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בַּבְּלִי

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מרכז הדף היומי

# תְּלִמוּד בְּבֵלִי

מִסְכַּת חוּלִין  
MASECHES CHULLIN

דף ב. - מב.



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## מִשְׁנָה — MISHNAH

הַבֵּל שׁוֹחֲטִין — Anyone can perform *shechitah* (slaughtering), וְשִׁחִיתָם בְּשֶׁרָה, — and their *shechitah* is valid, הַיּוֹן מְחֹרֵשׁ שׁוֹמֵט וְקָטָן — except for a deaf-mute, an insane person, and a minor; they may not perform

שָׁמָּה יִקְלְקְלוּ אֶת שִׁחִיתָם, — because they might ruin their *shechitah*. וְכֹלֵן שִׁשְׁחֲמוּ וְאַחֲרִים רוֹאִין אוֹתָן. — If any of them performed *shechitah* while others were watching them, שִׁחִיתָם בְּשֶׁרָה, — their *shechitah* is valid.

## גְּמָרָא — GEMARA

The Gemara asks: הַבֵּל שׁוֹחֲטִין לְבִתְחִילָה — The words “anyone can perform *shechitah*” imply that the people the Mishnah is including (which the Gemara will discuss later) may do it *l'chatchilah* (ideally); וְשִׁחִיתָם בְּשֶׁרָה דִּיעָבֵד — however, the following words, “and their *shechitah* is valid,” imply that it is valid *bedi'eved* (if performed), but ideally they should not perform *shechitah*!

The Gemara interjects: אָמַר לֵיהּ רַב אַחָא בְרִיה דְרַבָּא לְרַב — Rav Acha, the son of Rava, said to Rav Ashi: וְכָל הַבֵּל — וְכָל הַבֵּל — Does the term “anyone can” always imply that something is permitted *l'chatchilah*? Perhaps our Mishnah only means that if those people were to perform *shechitah*, it would be valid, not that it is permitted *l'chatchilah*! אֲלָא מַעֲתִיה — If the term “anyone can” implies that something is permitted *l'chatchilah*, then when the Mishnah states (*Temurah* 2a): הַבֵּל מְמַירִין — **Anyone can** perform *temurah* (the attempt to exchange an animal designated for a *korban* with another animal; this causes both animals to have *kedushah*), אֲחֵר הָאֲנָשִׁים וְאַחֵר הַנְּשִׂיִם — whether men or women, הַכִּי נִמְי דְלִבְתְּחִילָה הוּא — does it indeed mean that anyone can perform *temurah l'chatchilah*? וְהָא בְּתִיב — But it is written (*Vayikra* 27:10): וְלֹא יִמַּר אִתּוֹ — and one shall not substitute for it, מוֹב בְּרַע אִו רַע בְּמוֹב — a good animal with a bad animal, or a bad animal with a good animal.” Therefore, the term “anyone can” cannot imply that something is permitted *l'chatchilah*!

Rav Ashi rejects this: הָתָם — There, the Mishnah can use the term “anyone can” without implying that it is permitted *l'chatchilah*, בְּדַקְתֵּי מַעֲמָא — as the Mishnah then explicitly teaches: לֹא שְׁהֲאָרִים רְשָׁאֵי לְהַמִּיר — Not to say that a person is allowed to perform *temurah*; אֲלָא שָׂאם — rather, if one performed *temurah*, the *temurah* is effective, and both animals have *kedushah*, וְכֹסְפֵי אֶת הָאֲרַבְעִים — and the one who performed *temurah* receives forty lashes for performing *temurah*. However, our Mishnah, which does not clarify that the people included with the term “anyone” may not perform *shechitah l'chatchilah*, would seem to indicate that they may, even *l'chatchilah*.

Rav Acha further challenges the assumption that the term “anyone can” implies that something is permitted *l'chatchilah*: אֲלָא — But when the Mishnah teaches (*Arachin* 2a): הַבֵּל מְעִירֵבִין — **Anyone can** pledge the *erech* (a fixed monetary value that the Torah assesses for every person based on age and gender) of a person to the Beis Hamikdash, וְנִעְרְבִין — and anyone can have their *erech* pledged by someone, נִוְרְדִין — and anyone can pledge the market value of a person to the Beis Hamikdash, וְנִוְרְדִין — and anyone can have their market value pledged, הַכִּי נִמְי דְלִבְתְּחִילָה — does it indeed mean that anyone can pledge an *erech* or market value *l'chatchilah*? וְהָא בְּתִיב — But it is written (*Devarim* 23:23): וְכִי תַחְדֹּל לְגַדֵּר לֹא יִהְיֶה בְּךָ חֲטָא —





“When you stop pledging, you will not have a sin,” implying that one who pledges is sinning. וְכִתִּיב — And it is written elsewhere, after instructing that one must fulfill his pledges (*Koheles* 5:4): מוֹב אֲשֶׁר לֹא תָדַר מִשְׁתַּדֵּוּר וְלֹא תִשְׁלֹם — “It is better that you should not pledge than for you to pledge and not fulfill it,” וְתִנְיָא — and it was taught in a *Baraisa*: מוֹב מְזוּה וּמְזוּה שְׂאִינּוּ גוֹדֵר כֹּל עֵיקָר — This *pasuk* means that better than both one who pledges and fulfills and one who pledges and does not fulfill is one who does not pledge at all; דְּבַרֵי רַבֵּי מֵאִיר — this is the opinion of Rabbi Meir. מוֹב מְזוּה וּמְזוּה — Rabbi Yehudah says:

