

## OVERVIEW of the Daf

### 1) Slaughtering for someone ill on Shabbos (cont.)

The Gemara finishes explaining the section that was unclear and then relates why R' Yosi disagrees with that position.

Ravina explains why Rabanan's opinion could also be refuted.

The Gemara explains the final clause of the Beraisa.

2) **MISHNAH:** There is a dispute whether the mitzvah of covering the blood applies to a slaughter that does not render the animal permitted for consumption.

### 3) Clarifying Rabbi's position

R' Chiya bar Abba in the name of R' Yochanan elaborates on Rabbi's position in the formulation of the Mishnayos here as well as concerning the prohibition of "it and its offspring."

The two opinions as to whether a slaughter that is unfit is considered a slaughter regarding the prohibition of "it and its offspring" are explained.

The exchange between the two opinions is recorded.

The two opinions as to whether a slaughter that is unfit is considered a slaughter regarding the mitzvah of covering the blood are explained.

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R' Abba teaches that R' Meir agrees in one case that a slaughter that is unfit is not always considered a slaughter and R' Shimon agrees that an unfit slaughter could sometimes be considered slaughter.

The Gemara analyzes both components of R' Abba's statement.

### 4) Unconsecrated animal slaughtered in the Courtyard

R' Pappa inquires whether R' Shimon maintains that an unconsecrated animal slaughtered in the courtyard is prohibited for benefit.

Abaye confirms that this is true by citing a Beraisa.

### 5) Covering the blood

An incident related to covering blood is cited.

The Gemara begins to explain why R' Dimi and Ravin gave different explanations of Rabbi's ruling to slaughter a bird over water to protect flax from moths. ■

## Distinctive INSIGHT

### *Slaughtering an unconsecrated animal in the Mikdash*

דתניא השוחט את הטרפה וכן השוחט ונמצאת טרפה זה וזה חולין בעזרה רבי שמעון מתיר בהנאה

Unconsecrated animals are not allowed to be shechted in the courtyard of the Beis HaMikdash. The Gemara in Kiddushin (57b-58a) identifies the source for this halacha to be the verse in (Devarim 12:21) "When the place will be distant from you...you shall slaughter." The lesson is that one may only slaughter his animals when he is outside the Mikdash, and not in the Mikdash. If someone does shecht his unconsecrated animal in the Mikdash, he is liable for lashes, and the animal is prohibited from benefit. Some say that this halacha is a Torah-level rule, while others contend that it is rabbinic.

A Beraisa in our Gemara cites a disagreement regarding an unconsecrated animal which is a tereifah which is slaughtered in the courtyard of the Mikdash. R' Shimon holds that it is not prohibited from benefit, while Chachamim say that it is prohibited from benefit. The Gemara also cites a Mishnah (Temura 33b) where R' Shimon holds that either an unconsecrated domesticated (*beheimah*) or undomesticated animal (*chaya*) which is shechted in the courtyard of the Mikdash is to be destroyed.

Both of these statements of R' Shimon indicate that he holds that the law against shechting an unconsecrated animal in the Mikdash is a Torah law. In the case of shechting a tereifah, if the animal was only rabbinically prohibited, this would mean that technically the animal is permitted by Torah law. Due to a concern that others would see that an unconsecrated animal shechted in the Mikdash was permitted, they might also think that we allow other animals as well. Therefore, as a precaution, the rabbis would have prohibited any unconsecrated animal shechted in the Mikdash, even a tereifah. However, because R' Shimon permits benefit of a tereifah, we see that he holds that the tereifah is actually prohibited by Torah law.

The second law that an unconsecrated *chaya* shechted in the Mikdash must be destroyed also indicates that he holds that this is a Torah law. If this was just a rabbinic law, it would obviously be due to a concern that an observer might not only permit benefit of a *chaya* shechted in the Mikdash, but also a *beheimah*. Yet, if the law of a *beheimah* itself is only rabbinic, we would not institute one rabbinic law as a safeguard for another rabbinic law.

The Rishonim ask that the Beraisa in Kiddushin which teaches the law that unconsecrated animals shechted in the Mikdash become prohibited explicitly refers not only to domesticated animals, but also includes undomesticated animals in this law, as well. Rashi explains that R' Shimon means to say that even if there was no verse to teach about a *chaya*, we would have prohibited it as a safeguard for the law of a *beheimah*. Tosafos says that R' Shimon does not agree with the Beraisa in Kiddushin. ■

# HALACHA Highlight

## Women reciting the beracha on the sukkah

בני ישראל סומכין ולא בנות ישראל סומכות וכו'

Men lean on korbanos and women do not lean on korbanos etc.

