

30.1.4

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



- I Continuing analysis of 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 מכס excludes “some of you” - קרבנות brought by משומד aren't accepted (this distinction is only בכס – 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 כולה 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 ענן's ruling – ר' ruling – תיבתא
- c *challenge*: we infer invalidity of לע"ז משומד from v. 2
- i מושמד עם הארץ ת"ק excludes a משומד
- ii חטאת ר"ש – only if he repents his actions once he becomes informed; if that doesn't stop him – no חטאת ר"ש
- 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* (בר קפרא) and his court ruled that שחיטת כותי is forbidden
- i *question* (ר' יעקב בר אידי בר אבא): perhaps that only applies if there is no ישראל supervising
- ii *response* (ר' יב"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 כותי שחיטת 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 ר' יב"א's answer; else, he would have explained ר' יוחנן as a case of גבוי על גבוי and sin
- 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 גריזים – 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 פשוט – 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 גומרים
- 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 חצרות);
- (a) *rather*: like non-Jews, must sell or lease property (or at least declare such orally)