

דף יומי • חלין • דף פ"ה

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We start off on our daf continuing the shakla v'tarya regarding Rabbi Yosei's kal v'chomer. The Gemara is trying to find a source that a doubt is strong enough to obligate a mitzvah on Yom Tov, looking at the cases of shofar with a tumtum and circumcision. We see a beautiful discussion of how we refute these comparisons, including a d'rashah from Rabbi Elazar HaKappar Beribbi about the difference between circumcision and covering the blood, which Rabbi Chiyya praised as an unanswerable point that was indeed answered.

Then, we learn a new Mishnah that brings us straight into the core halachos of kisuy hadam. The Tanna Kamma, Rabbi Meir, and the Sages argue about whether an invalid shechita—like a treifah, or shechita for avodah zarah, or kodashim outside the Azarah—still requires covering the blood. This leads the Gemara into a major yeshivish sugya regarding the definition of shechita: do we say "shechita she'eina re'uya shemah shechita" (an unfit slaughter is still halachically considered a slaughter) or not?

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 85A

EXPLANATION

אֵלָא סָפֵק אִישׁ סָפֵק אִשָּׁה.

Rather, the case of shofar where there is a doubt is where we have a tumtum, who is a **doubt** whether he is a **man** or a **doubt** whether he is a **woman**. Since a tumtum is obligated in shofar because of this doubt, we can derive that a koy, which is also a doubt, requires covering on Yom Tov.

EXPLANATION

וְרַבִּי יוֹסִי לְטַעְמִיהָ, דָּאָמַר: אִשָּׁה וְדֹאִית נָמִי תִקְעָה.

And Rabbi Yosei is consistent **with his** standard line of **reasoning**, as he says: **A definite woman may also blow** the shofar on Rosh Hashanah as an optional mitzvah. Therefore, for Rabbi Yosei, there is no distinction between men and women regarding the permission to blow, so the obligation of a tumtum is not based on a mere doubt.

BRAISA

דִּתְנִינָא: בְּנֵי יִשְׂרָאֵל סוֹמְכִין, וְלֹא בָנוֹת יִשְׂרָאֵל סוֹמְכוֹת.

As it is taught in a braisa: The pasuk says, 'Speak to **the sons of Israel**... and he shall lean.' This teaches that the sons of Israel **lean** on the head of a korban, **but the daughters of Israel do not lean**.

BRAISA

רַבִּי יוֹסִי וְרַבִּי שְׁמַעוֹן אוֹמְרִים: נָשִׁים סוֹמְכוֹת רְשׁוֹת.

Rabbi Yosei and Rabbi Shimon say: Women may lean as an optional act, and it is not considered a violation of working with holy animals. The same applies to shofar; women may blow optionally, so a tumtum blowing is not a proof for resolving doubts.

OBJECTION

אמר רבינא: ולמאי דקאמרי רבנן נמי אית ליה פירכא,

Ravina said: And even according to what the Rabbis say—that women may not blow shofar, and thus a tumtum is only obligated because of doubt—there is also a refutation to the kal v'chomer from shofar to covering the blood of a koy on Yom Tov:

OBJECTION

מה לתקיעת שופר שפון ודא דוחה שבת במקדש, תאמר בכיסוי דליתיה כלל!

What is unique about the blowing of the shofar? That its definite obligation overrides Shabbos in the Beis HaMikdash! Will you say the same regarding covering the blood, which does not override Shabbos at all? Therefore, we cannot derive the laws of covering from shofar.

REFUTATION

השיב רבי אלעזר הקפר בריבי: מה למילה שפון אינה נוהגת בלילי ימים טובים.

Rabbi Elazar HaKappar Beribbi responded with a different refutation to Rabbi Yosei's kal v'chomer from circumcision: What is unique about circumcision? That it is not practiced on the nights of Yom Tov.

QUESTION

בלילי ימים טובים הוא דלא נהגא, בשאר לילי נהגא?

The Gemara asks: Is it only on the nights of Yom Tov that it is not practiced, but on other nights of the year it is practiced? Surely circumcision is never performed at night!

RESOLUTION

אלא, מה למילה – שפון אינה נוהגת בלילות כבימים – שנוהג בלילות כבימים!

Rather, this is what he meant: What is unique about circumcision? That it is not practiced at night as it is by day. Will you say the same regarding covering the blood, which is practiced at night just as it is by day? Therefore, covering is more frequent and cannot be compared to circumcision.

STATEMENT

אמר רבי אבא: זה אחד מן הדברים שאמר רבי חייה אין עליהן תשובה, והשיב רבי אלעזר בריבי תשובה.

Rabbi Abba said: This is one of the matters about which Rabbi Chiyya said that there is no refutation for them, and yet Rabbi Elazar Beribbi responded and found a refutation.

משנה MISHNAH

MISHNAH

מתני' השוחט ונמצאת טריפה, והשוחט לעבודה זרה, והשוחט חולין בפנים וקדשים בחוץ, חיה ועוף הנסקלים – רבי מאיר מחייב, וחכמים פוטרם.

MISHNAH: One who slaughters a wild animal or a bird and it is found to be a treifah, or one who slaughters them for idol worship, or one who slaughters non-sacred animals inside the Azarah, or sacrificial birds outside the Azarah, or a wild animal or bird that are sentenced to be stoned—in all these cases of invalid slaughter, Rabbi Meir obligates one to cover the blood, and the Sages exempt him.

MISHNAH

השוחט ונתנבלה בידו, הנוחר והמעקר – פטור מלקפות.

One who slaughters and it becomes a carcass by his hand through an invalid act of slaughter, **or one who stabs** the animal, **or one who tears** the organs, **is exempt from covering** the blood, because these are not acts of slaughter at all.

גמרא GEMARA

GEMARA

גמ' אמר רבי חייא בר אבא אמר רבי יוחנן: ראה רבי דבריו של רבי מאיר באותו ואת בנו, ושנאו בלשון חכמים, ודרבי שמעון בכסוי הדם, ושנאו בלשון חכמים.

GEMARA: Rabbi Chiyya bar Abba said that Rabbi Yochanan said: Rabbi Yehuda HaNasi saw the words of Rabbi Meir to be correct regarding the prohibition of slaughtering 'it and its offspring' on the same day—that an invalid slaughter is still considered a slaughter—and he taught it in the Mishnah there in the name of 'the Sages' to give it more weight. And he saw the words of Rabbi Shimon to be correct regarding covering the blood—that an invalid slaughter is not considered a slaughter—and he taught it here in the name of 'the Sages'.

QUESTION

מאי טעמא דרבי מאיר באותו ואת בנו?

The Gemara asks: What is the reason of Rabbi Meir regarding 'it and its offspring' that he considers an invalid slaughter to be a valid act of slaughter?

ANSWER

אמר רבי יהושע בן לוי: גמר שחיטה שחיטה משחויטי חוץ.

Rabbi Yehoshua ben Levi said: He derived it by a gezeirah shavah of the word 'slaughter' written by 'it and its offspring' from the word 'slaughter' written by sacrificial animals slaughtered outside the Beis HaMikdash.

EXPLANATION

מה ה'תם – שחיטה שאינה ראויה שמה שחיטה, אף הכא נמי – שחיטה שאינה ראויה שמה שחיטה.

Just as there, by shechutei chutz, a slaughter that is not fit for eating is nevertheless called 'slaughter' to make him liable, **so too here,** by 'it and its offspring', a slaughter that is not fit is called 'slaughter' to make him liable.

QUESTION

ורבי שמעון, מאי טעמא?

The Gemara asks: **And Rabbi Shimon, what is his reason** for holding that an unfit slaughter is not called a slaughter?

ANSWER

אמר רבי מני בר פטיש: גמר מ"טבוח טבח והכן", מה להלן שחיטה ראויה, אף כאן שחיטה ראויה.

Rabbi Mani bar Pattish said: He derived it from the pasuk, 'Slaughter the slaughtering and prepare.' Just as there, the slaughtering of Yosef's brothers was a fit slaughter for eating, so too here, the Torah only refers to a fit slaughter.

QUESTION

ורבי מאיר נמי, ליגמר מ"טבוח"?

The Gemara asks: **And Rabbi Meir also, let him derive** the definition of slaughter from 'slaughter' in that pasuk!

