



OVERVIEW of the Daf

1) "Even if there are one hundred" (cont.)

The Gemara concludes the second version of Abaye's defense from the challenge from the Baraisa regarding his definition of a זונה.

2) Slaves

The Mishnah's ruling concerning the slave and slavewoman is challenged.

R' Huna suggests a resolution to that challenge.

This explanation is challenged and Shmuel bar R' Yitzchok suggests another resolution.

This resolution is unsuccessfully challenged.

3) MISHNAH:

The Mishnah begins with a discussion of the disqualification of "an exchange for a dog" and concludes with rulings related to this and the previous Mishnah.

4) The term מחיר

A Baraisa clarifies the meaning of the term מחיר.

This exposition is unsuccessfully challenged.

5) Partners

The Mishnah's ruling regarding partners who divided 19 sheep and 1 dog is explained.

6) אין זנות לבהמות

R' Ashi explains how we know that the principle אין זנות לבהמות.

A Baraisa is cited that supports this principle.

7) The offspring of animals prohibited for the Altar

Tangentially, Rava discusses the status of offspring of animals prohibited for the Altar.

A second version of Rava's ruling is presented.

8) Benefit from the waste of forbidden animals

R' Achdavoï bar Ami in the name of Rav discusses the permissibility of benefitting from the waste of forbidden animals.

Two explanations for the logic of these rulings are presented.

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Distinctive INSIGHT

Many sheep given in exchange for one dog

ואיזהו מחיר כלב האומר לחבירו הוליד טלה זה תחת כלב

Earlier (29a), the Gemara determined that if a zonah (prostitute) accepts one sheep for her fee (esnan), and the man paid her with more than one sheep, even a hundred, all of the sheep are prohibited to be used for offerings. All of the sheep are considered to be presented as part of the fee for the forbidden act, and they are not allowed to be used for an offering.

Radba"z (to Hilchos Isurei Mizbe'ach 4:16) discusses the halacha of animals which are invalidated to be used for offerings due to their being used as exchange for a dog. If the seller set the price for his dog to be one sheep, and the buyer sent two or more sheep in exchange for the dog, the question is whether all the sheep prohibited, as we found regarding the many sheep given to a zonah, or perhaps we can make a distinction between the cases. When a man sends many sheep to a zonah, he gives them all as payment to the sinful act that occurred. However, there is no reasonable explanation why a buyer would send more sheep than necessary for the price for a dog, so only one sheep is prohibited, and the extra sheep added are just gifts.

Radba"z concludes that the law of payment to a zonah and that of payment for a dog are similar, and all the sheep paid for a dog are prohibited. He notes that this is perhaps why the Gemara did not inquire about the scenario of payment of many sheep for a dog, because once this issue was clarified regarding a zonah, the same would be said regarding payment for a dog. He also points out that Rashi (29a) explains that when a man offers a zonah many sheep together, they all are included at once in the category of being payment for the sinful act, because this is probably why they were sent together. Therefore, says Radba"z, we would say the same thing regarding the many sheep used for payment for a dog.

However, Sefer Temuras Todah writes that we should make a distinction between when a group of animals is given for an esnan as opposed to when they are given as exchange for a dog. Regarding an esnan, the Torah is careful to disallow an item given in consideration of a sinful act. Even if an excessive amount of animals are given, beyond the number expected, they are all being given in consideration of this sin, and the animals are all tainted and therefore rejected from being used as offerings. However, regarding the exchange for a dog, the Torah is only concerned about the animal used for the exchange. All the other additional sheep are merely gifts, although they were given together with the one sheep which was the actual exchange. Rambam writes (Hilchos Isurei Mizbe'ach 4:16) that many sheep given for one dog are all prohibited only when the exchange was stipulated to be for that many sheep. However, if only one sheep was expected and many were given, only the one is prohibited. ■

REVIEW and Remember

1. When may a master give his Jewish slave a gentile slavewoman for a wife?

2. What is a "dog's exchange"?

3. What is the difference between the waste of an ox that is to be stoned and the waste of an ox that was offered as an idolatrous sacrifice?

