should not slaughter one sacrifice. 'You shall offer it' [implies further] one person should not slaughter two sacrifices."*
- E. *Said R. Kahana, "[You can draw this inference because] the orthography of the Hebrew word 'You shall slaughter it' is tzbhw [the singular form of the verb]" [above: IX.1 M-N].*
- F. *Said to him Abbayye, "Is it not stated concerning this, said Rabbah bar bar Hannah said R. Yohanan, 'These are the words of R. Eleazar b. R. Simeon [30a] cited anonymously?' But sages say, 'Two persons may slaughter one sacrifice.'"*
- G. *And in accord with the view of R. Eleazar b. R. Simeon we should make a distinction in an instance where the one person who slaughtered wore two garments [Jastrow: scarves]. The first garment should not become unclean and the second garment should become unclean.*
- H. *But [in response to Raba at C] we are interested in the invalidation of the cow and we are not interested in the proper preparation of the cow.*

V.4 A. *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. But why should he be free from liability? The Passover-offering [if brought] during the rest of the days of the year counts as a peace-offering. We derive from this that the Passover-offering [if brought] during the rest of the days of the year, its [designation] must be actively removed from it. And said R. Hiyya bar Gamda, "This [opinion] was promulgated by the fellowship and they said, what are we dealing with*

here? It is an instance where the owners had been defiled by corpse-uncleanness and were put off until the second Passover [celebration, a month later]. Had he slaughtered it with no specification, it would have gone [as a sacrifice] for its own sake. And this one [is the case of an offering whose designation as a Passover-offering] must be actively removed. Lo, in any other case [the designation] need not be actively removed.” [Let us apply this now to our concern.] If you say, “We call it ‘slaughtering’ from the start to the finish,” it becomes invalid from the start of the act of slaughter. But if you say, “We do not call it ‘slaughtering’ until the finish [of the act],” as soon as he slaughtered the first bit it was disqualified from being a Passover-offering. And the remainder of what he slaughters, he slaughters as a peace-offering.”

- B. Said to him Abbaye, *“Let us grant that he disqualifies it from the status of Passover-offering. But is it disqualified from serving for the monetary purposes of [procuring an offering for the second Passover by redeeming it before he completes the act of slaughter and using the money]? And if you say it must be subjected to appraisal and estimation [before it can be redeemed so it is technically impossible to do what E suggests], behold, it was taught on Tannaite authority, If he slaughtered two [organs] or the major part of two [organs] and she is still convulsing, lo she is like a live animal in all respects” [Note: this is not found in M. but cf. Tosafot who believes this relates to M. Hul. 9:1].*

V.5 A. 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.]’*”

- B. *And even R. Simeon b. Laqish reasons that you must have an act of slaughter that is well-defined. For* said R. Simeon b. Laqish, “On what basis do we say that you must have and act of slaughter that is well-defined? As it says, ‘Their tongue is a deadly arrow; it speaks deceitfully’ (Jer. 9: 8).” [The verse says literally ‘an arrow that slaughters’ implying that like an arrow, the act of slaughter must be one straight cut (Rashi).]

- C. R. Eleazar *posed the objection* [based on this teaching]: **If two persons are holding knives and slaughtering, even if one is [cutting] above and one is [cutting] below, the act of slaughter is valid [M. 2:2 B].** *Why is this the case? Behold we do not have an act of slaughter that is well-defined.”*

- D. *Said to him R. Jeremiah, “Our teaching deals with [the case of] one knife and two people [holding it, making one cut].”*
- E. *Said to him R. Abba, “If this is the case then what about what was taught in connection with this: They are not concerned that perhaps one or the other will render the animal terefah? If you say that we are dealing with a case of two knives and two persons, then this statement makes perfect sense. What might I have said? Let us be concerned that perhaps they rely on one another [to perform the greater part of the act of slaughter]. And this one does not perform the greater part of the act and this one does not perform the greater part of the act. It makes the point to tell us that we are not concerned about this. But if you say that we are dealing with a case of one knife and two persons, this statement that They are not concerned that perhaps one or the other will render the animal terefah [makes no sense]. It should say, They are not concerned that perhaps one or the other will press [during the act of slaughter].”*
- F. *Said to him R. Abin, “Teach it, They are not concerned [30b] that perhaps one or the other will press [during the act of slaughter].”*
- G. *R. Abin posed this objection [based on this teaching]: If he slaughtered the gullet below and the windpipe above, or the gullet above and the windpipe below, the act of slaughter is valid. Why is this the case? Behold we do not have an act of slaughter that is well-defined.*
- H. *He posed the objection and he answered it: [We are dealing with a single] act of slaughter on a slant like a quill.*
- V.6** A. *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].*
- B. *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.”*
- V.7** A. *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, Rashi], it is invalid. [If he thrust the knife] under the hide [and then cut the organs], it is valid.”*
- B. *What novel point does this make for us? It was already taught on Tannaite authority in the Mishnah: Or [after properly cutting one organ], [he] 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” [M. 2:4D-F].*

- C. *If we had only the Mishnah, I might have reasoned it was the case [that it was invalid] if he slaughtered the bottom [organ first] and the top [organ second]. For he did not perform the act in the manner prescribed for slaughter. But if he [thrust the knife in and] did the top and then the bottom as is the practice for a valid act of slaughter, it would make sense to say this is perfectly acceptable. It makes the novel point [that it is invalid].*
- D. [If he thrust the knife] under the hide [and then cut the organs], it is valid [A, above]. *The House of Rab say, “[If he thrust the knife] under the hide, we do not know [the ruling].”*
- E. *They posed a question according to the House of Rab who said, “[If he thrust the knife] under the hide, we do not know [the ruling]” —if he [thrust the knife and slaughtered] under a cloth [that was wrapped around the neck of the animal (Cashdan)] what is the law? Under the matted wool [of the neck of the animal], what is the law? These questions stand unresolved.*
- F. R. Pappa *posed the question:* If he thrust [the knife and slaughtered] a small part of the organs [having already slaughtered properly the major part, Rashi], what is the law?
- G. *The question stands unresolved.*

2:2, 2:3A-K

2:2

- A. He who slaughters [cuts through] two heads [of cattle] simultaneously — his act of slaughter is valid.
- B. [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.

2:3 A-K

- A. [If] one chopped off the head with a single stroke, it is invalid.
- B. [If] one was engaged in the act of slaughter and chopped off the head with a single stroke,
- C. if the knife is [as long again as] the width of the neck, it is valid.
- D. [If] one was engaged in the act of slaughter and chopped off two heads simultaneously,

- E. if the knife was [as long again as] the width of the neck of one [of them], it is valid.
- F. Under what circumstances?
- G. When [the slaughterer moved the knife] forward but not backward, or backward but not forward.
- H. But if he moved it forward and backward,
- I. however short [the knife],
- J. even with a scalpel,
- K. it is valid.

I.1 A. *What is the source of these assertions?*

- B. Said Samuel, “Scripture said, ‘Their tongue is a deadly arrow; it speaks deceitfully’ (Jer. 9: 8).”
- C. *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].*
- D. And so it says, “[King Solomon made two hundred large shields] of beaten [swt=drawn out] gold; [six hundred shekels of gold went into each shield]” (I Kings 10:16). And it says, “Their tongue is a deadly [swt] arrow; it speaks deceitfully” (Jer. 9: 8).
- E. *What is the purpose of the second citation? [The first should suffice.] If you should want to say that “beaten [swt=drawn out] gold” means that it was woven of gold [s-wt=of thread, and is no proof] then come and take note [of the second verse], “Their tongue is a deadly [swt] arrow” (Jer. 9: 8).*

I.2 A. *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 [31a] the feathers around the neck were cut.*

- B. *But lo it must [have its blood] covered. And if you say that he covered [the blood that fell to ground] did not R. Zira say in the name of Rab, “He who slaughters must put dust below [on the blood on the ground, which he could not have done] and above [which he could go and do after shooting the bird with the arrow].” As it says, “And cover it with dust” (Lev. 17:13). It does not say “dust” but “with dust*

[b'pr]." This teaches us that he who slaughters must put dust below and dust above [that it be between two coverings].

- D. [Nevertheless you could say that he could have fulfilled that obligation.] *He could prepare the dust of the entire valley* [for use for covering the blood of this bird so that it fell upon dust that had been designated for the performance of the obligation. There would then be dust below and above designated for the purposes of covering the blood of the bird.]

II.1 A. [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 [M. 2:3 B-C]. Said R. Zira, "As wide as the neck and [again as long] outside of the neck."

- B. *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. *Come and take note:* **[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 [M. 2:3 D-E].** What does **the width of the neck of one** mean? *If you say it means the width of the neck of one and no more, here with regard to one beast we require [that the knife be] as wide as the neck and outside of the neck, for two beasts does it suffice for them [to use a knife that is] the width of one neck?*

- D. *Rather it is obvious [that it means] the width of the neck of one* outside of the two widths of the necks. *You may derive the conclusion* [that it means] the width of the neck outside of the neck,

- E. *Indeed so, you may derive the conclusion.*

III.1 A. 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 [M. 2:3 F-K]. Said R. Menasheh, "A scalpel that does not have projections."

- B. *Said to him R. Aha b. R. Avya to R. Menasheh, "What is the rule for [slaughter with] a needle?"*

- C. He said to him, "A needle surely tears [but does not cut and so is invalid for slaughter]."

- D. *[He asked], "What is the rule for a needle of a shoemaker [Cashdan: awl]?"*
- E. He said to him, *"It has been taught, **however short [the knife]**. Does this not include [the needle of] a shoemaker?"* "
- F. *[No, it refers to a] scalpel.* "But a scalpel is *taught plainly* [in M]."
- G. *"No. It spells out [the previous line in M.]. What does the formulation mean, **however short? A scalpel.**"*
- H. *It also makes good sense. For if you conclude [that it implies we accept slaughter by] a shoemaker's needle, now if a shoemaker's needle is permitted, why do we need to specify [in M.] a scalpel?*
- I. *We need to specify a scalpel. You might have concluded that it makes sense to say that you decree that a scalpel that has no projections [is not permitted] on account of [the concern that a person not come to use] a scalpel that has projections. It makes the point to tell us [that it is permitted].*

2:3 L-P

**L. [If] the knife fell and effected the act of slaughter,
M. even if it effected the act of slaughter properly,
N. it is invalid.**

O. As it is said, "And you will slaughter...and you will eat..." (Deu. 12:21) —

P. just as you effect the act of slaughter, so do you eat.

- I.1** A. *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].*
- B. *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."*
- C. *For so taught Oshaia, the youngest of the fellows: "If one threw a knife to impale it on a wall, and it went [and on its path] it slaughtered [an animal] in a proper fashion, R. Nathan declares it fit. And the sages declare it unfit."*
- D. *He [Oshayya] taught [the pericope] and he said concerning it that the law follows the view of R. Nathan.*
- E. *But lo, did not Raba say this one time [in connection with M. 1:1]: as it was taught in the Mishnah on Tannaite authority, **But all of them who performed an act of slaughter, with others watching them — their act of slaughter is valid.** And we said there, 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."*

- F. *It is necessary [to state the matter in both places]. For if we had been instructed there [that slaughter without intention is valid, you might have argued that it was valid only] because he had intention for some act of cutting. But here since he did not have intention to perform any act of cutting, it would make sense to say that it is not [a valid act of slaughter].*
- G. *And if we had been instructed here [that without intention it is valid, you might have argued that it is valid] because the act is performed by a competent person [capable of intention]. But there the act is not performed by a competent person, it would make sense to say no, [the act is not valid]. It is necessary [therefore to state the matter in both places].*

- I.2** A. *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.”
- B. And R. Yohanan said, “Even with regard to her marital relations she is not deemed clean.”
- C. *Said Raba to R. Nahman, “According to Rab who said, ‘She is deemed clean with regard to her marital relations, but she is not permitted to eat heave-offering,’ [how is it that] you have permitted her to [perform an action, i.e., marital relations while a menstruant, whose violation is] a sin punishable by excision? For a prohibition [i.e., eating heave-offering while unclean] that is punished by death [at the hands of heaven, considered a lesser form of punishment than excision], must you specify [that it is permitted for her to perform that]?”*
- D. *He said to him, “[Marital relations with] her husband is an unconsecrated action. And for an unconsecrated action you do not need to have intention [so if she immersed without intending to, it is valid for that purpose but not for the purpose of eating sancta].”*
- E. *And based on what source do I make this assertion? As it was taught in the Mishnah on Tannaite authority, **A wave that was detached from the sea, and it contained a volume of forty seahs of water, and it fell upon a person or upon utensils, they are clean [M. Miq. 5:6 A-C].** Why not say [based on this source] that a person is compared to a utensil. Just as a utensil has no intention [to be immersed by the water] so too a person need not have intention [for the immersion to be effective]? But why [must you draw this conclusion]? Perhaps we are dealing with a case where he*

was sitting [on the beach] waiting for the wave to detach [and come and immerse him in the water].

