

38a

Gemara: Defining פירכוס

- Rav's talmidim told Shemuel: Moaning or excreting or shaking its ear
- Shemuel:<sup>1</sup> The ear is not needed; פירכוס is an act that isn't normally part of dying – Extending vs Bending
- Braisa rejected moaning with a thin voice, and excreting without force

Gemara: When within שחיטה does פירכוס take place, indicating strength?

- 1) Rav Chisda – The middle; there is no such life at the end
- 2) Rav Nachman bar Yitzchak – Even at the start of שחיטה suffices
  - This fits with acceptance of זינוק which occurred at an unspecified time
  - But perhaps זינוק is unique because it's a strong sign of health?
    - Raveina – Can't be; the Chachamim replied to זינוק with a stricter standard<sup>2</sup>
- 3) Rava – פירכוס must happen at the end of שחיטה<sup>3</sup>
  - (38b) Proof from braisa disqualifying an "orphan" as a korban<sup>4</sup>
    - Can't be where the mother died after שחיטה; that's illogical
    - Can't be where the mother died before שחיטה; that would be the same as יוצא דופן<sup>5</sup>
    - Must be where the mother died in mid-שחיטה, and we need her to be alive at the end.

Gemara: Defining פירכוס – Rava's standard

	גסה	דקה	Bird
Shudder	No	No	Yes
Foreleg	Extend or Retract	Extend and Retract	Yes
Rear leg	Extend or Retract	Extend or Retract	Yes

Mishnah: Shechitah of a non-Jew's animal, for the non-Jew's use

	Mishnah	Version 1 – Owner silent	Version 2 – Owner speaks
Tanna Kama	Kosher	Follow owner, Don't assume idolatry <sup>6</sup>	Follow שוחט for chullin
R' Eliezer	Pasul; follow owner's thought	Follow owner, Assume idolatry	Follow owner for chullin
R' Yosi	Kosher; follow the שוחט <sup>7</sup>	Follow the שוחט	Follow שוחט always

<sup>1</sup> Re: Shemuel calling Rav "Abba" – It's a sign of respect (Rashi) or Rav's real name (Tosafot, Rashbam to Pesachim 119b)

<sup>2</sup> Who is the father of the son of Abubram? (Rashi; Rashi and Maharal to Avos 4:1; Nitzotzei Or)

<sup>3</sup> What will he do with the point about זינוק? (Tosafot)

<sup>4</sup> Why should I deduce from the definition of a live mother regarding korbanos? (Rashi, as explained by Griz; Beiurei haDaf)

<sup>5</sup> Does a child survive the mother's death? (Tosafot here and Bava Batra 142b, with interesting ramifications re: מלאך המות)

<sup>6</sup> Because we don't worry about minority possibilities (Mitzpeh Eisan)

<sup>7</sup> Rashi 39a – Since the Torah says המקריב לא יחשב