ANSWER

דנין שחיטה משחיטה, ואין דנין שחיטה מטביחה.

The Gemara answers: **We derive** the word 'slaughter' (shechita) from the word 'slaughter' (shechita), **but we do not derive** 'slaughter' from 'slaughtering' (tevichah), which is a different root.

QUESTION

מה נפקא מינה? הא תנא דבי רבי ישמעאל: "ושב הכהן" ו"בא הכהן" – זו היא שיבה זו היא ביאה.

The Gemara asks: **What difference does it make** if the roots are different? Behold, the school of Rabbi Yishmael taught:

The pasuk says 'And the Kohen shall return' and 'And the Kohen shall come'—and we derive them from each other because **this returning is the same as this coming**, even though the words are different!

ANSWER

הני מילי – היכא דליכא דדמי ליה, אכל איכא דדמי ליה – מדדמי ליה ולפינו.

The Gemara answers: **This applies only where there is no word that is identical to it; but where there is a word that is identical to it, we derive it from the one that is identical to it.**

QUESTION

ורבי שמעון נמי ליגמר משחויטי חוץ?

The Gemara asks: **And Rabbi Shimon also, let him derive** the law from sacrificial animals slaughtered outside the Temple, where the word 'slaughter' is identical!

ANSWER

דנין חולין מחולין, ואין דנין חולין מקדשים.

The Gemara answers: **We derive** the laws of **non-sacred** animals (chullin) from **non-sacred** animals, **but we do not derive non-sacred animals from sacrificial animals** (kodashim).

QUESTION

ורבי מאיר: אטו אותו ואת בנו בקדשים מי לא נהיג?

The Gemara asks: **And Rabbi Meir**, how does he respond to this? **Is that to say that** 'it and its offspring' does not apply to **sacrificial** animals? It certainly does, so it is not considered deriving chullin from kodashim.

STATEMENT

הִיִּינוּ דִקְאָמְרִי רַבִּי חִיָּיא: רָאָה רַבִּי דְבָרָיו שֶׁל רַבִּי מַאִיר בְּאוֹתוֹ וְאֵת בְּנוֹ, וּשְׁנָאוֹ בְּלִשׁוֹן חֲכָמִים.

The Gemara notes: This is indeed what Rabbi Chiyya said: Rabbi Yehuda HaNasi saw the words of Rabbi Meir to be correct regarding 'it and its offspring', and he taught it in the name of 'the Sages'.

QUESTION

מַאי טַעְמָא דְרַבִּי מַאִיר בְּכֶסוּי הַדָּם?

The Gemara asks: What is the reason of Rabbi Meir regarding covering the blood, that he requires covering even for an unfit slaughter?

ANSWER

אָמַר רַבִּי שִׁמְעוֹן בֶּן לָקִישׁ: גָּמַר שְׁפִיכָה שְׁפִיכָה מִשְׁחוּטֵי חוּץ, מָה לְהֵלֵן – שְׁחִיטָה שְׂאִינָה רְאוּיָה שָׁמָּה שְׁחִיטָה, אֲףִי כָאֵן – שְׁחִיטָה שְׂאִינָה רְאוּיָה שָׁמָּה שְׁחִיטָה.

Rabbi Shimon ben Lakish said: He derived it by a gezeirah shavah of the word 'pouring' written by covering the blood from the word 'pouring' written by sacrificial animals slaughtered outside the Temple. Just as there, a slaughter that is not fit is called 'slaughter', so too here, a slaughter that is not fit is called 'slaughter'.

OBJECTION

וְרַבִּי שִׁמְעוֹן: "וְאֲשֶׁר יֵאָכֵל" כְּתִיב,

And Rabbi Shimon argues: It is written regarding covering the blood, 'which may be eaten,' which implies that only an animal fit for eating requires covering.

ANSWER

וְרַבִּי מַאִיר: הֵהוּא לְמַעוּטֵי עוֹף טָמֵא הוּא דְאֵתָא,

And Rabbi Meir responds: That phrase comes to exclude a non-kosher bird, which can never be eaten, but not a kosher bird that became a treifah.

OBJECTION

וְרַבִּי שִׁמְעוֹן: עוֹף טָמֵא מַאי טַעְמָא – דְלֹא פִר אֲכִילָה הוּא, טְרֵפָה נִמִּי – לֹא פִר אֲכִילָה הוּא.

And Rabbi Shimon argues: What is the reason that a non-kosher bird is excluded? Because it is not fit for eating. A treifah is also not fit for eating, so it should also be excluded.

STATEMENT

וְהִיִּינוּ דִאָמַר רַבִּי חִיָּיא: רָאָה רַבִּי דְבָרָיו שֶׁל רַבִּי שִׁמְעוֹן בְּכֶסוּי הַדָּם, וּשְׁנָאוֹ בְּלִשׁוֹן חֲכָמִים.

And this is indeed what Rabbi Chiyya said: Rabbi Yehuda HaNasi saw the words of Rabbi Shimon to be correct regarding covering the blood, and he taught it in the name of 'the Sages'.

STATEMENT

אָמַר רַבִּי אֲבָא:

Rabbi Abba said:

STATEMENT

לא לכל אמר רבי מאיר שחיטה שאינה ראויה שמה שחיטה:

Not for all halachic matters did Rabbi Meir say that an act of slaughter that is not fit to permit the animal for eating is considered an act of slaughter;

STATEMENT

מודה רבי מאיר שאין מתירתה באכילה;

for Rabbi Meir concedes that such a slaughter does not permit it for eating if the animal is a tereifa;

STATEMENT

ולא לכל אמר רבי שמעון שחיטה שאינה ראויה לא שמה שחיטה:

and not for all halachic matters did Rabbi Shimon say that an act of slaughter that is not fit is not considered an act of slaughter;

STATEMENT

מודה רבי שמעון שמטהרתה מידי נבלה.

for Rabbi Shimon concedes that the slaughter of a tereifa purifies it from the impurity of a carcass.

STATEMENT

אמר מר: לא לכל אמר רבי מאיר שחיטה שאינה ראויה שמה שחיטה, מודה רבי מאיר שאין מתירתה באכילה.

The Master said above: Not for all halachic matters did Rabbi Meir say that an act of slaughter that is not fit is considered an act of slaughter, for Rabbi Meir concedes that such a slaughter does not permit it for eating.

QUESTION

פשיטא! טרפה בשחיטה מי מישתריא?

The Gemara asks: Isn't this obvious? Can a tereifa become permitted through slaughter? The Torah explicitly forbids eating a tereifa!

ANSWER

לא צריכא, לשוחט את הטרפה ומצא בה בן תשעה חי;

The Gemara answers: No, this statement of Rabbi Abba is necessary for a case of one who slaughters a tereifa animal and found inside it a living nine-month-old fetus;

EXPLANATION

סלקא דעתך אמינא: הואיל דאמר רבי מאיר: שחיטה שאינה ראויה שמה שחיטה, תהני ליה שחיטת אמו ולא ליבעי שחיטה, קמשמע לן.

for it might enter your mind to say: Since Rabbi Meir said that an act of slaughter that is not fit is considered an act of slaughter, then the slaughter of its mother should be effective for it, the fetus, and it should not require its own slaughter after birth. Therefore, Rabbi Abba comes to teach us that since the mother's slaughter does not permit her own meat, it cannot permit the fetus either.

OBJECTION

ותסבירא? והאמר רבי מאיר: בן פקועה טעון שחיטה!

The Gemara asks: **And can you understand** it this way? **But doesn't Rabbi Meir say** that a **ben pekua**, a live fetus removed from a slaughtered mother, **requires slaughter** on its own? Rabbi Meir holds that the mother's slaughter never permits the fetus, even when she is a kosher animal!

ANSWER

לא צריכא, דרבי סבר לה כרבי מאיר וסבר לה כרבנן.

The Gemara answers: **No**, Rabbi Abba's statement **is necessary** because **Rabbi Yehuda HaNasi holds like Rabbi Meir** in one aspect **and holds like the Rabbis** in another aspect.

