

The Weekly Daf



by Rav Mendel Weinbach - Dean, Ohr Somayach Institutions

Chullin 75-81

Week of 22-28 Cheshvan 5757 / 4-10 November 1996
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud
studied in the course of the worldwide Daf Yomi cycle

An Animal Which Requires No Shechita?

If an animal is properly slaughtered and there is found inside it a full-term offspring, the Torah gave permission to eat this "*ben pakuah*" without slaughtering it. We consider the *shechita* which was performed on the mother as having been a *shechita* on its unborn offspring as well.

Our Sages were concerned, however, that if people see any animal being eaten without *shechita*, they may mistakenly conclude that *shechita* is not required for any animal. They therefore decreed that the Torah's permission to eat the meat of a *ben pakuah* without *shechita* be limited to such animals which are consumed before their feet touch the ground. Once this has happened and they have the appearance of regular animals they cannot be eaten without *shechita* because of the danger of confusing them with animals which require *shechita*.

By Torah law a full grown *ben pakuah* and its offspring may be slaughtered the same day, since the Torah ban on slaughtering mother and child on the same day applies only to animals where *shechita* is required. Similarly, the obligation to give certain parts of a slaughtered animal to the *kohen* does not apply to the *ben pakuah* which requires no *shechita*.

What about the *ben pakuah* whose feet have touched the ground and requires *shechita* by rabbinic law — is the ban on slaughtering mother and son now applicable, and is there an obligation to give away those parts to the *kohen*?

It is the consensus of the halachic authorities (*Shulchan Aruch Yoreh De'ah* 13:2) that as regards the first issue, once *shechita* is required for the *ben pakuah* it will be forbidden to slaughter its child the same day. But the Sages did not totally equate it with an animal which requires *shechita* by Torah law, and therefore exempted the owner from making those gifts to the *kohen*.

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What's in a Royal Name?

When Rabbi Zeira arrived in Eretz Yisrael from Babylon and heard Rabbi Yirmiyahu stating a matter of law he confirmed its reliability by reporting that the Sage "Arioch" had made the same ruling in Babylon.

Who is this sage with such a strange name?

The Talmud identifies him as the Sage Shmuel. Rashi explains that this is a title of respect accorded to Shmuel on the basis of a passage in the Torah (*Bereishis* 14:1) identifying Arioch as the King of Alasar.

To fully appreciate the meaning of this title we must recall that in the many halachic debates between the Sages Rav and Shmuel we rule like Rav in matters of "*issur*" — laws relating to what may or may not be done — and like Shmuel in monetary matters. Shmuel's king-like authority in monetary matters thus finds expression in this title borrowed from a famous king of history.

But why this kind in particular?

Tosefos (*Shabbos* 53a) suggests that the name Arioch contains in it the word "*ari*" which is Hebrew for lion, king of the animals, and therefore enhances the authoritative nature of the title.

Another commentary proposes an ingenious approach. Arioch was King of Alasar. Break down the country he ruled and you get two words "*Al*" and "*asar*" which translates into "not in cases of *issur*." In this fashion Arioch denotes the area in which Shmuel's halachic authority reigns supreme, while Alasar serves as the boundary on how far this authority extends.

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22 Shimon Hatzadik Street, POB 18103, Jerusalem Israel

972-2-581-0315

fax: 972-2-581-2890

ohr@virtual.co.il

38 East 29th Street 8th floor, New York, NY 10016, USA

1-212-213-3100

fax: 1-212-213-8717

RZCorlin@aol.com or estern@Aol.com

613 Clark Avenue West, Thornhill, Ontario L4J 5V3, Canada

1-905-886-5730

fax: 1-905-886-6065

Somayach@MSN.com

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