

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

Rava concludes his set of rulings that relate to the Mishnah's final case.

2) Wine left with an idolater

The Gemara presents and analyzes numerous incidents involving an idolater left alone with wine and the question of whether the wine becomes prohibited.

The last incident leads into a disagreement between Rav and R' Yochanan about tahor food or wine that is left in a courtyard with an am ha'aretz or idolater.

Rav's ruling that tahor food left in a courtyard shared with an am ha'aretz is tamei is unsuccessfully challenged.

R' Yochanan's position that tahor food left in a courtyard with an am ha'aretz is tahor is unsuccessfully challenged.

Another unsuccessful challenge to Rav's position is presented.

3) **MISHNAH:** The Mishnah discusses the status of wine after soldiers enter a city. ■

REVIEW and Remember

1. Explain the principle of נתפס עליו כגנב.
2. Why were the barrels of wine uncovered by thieves in Pumbedisa permitted?
3. Is giving someone keys the same as entrusting him with the contents of the room that the key opens?
4. What effect does the arrival of soldiers have on wine?

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שמואל בן צבי אריה ע"ה
Mr. Samuel Brickman o.b.m.
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Distinctive INSIGHT

An idolater left alone with the wine, where the Jew might return at any moment

שמע ישראל קל צלויי בי כנישתא קם ואזל אמר רבא חמרא שרי
The Gemara presents a series of stories regarding circumstances where wine was exposed to contact with an idolater, and the ruling of Rava in each case.

In one situation, a Jew was drinking from his own supply of wine, together with an idolater. As the Jew was drinking, he heard the sound of davening in a nearby shul. He got up and left the room to go and join the prayers, leaving his wine unsupervised with the idolater. The question was posed to Rava regarding the status of the wine, and Rava ruled that the wine was permitted for drinking. According to Tosafos (ד"ה שמע), Rava's point was that even though the idolater knew that the Jew had gone to pray, he would have been concerned that at any moment the Jew would remember about his wine, and he might return without notice. Therefore, the idolater would be inhibited and would not touch the wine the entire time the Jew was out. Rashba explains the even if the Jew announced that he was leaving to attend services in the shul, the idolater knows that the Jew could just as well pray here also, and that he might return at any moment. However, the wine would be prohibited if the Jew would leave to attend for an activity which could not be done where the wine drinking was taking place, and if it is known to require an extended time period. For example, if the Jew went to a bathhouse to bathe, and he told the idolater what he was planning to do, the idolater would not be inhibited from touching the wine, as he would be comfortable relying on the Jew's word that he was not going to return for an extended period.

The Mishnah (69a) taught that if a Jew and idolater were eating at the same table, and the Jew leaves a jug of wine on the table and gets up and leaves, the wine in the jug is prohibited, but any other wine in the house is still permitted. The idolater thinks that because they were eating together, the Jew does not mind if he drinks from the wine on the table, but he will not take from wine that is on a side table. Accordingly, Tosafos understands that our case where the Jew leaves to go daven is compared to a case where the Jew leaves unannounced, and Rava only permits the wine on the side table. Alternatively, Tosafos explains that even the wine on the table is permitted, and the dis-

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HALACHAH Highlight

Pausing while eating a prohibited food

דאמר ר' יצחק המוציא כיס בשבת מוליכו פחות פחות מדי אמות
 As R' Yitzchok taught: One who finds a wallet on Shabbos may carry it in increments of less than four amos

The Gemara presents R' Yitzchok's ruling that one who finds a wallet on Shabbos may carry it in increments of less than four amos. Rashi¹ explains that when he stands to rest while he is walking he avoids the Biblical transgression of transporting an object four amos in a public domain. Rabbeinu Yeruchum², however, writes that stopping is not sufficient; rather it is necessary for the person to sit each time that he stops. If he were to merely stop it will still be considered one consecutive act of transporting the object and he would be liable for transporting the wallet. Magen Avrohom³ questions Rabbienu Yeruchum's ruling from the fact that the Gemara (Shabbos 5b) clearly states that stopping is enough to prevent one from being liable. He suggests that since he is stopping only to prevent a violation of the Biblical prohibition it is not sufficient to merely stand and he must sit at each break as well.

Rav Shlomo Kulger⁴ suggests that Magen Avrohom's answer is a principle that has application in other circumstances as well. In order for a person to be liable to be punished for transgressing one of the Biblical prohibitions

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cussion of the Jew going to daven is speaking about a case where the Jew had not extended a full invitation to the idolater to partake of the wine. When the Jew left, the idolater was uncomfortable and somewhat inhibited, and he is assumed not to have taken from the wine, always anticipating that the Jew might return at any moment. ■

against eating it is necessary for the prohibited food to be consumed within the period of *k'dei achilas pras*. If the prohibited food is consumed in a longer period of time the Biblical punishment can not be administered. According to Magen Avrohom if the person eating the prohibited food paused while eating in order that his consumption should span more than *k'dei achilas pras* he is still liable since a pause to avoid transgressing a prohibition is not considered a pause. It is only when a person delays because he is not interested in eating any faster that he is exempt from punishment because he ate the prohibited amount in a period of time longer than *k'dei achilas pras*. He concludes, however, noting that it seems that Rashi disagrees with this principle so the question of punishing a person who paused while eating a prohibited food to avoid punishment is subject to disagreement between Rashi and Rabbeinu Yerucham. ■

1. רש"י ד"ה פחות.
2. הובא דעתו בב"י או"ח סי' רס"ו ד"ה כתב רבינו ירוחם.
3. מג"א סי' רס"ו סק"ט.
4. שו"ת שנות חיים סי' קמ"ג. ■

STORIES Off the Daf

"Most Thieves are Jews"

"רוב גנבי מישראל..."

During the First World War many Jews were forced to flee their homes. Rav Yehoshua Dov of Belz, zt"l, was also forced to make his home in Munkatch for the duration of the war. Around that time, four business partners were caught dealing in contraband and were in serious danger of severe punishment. Because of the war, it was even possible for them to be executed.

The four went to the rebbe to ask for his blessing and prayers for them in their dire situation. When the rebbe heard their plea he was obviously up-

set. He cried, "First they do whatever they feel like with no thought of the danger involved and then they come to me?"

One of the chassidim who was present during this audience who wished to placate the rebbe's anger blurted out, "But don't we find in Avodah Zarah 70 that most thieves are Jews..."

The moment he said this he realized how foolish it sounded and wished to take it back but the Belzer Rebbe had already put his head on the table, lost deep in thought. After a few minutes he lifted up his head and said, "What do you think that means? It means that spiritually we must seize the bounty Hashem sends down to the world. Even though this bounty goes through the other nations due to our

sins, we must take back what we can through our spiritual efforts. This certainly does not mean that most lowly thieves are Jews."

The rebbe blessed them and promised to pray for them.

That Friday night after davening the rebbe had his gabbai make a very unusual announcement. "Let no person dare do business in contraband. Anyone who disregards this warning is considered a rodef!"

The next morning the rebbe insisted that the gabbai make the same proclamation with more heart. "I noticed that yesterday you did not shout this proclamation with every limb of your body..."¹ ■

1. רשומים בשמך, ע' רל"ו. ■