

מותר להורגו ואסור לקיימו –

It is permissible to kill it and forbidden to keep it

Overview

תוספות proclaimed that it is permitted to kill a cat, and forbidden to keep it. תוספות explains why a cat is different from other wild animals.

תוספות anticipates a difficulty:

והא דאמר ריש לקיש בפרק קמא דסנהדרין (דף טו,ב ושם) גבי ארי ונמר ודוב וזאב וברדלס ונחש -
And this which ר"ל stated in the first פרק of סנהדרין regarding a lion, leopard, bear, wolf, cheetah(?)¹, and a snake -

דאפילו רבי אליעזר דאמר² כל הקודם להורגו זכה היינו דוקא כשהמיתו אבל לא המיתו לא -
That even according to ר"א who stated. 'whoever precedes to kill them, he merits', that is only when they killed previously, however if they did not kill, it is not permitted to kill them, so why by the cat may we kill it even if it did not kill as of yet ?

תוספות responds; by other animals they are not killed unless they kill first -

היינו בקשורין בשלשלת שכן דרך לגדלן והכא בחתול שאין קשורה -
That is because they are tied up in chains, for that is the manner in which they are raised, however here we are discussing a cat which is not tied up –

תוספות offers an alternate distinction between cats and the other wild animals:

אי נמי מהנהו רגילים בני אדם להזהר ולא אתי לידי היזק -
Or you may also say that from those wild animals people are accustomed to be careful around them and they will not come to be damaged -
אבל מחתול אין נזהרין שאין יודעים אם היא בר אוכמא או בר חיורא שאין מכירים באבותיהם:
However people are not careful to avoid the cat, since they do not know if this cat is a child of a dark cat or the child of a white cat,³ for they are not acquainted with the parents of this particular cat.

Summary

Cats are more prone to damage than other wild animals, either because they are not tied up, or because we are unsure of his lineage (whether he is from a white cat).

¹ See רש"י and תוס' there (ד"ה ברדלס).

² סנהדרין ב,א.

³ The descendants of white cats are more likely to damage.

Thinking it over

May one kill a (white) cat who is tied up?