



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Chullin Daf Kuf Aleph

- **R' Yehuda in the name of Rav** said, if one eats the gid hanasheh of a neveila, **R' Meir** says he is chayuv two sets of malkus and the **Chachomim** say he is only chayuv one set. The **Chachomim** agree with **R' Meir**, that if eats the gid hanasheh of an olah or of an ox that was sentenced to be stoned, that he would be chayuv two sets of malkus.
 - **Q:** Who is the Tanna that is the view of the **Chachomim** that holds that in a case of "issur kolel" (where a second issur is more inclusive than the first) we would not say that the second issur takes effect on top of the first issur, but if the issur kolel is also more stringent we would say that the second issur takes effect on top of the first? **A: Rava** said, it is **R' Yose Haglili** of a Mishna. The Mishna says, if a tamei person ate kodesh that was itself tamei or was tahor, he is chayuv for eating kodesh while he is tamei. **R' Yose Haglili** says, if a tamei person ate kodesh that was tahor he is chayuv, but if he ate kodesh that is tamei he is patur, because he ate something that was already tamei. The **Chachomim** said to him, when the tamei eats kodesh that is tahor, as soon as he touched the kodesh it became tamei (and yet you agree that he would be chayuv, so when he eats kodesh that is already tamei it should be no different). The Gemara there asks, the **Rabanan** seem to have posed a very strong question to **R' Yose**!? **Rava** said, if the person first became tamei and the meat of the korbon then became tamei, all would agree that he would be chayuv for eating that meat, because a tamei person eating kodashim is chayuv kares. The machlokes is where the meat was first tamei and then the person became tamei. In this case the meat was already assur to be eaten as tamei kodashim, which does not carry kares. The **Rabanan** say that when the person becomes tamei there is "issur kolel" since he now becomes assur to eat even tahor kodashim, the issur with kares even takes effect on tamei kodashim as well. **R' Yose Haglili** does not agree to the principle of issur kolel, and therefore the issur of a tamei person eating kodashim will not take effect on a tamei piece of kodashim, since it was already assur to be eaten. We can see from here that the **Chachomim** of our Mishna is the view of **R' Yose Haglili**.
 - **Q:** **R' Yose** should hold that the issur of the tamei person should take effect, because the issur of a tamei person eating kodesh is more stringent in that he would be chayuv kares (as we find that he says this logic elsewhere)!? **A: R' Ashi** said, it may be that the issur of tamei kodashim is more stringent in that the tumah cannot be removed from it by immersing it in a mikvah. Therefore, we can't say that one is more stringent than the other.
 - **Q:** Does **R' Yose Haglili** really not hold that where there is an issur kolel the second issur takes effect on top of the first issur? There is a Braisa where **R' Yose Haglili** says that if a person did some melacha b'shogeg on Yom Kippur that fell on a Shabbos he must bring a chatas for doing melacha on Shabbos and another one for doing melacha on Yom Kippur, whereas **R' Akiva** says he is only chayuv one chatas. We see that **R' Yose Haglili** says that the second issur does take effect when there is an issur kolel!? **A: Ravin in the name of R' Yose the son of R' Chanina** said, we must reverse the views of the Braisa – it is **R' Akiva** who says he is chayuv two chatas and it is **R' Yose Haglili** who says he is only chayuv one.
 - **R' Yitzchak bar Yaakov bar Geyurei in the name of R' Yochanan** said, according to the view of **R' Yose Haglili** after we reversed the views, it is the issur of Shabbos that takes effect, not the issur of Yom Kippur. Therefore, if he was a shogeg with regard to Shabbos and a meizid with

regard to Yom Kippur he would be chayuv to bring a chatas, but if he was a meizid with regard to Shabbos and a shogeg with regard to Yom Kippur he would be patur. **Abaye** explained, the reason is that the day of Shabbos is established and set from the time of Creation, whereas the day of Yom Kippur is determined by Beis Din.

- **Q: Rava** asked, they both take effect at nightfall that Friday evening, so how can it be said that Shabbos comes first!? **A:** Rather, **Rava** said, **R' Yochanan's** statement was said regarding a year where there was a government decree against observing Yom Kippur. The **Rabanan** instituted that Yom Kippur that year should be observed on Shabbos (which prevented the goyim from realizing that Yom Kippur was being observed) even though it was not the true date for Yom Kippur. It was regarding that year that one would only be chayuv for Shabbos and not for Yom Kippur, because in truth it was not Yom Kippur.
 - **Ravin** and others who came from EY to Bavel said like **Rava** as well.

AMAR R' YEHUDA V'HALO MIBNEI YAAKOV...

- A Braisa says, they said to **R' Yehuda**, the pasuk doesn't say that the "Bnei Yaakov" can't eat the gid hanasheh, it says that the "Bnei Yisrael" can't. We were not referred to as "Bnei Yisrael" until we stood at Har Sinai. This proves that the halacha of gid hanasheh was first given to us at Har Sinai, but it was written in the parsha of Yaakov's fight with the Malach to teach us the reason for the issur.
 - **Q: Rava** asked, the pasuk says "vayis'u Bnei Yisrael es Yaakov avihem" and this took place before we stood at Har Sinai!? **A:** This took place well after the incident between Yaakov and the Malach, and at that time Hashem had already given the name Yisrael to Yaakov.
 - **Q: R' Acha the son of Rava** asked **R' Ashi**, if so, the gid hanasheh should have been assur from the time that he got the name Yisrael!? **A: R' Ashi** said, the Torah was not given at different times. The issur would either have to take effect at the time of the incident or at Matan Torah. Since there was no "Bnei Yisrael" at the time of the incident, it did not take effect until Matan Torah.