EXPLANATION

סבר לה כרבי מאיר, דאמר: שחיטה שאינה ראויה שמה שחיטה,

He **holds like Rabbi Meir**, who said that an act of slaughter that is not fit is considered an act of slaughter regarding the prohibition of slaughtering an animal and its offspring on the same day;

EXPLANATION

וסבר לה כרבנן, דאמרי: שחיטת אמו מטהרתו.

and yet he **holds like the Rabbis**, who say that the slaughter of its mother permits it, the fetus, so that a **ben pekua** does not require its own slaughter.

EXPLANATION

כיון דאמור רבנן שחיטת אמו מטהרתו, תהני ליה שחיטת אמו ולא ליבעי שחיטה, קא משמע לן.

So, since the Rabbis said that the slaughter of its mother permits it, you might think that even in the case of a tereifa, the slaughter of its mother should be effective for it and it should not require its own slaughter. Therefore, Rabbi Abba comes to teach us that Rabbi Yehuda HaNasi concedes that the slaughter of a tereifa mother cannot permit the fetus.

STATEMENT

ולא לכל אמר רבי שמעון שחיטה שאינה ראויה לא שמה שחיטה, מודה רבי שמעון שמתהרתה מידי נבלה.

The Gemara turns to the second statement: **And not for all halachic matters did Rabbi Shimon say** that an act of slaughter that is not fit is not considered an act of slaughter, for **Rabbi Shimon concedes** that the slaughter of a tereifa purifies it from the impurity of a carcass.

QUESTION

פשיטא! דאמר רב יהודה אמר רב, ואמרי לה במתניתא תנא:

The Gemara asks: Isn't this obvious? For Rav Yehuda said that Rav said, and some say it was taught in a Braisa:

PROOF

”וְכִי יָמוּת מִן הַבְּהֵמָה”, מְקַצֵּת בְּהֵמָה מְטֵמְאָה וּמְקַצֵּת בְּהֵמָה אֵינָה מְטֵמְאָה, וְאִי זֶה זֶה – טֵרֵפָה שֶׁשְּׁחָטָהּ.

The verse says, “**And if there dies of the animals**,” which implies that only **a part of** the category of **animals transmits impurity** when dead, **and a part of** the category of **animals does not transmit impurity**. And which one is this? This is a **tereifa that one slaughtered**, which is excluded from carcass impurity. This is a Torah law, so why does Rabbi Shimon need to concede it?

ANSWER

לֹא צָרִיכָא, לְשׁוּחֵט אֶת הַטֵּרֵפָה וְהִיא חוּלִין בְּעֶזְרָה.

The Gemara answers: **No**, Rabbi Abba’s statement is **necessary** for one **who slaughters a tereifa animal**, and it is **non-sacred**, chullin, **in the Temple courtyard**.

PROOF

דִּתְנִינָא: הַשּׁוֹחֵט אֶת הַטֵּרֵפָה, וְכֵן הַשּׁוֹחֵט וְנִמְצְאָת טֵרֵיפָה, זֶה וְזֶה חוּלִין בְּעֶזְרָה – רַבִּי שִׁמְעוֹן מַתִּיר בְּהֵנָא, וְחֻכְמִים אוֹסְרִין.

As it was taught in a Braisa: One who slaughters a known tereifa, and likewise one who slaughters an animal and it was found to be a tereifa, and both this and that are **non-sacred** animals slaughtered in the Temple courtyard—Rabbi Shimon permits deriving **benefit** from them, and the Sages forbid it.

EXPLANATION

סָלָק אֲדַעְתָּהּ אֲמִינָא, הוּאִיל וְאָמַר רַבִּי שִׁמְעוֹן: מוֹתֵר בְּהֵנָא, אֲלֵמָּא לֹא שְׁחִיטָה הִיא כָּלֵל, אִימָּא: מִיַּדִּי נִבְלָה נִמִּי לֹא מִטְהֵרָה, קָא מְשַׁמַּע לֵן.

Therefore, **it might enter your mind to say**: Since Rabbi Shimon said that it is **permitted** to derive **benefit** from it, **consequently**, this is **not** considered an act of **slaughter at all** to make it forbidden as chullin in the Azarah; **say** then that **it does not purify** the animal from carcass impurity **either**. Therefore, Rabbi Abba **comes to teach us** that it is still considered a slaughter to save it from tumas nevelah.

QUESTION

אָמַר לִיה רַב פָּפָא לְאַבֵּי: וְסָבַר רַבִּי שִׁמְעוֹן חוּלִין בְּעֶזְרָה דְּאוֹרֵייתָא הִיא?

Rav Pappa said to Abaye: And does Rabbi Shimon hold that the prohibition of **non-sacred** animals slaughtered in the Temple courtyard is from the Torah?

ANSWER

אָמַר לִיה: אֵין, וְהִתְנִן רַבִּי שִׁמְעוֹן אוֹמֵר: חוּלִין שֶׁשְּׁחָטוּ בְּעֶזְרָה יִשְׂרְפוּ בָּאֵשׁ, וְכֵן חִיָּה שֶׁשְּׁחָטָהּ בְּעֶזְרָה.

Abaye said to him: Yes, and did we not learn in a Mishnah that Rabbi Shimon says: **Non-sacred** domesticated animals **that** were slaughtered in the Temple courtyard **must be burned in fire**, and likewise a wild beast, a chayah, **that was** slaughtered in the Temple courtyard **must be burned**?

EXPLANATION

אי אמרת בשלמא דאורייתא – היינו דגזרינן חיה אטו בהמה.

Granted, if you say that the prohibition of a domesticated animal is from the Torah, that is why we decree a prohibition on a wild beast on account of a domesticated animal, to prevent confusion.

EXPLANATION

אָלֵא אִי אַמְרַת דְּרַבְנָן, בְּהֵמָה מַאי טַעְמָא? דִּילְמָא אֲתִי לְמִיכַל קַדְשִׁים בַּחוּץ, הִיא גּוֹפֵה גִזְרָה, וְאַנְן נִיקוּם וְנִגְזוֹר גִּזְרָה לְגִזְרָה?

But if you say that the prohibition of a domesticated animal is only Rabbinic, what is the reason for the Rabbinic decree on a domesticated animal? Lest one come to eat sacrificial meat outside the Temple. If so, the prohibition on a domesticated animal is itself a decree, and would we stand and make a decree on a wild beast upon a decree? We do not make a double decree! Thus, the prohibition of chullin in the Azarah must be mid'Oraisa according to Rabbi Shimon.

STATEMENT

רַבִּי חִיָּיא נָפַל לִיה יָאנִיבָא בְּכִיתָיָהּ, אֲתָא לְקַמִּיָּה דְּרַבִּי, אָמַר לִיה: שְׁקוּל עוֹפָא וּשְׁחוּט עַל בּוֹכִיתָא דְּמִיָּא, דְּמוֹרַח דְּמָא וְשָׁבִיק לִיה.

The Gemara relates: Rabbi Chiyia had worms infest his flax. He came before Rabbi Yehuda HaNasi to ask for a remedy. Rabbi said to him: Take a bird and slaughter it over the pool of water where the flax is soaking, so that the worms will smell the blood and leave it.

QUESTION

הִכִּי עָבִיד הָכִי? וְהִתְנִיָּא: הַשּׁוֹחֵט וְצָרִיף לָדָם – חַיִּיב לְכַסּוֹת. כִּיצַד יַעֲשֶׂה? אִי נוֹחֵר, אִי עוֹקֵרוֹ.

The Gemara asks: How could he do this? But wasn't it taught in a Braisa: One who slaughters and needs the blood for some purpose is still obligated to cover the blood. What should he do to avoid the obligation of covering? Either he stabs it, or he tears its organs, which is not a halachic slaughter and does not require covering the blood. Why did Rabbi tell him to slaughter it?

ANSWER

כִּי אֲתָא רַב דִּימִי אָמַר: "צֵא טְרוּף" אָמַר לִיה, כִּי אֲתָא רַבִּין אָמַר: "צֵא נַחוּר" אָמַר לִיה.

The Gemara answers: When Rav Dimi came from Eretz Yisrael, he said that Rabbi actually said to him: "Go, tear the organs of the bird." And when Ravin came, he said that Rabbi said to him: "Go, stab the bird."

