

OVERVIEW of the Daf

1) Nesseh wine (cont.)

The Gemara continues to recount the incident and ensuing debate of the idolater who touched wine with an intent other than for libation.

Rava elaborates on the discussion he had that caused him to abandon his initial ruling that wine touched by an idolater with an intent other than libation is permitted for benefit to a more stringent position.

The Gemara retells of an incident in which someone was asked to pour wine for two Amoraim and they disagreed about the status of the wine once they realized that he was an idolater.

R' Yehoshua ben Levi states that he agrees with the ruling of each opinion and then proceeds to explain the rationale behind each position.

Unsuccessful challenges to R' Yehoshua ben Levi's explanation are presented.

R' Assi inquired about the halacha regarding wine that was diluted by an idolater with water.

After a discussion about R' Assi's choice of words, R' Yochanan rules that the wine is prohibited for consumption based on a precautionary decree.

Another incident is cited that relates to prohibiting wine diluted by idolaters as a precautionary decree.

The earlier quote of R' Yochanan is confirmed.

The Gemara relates that Reish Lakish came to a place and prohibited two items that the Jewish residents had been eating.

When R' Yochanan heard about these rulings he instructed Reish Lakish to retract those rulings since they were erroneous. ■

REVIEW and Remember

1. Why didn't Rava want R' Huna the son of R' Nachman to visit?

2. What was R' Yehoshua ben Levi's response to the dispute between R' Yochanan ben Arza and R' Yosi ben Nehorai?

3. What does new wine smell like?

4. Explain the principle of **לך לך אמרין לנירא סחור סחור**
לכרמא לא תקרב.

Distinctive INSIGHT

The visit to Mechuza, the city of Rava

איקלע רב הונא בריה דרב נחמן למחוזא

On the bottom of 57b, the Gemara told the story of an idolater who came into a store and came into contact with wine without realizing exactly what it was. Rava ruled that the wine was permitted for benefit, but not to drink. Rav Huna bar Chinena and Rav Huna bar Rav Nachman disagreed with Rava. They felt that the wine was prohibited to drink and from benefit.

Our daf continues the story. Rav Huna bar Rav Nachman came to the city of Machuza, where Rava was the rabbi. According to our text, Rava instructed his attendant to lock the doors of his house in order to prevent Rav Huna from coming and questioning Rava about his earlier ruling. Nevertheless, Rav Huna managed to appear before Rava. He questioned him about the permissibility of wine that was unintentionally touched by an idolater. Rava ruled that it was prohibited from benefit, but if it was mixed with other wine it could be sold to a non-Jew excluding the value of the touched wine. Rava then claimed that this was his earlier ruling, and that the wine itself which was touched was not permitted for benefit.

R"l, in Tosafos (ד"ה איקלע) and most Rishonim, however, have a slightly different text in the follow-up of the story of Rava. Their text reads that Rav Nachman came to Mechuza. Rava wanted to use the opportunity to consult with Rav Nachman, so he told his attendant to close the door in order that he should not be disturbed when speaking to Rav Nachman. Rav Nachman listened to the inquiry regarding to wine which was touched unintentionally by the idolater, and he ruled that the wine was prohibited from benefit. Rava told Rav Nachman that he (Rava) had ruled that such wine was permitted, and he was aware that Rav Nachman himself had ruled in similar cases that such wine was permitted for benefit. Rav Nachman corrected Rava and told him that the ruling he had made was that the other wine with which it was mixed could be sold to a non-Jew, but the value of the touched wine had to be subtracted from the sale, as it was prohibited from benefit.