גוֹדֵר וּמְשַׁלֵּם — Better than both one who does not pledge and one who does not fulfill is one who pledges and fulfills; this *pasuk* only means that not pledging at all is better than pledging and not fulfilling one’s pledge. וְאִפִּילוּ רַבֵּי יְהוּדָה — And even Rabbi Yehudah, who says that pledging and fulfilling is better than not pledging at all, לֹא קָאָמַר אֱלָא בְּאִמְרַת תְּרִי וּזוֹ — only says so regarding one who pledges by saying, “This animal is hereby designated as a *korban*,” since there is less of a chance that he will not fulfill his pledge, as a specific animal designated does not have to be replaced if it dies or is stolen,





אָבֵל אִמֵּר הָרִי עָלַי — but if one pledges by saying, “It is upon me to bring an animal as a *korban*,” לֹא — Rabbi Yehudah would not say that pledging and fulfilling is better. Therefore, since all agree that it would be better not to pledge an *erech* or market value, the Mishnah that states that anyone can pledge an *erech* cannot mean that they may do so *l'chatchilah*, and in our Mishnah, as well, “anyone can perform *shechitah*” does not imply that they may do so *l'chatchilah*.

Rav Ashi accepted that the term “anyone can perform *shechitah*” does not necessarily imply that they may do so *l'chatchilah*, but proves that sometimes it does (and he will prove later that here it does): וְכֵן הִבֵּל לְאוֹ לְבִתְחִלָּה הוּא — Can it be that the term “*hakol*,” meaning “anyone can” or “everyone must,” does not mean that they may or must do it *l'chatchilah*? אֵלָּא — But when the *Baraisa* teaches (*Arachin* 3b): הַבֵּל חַיִּיבִים בְּמוֹכָה — **Everyone** is obligated in *sukkah*; הַבֵּל חַיִּיבִין בְּעִיצִית — **everyone** is obligated in *tzitzis*, הֲבֵי נִמְי דְּלֹא לְבִתְחִלָּה — does it not mean that they must perform those mitzvos *l'chatchilah*? If they are obligated, they must certainly perform those mitzvos *l'chatchilah*!

Rav Acha responded: When I say that the term “*hakol*” does not imply *l'chatchilah*, הַיִּיבִין לֹא קָאָמְיֵנָא — I am not saying this when the Mishnah also uses the term “obligated.” In such a case, it does imply that they must do *l'chatchilah*. I am only suggesting that when the Mishnah uses the term “anyone can,” it does not imply *l'chatchilah*.

Rav Ashi said to Rav Acha: אֵלָּא מַעֲתָה — If the term “anyone can” does not imply *l'chatchilah*, when the Mishnah states (*Arachin* 2a): הַבֵּל סוֹמְכִין — **Anyone can** perform *semichah* (leaning on a *korban* before *shechitah*), הֲבֵי נִמְי וְאֶחָד הָאֲנָשִׁים וְאֶחָד הַנְּשִׂימ — whether men or women, הֲבֵי נִמְי דְּלֹא לְבִתְחִלָּה — does it mean that they need not do it *l'chatchilah*? וְהָא בְּתִיב — But it is written (*Vayikra* 1:4): וְסָמַךְ יָדוֹ וְנִרְצָה — “He shall lean his hand [on the *Olah*’s head], and it will be accepted.” Therefore, the term “anyone can” in that Mishnah certainly means that they must do it *l'chatchilah*!

Rav Acha responded: אֵין — Yes, אֵיכָּא הַבֵּל לְבִתְחִלָּה — there are cases where the term “anyone can” means one may do something *l'chatchilah*, וְאֵיכָּא הַבֵּל דִּיעֲבֵד — and there are cases where it means one may only do it *bedi'aved*. אֵלָּא הַבֵּל דְּהָכָא — But here in our Mishnah, הוּא מְפָא דְּלְבִתְחִלָּה הוּא — why do you assume that it means that the people included may perform *shechitah l'chatchilah*, דְּתִקְשִׁי לָךְ — so that you have difficulty with the next words of our Mishnah, “and their *shechitah* is

valid,” which imply that it is only valid *bedi'aved*? דְּלִמָּא — Perhaps the term “anyone can perform *shechitah*” only means *bedi'aved*, וְלֹא תִקְשִׁי לָךְ — and then you will not have difficulty with the next words of our Mishnah, which also indicate that their *shechitah* is only valid *bedi'aved*!