QUESTION

לְמַאן דְּאָמַר "צֵא טְרוּף", מַאי טַעְמָא לָא אָמַר "צֵא נַחוּר"?

The Gemara asks: According to the one who said that Rabbi told him, "Go, tear," what is the reason he did not say, "Go, stab"?

OBJECTION

וְכִי תֵימָא, קָסְבַּר אֵין שְׁחִיטָה לְעוֹף מִן הַתּוֹרָה, וְנִחְיָתוּ זֶה הִיא שְׁחִיטָתוֹ, וְהִתְנִיָּא: רַבִּי אוֹמַר: "פֶּאֶשֶׁר צוּיִתָּה" – מִלְּמַד שֶׁנֶּצְטָטָה מִשָּׁה עַל הַנֶּשֶׁט וְעַל הַקֶּנֶה, וְעַל רוֹב אֶחָד בְּעוֹף, וְעַל רוֹב שְׁנַיִם בְּבֵהמָה.

And if you say that Rabbi holds that there is no requirement of ritual slaughter for a bird from the Torah, and therefore stabbing it is its actual slaughter, which would require covering the blood—but wasn't it taught in a Braisa: Rabbi says: "As I have commanded you" teaches that Moshe was commanded regarding the gullet and the windpipe, and

regarding cutting the majority of one of them for a bird, and regarding cutting the majority of two of them for an animal. Thus, Rabbi holds that slaughtering a bird is a Torah law, so stabbing is not a slaughter!

SUMMARY

The daf begins by wrapping up the discussion on Rabbi Yosei's kal v'chomer, bringing refutations from shofar (which overrides Shabbos in the Mikdash) and circumcision (which is not practiced at night). We then move to the Mishnah where Rabbi Meir and the Sages dispute whether invalid slaughters require kisuy hadam, while agreeing that a complete non-shechita (like stabbing or tearing) is exempt. In the Gemara, Rabbi Yochanan explains how Rabbi Yehuda HaNasi structured the Mishnayos of "oto v'es b'no" and "kisuy hadam" based on which opinion he saw as more correct in each case. Finally, the Gemara analyzes the source for Rabbi Meir's view that an unfit slaughter is called a shechita, deriving it via a gezeirah shavah from shechutei chutz, while Rabbi Shimon derives his opposing view from Yosef's brothers' slaughtering in Mitzrayim.

למעשה WHAT TO TAKE HOME

In our sugya, we see a fascinating phenomenon in the way Rabbi Yehuda HaNasi compiled the Mishnah. Rabbi Chiyya bar Abba tells us that Rabbi Yehuda HaNasi saw the truth in Rabbi Meir's view regarding one halachah, and the truth in Rabbi Shimon's view regarding another. Even though they held opposing, systematic views on whether an unfit slaughter is halachically considered a "slaughter," Rabbi Yehuda HaNasi did not feel bound to blindly accept one entire system over the other. He looked at each case on its own merits, recognized the truth in both, and established the halachah accordingly.

This is a profound lesson in how we look at people and situations in our own lives. The yetzer hara loves to make us think in absolute, black-and-white terms. If we disagree with someone on one issue, or if we see a flaw in them, we are tempted to write off their entire way of thinking. We think, "If he is wrong about this, he must be wrong about everything." But the Torah way is to seek the truth wherever it is. We must have the greatness of mind to say, "In this area, his approach is correct and beautiful, even if in another area I follow a different path."

When you learn to look at the world this way, your entire relationship with other Yidden changes. You stop putting people in rigid boxes. You begin to appreciate the unique spark of truth that every single person possesses, realizing that no single person has a monopoly on every correct perspective, and no one is entirely devoid of wisdom.

Today, when you find yourself disagreeing with a family member, a coworker, or a chavrusa, consciously separate the issue from the person. Find one point where they are actually right, or one area where you truly respect their approach, and validate it. Train yourself to see the truth in parts, just as Rabbi Yehuda HaNasi did.

הלכות עבודת פוכבים • פרק שמיני

Learned like the daf, the literal words in bold, flowing with the elucidation

CHAPTER PREVIEW

In this chapter, we learn the fundamental guidelines regarding what can and cannot become forbidden as an idol. Hashem made a beautiful world, and the Sages teach us a major yesod: anything that has not been manipulated or made by man—such as mountains, hills, rivers, and animals—does not become forbidden for our use, even if misguided people actually bowed down to them and worshiped them as deities.

We will also learn the specific conditions under which these natural objects can become forbidden. For instance, we look at what happens if a person performs a physical action on an animal for the sake of an idol, or if someone digs into the earth to alter it for a pagan deity, as well as the important halachic rule that a person cannot make his friend's property forbidden without his consent.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

הלכה א

Halacha 1 • Objects of Idol Worship That Are Permitted for Benefit

כל שאין בו תפיסת יד אדם

Any object that there is not in it the manipulation of the hand of man

ולא עשהו אדם

and man did not make it,

אף על פי שנעבד

even though that it was worshiped as an idol,

הרי זה מותר בהנאה.

behold this is permitted for benefit.

לפיכך עובדי פוכבים העובדים את ההרים ואת הגבעות

Therefore, worshipers of stars who worship the mountains and the hills,

ואת האילנות הנטועין מתחלתן לפרות

and the trees that were planted from their beginning for fruit,

ואת המעינות הנובעין לרבים ואת הבהמה

and the springs that flow for the public, and the animal,

הרי אלו מתרין בהנאה

behold these are permitted for benefit,

ומתר לאכל אותן הפרות שנעבדו במקום גדילתן ואותה הבהמה.

and it is permitted to eat those fruits that were worshiped in the place of their growth, and that animal.

ואין צריך לומר הבהמה שהקצת לעבודת כוכבים

And there is no need to say regarding the animal that was set aside for worship of stars,

שהיא מתרת באכילה

that it is permitted for eating;

בין שהקצוה לעבודה בין שהקצוה להקריבה הרי זו מתרת.

whether that they set it aside to worship it, whether that they set it aside to sacrifice it, behold this is permitted.

במה דברים אמורים שאין הבהמה נאסרת

In what words are these said, that the animal is not forbidden?

בשלא עשה בה מעשה לשם עבודת כוכבים

In a case that he did not do to it an action for the sake of worship of stars.

אבל עשה בה מעשה כל שהוא אסרה.

But if he did to it an action, any that it is, he forbade it.

כיצד,

How so?

כגון ששחט בה סימן לעבודת כוכבים.

For example, that he slaughtered in it a sign (one of the neck organs) for worship of stars.

עשאה חליפין לעבודת כוכבים אסרה.

If he made it an exchange for worship of stars, he forbade it.

וכן חליפי חליפין.

And likewise, the exchange of an exchange is forbidden,

מפני שנעשים דמי עבודת כוכבים.

because that they become the value of worship of stars.

במה דברים אמורים בבהמת עצמו.

In what words are these said? Regarding the animal of himself.

אָבֵל אִם שָׁחַט בְּהֵמַת חֲבֵרוֹ לְעִבּוֹדַת כּוֹכָבִים אוֹ הָהָ לִיפָּהּ לֹא נֶאֱסָרָה

But if he slaughtered the animal of his fellow for worship of stars, or exchanged it, it is not forbidden,

שְׂאִין אָדָם אוֹסֵר דְּבַר שְׂאִינוֹ שְׁלוֹ.

since a man does not forbid a thing that is not his.

הַמִּשְׁתַּחֲוֶה לְקִרְקַע עוֹלָם לֹא אֶסְרָהּ.

One who bows down to ground of the world, he did not forbid it.

חָפַר בָּהּ בּוֹרוֹת שִׁיחִין וּמַעְרוֹת לְשֵׁם עִבּוֹדַת כּוֹכָבִים אֶסְרָהּ:

But if he dug in it pits, ditches, and caves for the sake of worship of stars, he forbade it.

הַלָּכָה ב

Halacha 2 · The Status of Worshipped Water and Detached Mountain Stones

מִים שֶׁעָקְרוּ הַגֹּל

Regarding **water that** was detached when **the wave uprooted them** from the sea,

וְהַשְׁתַּחֲוֶה לָהֶן

and a person **bowed down to them** as an idol while they were flying through the air,

לֹא אֶסְרָן.

he **did not forbid them** for benefit, because they were detached by a natural force and not by human hands.