- F. **[31b]** And [we could argue the opposite, that is the circumstance and rule for] utensils must be compared to a person. Just as a person must have intention [to be there so that the water can wash over him] so to for the utensils a person must have intention [for them to be there so the water can wash over them].
- G. And if you should say that a case of [a person on the beach] sitting and waiting [is obviously going to result in an effective immersion], so why state it at all? [You can respond] it would have made sense to say that you make a special decree [not to allow immersion in a wave] on account of the possibility that someone would mistakenly presume you could immerse in a downpour of rain! Or that you make a special decree [not to allow immersion] in the crest of the wave on account of the possibility that someone would mistakenly presume you could 'immerse' in the hollow arch of the wave! It makes the point that they do not make such a decree.
- H. And based on what source do I make the assertion that they do not 'immerse' in the hollow arch of a wave? As was taught on Tannaite authority, They immerse in the crest of a wave but they do not immerse in the hollow arch of a wave **for they do not immerse in air [T. Miq. 4:5 C]**.
- I. But what is the basis for the assertion that for unconsecrated things one does not need intention [for immersion to be effective]? As it was taught in the Mishnah on Tannaite authority, **Pieces of fruit that fell into a water channel — he whose hands were unclean reached out and took them — his hands are clean, and the pieces of fruit are insusceptible to uncleanness. And if he gave thought that his hands should be rinsed off, his hands are clean, and the pieces of fruit are under the law, If water be put [M. Miq. 4:7].**
- J. Raba objected to R. Nahman, "[We have a rule]: if he immersed [to be clean so as to eat] unconsecrated things, and he attained a status [of cleanness] with regard to unconsecrated things, he is forbidden [to eat] tithes. [This implies], if he attained a status, yes, [he may eat unconsecrated foods], and if he did not attain a status, no, [he may not eat]."

- K. [Nahman would respond], *This is how you should state matters*, “Even though he attained a status with regard to unconsecrated things, he is forbidden [to eat] tithes.”
- L. *He raised an objection*: [We have a rule]: if he immersed and did not attain a status [of cleanness] it is as if he did not immerse. *What then!* Is it as if he did not immerse at all? No. It is as if he did not immerse for [the purpose of eating] tithes, but as if he did immerse for unconsecrated things.
- M. *He [Raba] reasoned that [Nahman] was just pushing off his objection*. *He went and inquired and found that it was taught on Tannaite authority*, If he immersed and did not attain a status [of cleanness for tithes] he is permitted [to eat] unconsecrated things and forbidden [to eat] tithes.
- N. *Said Abbaye to R. Joseph*, “*Shall we say that this stands as a contradiction to R. Yohanan [above, a woman who immerses against her will]?*”
- O. *He said to him*, “*R. Yohanan holds in accord with the view of R. Jonathan b. Joseph. For it was taught on Tannaite authority*, R. Jonathan b. Joseph says, [Scripture says concerning a garment that has a spot of the plague], “[But the garment, warp or woof, or anything of skin from which the disease departs] when you have washed it, [shall then be washed a second time, and be clean]” (Lev. 13:58). Why does it state, “a second time”? It juxtaposes the first washing and the second washing [to tell us that they have the same rule]. Just as the first washing must be done with intent [to remove the plague] so too the second washing must be done with intent. *If [you wish to take this further and say] just as there [for the first washing] it must be done with the knowledge of the priest, here too [for the second] it must be done with the knowledge of the priest. Scripture tells us [that is not the case with the words], “and be clean” [implying] in any case [with or without the knowledge of the priest it will be clean].*
- P. *R. Shimi bar Ashi posed an objection*: *And did R. Yohanan say this [that for immersion for unconsecrated things you need intention]?* *Did not R. Yohanan say*, “The law follows in accord with an anonymous rule in the Mishnah.” *And it was taught in the Mishnah on Tannaite authority*, **[If] the knife fell and effected the act of slaughter, even if it effected the act of slaughter properly, it is**

invalid [M. 2:3 L-N]. *And we argued concerning this: 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]. And we said: 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."* [The anonymous view contradicts Yohanan.]

Q. [To respond you can make a distinction as follows.] *Regarding the act of slaughter [R. Yohanan and] even R. Jonathan b. Joseph [would agree] that since the Torah revealed that a spontaneous act [without intention] in connection with Holy Things is invalid, that implies that in general for unconsecrated things they do not need to have intention [to properly perform the actions].*

R. *And the rabbis [will explain] that it is the case that they do not need to have intention to perform the slaughter, but they do need to have intention to make an incision.*

S. *Said Raba, "In this matter R. Nathan bested the rabbis. Is it ever written, 'And you may cut (wkt)'? It is written, 'Then you may kill (wzbt)' (Deu. 12:21). [This implies that] if you need to have intention to make an incision, you must also have intention to perform the slaughter. And if you do not need to have intention to perform the slaughter, you do not need to have intention to make an incision.*

I.3 A. *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]?*

B. *If you say that her companion forced her to immerse, the intention of her companion is a perfectly good form of intention. And furthermore [in such a case] she would also be permitted to eat heave-offering. As was taught on Tannaite authority, **The deaf-mute, and the imbecile, and the blind, and the unconscious [or: confused] woman — if there are women of sound sense, they care for them, and they eat heave-offering [M. Nid. 2:1 B-C].***

C. Said R. Pappa, “According to R. Nathan [the circumstance was] she fell off a bridge [i.e., she had no intention to immerse]. And according to the rabbis she went into the water to cool off [i.e., she had intention to immerse but not for the sake of purification].”

I.4 A. 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.] **[32a]** 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].

B. *But this is obvious.*

C. *We need to state this* [to clarify the case of the red cow] if another animal was slaughtered along with it according to the view of R. Nathan. *It could have made sense to say that the Torah says*, “[And you shall give her to Eleazar the priest, and she shall be taken outside the camp] and slaughtered before him” (Num. 19: 3). She shall be slaughtered and not she and a companion animal. *And what is the circumstance?* For instance if he slaughtered two red cows at the same time. But if he slaughtered it together with an unconsecrated animal, I might think to conclude, no, [it does not invalidate]. *It comes to make this point.*

D. If he cut a gourd along with it [i.e., the red cow], all hold the view that this is invalid. If a gourd was cut [unintentionally] along with it, all hold the view that it is valid.

2:3 Q-W

Q. [If] the knife fell and one raised it up,

R. [or] if his clothing fell and he picked them up,

S. [or if] he was whetting the knife, [or if] he became weary,

T. [and he therefore interrupted the act of slaughter], and his fellow came and [completed the act of] slaughter —

U. if the delay was sufficient for an act of slaughter [cutting of two organs],

V. it is invalid.

W. R. Simeon says, “[That is the rule] if the delay was sufficient for examining [the knife].”

I.1 A. *What does it mean, “sufficient for an act of slaughter”?*

B. Said Rab, “Sufficient time to slaughter another animal.”

C. *R. Kahana and R. Assi said to Rab, “Do you mean sufficient time to slaughter another beast, where a beast is concerned and sufficient time to slaughter another bird, where a bird is concerned? Or do you mean sufficient time to slaughter another beast, even where a bird is concerned [i.e., a longer time and a more lenient ruling]?”*

D. *He said to them, “I was not friendly enough with my uncle [R. Hiyya] to ask him about this.”*

E. *It was stated:* said Rab, “Sufficient time to slaughter another beast, where a beast is concerned and sufficient time to slaughter another bird, where a bird is concerned?”

F. And Samuel said, “Sufficient time to slaughter another beast, even where a bird is concerned [i.e., a longer time and a more lenient ruling].”

G. And so too when Rabin *came* [he said] R. Yohanan said, “Sufficient time to slaughter another beast, even where a bird is concerned.”

H. R. Haninah said, “Sufficient time to bring another animal and slaughter it.”

I. *Does “to bring” mean from anywhere in the world? If so, you have established an arbitrary rule.*

J. *Said R. Pappa, “[A pause for as long as it would take to slaughter an animal that] stands ready to be cast down [to be slaughtered] is the case in point between them. [According to Haninah if he paused that long it would be valid; according to Yohanan if he paused that long it would be invalid.]”*

K. *They said in the West in the name of R. Yosé b. R. Haninah, “[The pause we refer to is an interval of] sufficient time to lift it up and cause it to lie down and slaughter it. For a small animal [that interval it takes to do all that to] a small animal. And for a large animal [that interval] for a large animal.”*

I.2 A. 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].”

B. *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].*

C. R. Huna the son of R. Nathan *posed the question*: if he paused while cutting the minor portion of the organs [having already cut the major portion] what is the rule?

D. *This question stands unresolved.*

II.1 A. R. Simeon says, “[That is the rule] if the delay was sufficient for examining [the knife] [M. 2:3 W].” What does **sufficient for examining** mean?

B. Said R. Yohanan, “Sufficient time for examination by a sage.”

C. If so you have established an arbitrary interval. [In different circumstances it may take more or less time to find a sage.] Rather it means sufficient time for examination by a butcher [who is there slaughtering] who is a sage.

2:4

A. [If] one slaughtered [cut through] the gullet and tore open the windpipe,

B. or slaughtered [cut through] the windpipe and [afterward] tore open the gullet,

C. or slaughtered [cut through] one of them and waited until [the animal] died,

D. or [after properly cutting one organ], thrust the knife into the second [of the organs] and tore it [from below to above],

E. R. Yeshebab says, “It is carrion.”

F. And R. Aqiba says, “It is terefah.”

G. 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.”

H. And R. Aqiba concurred with him.

I.1 A. [If] one slaughtered... And R. Aqiba concurred with him. *They raised the contradiction: These are the terefah [carcasses] among cattle: [32b] (1) one in which the gullet is pierced, (2) and one in which the windpipe is torn [M. 3:1A-B].* [Our Mishnah rules that these are carrion. Why does that Mishnah rule they are terefah?]

