Chullin 140 – Good Morning Raboisai

Shiluach HaKen – When Does the Mitzvah Apply?

1️⃣ You Don't Have to Search for a Nest

👉 The Torah says שלח תשלח – you must send away the mother.

One might think:

- A person should actively search through fields and mountains for a nest in order to perform Shiluach HaKen.

Therefore the Torah says:

- כי יקרא – when a nest happens upon you.

The Mitzvah applies when:

- You come across a qualifying nest.

You do not have to:

- Go looking for one.

2️⃣ Even One Egg or Chick

👉 The word קן – nest – teaches that the Mitzvah can apply even if the nest contains:

- Only one egg
- Or one chick.

It does not require:

- A full nest.

Where Can the Nest Be?

3️⃣ Almost Anywhere

👉 The Gemara learns that Shiluach HaKen can apply when the nest is:

- In a tree
- On the ground
- In various other places
- Even in the sea.

The main condition is:

- It must not already be Mezuman – prepared and under your control.

4️⃣ Your Bird That Flew Away

👉 Suppose you owned a bird, but:

- It escaped
- Flew away
- And made a nest somewhere beyond your control.

Once it is no longer:

- In your possession

the nest can become:

- Eino Mezuman

and Shiluach HaKen can apply.

5️⃣ Birds Nesting in Your House

👉 If the birds make their nest:

- In your house

where you have control over them, they are:

- Mezuman

and therefore:

- Patur from Shiluach HaKen.

The same applies to certain pigeons that live under:

- Your control.

A Nest in the Sea – or the Sky?

6️⃣ The Sea Is Called a Derech

👉 The Torah says:

- בדרך – on the way.

The Gemara teaches that:

- The sea can also be considered a Derech.

Therefore:

- A nest found in the sea can qualify.

But what about:

- The sky?

Although the Pasuk uses the expression דרך נשר בשמים – the path of an eagle in the sky, this is specifically:

- Derech Nesher.

The sky itself is not ordinarily called:

- Derech.

7️⃣ A Nest on Someone's Head!

👉 Rav Masna asks a memorable question:

What if someone finds:

- A bird's nest on another person's head?

The Gemara indicates that this can qualify.

A person's head can be included in:

- אדמה – ground

because אדם is connected to:

- אדמה.

So even this unusual nest can fall within:

- Shiluach HaKen.

Moshe, Haman, Esther and Mordechai in the Torah

8️⃣ Famous Derashos

👉 The Gemara asks where several later figures are hinted to in the Torah:

Moshe:

- בשגם הוא בשר
- בשגם has the numerical value of Moshe.
- The Pasuk also mentions 120 years, the lifespan of Moshe Rabbeinu.

Haman:

- המן העץ – “from the tree”
- Hinting to Haman, who was ultimately hanged on a tree.

Esther:

- ואנכי הסתר אסתיר
- Hinting to Hester Panim, a central feature of the story of Esther.

Mordechai:

- מר דרור
- Translated as מרא דכיא, resembling Mordechai.

The Hadrasiyos Pigeons

9️⃣ Why Are They Called Hadrasiyos?

👉 The Gemara discusses the pigeons called:

- Hadrasiyos.

There is a question whether their name is connected to:

- Hordus

or to:

- A place called Hadras.

These pigeons existed in:

- Enormous numbers.

🔟 The Pigeons and Hordus

👉 Rav Kahana describes seeing rows upon rows of these pigeons.

They appeared to call:

- Kiri, Kiri – “my master, my master.”

One pigeon did not join them.

Another seemed to tell it:

- You are a shayte – say “my master”!

The pigeon responded in a way that could be understood as:

- Calling Hordus a slave.

When this was heard:

- The pigeon was killed.

The Gemara treats this extraordinary event as:

- Milin – something involving unusual powers/kishuf.

Which Birds Qualify?

1️⃣1️⃣ "Tzipor" Means a Kosher Bird

👉 The Mishnah taught:

- A non-kosher bird is Patur from Shiluach HaKen.

The source is the word:

- צפור – Tzipor.

The Gemara establishes that when used on its own:

- Tzipor refers to a kosher bird.

The broader word:

- Of

can include both kosher and non-kosher birds.

1️⃣2️⃣ The Gemara Tests This Rule

👉 The Gemara brings several Pesukim where:

- Tzipor

seems to include:

- All birds.

Each proof is examined and rejected.

For example, expressions such as:

- Tzipor Shamayim

may have a broader meaning because the added word:

- Shamayim

changes the expression.

But plain:

- Tzipor

can still mean specifically:

- A kosher bird.

The Birds of a Metzora

1️⃣3️⃣ “Kol Tzipor Tehorah”

👉 A stronger challenge comes from the Pasuk:

- כל צפור טהורה תאכלו.

If the Torah specifies:

- A kosher Tzipor

it seems there must also be:

- A Tzipor which may not be eaten.

The Gemara explains that this can refer to:

- A kosher species which is nevertheless prohibited for another reason.

1️⃣4️⃣ The Shechted Metzora Bird

👉 The Gemara identifies this with:

- The bird shechted during the purification of a Metzora.

A Metzora takes:

- Two kosher birds.

One is:

- Shechted.

The other is:

- Dipped in the blood-and-water mixture and then sent away.

The shechted bird:

- May not be eaten.

Thus it is a:

- Kosher species

which is nevertheless:

- Assur.

1️⃣5️⃣ Why Not Simply a Treifah?

👉 The Gemara considers saying that:

- Tzipor Tehorah

excludes a:

- Treifah.

But the Issur of Treifah is already explicit elsewhere.

