

דף יומי • חלין • דף ק"א

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THE SUGYA

In this daf, we are diving deep into the classic lomdishe sugya of "ein issur chal al issur"—the rule that a prohibition cannot take effect on top of an already existing prohibition. The Gemara starts by analyzing the shitta of Rabbi Shimon, who exempts someone who eats the gid hanasheh (sciatic nerve) of a non-kosher animal. We have to understand Rabbi Shimon's underlying sevara: does he hold of "ein issur chal al issur," or is he of the opinion that the gid hanasheh doesn't actually impart flavor, which would mean the general non-kosher meat prohibition never applied to the nerve in the first place? Rava steps in to clarify Rabbi Shimon's real position based on a gezeiras hakasuv.

From there, the Gemara moves into a major discussion regarding the dispute between Rabbi Meir and the Rabbis. If someone eats the gid hanasheh of a nevelah (an unslaughtered carcass), Rabbi Meir holds him liable for two sets of malkus, while the Rabbis say he only gets one because of "ein issur chal al issur." However, the Rabbis concede in cases of a more stringent or inclusive prohibition, like an olah (burnt offering) or an ox sentenced to stoning. The Gemara goes on a search to identify which Tanna holds this specific way, leading us into a fascinating shakla v'tarya involving Rabbi Yosei HaGelili and the concept of "issur kolel" (an inclusive prohibition) and "issur chamur" (a more stringent prohibition).

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

עמוד א' DAF 101A

משנה MISHNAH

MISHNAH

ורבי שמעון פוטר.

And Rabbi Shimon exempts him entirely from any liability for eating the sciatic nerve of a non-kosher animal.

גמרא GEMARA

QUESTION

ורבי שמעון, מה נפשך?

The Gemara objects: **But** according to Rabbi Shimon, whichever way you look at it, his ruling is difficult to understand.

QUESTION

אי איסור קל על איסור – ליחייב נמי משום גיד,

If he holds that **a prohibition takes effect where** another **prohibition** already exists, **let him be liable also due to** the prohibition of the sciatic **nerve**, in addition to the prohibition of eating non-kosher meat.

QUESTION

אי אין איסור קל על איסור – ליחייב משום טומאה דקדים,

And if he holds that **a prohibition does not take effect where** another **prohibition** already exists, **let him be liable due to** the prohibition of eating meat from a non-kosher species (referred to here as **impurity**) **which preceded** the prohibition of the sciatic nerve, since the animal was forbidden from its very conception, before the nerve was formed.

QUESTION

ואי אין בגידין בנותן טעם – ליחייב משום גיד.

And if Rabbi Shimon holds that **sciatic nerves do not impart flavor**, and therefore the meat-prohibition does not apply to the nerve at all, then there is no prior prohibition on the nerve, so **let him be liable due to** the prohibition of the sciatic **nerve** itself!

ANSWER

אמר רבא: לעולם קסבר אין בגידים בנותן טעם,

Rava said in response: **Actually**, Rabbi Shimon holds that **sciatic nerves do not impart flavor**, and therefore they are not subject to the prohibition of eating non-kosher meat.

ANSWER

ושאני התם דאמר קרא: "על כן לא יאכלו בני ישראל את גיד הנפש",

And it is different there regarding a non-kosher animal, as the verse states: "Therefore the children of Yisrael eat not the sciatic nerve,"

ANSWER

מי שגידו אסור ובשרו מותר, יצתה זו שגידו אסור ובשרו אסור.

which implies that the prohibition applies only to an animal **whose sciatic nerve is forbidden but whose meat is permitted**, which **excludes this** non-kosher animal, **whose sciatic nerve is forbidden and whose meat is also forbidden**.

STATEMENT

אמר רב יהודה, אמר רב: האוכל גיד הנפש של נבלה – רבי מאיר מחייב שתיים,

Rav Yehuda said that Rav said: **One who eats the sciatic nerve of an unslaughtered carcass (nevelah) — Rabbi Meir deems him liable to receive two** sets of lashes, one for the nerve and one for the nevelah,

STATEMENT

וחכמים אומרים: אינו חייב אלא אחת.

and the Rabbis say: **He is liable to receive only one** set of lashes, because they hold that a prohibition does not take effect where another prohibition already exists.

STATEMENT

ומזדים חכמים לרבי מאיר באוכל גיד הנפש של עולה ושל שור הנסקל, שחייב שתיים.

And the Rabbis concede to Rabbi Meir in a case where one eats the sciatic nerve of a burnt offering (olah) or of an ox that is stoned, that he is liable to receive two sets of lashes, because these prohibitions are more stringent and take effect on top of the existing nerve prohibition.

