

## OVERVIEW of the Daf

### 1) Renegade for idolatry (cont.)

The Gemara demonstrates that Yehoshafat trusted Achav.

A proof for R' Anan's position that it is permitted to eat from the slaughtering of a renegade for idolatry is suggested but rejected.

The term ערבים from the recently-cited verse is explained.

Another unsuccessful attempt to support R' Anan's position is presented.

Another Baraisa is quoted and analyzed that refutes R' Anan's position.

### 2) Voluntary offerings from renegades

The Baraisa cited one source that we do not accept voluntary offerings from renegades and the Gemara now asserts that there is an alternative source for this halacha.

The necessity for both sources is explained.

Tangentially, the Gemara explains the implication of the term בהמה when used by itself and when used in the phrase אדם ובהמה.

### 3) Slaughtering of a Cuthean

It is reported that R' Gamliel and his Beis Din prohibited the slaughtering of a Cuthean.

R' Zeira inquires whether this enactment is limited to where a Jew was not present at the time of the slaughtering.

R' Yaakov bar Idi responds that in all cases the slaughtering of a Cuthean is prohibited.

The Gemara inquires whether R' Zeira accepted this interpretation. ■

## REVIEW and Remember

1. What is the meaning of the term ערבים?
2. Why do we accept korbanos from sinners?
3. Is a reference to a בהמה favorable or degrading?
4. What was the scope of R' Gamliel's Beis Din concerning the slaughtering by a Cuthean?

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In loving memory of our mother's 14th yahrzeit  
שבע שולה בת משה דב הלוי,  
oleho hasholom.  
by her children Alan Jay and Helene Gerber

## Distinctive INSIGHT

### The view of Rav Anan is refuted

ותיבתא דרב ענן תיבתא

Rav Anan contended that if a Jew who practices idolatry performs shechita, the act is valid and the animal is kosher. He initially proved it from the incident described in Divrei HaYamim 2 (18:2), where the righteous King Yehoshafat of Yehuda ate from the meat prepared by the evil King Achav of Yisrael. The Gemara offers several verses and an opinion in a Baraisa to show that R' Anan is correct. Finally, the Gemara concludes its discussion with a Baraisa which analyzes the verse in Vayikra (1:2) regarding who is eligible to bring an offering. The verse uses the word "מכם—from among you," which suggests that not all people are allowed to slaughter an offering. The Baraisa first teaches that a renegade against the entire Torah may not bring an offering. It then establishes that a renegade against one area of the Torah may bring an offering. Finally, the Baraisa identifies that among those who are excluded to bring an offering are those who pour wine for a libation for idolatry, and those who publicly desecrates the Shabbos. We therefore see that one who serves idolatry is disqualified from performing shechita, and the Gemara concludes that the view of R' Anan is rejected.

Rashba explains that the Gemara could have immediately brought the end of the Baraisa to show that R' Anan's view is not correct, as the Baraisa is not equivocal as it clearly states that one who serves idolatry may not bring an animal for an offering. Nevertheless, it is common that when the Gemara cites a Mihsnah or Baraisa to bring a proof or refutation from it, the Gemara first methodically explains the entire Baraisa.

Pnei Yehoshua notes that we could logically argue that

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# HALACHAH Highlight

## Renegade

רישא מומר לכל התורה כולה מציעתא מומר לדבר אחד

The first part refers to a mumar for the entire Torah whereas the middle case refers to one who is a mumar regarding a single matter

In the Gemara's analysis of a Baraisa it emerges that there are two different categories of a mumar. One category is a mumar for the entire Torah and the second category is the mumar for a single halacha. In subsequent analysis the Gemara concludes that someone who is a renegade for idolatry is considered a mumar for the entire Torah. Ran<sup>1</sup> writes that someone who is a mumar l'hach'is, one who rejects even a single mitzvah in order to anger Hashem, is categorized as a gentile and thus disqualified from slaughtering. Even if a Jew stands nearby and supervises the slaughtering from beginning to end one may not eat from that slaughtering. Only slaughtering performed by a Jew is valid and this person is now considered a gentile as a result of his behavior. A difficulty with this, however, is that elsewhere<sup>2</sup> Ran ruled that a Sefer Torah written by a renegade for idolatry is Biblically valid. Rabbinically, however, the Sefer Torah is invalid. Why in Chullin does Ran rule that a mumar l'hach'is is categorized as a gentile whereas in Gittin he writes that it is only by virtue of Rabbinic decree that his actions are invalid?