נִטְּלָן בְּיָדוֹ

However, if **he took them in his hand**

וְהַשְׁתַּחֲוֶה לָהֶן

and then **bowed down to them,**

אֶסְרָן.

he has **forbidden them**, since they were detached and handled by human action.

אֲבָנֵי הַר שֶׁנִּדְּלְדְּלוּ

Similarly, **stones of a mountain that detached** from their place by natural means,

וַעֲבָדוּ בְּמָקוֹמָם

and a person **worshipped them in their place** where they fell,

they are permitted for use,

שֶׁהֵי אֵין בָּהֶן תְּפִיסַת יַד אָדָם:

since there is not in them any manipulation of the hand of man to detach them.

הֵלָכָה ג

Halacha 3 · The Laws of an Asherah Tree, Worshiped Trees, and Objects Set Aside for Idolatry

יִשְׂרָאֵל שָׁזָקָה לִבְנֵה לְהִשְׁתַּחֲוֹת לָהּ

A Jew who stood up a brick with the intention to bow down to it

וְלֹא הִשְׁתַּחֲוָה לָהּ

and did not bow down to it himself,

וּבָא עוֹבֵד כּוֹכָבִים וְהִשְׁתַּחֲוָה לָהּ

and came a worshiper of stars and bowed down to it,

אֶסְרָה בְּהִנָּאָהּ

the Jew has made it forbidden for benefit,

שֶׁזִּקְיָתָהּ מְעֻשָּׂה.

because its standing up is considered an action of preparation on his part.

וְכֵן אִם זָקָה בִּיצָה

And so if he stood up an egg

וּבָא עוֹבֵד כּוֹכָבִים וְהִשְׁתַּחֲוָה לָהּ אֶסְרָה.

and came a worshiper of stars and bowed down to it, he made it forbidden.

חֲתַךְ דִּלְעַת וְכִיּוּצָא בָּהּ

If he cut a gourd and the like of it to prepare it for worship,

וְהִשְׁתַּחֲוָה לָהּ אֶסְרָה.

and then a non-Jew bowed down to it, he made it forbidden.

הִשְׁתַּחֲוָה לְחֻצֵי דִלְעַת

If the non-Jew bowed down to half of a gourd,

וְחֻצֵי הָאֲחֵר מְעֻרָּה בּוֹ

and the half other is attached to it,

הָרִי זֶה אָסוּר מִסֶּפֶּק

behold this is forbidden out of doubt,

שָׁמָּה זֶה הַחֲצִי כְּמוֹ יָד לַחֲצִי הַנֶּעֱבָד.

lest this half is like a handle for the half that was worshiped.

אֵילָן שֶׁנִּטְעָה מֵתַחֲלָה שִׁיָּהְיָה נֶעֱבָד

A tree that one planted it from the beginning that it should be worshiped

אָסוּר בַּהֲנָאָה

is forbidden for benefit,

וְזוֹ הִיא אֲשֶׁרָה הָאֲמוּרָה בַּתּוֹרָה.

and this is the asherah which is spoken of in the Torah.

הָיָה אֵילָן נִטוּעַ

If there was a tree already planted,

וַגִּדְעוּ וּפָסְלוּ לְשֵׁם עֲבֹדַת כּוֹכָבִים

and he pruned it and carved it for the sake of worship of stars,

אֶפְלוּ הַבְּרִיָּה וְהִרְכִּיב בְּגוּפוֹ שֶׁל אֵילָן

or even if he bent a branch and grafted into the body of the tree

וְהוֹצִיא שְׁרִיגִים

and it produced shoots,

כּוֹרֵת אֶת הַשְּׁרִיגִים

he cuts off — the shoots,

וְהֵם אָסוּרִים בַּהֲנָאָה

and they are forbidden for benefit,

וְשָׁאֵר הָאֵילָן מֵתֵּר.

and the rest of the tree is permitted.

וְכֵן הַמִּשְׁתַּחֲוֶה לְאֵילָן

And so one who bows down to a tree,

אף על פי שלא נאסר גופו

even though that not was forbidden its body,

כל השריגים והעלים והלולבין והפרות שיוציא

all the shoots and the leaves and the young branches and the fruits that it produces,

כל זמן שהוא נעבד

all the time that it is worshiped,

הרי אלו אסורין בהנאה.

behold these are forbidden for benefit.

אילן שהיו העובדי כוכבים משמרין את פרותיו

A tree that were the worshipers of stars guarding — its fruits,

ואומרים שהם מוכנים לעשות שֶׁכֶר לְבֵית עֲבֹדַת כּוֹכָבִים פְּלוֹנִי

and saying that they are designated to make beer for the house of worship of stars of so-and-so,

ועושין מהן שֶׁכֶר ושותים אותו ביום חגם

and they make from them beer and drink it on the day of their festival,

הרי זה האילן אסור בהנאה

behold this tree is forbidden for benefit,

מפני שסתמו שהוא אֲשֶׁרָה

because the presumption of it is that it is an asherah,

ולפיכך עושין בפרותיו כך

and therefore they do with its fruits so,

שזו היא חֻקָּה של אֲשֶׁרָה:

since this is the custom of of an asherah.

הלכה ד

Halacha 4 · Prohibition of Benefit from a House, Stone, or Tree Used for Idol Worship

אילן שמעמידין תחתיו עבודת כוכבים

Regarding a tree under which they place an idol to serve it,

כל זמן שהיא תחתיו אסור בהנאה.

all the time that it is under it, the tree is forbidden for benefit.

נִטְלָה מִתַּחְתֵּי הָרִי זֶה מִתָּר

If he removed it from under it, behold this is permitted for benefit,

מִפְּנֵי שֶׁאֵין הָאֵילָן עֲצָמוֹ הוּא הַנֶּעֱבָד.

because the tree itself is not the worshiped object.

בֵּית שֶׁבָּנָאוֹ הָעוֹבֵד כּוֹכָבִים מִתַּחֲלָה שִׁיָּהָא הַבֵּית עֲצָמוֹ נֶעֱבָד

A house that the idolater built from the beginning so that the house itself should be worshiped,

וְכֵן הַמִּשְׁתַּחֲוֶה לְבֵית בָּנוּי הָרִי זֶה אָסוּר בַּהֲנָאָה.

and likewise one who bows down to a house that was already built, behold this is forbidden for benefit.

הָיָה בָּנוּי וְסִידוֹ וְכִירוֹ לְשֵׁם עֲבוֹדַת כּוֹכָבִים עַד שֶׁנִּתְחַדֵּשׁ

If the house was already built, and he plastered it and decorated it for the sake of idolatry, until it was renovated with a new appearance,

נוֹטֵל מֶה שֶׁחֲדָשׁ וְהַחֲדוּשׁ אָסוּר בַּהֲנָאָה

he removes what he renovated, and the renovation is forbidden for benefit

מִפְּנֵי שֶׁעָשָׂהוּ לְעִבְדוֹ וּשְׁאֵר הַבֵּית מִתָּר.

because he made it to worship it, but the rest of the house is permitted.

הַכְּנִיס עֲבוֹדַת כּוֹכָבִים לְתוֹךְ הַבֵּית

If he brought an idol into the house,

כָּל זְמַן שֶׁהָיָא שָׁם הַבֵּית אָסוּר בַּהֲנָאָה.

all the time that it is there, the house is forbidden for benefit.

הוֹצִיָּאה הַתֵּר הַבֵּית.

If he removed it, the house is permitted.

וְכֵן אֶבֶן שֶׁחֲצָבָה מִתַּחֲלָה לְעִבְדָּהּ אָסוּרָה בַּהֲנָאָה.

And likewise, a stone that he quarried from the beginning to worship it is forbidden for benefit.

הָיְתָה חֲצוּבָה וְצִיָּרָה וְכִיָּרָה שֶׁתִּעֲבֹד

If the stone was already quarried, and he drew on it and decorated it so that it be worshiped,

אֶפְלוּ צִיר וְכִיר בְּגוֹף הָאֶבֶן

even if he drew and decorated on the body of the stone itself by carving into it,

ואין צריך לומר אם כיר עליה

and there is no need to say if he decorated upon it by adding plaster on top of it,

נוטל מה שחדש והוא אסור בהנאה

he removes what he renovated, and it is forbidden for benefit

הואיל ונעשה שיעבד ושאר האבן מתר:

since it was made to be worshiped, but the rest of the stone is permitted.

