30.1.4

5a (לימא מסייע ליה) → 6a (קנה וא"צ לזכות)

1. דַּבֵּר אֶל בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם אָדָם כִּי יַקְרִיב **מִכֶּם** קָרְבָּן לַה' מִן **הַבְּהֵמָה** מִן הַבָּקָר וּמִן הַצֹּאן תַּקְרִיבוּ אֶת קָרְבַּנְכֶם: *ויקרא א, ב*
2. וְאִם נֶפֶשׁ אַחַת תֶּחֱטָא בִשְׁגָגָה **מֵעַם הָאָרֶץ** בַּעֲשֹׂתָהּ אַחַת מִמִּצְוֹת ה' **אֲשֶׁר לֹא תֵעָשֶׂינָה** וְאָשֵׁם: *ויקרא ד, כז*
3. צַדְּקָתְךָ כְּהַרְרֵי אֵל מִשְׁפָּטֶךָ תְּהוֹם רַבָּה **אָדָם וּבְהֵמָה תוֹשִׁיעַ ה'**: *תהלים לו, ז*
4. הִנֵּה יָמִים בָּאִים נְאֻם ה' וְזָרַעְתִּי אֶת בֵּית יִשְׂרָאֵל וְאֶת בֵּית יְהוּדָה **זֶרַע אָדָם וְזֶרַע בְּהֵמָה**: *ירמיהו לא, כז*
5. כִּי תֵּשֵׁב לְלָחוֹם אֶת מוֹשֵׁל בֵּין תָּבִין אֶת אֲשֶׁר לְפָנֶיךָ: וְשַׂמְתָּ שַׂכִּין בְּלֹעֶךָ אִם בַּעַל נֶפֶשׁ אָתָּה: *משלי כג, א-ב*

I Continuing analysis of רב ענן's ruling (בשם שמואל) that permits a משומד לע"ז to perform שחיטה
- a *Suggested support*: ברייתא – everyone may slaughter, even כותי, ערל and משומד
  - i *ערל*: must be due to principled refusal, not medical "exemption" – else he is perfectly fit
  - ii *משומד*: must be re: עבודה זרה – yet his שחיטה is valid
    1. *Rejection*: perhaps if he worships ע"ז, due to its severity – שחיטה is invalid
    2. *Rather*: the משומד is לשחיטה, per רבא's ruling (above)
- b *challenge*: interpretation of v. 1:
  - i *מכם*: excludes "some of you" - קרבנות brought by משומד aren't accepted (this distinction is only בכם – not אומות)
    1. *meaning*: we do accept נדרים ונדבות from any non-Jew, regardless of his theology or practice
  - ii *מן הבהמה*: alludes to people who are animal-like, meaning we accept קרבנות from "sinners" to inspire תשובה
    1. *exceptions*: משומד, someone who libates wine to ע"ז and someone who publicly violates שבת
    2. *resolution*: first משומד (rejected) is משומד לכל התורה כולה; 2nd is משומד to one matter (accepted)
       (a) *however*: final משומד is unclear –
       (i) *if*: it is לע"ז – that is the same as the רישא (why repeat?)
       (ii) *if*: it is משומד לדבר אחד – that is contradicted by 2nd clause
       (iii) *rather*: if must be משומד לע"ז – rejected – and that refutes תיובתא – ר' ענן's ruling
- c *challenge*: we infer invalidity of משומד לע"ז from v. 2
  - i *ת"ק*: עם הארץ excludes a מושמד
  - ii *ר"ש*: "אשר לא תעשינה" – only if he repents his actions once he becomes informed; if that doesn't stop him – no חטאת
    1. *and*: we defined the difference between them – if he is משומד to eat חלב and eats דם (and stops when told)
       (a) *liability*: ת"ק – not liable; ר"ש – he would stop if told → חייב
  - iii *resolution*: we need a source for both חטאת and עולה
    1. *if we only*: learned the exclusion re: חטאת – since it is לכפרה and we don't want to help משומד
    2. *and if we only*: learned the exclusion from עולה – since it isn't obligatory, no reason to allow him to bring – קמ"ל
  - iv *tangential challenge to ברייתא*: the use of "בהמה" isn't necessarily read pejoratively
    1. *support*: v. 3 is interpreted as praising people who are "innocent" like animals
       (a) *defense*: in that case, בהמה is mentioned alongside אדם (unlike v. 5 where זרע divides them → negative)

II Further discussion about status of כותים vis-à-vis שחיטה
- a *report (ר' יעקב בר אידי בשם בר קפרא)*: ר"ג and his court ruled that שחיטת כותי is forbidden
  - i *question (ר' יעקב בר אידי to ר' זירא)*: perhaps that only applies if there is no ישראל supervising
  - ii *response (ריב"א)*: if no ישראל overseeing, it is obviously invalid and needs no ruling
    1. *question*: did ר"ז accept this interpretation of ר"ג's ruling?
    2. *answer*: story that ר' יוחנן and ר' אסי were seen eating from שחיטת כותי and ר"ז wondered:
       (a) *did they*: not hear about ר"ג's ruling; had they heard, they would have surely not eaten OR
       (b) *did they*: hear about it – and reject it (the report?)
       (c) *and he answered on his own*: they must have heard; ה' wouldn't allow such צדיקים to be "tripped up" and sin
    3. *conclusion*: he accepted ריב"א's answer; else, he would have explained ר' יוחנן as a case of ישראל עומד על גביו
- b *question*: why did they make this decree (that even with a ישראל supervising, their שחיטה is invalid)?
  - i *answer*: story about ר"מ sending someone to buy wine from them; an elder warned him away (v. 5)
    1. *then*: ר"מ was told and decreed that their wine be prohibited – they had found a dove which they worshipped on הר גריזים – ר"מ follows his own approach of חשש למיעוט – since a few worship ע"ז
       (a) *and*: ר"ג and his court follow ר"מ (חייש למיעוטא) and made the decree
       (b) *tangent*: explanation of v. 5 according to פשט – refers to a students and choosing a proper teacher
  - ii *parallel*: story (200 years later) with ר' אמי ור' אסי, ended up decreeing that they are considered גויים גמורים
    1. *for שחיטה ויין נסך*: the decree of ר"ג wasn't accepted; this one was
    2. *practical application*: they cannot simply "nullify" their domain (for purposes of עירוב חצרות);
       (a) *rather*: like non-Jews, must sell or lease property (or at least declare such orally)

