

OVERVIEW of the Daf

1) Men in seclusion with idolaters (cont.)

Another incident involving subterfuge against thieves is retold.

2) **MISHNAH:** The Mishnah forbids delivering or nursing the child of an idolatress but permits an idolatress to deliver or nurse a Jewish baby.

3) An idolatress delivering or nursing a Jewish baby

A Baraisa records a dispute whether an idolatress may deliver a Jewish baby.

The rationales behind the two opinions are explained.

A Baraisa records a dispute whether an idolatress may nurse a Jewish baby.

R' Meir's stringent position is explained.

The Gemara explains why it is necessary for the Gemara to record this dispute in two contexts.

The Mishnah's ruling that a Jewish woman may not deliver the child of an idolatress is challenged from the Baraisa.

R' Yosef resolves the contradiction.

R' Yosef and Abaye discuss the parameters of being lenient so as not to generate animosity.

A similar discussion takes place in the context of nursing.

R' Yosef and Abaye have a similar discussion in a third context.

4) "Lowering" and "raising"

R' Avahu cites a Baraisa that relates to different categories of people and whether they are "lowered" or "raised" from a pit.

R' Yochanan challenges one of the cases and R' Avahu decides to erase that incorrect ruling.

The reason R' Avahu didn't offer a possible answer is explained.

5) Renegades

R' Acha and Ravina disagree about the definition of a renegade and a "min."

One opinion is unsuccessfully challenged.

6) "Lowering" and "raising" cont.

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REVIEW and Remember

1. What is the rationale behind R' Meir's position concerning an idolatress delivering a Jewish baby?
2. What is the principle of איבה?
3. What is the definition of a מומר?
4. Is a Jew permitted to circumcise an idolater?

Distinctive INSIGHT

May an idolater perform milah on a Jewish child?

ועובד כוכבים לא ימול ישראל מפני שחשודין על שפיכת דמים דברי רבי מאיר, וחכ"א עובד כוכבים מל את ישראל בזמן שאחרים עומדים על גבו

The Baraisa brought in our Gemara cites a disagreement regarding whether an idolater may perform a bris milah for a Jewish child. R' Meir disallows it, because an idolater is suspect to commit murder. Chachamim permit it when others are present to supervise his movements, but not when the idolater does the bris with no one watching.

This is the third case in which R' Meir and Chachamim disagree regarding the actions of an idolater. Earlier, on 26a, they dealt with a case of an idolatress and whether she may act as a midwife to deliver a baby of a Jewish woman. In a related case, these Tannaim discuss the case of an idolatress and whether she may nurse a Jewish baby. In both of these cases, as we find regarding performing a bris, Chachamim permit the idolater or idolatress to perform these tasks, as long as they are supervised. In each case, R' Meir does not allow the idolaters to perform the tasks, due to the concern in each case that they may cause the death of the Jewish infant. Why are three illustrations of this disagreement necessary?

On 26a, the Gemara itself explained the novelty in the cases of birthing and nursing. If we were told the opinion of Chachamim in the case of a midwife, we might have thought they allow this because supervision can realistically prevent the idolatress midwife from killing the newborn, but in the case of nursing, the idolatress might remain undetected as she rubs a poisonous substance on her body where the Jewish baby nurses. We might have thought that Chachamim agree with R' Meir that the threat of murder is real. Therefore, the Baraisa informs us that Chachamim allow the idolatress to nurse the child while supervised. Similarly, we might have thought that R' Meir only worries about the nursing of a Jewish child, as the risk of murder is high, but R' Meir might agree that a midwife would not be able to perpetrate her evil act while supervised. The Mishnah therefore tells us that R' Meir disallows an idolatress to act as a midwife for a Jewish woman.

What is the novelty of presenting this disagreement in a third case, that of performing bris milah? Sefer סתרים לחם explains that we might have thought that although Chachamim are not worried about the danger of murder, perhaps they hold according to the opinions of R' Yehuda or R' Yochanan, who later say that a non-Jew may never perform milah for a Jew, based upon verses which require that only a Jew perform milah. Furthermore, if R' Meir's opinion appeared only in regard to prohibiting milah, we might say that an idolater is not trusted to handle a knife near a Jewish child, as this is particularly dangerous, but R' Meir might have allowed the nursing or birthing cases. ■