הלכה ה

Halacha 5 · Laws of a Stone Used for Idolatry and a Wall Adjacent to an Idol's Temple

אבן שהעמיד עליה עבודת פוכבים

A stone upon which one placed an idol of worship of stars

הרי זו אסורה כל זמן שהיא עליה.

behold, this stone is forbidden for benefit all the time that the idol is upon it.

סלקה האבן מתרת.

If the idol was removed, the stone is permitted for benefit.

מי שהיה ביתו סמוך לעבודת פוכבים ונפל

One whose house was adjacent to a house of worship of stars, and the wall of his house fell,

אסור לבנותו.

it is forbidden to rebuild it in its original place, because he would be rebuilding a wall that serves to close off and benefit the house of the idol.

כיצד יעשה.

How shall he do to rebuild his house?

כונס לתוך שלו ובונה

He withdraws into his own property slightly and builds the new wall there,

ואותו הרוח ממלאהו קוצים או צואה.

and that space left over between his new wall and the idol's house, he fills it with thorns or excrement

כדי שלא ירחיב לבית עבודת פוכבים.

in order that the worshippers should not expand their space for the house of worship of stars by using his vacated ground.

הָיָה הַכֶּתֶל שֶׁלּוֹ וְשֶׁל עֲבֹדַת כּוֹכָבִים

If the wall was shared, belonging both to him and to the house of worship of stars,

ידון מחצה למחצה,

it is judged half to half.

מחצה שלו מתר בהנאה

His half is permitted for benefit,

ושל עבודת כוכבים הכל אסור בהנאה.

and the half belonging to the worship of stars, the whole of it is forbidden for benefit.

אבניו עציו ועפרו הכל אסור בהנאה:

Its stones, its wood, and its dust, the whole of that forbidden half is forbidden for benefit.

הלכה ו

Halacha 6 · How to Destroy an Idol and Its Accessories

כיצד מאבד עבודת כוכבים

How does one destroy an object of star worship

ושאר דברים האסורים בגללה

and the rest of the things that are forbidden on its account,

כגון משמשיה ותקרבת שלה.

such as its accessories and its offering?

שוחק וזורה לרוח

He grinds it up and scatters the dust to the wind,

או שורף ומטיל לים המלח:

or he burns it and casts the ashes into the Sea of Salt.

הלכה ז

Halacha 7 · The Prohibition of Benefiting from the Coatings of an Idol

דבר שאין בו תפיסת יד אדם שנעבד

An object that there is not in it the grasp of the hand of man, meaning it was not created or modified by human hands, that was worshiped as an idol,

כגון הרים ובהמה ואילן

such as mountains, and an animal, and a tree,

אף על פי שהנעבד עצמו מתר בהנאה

even though the worshiped object itself is permitted for benefit, since man cannot make something forbidden that is not his own and was created by Hashem,

צפוי אסור בהנאה

its coating, which was placed there by man for the worship, is forbidden for benefit.

והנחה בכל שהוא מהן לוקה

And one who benefits in any amount at all from them, from these forbidden coatings, receives lashes mid'Oraisa,

שנאמר דברים ז כה "לא תחמד כסף וזהב עליהם".

as it is said in the Torah in Devarim 7:25, "Do not covet silver and gold upon them."

וכל צפויי עבודת כוכבים הרי הן בכלל משמשיה:

And all coatings of worship of stars, behold they are in the category of its accessories, and are treated with the same severity as the vessels used to worship the idol.

הלכה ח

Halacha 8 · A Star Deity of a Non-Jew That Was Nullified Before Entering Jewish Possession

עבודת כוכבים של עובדי כוכבים

An idol of idolaters

שבטלוה

that they nullified and desecrated, thereby showing they no longer treat it as a god,

קדם שתבוא לידי ישראל

before it comes into the hand of a Jew,

הרי זו מתרת בהנאה

behold, this is permitted for benefit.

שנאמר

As it is said in the Torah (Devarim 7:25):

"פסילי אלהיהם תשרפון באש",

"The carved images of their gods you shall burn with fire" —

כשבאו לידינו

this applies only when they came into our hands

וְהָיוּ נוֹהֲגִין בָּהֶם אֱלֹהוֹת,

and they still behave with them as a deity;

אָבֵל אִם בְּטָלוּם

but if they nullified them before they came into Jewish possession,

הֲרִי אֱלוּ מִתְּרִין:

behold, these are permitted for use and benefit.

הִלְכָּה ט

Halacha 9 • Nullification of an Idol Belonging to a Jew or a Non-Jew

עֲבוֹדַת כּוֹכָבִים שֶׁל יִשְׂרָאֵל אֵינָה בְּטֻלָּה לְעוֹלָם

An idol of a Jew is not nullified forever, meaning it can never be nullified so that it becomes permitted for benefit.

אֲפִלוּ הָיָה לְעוֹבֵד כּוֹכָבִים בָּהּ שְׁתָּפוּת אִין בְּטוּלוֹ מוֹעִיל כָּלוּם

Even if there was to a non-Jew in it a partnership, his nullification is not effective at all because of the Jewish partner's share.

אֶלָּא אִסוּרָה בְּהִנָּאָה לְעוֹלָם וּטְעוּנָה גְּנִיזָה.

Rather, it is forbidden for benefit forever and requires entombment.

וְכֵן עֲבוֹדַת כּוֹכָבִים שֶׁל עוֹבֵד כּוֹכָבִים שֶׁבָּאת לְיַד יִשְׂרָאֵל

And so too, an idol of a non-Jew that came to the hand of a Jew before it was nullified,

וְאַחֲרַי כִּי בְּטֻלָּה הָעוֹבֵד כּוֹכָבִים אִין בְּטוּלוֹ מוֹעִיל כָּלוּם

and after that, the non-Jew nullified it, his nullification is not effective at all because once it enters a Jew's possession, it can no longer be nullified.

אֶלָּא אִסוּרָה בְּהִנָּאָה לְעוֹלָם.

Rather, it is forbidden for benefit forever.

וְאִין יִשְׂרָאֵל מְבַטֵּל עֲבוֹדַת כּוֹכָבִים

And a Jew does not nullify an idol,

וְאַפִּלוּ בְּרִשּׁוֹת עוֹבֵד כּוֹכָבִים.

and even in the domain of a non-Jew, a Jew has no power to nullify it.

עוֹבֵד כּוֹכָבִים קָטָן אוֹ שׁוֹטֵה אִינוֹ מְבַטֵּל עֲבוֹדַת כּוֹכָבִים.

A non-Jewish minor or a fool does not nullify an idol because they lack halachic da'as.

ועובד כוכבים שפטר עבודת כוכבים בין שלו בין של עובדי כוכבים אחרים

And a non-Jew who nullified an idol, whether his own or of other non-Jews,

בעל כרחו אף על פי שאנסו ישראל על כך הרי זו בטלה.

against his will, even though a Jew coerced him upon this, behold, this is nullified.

ובלבד שיהא העובד כוכבים המבטל עובד עבודת כוכבים.

And only that the non-Jew who nullifies be a worshiper of idols.

אבל מי שאינו עובד עבודת כוכבים אין בטולו בטול.

But one who is not a worshiper of idols, such as a non-Jew who has renounced idolatry, his nullification is not a nullification.

המבטל עבודת כוכבים בטל משמשיה.

One who nullifies an idol has nullified its accessories along with it.

בטל משמשיה משמשיה מתירים והיא אסורה בהנאה כמו שהיתה עד שיבטלנה.

If he only nullified its accessories, its accessories are permitted, and it, the idol itself, is forbidden for benefit just as it was, until he nullifies it.

ותקרבת עבודת כוכבים אינה בטלה לעולם:

And an offering of an idol is not nullified forever.

הלכה י

Halacha 10· How an Idol is Nullified and Actions That Do Not Constitute Nullification

ביצד מבטלה.

How does a non-Jew nullify it, the idol, so that a Jew may derive benefit from it?

