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Avodah Zarah Daf 58

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Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

**Tzvi Gershon ben Yoel (Harvey Felsen) o”h**

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

It happened in Mechoza that an idolater came and entered the shop of a Jew. He asked them, “Do you have wine to sell?” They replied, “We do not.” There was some wine contained in a bucket, into which the idolater thrust his hand and agitated it, and said to them, “Is not this wine?!” In his anger the storekeeper took the bucket of wine and poured it back into the cask of wine. Rava permitted him to sell the wine to idolaters (*and to derive benefit from the money, for the idolater did not agitate it for the sake of libation*). Rav Huna bar Chinena and Rav Huna the son of Rav Nachman disagreed with him. An announcement issued from Rava permitting the wine, and an announcement issued from Rav Huna bar Chinena and Rav Huna the son of Rav Nachman forbidding it. Later on (*after Rava retracted because of Abaye’s challenges*), Rav Huna the son of Rav Nachman visited Mechoza, and Rava said to his attendant, Rav Elyakim, “Bolt the doors so that nobody shall enter to disturb me.” Nevertheless, Rav Huna the son of Rav Nachman entered the room and asked him, “In such a case, what is the law?” He replied, “It is forbidden even for benefit.” Rav Huna asked him, “But did the master not declare that such agitation (*when there is no intent for libation*) does not render the wine *nesech!*?” Rava replied, “I was referring to the proceeds of the cask apart from the proceeds of that wine which had been in the bucket; I said nothing with reference to the proceeds of that wine (*for the value of the agitated wine is forbidden for benefit; he actually said that the entire proceeds are permitted, but out of embarrassment, he said that he only meant the other wine*).

Rava said: When I arrived in Pumbedisa, Abaye surrounded me with questions from a teaching and braisa that imply that all of the wine in such a barrel would be forbidden from benefit.

The teaching was a similar incident that happened in Neharda. Shmuel forbade all of the wine. A similar incident happened in Teverya (*Tiberias*), and Rabbi Yochanan forbade all of the wine.

Rava replied to Abaye: They ruled this way because the people in these cities were not people of Torah (*and if they issued a lenient ruling, they would lead them to be more and more lenient in this matter, to the point where they would transgress the law*).

Abaye asked: Aren’t the people in Neharda and Teverya people of Torah?

The braisa (*quoted as a question by Abaye*) says: A quality and measures control officer from the king (*the one who checks that the amount ordered is indeed the amount, and the quality is valid*) poked a hole in the barrel, and sipped some wine with a straw (*to test its quality*), or tasted it from a cup and then poured the rest back into the barrel. When this incident occurred, they forbade it. This implies they forbade the Jew from benefiting from this wine (*implying the entire barrel is prohibited, not just the amount shook*)!

Rava answered: No, this means it was prohibited to drink.

Abaye asked: If so, the braisa should say that it can be sold, as the second part of the braisa indeed states. The second part of the braisa states: A crazy idolater put his hand into the barrel thinking that it was oil, and it was really wine. When this happened, they said the wine can be sold. The Gemara concludes that this is a strong question on Rava.

Rabbi Yochanan ben Arza and Rabbi Yosi ben Nehorai were sitting and drinking wine. A person came to them, and they



asked him to pour their wine for them. After he picked up the cup, it was revealed that he was a gentile. One forbade the wine completely, even from benefit. One permitted it to the extent that one was even allowed to drink the wine.

Rabbi Yehoshua ben Levi says: The one who forbade had grounds to forbid the wine, while the one who permitted it likewise had grounds to permit the wine. The one who forbade says that there is no way that the gentile thought that the Rabbis were drinking beer! He therefore knew they were drinking wine, and poured it for idolatry. The one who permitted it says that the gentile thought that there was no way that Rabbis would tell him that he should pour wine! It must be that he must have thought that it was beer, and therefore he did not pour it for idolatry.

The *Gemora* asks: Didn't he see what they were drinking?

The *Gemora* answers: It was at night.

The *Gemora* asks: Didn't he smell that it was wine?

The *Gemora* answers: No he didn't, because it was new wine (*that doesn't smell strongly*).

The *Gemora* asks: Didn't he scoop the wine out of the barrel using a vessel, causing him to touch the wine without intent, which still renders the wine forbidden?

The *Gemora* answers: He was merely trying to empty it, and such an action, called "kocho shelo b'kavanah" – "his force without intent," is not part of the Rabbinic decree of ways that an idolater makes wine forbidden. (*In other words, being that he did not know what it was, the mere fact that he caused the wine to move is not enough to make it forbidden.*)

Rav Asi asked Rabbi Yochanan: What is the law if an idolater "mascho" – "diluted" wine of a Jew?

Rabbi Yochanan asked back: Why did you use the term "mascho" instead of "mazgo," which is normally used?

Rav Asi answered: I use the term stated by the verse, *He slaughtered its slaughtering, "mascha yaina" – "poured its wine."*

Rabbi Yochanan replied: The terms used in the Torah are separate from the terms used by the Rabbis.

Rav Asi asked: What is the law (*regarding my question about a gentile who dilutes wine*)?

Rabbi Yochanan said: It is forbidden, as go away, go away, we say to a nazir (*who is sworn not to have wine*), go around, go around, do not go near an orchard.

Rabbi Yirmiya went to Savta, and saw that the Jews were drinking wine that had been diluted by idolaters. He forbade them from drinking this wine, based on the rule above (*that we tell a nazir to go away from the orchard, which can similarly be applied to mean not to rely on leniencies that are close to being forbidden*).

It was also taught that Rabbi Yochanan says, and some say Rav Azi says in the name of Rabbi Yochanan: Wine that has been diluted by idolaters is forbidden, based on the rule above.

Reish Lakish went to Batzra, and saw a Jew eating fruits that were not tithed. He proceeded to forbid him from eating them. He also saw Jews drinking water that an idolater had worshipped, and forbade them from drinking the water.

When he came before Rabbi Yochanan, Rabbi Yochanan told him: While your cloak is still on you (*from the journey*), go and tell them that you were wrong. This is because Batzra is not Betzer, and because water that belongs to the public cannot be forbidden through someone's idol worship.