Sefer Tevuos Shor<sup>3</sup> suggests that the two contradictory rulings represent two different positions found in the Rishonim. Ran's comment in Chullin follows the opinion of Rashi and Rambam who maintain that a mumar l'hach'is is Biblically unfit to slaughter an animal. In Gittin Ran is writing in accordance with the position of Rashba and Razah who main-

(Insight...continued from page 1)

tain that a mumar l'hach'is is disqualified only Rabbinically. Magen Avrohom<sup>4</sup> offers two resolutions to the contradiction. In one resolution he asserts that Ran's comment in Gittin refers to one who declared that his transgression is not being done with the intent to anger Hashem. In his second resolution he suggests that in Gittin he refers to someone who ate prohibited food once to find out what it tastes like but in Chullin he refers to one who ate prohibited food numerous times. ■

the halacha in the Baraisa is not comparable to the law of R' Anan. The case of the Baraisa is regarding accepting offerings from a mumar. Generally, an offering is an opportunity for someone to do teshuva, and although any other mumar is encouraged to do teshuva, we can understand that one who practiced idolatry would be excluded. However, this reasoning does not necessarily exclude a mumar from being able to perform a kosher shechita.

Furthermore, Pnei Yehoshua notes that there are other Tannaim who argue against the lessons of the verse as set in this Baraisa. Perhaps R' Anan could say that he holds according to these other Tannaim. He answers that although there is room to distinguish between who may bring an offering and who is eligible to do shechita, we still see that the author of this Baraisa holds that one who worships idolatry has the same legal status as one who is a renegade against the entire Torah. It is this point that is illustrated here in the Baraisa, and this is the point which refutes the view of R' Anan. ■

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1. רי"ן (א. בגפי הר"י) ד"ה ולענין.
2. רי"ן (כ"ג: בגפי הר"י) ד"ה ספר.
3. ספר תבואות שור לגיטין מ"ה:.
4. מגן אברהם סי' ל"ט סעי' ג'. ■

# STORIES Off the Daf

## The Righteous Women

ומחלל שבתות בפרהסיא

Even today, many shochtim are forced to work far from their homes. In our times of endless modern conveniences a shochet can usually find a way to obtain kosher food no matter where he is. However this used to be more challenging. Most shochtim were forced to pay to eat meals with local families who kept kosher.

A certain shochet went to a city

where virtually every family man felt compelled to work on Shabbos for a living. Obviously, this presented a serious problem for the shochet to obtain food, since as we find on today's amud, one who violates Shabbos publicly has the same halachic status as an idolater. These people knew what Shabbos was but chose to violate it because of monetary considerations. Their wives claimed to keep Shabbos, though. This shochet wondered if he could rely on this claim.

When this shochet asked this question of his rav, the rav sent Rav Azriel Hildesheimer, zt"l, a fascinating letter: "I don't believe there is ever a case where

the wife of a mumar is assumed to have the same status. Why should we say that if a husband may not be believed about something the same is true regarding his wife? Quite the contrary, we find that although our forefathers in Egypt are called idolaters in the midrash, in Sotah 13 we find that the redemption from Egypt was in the merit of their righteous wives!"

Rav Hildesheimer agreed that it is permitted to rely on the wives even if the husbands are halachally untrustworthy.<sup>1</sup>

1. שו"ת רבי עזריאל הילדסהיימר, יו"ד, סי' קע"ה