QUESTION

ומאן האי תנא, דבאיסור כולל – איסור חל על איסור לית ליה,

The Gemara challenges: **And who is this Tanna who, in the case of a more inclusive prohibition** (issur kolel) — such as the prohibition of nevelah which applies to the whole animal — does **not** hold that **a prohibition takes effect where** another **prohibition** already exists,

QUESTION

איסור כולל בבאיסור חמור – אית ליה.

yet where the second prohibition is both **a more inclusive prohibition and a more stringent prohibition** (issur chamur) — such as hekdedh or an ox to be stoned, which are forbidden for benefit — he **does** hold that it takes effect?

ANSWER

אמר רבא: רבי יוסי הגלילי היא, דתנן:

Rava said: It is Rabbi Yosei HaGelili, as we learned in a Mishnah:

BRAISA

טמא שאכל קדש, בין קדש טמא בין קדש טהור – חייב.

An **impure** individual **who ate sacrificial food**, whether it was **impure sacrificial food or pure sacrificial food**, is liable to karet.

BRAISA

רבי יוסי הגלילי אומר: טמא שאכל את הטהור – חייב,

Rabbi Yosei HaGelili says: An **impure** individual **who ate pure** sacrificial food is liable,

BRAISA

טמא שאכל את הטמא – פטור, שלא אכל אלא דבר טמא.

but an **impure** individual **who ate impure sacrificial food is exempt**, as he merely ate an **impure item** which was already forbidden to be eaten, so the prohibition of eating sacrificial food while impure does not take effect on it.

BRAISA

אמרו לו: אף טמא שאכל את הטהור, כיון שנגע בו, טמאהו.

The Rabbis said to him: According to your logic, even in the case of an **impure** individual **who ate pure** sacrificial food, **once he touched it, he rendered it impure**, yet he is certainly liable! So too, he should be liable for eating impure sacrificial food.

QUESTION

שפיר קא אמרי ליה רבנן לרבי יוסי הגלילי,

The Gemara asks: **The Rabbis are saying well to Rabbi Yosei HaGelili**; why does he disagree?

EXPLANATION

ואמר רבא: בנטמא הגוף ואחר כך נטמא בשר – כולי עלמא לא פליגי דחייב, דאיסור כרת קדים.

And Rava said in explanation of the dispute: In a case where the body of the person became impure and afterward the meat became impure, everyone agrees that he is liable, as the prohibition carrying karet for eating sacrificial food while impure preceded the prohibition of eating impure meat.

EXPLANATION

כי פליגי בנטמא בשר, ואחר כך נטמא הגוף.

They disagree when the meat became impure and afterward the body became impure.

EXPLANATION

רבנן אית להו איסור כולל, דמגו דמיחייב אחתיכות טהורות דעלמא, מיחייב נמי אחתיכה טמאה.

The Rabbis accept the principle of a more inclusive prohibition, that since he becomes liable for eating other pure pieces of sacrificial meat which are permitted to the rest of the world, he also becomes liable for eating this impure piece.

EXPLANATION

ורבי יוסי הגלילי לית ליה איסור כולל, דמגו לא אמרינן.

And Rabbi Yosei HaGelili does not accept the principle of a more inclusive prohibition, as we do not say "since" (migo) to apply a prohibition to an already forbidden item.

QUESTION

ורבי יוסי הגלילי, נהי דאיסור כולל לית ליה, באיסור קל כבא איסור חמור יחול על איסור קל,

The Gemara objects: But according to Rabbi Yosei HaGelili, granted that he does not accept a more inclusive prohibition, yet in the case of a lenient prohibition, a more stringent prohibition should come and take effect on the lenient prohibition!

QUESTION

ומאי ניהו? טומאת הגוף, שְׁהָרִי טומאת הגוף בכרת.

And what is this more stringent prohibition? The prohibition due to impurity of the body, as impurity of the body carries the punishment of karet, whereas eating impure sacrificial meat is only a standard negative commandment.

RESOLUTION

אמר רב אשי: מאן לימא לן דטומאת הגוף חמורה, דלמא טומאת בשר חמורה, דלית ליה טהרה במקוה.

Rav Ashi said: Who can say to us that impurity of the body is more stringent? Perhaps impurity of the meat is more stringent, as it has no purification in a mikveh, whereas an impure person can become pure by immersing in a mikveh.

QUESTION

ורבי יוסי הגלילי לית ליה איסור כולל?

The Gemara asks: **And does Rabbi Yosei HaGelili not hold** of the concept of **a more inclusive prohibition** taking effect where there is an already existing prohibition?

OBJECTION

והתנא: שבת ויום הכפורים, שגג ועשה מלאכה, מנין שחייב על זה בעצמו ועל זה בעצמו?