קטע ראש הטמה

If he cut off the tip of its nose,

ראש אזנה

the tip of its ear,

ראש אצבעה

or the tip of its finger,

פחסה בפניה

or if he flattened its face,

אף על פי שלא חסרה

even though by flattening it he did not diminish any of it,

או שמכרה לצורף ישראלי

or if he sold it to a Jewish smith who will surely melt it down,

הרי זו בטלה.

behold, this idol is nullified.

אבל אם משכנה

But if he merely gave it as security for a loan,

או מכרה לעובד פוכבים

or if he sold it to another worshiper of stars,

או לישראלי שאינו צורף

or to a Jew who is not a smith and might keep it intact,

או שנפלה עליה מפלת ולא פנה.

or if there fell upon it debris and he did not clear it away,

גנבוהו לסטים ולא תבעוהו.

or if robbers stole it and he did not demand it back,

רקק בפניה.

or if he spat in its face,

השתין בפניה.

or he urinated in its face,

גררה.

or he dragged it on the ground in anger,

זרק בה את הצואה

or he threw excrement at it,

הרי זו אינה בטלה:

behold, this idol is **not nullified**, because these actions are done out of temporary anger, not out of a permanent rejection of its divinity.

עבודת פוכבים שהניחיה עובדיה בשעת שלום

An idol that its worshipers left in a time of peace

מתרת בהנאה שהרי בטלוה.

is permitted for benefit, for surely they nullified it before leaving.

בשעת מלחמה אסורה

But if they left it in a time of war, it is forbidden

מפני שלא הניחיה אלא מפני המלחמה.

because they did not leave it except because of the war, and they still intend to return to it.

עבודת פוכבים שנשברה מאליה

An idol that broke by itself,

שבריה אסורים בהנאה עד שיבטלוה.

its pieces are forbidden for benefit until they nullify it, because the worshipers still revere the broken pieces.

לפיקה המוצא שברי עבודת פוכבים

Therefore, one who finds pieces of an idol,

הרי אלו אסורין בהנאה

behold, these are forbidden for benefit

שמא לא בטלוה העובדי פוכבים.

lest the idolaters did not nullify it.

ואם היתה של פרקים

And if it was an idol made of joints,

והדיוט יכול להחזירם

and a layman is able to reassemble them,

צריה לבטל כל פרק ופרק מפרקה

the worshiper must nullify every single joint of its joints.

ואם אינו יכול להחזיר

And if he is not able to reassemble it,

כיון שבטל איבר אחד ממנה

once he has nullified one limb from it,

בטלו כל השברים:

all the pieces are nullified.

הלכה יב

Halacha 12 · Nullifying Altars, Platforms, Stones of Marculis, and Asherab Trees

מזבח עבודת כוכבים שנפגם

An altar of worship of stars that was damaged

עדין הוא אסור בהנאה

still it is forbidden for benefit

עד שינתץ רבו ביד עובד כוכבים.

until there is smashed its majority by the hand of a worshiper of stars.

ובימז שנפגם מותר.

But a platform that was damaged is permitted.

אי זהו בימז ואי זהו מזבח.

Which is a platform and which is an altar?

בימז אבן אחת.

A platform is made of stone, one.

מזבח אבנים הרבה.

An altar is made of stones, many.

וכיצד מבטלין אבני מרקוליס.

And how does one nullify the stones of Marculis?

כיון שפנה מהם בנין

Once that he built from them a building

או חפה בהן את הדרךים וכיוצא באלו

or paved with them the roads and the like of these,

הרי הן מותרים בהנאה.

behold they are permitted for benefit.

כִּיצַד מְבַטְלִים אֶת הָאֲשֵׁרָה.

How does one nullify the asherah?

קָרַסּוּ מִמֶּנָּה עֵלָה אוֹ זָרַק מִמֶּנָּה יוֹנֵק

If he trimmed from it a leaf or pruned from it a shoot,

נָטַל מִמֶּנָּה מִקֵּל אוֹ שֶׁרֶבִיט

took from it a stick or a staff,

אוֹ שִׁשְׁפָּאָה שֶׁלֹּא לְצִרְכָּהּ

or that he planed it not for its benefit,

הָרִי זוּ בָטֵלָה.

behold this is nullified.

שִׁשְׁפָּאָה לְצִרְכָּהּ הִיא אֲסוּרָה וְשִׁשְׁפָּאִיהָ מְתֻרָּם.

If he planed it for its benefit, it is forbidden but its shavings are permitted.

וְאִם הָיְתָה שֶׁל יִשְׂרָאֵל

And if it was of a Jew,

בֵּין לְצִרְכָּהּ בֵּין שֶׁלֹּא לְצִרְכָּהּ

whether for its benefit whether not for its benefit,

בֵּין הִיא וּבֵין שִׁשְׁפָּאִיהָ אֲסוּרָה לְעוֹלָם

whether it or whether its shavings is forbidden forever,

שֶׁעֲבוֹדַת כּוֹכָבִים שֶׁל יִשְׂרָאֵל אֵין לָהּ בְּטוּל לְעוֹלָם:

because worship of stars of a Jew has no for it nullification forever.

CHAPTER SUMMARY

The chapter establishes that natural, unaltered creations like mountains, springs, and animals remain permitted for benefit even if they were worshiped. However, if a person performs a physical action on an animal for an idol (such as shearing it or cutting a sign of shechitah), or exchanges it for an idol, it becomes forbidden—provided it is his own animal, as one cannot forbid another person's property. Similarly, while bowing to the earth does not forbid it, digging pits or channels in the ground for the sake of a false deity alters the land and renders those changes forbidden.

The deep chiddush of this sugya lies in the boundary between what is untouched and what has been manipulated by human hands. The Rambam teaches us that the natural world, the mountains, the springs, the trees, and the animals, cannot become forbidden as an idol, even if people worshiped them, because "there is no manipulation by human hands." But the moment a person performs even a small action on an object, or exchanges it, he stamps his own intention onto it and changes its status.

This contains a profound lesson for our daily avodah. Hashem created a beautiful, pure world, and He gave us a pure neshama that is naturally drawn to holiness. But Hashem also gave us the power of "tfeisas yad adam", the power of human action and choice. With a single action, a person can take something neutral and elevate it to a mitzvah, or, chas v'shalom, drag it down into the realm of the forbidden. Our actions are not light things; they stamp a spiritual reality onto the physical world around us.

Look at how much power Hashem put into your hands. Just as a negative action can ruin, a positive action has the power to sanctify. When you use your hands to give tzedakah, your mouth to speak words of Torah, or your home to host guests, you are taking the physical world and stamping it with the seal of the King. You are choosing not to let the world remain merely "natural," but to actively make it a dwelling place for the Shechinah.

Today, make a conscious effort to stamp one physical action with holy intention. Before you eat, make a berachah with real focus, or use your hands to do a physical favor for another Yid, consciously dedicating that action to the service of Hashem.

תהלים • חמשה קאפיטלער

The Five Daily Kapitlach

CHAPTER PREVIEW

These are the five kapitlach of Tehillim said every single day: 32, 43, 83, 121, and 130, each set word for word with its English meaning. They are gathered here as one section so the whole daily Tehillim can be said and downloaded together.

All introductions and contextual notes are the editor's commentary and are not part of the original text.

