

## OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah states that generally anyone may slaughter except for a deaf-mute, insane person and a minor but if an adult watched them slaughter correctly the slaughtering is valid.

### 2) Clarifying the Mishnah

A contradiction in the Mishnah is noted whether anyone may slaughter *לכתחילה* or only *בדיעבד*.

R' Acha the son of Rava challenges the assertion that the term *הכל* indicates *לכתחילה* from a Mishnah.

R' Ashi answers this challenge.

R' Acha the son of Rava cites another Mishnah that clearly indicates that the term *הכל* indicates *לכתחילה*.

R' Ashi and R' Acha proceed to discuss whether the word *הכל* always indicates *לכתחילה* or not.

Rabbah bar Ulla suggests a reading of the Mishnah to resolve the apparent contradiction.

This explanation is unsuccessfully challenged.

The Gemara begins to explore the origin of the tum'ah of the person that the Mishnah addresses according to this explanation. ■

## REVIEW and Remember

1. Is a minor permitted to slaughter an animal?  
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2. What contradiction in the Mishnah is noted by the Gemara?  
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3. How do we know that the term *הכל* in our Mishnah indicates *לכתחילה*?  
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4. Why is it necessary for our Mishnah and a Mishnah in Zevachim to indicate the same halacha?  
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 By Rabbi and Mrs. Makhloof Suissa  
 In loving memory of their father  
 ר' יעיש בן ר' דוד, ע"ה

## Distinctive INSIGHT

*Shechita done by a deaf-mute, an imbecile or a minor*  
 'חוף מחרש שוטה וקטן וכו'

The Mishnah teaches that if a deaf-mute, an imbecile or a minor performs shechita without being supervised, the shechita is not valid. This is even if the knife which was used was inspected before it was used. Rashba and others write that this halacha also applies if the minor is experienced and well-trained in performing shechita. Still, any shechita which is not supervised is deemed not kosher, because it is not unusual for a serious issue to occur, and we must consider that any procedure might have been flawed. Normally, the one doing the shechita can communicate and deal with the issue, but these individuals are not reliable to inform us of a problem that surfaces. Nimukei Yosef adds that even if the minor or one of the others tells us that the shechita went smoothly, they have no credibility, and we cannot rely upon their statement.

The Gemara detects that the wording of the Mishnah is peculiar. The reason given why a minor should not perform shechita is that he might not perform the procedure properly. This precautionary expression, that *he might not* do the job properly, implies that although we do not allow a minor to do shechita, if he has already done it, his act may be acceptable if we have no further reason to feel that it is ruined. Accordingly, Rava learns from the wording of the Mishnah that we do not give an animal to a child for shechita, even for non-sacred use (*חולין*), even with an adult supervising his work.

Yet, the Rishonim (Tosafos HaRosh, Ramban, et al.) note that the subsequent statement of the Mishnah states this explicitly. There we find that if a minor performs shechita with supervision, the shechita is acceptable after the fact, but that a child should not be entrusted to do shechita *לכתחילה*.

Rashba and Ra"n (et al.) explain that this style of teaching a halacha of extremes is common in Mishnayos. The opening statement here is that shechita done by a child while unsupervised is disqualified, even after the fact. The concluding ruling of the Mishnah is that even with supervision, we do not give an animal to a child to do shechita. Therefore, the comment of

# HALACHAH Highlight

## Women fulfilling the mitzvah of tzitzis

הכל חייבין בציצית

Everyone is obligated in tzitzis

The Gemara cites a Baraisa in Arachin (3b) that states that everyone is obligated in the Mitzvah of tzitzis. Whether or not women are included in the mitzvah of tzitzis is a point of confusion. The Mishnah in Kiddushin (29a) states that women are exempt from positive time-bound mitzvos. The Gemara offers examples of positive time-bound mitzvos from which women are exempt and included amongst the examples is tzitzis. On the other hand, in Menachos (43a) the Baraisa declares that all are commanded about tzitzis and when the Baraisa enumerates the people obligated in the Mitzvah it includes women as part of that list. R' Shimon, however, disagrees and exempts women from tzitzis, consistent with the Mishnah in Kiddushin, giving the reason that it is a positive time-bound mitzvah. The reason that it is considered a positive time-bound mitzvah is that the pasuk says וראיתם אותו – and you shall see them which teaches that tzitzis is a mitzvah that is performed while it is day when one could see the tzitzis and the mitzvah does not apply at night when one cannot see the tzitzis.

Rambam<sup>1</sup> rules that women are exempt from the mitz-

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Rava, which we learned was determined from an inference from the opening words of the Mishnah, is that although the shechita of a minor is acceptable if done while he is supervised, we still do not give him an animal for shechita לכתחילה. ■

vah of tzitzis. Ran<sup>2</sup>, however, notes that according to some texts the Baraisa in the Gemara Kiddushin does not list tzitzis as an example of a positive time-bound mitzvah. The Tanna, following the Baraisa in Arachin, holds that the mitzvah of tzitzis applies even at night. Shulchan Aruch<sup>3</sup> rules in accordance with Rambam that women are exempt from tzitzis because it is a positive time-bound mitzvah. Rema<sup>4</sup> adds that a woman who wears tzitzis appears haughty; therefore a woman should not wear tzitzis. Mishnah Berurah<sup>5</sup> explains that although women voluntarily fulfill other positive time-bound mitzvos, the mitzvah of tzitzis is unique in that even men are not obligated to purchase a four-cornered garment in order to be able to fulfill the mitzvah. Therefore, a woman who voluntarily fulfills a mitzvah that men are not obligated to fulfill appears haughty. ■

1. רמב"ם פ"ג מהלי ציצית ה"ט.
2. ר"ן לקידושין י"ד: בדפי הרמ"ף ד"ה איזו.
3. שו"ע או"ח סי' י"ז סעי' ב'.
4. רמ"א שם.
5. מ"ב שם סק"ה. ■

# STORIES Off the Daf

"Except for..."

הכל שוחטין ושחיתתן כשירה חוץ מחרש שוטה

It is well known that the laws of Yoreh Dei'ah, especially those of shechitah, are very complex. The Pri Megadim, zt"l, wished to write a comprehensive explanation of the first part of Yoreh Dei'ah, and to ensure that he had the right understanding of the subject, he spent twenty years delving into maseches Chulin. Only afterward did he begin to write his essential commentary on the Shach and Taz in the first volume of Yoreh Dei'ah.

But some people lack this understanding and believe that these halachos are exceedingly easy. They breeze through them quickly and expect to receive semichah from the greatest halachic authorities. One such simpleton went to the famously sharp Rav Aizel Charif, zt"l, to be certified as a shochet. After a short time it was clear to Rav Aizel that the young man did not really understand the halachos. He had perhaps learned them through on a superficial level but had apparently felt that they would remain anchored in his mind with hardly any review.

Rav Aizel wanted to send him a message that he was not nearly ready for kabbalah. The gaon said, "I am

afraid that it is impossible to give you kabbalah. You see, I am worried about shechutei chutz..."

Despite the rav's well-earned reputation for acerbity, the young man could not leave well enough alone. Rather than retreating, he foolishly asked what exactly Rav Aizel meant by this. "How could I transgress shechutei chutz when today there is no Beis HaMikdash?"

Rav Aizel Charif retorted, "I am referring to the chutz in the first mishnah in Chulin: 'All may slaughter and their slaughter is kosher חוץ—expect for—a deaf mute, a lunatic and a minor...'"<sup>1</sup> ■

1. מאורה של תורה, פרשת ראה. ■