

Since there is suffering for an animal, etc. – כיון דאיכא צער בעלי חיים כולי –

OVERVIEW

The ברייתא taught that an אבר ובשר המדולדל (a dangling limb or flesh) from an animal are ממעט בחלון. The גמרא asked but perhaps he will cut off this המדולדל and throw it to the dogs (so it won't remain in the חלון)? The גמרא answered that since this (cutting it off) will cause the animal pain we assume that he will not do it. Therefore he is מבטל this אבר to the חלון and it is ממעט. Our תוספות clarifies this reasoning.

תוספות asks:

ואם תאמר כולה בהמה שקיל ושדי לכלבים¹ -

And if you will say; he will take the entire animal and throw it to the dogs (after he will kill it), so he is not מבטל the בהמה and the אבר to the חלון, so why is it ממעט?!

תוספות answers:

ויש לומר דמיירי בקוף וכל דדמי ליה דמנח התם לטיולי ביה² -

And one can say we are discussing a monkey or something similar to a monkey, which he placed there by the window for his pleasure (enjoyment) -

וניחא דנקט אבר ובשר ולא נקט בהמה גופה³ -

So now it is understood why the ברייתא mentioned a limb or flesh (that is dangling), **but did not mention an actual animal** -

דאי חזיא לטיולי שקיל לה לטיולי בה ואי לא חזיא⁴ שדי לה לכלבים:

For if it is usable for his enjoyment, he will remove it from the window to entertain himself with the animal, and if it is useless for enjoyment he will throw it to the dogs (since it has no other use).

SUMMARY

One would not be מבטל an unfit to eat (non-kosher) animal to the חלון; he will either use it for amusement (if possible) or throw it to the dogs; however he will be מבטל

¹ The גמרא already established that we are discussing a non-kosher skinny animal that he has no other use for, so he will certainly kill it (no צער בע"ח there) and give it to the dogs. In any event he is not מבטל the אבר to the חלון.

² Therefore he will certainly not kill it, and he will also not sever the המדולדל because of צער בע"ח. Here לטיולי בה does not mean he will take it for a walk, but rather entertain himself there next to the המדולדל אבר.

³ We established that the animal was tied (and cannot move) and that it was not fit to be eaten, so why discuss the המדולדל אבר, when we can discuss that he placed the animal in the window!

⁴ Therefore the ברייתא states that only the המדולדל אבר was actually in the window and the animal (monkey) was nearby, so he can still play with the animal (and will not throw it to the dogs), and will be מבטל the אבר to the חלון.

the אבר המדולדל of this animal to the חלון if the animal can entertain him.

THINKING IT OVER

The notion, that this ברייתא is discussing a monkey that he wishes to play with, seems a little far-fetched and the ברייתא certainly does not state this (explicitly). How did תוספות derive this?