פֿאַרק ל"ב CHAPTER 32

לְדוֹד מִשְׁכִּיל אֲשֶׁרִי נָשׁוּי פֶּשַׁע כָּסוּי חֲטָאָה:
אֲשֶׁרִי אָדָם לֹא יַחֲשֹׁב יְהוָה לוֹ עוֹן וְאִין בְּרוּחוֹ רַמְיָה:
כִּי הִחַרְשָׁתִּי בָּלוּ עֲצָמַי בְּשֹׁאֲגָתִי כָּל הַיּוֹם:
כִּי יוֹמָם וְלַיְלָה תִּכְבֵּד עָלַי יְדָה נִהַפָּה לְשׁוֹדִי בַּחֲרַבְנִי קִיץ סָלָה:
חֲטָאתִי אוֹדִיעָה וְעוֹנִי לֹא כִסִּיתִי אֲמַרְתִּי אוֹדָה עָלַי פֶּשַׁעִי לִיהוָה וְאַתָּה נִשְׂאָתָּ עוֹן חֲטָאתִי סָלָה:
עַל זֹאת יִתְפַּלֵּל כָּל חֹסֶיד אֱלֹהִים לְעַת מִצָּא רַק לְשֹׁטָף מִיָּם רַבִּים אֱלֹהִים לֹא יִגִּיעוּ:
אַתָּה סֶתֶר לִי מִצָּר תִּצְרֶנִּי רָנִי פִּלַּט תְּסוּבְּבֵנִי סָלָה:
אֲשַׁכִּילָה וְאוֹרָה בְּדֶרֶךְ זוֹ תִּלְךָ אֵינִי עֹלָה עֵינַי:
אֵל תִּהְיוּ כָּסוּס כְּפָרֶד אִין הִבִּין בְּמִתְּג וְרָסוֹן עֲדִיו לְבָלוֹם בַּל קָרַב אֱלֹהִים:
רַבִּים מִכְּאוּבִים לָרָשָׁע וְהַבּוֹטֵחַ בִּיהוָה חֲסֵד יְסוּבְּבֵנוּ:
שִׁמְחוּ בִיהוָה וְגִילוּ צְדִיקִים וְהִרְנִינוּ כָּל יִשְׂרָאֵל לֵב:

פֿאַרק מ"ג CHAPTER 43

שָׁפֹטֵנִי אֱלֹהִים וְרִיבָה רִיבִי מִגּוֹי לֹא חֲסִיד מֵאִישׁ מִרְמָה וְעוֹלָה תִּפְלֹטֵנִי:
כִּי אַתָּה אֱלֹהִי מְעוּזִי לָמָּה זִנְחִתָּנִי לָמָּה קִדַּר אֶתְהַלֵּךְ בְּלַחֲץ אוֹיֵב:
שְׁלַח אוֹרָה וְאַמְתָּה הַמָּה יִנְחוּנִי יְבִיאוּנִי אֶל הַר קוֹדֶשְׁךָ וְאֶל מִשְׁכְּנוֹתֶיךָ:
וְאֲבֹאָה אֶל מִזְבֵּחַ אֱלֹהִים אֶל אֵל שְׁמֹחַת גִּילִי וְאוֹדָה בְּכִנּוֹר אֱלֹהִים:
מִה תִּשְׁתַּחֲוֶה נַפְשִׁי וּמֵה תִּתְהַמֵּי עָלַי הוֹחִילִי לֵאלֹהִים כִּי עוֹד אוֹדְנוּ יְשׁוּעַת פָּנֶי וְאֱלֹהִי:

שִׁיר מִזְמוֹר לְאָסָף:

אֱלֹהִים אֵל דָּמִי לָךְ אֵל תַּחֲרַשׁ וְאֵל תִּשְׁקֹט אֵל:

כִּי הִנֵּה אוֹיְבֶיךָ יִהְיֶינָיִם וּמִשְׁנֵאֶיךָ נִשְׂאוּ רֹאשׁ:

עַל עֲמָךְ יַעֲרִימוּ סוֹד וַיִּתְּעֲצּוּ עַל צָפוֹנֶיךָ:

אָמְרוּ לָכֵן וְנִכְחָדֵם מִגּוֹי וְלֹא יִזְכָּר שֵׁם יִשְׂרָאֵל עוֹד:

כִּי נִוָּעֲצוּ לֵב יַחֲדוּ עָלֶיךָ בְּרִית יִכְרֹתוּ:

אֱהִי אָדוֹם וַיִּשְׁמַעְאֲלִים מוֹאֵב וְהַגָּרִים:

גָּבַל וַעֲמֹן וַעֲמֶלֶק פָּלְשֶׁת עִם יִשְׁבִּי צוֹר:

גַּם אֲשׁוּר נִלְוָה עִמָּם הָיוּ זִרְעַ לִבְנֵי לוֹט סָלָה:

עָשָׂה לָהֶם כְּמִדְיָן כְּסִיסְרָא כְּיִבִּין בְּנַחֵל קִישׁוֹן:

נִשְׁמְדוּ בְּעֵין דָּאֵר הָיוּ דָמָן לְאֲדָמָה:

שִׁיתֵּמוּ נְדִיבֵמוֹ כְּעֶרֶב וְכִזְאָב וְכִזְבַּח וְכִצְלָמָנֶע כָּל גְּסִיכְמוֹ:

אֲשֶׁר אָמְרוּ נִירְשָׁה לָנוּ אֵת גְּאוֹת אֱלֹהִים:

אֱלֹהֵי שִׁיתֵּמוּ כַּגִּלְגָּל כְּקֹשׁ לִפְנֵי רוּחַ:

כְּאֵשׁ תִּבְעֶר יָעַר וְכִלְהָבָה תִּלְהַט הָרִים:

כֵּן תִּרְדָּפֶם בְּסַעֲרָךְ וּבְסוּפָתְךָ תִּבְהַלֵּם:

מִלֵּא פְּנֵיהֶם קִלּוֹן וַיִּבְקְשׁוּ שְׁמָךְ יְהוָה:

יִבְשׁוּ וַיִּבְהָלוּ עַדִּי עַד וַיִּחַפְּרוּ וַיֵּאבְדּוּ:

וַיִּדְעוּ כִּי אַתָּה שְׁמָךְ יְהוָה לִבְדָּדָה עֲלִיוֹן עַל כָּל הָאָרֶץ:

שִׁיר לַמַּעֲלוֹת אֶשָּׂא עֵינַי אֶל הַהָרִים מֵאֵין יָבֹא עֲזָרִי:

עֲזָרִי מֵעַם יְהוָה עָשָׂה שָׁמַיִם וָאָרֶץ:

אֵל יִתֵּן לַמוֹט רִגְלָךְ אֵל יָנוּם שִׁמְרָךְ:

הִנֵּה לֹא יָנוּם וְלֹא יִישָׁן שׁוֹמֵר יִשְׂרָאֵל:

יְהוָה שִׁמְרָךְ יְהוָה צִלָּךְ עַל יַד מִיָּנָה:

יוֹמָם הַשֶּׁמֶשׁ לֹא יִכָּכֶה וַיֵּרַח בִּלְיָלָהּ:

יְהוָה יִשְׁמְרֶךָ מִכָּל רָע יִשְׁמֹר אֶת נַפְשְׁךָ:

יְהוָה יִשְׁמֹר צַאתְךָ וּבואְךָ מִצֵּתָה וְעַד עוֹלָם:

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שִׁיר הַמַּעֲלוֹת מִמַּעֲמָקִים קִרְאתֶיךָ יְהוָה:

אֲדֹנָי שְׁמֶעָה בְּקוֹלִי תַהֲיֶינָה אָזְנֶיךָ קִשְׁבוּת לְקוֹל תַּחֲנוּנִי:

אִם עֲוֹנוֹת תִּשְׁמֹר יְהוָה אֲדֹנָי מִי יַעֲמֵד:

כִּי עָמָךְ הִסְלִיכָה לְמַעַן תִּגְוֶרָא:

קוֹיֵתִי יְהוָה קִוְּתָה נַפְשִׁי וְלִדְבָרוֹ הוֹחֵלֵתִי:

נַפְשִׁי לֹאֲדֹנָי מִשְׁמָרִים לְבַקֵּר שׁוֹמְרִים לְבַקֵּר:

יַחַל יִשְׂרָאֵל אֵל יְהוָה כִּי עִם יְהוָה הַחֲסֵד וְהַרְבֵּה עֲמוֹ פְדוּת:

וְהוּא יַפְדֶּה אֶת יִשְׂרָאֵל מִכָּל עֲוֹנֹתָיו:

לְמַעֲשֶׂה WHAT TO TAKE HOME

When you feel weighed down by your mistakes, do not keep silent or try to hide them. Open your heart to Hashem in honest confession, and then immediately shift your focus to absolute trust in His forgiveness and constant protection, knowing that He never slumbers and is always guarding your steps.

Today, the moment you feel a heavy heart or a sense of spiritual distance, stop what you are doing, speak to Hashem in your own words to acknowledge your mistake, and then say out loud: 'My help is from Hashem, who forgives and guards my soul.'