

26.1.16

19b (רבי מאיר אומר אין מוכרין לו אלא שחוטה) → 20b (משנה חז)

<p>1. ונתנם ה' אלהיך לפניך והפיתם החרם תחרים אתם לא תכרת להם ברית ולא תחנם: דברים ז:ב</p> <p>2. לא תאכלו כל גבלה לגר אשר בשעריך תתננה ואכלה או מכר לנכרי כי עם קדוש אתה לה' אלהיך לא תבשל גדי בחלב אמו: דברים יד:בא</p> <p>3. מה רבו מעשיך ה' כלם בחכמה עשית מלאה הארץ קניינך: תהלים קד:כז</p> <p>4. כי תצא מחנה על איביך ונשמרת מכל דבר רע: דברים כג:י</p> <p>5. אז דברת בחזון לחסידיך ותאמר שויתי עזר על גבור הרימותי בחור מעם: תהלים פט:ב</p> <p>6. רוח אדני ה' עלי יצן משח ה' אתי לבשר עניים שלחני לחבש לנשברי לב לקרא לשבויים דרור ולאסורים פקח קוח: ישעיהו סא:א</p>

- I חו משנה: further prohibitions against making accoutrements for ע"ז or giving them a stake in the Land
 - a *May not*: make adornments, including rings etc. for ע"ז
 - i ע"ז: if done for pay – permissible
 - b *May not*: sell them anything attached to the ground until it is uprooted
 - i ע"ז יהודה: may sell them on condition that they cut it down
 - ii *Source* (for not selling לקרקע): v. 1 – interpreted as “do not give them בקרקע”
 - 1 *Challenge*: it is also taken to mean “do not compliment them” and “do not give them a free gift”
 - 2 *Answer*: the unusual wording of לא תחנם allows for all three meanings
 - 3 *Note*: the last application – מתנת חנם – is a dispute ר"מ/ר' יהודה in re v. 2
 - (a) ע"ז: may give or sell to either גר or נכרי, as per variant parsing of verse
 - (b) ע"ז יהודה: taken literally – or gift (תושב) גר or sale to נכרי, per או as disjunct
 - (i) ע"ז: purpose of או is to give precedence לגר
 - (ii) ע"ז יהודה: since we are obligated to sustain the גר (but not the גוי), precedence is understood
- II Analysis of prohibition of “giving compliments” based on תחנם
 - a *Support*: for רב, who ruled that it is prohibited to praise the beauty of a pagan woman
 - i *Challenge*: story of רשב"ג who saw a beautiful עכו"ם from הר הבית and cited v. 3 in praise
 - 1 *And*: story of ר"ע with Turnus Rufus' wife
 - ii *Answer* (רב): they were simply praising God for beautiful creatures, per the ruling re: לו בעולמו
 - 1 *Challenge*: how were they allowed to gaze at these women? (v. 4 – which implies a prohibition against gazing at a pretty girl even if single and a married woman even if unattractive, or at gazing at her colored clothing and at animals who are cohabiting; even if he has eyes everywhere like the מלאך המוות (tangent about מ"מ))
 - 2 *Answer*: in the case of רשב"ג, he just encountered her, wasn't gazing
 - b *Analysis of prohibition of staring at colored clothing*:
 - i ע"ז: even if it is on the wall (i.e. she's not wearing it)
 - ii *Limitations*:
 - 1 ע"ז: only a violation if the man gazing knows the woman who owns these clothes
 - (a) *Support* (רבא): wording of ruling
 - 2 ע"ז: only applies to used clothing, not new clothes
 - (a) *Proof*: else how could we give clothes to a launderer
 - (i) *Block*: how can rancher direct mating – rather, he's engaged in work he won't have lewd thoughts
 - 1 *Same*: applies to launderer
 - iii *Further application of v4*: a person shouldn't gaze during the day which may lead to הרהור at night (ר"פ's sequenced scale of sanctity – where חסידות is the highest level, per v. 5
 - 1 *Dissent* (ריב"ל): humility is the greatest trait, per v. 6
 - III Analysis of dispute ר"מ (ת"ק/ר') יהודה about selling מחובר לקרקע on condition he cuts down
 - a Parallel dispute re: cutting down tree, straw and wheat
 - i *Justification*: if we only learned the dispute about the tree, ע"ז that ר"מ bans since he could leave it standing
 - 1 *But*: in case of straw and wheat, he'll certainly cut it down
 - ii *And*: if we only learned the tree and wheat, ר' יהודה allows because he doesn't yet know its value,
 - 1 *But*: in case of straw, he knows the value – would prohibit
 - iii *And*: invert the argument to complete the צריכותא
 - b *Question*: how would ר"מ and ר' יהודה rule regarding selling an animal on condition that he slaughters?
 - i *Perhaps*: even ר"י would ban since, unlike these cases, the animal is in his property and he may keep it around
 - ii *Answer*: ברייתא presents parallel dispute in this case