But isn't it taught in a braisa: If Shabbos and Yom Kippur fell on the same day, and one acted unwittingly and performed melacha, from where is it derived that he is liable for this by itself and for that by itself, meaning he must bring two sin-offerings?

OBJECTION

תלמוד לומר: "שבת היא", "יום הכפורים הוא", דברי רבי יוסי הגלילי.

The verse states: "It is Shabbos", and another verse states: "It is Yom Kippur", to teach that each day retains its independent status; these are the words of Rabbi Yosei HaGelili.

OBJECTION

רבי עקיבא אומר: אינו חייב אלא אחת.

Rabbi Akiva says: He is liable to bring only one sin-offering, because a prohibition cannot take effect where another prohibition already exists.

RESOLUTION

שלח רבין משום דרבי יוסי ברבי חנינא: כך הצעה של משנה, ואיפוך.

To resolve this, Ravin sent a letter in the name of Rabbi Yosei son of Rabbi Chanina: This is the correct presentation of the Mishnah, meaning the braisa, but reverse the names. Rabbi Akiva holds he is liable for two, while Rabbi Yosei HaGelili holds he is liable for only one.

STATEMENT

שלח רב יצחק בר יעקב בר גיורי משום דרבי יוחנן: לדברי רבי יוסי הגלילי, למאי דאפכו, שגג בשבת והזיד ביום הכפורים – חייב, הזיד בשבת ושגג ביום הכפורים – פטור.

Rav Yitzchak bar Yaakov bar Giyorei sent a letter in the name of Rabbi Yochanan: According to the words of Rabbi Yosei HaGelili, according to what we reversed, if one acted unwittingly regarding Shabbos but intentionally regarding Yom Kippur, he is liable to bring a sin-offering. But if he acted intentionally regarding Shabbos and unwittingly regarding Yom Kippur, he is exempt from bringing any offering.

QUESTION

מאי טעמא?

The Gemara asks: What is the reason for this distinction?

ANSWER

אמר אביי: שבת קביעא וקיימא, יום הכפורים – בי דינא דקא קבעי ליה.

Abaye said: Shabbos is fixed and permanent from the creation of the world, whereas Yom Kippur is established by the Beis Din when they sanctify the New Moon. Therefore, the Shabbos prohibition came first, and the Yom Kippur prohibition

cannot take effect on top of it.

OBJECTION

אמר ליה רבא: סוף סוף, תרניהו בהדי הדדי קאתו.

Rava said to him: Ultimately, both of them come into effect together at the start of the day, so one does not precede the other!

RESOLUTION

אלא אמר רבא: שמדא הנה, ושלחו מתם דיומא דכפורי דהא שתא שבתא הוא.

Rather, Rava said: There was a decree of religious persecution where they could not sanctify the New Moon on time, and they sent from there, from Eretz Yisrael, a message that the Yom Kippur of this year is to be observed on Shabbos. Rabbi Yochanan was only speaking of that specific emergency case.

PROOF

וכן כי אתא רבין וכל נחותי אמריה פרבא.

And likewise, when Ravin and all those who go down from Eretz Yisrael to Babylonia came, they said it in accordance with Rava's explanation.

מִשְׁנָה MISHNAH

MISHNAH

אמר רבי יהודה: והלא מבני יעקב [וכו'].

The Mishnah taught that Rabbi Yehuda said: But was it not forbidden from the children of Yaakov, etc.?

גְּמָרָא GEMARA

BRAISA

תנאי, אמרו לו לרבי יהודה: וכי נאמר "על פן לא יאכלו בני יעקב"? והלא לא נאמר אלא "בני ישראל", ולא נקראו "בני ישראל" עד סיני!

It is taught in a braisa, they said to Rabbi Yehuda: Is it written, "Therefore the children of Yaakov do not eat"? Surely it is only written, "the children of Israel," and they were not called "the children of Israel" until they stood at Mount Sinai!

BRAISA

אלא בסיני נאמר, אלא שנכתב במקומו לידע מאיזה טעם נאסר להם.

Rather, the prohibition was stated at Sinai, but it was written in its place in Bereishis to let them know for what reason it was forbidden to them.

OBJECTION

מתיב רבא: "וישאו בני ישראל את יעקב אביהם",

Rava challenged this from a verse: "And the children of Israel carried Yaakov their father", which is written long before Sinai!

ANSWER

לְאַחַר מַעֲשֵׂה.

The Gemara answers: That was **after the incident** of the wrestling with the angel, when his name was changed to Israel, but it still does not prove the prohibition applied before Sinai.

