



## OVERVIEW of the Daf

### 1) Clarifying the Mishnah (cont.)

The Gemara finishes the second explanation of the dispute in the Mishnah.

### 2) Slaughtering an animal with the intent to use it for idolatry

R' Yochanan and Reish Lakish disagree whether an animal is permitted for benefit if it was slaughtered to throw its blood for idolatry or to burn its fat for idolatry.

Each Amora explains his position and then the Gemara presents similar disputes between them.

The necessity for the dispute in two contexts is explained.

R' Sheishes cites R' Yosi's opinion in the Mishnah that poses a difficulty for both opinions.

The Gemara answers the challenge to Reish Lakish and R' Sheishes himself reconciles the challenge to R' Yochanan.

A Baraisa is cited that supports R' Yochanan's position.

R' Chisda explain why in the incident in Caesaria the rabbis did not issue any opinion.

This explanation is rejected and R' Shizvi offers an alternative explanation.

The Gemara searches for the relevant ruling of R' Shimon ben Gamliel to which R' Shizvi referred.

R' Yehudah in the name of Shmuel rules in accordance with the position of R' Yosi.

A related incident is presented.

R' Acha the son of R' Avya elaborates on R' Eliezer's dissenting position.

3) **MISHNAH:** The Mishnah begins by teaching that slaughtering with idolatrous intent invalidates the slaughter. ■

## REVIEW and Remember

1. What is the point of dispute between R' Yochanan and Reish Lakish?  
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2. Why is it necessary to present the dispute between R' Yochanan and Reish Lakish in two contexts?  
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3. What instructions must be given by a man if he wants an agent to execute a divorce on his behalf?  
.....
4. Whose opinion is accepted as halacha regarding this matter?  
.....

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## Distinctive INSIGHT

*What did he have in mind?*

הבריאה שאמר כתבו גט לאשתי רצה לשחק בה

A person slaughtered an animal for a chattas, but he also had in mind that the sprinkling of the blood would be for a different offering. Rav Yochanan ruled that although the person was slaughtering the animal at that moment, his thoughts regarding the sprinkling of the blood, a different service, are effective, and the offering is invalid. Reish Lakish contends that the chattas is valid, because the person's thoughts during the shechita cannot effect a disqualification for a different procedure of the service.

A Baraisa is brought to support the view of R' Yochanan. If someone shechted an animal to eat, and he had in mind at that moment to sprinkle its blood for idolatry, the animal is deemed idolatrous, and it is prohibited from benefit. Another case is where someone slaughtered an animal and afterwards said that he planned to use its blood or fats for idolatrous purposes. This actual event took place in the city of Kisri, and the sages refused to issue a ruling. In any case, we see from these cases that a thought regarding sprinkling the blood can be significant even when it occurs during the shechting of the animal.

In its review of this case, the Gemara notes that the reluctance of the sages to clearly say that the second case was permitted indicates that the sages took into consideration the opinion of R' Shimon b. Gamliel, who holds "the eventual outcome proves what was happening at the beginning." In other words, when the person later said that he wishes to offer the blood or fats of this animal for idolatry, we see that he had this in mind from the beginning. As the Gemara then searches to find the source of this opinion of R' Shimon b. Gamliel, it cites a Mishnah in Gittin (66a). A healthy person told two messengers, "write a גט for my wife." The halacha is that the husband can insist that he never intended to have the גט delivered, so he did not intend to divorce her. Perhaps she was asking for a conditional גט just in case her husband might die, so she would be excused from yibbum. The husband wished to silence her incessant requests, so he told these witnesses to "write a גט" as a trick to quiet her pleas.

An actual case like this occurred, and the healthy husband then fell off a roof and died. R' Shimon b. Gamliel ruled that if the wind pushed him off, the גט is not valid. If the husband jumped off by himself, we see that his instructions were to write

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# HALACHAH Highlight

## Using a bible printed by priests

*We do not disqualify a korban if one person had improper intent and another person performed the service*

The Gemara cites R' Yosi who maintains that if a Jew slaughtered an animal for an idolater and the idolater had idolatrous intent the animal does not become prohibited as an animal slaughtered for idolatry. The reason is that one person's intent does not become superimposed on the action of another. This position is codified in Shulchan Aruch<sup>1</sup> and Shach<sup>2</sup> adds that it is permitted even for consumption even if we know with certainty that the idolater had idolatrous intent.

