

30.2.11

39b (משנה ח) → 41a (אין לך מומר גדול מזה)

- I ח משנה ח: slaughtering with variant worship-intent
- a if: he slaughters for the sake of mountains, hills, seas, rivers or deserts – פסול
- i even if: two are slaughtering and one had such intents – פסול
- II analysis:
- a inference: it is invalid, but not considered ע"ז תקרובת ע"ז ("זבחי מתים")
- b challenge: ברייתא – if he slaughters for the sake of (offering to) mountains, hills, rivers, deserts, sun or moon, for stars, for מיכאל שר הגדול or for a little worm – all considered זבחי מתים
- i resolution (אב"י): if he declares that it is for the mountain – invalid, but not זבחי מתים (mountains [e.g.] cannot become objects of ע"ז; but if he declares that he is offering it to the "מזל of the mountain" –
- 1 proof: it is compared to offering it to מיכאל שר הגדול (an intangible figure)
- c related ruling (רב הונא): if his friend's animal was lying before ע"ז and he cut one סימן – it is now prohibited (תקרובת ע"ז)
- i background: he accepts יוחנן ר' ruling – if one bows to another's animal, still permitted; but if he does an act – אסור
- ii challenge (ר"נ): if one slaughters חטאת outside on שבת for ע"ז, he may be liable for 3 חטאות ע"ז (חוק, שבת, ע"ז)
- 1 however: if we accept ר"ה, it should be אסור as soon as he cuts one סימן → חוטי חוק for חוב
- iii answer1 (ר"פ): case is a חטאת העוף; one סימן is the full liability for חוקי – all happen simultaneously
- 1 challenge: ר' הונא was basing himself on עולא who said that any act was enough
- (a reformulation1: he must have declared that he only intended to worship at the end of שחיטה
- 2 challenge: then why insist on it being חטאת?
- iv answer2 (מר זוטרא ר"פ): case where he found ½ trachea missing and cut a bit, finishing שחיטה with one act
- d observations (ר"פ): had ר"ה not stated "סימן 1", חטאת would not have served as a refutation
- i reason: we would have interpreted עולא's "מעשה" as a major act (full שחיטה)
- ii and: had ר"ה not put the case as a fellow's animal, חטאת wouldn't have served as a refutation
- iii reason: he can only prohibit his own, not another's
- 1 challenge: this is obvious
- 2 justification: we may have thought that since he becomes responsible – for כפרה – it is as if it was his – קמ"ל
- III מימרא (ר' יצחק) ר' עמרם, ר' יצחק, ר' ג' a person doesn't have the purview to prohibit that which is not his
- a challenge1: our ברייתא about שחיטת חטאת, outside for ע"ז on שבת
- i which: we interpreted as חטאת העוף, with a 50% missing trachea
- ii but: if a person cannot prohibit that which is not his, it could have been חטאת בהמה – wouldn't be אסור until done
- 1 answer: since he "acquires" it for כפרה, it is as if it were his
- b challenge2: our משנה – if either שוחט-co intends one of these (idolatrous intents) it is valid
- i defense: case where they are partner-owners of the animal
- c challenge3: if one is מדמע, מטמא, or מנסך – unintentionally, exempt from payment (torts); if intentionally – liable
- i defense: he is also a co-owner
- d note: this entire issue is a dispute between תנאים:
- i if: a non-Jew libated ישראל's wine with no idol present
- 1 חכמים prohibited
- 2 ד' יהודה בן בתירה ור' יהודה בן בבא permitted on two counts:
- (a) ג'סוק היין: is only effective in the presence of the ע"ז
- (b) שאינו שלו: the ישראל can say to him that he doesn't have the purview to affect his property that way
- ii response: ר' עמרם ור' יצחק ר' ג' will agree that even the position that allows דבר שא"ש only applies if the one forbidding it is יהודי; but if it is ישראל, he is just harassing him and not intending ע"ז – their position is indisputed
- 1 questions: as above, from our משנה and מנסך etc.
- (a) answers: in each case, it is a מומר ישראל → like a non-Jew for these rulings
- 2 question (asked of ר' אשי): if a "regular" ישראל were warned and accepted the consequences – what's the ruling?
- (a) answer: if he accepted it and was עצמו למיתה, there is no greater מומר.