QUESTION

אָמַר לִיָּה רַב אַחָא בְּרִיָּה דְרַבָּא לְרַב אָשִׁי: מִהֵיא שְׁעָתָא לִיתְסֵר.

Rav Acha the son of Rava said to Rav Ashi: If so, **from that time** when they were first called the children of Israel, **let it be forbidden**, which would support Rabbi Yehuda!

ANSWER

אָמַר לִיָּה: וְכִי תוֹרָה פְּעָמִים פְּעָמִים נִתְּנָה?

He said to him: **Was the Torah given in multiple portions** at different times? It was given all at once at Sinai.

ANSWER

הָהוּא שְׁעָתָא לָאו שְׁעַת מַעֲשֵׂה הָוָא, וְלֹא שְׁעַת מִתֵּן תּוֹרָה הָוָא.

That time when they went down to Mitzrayim was **not the time of the incident** itself, and it was **not the time of the giving of the Torah**, so there is no reason for a prohibition to start then.

BRAISA

תַּנּוּ רַבָּנִי: אֲכָר מִן חַי נֹהֵג בְּבִהְמָה, חַיָּה וְעוֹף, בֵּין טְמְאִין וּבֵין טְהוֹרִין, דְּבָרֵי רַבִּי יְהוּדָה וְרַבִּי אֶלְעָזָר.

The Rabbis taught in a braisa: The prohibition of a limb from a living animal applies to domesticated animals, wild beasts, and birds, whether non-kosher or kosher; these are the words of Rabbi Yehuda and Rabbi Elazar.

BRAISA

וְחֻכָּמִים אוֹמְרִים: אֵינוּ נֹהֵג אֶלָּא בְּטְהוֹרִין.

But the Sages say: It only applies to kosher species.

EXPLANATION

אָמַר רַבִּי יוֹחָנָן: וּשְׁנֵיהֶן מְקַרְא אֶחָד דְּרָשׁוּ, "רַק חֲזַק לְבַלְתִּי אֲכַל הַדָּם כִּי הַדָּם הוּא הַנֶּפֶשׁ"

Rabbi Yochanan said: And both of them expounded the same verse: "Only be strong not to eat the blood, for the blood is the life..."

SUMMARY

To resolve which Tanna holds that a more stringent prohibition can take effect over a lenient one while rejecting a basic inclusive prohibition, Rava points to Rabbi Yosei HaGelili's ruling regarding an impure person who eats sacrificial meat. The Gemara analyzes the mechanics of Rabbi Yosei HaGelili's dispute with the Rabbis, questioning whether the impurity of the

body (which carries karet) is indeed more stringent than the impurity of the meat itself. Rav Ashi suggests a chiddush—that we cannot easily assume which is more stringent, as impure meat has no way to become pure, whereas an impure person can go to the mikveh. Finally, the Gemara challenges this characterization of Rabbi Yosei HaGelili by bringing a braisa regarding one who performs melacha when Shabbos and Yom Kippur fall on the same day, where Rabbi Yosei HaGelili seemingly does apply multiple prohibitions, leading Ravin to send a letter from Eretz Yisrael to clarify the correct version of the Mishnah.

למעשה WHAT TO TAKE HOME

The Gemara on our daf brings down a beautiful, fundamental discussion about how we received the Torah. Rabbi Yehuda holds that the prohibition of gid hanasheh was actually given to the Bnei Yaakov right after the struggle with the angel, while the Chachamim argue that even though the event happened then, the mitzvah itself was only commanded at Har Sinai. The Chachamim ask: "Was it said, 'Therefore the sons of Yaakov shall not eat'? It says 'the children of Yisrael,' and they were not called 'Yisrael' until Sinai!" The Torah was not given in pieces, "pe'amim pe'amim." It was given as one complete, unified guide for life.

Think about what this means for our daily avodah. Sometimes, we are tempted to live our Yiddishkeit "pe'amim pe'amim", in pieces and segments. We have our "bais medrash self" where we learn with geshmak, and then we have our "business self" or our "home self" where we might let things slide. We compartmentalize. But the Chachamim are teaching us a deep yesod: Yiddishkeit is a single, organic whole. The same Hashem who commanded us how to learn and daven is the One who commanded us how to speak to our spouse, how to conduct our business honestly, and how to behave when nobody is looking.

When we realize that the Torah is not a collection of isolated, disconnected rules but a single, unified blueprint for the neshama, our entire day changes. Every single action, from the way we tie our shoes in the morning to the way we close our eyes at night, becomes part of one continuous, beautiful service of Hashem.

Today, pick one area of your day that you usually keep "separate" from your spiritual life, whether it is your commute, your lunchtime, or your business dealings, and consciously bring Hashem into it, remembering that the Torah is one complete guide for every single moment.