



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Avodah Zarah Daf Zayin

- Our Mishna brought a machlokes where the **Rabanan** hold that one may never collect debts from goyim before their holidays and **R' Yehuda** said that one may always collect debts from goyim before their holidays. Our Mishna does not follow the view of **R' Yehoshua ben Korcha** from a Braisa, where he says that a debt recorded in a document may not be collected from them before their holidays, but a verbal loan may be collected from them before their holidays, because collecting a verbal loan is like saving the money from the goy.
  - **R' Yosef** sat behind **R' Abba**, who was sitting before **R' Huna** and **R' Huna** said, the halacha follows **R' Yehoshua ben Korcha** and the halacha follows **R' Yehuda**. The Gemara explains, it follows **R' Yehoshua ben Korcha** regarding collecting a loan from a goy. It follows **R' Yehuda** of the following Mishna. The Mishna says, if a person gave wool to a dyer to dye it red, but he instead dyed it black, or if he gave him wool to dye black and he instead dyed it red, **R' Meir** says the dyer must pay for the value of the wool (he was koneh it with this change), and **R' Yehuda** says, if the improvement to the wool is more valuable than what it cost to get it to that state, the owner of the wool pays the dyer for his expenses. If the expenses were more than the improvement to the wool, he must pay him for the improvement. When hearing this psak from **R' Huna**, **R' Yosef** turned away (to show that he was not happy with that psak).
    - The reason **R' Yosef** was unhappy with the psak must be for the following reason. We can understand why it was necessary to pasken like **R' Yehoshua ben Korcha**, because he is a single view arguing on the majority, and we would have thought to pasken like the majority. However, there seems to be no reason to have had to pasken like **R' Yehuda**! This view is subject to a machlokes (in a Mishna) and is later taught as the view of an anonymous Mishna (in Mesechta Baba Metzia), and the rule is that when a matter of dispute is then taught as an anonymous Mishna, we follow that view!? **R' Huna** held it was necessary to make the statement, because we would think that there is no order to the Mishnayos, and we therefore don't know if the anonymous Mishna was taught first or the machlokes was taught first. **R' Yosef** held, that if we are concerned for that, we would never have an application of the rule that when a matter of dispute is then taught as an anonymous Mishna, we follow that view. **R' Huna** would say, within one Mesechta there is surely an order, and that would be where that rule would apply. **R' Yosef** would say that all of Nezikin (Baba Kama, Baba Metzia, and Baba Basra) are considered to be one Mesechta. If we want we can say, that **R' Yosef** would agree that we must be concerned that the Mishnayos are out of order, however, since in Baba Metzia this halacha was taught among of a list of a number of halachos that we are to pasken like, there was no reason for **R' Huna** to make the statement.
  - A Braisa says, a person may not hint on Shabbos to someone that he wants him to be available to do work after Shabbos. **R' Yehoshua ben Korcha** says it is mutar. **Rabbah bar bar Chana in the name of R' Yochanan** pakened like **R' Yehoshua ben Korcha**.
  - A Braisa says, if a person asks a "shailah" to a chochom and is told it is tamei or assur, he should not then go to ask another chochom who may say it is tahor or mutar. If he asked to two chachomim sitting together, and one said tamei or assur and the other said tahor or mutar, he is to follow the one who is greater in wisdom and in years. If they are equal, he should follow the more stringent view. **R' Yehoshua ben Korcha** said, if it was a question D'Oraisa, he should follow the more stringent view. If it was a

question D'Rabanan, he should follow the lenient view. **R' Yosef** said, the halacha follows **R' Yehoshua ben Korcha**.

- A Braisa says, if a robber or an ahm haaretz say they have changed with teshuva and want to now be trusted, **R' Meir** says we can never accept them as being trusted. **R' Yehuda** says, if they did teshuva privately, we can't trust them. If they did teshuva publicly, we can trust them. **Others** say that **R' Yehuda** meant, if their aveiros had been done privately, we can trust them, if not, we cannot. **R' Shimon and R' Yehoshua ben Korcha** said, in all cases we accept them, as the pasuk says "shuvu banim shovavim". **R' Yitzchak of Kfar Akko in the name of R' Yochanan** said, the halacha follows this pair (i.e. **R' Shimon and R' Yehoshua ben Korcha**).