B. 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].”

C. 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.

- D. *R. Aha bar Huna raised an objection to Raba, [If] one slaughtered [cut through] the gullet and tore open the windpipe, or slaughtered [cut through] the windpipe and [afterward] tore open the gullet... it is deemed carrion. Why not say, "[Or he tore open the gullet] having already slaughtered the windpipe?"*
- E. *He said to him, "There are two answers. One, it would be the same as the first. And furthermore, lo, it was taught on Tannaite authority, and afterward."*
- F. But said Raba, "These are the forbidden [cases]" *is what should have been taught. Some of them are carrion and some of them are terefah.*
- G. And should we not take account also of the case of Hezekiah. For said Hezekiah, "*If he cleaved the body in two* [lengthwise, Rashi] —it is carrion [b. Hul. 21a]."
- H. And should we not take account also of the case of R. Eleazar. For said R. Eleazar, "*If the thigh [bone] was removed and the cavity is discernible* — it is carrion [and renders objects unclean even while it is still alive] [ibid.]." [Rashi interprets that only flesh was removed, because if the bone was removed it would be deemed terefah.]
- I. *What cases of carrion are taught?* Those that do not render unclean while still bearing signs of life. But those cases that do render unclean while bearing signs of life [such as the two just mentioned] *are not taught.*
- I.2** A. [Refer back to I.1 and 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. Here [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.
- B. *And did R. Simeon b. Laqish say this?* But lo, said R. Simeon b. Laqish, "If he slaughtered the windpipe and afterward the lung was punctured, it is valid." *It seems [logical to conclude that after the windpipe is cut] it is as if [the lung] was placed in a basket.* [A damage to the lung is of no consequence at that point.]
- C. *Here too [in the case of one who slaughters an animal that had a gash in the windpipe] it should be as if [the lung] was placed in a basket.* [The act of slaughter should be of no consequence and the animal should be carrion.]
- D. But said R. Hiyya bar Abba, said R. Yohanan, "*This is not a valid contradiction* [between our Mishnah and chapter 3]. There [the Mishnah in chapter 3 represents

the view of Aqiba] prior to his retraction. Here [the Mishnah represents the view of Aqiba] after his retraction. And the [original rule in the] Mishnah was not removed.”

- I.3** A. *Reverting to the body of the prior text:* said R. Simeon b. Laqish, “If he slaughtered the windpipe and afterward the lung was punctured, it is valid.”
- B. Said Raba, “R. Simeon b. Laqish said this only with regard to the lung because the function of the lung is dependent upon the windpipe. But with regard to the intestines, he did not [rule along the same lines. Hence if the gullet was slaughtered and then the intestines were punctured, this would be considered a damage of significance to the animal. However, Rashi interprets that the case is where the intestines were punctured after the windpipe was cut. This seems self-evident.]”
- C. *R. Zira raised an objection:* since after [slaughtering one organ and] the signs appeared of a defect that would render the animal a *terefah*, and you permitted this, what difference does it make if the defect is in the lung or in the intestines?
- D. *And R. Zira retracted his objection. For R. Zira posed this question:* if the intestines were punctured [during the act of slaughter] between [the cutting of] one organ and the other, what is the rule? Do you say that the [slaughter of the] first organ *combines* with the second so as to remove the animal from the category of carrion? Or do you say that it does not?
- E. *Is this not the same as the question posed by Ilfa:* if the foetus stuck its leg out between [the cutting of] one organ and the other, what is the rule? **[33a]** Do you say that the [slaughter of the] first organ *combines* with the second so as to remove the animal from the category of carrion? Or do you say that it does not?
- F. *On this point there is a question only* as to whether it removes the animal from the category of carrion. But as to eating, it is forbidden.
- G. Said R. Aha bar Rab to Rabina, “*Perhaps [Zira] never retracted his objection.* And R. Zira stated [his objection] according to the words of Raba [in A]. But he did not reason in accord with his view.”
- H. Said to him R. Aha bar Jacob, “*You may derive from this rule of R. Simeon b. Laqish that you may invite an Israelite to eat the intestines, but you may not invite an idolater to eat the intestines.*”
- I. *What is the basis for this conclusion? For an Israelite the issue [of whether one may eat them] depends on [if you have a valid] act of slaughter. Since you have a perfectly good act of slaughter, they are permitted to him.*

J. *For an idolater stabbing is sufficient [as an act of killing] and the issue [of whether one may eat them] depends on the death of the animal. These [intestines removed after the slaughter] are like a limb from a living animal.*

K. *Said R. Pappa, "I was sitting before R. Aha bar Jacob and I thought it would make sense to pose the question, is there something that is permitted to an Israelite and forbidden to an idolater? But I did not say this to him. Because it made sense to me that he had stated the reason."*

I.4 A. *It was taught on Tannaite authority not in accord with R. Aha bar Jacob: he who wants to eat [meat] from an animal before its soul departs cuts an olive's bulk of meat from the place of the slaughter, and he salts it well, and he rinses it well, and he waits until the soul departs, and he eats it. Either an Israelite or an idolater is permitted to do this.*

B. *This supports the view of R. Idi bar Abin. For said R. Idi bar Abin, said R. Isaac bar Ashian, "If he wants to become healthy, he cuts an olive's bulk of meat from the place of the slaughter of the beast, and he salts it well, and he rinses it well, and he waits until the soul departs, and he eats it. Either an Israelite or an idolater is permitted to do this."*

2:5

A. He who slaughters a beast, a wild animal, or fowl, from which blood did not exude —

B. they are valid.

C. And they are eaten with dirty hands,

D. because they have not been made susceptible to uncleanness by blood.

E. R. Simeon says, "They are rendered susceptible to uncleanness by the act of slaughter itself."

I.1 A. *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.*

- B. *And how do you know that we are dealing with unconsecrated things here? Because it teaches, a **wild animal**. If this were dealing with consecrated things, is there an instance of using a wild animal for consecrated things?*
- C. *And furthermore, if this pertains to consecrated things, if blood did not exude, is it valid? Inherently [in a consecrated animal] it is for the blood [that he slaughters it].*
- D. *And furthermore, if this pertains to consecrated things, if blood does exude, does this [alone] render it valid? Lo, did not R. Hiyya bar Abba say in the name of R. Yohanan, “Based on what do we say that the blood of consecrated things do not [alone] render it susceptible to uncleanness? As it says, ‘[Only you shall not eat the blood]; you shall pour it out upon the earth like water’ (Deu. 12:16).” Blood that flows like water renders objects susceptible [to uncleanness]. Blood that does not flow like water does not render objects susceptible [to uncleanness].*
- E. *And furthermore, if this pertains to consecrated things, if blood did not exude, is it not valid? Let it be valid by virtue of the veneration of sancta. For we hold the principle that the veneration of sancta renders it susceptible [as a foodstuff to uncleanness].*
- F. *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.”*
- G. *For it was taught in the Mishnah on Tannaite authority, [33b] **Whoever requires immersion in water according to the rules of the scribes (1) renders Holy Things unclean and (2) spoils the heave-offering. “And he is permitted in respect to unconsecrated food and tithe,” the words of R. Meir. And sages prohibit in the case of tithe [M. Parah 11:5 A-C].*** [A special rule pertains to tithes.]
- H. *R. Shimi bar Ashi raised an objection to this: Why [follow the view of sages that second remove renders tithes unclean in the third remove (Rashi)]? Perhaps on this point R. Meir only disputed the view of sages with regard to eating tithes. But with regard to [transfer of uncleanness through] contact with tithes, and with regard to eating unconsecrated things, they did not dispute.*
- I. *But lo, the [issue of our Mishnah must be the transfer of uncleanness through] contact. Because it was taught, **And they are eaten with dirty hands [M. 2:5C].*** [The passive voice suggests where blood did not exude] *that are we not dealing with one who feeds his fellow? [The implication is that if blood exuded, a person with unwashed hands may not feed another. This means that contact with a second*

remove of uncleanness (the hands) renders the food unclean. And there seems to be no precedent for this view (Rashi).]

- J. *Rather said R. Pappa, “Here we are dealing with hands that are unclean in the first remove. And this accords with the view of R. Simeon b. Eleazar.” For it was taught on Tannaite authority, [The rule governing the uncleanness of] hands [in the first remove has] no [bearing upon] unconsecrated food. R. Simeon b. Eleazar says in the name of R. Meir, “The hands are unclean in the first remove so far as Holy Things are concerned and are unclean in the second remove so far as heave-offering is concerned [T. Toh. 1:6 A-B].”* [The citation in our passage of the Talmud reads “unconsecrated things” instead of “Holy Things.” The argument that follows requires this reading.]
- K. [Does this mean that hands are unclean] in the first remove with regard to unconsecrated things but not with regard to heave-offering?
- L. *This is the way you should state the matter, [Hands are regarded as unclean] in the first remove even with regard to unconsecrated things. [Hands that are unclean] in the second degree, with regard to heave-offering, yes [they render it unclean] but with regard to unconsecrated things, no [they do not render it unclean].*
- M. *And is there such a thing as hands unclean in the first remove? Yes. As it was taught on Tannaite authority, He who pokes his hand into a house afflicted with nega — “his hands are in the first remove of uncleanness,” the words of R. Aqiba. And sages say, “His hands are in the second remove of uncleanness [M. Yad. 3:1 A-C].”*
- N. *According to all authorities partial entry [of only his hand into the house] is not deemed an entry [of his whole body or he would be unclean]. And here the dispute is over the issue of whether we decree uncleanness of [the remove that would pertain to] his whole body [had he entered] upon his hand [entering into an unclean house]. One authority reasoned that the rabbis equated his hands with his whole body [and decreed the same level of uncleanness, i.e., first remove, Aqiba]. The other authority reasoned that the rabbis equated his hands with the general rule for hands [i.e., second remove].*
- O. *And why do we not support [the view that our Mishnah] is in accord with the view of R. Aqiba who said that hands are unclean in the first remove?*
- P. *Perhaps it is because R. Aqiba states his rule with regard to heave-offering and consecrated things that are subject to a more stringent rule. But with regard to unconsecrated things they are unclean in the second remove.*

- Q. *But even if they are unclean in the second remove, lo we have heard that R. Aqiba said, “[Contact with objects unclean in] the second remove render them unclean in the third remove [even for] unconsecrated things.” As was taught on Tannaite authority, On that day did R. Aqiba expound as follows: “And if any of them falls into any earthen vessel, all that is in it shall be unclean, and you shall break it” (Lev. 11:33). It does not say “is unclean” but “it will be unclean” [ytm’, that could also be read “will render unclean”] — that is, to impart uncleanness to other things. Thus has Scripture taught concerning a loaf of bread unclean in the second remove, that it imparts uncleanness in the third remove [to a loaf of bread with which it comes into contact] [M. **Sotah 5:2 A-B**].*
- R. *Perhaps this pertains only to uncleanness ordained on the authority of Scripture but not to that ordained on the authority of the rabbis [e.g., uncleanness of hands].*
- S. *Said R. Eleazar, said R. Hoshia, “Here we are dealing with unconsecrated things that were prepared in accord with the [higher] standards of cleanness appropriate to consecrated things.” And this is not in accord with the view of R. Joshua.*
- T. *As it was taught on Tannaite authority,*
- U. **R. Eliezer says, “He who eats food unclean in the first remove is unclean in the first remove; [he who eats] food unclean in the second remove is unclean in the second remove; [he who eats] food unclean in the third remove is unclean in the third remove.”**
- V. **R. Joshua says, “He who eats food unclean in the first remove and food unclean in the second remove is unclean in the second remove. [He who eats] food unclean in the third remove is unclean in the second remove so far as Holy Things are concerned, and is not unclean in the second remove so far as heave-offering is concerned —in the case of unconsecrated food that is prepared in conditions of cleanness appropriate to heave-offering” [M. **Toh. 2:2**].**
- W. [This means that for] **unconsecrated food that is prepared in conditions of cleanness appropriate to heave-offering**, yes [the rule of a third remove applies], but for unconsecrated food that is prepared in conditions of cleanness appropriate to consecrated things, no [the rule does not apply].
- X. *He [Joshua] reasons that unconsecrated things that are prepared in conditions of cleanness appropriate to consecrated things do not have the rule of a third remove of uncleanness.*

