

26.4.8

58a (טעמא דאינן בני תורה הא בני תורה שרי) → 59a (אמר רבא כי אתאי לפומבדיתא)

1. טבחה טבחה מסכה יינה אף ערכה שלחנה: משלי ט:ב

- I Continuation of discussion re: רבא's ruling, permitting wine (בהנאה) when עכו"ם unintentionally put his hand in
- a *One*: when in פומבדיתא אביי "attacked" him with שמועות and ברייתות
- i *Both*: both positions are defensible: שמועות both שמואל (in נהרדעא) and ר' יוחנן (in טבריה) prohibited even הנאה from wine בשכשוך
- Counter*: perhaps this was an extra measure as the people in those towns aren't בני תורה
 - Block*: if they aren't בני תורה, certainly the people in מחוזא aren't בני תורה
- ii *Asor* – weights and measures overseer who drilled into barrel or took some and returned to barrel – אסור
- Counter*: perhaps it was only אסור בהנאה
 - Block*: then it should have stated יימכר, as in סיפא:
 - A strongarm*: who thinks it to be oil and puts his hand in – יימכר
 - Rather*: רבא was refuted
- II Story: 2 חכמים were drinking; man came by and they asked him to pour them wine; they discovered he was עכו"ם
- a *One*: refused to drink and banned even הנאה
- b *Other*: permitted הנאה – even to drink
- i *Both*: both positions are defensible: דיבול
- ii *Prohibition*: he reasons that רבנן wouldn't be drinking mead; it is wine and he intends ניסוך
- iii *Permission*: he reasons that they would know him to be עכו"ם, must be שכר
- Note*: must have been at night (so he wouldn't see), new wine (so he couldn't smell it)
 - And*: that he poured from barrel, not putting his cup in – else it would be מגע שלא בכונה → אסור
- III Question posed (ר' אסי לר' יוחנן): if ישראל dilutes wine of עכו"ם
- a *Note*: he used wording of v. 1 – מסכה – instead of Rabbinic "מזג"
- Answer*: prohibited, as a precaution .. אמי נזירא – לך לך אמרי נזירא
 - Support*: additional report in יוחנן ר' יוחנן's name confirming position
- IV Story: ר"ל came to בצרה (in transJordan) and saw 2 things:
- a *One*: were eating food without separating מעשרות – and he banned them (assumed it was א"י מעשרות)
- b *Other*: saw עכו"ם bowing to water and ישראל drinking from it – and banned it
- c *He came to* ר' יוחנן who reversed him on both; בצרה ~ בצר (ח"ל) and של רבים מים cannot become אסור
- Note*: ר' יוחנן had ruled this way in the name of יהוצדק בן שמעון
 - Challenge*: → אסור? It is מחובר לקרקע מים של יחיד can become אסור?
 - Answer*: could be case where the rock (of spring) was moved
 - Inference*: then ר' יוחנן must be the מ"ד that rocks dislodged from mountain can be אסור (מו).
 - Rejection*: could be case where he moved it by hand (all would agree it could be אסור)
- V Story: ר' חייא בר אבא came to town of גבלא and saw 3 things – and had no reaction
- a *What he saw*:
- Children*: women had babies with men who were טבל מל ולא טבל
 - Wine*: ישראל were drinking from wine diluted by עכו"ם
 - Lupins*: ישראל תומוסין would eat lupins cooked by non-Jews
- b *Reactions*:
- Children*: are ממזרים
 - Reason*: ר' יוחנן holds that מל ולא טבל is a גוי גמור
 - And*: if ישראל with ביאה עכו"ם ועבד – the child is a ממזר
 - Wine*: is יין נסך – as a precaution against יין
 - Lupins*: are prohibited as בישול נכרים – because the people there are not בני תורה
 - Inference*: it isn't inherently בישול נכרים
 - Challenge*: lupins are not eaten raw
 - Answer*: ר' יוחנן maintains that the sole criterion for בישול נכרים is עולה על שלחן מלכים; lupins don't make it to the royal table
 - Therefore*: if not for the fact that the people in גבלא aren't בני תורה – would be permitted