#### MISHNA

- **R' Yishmael** says, 3 days before the holiday and 3 days after the holiday are assur to deal with goyim. The **Chachomim** said, it is assur to deal with them before the holiday, but after the holiday is mutar.

#### GEMARA

- **R' Tachlifa bar Avdimi in the name of Shmuel** said, according to **R' Yishmael** it is forever assur to deal with the goyim who make every Sunday a holiday.

#### VACHACHOMIM OMRIM LIFNEI EIDEIHEN ASSUR L'ACHAR EIDEIHEN MUTAR...

- **Q:** The **Chachomim** seem to be saying the exact same view as the **T"K** in the previous Mishna!? **A:** The machlokes between them would be whether the holiday itself is counted as one of the 3 days – the **T"K** holds that it is not included in the 3 days, and the **Chachomim** hold that it is. **A2:** The machlokes is regarding the halacha if someone did do business with them in those days – the **T"K** holds the proceeds would be mutar, and the **Chachomim** hold it would be assur. **A3:** The machlokes would be regarding the halacha of **Shmuel**, who said that outside of EY, only the actual holiday is assur. The **T"K** agrees with **Shmuel** and the **Rabanan** do not. **A4:** The machlokes would be regarding the halacha of **Nachum Hamadi**, who says that only one day before the holiday is assur (not 3) – the **T"K** does not agree with **Nachum Hamadi** and the **Rabanan** do agree with him.
  - We have just learned, **Nachum Hamadi** says that only one day before the holiday is assur. The **Rabanan** said to him, let this view be forgotten and never stated.
    - **Q:** We just said that the **Rabanan** of our Mishna hold like him, so why should it be forgotten and never stated!? **A:** The **Rabanan** of our Mishna is **R' Nachum Hamadi** himself.
  - Another Braisa says, **Nachum Hamadi** said, although we may not sell large animals to goyim, we may sell an old, male horse to them during wartime. The **Rabanan** said to him, let this view be forgotten and never stated.
    - **Q:** We find that **Ben Beseira** holds like him, because he says a horse may be sold to goyim!? **A:** **Ben Beseira** doesn't differentiate between male and female, but rather holds that all horses are mutar to be sold to them. **Nachum Hamadi** does differentiate, which means he holds like the **Rabanan**, who say that it is assur to sell horses to them. That is why they told him "let this view be forgotten and never stated", because according to the **Rabanan** we cannot make this differentiation.
  - A Braisa says, **Nachum Hamadi** says that dill is subject to maaser whether it is harvested as a seed, as a vegetable for its greens, or as shoots for its stem. The **Rabanan** said to him, let this view be forgotten and never stated.
    - **Q:** We find that **R' Eliezer** holds like this view in a Mishna!? **A:** The Mishna was referring to dill grown in a garden. **Nachum Hamadi** stated his view even regarding dill grown in the wild.
  - **R' Acha bar Menyumei** (who also came from Madi, like **Nachum**) said to **Abaye**, a great man comes from my land and everything that he says they tell him "let this view be forgotten and never stated"!? **Abaye** said, we do pasken like him in one place, where he says that a person may ask for his personal needs in the bracha of "shomeya tefilla". **R' Acha bar Menyumei** said, don't bring up that psak, because you follow that view not because it was stated by **Nachum Hamadi**, but rather because there are other great

Tanna'im who say that as well, as we see in a Braisa that the **Rabanan** hold that one may ask for his personal needs in the bracha of shomeya tefilla.

- **R' Yehuda the son of R' Shmuel bar Shilas in the name of Rav** said, even though we said that a person should ask for his personal needs in shomeya tefilla, if he wants he may add to the end of each bracha a personal request that is of the nature of the subject matter of that particular bracha.
- **R' Chiya bar Ashi in the name of Rav** said, even though we said that a person should ask for his personal needs in shomeya tefilla, if a person has a sick person in his house he may daven for him in the bracha of "rofeh cholim", and if he needs parnassa he may daven for it in the bracha of "mevareich hashanim".
- **R' Yehoshua ben Levi** said, even though we said that a person should ask for his personal needs in shomeya tefilla, if a person wants, at the end of shmoneh esrei he may even add as much as the viduy that we say on Yom Kippur.