



## Treifa Shechita According to R' Akiva

A valid *shechita* not only involves what must be cut, but also the manner it is performed. Over the past week we have learnt about various issues with the performance of the *shechita*.

The *Mishnah* (2:4) records a debate regarding the following cases: one cuts the trachea and the oesophagus was severed yet not cut by the knife; the oesophagus was cut and the trachea was severed; one of them was cut and the animal left to die; or after cutting one, the knife slide behind the other and cut it for there (*chalada*). R' Akiva maintains that the animal is a *treifa*, while R' Yeshevav argues that the animal is a *neveila*. To explain, a *neveila* refers to an animal that simply died, whereas a *treifa* refers to an animal that received a valid *shechita*, yet had a grave anatomical issue. In both cases the animal cannot be consumed. An important difference however is that a *neveila* is a source of *tumah*, while a *treifa* is not.

R' Yeshevav continues by citing the rule in the name of R' Yehoshua that any animal that did not receive a valid *shechita* is considered a *neveila*. It is only if the *shechita* was valid and some other issue caused the animal to be considered not *kosher*, is the animal considered a *treifa*. R' Akiva ultimately agreed with R' Yeshevav. We shall however try to understand the original position of R' Akiva.

The *Rashash* (on the *Mishnah*) suggests a few possibilities. The first is that we find that the cutting of one of these "*simanim*" (oesophagus and trachea) is

enough for the *shechita* of birds. Consequently, since the action is defined as an act of *shechita* elsewhere it is enough for the animal to not be defined as a *nevielah*.

He also suggests that when discussing this law of *tumah*, the Torah connects animals and birds – "this is the *Torah* of animal and bird" – suggesting that share the same legal definition. Consequently, since the cutting of one *siman* is effective to not render a bird as a *nevielah*, the same applies to animals.

The *Rashash* however notes that the above rationale only stands if one of the *simanim* was first cut in the required manner. Otherwise R' Akiva would have agreed from the outset that the animal is a *nevielah*. This is because that would also be the ruling for a bird that was slaughtered in that way.

The *Imrei Moshe* however cites a *Tosefta* that appears to contradict this reasoning. There (2:2) the *Tosefta* records that R' Akiva originally maintained that the animal is considered a *nevielah* even if the issue of *chalada* applied to both *simanim*. Put simply, R' Akiva would argue that the animal is a *treifah* even in the case where neither *simanim* were cut in the required manner – which would be insufficient even for birds.

The *Imrei Moshe* (2:29) suggests that R' Akiva initially maintained that the laws regarding the details of the manner of *shechita* were additional requirements only necessary to allow the animal to consume. These additional laws however were not required to remove *tumat nevielah*.

*Yisrael Bankier*

**Revision Questions**

חולין א' ב' – ב' ח':

- Why can one not perform *shechita* with a saw? (א' ב')
- Explain the debate between *Beit Shammai* and *Beit Hillel* regarding the use of a *magal katzir* for *shechita*. (א' ב')
- Explain the debate regarding how much of the *shechita* must be performed within the *taba'at* before the knife may deviate towards the head of the animal. (א' ג')
- Can *shechita* be performed from the side of the neck? (א' ד')
- Explain how, for the following pairs, what is valid for one is invalid for the other and vice versa:
  - *Shechita* and *melika*. (א' ד')
  - *Torin* and *Bnei Yona*. (א' ה')
  - Cow and calf.
  - *Kohanim* and *Levi'im*. (א' ו')
- Explain how, for the following pairs, what is *tahor* for one is *tameh* for the other and vice versa: (א' ו')
- Earthenware and other utensils.
- Wooden and metal utensils.
- At what point will *temed* not invalidate a *mikvah* and what other *halachic* implication does it have at this point? (א' ז')
- When are two brothers required to contribute a *kalbon* and how does it relate to their obligation to separate *ma'aser behema*? (א' ז')
- What other two rules, relating to a *ketanah*, raised in the *Mishnah* resemble the last two? (א' ז')
- What would occur in the *Beit Mikdash* between *Yom Tov* and *Shabbat* would not occur between *Shabbat* and *Yom Tov*? (א' ז')
- What must the *shechita* knife cut to constitute a *kosher shechita* for animals? For birds? (א' ב')
- What is *R' Yehuda's* opinion regarding the previous question? (א' ב')
- Can one *shecht* two animals at once? (ב' ב')
- Can one use a chopping action to perform *shechita*? (א' ג')
- When is *shechita* performed with one slice acceptable? (א' ג')
- Can a person come and complete a *shechita* begun by another? (א' ג')
- What is the status of animal where the windpipe was cut but the oesophagus snapped? (א' 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.) (א' ו')
- Are these qualifications also required for a healthy animal? (א' ו')
- Explain the debate regarding one that slaughters for a *nochri*. (א' ז')
- What is the law if one slaughter "for the sake of the mountains"? (א' ח')
- What is the law if two people performed *shechita* together and one had the intention described in the previous question? (א' ח')

**Melbourne, Australia**

**Sunday -Thursday**  
10 minutes before *Mincha*  
Mizrachi Shul  
Melbourne, Australia

**Friday & Shabbat**  
10 minutes before *Mincha*  
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**Next Week's Mishnayot...**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
2 February ז' שבט	3 February ח' שבט	4 February ט' שבט	5 February י' שבט	6 February יא' שבט	7 February יב' שבט	8 February יג' שבט
Chulin 2:9-10	Chulin 3:1-2	Chulin 3:3-4	Chulin 3:5-6	Chulin 3:7-4:1	Chulin 4:2-3	Chulin 4:4-5

