

דף יומי • חלין • דף מ"ד

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We begin this daf by delving into the proper path of halachic practice, discussing the severe error of choosing the stringencies of both Beit Shammai and Beit Hillel in a contradictory manner. The Gemara clarifies how we follow the halacha after the Bat Kol (Heavenly Voice) emerged, and how this relates to the famous principle of Rabbi Yehoshua that the Torah is not in Heaven. We then transition back to the practical halachos of shechitah, specifically defining the precise boundaries of the gullet (the veshet) where shechitah is valid, and what happens if the top of the gullet is detached from the jaw.

Next, the Gemara turns its attention to the windpipe (the kaneh) and the definition of a "cut windpipe" that renders an animal a tereifah. We explore the precise measurement of this cut—whether we measure the majority of the windpipe's physical thickness or the majority of its inner hollow space. This leads into a beautiful, practical ma'aseh involving Rav, Rav Kahana, Rav Asi, and Rabba bar bar Chana, which teaches us crucial yesodosh in how rabbanim interact when rendering halachic decisions.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 44A

BRAISA

מחומרי בית שמאי ומחומרי בית הלל – עליו הכתוב אומר: "הכסיל בחושך הולך".

And one who adopts from the stringencies of Beit Shammai and from the stringencies of Beit Hillel, regarding him the verse says: "The fool walks in darkness."

BRAISA

א לא אי כבית שמאי – בקוליהן ובחומריהן, אי כבית הלל – בקוליהן ובחומריהן.

Rather, if one acts like Beit Shammai he must follow both their leniencies and their stringencies, and if he acts like Beit Hillel he must follow both their leniencies and their stringencies.

OBJECTION

הא גופא קשיא, אמרת: לעולם הלכה כדברי בית הלל, והדר תני: והרוצה לעשות כדברי בית שמאי יעשה!

The Gemara objects: This baraita itself is difficult. You said first that the halakha is always in accordance with the words of Beit Hillel, and then it teaches: And one who wishes to act in accordance with the words of Beit Shammai may do so!

RESOLUTION

לא קשיא, כן – קודם בת קול, כן – לאחר בת קול.

The Gemara answers: This is **not difficult**. **Here**, where it says one may choose, it was **before the Divine Voice** emerged; **there**, where it says the halakha is always like Beit Hillel, it was **after the Divine Voice** emerged.

RESOLUTION

וְאִי בְּעִיט אֵימָא, אַף לְאַחַר בֵּית קוּל, וְרַבִּי יְהוֹשֻעַ הִיא, דְּאָמַר: אֵין מְשַׁנְיָהּ בְּבֵית קוּל.

And if you wish, say instead that **even** the ruling that one may choose was **after the Divine Voice**, and it is in accordance with Rabbi Yehoshua, who said: We do not disregard the rule of majority rule to pay attention to a Divine Voice in halachic matters.

OBJECTION

מִכָּל מְקוֹם, קָשְׁיָא.

The Gemara notes: **In any case**, Rava's ruling remains **difficult**, as he ruled in accordance with two contradictory stringencies.

ANSWER

אָמַר רַב טָבוּת: כּוּלָּהּ פָּרַב עֲבָדָהּ, דְּכִי אֶתְא רָמִי בַר יֶחֱזְקֵאל אָמַר: לָא תַצִּיתוּ לָהּ לְהַנִּי כָּל לֵי דְכִיִּיל
הַיּוּדָה אַחֵי מְשִׁמִּיָּה דִּרְבִּי!

Rav Tavut said: Rava acted entirely in accordance with Rav, as when Rami bar Yehezkel came, he said: Do not listen to those rules that Yehuda, my brother, formulated in the name of Rav!

EXPLANATION

הָכִי אָמַר רַב: וְוִשְׁט נָתַנוּ [בּוֹ] חֲכָמִים שִׁיעוּר, מִכָּל ל' דִּתּוּרְבִּיז חֲוִשְׁט לָא מְקוֹם שְׁחִיטָה הוּא, וְקָאֻמַּר
בְּמִשְׁהוּ.

For so said Rav: Regarding the gullet, the Sages gave a measure for the area fit for slaughter, by inference that the entrance of the gullet is not a place of slaughter, and therefore he says a perforation there in any amount renders it a tereifa.

QUESTION

לְמַעַל עַד כַּמָּה?

The Gemara asks: **How far up** the gullet does the valid area of slaughter extend?

ANSWER

אָמַר רַב נַחֲמָן: עַד כַּדִּי תִפְסִיט יָד.

