



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Chullin Daf Kuf Mem

OHF TAMEI PATUR M'LISHALEI'ACH

- **R' Yitzchak** said, this is learned from the pasuk that says "tzipor", for although "ohf" can refer to a non-kosher bird, "tzippor" only refers to a kosher bird.
 - **Q:** The pasuk regarding making a form as an avoda zara says "tzippor kanaf" and it presumably even refers to a non-kosher bird!? **A:** "Tzippor" refers to a kosher bird and "kanaf" refers to non-kosher birds and grasshoppers.
 - **Q:** The pasuk says that all animals and the "tzippor kanaf" should praise Hashem. Presumably this even refers to a non-kosher bird!? **A:** "Tzippor" refers to a kosher bird and "kanaf" refers to non-kosher birds and grasshoppers.
 - **Q:** The pasuk regarding the animals going to the Teiva says "kol tzippor kol kanaf". Presumably this even refers to a non-kosher bird!? **A:** "Tzippor" refers to a kosher bird and "kanaf" refers to non-kosher birds and grasshoppers.
 - **Q:** A pasuk says "emor l'tzippor kol kanaf". Presumably this even refers to a non-kosher bird!? **A:** "Tzippor" refers to a kosher bird and "kanaf" refers to non-kosher birds and grasshoppers.
 - **Q:** A pasuk refers to birds as "tziporei shemaya". Presumably this even refers to a non-kosher bird!? **A:** "Tziporei shemaya" even refers to non-kosher birds, but "tzippor" by itself does not.
 - **Q:** A pasuk regarding which birds may be eaten says "kol tzippor tehora", which suggests that there is such a thing as a tzippor that is not a kosher bird!? **A:** It only suggests that there are kosher birds that can be otherwise assur.
 - **Q:** That can't be referring to treifos, because that is dealt with explicitly in another pasuk!? It also can't be coming to include the shechted metzora bird as being assur, because that is learned from the end of the pasuk that says "v'zeh asher lo tochlu mayhem"! **A:** It comes to include the shechted metzora bird and to make it assur with an assei and a lo saasei.
 - **Q:** Why not say that it comes to teach regarding a treifa, and teaches that it is also assur with an assei and a lo saasei? **A:** The context of the pasuk is regarding shechted birds.
 - **Q:** The pasuk regarding a metzora says "shtei tziporim chayos", which presumably means they are mutar to be eaten, which would suggest that there are some tziporim which may not be eaten!? **A:** "Chayos" means that their limbs are intact, not that they may be eaten.
 - **Q:** This same pasuk says "shtei tziporim chayos tehoros", which suggests that there are some that are not kosher!? **A:** The suggestion is that there are some that are treifos.
 - **Q:** According to the view that treifos can't live, treifos are already excluded by the word "chayos"! Also, even according to the view that a treifa can live, a **Tanna Divei R' Yishmael** teaches that a treifa can't be used for a metzora based on a hekesh!? If so, "tehoros" can't be coming to teach regarding a treifa!? **A:** **R' Nachman bar Yitzchak** said, "tehoros" comes to exclude the birds of an ihr hanidachas from being used for a metzora.
 - **Q:** We wouldn't need to be taught this regarding the metzora bird that is sent away, because that would cause someone who catches this bird to eat an assur bird and the Torah would therefore not allow an assur bird to be sent away and risk causing one to be oiver!? **A:** Rather, the exclusion teaches regarding the bird that is shechted. **A2: Rava** says it comes to exclude taking the bird of a metzora that is to be sent away

and using it for this obligation of another metzora as well. **A3: R' Pappa** says it comes to exclude using a bird that was exchanged for avoda zara. **A4: Ravina** says it comes to exclude using a bird that had killed a person and must be put to death.

OHF TAMEI ROVEITZ AHL BEITZEI OHF TAHOR

- **Q:** Now, it makes sense that when a non-kosher bird nests on kosher eggs it is patur from shiluach hakein, because the pasuk requires a "tzippor", which is a kosher bird. However, why is it also patur when there is a kosher bird nesting on eggs of a non-kosher bird? There is a tzippor and it should therefore be chayuv!? **A:** It is as **R' Kahana** said, that the pasuk of "tikach lach" teaches that the chicks or eggs have to be fit to be taken for you, not just to be thrown to the dogs. **R' Kahana** says this regarding a case where the chicks or eggs are treifos, and says that they will be patur from the mitzvah based on this pasuk, whereas if only the mother bird is a treifa it would still be chayuv.
 - **Q:** Why don't we make a hekesh between the mother and the chicks and teach that just as one is patur if the chicks are treifos, one should also be patur if the mother is a treifa!? **A:** If this hekesh were proper, there would be no reason for the pasuk to say "tzippor" to teach that a non-kosher mother is patur from the mitzvah.
 - **Q:** A Braisa says, a mother of chicks that are treifos are chayuv in the mitzvah!? **A:** **Abaye** said, the Braisa means, if there are chicks that have a mother who is a treifa, it is chayuv in the mitzvah.
 - **Q:** **R' Hoshaya** asked, if someone stuck his hand into the nest and shechted a minority of the simanim of the chicks, what is the halacha? Do we say that since they will become a treifa if left alone it is not called "tikach lach", or do we say that since he can finish the shechita it is called "tikach lach" and he is therefore chayuv in the mitzvah? **TEIKU**.
- **Q:** **R' Yirmiya** asked, if there is a cloth between the mother and the chicks, does that act as a separation and make this patur from the mitzvah? What if there are unattached feathers in between them? What about unfertilized eggs? What if there are two rows of fertilized eggs and he only wants to take the lower row? What if a male bird is on the eggs and the female sits on top of the male? **TEIKU**.
- **Q:** **R' Zeira** asked, what if a dove is sitting on the eggs of a kosher "tasil" bird, or visa-versa? **A:** **Abaye** said, our Mishna says that when a tamei mother bird sits on kosher chicks or visa-versa it is patur. This suggests that if it is a kosher mother and kosher chicks, even if they are of different types, it would be chayuv.
 - The Gemara says, maybe this is only true for birds that normally sit on eggs or chicks that are not their own, but other birds would be patur in this case.