Rav Ashi clarifies his original question: אִמֵּר לִיה — Rav Ashi said to Rav Acha: אֵנָּא שְׁחִיטָתָן בְּשֶׁרָה קָשְׁיָא לִי — What is difficult to me is the term “their *shechitah* is valid”: מִדְּקָתְנִי שְׁחִיטָתָן בְּשֶׁרָה דִּיעֲבֵד — Since our Mishnah teaches that “their *shechitah* is valid,” which implies that it is only valid *bedi'aved*, מִכְּלָל דְּהַבֵּל לְבִתְחִלָּה הוּא — this implies that the term “anyone can perform *shechitah*” means they may do it *l'chatchilah*, דָּא דִּיעֲבֵד — because if it also means *bedi'aved*, לִי תִרְתִּי דִּיעֲבֵד לָמָּה לִי — why would I need our Mishnah to teach twice that anyone can perform *shechitah bedi'aved*? Therefore, the first words of our Mishnah must mean that anyone may perform *shechitah l'chatchilah*, which contradicts the next words of our Mishnah, which imply that their *shechitah* is only valid *bedi'aved*.

The Gemara brings six answers to this question, all explaining that the Mishnah refers to two cases, one permitted *l'chatchilah* and one *bedi'aved*. The first answer: הֲבֵי קָתְנִי — Rabbah bar Ulla said: אִמֵּר רַבָּה בַר עוּלָא — This is what our Mishnah means to teach: הַבֵּל שׁוֹחֲטִין — Anyone may perform *shechitah*, even *l'chatchilah*, וְאִפִּילוּ טָמֵא בְּחֻלִּין — even a *tamei* person slaughtering *chullin* (non-*kodashim*).

The Gemara interjects: טָמֵא בְּחֻלִּין מֵאִי לְמִימְרָא — Why is it necessary for our Mishnah to say that one who is *tamei* may perform *shechitah*? Obviously, he may slaughter *chullin*, since *chullin* need not be *tahor* to be eaten! The Gemara answers: בְּחֻלִּין שְׁנַעְשׂוּ עַל טְהָרַת הַקֹּדֶשׁ — Our Mishnah is discussing a case of *chullin al taharas hakodesh* (one who wishes to practice the laws of *taharah* of *kodashim* may accept on himself to eat *chullin* with the stringencies of *kodashim*; such *chullin* is considered *mid'Rabbanan* to be like *kodashim*), וְקָבֵר — and the *tanna* of our Mishnah holds: שְׁנַעְשׂוּ עַל טְהָרַת הַקֹּדֶשׁ — *Chullin al taharas hakodesh* are considered *mid'Rabbanan* to be like *kodashim*, and one should not make them *tamei*. The Mishnah teaches that a *tamei* person may still slaughter such *chullin*, even *l'chatchilah*. הוּלִין שְׁנַעְשׂוּ עַל טְהָרַת הַקֹּדֶשׁ — How can a *tamei* person perform *shechitah* without making the meat *tamei*? מְבִיא סָבִין אֲרוּבָה — He brings a long knife and slaughters with it from a distance, כְּרִי שְׁלֹא יַעַבְבְּשֵׁר — so that he will not touch the meat, and it will remain *tahor*.



Rabbah bar Ulla now explains what the Mishnah's second halachah, that their *shechitah* is valid *bedi'aved*, refers to: **וּבְמוֹקְדָשִׁים לֹא יִשְׁחוט** — The *Chachamim* decreed that a *tamei* person should not slaughter *kodashim*, even with a long knife, **שָׁמָּא יִנַּע בְּכַפֵּר** — because he might touch the meat and make the *kodashim tamei*, which is forbidden *mid'Oraisa*. **וְאִם שָׁחַט** — However, if a *tamei* person slaughtered *kodashim*, **וְאִזְמַר בְּרִי לִי שְׁלֹא נִגַּעְתִּי** — and says, “I am certain that I did not touch the meat,” **שְׁחִיטתוֹ קָשְׁרָה** — the *shechitah* is valid *bedi'aved*.

Rabbah bar Ulla explains the next halachah of our Mishnah: **חַיִּין מַחְרֵשׁ שׁוֹטֵה וְקֵמֵן** — Except for a deaf-mute, an insane person, and a minor, **דְּאִפִּילוּ בְּחוּלִין גְּרִידִי** — where the halachah is that even for ordinary *chullin*, **לֹא דִיעֵבֵר נְמִי לָא** — their *shechitah* is not valid even *bedi'aved*, because they might do an action that invalidates the *shechitah*: **שָׁמָּא יִשְׁחַט** — They may have paused in the middle of the cut; **שָׁמָּא יִדְרְכוּ** — they may have cut with downward pressure, rather than with a back-and-forth motion; **וְשָׁמָּא יִחְלִידוּ** — and they may have cut while the top of the knife's blade is covered, for instance, by the fur or feathers of the animal.

The Gemara asks: **וּבְיֹלָן שֶׁשָּׁחַטוּ אַהֲרִיא** — Which case is the statement of our Mishnah, “If any of them performed *shechitah* while others were watching them, their *shechitah* is valid,” discussing? **אִילִימָא אַחְרֵשׁ שׁוֹטֵה וְקֵמֵן?** — If you say that it is only discussing a deaf-mute, an insane person, or a minor, that would be difficult, **עֲלָה קָאֵי** — as our Mishnah just discussed those people, **וְאִם שָׁחַטוּ מִיִּבְעֵי לֵיהּ** — and it should have stated, “If **they** performed *shechitah*.” Why does it state, “If **any of them** performed *shechitah*”?