Teshuvus Sta"m<sup>3</sup> was asked about the status of bibles that are printed by priests. Is it comparable to a Sefer Torah written by a *min* and must be burned, or not? He answered that even though there are strong adherents to idolatry who are considered *minim*, nevertheless, there are grounds to be lenient as far as these bibles are concerned. The primary basis is the fact that it is not the priests that are printing the bibles; rather it is printing companies who are doing the printing on behalf of the priests. Since the workers in the printing house are not known to be *minim* it is comparable to the case in the Gemara of a Jew slaughtering an animal for an idolater who has idolatrous intent. Here as well,

# STORIES Off the Daf

## Kashrus in Spain

"השוחט את הבהמה..."

Today's daf continues to discuss the halachos of shechitah.

Two Jews were on a ship bound for the Netherlands when a storm came and almost broke the ship to bits. Although they miraculously weathered the storm, they desperately needed to put into port to do some much needed repairs and replenish their stock of food which was almost gone. Unfortunately, the closest port was Spain. Since this was during the height of the infamous Spanish Inquisition, the Jews were very wary. But what choice did they have? When the ship finally arrived, the two Jews became dangerously ill. The near-starvation diet and malnutrition took its toll and both understood that they either must find food or die.

Each Jew found a family to take him in and ate what they assumed was not kosher since it was a question of pikuach nefesh. Each stayed with the family he had found for the duration of his stay and avoided eating meat whenever possible. To his great distress, one of them was certain that he was fed neveilos and treifos. He could not know the roots of his hosts, but it was clear that they did not keep any of the halachos of treifos. They mixed meat and milk and killed animals in the local manner, with no regard to shechitah. The other Jew never saw the food slaughtered or even prepared. Yet, when he was about to leave, his host made an astonishing confession.

The man said, "I can tell that you are a Jew. Know that I am also a Jew living in secret here. I have a secret slaughterhouse hidden under my home where I myself shecht and check all animals bound for our table."

Obviously when his Jewish companion

heard about the miraculous way in which his friend was spared eating non-kosher food, he wondered why he was not also blessed to find a Jewish family. Upon his return home, he asked his rav for an explanation.

His rabbi was quick to suggest a possible reason. "Did you ever eat non-kosher food of your own free will?"

The man replied in a somewhat sober voice, "Once I was with a few companions in the woods. We were famished but certainly not starving. We ran into a group of non-Jewish friends and were tempted to join them in a repast of non-kosher wine, cheese and meat, and I ate all of these. God should help me atone for this..."

"That is your answer. Your friend never partook of non-kosher food so God protected him. But since you have eaten non-kosher, you did not merit heavenly protection."<sup>1</sup>

1. הליכות מוסר, ח"א, ע' תצ"א

(Insight...continued from page 1)

and deliver the גט, because R' Shimon b. Gamliel holds "the outcome proves to us what his intentions were in the first place."

Regarding the גט not being valid because the husband can say that he was just using a ruse, Rabeinu Gershom holds that the very writing of such a גט has no validity. Rambam (Hilchos Geirushin 2:12) writes that the writing of the גט is valid, but the messengers may not deliver it. The husband could retain it and use it at a later time if he wished. ■

the idolatrous intent of the priest does not get superimposed on the printers to prohibit the bibles. He also adds to the equation the position of some Poskim that gentiles nowadays are not strong adherents to idolatry and the requirement to burn a Sefer Torah written by a *min* applies only when the *min* is a strong adherent to idolatry. He concludes that there is enough basis to justify the practice of many people to use these bibles printed by these priests but he notes that a *ba'al nefesh* will be stringent to avoid using these bibles. Maharam Shik<sup>4</sup> also discusses this issue and arrives at the same conclusion citing our Gemara as proof that the intent of those who hire workers does not become superimposed onto the action of the workers to prohibit the product that they produce. ■

1. שו"ע יו"ד סי' ד' סעי' ג'

2. ש"ך שם סק"ג.

3. שו"ת סת"ם סי' מ"ב.

4. שו"ת מהר"ם שיק או"ח סי' ס"ו. ■