- Y. *And why do we not support [the view that our Mishnah] refers to a case of [34a] unconsecrated things that were prepared in conditions of cleanness appropriate to heave-offering and is in accord with the view of R. Joshua?*
- Z. *No, you cannot have concluded that. For it teaches regarding meat. And do we have any instance of meat subject to heave-offering?*
- AA. *What then?* [Mishnah must deal with unconsecrated things prepared in cleanness appropriate to] consecrated things. *Do we have any instances of wild animals subject to use as consecrated things [i.e., for sacrifice]?*
- BB. [Nevertheless you could make the argument that this precaution of preparing meat of a wild animal in cleanness appropriate to consecrated things makes sense.] *He might mix up this meat with other meat* [so he would want all of it to meet the higher standards]. *He will not mix up this meat with produce* [subject to heave-offering. So it is not reasonable to say that the standards for heave-offering pertain in our case.]
- CC. Said Ulla, *“The associates say [the Mishnah refers to] unconsecrated things that were prepared in conditions of cleanness appropriate to consecrated things, and not in accord with the view of R. Joshua. And I believe it is in accord with the view of R. Joshua and he stated matters in the most efficient way.”*
- DD. *It is most efficient to say:* [the Mishnah refers to] unconsecrated things prepared in conditions of cleanness appropriate to consecrated things *because this is the most strict set of rules for it also contains a rule for the third remove of uncleanness.* [And the reason Joshua stated matters in connection with heave-offering was to teach us] that even unconsecrated things that were prepared in conditions of cleanness appropriate to heave-offering *also has a rule* for the third remove of uncleanness.
- EE. *Who are the associates? It is [the view of] Rabbah bar bar Hannah. For said Rabbah bar bar Hannah, said R. Yohanan, “What was the nature of the debate between R. Eliezer and R. Joshua? “[It was as follows.]*
- FF. R. Eliezer [could have] said to R. Joshua, *“We find an instance where the one who eats becomes more strictly unclean than the food he eats. [How so?] In the case of carrion of a clean [species of] bird by external contact it does not render a person unclean. Yet it renders unclean the clothing of one who swallows its flesh. And should we not render one who eats unclean food, unclean at least to the level of the food itself?”*
- GG. And R. Joshua [could have replied], *“From the rule regarding the carrion of a clean bird we cannot derive any inference. It is a novel rule [and pertains only to*

that instance]. But we find that the food is subject to a more strict rule than the one who eats it. [How so?] In the case of a food itself, it contracts uncleanness in the quantity of an egg's bulk. But a person who eats [unclean food] must eat half a loaf [i.e., two eggs' bulk]. And should we not render the one who eats unclean with the same measure as that which pertains to the food itself?"

- HH. And R. Eliezer [could have replied], "*You cannot derive an argument about the rules for rendering things unclean by an analogy to the rules of minimum quantities for contracting uncleanness. And furthermore according to your argument you say that one who eats food unclean in the first remove becomes unclean in the second remove. That is logical. But why should one who eats food unclean in the second remove become unclean in the second remove?*"
- II. He [Joshua could have] said to him, "We find [an analogy] that something unclean in the second remove renders something else unclean in the second remove in the case of liquids. [When food unclean in the second remove that comes into contact with wet food, it renders the liquid unclean in the first remove, and that in turn renders the food unclean in the second remove]."
- JJ. He [Eliezer could have] said to him, "But lo liquids also can become unclean in the first remove [when they come into contact with foods unclean in the second remove]. [They differ from solid foods in that respect.] *As it was taught in the Mishnah on Tannaite authority, **Whatever spoils heave-offering renders the liquid unclean, to be in the first remove... (except for a tebul-yom)*** [M. Parah 8:7]. [Even though he renders heave-offering unclean, he does not render liquids unclean in the first remove (Rashi).] And furthermore, why should one who eats food unclean in the third remove become unclean in the second remove?"
- KK. He [Joshua could have] said to him, "Even I only said [one who eats food unclean in the third remove becomes unclean in the second remove] with regard to [food prepared in conditions of cleanness appropriate to heave-offering] whose status of cleanness [in the third remove] [34b] is considered a status of uncleanness [in the second remove] with regard to consecrated things." [Rabbah bar bar Hannah's understanding of the dispute leaves us with Joshua's view that there is no third remove of uncleanness in unconsecrated things that were prepared in conditions of cleanness appropriate to consecrated things. This outcome supports the statement back at U, where Ulla referred to the associates who said the Mishnah could not accord with R. Joshua (Cashdan, following Rashi).]

Unconsecrated Food Prepared In Accord with the Regulations Governing Holy Things

- I.2** A. 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, — [as to the pertinent rules of cultic uncleanness,] his body becomes unclean in the second remove with regard to consecrated things.”
- B. *R. Zira raised an objection to R. Assi, “That which is unclean in the third remove is deemed unclean in the second remove with regard to consecrated things and not in the second remove with regard to heave-offering. This pertains to unconsecrated things that are prepared in conditions of cleanness appropriate to heave-offering but not to that prepared in conditions of cleanness appropriate to consecrated things.”*
- C. He [Assi] said to him, “He stated matters in the most efficient way.” [He formulated matters in terms of, “it goes without saying.”]
- D. But has it not been stated [in Yohanan’s name], “I only stated matters with regard to [unconsecrated things prepared in conditions of cleanness appropriate to] heave-offering” ? [Yohanan’s view of Joshua is not clear.]
- E. *The matter of R. Yohanan’s view is disputed by Amoraic authorities.*
- I.3** A. 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.”
- B. *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. *Based on this I would have reasoned that he is neither unclean in the second remove nor unclean in the third remove. And because it says he is unclean in the second remove as far as unconsecrated things prepared in conditions appropriate to consecrated things are concerned, it says also that he is not deemed unclean in the second remove as far as*

unconsecrated things prepared in conditions appropriate to heave-offering are concerned. It comes to make the novel point [according to Ulla that he is unclean in the third remove].

- D. *R. Hamnuna raised an objection to Ulla, **Unconsecrated food: in the first remove is unclean and renders [heave-offering] unclean. In the second remove is unfit but does not convey uncleanness. And in the third remove is eaten in pottage of heave-offering [M. Toh. 2:3].** And if you say, [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, would we provide him with something that renders his body unfit?*
- E. *He said to him, “Put aside [the objection from] **the pottage of heave-offering** [with food unclean in the third remove mixed in it]. [35a] For in that mixture there is not an olive’s bulk [of heave-offering] in the portion that he will eat in the time it takes to eat half-a-loaf of bread. [That is, he will not consume the minimum in the specified time.]”*
- I.4** A. 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.”
- B. *And it is necessary to teach both the rule of Ulla and that of R. Jonathan. For if we had only Ulla’s rule I would have reasoned these matters pertain only to unconsecrated things that were prepared in conditions of cleanness appropriate to heave-offering. But as to heave-offering itself, it would render unclean even through contact. We needed therefore the rule of R. Jonathan.*
- C. *And if we had only R. Jonathan’s rule I would have reasoned these matters pertain only to heave-offering [itself unclean in the third remove] but unconsecrated things [prepared in conditions of cleanness appropriate to heave-offering] he is even permitted to eat. We need both rules.*
- I.5** A. *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].”

- B. Rami bar Hama *objected*: [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. *Now why is this the case? This is not an instance of consecrated foods [themselves] transmitting to other consecrated foods.*
- C. *He said to him, “Leave aside the issue of heave-offering. Because what is deemed clean for it is deemed unclean for consecrated things.”*
- D. *And based on what source do I make this assertion? For it was taught in the Mishnah on Tannaite authority, **The clothing of ordinary folk is in the status of midras uncleanness for abstainers [who eat unconsecrated food in a state of cultic cleanness]. The clothing of abstainers is in the status of midras uncleanness for those who eat heave-offering [priests]. The clothing of those who eat heave-offering is in the status of midras uncleanness for those who eat Holy Things [officiating priests] [M. Hag. 2:7 A-C].***
- E. *Said Raba, “You speak of midras uncleanness. Midras uncleanness is subject to a different rule. [35b] [For clothing we fear] lest his wife will sit upon them while she is menstruating. But for produce we do not say [this is a concern].”*
- F. *But R. Isaac [says] that we say this is a concern also for produce [lest it become unclean].*
- G. *R. Jeremiah of Difti objected: And do we say this [is also a concern] for produce? But lo it was taught in the Mishnah on Tannaite authority, If he said to him [i.e, if the am ha'ares tells the priest regarding a jug of heave-offering], “I set apart in this jug of wine a quarter-log which is in the status of Holy Things,” then he is deemed trustworthy [and the jug is accepted] [M. Hag. 3:4 E]. And this heave-offering would not render unclean consecrated [wine if they became mixed]. And if you say that even when in a state of cleanness this [produce of*

heave-offering] should be deemed unclean *vis à vis* consecrated foods, this heave-offering should render unclean the consecrated [produce that it mixes with].

- H. *He said to him, "You speak of a case where the unclean produce is connected [with the clean produce]. And [the rule] is different for unclean produce connected [with clean produce]. [We apply the principle of overlapping credibility.] Since he is credible in what he says regarding the consecrated produce [in the mixture] he is credible also regarding the heave-offering [in the mixture]."*
- J. R. Huna bar Nathan **objected: Unconsecrated food: in the second remove renders unconsecrated liquid unclean and renders foods of heave-offering unfit. Heave-offering: at the third remove renders unclean liquid of Holy Things and renders unfit foods of Holy Things, if it [the heave-offering] was prepared in conditions of cleanness pertaining to Holy Things [M. Toh. 2:6 A].** [This contradicts Isaac.]
- K. *This is a Tannaite dispute.* [Isaac has the support of one of the disputants, Eleazar b. Zadok]. *As it was taught on Tannaite authority,*
- L. Unconsecrated things that were prepared in conditions of cleanness appropriate for consecrated things, lo they are like unconsecrated things.
- M. R. Eliezer b. R. Zadok says, "Lo they are like heave-offering. They render unclean at two removes and they render unfit at one additional remove."

- II.1 A. R. Simeon says, "They are rendered susceptible to uncleanness by the act of slaughter itself [M. 2:5 E]."** Said R. Assi, R. Simeon used to say, "The act of slaughter renders it susceptible to uncleanness and not the presence of blood."
- B. *Let us say that this supports him. R. Simeon says, "They are rendered susceptible to uncleanness by the act of slaughter itself." What does this mean? Through the act of slaughter but not because of the blood?*
 - C. *No, it means even through the act of slaughter [without the presence of blood].*
 - D. *Come and take note:* Said to them R. Simeon, "And does the presence of blood render it susceptible to uncleanness? The act of slaughter itself renders it susceptible." *This is what he said to them, "And does the blood alone render it susceptible? Even the act of slaughter [itself] also renders it susceptible."*

- E. *Come and take note:* R. Simeon says, “The blood of the corpse [Rashi: of an animal; Tosafot: of a human] does not render [produce] susceptible to uncleanness. *What then [does this imply]?* Lo the blood of an act of slaughter does render susceptible.
- F. No, lo, [it means] the blood of a killed animal renders susceptible. *But what of the blood from an act of slaughter? Does it not render susceptible? Then he [Simeon] should have taught us the rule for blood from an act of slaughter and surely [we would have known to deduce the rule for] the blood from a killed animal.*
- G. *But you need to state the rule for the blood of a killed animal. For you might have thought it makes sense to say that what difference does it make whether he killed it [through an act of slaughter] or the angel of death killed it? It comes to make the novel point.*
- H. *Come and take note:* R. Simeon says, “The blood from a wound does not render susceptible to uncleanness. *What then? Does it not imply that blood from a slaughtered animal renders susceptible?*
- I. *No, blood from a killed animal renders susceptible.* But what about blood from an act of slaughter? Does it not render susceptible? Then he [Simeon] should have taught us the rule for blood from an act of slaughter and surely [we would have known to deduce the rule for] the blood from a wound.
- J. *But you need to state the rule for the blood from a wound. For you might have thought it makes sense to say that what difference does it make whether he killed the animal entirely or whether he killed it partially [i.e., wounded it]? [It comes to make the novel point.]”*
- K. *And what is the difference that blood from a killed animal should render susceptible to uncleanness? As it is written, “[Behold, a people! As a lioness it rises up and as a lion it lifts itself; it does not lie down till it devours the prey], and drinks the blood of the slain” (Num. 23:24) [indicating that it is a liquid and can render susceptible]. But with regard to the blood of an act of slaughter it is also written, “[Only you shall not eat the blood]; you shall pour it out upon the earth like water” (Deu. 12:16) [indicating that it is poured like water]. This one [last verse] comes to permit for us the use of the blood of those sacrifices that become unfit.*
- L. **[36a]** *You might have thought that it makes sense to say that since they are prohibited in the use of their shearings and in working with them, their blood must be buried [and not used for any benefit]; it makes the novel point [that you may use the blood].*