In Sefer HaYashar, Rabeinu Tam has a text which reads that Rav Nachman visited Mechuza, but he explains that Rava had permitted the mixture of wine to be sold on 57b, but only with subtracting the value of the wine that

HALACHAH Highlight

Wine touched by an idolater to generate animosity

והאמר דאמר שיכשך אין עושה יין נסך

But master is the one who said that an idolater who agitated the wine [with intent other than for idolatry] does not prohibit the wine

Rema¹ ruled that if an idolater touched wine with the intent to anger the Jewish owner by rendering it prohibited, the wine remains permitted for consumption. Even if our knowledge regarding the intent of the idolater is the result of strong circumstantial evidence, the wine is permitted and one should drink it in the presence of the idolater as a deterrent so that he won't touch our wine in the future. The source of this ruling is from Tosafos² who writes that Chazal did not prohibit wine touched by an idolater in this circumstance.

Taz³ explains that Rema's ruling permitting circumstantial evidence that the idolater touched the wine to anger the Jews is based on a teshuva of Terumas Hadeshen⁴. There was once a group of idolaters who walked past some barrels of wine belonging to Jews. At one point they whispered amongst themselves and then one of them dipped his finger in the wine and licked his finger and they all walked away laughing. The Jews ran after them demanding an explanation why they ruined the wine and the response they received was that they didn't realize the wine would become prohibited; they just wanted to know if the wine tasted good. The Jews did not believe that their response was truthful and in fact, Terumas Hadeshen permitted the wine

(Insight...continued from page 1)

was touched. His ruling was that the touched wine was prohibited from benefit. The Rabbis who disagreed held that the entire mixture was prohibited. When Rav Nachman came to Mechuza, Rava asked him the law regarding the rest of the mixture, and whether it was also prohibited. Rav Nachman thought the question was regarding the touched wine itself, and he responded that it was prohibited. As the discussion continued, it became clear that he agreed with the opinion of Rava. ■

for consumption. Circumstantial evidence indicates that their act was done to anger the Jews and according to Tosafos the decree does not apply. Chasam Sofer⁵ adds that there is no concern that a lenient ruling will lead to intermarriage since the idolater touched the wine out of hatred which only leads to greater animosity between Jews and idolaters. Additionally, one does not have to be concerned that the idolater had idolatrous intent since it is clear that his intent was merely to anger the Jews. Finally, we do not apply the principle of לא פלוג to apply Rabbinic injunctions in all circumstances since this would become an incentive for idolaters to touch wine out of anger. Darchei Moshe⁶ does note, however, that according to Rambam the wine would be prohibited. ■

1. רמ"א יו"ד סי' קכ"ד סע' כ"ז
2. תוס' ד"ה כתב
3. ט"ז שם ס"ק ל"ז
4. שו"ת תרומת השדן סי' ר"ג
5. חידושי חת"ס דנסכ"י
6. דרכי משה שם אות י"ח ■

STORIES Off the Daf

Added Precaution

סחור סחור

A certain Jew was very friendly with a non-Jew. The two often visited each other and were partners in business. But when the non-Jew brought non-kosher food into his Jewish friend's house for his own consumption, the Jew began to feel a bit uncomfortable. And when the non-Jew asked permission to cook his food in the Jew's house he wondered if this could possibly be permitted. Although the halachah is

that a Jew may not tell a non-Jew to cook non-kosher food—or do anything else that is forbidden to him—in our case, the non-Jew acted of his own volition. Presumably this was not a violation of לפני עור since all he was doing was giving the non-Jew what was his halachic right to eat.

However, since he felt uncomfortable he asked the Tashbitz, זת"ל, for a decision in the matter. He answered, "Although you are correct that it is technically not forbidden to give him non-kosher food to eat since this is permitted to him, that is only the basic halachah min haTorah. According to Torah law, a Jew is only forbidden to

serve a non-Jew the limb of a live animal or the like which is forbidden for him to eat.

"Nevertheless, it is disgusting to be involved in preparing non-kosher food for a non-Jew's consumption in one's own home. We can learn this from Avodah Zarah 58. There we find that one may not pour יין נסך for an idolater to drink even if it is wine that is permitted to him, just as the Torah says a nazir should stay away from a vineyard. For this reason, one who is lenient in this matter clearly lacks spiritual purity!"¹ ■

1. תשב"ץ ח"ג ס' רצ"ד-רצ"ה