



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

### Avodah Zarah Daf Yud Gimme!

#### MISHNA

- If a city is observing a religious holiday and there are shops that are decorated and some that are not, this is something that actually took place in Beis Sha'an, and the **Chachomim** said that it is assur to buy from the shops that were decorated, but mutar to buy from the shops that were not decorated.

#### GEMARA

- **Reish Lakish** said, the Mishna is discussing a shop that was decorated with roses or hadassim (which were offered to the avoda zara), and a buyer who walks into this shop would have hana'ah from the fragrance of these items. However, if it was decorated with fruits it would be mutar to go into these shops (since there is no fragrance from which the customer is having hana'ah, even though the fact that it is decorated means that a portion of the sale will be given to the avoda zara). This is based on the pasuk of "v'lo yidbak b'yadcha me'uma min hacheirem", which teaches that it is assur to *derive* benefit from avoda zara, but is not assur to *provide* benefit to avoda zara. **R' Yochanan** said, it is even assur to go into a shop that is decorated with fruit. This is based on a kal v'chomer – if it is assur to *derive* hana'ah from avoda zara, it is certainly assur to *provide* hana'ah to the avoda zara.
  - **Q:** A Braisa says, **R' Nosson** said, on the days when the people in charge of the avoda zara waive the sales tax they announce, "Whoever will put a wreath on his head and on his donkey's head in honor of the avoda zara will have the tax waived for him, and if not, he will not have the tax waived". What is a Yid who is there supposed to do? If he puts on a wreath and thereby becomes patur from the taxes, he has benefitted from the avoda zara (from the fragrance of the wreath), and if he does not put on the wreath and pays the taxes, he will be benefitting the avoda zara by paying the tax! Because of this conundrum, the **Chachomim** said that one who does business in the market of avoda zara, any animal that he buys must be uprooted (the tendons below the knee must be cut, disabling it), and any produce, clothing, or keilim that he buys must be left to rot, and any money or metal keilim must be throw into the sea. Now, we see from here that it is assur to provide benefit to the avoda zara just as it is assur to benefit from the avoda zara. This refutes **Reish Lakish**! **A: R' Mesharshiya the son of R' Idi** said, **Reish Lakish** holds that the **Rabanan** argue on **R' Nosson** and hold that it is mutar to provide benefit to the avoda zara, and he will then hold like these **Rabanan**. **R' Yochanan** will hold that the **Rabanan** do not argue on **R' Nosson**.
    - **Q:** Can we really say that the **Rabanan** don't argue? A Braisa says that a Yid may go to a flea market set up for a religious holiday and buy animals, slaves, houses, fields and vineyards, and may even go to their courts to write the documents for these purchases, because this is the only way for them to protect the purchases. If he is a Kohen, he is allowed to go to chutz laaretz (which is considered to be tamei) to litigate with them, and he may even go through a cemetery to do so [the Gemara explains this to be referring to a case of D'Rabanan tumah only]. **R' Yehuda** says he may also do so to go and learn by a rebbi or to marry a woman, but only if there is no rebbi in EY. If there is, he may not make himself tamei to go to another rebbi. **R' Yose** says, even then he may make himself tamei to go to another rebbi, because different people learn better from different rabbei'im. **R' Yose** said, it once happened that Yosef HaKohen left EY to go to Tzidon to learn from a particular rebbi. Now, the Braisa clearly allows buying items from the flea market even though the Yid will be benefitting the avoda zara by paying the

taxes!? This refutes **R' Nosson** and must follow the **Rabanan**, which proves that the **Rabanan** do argue!? In fact, **R' Yochanan** says that we pasken like **R' Yose**, which means that he was aware of this Braisa, and was aware that the **Rabanan** argue!? **A: R' Yochanan** would say that the **Rabanan** do not argue and the Braisos don't contradict each other. The first Braisa is discussing buying items from a merchant, in which case taxes are collected, and the second Braisa is discussing buying from a private individual, in which case taxes are not collected on that purchase.

- **Q:** The earlier Braisa said that we uproot the horses. How can we do that and cause pain to an animal (it is tzaar balei chayim)!? **A: Abaye** said, a pasuk allows for it in this case – “es suseyhem ti'aker”.
- **Q:** The Braisa explained that “uprooting” means cutting the tendon near the hoof. However, a Braisa which discusses one who makes an animal hekdesch after the Churban says that the animal is to be uprooted, and then explains “uprooted” to mean that it is locked in a room without food and left to die!? **A: Abaye** said, that is done in the case of hekdesch, because cutting its tendon would be a disgrace for hekdesch.
  - **Q:** Why don't we instead shecht it and bury it? **A:** We are concerned that someone would come to eat it, and this animal is hekdesch and assur to benefit from.
  - **Q:** Why don't we kill it by cutting it in half? **A: Abaye** learns from a pasuk that this would be assur to do to an animal of hekdesch.
  - **Rava** said, the reason we don't cut the tendon of an animal of hekdesch is because it looks like we are making a mum in an animal of hekdesch.
    - **Q:** It does not just “look like” we are making a mum, it is making an actual mum and should therefore be assur even D'Oraisa!? **A:** It is only assur D'Oraisa when it is possible for it to be brought as a korbon (when the Beis Hamikdash stands).
      - **Q:** Why is this different than one who makes a mum on an animal that already had a mum, which is assur D'Oraisa? **A:** An animal with a mum, although it cannot be offered on the Mizbe'ach, can have its value used to purchase something that can be offered on the Mizbe'ach. The animal made hekdesch after the Churban cannot even do that, and that is why it is not assur D'Oraisa.
- **R' Yona** asked **R' Illai**, if the Yid bought a non-Jewish slave, would we also cut the slave's tendons? **R' Illai** said, a Braisa says that we may not kill a goy. If so, we can say that we would also not be allowed to maim a slave in this way.
- **R' Yirmiya** asked **R' Zeira**, the second Braisa said that a Yid may purchase a slave at the flea market. Does that refer to a Jewish slave or even to a non-Jewish slave? **R' Zeira** said, it makes sense to say that he is only allowed to purchase a Jewish slave there, because he is doing a mitzvah by purchasing him (redeeming him from slavery), but not a non-Jewish slave. **Ravin in the name of Reish Lakish** said, he may even purchase a non-Jewish slave, because by doing so he makes the slave become chayuv in certain mitzvos.
  - **R' Ashi** asked, there is no such logic when he purchases an animal, and yet the Braisa allows the purchase!? Rather, the reason an animal may be purchased is that we want to reduce the assets of the goyim. For that same reason it would be mutar to even purchase a non-Jewish slave from them.
- **R' Yaakov** bought sandals at such a flea market and **R' Yirmiya** bought bread. Each one exclaimed surprise at the other for having purchased an item at this type of flea market, because each one thought that the other had purchased it from a merchant and therefore paid tax for the benefit of the avoda zara, but in fact they had each purchased from a private individual, and therefore did not pay the tax.

- **R' Abba the son of R' Chiya bar Abba** said, if **R' Yochanan** was alive today and lived in a place where they collect taxes even from a sale of a private individual, he would say it is assur to even purchase from a private individual.
  - **Q:** If so, how did **R' Yaakov and R' Yirmiya** make these purchases? **A:** They bought from a private individuals who did not have established places at the fair, and therefore did not collect tax on the transaction.