HALACHAH Highlight

Nursing from an idolatress

אבל עכו"ם מניקה בנה של ישראל ברשותה

But an idolatress may nurse a Jewish baby in the Jewish woman's domain

Ritva¹ writes that Biblically it is permitted for an idolatress to nurse a Jewish baby. Chazal, however, prohibited the practice when milk from a Jewish woman is available since idolatresses consume all sorts of prohibited foods and therefore their milk will cause the baby to be cruel and develop bad character traits. He proved this from a Midrash² that relates that Moshe Rabbeinu would not nurse from the Egyptian women even though it is permitted in a circumstance of danger. The reason is that Hakadosh Baruch Hu declared, "The mouth that in the future will speak to the Divine Presence should nurse from an idolatress." Rashi³ similarly writes that the reason an idolatress should not nurse is that she eats prohibited foods and that taste is passed on to the child thru her milk. Shearim Mitzuyanin B'halacha⁴ cites Beis Dovid who comments that according to Rashi, if we can be certain that the idolatress does not eat any prohibited foods while she is nursing it should be permitted for her to nurse. Pesach Einayim also notes that the wording of Ritva indicates that the issue is not that the idolatress is eating prohibited foods in the present. Just the fact that she has eaten prohibited foods is the reason she should not nurse.

Ran in the name of Rashba⁵ writes that it is a demonstration of piety for a baby to nurse from a Jewess rather than an

The Baraisa's ruling that some people are lowered and not raised is challenged.

Three different explanations for the Baraisa are offered.

7) Circumcision

A Baraisa discusses the issue of a Jew circumcising an idolater and then presents a dispute between R' Meir and Chachamim whether an idolater may circumcise a Jewish baby.

R' Meir's opinion is clarified.

R' Meir's opinion is challenged from another Baraisa that has R' Meir holding the opposite position.

It is suggested that the names in the latter Baraisa should be reversed.

This suggestion is rejected and the Gemara begins another resolution to the contradiction. ■

idolatress. Jews are characteristically merciful and modest (רחמנין וביישנין) and mothers pass those traits to their children when nursing. Rema⁶ rules that a child should not eat prohibited foods since they will be damaging to him when he is older. Similarly, a child should not nurse from an idolatress if a Jewish woman is available because the milk of the idolatress will corrupt the baby's heart and cause him to develop bad character traits. Additionally, a nursing woman, even one who is Jewish, should not nurse if she must eat prohibited foods because of an illness that afflicts her. ■

1. ריטב"א לסוגיין.
2. שמות רבה פ"א ל.
3. רש"י סוטה י"ב. ד"ה את מי.
4. שערים מצוינים בהלכה כ"ו. ד"ה אבל עובדת כוכבים.
5. ר"ן יבמות ק"ד.
6. רמ"א יו"ד סי' פ"א סעי' ז'.

STORIES Off the Daf

"They Are Lowered Down, and Are Not Raised Up"

המינין והמוסרין והמורידין ולא מעלין

The enlightenment movement and the emergence from the European ghettos caused many eighteenth and nineteenth century Jews to abandon the observance of most mitzvos. Instead, these Jews lived a very secular lifestyle, often acting as goyish as the non-Jews around them. A fairly prevalent halachic inquiry was what to do with children of these sinners. Were they to be assumed to be mumarim, following in their parents' footsteps? If they were, then if they had a baby born on Shabbos, he could not be circumcised until Sunday since we do not violate Shabbos for people

who knowingly cast off the yoke of heaven. But maybe each child was judged innocent, since perhaps he would not follow his parents' sinful example as he grows to maturity?

When this question was brought before the Maharsham of Barjan, zt"l, he ruled that children of such parents could be circumcised on Shabbos. "This is clear from Tosafos on Avodah Zarah 26. There we find that even a mumar may have a righteous child. This is especially true regarding our situation since although these parents are absolute sinners and are halachically like non-Jews in every regard, nevertheless, they still hold themselves to be Jewish and follow certain customs. Perhaps a good child will emerge from one of them. Why should we nullify their right to have a bris on time?"¹

When Rav Yosef Yitzchak of Lubavitch, zt"l, was asked why he drew people close who were obviously sinners—our daf even states about such people that one does not have to make efforts to save their lives if they fall into a pit—he gave a very strong answer. "That halachah is recorded at the end of Choshen Mishpat. This is because this matter is very complex and requires much understanding. Before one can judge such cases he must first learn Orach Chaim, then Yoreh Dei'ah, and then Even Ha'ezer. He must then learn through the complex halachos of Choshen Mishpat until the very end. Only then will he understand how to judge who must be distanced and who should be drawn near!"² ■

1. שו"ת מהרש"ם, ח"ב, סי' קנ"ו.
2. ביארי החסידות לשי"ס, ע' תק"ע.