

26.2.12

35b → 36b (משנה ר') (גזר אפי' אייחוד דעובדת כוכבים)

1. וְיִשָּׁם דְּנִיָּאל עַל לְבוֹ אֲשֶׁר לֹא יִתְגַּאֵל בְּפִתְבֵּג הַמֶּלֶךְ וּבִגְיִין מִשְׁתֵּיוּ וּבִבְקֵשׁ מִשֶׁר הִסְרִיסִים אֲשֶׁר לֹא יִתְגַּאֵל: דְּנִיָּאל א:ח.
2. בְּמֵאָרֶה אַתֶּם נְאֻרִים וְאֵתִי אַתֶּם קְבָעִים הַגּוֹי כְּלוּ: מְלֹאמִי ג:ט.
3. וְלֹא תִתְחַתְּנוּ בָּם בְּתֵד לֹא תִתְנוּ לְבָנוּ וּבִתּוֹ לֹא תִקְחוּ לְבָנֶיךָ: דְּבָרִים ז:ג.
4. כִּי יִסִּיר אֵת בְּנֵיךְ מֵאַחֲרַי וְעָבְדוּ אֱלֹהִים אֲחֵרִים וְחָרָה אֵף יִקְוֶה בָּכֶם וְהִשְׁמִידְךָ מֵהָר: דְּבָרִים ז:ד.
5. וְהָיָה כְּמִשְׁלֵשׁ חֳדָשִׁים וַיֵּגֵד לִיהוּדָה לֵאמֹר זָנַתָּה תִמְרָה פְּלִתְךָ וְגַם הָיָה הָרָה לְזָנוּנִים וַיֹּאמְרוּ הַיְהוּדָה הוֹצִיאֵנוּהָ וְחָשְׂרָף: בְּרֵאשִׁית ל:כז.
6. כִּי יִסִּיחֶךָ אַחֲרַי בֶּן אִמִּיךָ אוֹ בֵּןךָ אוֹ בְּתֵד אוֹ אִשֶׁת חֵיקֶךָ אוֹ רֵעֶךָ אֲשֶׁר כִּנְפֹשֶׁךָ בְּסִתְרָה לֵאמֹר נִלְכָה וְנַעֲבֹדָה אֱלֹהִים אֲחֵרִים אֲשֶׁר לֹא יָדַעְתָּ אֶתָּה וְאַבְתִּיךָ: דְּבָרִים יג:ו.

- I הנאה, באכילה, not משנה ר'
- a Milk milked by a non-Jew without a **ישראל** supervising
- i *Concern*: cannot be swapping, as **חלב טהור** is a different coloration
- 1 *Must be*: they might mix some **חלב טמא** in
- (a) *But*: if sold for cheese, shouldn't be a concern, as **חלב טמא** doesn't curdle
- (b) *Rather*: if sold for milk, might be mixed in
- (i) *Note*: even if sold for cheese, there's always non-curdled whey – could be **חלב טמא**
- b Bread baked by them
- i *Comment* (**ר' יוחנן**): bread was *not* (unlike **שמן**), permitted in ב"ד
- 1 *Inference*: someone did claim it was permitted
- 2 *Background*: one of 2 stories about **רבי** proclaiming his amazement at the **איסור**
- (a) *Note*: even the **מתירים** only do so out of the city (**חתנות**) and only if there's no **ישראל** and only if there's no **ישראל**
- (i) *Story*: **רבי** would eat **פת פלטר עכ"ם** out in the fields and the **רבנן** subsequently avoided him
- c Oil – but **רבי** and his ב"ד permitted **שמן**
- i *Source of prohibition*:
- 1 **דניאל** (v. 1)
- 2 **שמואל**: because they would prepare it in **כלים אסורים** (not "טמאים" [version #1] as that isn't a concern)
- (a) *Challenge* (**שמואל**): how could **רבי** repeal it, (ב"ד שגזר אין ב"ד חבירו רשאי...), as per report of **ר' שמלאי**
- (i) *Note*: not a challenge to **שמואל**; if **רבי** holds that **נטל"פ מותר** – follows that **איסור** has no anchor
- (b) *Answer1*: **ר' שמלאי** is not a reliable tradent (from **לוד**, where they are lenient about **רבנן**)
- (i) *Block*: "shall we ask him?"
- (c) *Answer2*: we get it directly from v. 1 – the plural **משתיי** implies 2 liquids – wine and oil
- (i) **דניאל** "took it to heart" and banned it for everyone
- (ii) **דניאל** "took it to heart" but only practiced abstention himself
- (d) *Challenge*: **דניאל** didn't ban oil; it was part of the 18 decrees of **ב"ש** (שבת א:ד)
- (i) *Suggestion*: **דניאל**'s decree wasn't heeded – *block*: what of **רב**'s interpretation?
- (ii) *Rather*: **דניאל** made the decree for the city, **ב"ש** extended it to the field
- (e) *Challenge*: how could **רבי** repeal the decree – ב"ד שגזר... –
- (i) *Plus*: even those who permit, do not allow repeal of the 18 decrees
- (ii) *Answer*: the reason for the exception is that the decrees were universally accepted; **שמן** wasn't
1. *And*: following v. 2, ruled that any **גזר** not **הצבור** not **גזר**

- ii Reexamining the report in *ב*'s name: the decrees of עכ"ם were part of the "18"
- 1 Meanign of *בנותיהם*:
- (a) *דנבי*: decree that בנות עכ"ם are considered נדה from birth
- (b) *גניבא בשם רב*: all 4 are precaution against ז"ע:
- (c) *Sequence*: פת ושמן are a precaution against יין, which is a גזרה against בנות, against ד"א against ד"א
- (d) *Challenge*: ד"ת is בנותיהם (v. 3)
- (e) *Answer*: ד"ת is only against עממים ז'; decree extended to all nations
- (i) *However*: according to רשב"י, based on v. 4, איסור דאורייתא includes all nations...?
- (ii) *Suggestion1*: decree is against זנות (מה"ת – only אישות)
1. *Block*: that was a decree of שם בן נח (v. 5)
- (iii) *Answer*: that was a non-Jewish man with ישראלית; their decree was the flip
1. *Block*: that is הלמ"מ (as per זמרי)
- (iv) *Answer*: that was בפרהסיא (as per זמרי), this is even discreetly
1. *Block*: that was decreed by של חשמונאים
2. *per*: report that such a decree was promulgated to protect against either:
- a. נדה, שפחה, גויה, אשת איש *גשג"א*
- b. נדה, שפחה, גויה, זונה (כהן) *גז"ז*
- (v) *Answer*: that ביאה גזירה was against ייחוד, this was against ייחוד
1. *Challenge*: ייחוד was decreed by דוד after אמנון/תמר scandal
- a. *Answer*: that only applies to בת ישראל
- b. *Challenge*: ייחוד is מה"ת as per v. 6
- (vi) *Answer*: v. 6 only applies to אשת איש; דוד decreed against בת ישראל; this applies to עכ"ם