4. What is the point of dispute between Rav and R' Eliezer?

HALACHAH Highlight

The status of a fetus

אבל עיברו ולבסוף נרבעו דברי הכל אסורין

But if it became pregnant and then was sodomized all opinions agree that the fetus is prohibited

Shulchan Aruch¹ rules that if a kohen marries a divorcée who is pregnant, whether from him or from someone else, and she gave birth after she had become a חללה her child is fit to marry kohanim since she is not the product of a prohibited relationship. Rav Shlomo Kluger² was asked to explain why this halacha in Shulchan Aruch is different from what was taught in our Gemara concerning a female animal that was sodomized. Our Gemara teaches that the offspring of a female animal that was sodomized is prohibited for the Altar. What is the distinction between the two cases? Rav Kluger answered that when an animal is sodomized her offspring is prohibited since the Torah prohibits the entire body of the sodomized animal for a korban and included in that is her offspring since the fetus is considered one of her limbs. Regarding the prohibition of a kohen marrying a divorcée the Torah prohibited the relationship but that prohibition does not extend to every part of her body. Therefore, her baby, even if considered one of her limbs, remains unaffected.

Chasam Sofer³ cites Rabbeinu Tam who explains that even if one maintains that a fetus is not a limb of its mother the offspring of a sodomized animal is prohibited since the fetus benefits from the prohibited act. Rashba challenges this explanation because if the fetus is not a limb of the mother its benefit is indirect (דרך אברים) and as such should not be prohibited. Chasam Sofer explains that Rabbeinu Tam's intent is that even if the fetus's status is independent of its mother, nevertheless, its life is dependent upon the life of its mother. Since its life is dependent upon the life of its mother it is considered as though it re-

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9) **MISHNAH:** The Mishnah discusses the status of different items given to a זונה and whether they may be used on the altar. The Mishnah concludes with a discussion of the offspring of animals prohibited for the altar.

10) Nesachim

Two contradictory Baraisos are cited regarding the status of nesachim ingredients given to a זונה.

R' Yosef relates that Guryon of Aspurk cited a Baraisa that taught that this matter is subject to debate between Beis Sham-mai and Beis Hillel.

The exchange between Beis Sham-mai and Beis Hillel is recorded.

Another Baraisa records an exchange regarding the meaning of the phrase בית ה' א-לוקים.

The identity of Chachamim is made known.

11) Sacred items given to a זונה

The reason sacred items given to a זונה may be used on the altar is explained.

R' Hoshaya explains why an exposition is necessary for this halacha.

12) Offspring of prohibited animals

Rav maintains that the offspring of prohibited animals may be used on the altar but a Baraisa cites R' Eliezer who maintains that they are prohibited for the altar.

Two explanations of the dispute are presented and the Gemara notes that Rava's position is consistent with another of his rulings.

An alternative version of the previous discussion is recorded. ■

ceives direct benefit from the sodomy committed against its mother and as such also becomes prohibited for the Altar. ■

1. שריע אהעיז סי זי סעי י"ח.

2. שריית האלף לך שלמה אהעיז סי מ"א.

3. חידושי חת"ס לחולין נ"ח. ד"ה והרשב"א. ■

STORIES Off the Daf

Kosher Offspring

ולד טריפה לא יקרב על גבי המזבח

The laws of geirus are very complex and have many ramifications for the convert. Aside from the more pressing questions of who should be converted and how to convert them, one side issue is whether a convert must immerse his vessels in a mikveh, just like other vessels formerly owned by a non-Jew.

The Avnei Nezer, zt"l, taught a novel

approach to this question from a statement on today's daf. "In Temurah 30 we find that the offspring of a treifah is not fit to be sacrificed on the altar. Although the animal became pregnant before it became a treifah, nevertheless, even this offspring is not a fitting sacrifice.

"We can apply this concept to another situation. It is well known that vessels purchased from a non-Jew must be immersed in a mikveh. This is a kind of conversion of the vessels, which are now leaving the possession of the non-Jew and entering into the holiness of Jewish ownership. From this Gemara we can learn that the

possessions of a ger are different. Just as the mother of a treifah affects her offspring—which is completely kosher and can certainly be eaten—making it unfit for sacrifice, the same is true regarding the possessions of a ger. Geirus confers an added measure of holiness upon the ger. This also affects his worldly possessions which do not require immersion. But as with every Jew, any vessels the ger purchases from a non-Jew after he converts do require immersion."¹ ■

1. מובא בשם משמואל, בפרשת מטות