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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Tamei – How?

The *Gemora* asks: if this *tamei* person became contaminated through corpse *tumah*, then the law is that a sword (or any other metal utensil that is touching a corpse) is like the corpse itself (in its degree of *tumah*; and the metal utensil touching a person becomes *tamei* in the same degree as the person); accordingly, if we were to say that he became *tamei* by coming into contact with a corpse, then the slaughterer will be an *av hatumah* (primary category of *tumah*); he will contaminate the knife (as an *av hatumah* as well), and the knife will render the meat *tamei* (as a *rishon l'tumah* – a first degree *tumah*)!?

The *Gemora* answers that it must be that he became *tamei* through contact with a *sheretz* (the *Torah* enumerates eight creeping creatures whose carcasses transmit *tumah* through contact). [He becomes a *rishon l'tumah*, and cannot then contaminate the knife at all.]

Alternatively, I can say that he became *tamei* by coming into contact with a corpse, but we are dealing with a case where he examined a stalk of reed (to ensure that it does not possess any nicks) and slaughtered with it (and since it is regarded as a flat wooden utensil – it is not a receptacle and is not susceptible to *tumah*). A *braisa* was taught that it is permitted to slaughter with a reed: One may slaughter with any instrument – a stone, glass or a stalk of reed. (2b – 3a)

Alternative Explanations of Mishna

Abaye suggests the following interpretation of the *Mishna*. 'Anyone may slaughter' - even a Cuthean. [They were converts to Judaism after an outbreak of wild animals in Eretz Yisroel and their conversion was debated as to its validity; they observed

some commandments, but not others.] This was stated, however, only where a Jew is standing over him; but if a Jew is merely going in and out (and he is not watching the entire slaughtering), he should not be given an animal to slaughter. If, however, he did slaughter, one should cut off an olive's volume of its meat and give it to him; if he eats it, others may also partake of his slaughtering (for the Cutheans are careful not to eat *neveilah*), but if he does not eat it, others are forbidden to eat of his slaughtering.

The *Mishna* continued and stated that (everyone may slaughter) except a deaf-mute, deranged person and a minor; this law applies even after the fact, for perhaps they will invalidate the slaughtering by pausing (during the slaughtering), pressing the knife downward, or burrowing (the knife) between the pipes. [Those are laws that invalidate the slaughtering; they will be explained later.]

And when the *Mishna* concludes by saying, 'however, if any of them slaughter (and others watch them, their slaughtering is valid),' who is it referring to? It cannot be in reference to the deaf-mute, deranged person and a minor, for having just now dealt with these, the *Tanna* should have simply said, 'however, if they slaughtered' (and not 'any of them'). And it cannot refer to a Cuthean, for the *Mishna* had already ruled that, when a Jew is standing over him, he may slaughter even in the first instance! The *Gemora* concludes that this is indeed a difficulty.

Rava asks on Abaye: Is it correct that if a Jew is merely going in and out (and he is not watching the entire slaughtering), a Cuthean should not be given an animal to slaughter in the first instance? Have we not learned in a *Mishna*: If one left an idolater in one's wine store and a Jew was going in and out of

the store, the wine (*in the barrels*) is permitted for consumption?

The *Gemora* answers that the meaning of that *Mishna* is that the barrels are permitted after the fact (*but one is not permitted to leave him there in the first instance*).

Rather, Rava asks from the following *Mishna*: There is no necessity for the watchman to sit and watch the entire time (*that the idolater is not handling the wine*). Even if he goes in and out of the house (*frequently, in order to make the idolater afraid that he may come in at any moment*), it is permitted. [*This Mishna rules that it is permitted in the first instance!?*]

Rava, therefore, suggests a new interpretation of the *Mishna*: 'Anyone may slaughter' - even a Cuthean. This was stated, however, only where a Jew was going in and out; but if a Jew came and found that a Cuthean slaughtered, one should cut off an olive's volume of its meat and give it to him; if he eats it, others may also partake of his slaughtering (*for the Cutheans are careful not to eat neveilah*), but if he does not eat it, others are forbidden to eat of his slaughtering.

The *Mishna* continued and stated that (*everyone may slaughter*) except a deaf-mute, deranged person and a minor; this law applies even after the fact, for perhaps they will invalidate the slaughtering by pausing (*during the slaughtering*), pressing the knife downward, or burrowing (*the knife*) between the pipes. [*Those are laws that invalidate the slaughtering; they will be explained later.*]

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Rav Ashi suggests another interpretation of the *Mishna*: 'Anyone may slaughter' - even a *mumar* (*a Jewish apostate or renegade; one that violates one of the Torah's mitzvos*). In what respect is he a *mumar*? In that he eats *neveilah* (*carcass of an animal that was not slaughtered properly*) in order to satisfy his appetite. And this would be in accordance with Rava, who said: If a *mumar* eats *neveilah* in order to satisfy his appetite, we may examine the knife (*that it is free from nicks*) and gives it to him (*that he may slaughter with*), and then we are permitted to eat of his slaughtering. However, if the knife was not examined and given to him, he may not slaughter. If, however, he did slaughter, the knife should be examined afterwards; if it is found to be fine, we are permitted to eat of his slaughtering; otherwise, we may not eat of his slaughtering.