**אֶלָּא אִטְמָא בְּחוּלִין קָאֵי** — Rather, is it discussing a *tamei* person who slaughtered *chullin al taharas hakodesh*? **אִתְמָא לְבַתְחֵלָה נְמִי שְׁחִיט** — But you said that our Mishnah had taught that a *tamei* person may slaughter *chullin al taharas hakodesh* even *l'chatchilah*, and even without anyone watching!

**וְאִלָּא אִטְמָא בְּמוֹקְדָשִׁים** — Rather, is it discussing a *tamei* person who slaughtered *kodashim*, and teaching that his *shechitah* is valid *bedi'aved* if others were watching? **בְּרִי לִי סָגִי** — But it is sufficient for him to say, “I am certain that I did not touch the meat,” to consider his *shechitah* valid! Why should he need someone else watching? The Gemara answers: **דְּלִיתִיהּ קָמֵן דְּנִשְׁוִילֵיהּ** — It is discussing a case where the *tamei* person is no longer in front of us to ask him if he touched the meat. Our Mishnah teaches that

nonetheless, if others watched his *shechitah* and saw that he did not touch the meat, his *shechitah* is valid.



The Gemara asks: **הָאֵי טָמֵא בְּמוֹקְדָשִׁים מִהֵבֵא נִפְקָא** — Is this halachah, that a *tamei* person's *shechitah* is valid *bedi'aved*, indeed learned from our Mishnah? **מִהֵבֵא נִפְקָא** — But it is already learned from a Mishnah elsewhere (*Zevachim* 31b): **כָּל הַפְּסוּלִין שֶׁשָּׁחַטוּ** — If any people who are invalid to perform *avodah* performed the *shechitah* of a *korban*, **שְׁחִיטתָּן בְּשֶׁרָה** — their *shechitah* is valid, **שֶׁהִשְׁחִיטָה** — because *shechitah* of *kodashim* is valid if performed by non-kohanim, women, slaves, and *tamei* people, **וְאִפִּילוּ בְּקִרְשֵׁי קְרָשִׁים** — even for *kodashei kodashim* (*kodashim* with a greater degree of *kedushah*), **וּבְלִבְרָ שְׁלֹא יִהְיוּ טָמְאִין נוֹגְעִין בְּכַפֵּר** — as long as the *tamei* people do not touch the actual meat, which would make the *korban tamei*. Why would our Mishnah teach that a *tamei* person's *shechitah* of *kodashim* is valid if that halachah was already taught elsewhere?

The Gemara answers: **הֵבֵא עֵינָךְ** — Our Mishnah is the main source of this halachah, since this entire *perek* discusses the halachos of *shechitah*. **הֵתֵם** — There, in *Zevachim*, **אִיִּדִי דְתִנָּא שְׁאָר פְּסוּלִין** — since the Mishnah lists other people who are invalid for *avodah*, **תִּנָּא נְמִי טָמֵא** — the Mishnah also included the halachah of a *tamei* person slaughtering *kodashim*.

**וְאִיבְעִית אִימָא** — And if you want, say another answer: **הֵתֵם עֵינָךְ** — That Mishnah in *Zevachim* is the main source of this halachah, **דְּבִקְרָשִׁים קָאֵי** — since that *masechta* discusses the halachos of *kodashim*. **הֵבֵא** — Here, in our Mishnah, **אִיִּדִי דְתִנָּא טָמֵא בְּחוּלִין** — since our Mishnah teaches the halachah of a *tamei* person slaughtering *chullin al taharas hakodesh*, **תִּנָּא נְמִי טָמֵא בְּמוֹקְדָשִׁים** — it also teaches the halachah of a *tamei* person slaughtering *kodashim*.



The Gemara asks: **הָאֵי טָמֵא** — As for this *tamei* person whom our Mishnah discusses, **דְּאִיִּטְמָא בְּמָא** — how did he become *tamei*? **אִילִימָא דְאִיִּטְמָא בְּמָת** — If you say that he became *tamei* by touching a dead body, that would be difficult, **בְּחֵלֶל חֶרֶב אָמַר רַחֲמֵנָא** — as the Torah states (*Bamidbar* 19:16): “Anyone who comes into contact with... a person killed by a sword,” which teaches:

הַרְבֵּה הָרַי הוּא בְּהֶלֶל — Regarding *tumas meis* (*tumah* from a corpse), a sword (or any metal *kli*) receives the same level of *tumah* as the source. Therefore, if the *tamei* person in our Mishnah became *tamei* through touching a dead body, אַב הַמְּוֹמָאָה הוּא לְמַטְוִיָּה לְכַבֵּן — he is an *av hatumah* (a primary source of *tumah*), which would give the knife he uses that same status, וְאִיִּל סַבִּין וְמַטְוִיָּה לְכַבֵּר — and the knife would make the meat *tamei*.

