



## Shechita for the Sake of Kodshim – In Partnership

During the second *perek* we learn about situations where *shechita* is invalid because of what it appears the person is doing. One case (2:10) is where a person takes a regular animal and slaughters it for the sake of an *olah*. In truth the animal was not sanctified for the purpose of a *korban*. Consequently, the animal is not considered a *shechutei chutz* – a *korban* slaughtered outside the *Beit HaMikdash* – and there is nothing wrong with the *shechita*. However, the *Chachamim* were concerned that one might think the owner sanctified the animal there and then. If the meat were permitted, they might think that the consumption of *korbanot* slaughtered outside the *Beit HaMikdash* is permitted. The *Chachamim* therefore forbade the meat.

An interesting case that follows is if two people perform *shechita* together and one of them performs it for the sake of an *olah*. We have learnt (2:2) that *shechita* performed by two people together is valid. In this case, even though only one of them acted incorrectly, the *shechita* is invalid.

Note that the *shechita* was performed correctly – the issue is with the intention of one of the people involved. The *Beit Yosef* (YD 5:3) cites the *Rambam* that explains that for the *shechita* to be invalid, the offending slaughter must have had a financial share in the animal itself. The reason is that we have a principle of “*ein adam me'israel oser davar she'eino shelo*” – one cannot cause another person's property to become *assur*.

The *Beit Yosef* raises a difficulty since the *Rosh* maintains that even if one has a financial interest the principle of *ein adam oser davar she'eino shelo* still applies. The *Mishnah* should present a difficulty for the *Rosh's* position.

The *Beit Yosef* suggests that the *Rosh* understands that *ein adam oser davar she'eino shelo* only applies when the *issur* is fundamental – *min ha'din*. Only in such cases can we say that the person's true intent was to cause his friend anguish. In this case, since the issue is external – it is an issue of *marit ayin* – the ownership of the animal is not relevant. The same concern of perception will still apply irrespective of who truly owns the animal.

*Rav Soloveitchik* (*Shiurei HaRav* 21) takes the answer of the *Beit Yosef* for the *Rosh* and turns it into a question on the *Rambam*. If the issue is *marit ayin*, why does the *Rambam* require at least partial ownership?

He explains that there are two ways to understand the law that slaughter for the sake of *kodshim* is invalid. The first is that issue of *marit ayin* causes the act of *shechita* itself to become invalid. If so, it is as if *shechita* was not performed and the animal became a *neveila* in the hands of the *shochet* (slaughterer). Alternatively a valid *shechita* was indeed performed. Nevertheless the *Chachamim* forbade the meat from consumption due to the concerns of *marit ayin*. According to the first understanding, the person caused the animal to become invalid in his slaughter. Yet according to the second way, the animal became *pasul* by itself.

The *Rav* understands that the *Rosh* maintains the second understanding; the animal was rendered invalid on its own. Consequently partial ownership is not required. The *Rambam* however adopts the first understanding. Therefore, even though the issue arises because of *marit ayin*, since the issue arises through the action of the offending *shochet* the principle of *ein adam oser davar she'eino shelo* applies.

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### Revision Questions

מנחות ב' א' ג' ד'

- What is R' Yehuda's opinion regarding the previous question? (ב' א')
- Can one *shecht* two animals at once? (ב' ב')
- Can one use a chopping action to perform *shechita*? (ב' ג')
- When is *shechita* performed with one slice acceptable? (ב' ג')
- Can a person come and complete a *shechita* begun by another? (ב' ג')
- 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 and animal *treif*: (ב' יא' ב')
- A perforated oesophagus?
- A perforated windpipe?
- How many broken ribs render an animal *treif*? (ב' יא' ג')
- What problem related to the spinal cord would render an animal *treif* and what problem would not? (ב' יא' ב')
- A crack in the windpipe in which direction renders an animal *treif*? (ב' יא' ב')
- Which organs, if missing, do not render an animal *treif*? (ב' יא' ב')
- If a bird fell into a fire, when is it considered *treif*? (ב' יא' ג')
- If a bird was trampled upon, when is it not considered *treif*? (ב' יא' ג')
- What are the two opinions regarding how damaged the *zefek* can be and not render a bird *treif*? (ב' יא' ד')

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10 minutes before *Mincha*  
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### Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
11 <sup>th</sup> May י"א אייר	12 <sup>th</sup> May י"ב אייר	13 <sup>th</sup> May י"ג אייר	14 <sup>th</sup> May י"ד אייר	15 <sup>th</sup> May ט"ו אייר	16 <sup>th</sup> May ט"ז אייר	17 <sup>th</sup> May י"ז אייר
Chullin 3:5-6	Chullin 3:7-4:1	Chullin 4:2-3	Chullin 4:4-5	Chullin 4:6-7	Chullin 5:1-2	Chullin 5:3-4