The *Mishna* continued and stated that (*everyone may slaughter*) except a deaf-mute, deranged person and a minor; this law applies even after the fact, for perhaps they will invalidate the slaughtering by pausing (*during the slaughtering*), pressing the knife downward, or burrowing (*the knife*) between the pipes. [*Those are laws that invalidate the slaughtering; they will be explained later.*]

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Ravina suggests another interpretation of the *Mishna*: 'Anyone may slaughter' - all who are experts (*in the laws of slaughtering*) may slaughter. They may slaughter even though they have not

been established (*as a skilled slaughterer; this is done by observing him three times to ensure that he doesn't feel faint by the sight of blood – thus causing him to pause during the slaughtering, and also that he is skilled at performing the shechitah*). This is the law provided that they know that he is able to recite the (*basic*) rules of *shechitah* (*slaughtering*). However, if we do not know that he is able to recite the rules of *shechitah*, he may not slaughter; if, however, he did slaughter, we examine him. If he is able to recite the laws of *shechitah*, one may eat of their slaughtering; otherwise, one may not eat of their slaughtering.

The *Mishna* continued and stated that (*everyone may slaughter*) except a deaf-mute, deranged person and a minor; this law applies even after the fact, for perhaps they will invalidate the slaughtering by pausing (*during the slaughtering*), pressing the knife downward, or burrowing (*the knife*) between the pipes. [*Those are laws that invalidate the slaughtering; they will be explained later.*]

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There are others who say that Ravina said as follows: 'Anyone may slaughter' - all who have been established (*as a skilled slaughterer*) may slaughter, even though it is not known whether he is an expert or not. One is regarded as an established slaughterer if he slaughtered in our presence two or three times and he did not feel faint by the sight of blood (*thus causing him to pause during the slaughtering*); however, if he did not slaughter two or three times in our presence, he may not slaughter, for perhaps he will feel faint. If, however, he did

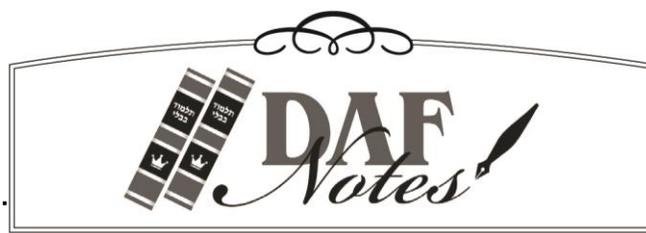
slaughter, and said, "I am certain that I did not feel faint," his slaughtering is valid.

The *Mishna* continued and stated that (*everyone may slaughter*) except a deaf-mute, deranged person and a minor; this law applies even after the fact, for perhaps they will invalidate the slaughtering by pausing (*during the slaughtering*), pressing the knife downward, or burrowing (*the knife*) between the pipes. [*Those are laws that invalidate the slaughtering; they will be explained later.*]

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The *Gemora* explains why each of the Amoraim did not learn like the others: Ravina and Rabbah bar Ulla do not interpret the *Mishna* like the suggestions of Abaye, Rava (*that the Mishna was referring to a Cuthean*) or Rav Ashi (*that it was referring to a mumar*), because they all find a difficulty in interpreting the expression, 'and if any of them slaughter.'

They all do not agree with Rabbah bar Ulla's interpretation (*that it is referring to a tamei person*), because, according to the one version which suggested (*to the question as to why the halachos are taught in this Mishna and in Zevachim*) that our *Mishna* is the source of the rule (*that a tamei person is disqualified from slaughtering a korban*) - on the contrary, they say that the other *Mishna* is the source of the rule, since it is in the Tractate which deals with sacred offerings (*so it should not have been mentioned here at all*); and according to the other version which suggested that the other *Mishna* is the source of the rule but that our *Mishna* mentions the case of a *tamei* person



slaughtering an offering merely incidentally because it deals with the case of a *tamei* person slaughtering *chullin* (an unconsecrated animal) - they say that even the case of a *tamei* person slaughtering *chullin* was not necessary to state because they maintain that *chullin* which was made according to the *taharah* (pure) standard of *kodesh* are not considered *kodesh* (and therefore, there is no obligation to ensure that it does not become *tamei*, and the *Mishna* would not need to teach us that a *tamei* person can slaughter a *chullin* animal).

They all do not agree with Ravina's interpretation, because, according to the one version which ruled that experts may slaughter, but those that are not experts may not slaughter, they hold the principle that the majority of those who slaughter are experts (and therefore even if it is not known to us if he knows the laws of *shechitah*, he still may slaughter, for we follow the majority); and according to the other version which ruled that only those who are established slaughterers may slaughter, but those who are not established may not slaughter, they say that the danger of feeling faint due to slaughtering is too remote to be concerned about.

Rava does not agree with Abaye's interpretation because of the challenge which he raised (that a watchman who goes in and out is sufficient).

