

Chullin – Simanim

פרק ז – גיד הנשה

דף קב – 102 Daf

1. Does אבר מן החי apply to non-kosher animals?

In a Baraisa, Rebbe Yehudah and Rebbe Elazar say that the prohibition of אבר מן החי – eating a limb taken from a living animal applies to בהמות, חיות, and birds, whether they are from kosher or non-kosher animals. The Chochomim say it only applies to kosher animals. Both opinions are derived from the same *passuk*: רק חזק לבלתי – you shall not eat the life with the meat. Rebbe Yehudah and Rebbe Elazar *darshen* that any animal whose blood is forbidden (which includes nonkosher animals), its אבר מן החי is likewise forbidden. The Chochomim hold that that phrase – the life with the meat implies that that only אבריו על מצווה – any [animal] whose meat is permitted, you are commanded not to eat its detached limbs, but not those of a non-kosher animal. Rebbe Meir limits the prohibition of אבר מן החי further, applying it only to a בהמה. Rav says that regarding a נח, everyone agrees that אבר מן החי applies even to non-kosher animals.

2. The minimum שיעור for אבר מן החי – A כזית of meat or a כזית of meat, sinews and bones?

Rav says that the liability for אבר מן החי requires eating a כזית, because the Torah uses the word "אכילה" – eating. Rav Nachman said that one would still be liable בעצמות גידין ועצמות – with a limb containing a minimal amount of meat, with enough sinews and bones to combine to a כזית (although they are not food, and do not combine for a כזית to transgress, etc.). The Gemara asks that Rav contradicts his own ruling that one who eats an entire live kosher bird is liable (for אבר מן החי) even שהוא בכל – for a minimal amount, because its limbs are complete entities!? [If he ate it after it died, he is only liable (for eating נבילה) if it was a כזית.] The Gemara answers that this statement also means that he is liable for eating a minimal amount of meat, along with enough גידין ועצמות to total a כזית. But after it dies, liability for נבילה would require a full כזית of edible meat.

3. Machlokes if בהמה בחייה לאברים עומדת

A Baraisa discusses one who eats an entire live bird smaller than a כזית whole. Rebbe exempts him (from *malkus*), but Rebbe Elazar bar Rebbe Shimon says he is liable, because he holds בחייה לאברים עומדת – while [an animal] is alive, it stands to be cut into limbs, so each limb is already prohibited as אבר מן החי, which he transgresses by eating the bird alive. Rebbe holds לאברים עומדת, and it only stands to be cut into limbs when it is *shechted*. Rava adds that if Rebbe would hold מחשבת אוכלין שמה מחשבה – that one's thought regarding food is considered effective thought, then one who decided to eat a small living bird one limb at a time (and instead ate it alive) would be liable for אבר מן החי, because his intent renders the limbs independent entities. Although Abaye objects that there cannot be different laws for different people, Rava replies: זה לפי מחשבתו וזה לפי מחשבתו – this one is judged according to his thought, and that one is judged according to his thought. Similarly, Rava says that Rebbe Elazar bar Rebbe Shimon would agree that one who decides to eat this bird dead but instead eats it alive would not be liable.

Siman – Caveman

The two **cavemen** who wanted to become more civilized but couldn't give up their habit of eating אבר מן החי from non-kosher animals and were informed they would be *chayav* for eating limbs with minimal meat but with גידין ועצמות equaling a כזית, saw their friend transgress when he ate an entire live bird smaller than a כזית since בהמה בחייה לאברים עומדת.

דף קב | DAF 102

Caveman



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3 things to remember

1. Does **אבר מן החי** apply to non-kosher animals?
2. The minimum **שיעור** for **אבר מן החי** – A כזית of meat or a כזית of meat, sinews and bones?
3. *Machlokes* if בהמה בחייה לאברים עומדת