Rav Nachman said: Until the point where there remains only sufficient space for a hand to grip the top of the gullet.

QUESTION

לְמַטָּה עַד כַּמָּה?

The Gemara asks: **How far down** does the valid area of slaughter extend?

ANSWER

אָמַר רַב נַחֲמָן אָמַר רַבָּה בַר אַבוּה: עַד כַּדִּי שִׁישְׁעִיר.

Rav Nachman said that Rabba bar Avuh said: Until the point that it becomes hairy, which is the beginning of the rumen.

QUESTION

איני? והאמר רבינא אמר גניבא משמיה דרב: טפח ברושט סמוך לפרס – זהו פרס הפנימי.

The Gemara asks: Is that so? But didn't Ravina say that Geneiva said in the name of Rav: A handbreadth in the gullet adjacent to the rumen, this is the inner rumen?

INFERENCE

אימאי? כי קא שחט בכרס קא שחיט!

If so, why is it valid to slaughter there? When he slaughters in that bottom handbreadth, he is slaughtering in the rumen!

RESOLUTION

אימא: טפח בכרס סמוך לרושט – זהו פרס הפנימי.

The Gemara answers: Say and amend the statement thus: A handbreadth in the rumen adjacent to the gullet, this is the inner rumen, but the entire gullet itself is valid.

RESOLUTION

איבעית אימא: כי קאמר רב – בתורא, דמשער טפי.

And if you wish, say instead: When Rav said that the bottom handbreadth of the gullet is considered the rumen, he was referring to an ox, which is very hairy and has hairs extending up into the lower gullet.

STATEMENT

אמר רב נחמן אמר שמואל: תורפיז הרושט שניטל פולו מלחי – פשר, ויתנא תונא: ניטל לחי התחתון – פשר.

Rav Nachman said that Shmuel said: The entrance of the gullet that was completely detached from the jaw, the animal is kosher; and our Tanna also taught this in a Mishnah: If the lower jaw was detached, the animal is kosher.

OBJECTION

מתקרי לה רב פפא: והאיכא עיקור סימנים?

Rav Pappa objects to this: But isn't there the ripping of the simanim from their place, which should render it a tereifa?

OBJECTION

ולרב פפא קשיא מתניתין: ניטל לחי התחתון – פשר.

The Gemara interjects: But according to Rav Pappa, the Mishnah is difficult as well, which states: If the lower jaw was detached, it is kosher!

EXPLANATION

בשלמא מתניתין לרב פפא לא קשיא, הא דאיעקור איעקורי, הא דאיגום איגומי מעילוי סימנים, אלא לשמואל קשיא!

The Gemara responds: Granted, the Mishnah is not difficult for Rav Pappa; this case of ripping is where they were torn away, whereas that case of the Mishnah is where the jaw was severed above the simanim. But for Shmuel, who spoke of the entrance of the gullet itself being detached, it is difficult!

RESOLUTION

לֹא תִימָא כּוּלּוֹ, אֶלָּא אִימָא רּוּבּוֹ.

The Gemara answers: **Do not** say that Shmuel meant **all of it** was detached, **rather** say he meant **most** of it.

QUESTION

וְהָאֵמַר רַבָּה בַּר בַּר חֲנָה אָמַר שְׁמוּאֵל: סִימָנִים שֶׁנִּדְּלְדְּלוּ בְּרוּבֵן – טֵרֵפָה?

The Gemara asks: **But** didn't Rabba bar bar Chana say that Shmuel said: Simanim that were detached in their majority render the animal a tereifa?

RESOLUTION

אָמַר רַב שִׁישָׁא בְּרִיהַ דְּרַב אִידִי: הָא דְּאֶקְפַּל אִיקְפוּלִי, הֵתֵם דְּאֶפְרוּק אֶפְרוּקִי.

Rav Sheisha the son of Rav Idi said: This case where it is kosher is where it was peeled off cleanly in one piece, whereas there, where it is a tereifa, is where it was broken apart and shredded into loose pieces.

מִשְׁנָה MISHNAH

MISHNAH

וּפְסוּקַת הַגִּרְגָּרֶת.

§ The Mishnah stated: **Or** an animal with a cut windpipe is a tereifa.

גְּמָרָא GEMARA

BARAISA

תֵּנָא: כַּמָּה פְּסוּקַת הַגִּרְגָּרֶת? בְּרוּבָהּ.

The Sages taught in a baraita: **How much** is a cut windpipe to render it a tereifa? **In its** majority.