The Gemara answers: אֵלָּא דְאִיטְמִי בְּשֶׁרֶץ — Rather, the person became *tamei* through touching a *sheretz*, and he has a weak level of *tumah* that does not transfer to the knife, and it will not make the meat *tamei*.

Another answer: וְאִי בְעֵית אִיטְמָא — And if you want, say: לְעוֹלָם דְאִיטְמִי בְּמַת — Really, the person became *tamei* by touching a dead body, וְכַגּוֹן שְׂבָרַק קְרוּמִית שֶׁל קִנְיָה וְשָׁחַט בָּהּ — and the case is that he checked the stalk of a reed to ensure that it was perfectly smooth, and performed *shechitah* with it. Such a stalk is a flat wooden utensil, which cannot become *tamei*. *Shechitah* with such a stalk is valid, דְתִנְיָא — as was taught in a *Baraisa*: כָּבֵל שׁוֹחֲטִים — One may perform *shechitah* with any sort of utensil, בֵּין בָּצוּר — whether a stone, בֵּין בְּזוֹכֵבִית — or a shard of glass, בֵּין בְּקְרוּמִית שֶׁל קִנְיָה — or a stalk of a reed.

♦

A second answer to explain the two cases in the Mishnah: אַבְיָי אָמַר — Abaye says: הֵכִי קִתְנִי — This is what our Mishnah teaches: The first halachah: הַכֵּל שׁוֹחֲטִין — Anyone may perform *shechitah l'chatchilah*, וְאִיִּלֵּי פוֹרְטִי — even a *Kusi* (a member of a tribe that converted to Judaism, but are known not to be careful with all halachos). The *Kusim* were known to eat only meat with a proper *shechitah*; therefore, a *Kusi* knows how to do *shechitah* properly.

The second case: The halachah that their *shechitah* is valid (*bedi'eved*) applies when a Jew is not supervising the *Kusi* constantly, as follows: כַּמְּה דְבָרִים אָמֹרִים — When can a *Kusi* perform *shechitah l'chatchilah*? עוֹמֵר עַל גַּבְיֵי — When a Jew is supervising him; וְנִבְנָם — however, if the Jew is coming and going, לֹא יִשְׁחוּט — the *Kusi* may not perform *shechitah*, since the *Kusim* were only careful to eat kosher meat themselves, but they would feed non-kosher meat to others. Therefore, if the *Kusi* is unsupervised, he is suspected of not performing the *shechitah* properly. וְאִם שָׁחַט — However, if he performed *shechitah* unsupervised, *bedi'eved*, לוֹ חוֹתֵךְ בְּיַד פֶּשֶׁר וְנִוְתָן לוֹ —

one can cut a *kezayis* (olive-sized piece) of meat and give it to him. אֲכָלוֹ — If he eats it, מוֹתֵר לְאָכּוֹל מִשְׁחִיטָתוֹ — it is permitted to eat from that *shechitah*, since the *Kusi* would not eat the meat unless he had slaughtered it properly. לֹא — But if the *Kusi* does not eat the meat, אֲכָלוֹ — it is forbidden to eat from that *shechitah*.

Abaye explains the next halachah of our Mishnah: הוּיִן קִטְוִן מַחְרֵשׁ שׁוֹמֵה וְקִטְוִן — Except for a deaf-mute, an insane person, and a minor, לֹא — whose *shechitah* is not valid even *bedi'eved*, וְשָׂמָא יִשְׁהוּ — because they may have paused in the middle of the cut, וְשָׂמָא יִדְרֹכוּ — or they may have cut with downward pressure, וְשָׂמָא יַחְלִידוּ — or they may have cut while the top of the blade was covered.

The Gemara asks: וּבִלְוֵי שְׁשֻׁחְטֵי אַהֲרָיָא — Which case is the statement of our Mishnah, “If any of them performed *shechitah* while others were watching them, their *shechitah* is valid,” referring to, according to Abaye’s explanation? אִילִימָא אַחְרֵשׁ שׁוֹמֵה וְקִטְוִן — If you say that it is discussing **only** a deaf-mute, an insane person, or a minor, that would be difficult, עָלָה קָאֵי — as our Mishnah had just been discussing those people, וְאִם שְׁחֲטוּ מִבְּעֵי לֵיהּ — and it should have stated, “If **they** performed *shechitah*.” Why does it state, “If **any of them** performed *shechitah*”?

אֵלָּא אַבְוִי — Rather, is it also discussing a *Kusi* who performed *shechitah*? הָא אִמְרַת בְּשִׁישְׂרָאֵל עוֹמֵר עַל גַּבְיֵי — But you said that if a Jew is supervising, לְבַתְחִלָּה — he may perform *shechitah* even *l'chatchilah*! The Gemara concludes: קִשְׂיָא — It is indeed difficult to explain this statement according to Abaye’s explanation.

