

30.1.5

6a (חזי מאן גברא רבה קמסהיד עליה) → 7a (רבי זירא ורב אסי איקלעו)

1. הוא הסיר את הבמות ושבר את המצבת וקרת את האשרה וכתת נחש הנחשת אשר עשה משה כי עד הימים ההמה היו בני ישראל מקטרים לו ויקרא לו נחשתן: מ"ב יח, ד
2. וירכסו את החשן מטבעתיו אל טבעת האפד בפתיל תכלת להיות על חשב האפוד ולא יזח החשן מעל האפוד: שמות כח, כח
3. כי לא יזנח לעולם אדני: איכה ג, לא
4. ולא הוריש מנשה את בית שאן ואת בנוטיה ואת תענך ואת בנוטיה ... ויואל הכנעני לשבת בארץ הזאת: שופטים א, כז

- I Story involving זירא and ר' אסי (and consequences of תערוכות דמאי), following on theme of הקב"ה saving צדיקים from sinning
- a story: they came to a פונדק, were served eggs soaked in wine; ר"ז did not eat (חשש תערוכות דמאי); ר"א ate
- i ר"ז asked ר"א why he ate (a: wasn't paying attention)
- ii ר"ז must be מותר; else ר"א wouldn't have allowed ר"א to violate (ק"ו from צדיקים's animals – see p. 6)
- 1 found support: תוספתא דמאי א: כד - if he pours wine into a mixture of e.g. fish oil – must take דמאי (ק"ו – if its ודאי)
- (a) but: the product into which the wine was poured is מותר (i.e. תערוכות דמאי is permitted)
- 2 challenge: חסודה על השביעית או על המעשרות (if someone gives his neighbor שביעית or מעשרות due to the spices or leaven)
- (a) but: if he said "use your own materials" – he must be concerned (i.e. תערוכות דמאי is a concern)
- (b) answer1: since he told her to use her own, it is as if he mixed them in himself
- (c) answer2: (רמב"ם): leaven and spices are there to give taste and that isn't בטל
- (d) challenge: דמאי ג: – we are concerned that his mother-in-law will swap food that has gone bad
- (i) → must take מעשרות from that which he gives her (to cook) and what he gets back from her
- (ii) answer: she wants her daughter to benefit and is ashamed in front of her son-in-law (→ she swaps)
- (e) challenge: גטין ה: – even with a פונדקאית, he must separate מעשרות before giving and after taking back
- (i) answer: in that case, she will rationalize that the student (who gave it to her) shouldn't eat warm food while she only gets cold food (therefore, she swaps)
- (f) challenge: תוספתא טהרות ח: ד – תוספתא טהרות ח: ד – אשת עם הארץ will even steal her חב"ד – ק"ו to swap
- (i) answer: in that case, she also rationalizes, that since she is working with the food – "לא תחסום"
- II Rights to innovate in הלכה – the case of exemption from מעשרות in בית שאן (northern end of הירדן)
- a testimony: before רבי about ר"מ – he ate a leaf from a vegetable growin in בית שאן without separating מ"מ תר"מ
- i based on this: רבי declared בית שאן to be permitted (i.e. treated as ח"ל)
- ii challenge (from his family and colleagues): our ancestors treated it as א"י, how can you declare it to be ח"ל?
- iii defense: per v. 1; earlier righteous kings didn't destroy these things and left room for חזקיה to make his contribution
- 1 implication: if a ת"ח innovates something, do not "reject him"
- (a) language: מזיחין (v. 2), מזיחין (v. 3) or מזיחין (from מזיחין יד: ט: (per v. 4)
- b challenge (יהודה בריה דרשב"פ): בית שאן is certainly in א"י (per v. 4)
- i answer: he forgot the ruling reported by ר"א בן שמעי, that many cities were not re-sanctified upon שיבת ציון
- 1 reasoning: they held that קדשה לעתיד לבוא
- 2 and: they left them as ח"ל so that the poor would have a source of food during שמיטה
- c challenge (פסור מתר"מ) אכילת עראי, בית שאן – proves nothing about ר"מ (ר' ירמיה לר' זירא)
- i answer: it was from a bundle, at which point, there is obligation (ח: מעשרות א:)
- d challenge: perhaps ר"מ ate inadvertently (forgot about תר"מ)
- i answer: if ה' doesn't allow animals of צדיקים to be "tripped up" (see p. 6), certainly he wouldn't let צדיקים be tripped
- e challenge: perhaps he separated מעשרות from another vegetable (elsewhere – מן המוקף)
- i answer: we don't suspect חברים of separating מן המוקף
- f challenge: perhaps he ate from one side while he mentally designated תר"מ from another side of the plant (מן המוקף)
- i answer: we have testimony about it from a great man (ר' יהושע בן זורו)
- 1 therefore: trust that he understood ר"מ's act as significant and instructive and he noted the details carefully