- II.2** A. *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.
- B. *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.”
- C. Said R. Oshaia, “Since [we have this dispute where] Rabbi says, ‘It is rendered susceptible to uncleanness’ and R. Hiyya says, ‘We suspend judgment,’ on whom should we rely? Come and let us rely on the words of R. Simeon.”
- D. For R. Simeon used to say, “The act of slaughter renders it susceptible to uncleanness and not [the presence of] the blood.”
- E. *Said R. Pappa, “All agree where there is blood present [on the gourd] from the beginning to the end, no one disputes that it renders it susceptible to uncleanness. Where do they dispute? [In the case] where the blood was wiped off between [the slaughter of] one organ and the other.”*
- F. *Rabbi would reason, “We call it ‘slaughtering’ from the start to the finish.” And this blood [on the gourd] derives from an act of slaughtering. R. Hiyya would reason, “We do not call it ‘slaughtering’ until the finish [of the act].” And this blood derives from a wound.*
- G. *And what does it mean, “We suspend judgment?” We suspend judgment of the matter until the completion of the act of slaughter. If there is blood [on the gourd] at the end of the act of slaughter, then it renders it susceptible to uncleanness. And if there is no [blood on the gourd at the end of the act of slaughter] it does not render it susceptible.*
- H. *And what does it mean, “Come and let us rely on the words of R. Simeon?” [There remains a difference of views.] According to the view of R. Simeon [the blood] does not render it susceptible. According to the view of R. Hiyya it does render it susceptible.*
- I. *[In a case] where he wiped [the blood off the gourd] in any case they are in agreement. This master says it does not render it susceptible and this master says it does not render it susceptible. And Rabbi is the single [authority who does not agree]. And the view of a single authority does not [stand up] in the presence of two [dissenting views].*

- J. R. Ashi says, “We suspend judgment” implies that [they suspend it] forever. [And] where they wiped [the blood off the gourd] according to R. Hiyya *he is in doubt* whether, “We call it ‘slaughtering’ from the start to the finish” or “We do not call it ‘slaughtering’ until the finish [of the act].”
- K. *And what does it mean*, “We suspend judgment?” We do not eat it and we do not burn it [as unclean heave-offering].
- L. *And what does it mean*, “Come and let us rely on the words of R. Simeon?” [There remains a difference of views.] According to the view of R. Simeon [the blood] does not render it susceptible. According to the view of R. Hiyya *we have a doubt*.
- M. As far as burning it *they are in agreement*. *This master says they do not burn it. And this master says they do not burn it. And Rabbi is the single [authority who does not agree]*. And the view of a single authority does not [stand up] in the presence of two [dissenting views].
- N. *So this is how you should state matters: In a case like this we suspend judgment. We do not eat it and we do not burn it.* [Rashi: omit this last paragraph.]

II.3 A. 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?*

B. Said R. Eleazar, “*Come and take note*. ‘Any food in it which may be eaten, upon which water may come, shall be unclean; and all drink which may be drunk from every such vessel shall be unclean’ (Lev. 11:34). [This makes it clear that:] Food that comes into contact with water is rendered susceptible to uncleanness. Food that does not come into contact with water does not become susceptible to uncleanness.”

C. *[In line with the premise of this answer,] is it possible that R. Simeon b. Laqish does not hold [the principle of] “food that comes into contact with water?”*

- D. R. Simeon b. Laqish — *here is how he posed the question*. [Does] the veneration due sancta [render foods susceptible to uncleanness] like “food that comes into contact with water” or not?
- E. R. Eleazar *also stated [an answer to this question] based on an extra verse in Scripture*. Since 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). *Why then do I need [the other verse], “Any food in it which may be eaten, upon which water may come, shall be unclean; and all drink which may be drunk from every such vessel shall be unclean” (Lev. 11:34)?*
- F. **[36b]** *Is it not to specify [rendering susceptible by virtue of] the veneration due sancta [is not identical to rendering food susceptible by coming into actual contact with water]?*
- G. *No. One verse refers to corpse-uncleanness and one verse refers to dead creature-uncleanness.*
- H. *And it is necessary to teach both. For if I had heard only about [the need for water to render food susceptible to] corpse-uncleanness, [I might have supposed that] there you need to render it susceptible because [a bit of corpse-matter] does not render unclean in as little as a lentil’s bulk. But a [bit of matter from a] dead creature does render unclean in the size of a lentil’s bulk [and so because it is a different form of uncleanness] it would make sense to say that you do not need to render [food] susceptible [for it to have the capacity to render it unclean]. And if I had heard only about [the need for water to render food susceptible to] dead creature-uncleanness [I might have supposed that there you need to render it susceptible] because [contact with a bit of dead creature-matter] does not render a person unclean for seven days. But [a bit of] corpse-matter renders [a person who comes in contact with it] unclean for seven days [and so because it is a different form of uncleanness] it would make sense to say that you do not need to render [food] susceptible [for it to have the capacity to render it unclean]. We need both verses.*
- I. R. Joseph *objected*: **R. Simeon says, “They are rendered susceptible to uncleanness by the act of slaughter itself [M. 2:5 E].” “They are rendered susceptible”** and even to reckon for it [uncleanness] of the first [remove] and second [remove]. *Why is this the case? It is not a food that has come into contact with water.*
- J. Said to him Abbaye, “They considered it as if [the presence of the blood] had rendered it susceptible with water on the authority of the rabbis.”

- K. Said R. Zira, *Come and take note*: He who gathered grapes for the wine-press — Shammai says, “They are rendered susceptible.” Hillel says, “They are not rendered susceptible.” And Hillel silenced Shammai. *And why is this the case? Lo [the grapes] are not food that has come into contact with water.*
- L. Said to him Abbaye, “They considered it as if [the presence of juice] had rendered it susceptible with water on the authority of the rabbis.”
- M. *Said to him R. Joseph, “When I brought up [our Mishnah], **They are rendered susceptible to uncleanness by the act of slaughter itself [M. 2:5 E]**, and you said to me, ‘They considered it as if [the liquid] had rendered it susceptible,’ and R. Zira said to you [his piece] and you said to him, ‘They considered it as if [the liquid] had rendered it susceptible’ then according to R. Simeon b. Laqish also regarding the dry part of a meal-offering, why not say], ‘They considered it as if [the veneration due sancta] had rendered it susceptible?’”*
- N. *He said to him, “Do you think R. Simeon b. Laqish posed a question about suspending judgment [regarding its uncleanness on the basis of a rabbinic injunction regarding this meal-offering]? He posed a question about whether to burn it [because of its uncleanness on the authority of the Torah].”*
- O. *In general what is the source of our assertion that veneration due sancta renders foods susceptible to uncleanness on the authority of the Torah?*
- P. *If you say it is that which is written, “Flesh that touches any unclean thing shall not be eaten; [it shall be burned with fire. All who are clean may eat flesh]” (Lev. 7:19). This flesh, how is it rendered susceptible [to uncleanness]? If you say it is rendered susceptible with blood, lo, said R. Hiyya bar Abba, said R. Yohanan, “Based on what do we say that the blood of a consecrated thing does not [alone] render it susceptible? As it says, “[Only you shall not eat the blood]; you shall pour it out upon the earth like water” (Deu. 12:16).” Blood that flows like water, renders objects susceptible [to uncleanness]. Blood that does not flow like water, does not render objects susceptible [to uncleanness] [M. 2:5].*
- Q. *Rather it must be that it was rendered susceptible with the liquids from the slaughterhouse. But lo, said R. Yosé b. R. Hanina, “The liquids in the slaughterhouse are not only pure themselves, but they also do not render food susceptible to uncleanness.”*
- R. *And if you wish to say that you must interpret [that Yosé b. Hanina] refers to blood [only], lo, he says ‘liquids’. Rather must it not then be that it was rendered susceptible to uncleanness by the veneration due sancta? And perhaps this accords with what R. Judah said in the name of Samuel.*

- S. For said R. Judah in the name of Samuel, “For instance: he had a cow from among the peace-offerings and he took her through the stream. He slaughtered her while she was still dripping wet.”
- T. Rather let us consider the end of the text, “Flesh that touches any unclean thing shall not be eaten; [it shall be burned with fire. All who are clean may eat flesh]” (Lev. 7:19). This serves to subsume under the rule [of susceptibility to uncleanness] the wood and the frankincense. *Now are the wood and the frankincense foods [that they be susceptible to the uncleanness of foods]? Rather, the veneration due sancta renders them susceptible to uncleanness and makes them like ‘food.’*
- U. *Here too the veneration due sancta renders it [the cow and other consecrated things] susceptible to uncleanness.*
- V. [37a] *What then? 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?*
- W. *The question remains unresolved.*

2:6

- A. He who slaughters an animal which was at the point of death—
- B. Rabban Simeon b. Gamaliel [variant reading: Rabban Gamaliel] says, “[It is invalid] unless it jerks a foreleg or hind leg.”
- C. R. Eliezer says, “It is sufficient [for it to be valid] if [the blood] spurts forth.”
- D. Said R. Simeon, “Also: He who slaughters by night and at dawn arises and finds the walls full of blood — it is valid,
- E. “for [the blood] has spurted.”
- F. And [his opinion is consistent with] the reasoning of R. Eliezer.
- G. And sages say, “[It is invalid] unless it jerks a foreleg or a hind leg,
- H. “or unless it moves its tail.”
- I. All the same are a small beast [sheep, goats] and a large beast [oxen].
- J. A small beast which put forth its foreleg and did not withdraw it is invalid,
- K. for [this is] only [a token of] its expiring.
- L. Under what circumstances?
- M. When it was in the presumption of being at the point of death.
- N. But if it was in the assumption of being sound,

- O. even if none or all of these tokens pertains to it,**
P. it is valid.

- I.1 A. At the point of death:** *Why should you be permitted [to eat such an animal at all]?*
- B. *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.*
- C. *Because the Torah said, “You shall not eat anything that dies of itself [nblh, i.e., carrion]; [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). We may derive the principle that an animal at the point of death is permitted. For if you reasoned that an animal at the point of death is forbidden, now that we know it is forbidden while still alive, do we need [to be told by the Torah] that after death [it is forbidden]?*
- D. *But perhaps this [category of] carrion, this [includes in it] an animal at the point of death. No. you cannot have concluded that. For it is written, “And if any animal of which you may eat dies, he who touches its carcass [nblth, its carrion] [shall be unclean until the evening]” (Lev. 11:39). After its death that is when the Torah calls it carrion. While it is alive it is not called carrion.*
- E. *But perhaps in general it makes sense to say this [category of] carrion, this [includes in it] an animal at the point of death. While it is alive [if he eats it he does not fulfill] a positive commandment [“These are the living things which you may eat among all the beasts that are on the earth” (Lev. 11: 2)]. After its death [if he eats it he also violates] a negative commandment. [“You shall not eat anything that dies of itself” (Deu. 14:21)].*
- F. *But because the Torah stated, “[You shall be men consecrated to me]; therefore you shall not eat any flesh that is torn by beasts in the field; [you shall cast it to the dogs]” (Exo. 22:31), we may derive the principle that an animal at the point of death is permitted. For if you reasoned that an animal at the point of death is forbidden, now that we know it is forbidden even though it has no defect, do we need [to be told by the Torah] that a terefah animal [is forbidden]?*
- G. *But perhaps [it makes sense to say] this [category of] terefah, this [includes in it] an animal at the point of death. And [if he eats it he does not fulfill] a positive commandment [“These are the living things which you may eat among all the*

beasts that are on the earth” (Lev. 11: 2)] and violates a negative commandment (Exo. 22:31).