♦

Rava disagrees with Abaye’s ruling: אָמַר רַבָּא — Rava said: וְיִוְצָא וְנִבְנָם לְבַתְחִלָּה לֹא — Is it true that when a Jew is coming and going, a *Kusi* may not perform *shechitah l'chatchilah*? וְהָתֵנּוּ — But we learned otherwise in a Mishnah (*Avodah Zarah* 69a): הַמְּנִיחַ נְכָרִי בַחֲנוּתוֹ — If one left a non-Jew in his store that has wine in it, וְיִשְׂרָאֵל יוֹצֵא — **and a Jew is coming and going**, מוֹתֵר — the wine is **permitted**, because we assume that the non-Jew would not touch the wine (thereby making it forbidden), since he is afraid of being caught. Similarly, a *Kusi* would be afraid to purposely ruin the *shechitah*.

The Gemara answers: הֵתֵם מִי קִתְנִי מִנִּיהּ — The Mishnah there did not teach: One **may leave** a non-Jew in his store if a Jew is coming and going *l'chatchilah*. Rather, הַמְּנִיחַ קִתְנִי —





— the Mishnah taught: “One **who left** a non-Jew...” which implies, **דיעבר** — that the wine is only permitted *bedi’eved*. Similarly, one may not allow a *Kusi* to perform *shechitah l’chatchilah* if a Jew is coming and going.

Rava brings another proof that a Jew coming and going would permit a *Kusi* to perform *shechitah l’chatchilah*: **אלא מהקבא** — Rather, we can bring a proof from this Mishnah (*Avodah Zarah* 61a): **אין השומר צריך**: **להיות יושב ומשמר** — One who is guarding wine to ensure that a non-Jew does not touch it, **does not need** to be sitting and watching the wine the entire time; **אלא** — rather, **מה על פי שיוצא ונכנס** — even though he is coming and going, **מוותר** — the wine is permitted. This implies that one may rely on a Jew coming and going even *l’chatchilah*, and the same would apply to allowing a *Kusi* to perform *shechitah*.

As a result, Rava offers a third explanation of the Mishnah’s two cases, refining Abaye’s answer: **אלא אמר רבא** — Rather, Rava said: **הכי קתני** — This is what our Mishnah teaches: **הכל שוחטין** — Anyone may perform *shechitah l’chatchilah*, **ואפילו כותי** — even a *Kusi*. **במה דברים אמורים** — When does this apply? **בששיראל יוצא ונכנס** — When a Jew is coming and going, since the *Kusi* will be afraid to ruin the *shechitah*, because the Jew might see him. **אכל קא ומצאו** — However, if one comes and finds that the *Kusi* had performed *shechitah* without any supervision, **חותר לו** — he can cut a *kezayis* from the meat and give it to the *Kusi*; **אכלו** — if he eats it, **מוותר לאכול משחיטתו** — it is permitted to eat from that *shechitah*, since the *Kusi* would not eat from the meat unless he had slaughtered it properly. This is what the next statement of our Mishnah, that their *shechitah* is valid *bedi’eved*, was referring to. **לא** — However, if the *Kusi* does not eat the meat, **אסור לאכול משחיטתו** — it is forbidden to eat from that *shechitah*.

Rava explains the next halachah of our Mishnah: **חזין** — Except for a deaf-mute, insane person, and a minor, **דיאפילו דיעבר נמי לא** — where the *shechitah* is

not valid even *bedi’eved*, **ישמא ירחבו** — because they may have paused in the middle of the cut, **ישמא יחלידו** — or they may have cut with downward pressure, **ישמא יחלידו** — or they may have cut while the top of the blade was covered.

The Gemara asks: **ובולין ששחטו אחריה** — Which case is the statement of our Mishnah, “If any of them performed *shechitah* while others were watching them, their *shechitah* is valid,” referring to, according to Rava’s explanation? **אלימא אחרש שומה וקטן** — If you say that it is discussing **only** a deaf-mute, an insane person, or a minor, that would be difficult, **קאי** — as our Mishnah had just discussed those people, **ואם שחטו מכעי ליה** — and it should have stated, “If they performed *shechitah*.” Why does it state, “If any of them performed *shechitah*”?

**אלא אכתי** — Rather, is it also discussing a *Kusi* who performed *shechitah*? **הא אמרת אפילו יוצא ונכנס** — But you said that even if a Jew is merely coming and going, even if he was not watching, **שחית אפילו לכתחלה** — the *Kusi* may perform *shechitah l’chatchilah*! The Gemara concludes: **קשיא** — It is indeed difficult to explain this statement according to Rava’s explanation.

♦

A fourth explanation of the two cases of the Mishnah: **רב אשי אמר** — Rav Ashi says: **הכי קתני** — This is what our Mishnah teaches: **הכל שוחטין** — Anyone may perform *shechitah l’chatchilah*, **ואפילו ישראל מומר** — even a Jew who is a *mumar* (someone who regularly transgresses a particular *aveirah* intentionally). The Gemara asks: **מומר למאי** — A *mumar* for which *aveirah* are we referring to? The Gemara answers: **לאכול נבילות לתיאבון** — One who eats *neveilos* for pleasure; that is, if he cannot find a properly slaughtered animal, he will eat a *neveilah*. **וכברקא** — This halachah, that he may perform *shechitah*, follows Rava’s statement, **דאמר רבא** — as Rava said: **ישיראל מומר אוכל נבילות לתיאבון** — If a Jew is a *mumar* to eat *neveilos* for pleasure,



and therefore a *pasul korban*! וְיֵל בְּתֵר רֹבֵא — Rather, it must be because we follow the majority of animals that are not *tereifos*.