Abaye does not agree with Rava's interpretation because, in that other case, the idolater was not handling the wine (and we may assume that he will be afraid to touch the wine), whereas in our case, the Cuthean is touching the animal (when the Jew left, for he was in the process of slaughtering it; we therefore are concerned that he did something to invalidate the *shechitah*).

Rav Ashi does not agree with either of these interpretations because he maintains that the Cutheans were converts only on account of the lions (and are not deemed to be Jewish at all; they therefore are not valid for *shechitah*).

Abaye does not agree with Rav Ashi's interpretation (that a *mumar* is valid for *shechitah*), because he does not accept Rava's ruling (that a *mumar's shechitah* is valid).

The *Gemora* asks: Why doesn't Rava interpret the *Mishna* in accordance with his own ruling (that a *mumar* is valid, and therefore he should interpret the *Mishna* like Rav Ashi)?

The *Gemora* answers: Rava's interpretation is merely in response to Abaye, but he himself does not accept it (that the *Mishna* is referring to a Cuthean; rather, he understands the *Mishna* like Rav Ashi). (3a – 3b)

INSIGHTS TO THE DAF

Who may Slaughter?

Why is the *shechitah* of a Jew who serves idols invalid? After all, even one who serves *avodah zarah* remains a Jew bound by all the *mitzvos* of the Torah? In order to understand this issue, we must first explain why the *shechitah* of a gentile is not acceptable. Where does the Torah demand that *shechitah* be executed specifically by a Jew?

Tosfos (Chullin 3b) and the Rosh explain that the term *v'zavachta* implies that we need a *bar zevichah* for *shechitah*. A *bar zevichah* is one who has a part in the *mitzvah* of *shechitah*. A gentile, who is not commanded to do *shechitah* (he may eat any dead animal) is surely not a *bar zevichah*. As such, his act of slaughtering has no halachic validity.

Rambam (Hilchos Shechitah, Chapter 4) supplies a different source, in this context. The Torah (Shmos 34:15) warns: "Perhaps you will draw a treaty with the inhabitants of the land and they will stray after their gods and they will sacrifice to their gods and he will call to you and you will eat from his slaughtering." This verse is quite clear that we may not eat the meat of an animal slaughtered by a gentile.

There is a basic difference between the source of Tosfos and that of the Rambam. The source of Tosfos applies equally to all

gentiles; Rambam's source, though, refers only to a gentile who is an idolater. The *shechitah* of a gentile per se who is not an idolater is acceptable by Torah standards. In fact, Rambam (*ibid.*) seems to acknowledge this issue and invalidates the *shechitah* of such a gentile only under Rabbinic decree. (This approach in the Rambam's view is the majority understanding. The Shach (Yoreh Deah 2), however, claims otherwise even according to the Rambam.)

Perversion of Conversion

If someone converts to Judaism out of a fear of lions, the Sages differ as to whether that conversion is valid. Although Rabbi Nechemia disqualifies any conversion not purely motivated by a desire to be Jewish, the halachah follows the opposing view which rules that even such a conversion is valid.

Who are these mysterious converts out of fear of lions? Rashi refers us to the Kuttim, who King Sancherib of Assyria brought from their native land to *Eretz Yisrael* to replace the ten tribes he exiled to their land. After settling in the cities of Samaria and continuing their idolatrous ways, they were attacked by lions sent by Heaven. When they complained to the king, he sent them one of the exiled *kohanim* to teach them the ways of Hashem, and they converted to Judaism (*Melachim II 17:24-28*).

Tosfos rejects this explanation, because the conversion of the Kuttim was not only improperly motivated but also a sham. "They feared Hashem," we read in a passage in that same chapter (*ibid. 17:3*), "and worshipped their gods." The converts to which our *gemara* refers, Tosfos concludes, were those who out of fear of lions made a genuine conversion.

There is a dispute in Mesechta Chullin (*3b*) as to whether the Kuttim were genuine converts. Tosfos' understanding is that there is a consensus, based on the above passage, that their initial conversion was a sham since they continued worshipping their idols. The opinion that they were genuine converts is based on a tradition that after becoming familiar with Judaism, they made a genuine conversion and abandoned idol worship.

This explains why we find the Kuttim mentioned in *mishnayot* as Jews. But even according to this view, there were problems with these converts, beginning with their degeneration into rejecting the Oral Law and culminating with the discovery that they were secretly worshipping idols which led to their being totally discredited as Jews. The *gemara* in Mesechta Chullin (*6a*) reports that when Rabbi Ami and Rabbi Asi, two of the leading Sages in the post-Mishnaic era, learned of this duplicity "they did not leave their place of judgment until they declared the Kuttim to be considered non-Jews."

DAILY MASHAL

What Is an Outstandingly G-d-fearing Person?

A *shochet* must be an outstandingly G-d-fearing person (*yerei shamayim meirabim*). People say in the name of the Belzer Rebbe that an outstandingly G-d-fearing person means that he must practice every stringency practiced by two people in his town as the least number of *rabim* (many) is two!