- H. *If this is the case, what do I need that which the Torah wrote concerning carrion. For what is the case? While it is alive [if you eat an animal at the point of death] you violate a negative commandment [terefah] and do not fulfill a positive commandment. After its death do I need [to specify an additional prohibition]?*
- I. *But perhaps [it makes sense to say] this [category of] carrion, this [includes in it] terefah, this [includes in it] an animal at the point of death. And [if he eats carrion of an animal that had been rendered terefah] he violates two negative prohibitions [terefah and carrion] and [he does not fulfill] a positive commandment [“These are the living things which you may eat among all the beasts that are on the earth” (Lev. 11: 2)].*
- J. *Rather from here: “The fat of an animal that dies of itself, and the fat of one that is torn by beasts, may be put to any other use, but on no account shall you eat it” (Lev. 7:24). And the master said, “What [new] law does this come to tell us?” [Rashi: the prohibition for fat and blood was already spelled out in Lev. 3:17, “that you eat neither fat nor blood.”]*
- K. *The Torah said, “Let the prohibition of carrion apply to forbidden fat. Let the prohibition of terefah apply to forbidden fat.” [Even though the substance is already prohibited, another prohibition may apply to it.]*
- L. **[37b]** *And if you wanted to conclude that [the category of] terefah, [includes in it] an animal at the point of death, then the Torah should have written, “The fat of an animal that dies of itself, may be put to any other use, and the fat of one that is torn by beasts, on no account shall you eat it.” And I would have said it makes sense [to reason as follows]: What is the case regarding an animal that is alive? The prohibition of terefah comes and applies to the forbidden fat. After the animal has died do I need [to spell in this verse that it is prohibited also as carrion]? But because the Torah wrote, “[The fat of an animal] that dies of itself, [and the fat of one that is torn by beasts, may be put to any other use, but on no account shall you eat it] (Lev. 7:24) we may deduce the principle that [the category of] terefah does not [include in it] an animal that is at the point of death.*
- M. *Mar bar R. Ashi objected: Perhaps in general it makes sense to say that [the category of] terefah does [include in it] an animal that is at the point of death. And where you said, “What do I need that which the Torah wrote concerning carrion?” [H above.] [You need it to teach us the rule for] that case of carrion that is not the*

immediate consequence of the animal being at the point of death. And what is such a situation? Where [it was healthy and] he cleaved the body in two.

- N. *But there too it must have been momentarily at the point of death just before he cut through the major part [of the body].*
- O. *Another possible explanation: If this is the case [that if you slaughter an animal at the point of death it is forbidden], let the Torah say, “The fat of an animal that dies of itself, or that is torn by beasts” (Lev. 7:24). Why do we need [to repeat the words] ‘the fat’? [It teaches us that] this is where the fat is not distinct from the flesh [in its status, i.e., subject to two prohibitions]. But there is another case where the fat is distinct [in its status] from the flesh. And what is that case? An animal at the point of death. [The fat is forbidden, but the flesh is not.]*
- P. *And another possible explanation may be offered based on this verse: “Then I said, ‘Ah Lord God! behold, I have never defiled myself; from my youth up till now I have never eaten what died of itself or was torn by beasts, nor has foul flesh come into my mouth’” (Eze. 4:14). “Behold, I have never defiled myself,” [means that I was so pious that] I never reflected during the day about becoming unclean at night. “From my youth up till now I have never eaten what died of itself or was torn by beasts,” [means, I was so pious that] I never in my life ate meat [from an animal at the point of death that was slaughtered in haste as they cried out], “Slaughter it, slaughter it.” [Rashi: if this is a clear case of carrion then why mention it as an unusual precaution of piety?] “Nor has foul flesh come into my mouth,” [means] that I never ate from an animal [about whose validity there was some question and] a sage pronounced it [was valid]. In the name of R. Nathan they said [the last phrase means], “I never ate from an animal whose priestly gifts had not been given.” [This was an act of piety because as a priest he could have eaten it anyway.] If you say [an animal slaughtered at the point of death] is permitted, it is consistent to say that this is the exceptional statement of Ezekiel [that he was so pious he did not eat it anyway]. But if you say that it is forbidden, then what is exceptional about Ezekiel’s statement? [So we have indirect proof that an animal slaughtered at the point of death is permitted.]*

I.2 A. What is the definition of “an animal at the point of death?”

B. Said R. Judah, said Rab, “Any animal that cannot stand up on its own.”

C. R. Hanina bar Shalmaya in the name of Rab said, “Even if it [has the power] to chew up branches” [if it cannot stand on its own it is considered to be at the point of death].

- D. Rami bar Ezekiel said, “Even if it [has the power] to chew up beams of wood” [if it cannot stand, it is at the point of death].
- E. *In Sura they taught this way [as above]. In Pumbedita they taught this way [as follows].*
- F. What is the definition of “an animal at the point of death?”
- G. Said R. Judah, said Rab, “Any animal that cannot stand up on its own. And even if it [has the power] to chew up branches” [if it cannot stand on its own it is considered to be at the point of death].
- H. Rami bar Ezekiel said, “Even if it [has the power] to chew up beams of wood” [if it cannot stand, it is at the point of death].
- I.3** A. *Samuel found the students of Rab. He said to them, “What did Rab say regarding an animal at the point of death?” “*
- B. *They said to him, “Here is what Rab said. [38a] ‘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, M. 2:6 B.]*
- C. *He said to them, “Did Abba [i.e., Rab] require it to twitch its ear?” [This is a big expectation (Rashi).]*
- D. For I [Samuel] say, “Any [movement at all] that is not one of the motions caused by the death itself [is a sufficient sign of life to render valid the act of slaughter of an animal at the point of death].”
- E. *What are these motions caused by the death itself?*
- F. Said R. Anan, “Mar Samuel *explained it to me*. If its foreleg was bent back and it stretched it forth, this is one of the motions caused by the death itself. If it was stretched out and it bent it back, this is not one of the motions caused by the death itself.”
- G. *What new point does this make? It was taught in the Mishnah: A small beast which put forth its foreleg and did not withdraw it is invalid, for [this is] only [a token of] its expiring [J-K].* Lo [this clearly implies that] if it withdrew it, it is valid.
- H. *If you derived the rule from the Mishnah, I would have reasoned [it is valid] only in the specific case where it bent it back and stretched it out and bent it back again. But where it was stretched out and it bent it back, it is not [valid]. It comes to make the novel point.*

- I. *They raised an objection:* R. Yosé says, “R. Meir used to say, ‘If the animal lows during the act of slaughter, this is not a valid form of jerking.’” (T.’s version: **R. Yosé says, R. Meir did rule: “If it expired coincidentally within the time of slaughter, it is valid” [T. 2:11 B].**)
- J. R. Eleazar b. R. Yosé says in his [Yosé’s] name, Even if it excreted or if it twitched its tail, this is not a valid form of jerking.” (T.: **R. Eleazar b. R. Yosé says in his [Yosé’s] name, “That which rolls its eyes, and that which produces excrement at the moment of slaughter is valid” [T. 2:12 A].**)
- K. *There is a contradiction between one ruling regarding lowing and another. There is a contraction between one ruling regarding excreting and another.*
- L. *There is no contradiction between one ruling regarding lowing and another. This one [Rab] is where the animal’s voice is strong [so it is a valid sign]. This one [above] is where the animal’s voice is soft. There also is no contradiction between one ruling regarding excreting and another. This one [above] is where the animal excretes weakly. This one [Rab] is where the animal excretes forcefully [so it is a valid sign].*
- I.4** A. 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. *What does “at the end of the act of slaughter” mean? Even in the middle of the act of slaughter. But it excludes [motions the animal makes] at the beginning of the act of slaughter.*
- C. For did not R. Hisda say, “Based on what do I draw this conclusion? As it was taught on Tannaite authority in the Mishnah, **A small beast which put forth its foreleg and did not withdraw it is invalid [J].** When is this? If you say it is at the end of the act of slaughter, just how long do you expect it to go on living? Rather no, it must be [even] in the middle of the act of slaughter.”
- D. Said to him Raba, “It consistently must be referring to the end of the act of slaughter. For I say, ‘If any animal does not do this at the end of the act of slaughter, then it is evident to us that its soul was taken from it before this time.’”

- I.5** A. 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.”
- B. Said R. Nahman bar Isaac, “*Based on what do I draw this conclusion. As it was taught on Tannaite authority in the Mishnah, 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 said Samuel, ‘We taught this refers to the walls of the area [of the neck proper] for the act of slaughter.’
- C. “*It is consistent if you say that [the rule refers to] the beginning of the act of slaughter, then this makes perfect sense [i.e., we have evidence that the blood spurted]. But if you say [the rule refers to] the end of the act of slaughter, should we not suspect that perhaps at the beginning of the act of slaughter the blood spurted [and the later evidence we have from discovering the blood at dawn is of no consequence at all].*”
- D. *But perhaps spurting is a different [sign of life from the other motions and signs that have been specified]. It is more potent. [Hence even if it occurs at the beginning of the act of slaughter it is valid.]*
- E. *But is it more potent [than the other signs]? Lo it was taught in the Mishnah on Tannaite authority, R. Eliezer says, “It is sufficient [for it to be valid] if [the blood] spurts forth [C].”* [The language of the statement (it is sufficient) suggests that it is not self-evidently more potent.] [It means that it is] a weaker sign than those required by Rabban Gamaliel [both foreleg and hind leg (Rashi)] and a stronger sign than those required by the rabbis [either foreleg or hind leg or tail].
- F. *Said Rabina, said to me Sama bar Hilkai, “The father of Bar Abubram, some say it was the brother of Bar Abubram, raised this contradiction, ‘And according to the view of the rabbis is this [spurting] a more potent [sign of life]? Lo it was taught on Tannaite authority in the Mishnah, And sages say, ‘[It is invalid] unless it jerks a foreleg or a*

hind leg [G].” [It says “unless” suggesting that they respond to a prior view.]

G. *To which view does the rule of the rabbis respond? If you say they respond to the view of Rabban Gamaliel [M. 2:6B], it would need to be phrased, “As long as [kywn] it jerks.” Rather it obviously responds to the view of R. Eliezer [M. 2:6 C]. But if it is more potent, then why does it use the language “unless”? [We may derive the conclusion that spurting is no more potent a sign and even so it is effective if it occurs at the beginning of the act of slaughter (Rashi).]*

II.6 A. 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.”

B. Said Raba, “Based on what do I draw this conclusion? As it was taught on Tannaite authority, [38b] “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). [The words] “or sheep” exclude a cross breed [of a lamb and a goat]. [The words] “or goat” exclude [a goat that looks like [a lamb]. [The words] “is born” exclude an animal born through a caesarian section. [The words] “seven days” exclude an animal that did not yet live the minimum time. [The words] “its mother” exclude an orphan.

