



Shechita into Holes

The *Mishnah* (2:9) teaches that one is not allowed to slaughter an animal over an ocean or river. The *Bartenura* explains that this is because it appears to an onlooker that the person is doing so as part of idol worship. The *Mishnah* also adds that one cannot slaughter over a utensil. Again, the concern is that it appears one is doing so to collect the blood for idol worship. Sometimes, however the concern can be alleviated. For example, if one slaughters on a ship and the blood runs over *kli* before falling in the ocean. Similarly, while one is not allowed to slaughter directly over a hole – which was again associated with idol worship. The *Mishnah* however teaches that in one's *chatzer*, they may slaughter next to it such that the blood runs into the hole. The *Mishnah* however adds that in the marketplace however, even this practice is forbidden so as not to support the practice of the heretics.

The *Tosfot Yom Tov* notes that when a practice is forbidden due to *marit ayin* then it is forbidden in all locations – even in the privacy of one's home. Nevertheless, the *Mishnah* appears to permit it at home but not in the market. Why?

The *Tosfot Yom Tov* explains that that principle is only if the same concern due to *marit ayin* would exist if they were witnessed at home performing the same act. In this case however, if someone saw the person slaughtering in this manner, they would understand that they were doing so to keep the *chatzer* clean. In the marketplace however, people would not usually take those steps.

The *Melech Shlomo* adds a further ramification of this law. He cites *Rashi* who explains that if one was seen doing this practice in the market, others would need to confirm that this individual was not a *min*. In other words, until that point, others would not be able to drink his wine or eat his bread. The *Rambam* writes that if one was seen slaughtering over a hole, others would not be able to eat from the *shechita* either.

The *Rashba* however find this conclusion difficult considering that our case is in between cases where the manners of *shechita* are invalid. In both those cases the

Mishnah explicitly states *shechitato pesula* – the slaughter is invalid. If one was not allowed to eat from the slaughter in this case, it should have stated explicitly *shechitato pesula* as it did in those *Mishnayot*. Instead, the *Rashba* maintains that that individual maintains his *chezkat kashrut* – the assumption that he is not a *min* – and the slaughter is valid. The investigation is required, like *Rashi* stated, “in case he is a *Rasha*”, which would then impact the interactions with him once, and only once confirmed.

The *Tosfot R' Akiva Eiger* however cites the *Turei Even* who reject his proof. He explains that the *pesulim* in the previous *Mishnayot* are different to our case. In the previous cases, the issue was with that specific *shechita* (*shechita* for a *goi*, for an *olah*). In this case however it is not just the *shechita* that is the issue. This case also creates a *pesul gavra*; it creates an issue for this person going forward. Had the *Mishnah* just stated *shechitato pesula* one would have missed this point.

The *Rashash* however argues that that answer is insufficient. If it was true that it created a *pesul gavra*, the *Mishnah* should have stated *shechitotav pesulot* – termed in the plural. His proof is from when the *Mishnah* teaches that if one takes bribes to judge or testify “his judgements are cancelled” or “his testimonies are cancelled”. The *Rashash* however answers that our *Mishnah* still could not have taught *shechitotav pesulot*. Had the *Mishnah* termed it as such, one might have thought we would also invalidate prior *shechitot*. Indeed, if one took a bribe, it would impact his past judgments or testimonies.

Finally, the *Pri Tohar* provides a different reason why the *Mishnah* could not have taught *shechitato pesula*. Had it done so, one would have thought that the *pesul* was absolute and could not be remedied. That however is not the case. If one clarifies that the individual was upstanding and nothing was wrong with the *shechita*, then it would be fine.

Revision Questions

חולין ב' ג' – ג' ר'

- When is *shechita* performed with one slice acceptable? (ב' ג')
- Can a person come and complete a *shechita* begun by another? (ג' ר')
- What is the status of animal where the windpipe was cut but the oesophagus snapped? (ב' ד')
- Is an animal who had *shechita* performed without any blood coming out *kosher*? (ב' ה')
- What other implication is there for such a *shechita*? (ב' ה')
- What would qualify a slaughter of a gravely ill animal as being acceptable? (Include four opinions.) (ב' ו')
- Are these qualifications also required for a healthy animal? (ב' ו')
- Explain the debate regarding one that slaughters for a *nochri*. (ב' ז')
- What is the law if one slaughter "for the sake of the mountains"? (ב' ח')
- What is the law if two people performed *shechita* together and one had the intention described in the previous question? (ב' ח')
- Is one allowed to perform *shechita* in manner that the blood collects in a utensil? (ב' ט')
- In what manner is one allowed to perform *shechita* on a boat? (ב' ט')
- In what manner can one perform *shechita* in his garden such that the blood collects in a hole? (ב' ט')
- What is the law if one slaughters a regular animal for the sake of: (ב' י')
- An *Olah*?
- A *Chatat*?
- What is the general rule regarding the previous question? (ב' י')
- Which of the following would render an animal *treif*: (ג' יא-יב')
- A perforated oesophagus?
- A perforated windpipe?
- How many broken ribs render an animal *treif*? (ג' יא)
- What problem related to the spinal cord would render an animal *treif* and what problem would not? (ג' יא-יב')
- A crack in the windpipe in which direction renders an animal *treif*? (ג' יא-יב')
- Which organs, if missing, do not render an animal *treif*? (ג' יב')
- If a bird fell into a fire, when is it considered *treif*? (ג' יג')
- If a bird was trampled upon, when is it not considered *treif*? (ג' יג')
- What are the two opinions regarding how damaged the *zefek* can be and not render a bird *treif*? (ג' יד')
- If an animal ate poison and was slaughtered is it considered *treif*? Can one eat it? (ג' יה')
- What signs did the *Chachamim* provide to determine whether a bird is a kosher type? (ג' יז')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
2 November י"א חשוון	3 November י"ב חשוון	4 November י"ג חשוון	5 November י"ד חשוון	6 November ט"ו חשוון	7 November ט"ז חשוון	8 November י"ז חשוון
Chulin 3:7-4:1	Chulin 4:2-3	Chulin 4:4-5	Chulin 4:6-7	Chulin 5:1-2	Chulin 5:3-4	Chulin 5:5-6:1