STATEMENT

וְכַמָּה רוּבָהּ? רַב אָמַר:

And how much is its majority? Rav said:

עֲמוּד ב' DAF 44B

STATEMENT

רּוּב עוֹבְיָהּ,

The Gemara continues discussing the measurement of a cut windpipe: Is it **the majority of its thickness**, meaning the width of the windpipe wall,

STATEMENT

וְאָמְרֵי לָהּ: רֹב חָלָלָהּ.

and some say it is the majority of its space, the inner area of the windpipe?

STATEMENT

הָיָא פְּסוּקָתָא דְּגִיגָרָתָא דְּאֵתְאֵי לְקַמֵּיהּ דְּרַב,

The Gemara relates: A certain animal with a cut windpipe came before Rav for a halachic ruling.

STATEMENT

יָתִיב וְקָא בְּדִיק לָהּ בְּרֹב עוֹבָקָהּ.

Rav sat and was checking it to see if the cut was in the majority of its thickness.

OBJECTION

אָמְרוּ לִיהִי רַב כְּהֵנָּא וְרַב אָסִי לָרַב: לִימְדָתְנוּ רַבֵּינוּ בְּרֹב חָלָלָהּ!

Rav Kahana and Rav Asi said to Rav: Did you not teach us, our teacher, that a cut windpipe is measured by the majority of its space?

STATEMENT

שְׁדָרִיהָ לְקַמֵּיהּ דְּרַבָּה בַּר בַּר חֲנָה, בְּדָקָהּ בְּרֹב חָלָלָהּ וְאֶכְשָׁרָהּ,

Rav then sent it before Rabba bar bar Chana, who checked it in the majority of its space and declared it kosher,

STATEMENT

וּזְבִין מִינָהּ בִּתְלִיסַר אִיסְתִּירֵי פְּשִׁיטֵי בִישָׁרָא.

and Rabba bar bar Chana purchased meat from it for thirteen plain isteri coins.

QUESTION

וְהִיכִי עָבִיד הָכִי? וְהֵתְנָא: חָכָם שְׁטִימָא – אִין חֲבִירוֹ רִשְׁאֵי לְטַהַר, אָסֵר – אִין חֲבִירוֹ רִשְׁאֵי לְהַתִּיר!

The Gemara asks: And how could he do this, to permit what Rav was about to forbid? But isn't it taught in a braisa: If a Sage ruled an item tamei, his colleague is not permitted to rule it tahor; if he forbade it, his colleague is not permitted to permit it?

ANSWER

שְׂאֵנִי הָכָא, דְּרַב לָא אָסֵר מִסֵּר.

The Gemara answers: It is different here, because Rav did not actually forbid it; he was only considering doing so, but sent it to Rabba bar bar Chana before issuing a final ruling.

QUESTION

וְכִינּוּ דְּאֹרֵי בַּהּ חָכָם, הִיכִי אָכַל מִינָהּ?

The Gemara asks: And once a Sage ruled on it to permit it, how could Rabba bar bar Chana himself eat from it?

PROOF

וְהָא פְּתִיב: "וַאֲמַר אֱהֵה ה' אֱלֹהִים הִנֵּה נַפְשִׁי לֹא מִטְמָאָה וְנִבְלָה וְטֵרֶפֶה לֹא אָכַלְתִּי מִנְעוּרִי וְעַד עַתָּה וְלֹא בָא בְּפִי בֶשֶׁר פִּגּוּל".

But isn't it written regarding Yechezkel: "Then I said: Ah, Lord Hashem! Behold, my soul has not been defiled, and a carcass or a treifah I have not eaten from my youth until now, and there did not come into my mouth piggul flesh"?

EXPLANATION

"הִנֵּה נַפְשִׁי לֹא מִטְמָאָה" – שֶׁלֹּא הִרְהַרְתִּי בַּיּוֹם לְבֹא לְיָדֵי טוֹמְאָה בַּלַּיְלָה,

The Sages expounded this verse: "Behold, my soul has not been defiled" means that I did not have sinful thoughts by day so as to come to impurity of a nocturnal emission at night;

EXPLANATION

"וְנִבְלָה וְטֵרֶפֶה לֹא אָכַלְתִּי" – שֶׁלֹּא אָכַלְתִּי בֶשֶׁר "כּוֹס כּוֹס" מֵעוֹלָם,

"and a carcass or a treifah I have not eaten" means that I never ate the meat of an animal about which people cried out, "Slaughter it! Slaughter it!" because it was in danger of dying, which is technically kosher but unseemly;

EXPLANATION

"וְלֹא בָא בְּפִי בֶשֶׁר פִּגּוּל" – שֶׁלֹּא אָכַלְתִּי מִבְּהֵמָה שֶׁהוֹרָה בָּהּ חֶכֶם.