C. *What is the circumstance regarding this case of orphan? If we say that its mother gave birth to it and then she died [this makes no sense]. Do we expect her to live on forever? Rather it must be that she died and then gave birth to the offspring. But this is already excluded by the words “is born.”*

D. *Rather it is obvious that [we are dealing with a case where at the time it gives birth] this one [the mother] goes on to die and this one [the offspring] goes on to live. This is consistent if you say that we must have [the mother] alive at the end of the birth. For this reason we need a verse to exclude [an orphan]. But if you say that we do not need to have [the mother] alive at the end of the birth, what do we need [the words “its mother” to exclude an orphan]? It is excluded [by the words] “is born.”*

- E. Said Raba, *“The law follows in accord with this Tannaite teaching, A small beast which put forth its foreleg and did not withdraw it is invalid [M. 2:6 J]. And in the case of the hind leg: [if] it put it forth but did not withdraw it, [or] withdrew it but did not put it forth, it is valid. Under what circumstances? In the case of a small beast [vs. M. Hul. 2:6 I]. But in the case of a large beast, whether in the case of the foreleg or the hind leg, [if] it put it forth and did not bring it back, or brought it back but did not put it forth, it is valid. Under what circumstances? In the case of a beast. But in the case of fowl, even if it jerked only the tip of the wing or the tip of the tail, it is valid [T. 2:12 B-I].*
- F. *What novel point does this make? It is all taught in the Mishnah! A small beast which put forth its foreleg and did not withdraw it is invalid, for [this is] only [a token of] its expiring [M. 2:6 J-K]. [This implies] a foreleg, yes, a hind leg, no; a small animal, yes, a large animal, no.*
- G. *It is needed to teach us the law regarding fowl because that is not taught in the Mishnah.*

2:7

- A. He who slaughters [a gentile's beast] on behalf of a gentile —
- B. his act of slaughter is valid.
- C. And R. Eliezer declares [it] invalid.
- D. Said R. Eliezer, “Even if he slaughtered it so that the gentile might eat from its midriff [and an Israelite consumes the rest], it is invalid.
- E. “For the unstated intention of a gentile is [deemed to be] for the purpose of idolatry.”
- F. Said R. Yosé, “It [the proposition of A-B] is an argument from the less to the greater:
- G. “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],

H. “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?”

I.1 A. *These Tannaite authorities [in A-C] accord with R. Eliezer the son of R. Yosé. For it was taught on Tannaite authority,*

B. Said R. Eliezer b. R. Yosé, “I heard [the rule] that the owner can invalidate the offering [by harboring wrongful intent].”

C. *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].*

D. *Another version: The dispute is in a case where they did hear that he thought [to invalidate]. The first Tannaite authority reasoned that when do we say [the principle applies] that this one thinks [to invalidate] and this one performs the service [that is thereby invalidated]? Only in the case of [service] inside the Temple. But outside the Temple we do not say [the principle applies]. We do not derive [any principle regarding the validity of acts] outside the Temple from [the rules that regulate acts] inside the Temple.*

E. [39a] *And R. Eliezer comes along to say that we do derive [principles regarding the validity of acts] outside the Temple from [the rules that regulate acts] inside the Temple.*

F. *And R. Yosé comes along to say that even inside the Temple we do not say that this one thinks [to invalidate] and this other one performs the service [that is thereby invalidated].*

I.2 A. *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.”*

B. R. Yohanan said, “It is invalid.” [He holds the principles that] (1) we do take account of [the intentions he has] for one service [i.e., sprinkling for idolatry, and we apply it] to another service [i.e., the act of slaughter]. *And (2) we do derive [principles*

regarding the validity of acts] outside the Temple from [the rules that regulate acts] inside the Temple.

- C. R. Simeon b. Laqish said, “It is valid.” [He holds the principles that] (1) we do not take account of [the intentions he has] for one service [i.e., sprinkling for idolatry, and apply it] to another service [i.e., the act of slaughter]. *And (2) we do not derive [principles regarding the validity of acts] outside the Temple from [the rules that regulate acts] inside the Temple.*
- D. *And they are consistent with their views stated elsewhere. For it was stated:* If he slaughtered [a sin-offering] for its own sake with intention to sprinkle the blood for some other purpose — R. Yohanan said, “It is invalid.” R. Simeon b. Laqish said, “It is valid.”
- E. R. Yohanan said, “It is invalid.” [He holds the principles that:] (1) we do take account of [the intentions he has] for one service [i.e., sprinkling for idolatry, and we apply it] to another service [i.e., the act of slaughter]. And (2) we do derive [the rule for this situation] from [the rule for] improper intention that invalidates a sacrifice.
- F. And R. Simeon b. Laqish said, “It is valid.” [He holds the principles that:] (1) we do not take account of [the intentions he has] for one service [i.e., sprinkling for idolatry, and we apply it] to another service [i.e., the act of slaughter]. And (2) we do not derive [the rule for this situation] from [the rule for] improper intention that invalidates a sacrifice.
- G. *And we need to state both [instances of dispute between Yohanan and Simeon b. Laqish]. For if we had stated only the dispute in this [first instance, A-C, I might have reasoned that] in this instance R. Simeon b. Laqish stated matters [according to his view] because we do not derive [principles regarding the validity of acts] outside the Temple from [the rules that regulate acts] inside the Temple. But [in a case where we would derive principles regarding the validity of acts] inside the Temple from [rules that regulate other acts] inside the Temple it would make sense to say that he accepts the view of R. Yohanan.*
- H. *And if you stated matters [of dispute between the authorities] in this one [D-F, I might have reasoned that] in this one did R. Yohanan state matters [according to his view] but in the other circumstance it would make sense to say that he accepts the view of R. Simeon b. Laqish. It is necessary to state both disputes.*
- I. R. Sheshet *objected:* Said R. Yosé, “It [the proposition of M. 2:7 A-B] 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?'" [M. 2:7 F-H]. *What is the meaning of the rule: [improper] intention does not invalidate in the case of unconsecrated things? If we say it means that it does not invalidate at all, then what do we do with the prohibition we find for one who slaughters to idolatry? Rather it is obvious [that the rule applies to the issue of whether improper intention invalidates] from one act of service to another. And this is how you should state matters [adding explanations to the statements of our M.]:* **Now if in a situation in which intention invalidates, namely, in the case of Holy Things, [even] from one act of service to another, 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, from one act of service to another, but only invalidates within the selfsame service, is it not logical that all matters should follow only [the intention] of the one who performs the act of slaughter?**

- J. *[The rule for invalidating because of any improper intention for actions] inside the Temple leads to a contradiction according to the view of R. Simeon b. Laqish. [The rule for invalidating because of any improper intention for actions] outside the Temple leads to a contradiction according to the view of R. Yohanan.*
- K. *It makes sense to say that [the rule for invalidating because of any improper intention for actions] inside the Temple is not a contradiction according to the view of R. Simeon b. Laqish. This view he stated before he heard the ruling of R. Yohanan [his teacher] and this view he stated after he heard the ruling of R. Yohanan. But [regarding the rule for invalidating because of any improper intention for actions] outside the Temple that leads to a contradiction according to the view of R. Yohanan, he [Sheshet, in A] posed the objection and he resolved it. [The Mishnah pertains to a case of one of the main] four services. And this is how you should state matters [adding explanations to the statements of our M.]:* **Now if in a situation in which intention invalidates, namely, in the case of Holy Things, in the four main services [i.e., slaughtering, receiving the blood, carrying the blood, and sprinkling the blood], all matters follow only [the intention] of the one who performs the rites [required in the offering], [39b] in a situation in which [improper] intention does not invalidate, namely, in the case of**

unconsecrated things, only in two acts of service [i.e., slaughtering and sprinkling], is it not logical that all matters should follow only [the intention] of the one who performs the act of slaughter?

- I.3** A. *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].*
- B. Said R. Hisda, “They **did not rule either to prohibit** out of respect to the rabbis [M. 2:7 B] **or to permit [the meat]** out of respect to R. Eliezer [M. 2:7 C].”
- C. *Why say this? Perhaps on this point the rabbis only stated their view there [in M. that it is valid] because [it was a case where] they did not hear [that the idolater who slaughters] thought [to sacrifice for the sake of idolatry]. But here [in the case in T. where] they did hear [that the one who slaughters] thought [to sacrifice for the sake of idolatry, we should say that] the final intent clarifies the status of the initial intent [i.e., that it is invalid because he intended the act of slaughter for the purposes of idolatry].*
- D. *Alternatively, you are forced to admit that R. Eliezer only stated his view here [in M. that it is invalid] regarding an idolater [who slaughters] because [he holds the principle that] the ordinary intention of an idolater is to [slaughter for the sake of] idolatry. But [in the case of] an Israelite [who slaughters] we do not say that the final intent clarifies the status of the initial intent [i.e., that it is invalid because he intended the act of slaughter for the purposes of idolatry].*
- E. Rather said R. Shizbi, “They **did not rule to permit** out of respect to Rabban Simeon b. Gamaliel.” *Which [ruling of] R. Simeon b. Gamaliel? If [you say] it is the [ruling of] Rabban Simeon b. Gamaliel regarding writs of divorce [below we shall raise an objection to that assertion]: A healthy man who said, “Write a writ of divorce for my wife” — his intention was to tease her. Once: A healthy man said, “Write a writ of divorce for my wife,” and then went up on the rooftop and fell off and died — said Rabban Simeon b. Gamaliel, “Said sages, ‘If he fell because of his own action, lo, this is a [valid] writ of divorce. If the wind pushed him off, it is no writ of divorce” [M. Gittin 6:6 C-F].*
- F. *And we may bring up the question: this precedent [in second part of the text of M. Gittin] contradicts the rule [of the first part of the text of M.].*

- G. *You must say that there is a lacuna in the text and this is how you should teach it: [A healthy man who said, “Write a writ of divorce for my wife” — his intention was to tease her.] But if the end result proves that the initial [intention was serious], lo this is a [valid] writ. Once: A healthy man said, “Write a writ of divorce for my wife,” and then went up on the rooftop and fell off and died — said Rabban Simeon b. Gamaliel, “Said sages, ‘If he fell because of his own action, lo, this is a [valid] writ of divorce. If the wind pushed him off, it is no writ of divorce” [M. Gittin 6:6 C-F].*
- H. *But perhaps [we can draw no inference from this case to ours]. This case is different because he said [initially] “Write [a writ].” [Based on that we could argue that his intention from the outset was that the writ be given to his wife. However, in our case regarding slaughter for idolatry we have no indication from the outset that he wanted to slaughter for that purpose. So the cases are not analogous.]*
- I. *Rather said Rabina, “ [They **did not rule to prohibit**] out of respect to Rabban Simeon b. Gamaliel in this [ruling]: as was taught on Tannaite authority, He who writes a document to leave his possessions to others, and there were among them slaves, and this one [who received them as a bequest] said, ‘I do not want them,’ if the second master was a priest, behold they [the slaves] may eat heave-offering. Rabban Simeon b. Gamaliel says, ‘As soon as this one [who received them as a bequest] said, ‘I do not want them,’ the heirs have already taken legal possession of them.” And we may bring up the question: according to the first Tannaite authority even if he is standing and protesting [that he does not want them, do you say that he takes possession of the slaves]?*
- J. *Said Rabbah, and some say R. Yohanan, “If he had been protesting from the outset [that he does not want them] everyone would agree that he did not legally acquire them. If he had been quiet at first and then he protested at the end, everyone would agree that he legally acquired them. Where is there a dispute? Where he assigned possession to him through another party and he was quiet at first and then he protested at the end. The first Tannaite authority reasoned that when he was quiet he acquired possession of them. And now that he is protesting he is reversing his decision. And Rabban Simeon b. Gamaliel reasoned the end result proves that the initial [intention was to reject them]. And the reason he did not protest at first was because he reasoned that since they have not yet come into my possession, why should I protest.”*
- K. *Said R. Judah, said Samuel, “The law follows in accord with R. Yosé.”*

I.4 A. *Certain Arabs came to Zikonia [in Babylonia]. They gave their rams to Israelite butchers [to slaughter]. They said to them, “The blood and the fat will be for us. The hides and the meat will be for you.”*

B. *R. Tobi bar Rab sent a gift to R. Joseph [and asked], “In a case like this what is the law?” He sent back this [reply], “Said R. Judah, said Samuel, ‘The law is in accord with the view of R. Yosé.’”*

I.5 A. *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?”*

B. *He said to him, “Let us take a look. If he is a strong person who could not be put off [by the Israelite], it is forbidden [to eat meat from this animal. Since an idolater had an interest in it the whole animal is prohibited]. If he is not [strong the Israelite could tell him], ‘Go hit your head against a rock.’” [Because the Israelite retains control over the animal, you are permitted to eat its meat.]*

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 —

B. his act of slaughter is invalid.

C. [40a] [If] two take hold of a knife and perform an act of slaughter,

D. one for the sake of any of the forenamed, and one for the sake of a valid purpose,

E. their act of slaughter is invalid.

I.1 A. *[In the cases specified in M. we say the slaughter is] invalid, yes, but not like sacrifices of corpses.*

B. *And by way of 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].*

C. *Said Abbaye, “This is no contradiction. Here [in M. the case is where] he said [he was slaughtering] to the mountain. Here [in T. the case is where] he said [he was slaughtering] to the spirit of the mountain.”*

D. *You may make an inference [further as follows]: that which is taught [in the other cases in T. is] analogous to the case of the [person who slaughters to] Michael,*

Prince of the great host [*i.e., there he slaughters to the spirit, not the physical object*].