The Gemara therefore prefers the case of:

- The Metzora bird

where the Shechitah itself is:

- A valid Shechitah

yet the bird remains prohibited.

A Metzora's Birds Must Be Fit

1️⃣6️⃣ A Treifah Cannot Be Used

👉 The Gemara discusses how we know that the birds used for:

- Taharas Metzora

cannot be:

- Treifos.

The Metzora's birds are a:

- Machshir

meaning they enable him to complete his purification and return to normal Halachic life.

The Gemara compares this to other:

- Machshirim and Mechaprim

and derives that:

- A Treifah is not valid.

Ir HaNidachas

1️⃣7️⃣ A Bird From an Ir HaNidachas

👉 Rav Nachman bar Yitzchak gives another example of a kosher bird that:

- Cannot be used.

A bird connected to:

- An Ir HaNidachas

cannot be used for the Metzora's purification.

The property of an Ir HaNidachas is:

- Forbidden and must be destroyed.

1️⃣8️⃣ Why Not Use It as the Bird Sent Away?

👉 Perhaps it could be used as:

- The live bird which is sent away.

But that would create a problem:

- Someone may later find it and benefit from it.

Something that must be destroyed because of:

- Avodah Zarah

cannot simply be released for:

- Someone else to find.

Don't Reuse the Metzora Bird

1️⃣9️⃣ One Bird for Two Metzora'im?

👉 The Gemara considers whether the bird meant to be:

- Sent away for one Metzora

could first be used for:

- Another Metzora.

For example:

- Use it in the second Metzora's procedure
- And then send it away for both.

This is rejected.

A bird designated for:

- One person's purification

cannot simply be reused to fulfil:

- Another person's requirement.

A Bird Exchanged for Avodah Zarah

2️⃣0️⃣ Another Prohibited Bird

👉 The Gemara also discusses a bird acquired:

- In exchange for Avodah Zarah.

Such a bird has:

- A prohibition of benefit.

It therefore cannot simply be used as:

- The Metzora bird sent free

because another person could later:

- Find and benefit from it.

A Bird That Killed a Person

2️⃣1️⃣ It Must Be Brought to Beis Din

👉 Another possibility is:

- A bird which killed a person.

If Beis Din already sentenced it:

- It obviously cannot be used.

Even before the final sentence:

- It cannot simply be released.

There is an obligation to bring it to:

- Beis Din

to fulfil:

- ובערת הרע מקרבך.

Mother and Chicks Must Qualify

2️⃣2️⃣ Non-Kosher Mother

👉 The Mishnah says:

If a non-kosher bird is sitting on:

- Kosher eggs

there is:

- No Shiluach HaKen.

Why?

Because the mother must be:

- A Tzipor

and Tzipor refers here to:

- A kosher bird.

2️⃣3️⃣ Kosher Mother on Non-Kosher Young

👉 What if the mother is kosher but the young are:

- Non-kosher?

Rav Kahana learns from:

- תקח לך – you shall take for yourself.

The young must be something:

- Fit for you.

Not something:

- Intended for your dog.

Therefore the young must be:

- Permitted for you to eat.

What About a Treifah?

2️⃣4️⃣ Treifah Mother vs Treifah Chicks

👉 Rav Kahana teaches:

If the mother is:

- A Treifah

but the chicks are kosher:

- Shiluach HaKen applies.

But if the chicks themselves are:

- Treifos

the Mitzvah does not apply.

Why?

Because the Torah says regarding the young:

- תקח לך.

They must be:

- Fit for you to take and eat.

This requirement is stated about:

- The young

not the mother.

2️⃣5️⃣ Abaye Corrects the Beraisa

👉 A Beraisa seemed to say:

- A mother with Treifah chicks is Chayav.

This contradicts Rav Kahana.

Abaye explains that it should be read:

- אפרוח שאמו טרפה.

Meaning:

- The chick is kosher
- But its mother is a Treifah.

In that case:

- Shiluach HaKen does apply.

The Final Question – A Partially Shechted Chick

2️⃣6️⃣ Rav Hoshaya's Shaila

👉 Rav Hoshaya asks:

Suppose someone began Shechting one of the chicks:

- Cutting enough that if left like this it would become a Treifah

but he has not yet completed:

- The Shechitah.

Does Shiluach HaKen still apply?

On one hand:

- Right now the chick is headed toward being prohibited.

But on the other hand:

- He can immediately finish the Shechitah properly
- And make it permitted.

Perhaps the ability to complete the Shechitah means it is still considered:

- תקח לך – fit for you.

The Gemara leaves the question:

- Unresolved.

📌 Key Chazarah

- You do not have to search for Shiluach HaKen; כי יקרא means the nest must happen upon you.
- Even one egg or chick is enough.
- The nest must be Eino Mezuman – not already under your control.
- An escaped bird can lose its status as being under your ownership and become subject to Shiluach HaKen.
- A nest can qualify in unusual places, even the sea and potentially on a person's head.
- The Gemara gives the famous Torah hints to Moshe, Haman, Esther and Mordechai.
- Plain Tzipor refers to a kosher bird.
- The birds used for Taharas Metzora must themselves be suitable; a Treifah cannot be used.
- A bird from an Ir HaNidachas or connected to Avodah Zarah cannot be used where it would later be released for others to benefit from.
- A bird that killed a person cannot simply be sent away; it must be dealt with through Beis Din.
- A non-kosher mother is exempt from Shiluach HaKen.
- The young must be תקח לך – fit for the person to take.
- Therefore Treifah chicks are exempt, but a Treifah mother with kosher chicks is Chayav.
- The Daf ends with an unresolved Shaila about a partially shechted chick which could still be completed with a valid Shechitah.

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