"and there did not come into my mouth piggul flesh" means that I never ate from an animal about which a Sage ruled to permit a doubt. If so, how could Rabba bar bar Chana eat from this animal?

EXPLANATION

מְשׁוּם רַבִּי נָתַן אָמְרוֹ: שֶׁלֹּא אָכַלְתִּי מִבְּהֵמָה שֶׁשֶּׁלֹּא הוּרָמוּ מִתְּנוּתֶיהָ.

The Gemara notes: In the name of Rabbi Natan they said a different explanation: "piggul flesh" means that I never ate from an animal from which its priestly gifts had not yet been separated.

ANSWER

הֵנִי מֵילִי – מִילָתָא דְתֵלִיא בְּסִבְרָא, רַבָּה בַּר פִּרְ חָנָה אֲגַמְרִיהָ סִמָּה.

The Gemara answers: This applies only to a matter that depends on logical reasoning, where there is room for doubt; but Rabba bar bar Chana relied on his received tradition from his teachers, and there is no unseemliness in eating from such a ruling.

OBJECTION

וְתִיפּוּק לִיה מְשׁוּם חֲשָׁדָא, דְּתַנְיָא: דִּין אֶת הַדִּין, זִיכָּה וְחַיִּיב, טִימָא וְטִיְהָר, אֶסֶר וְהִתִּיר, וְכֵן הָעֲדִים שֶׁהָעִידוּ – כּוּלָּן רִשְׁאִין לִיקָח, אֲבָל אָמְרוּ חֲכָמִים: הִרְחַק מִן הַפִּיעוּר וּמִן הַדּוּמָה לוֹ.

The Gemara objects: But let him derive that he should not have bought the meat because of suspicion! As it is taught in a braisa: One who judged a case, whether he acquitted or convicted, ruled tamei or tahor, forbade or permitted, and likewise witnesses who testified, they are all permitted to purchase the item in question; but the Sages said: Distance yourself from what is unseemly and from anything similar to it. If so, Rabba bar bar Chana should not have bought the meat he permitted!

ANSWER

הַנִּי מִיָּלִי מִיָּדֵי דְּמִזְבִּין מִשּׁוּמָא, הָכָא מִתְקַלָּא מוֹכַח,

The Gemara answers: **This applies only to something that is sold by estimation**, where people might suspect he got a discount; **here, the weight of the meat proves** that he paid the standard price.

STATEMENT

כִּי הָא דְּרַבָּה שָׂרָא טְרֵפְתָּא וּזְבִן מֵינָה בִּישְׂרָא,

This is like that incident where Rabba permitted a doubtful treifah and purchased meat from it.

OBJECTION

אָמְרָה לִיה בֵּת רַב חֲסִידָא: אָפָא שְׂרִי בּוֹכְרָא וְלָא זָבֵן מֵינִיה בִּישְׂרָא.

His wife, **the daughter of Rav Chisda**, said to him: My father, Rav Chisda, would permit a firstborn animal by finding a blemish, **but he would never purchase meat from it!**

ANSWER

אָמַר לָהּ: הַנִּי מִיָּלִי בּוֹכְרָא דְּאִשּׁוּמָא מִזְבִּין, הָכָא מִתְקַלָּא מוֹכַח,

Rabba said to her: **This applies only to a firstborn animal**, which is sold by estimation, but here, the weight of the meat **proves** that I paid the full price.

EXPLANATION

מָאִי אֵיכָא – מִשּׁוּם אוֹמְצָא מְעַלְיִיתָא? כָּל יוֹמָא אוֹמְצָא מְעַלְיִיתָא זָבֵנוּ לִי.

What is there to suspect? **Because of a choice cut of meat** that they might have given me? Every day they sell me a choice cut of meat anyway, so there is no suspicion.

STATEMENT

אָמַר רַב חֲסִידָא: אֵיזָהוּ תַלְמִיד חֶכֶם? זֶה הָרוֹאֶה טְרֵפָה לְעַצְמוֹ.

Rav Chisda said: **Who is a Torah scholar?** This is one who rules on a doubtful treifah for himself, meaning he rules stringently on his own animal.

STATEMENT

וְאָמְרֵי לָהּ: אֵיזָהוּ "שׂוֹנֵא מַתָּנַת יְחִיָּה"? זֶה הָרוֹאֶה טְרֵפָה לְעַצְמוֹ.

