



Volume 11. Issue 18

Kisui HaDam

The sixth *perek* deals with the *mitzvah* of *kisui ha'dam*. We learnt that if one slaughters a kosher *chaya* (undomesticated animal) or *ohf* (bird) that they are required to cover the blood spilt due to the *shechita*. While it is certainly a *mitzvah*, there is a discussion amongst the *Rishonim* as to when one should recite the *beracha*. Understanding this debate give us in insight into the *mitzvah* itself.

The debate is brought down in the *Rosh* (6:6). He cites the *Behag* who explains that the *beracha* should be recited after *kisui ha'dam*. The *Rosh* however explains that the general practice is to recite the *beracha* before *kisui ha'dam* is performed. This is in line with the principle that a *beracha* is recited prior to the performance of the *mitzvah*.

The *Rosh* explains that the *Behag* understands that *kisui ha'dam* is the "*siyum mitzvah*" – the end of the *mitzvah* of *shechita*. Consequently making a *beracha* prior to *kisui ha'dam* would be equivalent to making in a *beracha* in the middle of the performance of a *mitzvah*, which would be inappropriate. The general custom however, of reciting the *beracha* prior to *kisui ha'dam* is based on the understanding that *kisui ha'dam* is an independent *mitzvah*.

The *Rosh* cites the *Behag* that teaches that if one is slaughtering many animals and talks in between, he must first perform *kisui hadam*, and then recite the *bracha* again for the second *shechita*. The *Rosh* explains that this is consistent with the *Behag's* opinion that *kisui ha'dam* is considered the *gemar shechita*.

The *Rosh* continues that evidence of this position can be found in a *Mishnah* we learnt this week (6:4). The *Mishnah* records a debate between the *Chachmim* and *R' Yehuda* regarding one that wished to slaughter a *chaya* and *ohf*. The *Chachamim* understood that one *kisui* would suffice. *R' Yehuda* however maintained that one should slaughter the *chaya* then cover the bloods and after slaughter the *ohf* and perform *kisui*. The *Tosfot* explains that the first *kisui* must be performed immediately since a new *beracha* will need to be recited for the second *shechita*. The necessity of not having a break between the *shechita* and *kisui* according to

R' Yehuda must mean that *kisui* is considered *gemar shechita*.

The *Rosh* explains that even though the *halacha* is not like *R' Yehuda* and one *kisui* would suffice for both *chaya* and *ohf*, nevertheless the *Behag* must understand that everyone agrees that *kisui ha'dam* is considered *gemar shechita*.

The *Shulchan Aruch* (YD 19:5) rules like the *Behag*, that if one talks in between slaughtering a number of animals, he needs to perform *kisui ha'dam* first and after make a new *beracha* and continue. The *Rav* notes that later however (28:1) that he rules against the *Behag* that the *beracha* on *kisui ha'dam* is performed prior to *kisui*. The *Rav* explains that it appears that the *Shulchan Aruch* really maintains that *kisui* is an independent *mitzvah*. Nevertheless, ideally one should treat it like *gemar shechita* and therefore perform *kisui* immediately in the case of a break.

Indeed the *Taz* raises a similar suggestion when explaining the *Rema* who writes "and the *kisui* is an independent *mitzvah*, but the *shechita* is valid even if only deliberately does not cover [the blood]." The *Taz* notes that earlier, the *Shulchan Aruch* ruled that a break requires covering immediately, and the *Rosh* understood that this was because *kisui* was *gemar shechita*. Nevertheless the *Taz* maintains that the *Rama* holds that really it is an independent *mitzvah*. Since it is however related closely to the *shechita* (much like the *teffilin shel rosh* and *shel yad*) we ideally perform them close together.

The *Rav* however offers a different explanation. In *shechita* there are two laws. The first that is that it permits the meat to be eaten and the second is the *kiyum* (fulfillment) of the *mitzvah*. To permit the meat, *shechita* alone is satisfactory. When stating the *kisui hadam* is the *gemar shechita* this is only for the *mitzvah*. In other words, without *kisui ha'dam* one has not completed the full *mitzvah* of *shechita*. The *Rav* explains that intention of the *Rama* is to teach even though it is a *gemar shechita*, without it the meat is still permitted.

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Revision Questions

מנחות ה' ה' ז' ו'

- Does the law of *oto v'et b'no* apply today? (ה' ה')
- What is the law regarding the prohibition of *oto v'et b'no* when: (ג' ה')
 - One of the animals was a *treifah*?
 - One of the *shechitas* was invalid?
- How many sets of lashes does one receive if they: (ג' ה')
 - Slaughtered the mother animal and then its two children?
 - Slaughtered its children first?
- At what times in the year is a seller required to inform the buyer that he also sold the mother animal? (ג' ה')
- What other law applies to these times in the year? (ד' ה')
- What is the definition of one day for the law of *oto v'et b'no*? (ה' ה')
- To what animals does the law of *kisui ha'dam* apply? (א' ה')
- Does *kisui ha'dam* apply to an animal that was found to be a *treifah*? (ב' ה')
- Does *kisui ha'dam* apply to an animal that had a faulty *shechita*? (ב' ה')
- With respect to which case is there a debate whether the ruling is the same for *oto v'et b'no* and *kisui ha'dam*? (ג' ה')
- If someone sees that another did not perform *kisui ha'dam* is he obligated to do it himself? (ד' ה')
- If one slaughters many animals is one required to perform *kisui ha'dam* after each slaughter and can it be performed once at the end? (ד' ה')
- When is blood that is mixed with water still required to have *kisui ha'dam*? (ה' ה')
- What is the law if it is mixed with other blood that does not require *kisui ha'dam*? (ה' ה')
- Is one obligated to perform *kisui ha'dam* to the blood found on the slaughter knife? (ה' ה')
- What general rule does *Rabban Shimon ben Gamliel* state regarding what can be used for *kisui ha'dam*? (ו' ה')
- To which animals does the prohibition of *gid hanasheh* apply? (ז' ה')
- Explain the debate whether the prohibition of *gid hanasheh* applies to a foetus. (ז' ה')
- Can a butcher be trusted to say that they removed the *gid hanasheh*? (ז' ה')
- Can one gain benefit from the *gid hanasheh*? What case is brought as an example of this law? (ז' ה')
- Is one liable to lashes if he ate a complete *gid hanasheh* that was less than a *kezayit* in size? (ז' ה')
- Why does *R' Yehuda* maintain that if one eats the *gid hanasheh* from both legs of the animal is he liable to only one set of lashes? (ז' ה')
- What is the law if a thigh was cooked with the *gid hanasheh*? (ד' ה')
- What is the law regarding a piece of *neveilah* that was cooked with other pieces of meat? (ז' ה')
- Regarding the previous question, what is the law regarding the sauce? (ז' ה')
- Explain the debate regarding whether the prohibition of *gid hanasheh* applies to non-kosher animals. (ז' ה')

Local Shiurim

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
 Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
 Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
 9:00am
Kollel Magen Avraham
 Reemon Neighbourhood

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
 In US dial: 718 906 6400
 Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
25 th May כ"ה אייר	26 th May כ"ו אייר	27 th May כ"ז אייר	28 th May כ"ח אייר	29 th May כ"ט אייר	30 th May א' סיון	31 st May ב' סיון
Chullin 8:1-2	Chullin 8:3-4	Chullin 8:5-6	Chullin 9:1-2	Chullin 9:3-4	Chullin 9:5-6	Chullin 9:7-8