The Gemara presents a disagreement about the permissibility for women to perform semichah on the head of a korban. Tanna Kamma maintains that it is prohibited for women to lean on the head of an animal. Since the Torah exempts them from this mitzvah if they were to do so it would entail working with a sacred animal that is prohibited. R' Yosi and R' Shimon disagree and contend that if women want to lean on the head of a korban they are permitted to do so. Even though they are not obligated to perform semichah they do not violate a prohibition if they choose to do so. Tosafos<sup>1</sup> in the name of Rabbeinu Tam asserts that based on the position of R' Yosi and R' Shimon if a woman wants to perform a positive time-bound mitzvah she is permitted to do so. Furthermore, if she wants to recite the beracha on this mitzvah she is permitted to recite the beracha as well. This is the basis for the common Ashkenazi custom that women even recite the beracha on a positive time-bound mitzvah.

Sefer Chasan Sofer<sup>2</sup> relates that his mother, the daughter of the Chasam Sofer, told him that in her father's house the women did not recite a beracha when they sat in the sukkah. He did not know why the mitzvah of sukkah was treated differently than other positive time-bound mitzvos where the beracha was recited. Teshuvos L'horos Nosson<sup>3</sup> suggests the following explanation for the custom. When a woman decides to recite

# REVIEW and Remember

1. What is the point of dispute between Tanna Kamma and R' Meir ?

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2. Under what conditions is it permitted to make a gezeirah shavah with dissimilar words ?

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3. What is an exception to R' Shimon's position that a slaughter that is unfit is not called a slaughter ?

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4. What advice did Rebbi give to R' Chiya to keep moths away from his flax ?

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the beracha on a positive time-bound mitzvah it is as if she is accepting upon herself with the force of a vow to perform this mitzvah. Therefore, when a woman recites the beracha on the mitzvah of sukkah she is accepting upon herself to perform the mitzvah. Other mitzvos that a woman chooses to perform are fulfilled immediately following the beracha. For example, the mitzvos of shofar or lulav are fulfilled with the act that follows the beracha. The mitzvah of sukkah is to eat in the sukkah all seven days of Sukkos and that mitzvah cannot be fulfilled partially. Since women are not particular to eat all their meals in the sukkah they do not commit themselves to the mitzvah with the recitation of the beracha. ■

<sup>1</sup> תוס' עירובין צ"ו. ד"ה דילמא ור"ה ל"ג. ד"ה הא.  
<sup>2</sup> ספר חתן סופר או"ח ח"א שער הגדילים והכלאים פכ"ג.  
<sup>3</sup> שו"ת להורות נתן ח"ו סי' ל"ט. ■

# STORIES off the Daf

## The Worthy Shochet

"וזבחת כאשר צויתך..."

The Chazon Ish, zt"l, was exceedingly careful to only appoint shochtim that demonstrated profound fear of heaven in areas unrelated to shechitah. Many people wondered why. After all, anyone who slaughters is considered to be acceptable, as we find in the mishnah in Chullin 18. So why insist on what is clearly not an absolute obligation?

When the Chazon Ish appointed

Rav Yehudah Ferster, zt"l, to be a shochet and bodek, he explained his preference. "Rav Yehudah is not only careful in the laws of issur and heter. He is also very scrupulous to fulfill the halachos that govern financial dealings. His rare yir'as shamayim enables him to avoid having benefit from anyone's money other than his own, and this shows that he is a worthy shochet."

But Rav Yehudah himself wondered why the Chazon Ish was so particular to check the yir'as shamayim of a shochet in other matters that do not pertain to shechitah. When he respectfully asked the Chazon Ish if there was a clear source for this preference, the Chazon

Ish replied that there certainly was.

He answered, "The source is in the Rambam on the mishnah that states that all may shecht, except heretics. He writes that in the eyes of the chachomim, heretics are those who are blinded by illicit desires. They abandon religion and act with lightheadedness."

The Chazon Ish explained, "We learn from this that a shochet is one who does not allow illicit desire to sway him in any aspect of his life!"

When Rav Yehudah recounted this experience he said that it made an indelible impression on him.<sup>1</sup> ■

<sup>1</sup> זכרון יהודה, ע' ד"ש ■