E. *You may derive this inference.*

I.2 A. Said R. Huna, “If the animal of his fellow was lying before idolatry, as soon as he slaughtered one organ he rendered it forbidden.”

B. *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.”

C. R. Nahman *objected* to R. Huna: He who slaughters a sin-offering on the Sabbath day outside the Temple for the sake of idolatry is liable to three sin-offerings. *Now if you say that as soon as he slaughtered one organ he rendered it forbidden [as an animal that was slaughtered for the sake of idolatry], then he should not be liable for slaughtering outside the Temple.* **[40b]** [When he cuts the other organ] it is as if he is cutting through dirt!

D. Said R. Pappa, “*Here we are dealing with a case of a sin-offering of a bird. [Cutting one organ suffices for the slaughter of a bird.] All the forbidden acts come at the same time.*”

E. *Now then, according to whose view did R. Huna state his teaching? According to Ulla. And Ulla stated that any act at all [of slaughter for the sake of idolatry suffices to render the bird forbidden. Hence by the time he slaughters the major part of the organ the bird is forbidden and that act of slaughter does not take effect].*

F. *Rather it must be where he states that at the end of the act of slaughter the deed [of service to the idol] will take effect. [Then all the forbidden acts come at the same time.]*

G. *If so why specify a sin-offering? Let us be instructed that it is any form of sacrifice.*

H. *But said Mar Zutra in the name of R. Pappa, “In that case what are we dealing with? In an instance where half of the windpipe was defective [in a bird for a sin-offering] and he added to it any act [of slaughter] at all and completed it so that all the forbidden acts come at the same time.”*

I. Said R. Pappa, “*If R. Huna had not stated, ‘[As soon as he slaughtered] one organ [he rendered it forbidden],’ the case of a sin-offering would not have presented a problem. [We could have said that for Ulla, above at D], what does an ‘act’ mean? It means a major act [of slaughter. But as it now stands we must infer that Ulla means any act at all.]”*

- J. *And said R. Pappa, “If R. Huna had not stated, ‘If the animal of his fellow [was lying before idolatry],’ the case of a sin-offering would not have presented a problem.*
- K. *What is the basis for this assertion? [We have the principle that] his [animal] he can render forbidden. [The animal of] his fellow, he can not render forbidden. [And the sin-offering belongs to the priest. Accordingly when he performs the act of slaughter he becomes liable for serving idolatry but the animal does not become a forbidden object.]”*
- L. *But this is obvious!*
- M. *What might I have said? Because he acquires atonement [through the sin-offering], it is as if it is his. It comes to teach the novel point [that we do not treat it as his own and that any act at all does not affect it.]*
- I.3** A. [A mnemonic is given.] R. Nahman and R. Amram and R. Isaac say, “A person cannot render forbidden that which does not belong to him.”
- B. *They raised an objection: He who slaughters a sin-offering on the Sabbath day outside the Temple for the sake of idolatry is liable to three sin-offerings. [Cf. I.2 A.] And we concluded that [this refers to a case of] a sin-offering of a bird with half its windpipe defective. And the basis for asserting it [refers to] a sin-offering of a bird is that then [when he slaughters it] all of the forbidden acts come at the same time. [41a] But for any other sacrifice this would not be the case. [The forbidden acts would not all take effect with the same action.] And if [we hold the principle that] a person cannot render forbidden an object that does not belong to him, why specify that it refers to a sin-offering of a bird? It could refer even to a sin-offering of an animal. [Since he cannot render it forbidden, the animal remains a valid offering and he is liable for slaughtering it outside the Temple, on the Sabbath, and for idolatry.] [We must therefore hold the principle that] because he acquires atonement [through the sin-offering], it is as if it is his. [Then by his act he does render it forbidden. Hence we must conclude that the case is a sin-offering of a bird with half the windpipe defective.]*
- C. **Come and take note: [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 [M. 2:8 C-E].**
- D. *In that case what are we dealing with? Where he [who performed the invalid act] has part ownership in it [the animal].*
- E. **Come and take note: He who imparted uncleanness [to the clean food of someone else], and he who mixed heave-offering into the produce of someone else, and he who mixed another’s wine with libation wine — if he did so inadvertently,**

he is exempt [from punishment]. And if he did so deliberately, he is liable [M. Gittin 5:4 G-J].

- F. *Here also [it is the case] that he has part ownership in it.* [The discussion assumes that you interpret the text of Mishnah that he actually **poured another person's wine as a libation** in accord with the view of Rab in b. Gittin 62b. Hence only if he had part ownership in the wine could he render it forbidden.]
- G. *We have Tannaite dispute* [relating to the issue of whether one can render forbidden things that do not belong to him]: An idolater who poured the wine of an Israelite but not before an idol [nevertheless] renders it forbidden. R. Judah b. Betera and R. Judah b. Baba permit it for two reasons. One reason, [we have a principle that] they only pour libations before idols [so this is not an act of libation]. And the other reason, for he [the Israelite owner] could say to him, 'You have no power to render my wine forbidden to me against my wishes.'
- H. And R. Nahman, and R. Amram and R. Isaac say, "Even *according to the authority who holds the view that* a person can render forbidden that which does not belong to him, *this applies* only to a Samaritan [i.e., a gentile who actually wants to offer it to an idol]. But an Israelite [who does this to his fellow] *has in mind only to cause him irritation.*"
- I. *Come and take note: [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 [M. 2:8 C-E].*
- J. *In that case what are we dealing with?* With an Israelite apostate.
- K. *Come and take note: He who imparted uncleanness [to the clean food of someone else], and he who mixed heave-offering into the produce of someone else, and he who mixed another's wine with libation wine — if he did so inadvertently, he is exempt [from punishment]. And if he did so deliberately, he is liable [M. Gittin 5:4 G-J].*
- L. *Here also* [it is the case] that we refer to an Israelite apostate.
- M. Said to him R. Aha the son of Raba to R. Ashi, "*What is the law* [in a case where] they warned him [that slaughtering an animal to an idol is a capital offense] and he acknowledged the warning [and went ahead and slaughtered it]?" [Is he considered an apostate?]
- N. *He said to him, "You say that he accepted upon himself a warning that he was liable to the death penalty. [And nevertheless he performed the forbidden act!]* There is no greater apostate than this person!"

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.
- B. 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.
- C. They do not slaughter [in such a way that the blood falls] into a hole.
- D. but one makes a hole in his house, so that the blood will flow down into it.
- E. And in the market one may not do so,
- F. so that one will not [41b] imitate the minim [in their ways].

I.1 A. 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. Said Raba, "We learned the rule with regard to water that was murky [so no image was visible]."

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

B. *Said Abbaye, "The first text [C] refers to a hole in the marketplace."*

C. *Said to him Raba, "But lo, since the last text [E] taught, **and in the market one may not do so**, we may derive that in the first text we are not dealing with [a case of a hole in] the market."*

D. *Rather said Raba, "Here is how you should state matters: **They do not slaughter [in such a way that the blood falls] into a hole** at all. And what should a person do if he wishes to keep his courtyard clean? He should designate a place outside of the hole and slaughter there and let the blood flow down to the hole. **And in the market one may not do so, so that one will not imitate the minim [in their ways] [E-F].***

E. *It was taught on Tannaite authority in accord with the view of Raba: He who was travelling on a ship and he had no place on the ship to slaughter — he extends his hand outside of the ship and slaughters so that the blood flows down the sides of the ship.*

F. **They do not slaughter [in such a way that the blood falls] into a hole** at all. And what should a person do if he wishes to keep his courtyard clean? He should

designate a place outside of the hole and slaughter there and let the blood flow down to the hole. **And in the market one may not do so.**

- G. Because it says, “You shall not follow their statutes (Lev. 18: 3).” And if he did this, they must investigate him [to determine if he is a heretic]. (T.’s version of E-G: **And if one has no place on a ship [in which to perform the act of slaughter in the way just now prescribed], one performs the act of slaughter [so that the blood flows over the sides of the ship and then] into the sea. And if one does not want to make his house dirty, he performs an act of slaughter [so that the blood flows] into a utensil or into a hole [M. Hul. 2:9 C,D]. But in the market one may not do so, because he [thereby] carries out [the act in accord with] the rules of minim [M. Hul. 2:9E]. And if he has done so, it requires examination [T. 2:19 D-G].**)

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 —
- B. his act of slaughtering is invalid.
- C. And R. Simeon declares valid.
- D. 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 —
- E. their act of slaughter is invalid.
- F. He who slaughters [an unconsecrated beast outside of the Temple] (1) for the sake of a sin-offering, (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 —
- G. his act of slaughter is valid.
- H. This is the general principle [of A-B, F-G]: 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 —
- I. it is prohibited.
- J. 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 —
- K. it is valid.

I.1 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]: Is a suspended guilt-offering [offered as fulfillment of] a vow or as a freewill offering?

B. 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.’”*

C. Is a Passover-offering [offered as fulfillment of] a vow or as a freewill offering? *Lo the time of its offering is fixed.*

D. Said R. Oshaia, *“The Passover-offering is different. It may be set aside as an offering anytime during the year.”* [If he slaughters it for its own sake it could be valid as a peace-offering.]

E. Said R. Yannai, *“They only repeated this regarding unblemished animals. But with regard to animals with blemishes it is clearly evident [that the animal cannot become a sacrifice. No matter what he says when slaughtering, it remains valid.]”*

F. And R. Yohanan said, *“Even for blemished animals there are cases where he might put something over the blemish so that it will not be evident [that it has a blemish. And they will think that it can serve as a sacrifice.]”*

II.1 A. For the sake of a sin-offering [F]: 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.”*

B. *But lo he did not say*, “For the sake of my sin-offering [I do this].” [And reciting the formula is necessary for fulfilling his obligation.]

C. Said R. Abbahu, “[It was the case] that he said, ‘For the sake of my sin-offering.’”

III.1 A. For the sake of a substitute offering [F]: 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.”*

B. *But lo he did not say*, “For the sake of a substitute for my other sacrifice [I do this].”

C. Said R. Abbahu, “[It was the case] that he said, ‘For the sake of a substitute for my other sacrifice.’”

IV.1 A. This is the general principle [H]: *What does this phrase encompass under its rule?*

- B. *It encompasses [a person who slaughters an animal as] the burnt-offering of a Nazirite.*
- C. *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.*

- V.1 A. But as to anything which is not [offered as fulfillment of] a vow or as a freewill offering [J]:** 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.”
- B. But lo he did not say, “For the sake of the burnt-offering of my wife [I do this].” Said R. Abbahu, “[It was the case] that he said, ‘For the sake of the burnt-offering of my wife.’”
- C. *But this is obvious!*
- D. **[42a]** *What might I have said? If it was the case that she gave birth, that is announced. [Since we know nothing about a child, then the slaughter of this animal must be a valid act on an unconsecrated animal.] It makes the novel point [that the slaughter is invalid] as we could say that she had a miscarriage [and was obligated to bring a sacrifice]. A*