KOREI ZACHAR R' ELIEZER MECHAYAV VACHACHOMIM POTRIN

- **R' Avahu** said, **R' Eliezer's** view is based on a drasha of pesukim where the pasuk regarding the korei bird uses the same verbiage of "gathering" as the pasuk regarding a mother bird.
- **R' Elazar** said, the machlokes is only regarding a male korei bird. With regard to a female korei bird all would agree that it would be chayuv in shiluach hakein.
 - **Q:** This seems obvious!? The Mishna explicitly talks about the male korei bird!? **A:** We may have thought that the **Rabanan** even argue regarding a female korei bird and the reason the Mishna speaks of the male is to teach that **R' Eliezer** says even the male would be chayuv.
- **R' Elazar** says, the machlokes is only regarding a male korei, but regarding all other species of males all would agree that it is patur from the mitzvah.
 - **Q:** This seems obvious!? The Mishna explicitly talks about the male korei bird!? **A:** We may have thought that they even argue regarding other males and the reason the Mishna mentions the korei bird is to teach that the **Rabanan** even argue in that case (even though this male does sit on the eggs).
 - A Braisa says this as well.

MISHNA

- If the mother bird was flying above the chicks instead of sitting on them, if her wings are still touching the nest it is chayuv in the mitzvah. If not, it is not.
- If there is only one chick or egg it is chayuv in the mitzvah, based on the pasuk of "kan", which suggests even one.

- If the chicks could already fly, or if the eggs were unfertilized eggs, they are patur from the mitzvah. This is learned from the pasuk of “v’ha’eim rovetzes ahl ha’efrochim oy ahl habeitzim”. This teaches that just as the chicks are viable the eggs must be viable, which excludes unfertilized eggs, and just as eggs need their mother so too the chicks must still need their mother, which excludes chicks that can already fly.

GEMARA

- A Braisa says, “rovetzes” teaches that the mitzvah only applies if the mother is not flying. From the fact that the pasuk says “rovetzes” instead of “yosheves” it teaches that if the wings are touching the nest it is chayuv even if it is flying.
 - **R’ Yehuda in the name of Rav** said, if the mother is sitting on branches directly on top of the nest we look and determine – if the mother would fall into the nest if it fell from the branches, it is chayuv in the mitzvah. If not, it is not.
 - **Q:** A Braisa says, if the mother is sitting between the eggs it is patur. If it is sitting on top of them it is chayuv. If it is flying over them, even if her wings touch the nest it is patur. Now, presumably just as the case of sitting in between them is a case of where she is touching them (or else there is no chiddush) the case of being on top of them is also where she is touching them. This would suggest that if she is above them on a branch it would be patur!? **A:** The case of between them is where she is not touching them, and the case of above them is therefore also where she is not touching them. This would be the case of the mother sitting on the branch on top of the nest. In fact, this must be so, because if the case of sitting above on the branch is patur the Braisa should give that case and we would then know that when it flies above it, it is certainly patur (because it is not “sitting”).
 - The Gemara says this last proof is not valid, because it may be that the case of it flying over the nest is needed to teach that it is patur even when the wings touch the nest.
 - **Q:** Our Mishna said that when the mother is flying above the nest and its wings touch the nest it is chayuv!? **A: R’ Yirmiya** said, the Braisa is talking about where it touches the nest on the side. That is when it is patur.
 - The Gemara brings a version of this previous exchange where it begins as a proof to **R’ Yehuda’s** ruling and is then refuted, but it uses the same proofs and questions as the above.

EIN SHAM ELAH EFRO’ACH...

- One of the **Rabanan** asked **Rava**, maybe we should darshen the reverse – maybe “efrochim oy beitzim” should teach that if there is only one chick or egg it is patur, and “kan” should teach that even if the chicks can fly or if the eggs are unfertilized it should still be chayuv!? **Rava** said, the fact that the pasuk says that the mother is sitting “ahl ha’efrochim oy ahl habeitzim” instead of saying the mother was sitting “on them”, it comes to teach that we should make the Mishna’s comparison between the efrochim and the beitzim.