

SIMAN 79: ONE WHO COMES ACROSS EXCREMENT WHEN READING THE SHEMA (CONTINUED)

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79:5. (25) Donkey excrement which is soft, when the donkey completes a trip [apparently its excrement is different when penned] and that of a cat, a marten [a kind of weasel --SP] and a rotting carcass are all treated for the purposes of the law as human excrement [and one may not read the Shema within 4 cubits of them, even if there is no smell emanating from the excrement -SP]. One who is walking along a road, even if he sees animal excrement in front of him [and he does not know whether it is from a donkey or some other animal --SP], if no smell reaches him then he does not have to worry about the minority, meaning to assume that it might come from a donkey. But near a city some say that one should worry [that it might be donkey excrement] since the majority of animals commonly found there are donkeys [Rema: [but this only applies] in a place where donkeys are common].

MB 25: Donkey excrement - [The excrement of] all of these [animals] usually has a bad smell, and therefore even if one came across one that did not smell, it is still forbidden [to read the Shema within 4 cubits] because it is considered like human excrement - so wrote the Magen Avrohom, and see in the Biur Halacha [where the author of the Mishnah Berurah discusses whether this law applies only where the excrement is still soft and has not yet had a chance to harden. He leaves the matter (as far as the practical law is concerned) as requiring further investigation. --SP]

79:6. In the Jerusalem Talmud it prohibits reading [the Shema] in the presence of the urine of a donkey which has completed a trip, and [also] in the presence of excrement of chickens which is (26) red.

MB 26: red - From his [the Shulchan Aruch's] language it implies that what he means to say is that [red refers to the excrement,] and because it is red it has a great stench i.e. the word "red", which is in the singular in the Shulchan Aruch, refers to the excrement rather than the chickens --SP]. But the later Rabbis wrote that red chickens are what we call the "English Hen" [according to the new Blum printing, this is a Turkey - YM] whose excrement stinks a lot; it is preferable not to keep them in any house where one learns [Torah] or makes Blessings, especially a scholar's house, because it is impossible for him not to have Torah thoughts (from the book Minchas Shemu'el in Halacha Berurah).

79:7. The excrement of chickens (27) which go into the house has the same law as the excrement of an animal, but (28) their coop has a rotten stench and has the same law as human excrement.

MB 27: *which go into the house - And even if the majority of their sustenance is from the five kinds [of grain - wheat, oats, barley, spelt and rye], one may still be lenient so long we know that their excrement does not stink. But birds currently sitting on their eggs are known to have excrement that stinks a lot, and therefore it is clear that the law in their case is like that for human excrement, as mentioned above.*

MB 28: *their coop - This is a small building [specially] constructed for geese and chickens, and since there is a lot of excrement in it, it does have a disgusting stench, and therefore its law is like that for human excrement. And the Chayei Odom writes that the same law applies to a barn for animals [e.g. a cow shed], meaning that it is also forbidden [to read the Shema in it] for this reason [that it smells very nasty], but see in the Biur Halacha what we have written about this (*).*

[(*) In the Biur Halacha the author of the Mishnah Berurah discusses an objection to the Chayei Odom's opinion (that an animal barn is treated like a chicken coop) brought in the Kitzur Shulchan Aruch. The Biur Halacha finds support for the Kitzur Shulchan Aruch's opinion on the basis that the Talmud does not include the excrement of dogs and pigs when discussing a chicken coop. He concludes, however, that the law is indeed like the Chayei Odom, as he considers an animal barn to be like a pile of rubbish which (in 79:8 and MB 29) is treated like human excrement --SP].

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THE LAWS OF PRAYER

[We are now commencing, with Hashem's help, a long section of the Shulchan Aruch devoted to the Laws of the Amidah, which is called in the Shulchan Aruch "Tefillah" [Prayer]. Another commonly used name for the Amidah is "Sh'moneh Esrei" [Eighteen], thus called because the weekday Amidah used to consist of 18 Blessings, although one has since been added to make the total 19.