The Gemara rejects a potential response: וְכִי תִימָא דְמַתְתָּא פְּסִיק לָהּ — And if you will say that he cuts off the tail below the spine, allowing him to inspect the spine while leaving the tail intact, it can be asked: לְעֵמֶת הָעֵצָה אָמַר — The *pasuk* states (*Vayikra* 3:9) that the tail must be removed “opposite the backbone (עֵצָה),” meaning between the kidneys, which provide counsel (יועצות). This is above the end of the spinal cord. Therefore, one cannot check that part for *tereifos*, and must instead rely on the majority.

The Gemara rejects the proof: מַמַּאי — How do we know this is the reason? דְּלִמָּא דְּפִתַּח לָהּ וּבְרִיק לָהּ — Perhaps he splits the tail open and checks it? וְאִי מְשֻׁם תְּמִימָה — Even though it must be complete, הֲנִי מִיְלֵי הִיבָא דְחִתְבַּת לְנַמְרִי — this only means it cannot be severed completely, אֲכָל — but when it remains connected, it is kosher. Therefore, it can be verified that the *korban* is not a *tereifah*, and one need not rely on the majority.

The Gemara gives another source: רַב שֶׁשֶׁת בְּרִיה דְּרַב אִדִּי — Rav Sheishes, the son of Rav Idi, says: אֲתֵינָא מִעֵנְלָה — It is learned from the *eglah arufah* (the calf whose neck is broken to atone for an unknown murder), דְּאָמַר — as the Torah states (*Devarim* 21:6): הָעֲרוּפָה כְּשֶׁהִיא — “The *arufah*”; this teaches that it must remain complete, as it was at the time its neck was broken. The Gemara explains the proof: וְלִיְחֹשׁ דְּלִמָּא מְרַפָּה הִיא — Since it may not be cut open, we should be concerned that perhaps it is a *tereifah*! אֲלֵא לָאוּ מְשֻׁם דְּאִמְרִינֵן וְיֵל בְּתֵר רֹבֵא — Rather, it must be because we follow the majority of animals that are not *tereifos*.

The Gemara rejects a potential response: וְכִי תִימָא מַאי נְפָקָא מִיְנָה — And if you will say that it does not make a

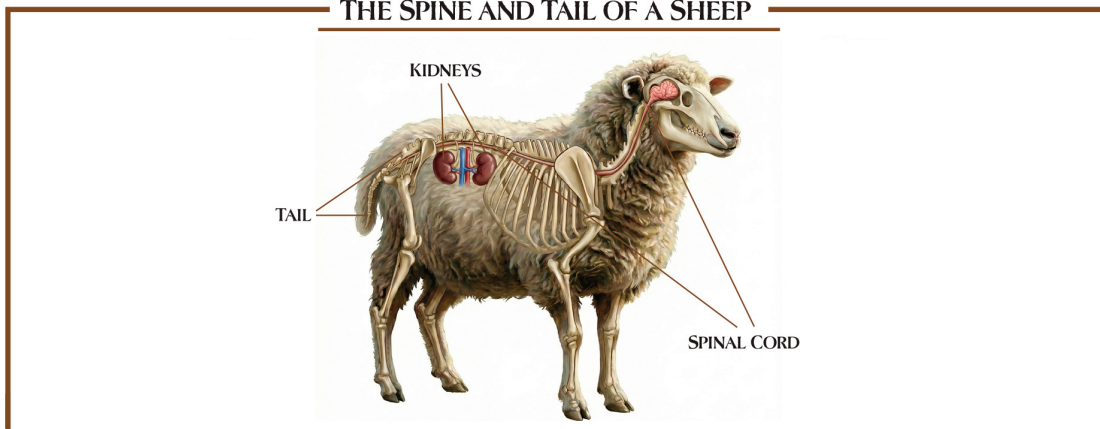
difference if it is a *tereifah*, this can be refuted: הָא אִמְרֵי דְבֵי — They said in the yeshivah of Rabbi Yannai: כְּפָרָה — The term “atonement” is written regarding *eglah arufah*, as it is regarding *korbanos*, which teaches that an *eglah arufah* may not be a *tereifah*, just as *korbanos* may not.

The Gemara gives another source: רַבָּה בַר רַב שֵׁילָא אָמַר — Rabbah bar Rav Sheila says: אֲתֵינָא מִפְּרָה אֲדוּמָה — It is learned from the *parah adumah*, — as the Torah states (*Bamidbar* 19:3): וְשָׂחַט וְשָׂרַף — “And he shall perform *shechitah*... and he shall burn.” This connects the *shechitah* to the burning: מַה שְּׁחִיטָתָהּ כְּשֶׁהִיא שְׂלֵמָה אִף שְׂרִיפָתָהּ — Just as the *shechitah* must be performed when the animal is complete, so must the burning be performed when it is complete; it may not be cut into pieces. The Gemara explains the proof: וְלִיְחֹשׁ דְּלִמָּא מְרַפָּה הִיא — Since it may not be cut open, we should be concerned that perhaps it is a *tereifah*! אֲלֵא לָאוּ מְשֻׁם דְּאִמְרִינֵן וְיֵל בְּתֵר רֹבֵא — Rather, it must be because we follow the majority of animals that are not *tereifos*.

