

The Weekly Daf



by Rav Mendel Weinbach - Dean, Ohr Somayach Institutions

Chullin 40-46

Week of 17-23 Tishrei 5757 / 30 Sept.-6 Oct. 1996
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud
studied in the course of the worldwide Daf Yomi cycle

The Secret Sinner

One who slaughters an animal outside of the Beis Hamikdash and announces that his *shechita* is for the sake of a sacrifice which one can voluntarily offer (such as *olah* or *shlamim*) his *shechita* is invalid. This is a rabbinical decree based on the fear that onlookers will assume that he has now consecrated the animal as a sacrifice and mistakenly learn from his action that one may slaughter sacrifices outside the Sanctuary.

If, however, he slaughters an animal and announces that it is for the sake of *achattas* (sin offering) the *shechita* is valid. Since one cannot voluntarily offer a *chatass* the onlooker will realize that his words are meaningless and there is no danger of misinterpretation.

If a man who announces that his *shechita* is for the sake of his *chatass* is known to offer a *chatass* as atonement, the *shechita* is invalid because the onlooker will assume that he is indeed doing the *shechita* of a sacrifice outside the Sanctuary.

Why, asks Rashi, is the *shechita* also not invalidated by rabbinic decree even when it is not known that he has committed a sin obligating the atonement of a *chatass* sacrifice? After all, will the onlooker not very well speculate that he has committed such a sin and that this is a bona fide sacrifice offered outside the Sanctuary?

Rashi's answer is that had he indeed committed such an involuntary sin it would not have remained a secret. The sinner would have certainly made it public knowledge in order to suffer the embarrassment which would help him achieve atonement. The lack of such public knowledge will therefore lead the onlooker to discounting the statement of a man not known to have sinned in regard to the animal being *achattas* and the *shechita* is therefore valid.

Magen Avraham (Shulchan Aruch Orach Chaim 607:2) presents a challenge to Rashi from the Gemara (Yoma 86b) which applies the passage "Fortunate is he whose iniquity is forgiven and his involuntary sin is concealed" (Tehillim 32:1) to one whose sin is not public knowledge, since publicizing his sin only reduces respect for Heaven. Why, he asks, does Rashi suggest that such a sinner would publicize his unknown sin to achieve atonement when such publicity is counterproductive?

His solution is that since we hear this man publicly announce that he is making *shechita* on a *chatass* we assume that he mistakenly believes that public knowledge of his sin will contribute to his atonement. Such an attitude would surely have motivated him to earlier publicize his guilt and since we heard nothing before we assume he committed no sin and disregard his present statement.

Chullin 41b

How to Tell the Difference

"This is the animal which you may eat," said Hashem to Moshe (Vayikra 11:2). The stress on "this" leads to the interpretation that Hashem held up before Moshe every species of animal and said to him: **This** you may eat and **this** you may not eat."

This Gemara raises a question in regard to what Rashi comments on the Divine command to Noach to take into his ark seven of each species of clean animal and only two of the unclean ones. How did Noach know what would eventually be commanded to the Jewish People about clean animals that may be eaten and unclean ones which may not be eaten? This is proof, says Rashi, that Noach learned Torah.

Even if Noach learned Torah, asks Iyun Yaakov, how could he be capable of distinguishing between permitted and forbidden animals if he did not have Hashem demonstrate for him the way He did for Moshe?

As a solution to this problem we are referred to the Gemara (Zevachim 116a) which states that Noach only accepted into the ark those animals which had not been involved in any sinful deviation from their mating pattern. Two ideas are proposed as to how Noach could detect this. Rabbi Chisda says that all the animals were passed before the ark and only the ones pure of deviation were accepted by the ark. Rabbi Avahu says that only the sinless ones came on their own to the ark.

Maharsha proposes that just as Noach detected which animals had not deviated by applying the tests mentioned by Rabbi Chisda and Rabbi Avahu he also detected which of the animals were clean and which were unclean by applying the same test. The proof that Noach learned Torah is therefore not from his ability to distinguish between clean and unclean species but rather from the fact that Hashem spoke to him in the terms of clean and unclean which would only be relevant after the Torah was given to Israel.

If so, Noach required only a superficial knowledge of the Torah laws concerning clean and unclean species in order to understand the concept and not a thorough knowledge of the laws as did Moshe who had to teach them to his people.

Chullin 42a

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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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