And some say it: **Who is the one of whom the verse says, "He who hates gifts shall live"?** This is one who rules on a doubtful treifah for himself.

STATEMENT

דָּרַשׁ מָר זוּטְרָא מִשְׁמִיה דְּרַב חֲסִידָא: כָּל מִי שְׁקוּרָא וְשׁוֹנֵה, וְרוֹאֶה טְרֵפָה לְעַצְמוֹ, וְשִׁימֵשׁ תַּלְמִידֵי חֶכְמִים – עָלָיו הַפֶּתוּב אוֹמֵר: "יִגִּיעַ כַּפִּידָּךְ כִּי תֹאכַל אֲשֶׁרִידָּךְ וְטוֹב לָךְ."

Mar Zutra expounded in the name of Rav Chisda: Anyone who reads the Torah and studies the Mishnah, and rules on a doubtful treifah for himself, and has served Torah scholars, of him the verse says: "When you eat the labor of your hands, happy shall you be, and it shall be well with you."

STATEMENT

רב זביד אמר: זוכה ונוחל שני עולמות, העולם הזה והעולם הבא, "אשריך" – בעולם הזה, "וטוב לך" – לעולם הבא.

Rav Zevid said: He merits and inherits two worlds, this world and the World-to-Come; "happy shall you be" refers to in this world, "and it shall be well with you" refers to the World-to-Come.

STATEMENT

רבי אלעזר, כי הוו משדרי ליה מבי נשיא מיד, לא שקיל, וכי הוו מזמני ליה, לא אזיל.

The Gemara relates: Rabbi Elazar, when they would send him anything from the house of the Nasi, he would not take it; and when they would invite him, he would not go.

STATEMENT

אמר: לא קא בעי מר דאיחי? דכתיב: "ושונא מתנות יחיה".

He said to them: Does the Master not want me to live? As it is written: "And he who hates gifts shall live."

STATEMENT

רבי זירא, כי משדרי ליה, לא שקיל, כי הוו מזמני ליה, אזיל. אמר:

Rabbi Zeira, when they would send him gifts, he would not take them; but when they would invite him, he would go. He said in explanation:

SUMMARY

The daf establishes that one must consistently follow either Beit Shammai or Beit Hillel rather than mixing their stringencies, though after the Bat Kol, the halacha is firmly established like Beit Hillel. In the realm of shechitah, the Gemara defines the upper and lower limits of the gullet, clarifying that the very bottom handbreadth of an ox's gullet is considered part of the rumen due to its hairy nature. We learn that if the entrance of the gullet is cleanly peeled from the jaw, it remains kosher, unlike a case where the simanim are shredded. Finally, the Gemara rules that a cut windpipe is measured by the majority of its inner space, illustrating this with a story where Rabba bar bar Chana ruled leniently on a doubtful windpipe after Rav refrained from a final ruling, leading into a discussion on the high standard of personal stringency practiced by our Sages regarding doubtful meat.

Our sugya brings us into the world of the great Amoraim, where we see a beautiful and striking definition of a true talmid chacham. Rav Chisda teaches: "Who is a talmid chacham? One who sees a tereifah for himself." When a scholar has a doubt about the kosher status of his own animal, he does not look for leniencies or ask someone else to find a way out; he rules strictly on his own property, willingly accepting the financial loss. He does not seek to live off the gifts or easy concessions of others, but rather relies on his own honest labor, embodying the verse, "When you eat the labor of your hands, you are praiseworthy, and it is well with you."

This is a profound lesson in personal integrity and the purity of our avodah. It is very easy to be strict when it comes to others, or to look for easy ways out when our own pockets are on the line. The Torah is teaching us that true greatness is measured by how we treat our own boundaries when nobody is watching. When a person is willing to lose his own money to ensure he is doing exactly what Hashem wants, without compromise, he lifts himself to a completely different level of yiras Shamayim.

This middah of being demanding of oneself while remaining honest and independent is what builds a healthy, holy life. By refusing to take the easy way out or rely on the favors of others, we build a vessel of true bitachon, trusting that Hashem will return whatever we lose in the service of His mitzvos. As the Gemara says, such a person is "praiseworthy in this world, and it is well with him in the World to Come."

Today, when faced with a personal choice that involves a financial loss for the sake of doing the right thing, whether in business, tzedakah, or keeping a halachic standard, embrace the loss with joy, knowing that keeping the Torah with integrity is your greatest success.