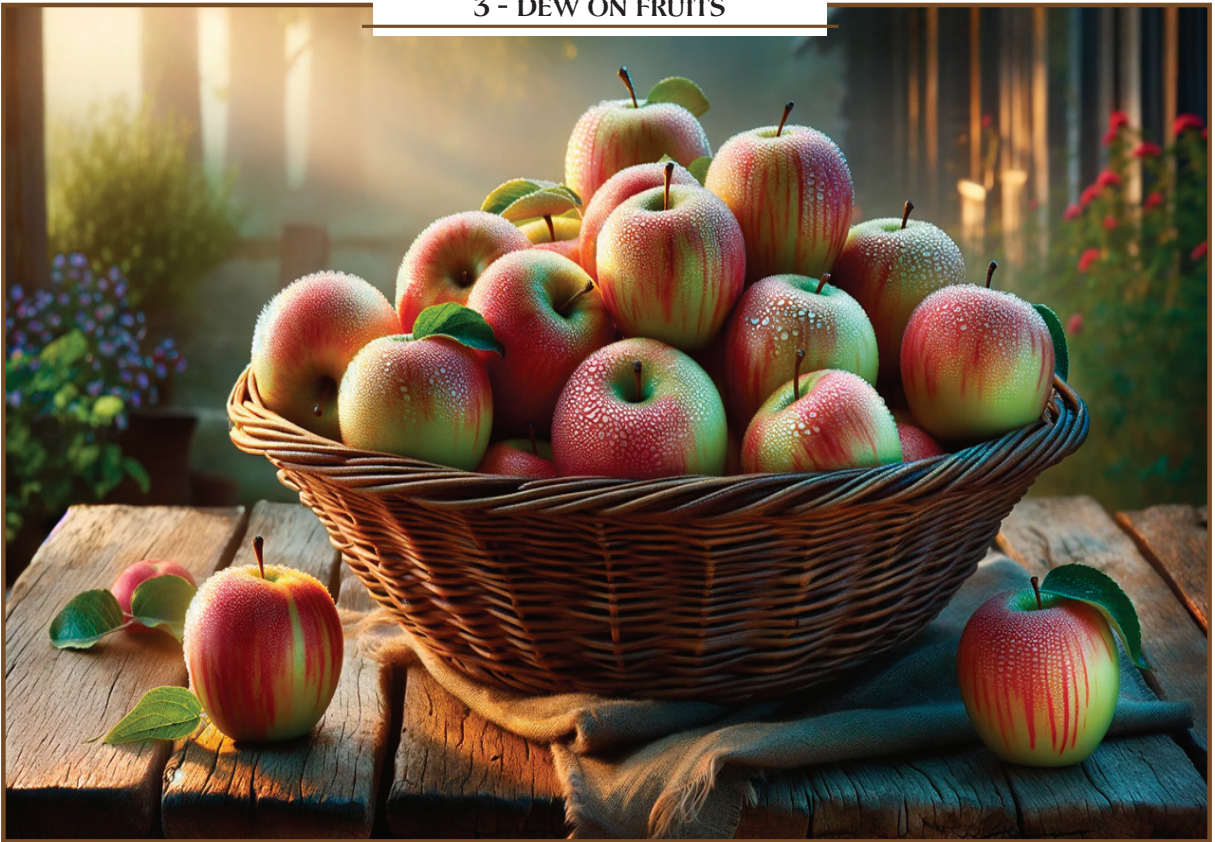
A potential response: וְכִי תִימָא מַאי נְפָקָא מִיְנָה — And if you will say: It does not make a difference if it is a *tereifah*, this can be refuted: תְּמַאֲת קְרִייה רְחֻמְנָא — The Torah calls the *parah adumah* a *Chatas*, which teaches that it may not be a *tereifah*, just as a *Chatas* may not be.

The Gemara gives another source: רַב אַחָא בַר יַעֲקֹב אָמַר — Rav Acha bar Yaakov says: אֲתֵינָא מִשְׁעִיר הַמִּשְׁתַּלַּח — It is learned from the *Sa'ir Hamishtalei'ach* (the goat pushed off a cliff on Yom Kippur), דְּרַחֲמֵנָא אָמַר — as the Torah states (*Vayikra* 16:7): וְלָקַח אֶת שְׁנֵי הַשְּׂעִירִים — “And he shall take the two goats,” the one brought as a *korban* and the one sent to the cliff; שְׂיָהוּ שְׂנִיָּהֶם שְׂוִים — the grouping of the two goats together teaches that they must be similar to each other. The Gemara explains the proof: וְלִיְחֹשׁ

### THE SPINE AND TAIL OF A SHEEP



3 - DEW ON FRUITS



4 - LOAVES OF A KORBAN TODAH

