



Working with Yayin Nesech

The *Mishnah* (5:1) teaches that if one is paid to work with *yayin nesech* – wine that is used for idol worship – then the money earned is prohibited. If however, he was instructed to perform other work, and in whilst working was asked to move a barrel of wine, then his salary is permitted. We shall try to understand this *Mishnah*.

The *Bartenura* explains that wages being prohibited is a fine (*knas*) introduced by the *Chachamim* for working with *yayin nesech* or *stam yayin*. The *Ritva* explains that the *knas* is because he is maintaining an object of idol worship, which is a violation of the instruction to destroy idols and objects of idol worship.

With this we can understand the *Gemara* (63b) that addresses the case where one was paid to break barrels of *yayin nesech*. The *Gemara* explains that, on the one hand he is paid to break the barrels, and wants them to be intact so he can be the one to break them. On the other hand, he will be ridding the world of it. *Rav Nachman* answered, “he should break them, and he should be blessed”.

The *Chatam Sofer* explains that, according to *Rashi*, the *Gemara* assumed that ideally one should not take such a job, since ultimately, he would be profiting for an *issur hanaah* – and object that one is not allowed to benefit from. From the response of *Rav Nachman* however, that “he should be blessed” the conclusion is that one can even ideally take that job. Based on the *Ritva* above, the conclusion makes sense. The assumption was that the issue was simply deriving

benefit from an *issur hanaah*. However, since the reason for the *gezeira* to prohibit the wages was because it was maintaining objects of idol worship and the job is to do the exact opposite, the wages would be permitted.

Returning to our *Mishnah*, the *Bartenura* explains that in the case where the salary is permitted, it is where the person was paid to move barrels with a payment of a coin per barrel transported. The *Tosfot Yom Tov* cites *Rashi* who explains that he could take his payment, aside from the amount for the barrel of wine. Alternatively, if the full fee was paid together, then he could simply take one coin and throw it to the *yam ha'melach*.

The *Bartenura* adds that if however, he was commissioned to move a one-hundred barrels for one-hundred coins and a barrel of wine was amongst them, his payment would be prohibited. One might ask, can the worker simply discard one of the coins like in the previous case? This is indeed the position of the *Raavad* (*Maachalot Assurot* 13:18). The *Tosfot Yom Tov* however cites the *Ran* who explains that in this case, if he did not move all the barrels, he would not get paid. Consequently, the prohibited barrel is what enabled the entire salary payment. The *Tosfot Yom Tov* adds that according to this explanation it must be that the barrel of wine was amongst the barrels that he was employed to move.

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Revision Questions

עבודה זרה די גוי – ה' גי:

- Is an *avodah zara* left in a time of war *mutar* or *assur*? (ד' רי)
- From when does wine become *yayin nesech*? (ד' רח)
- What activities may one do with a *nochri* in a winepress? (ד' טי)
- What activities may one do with a baker who is in a state of *tum'ah*? (ד' טי)
- If a *nochri* is standing beside a *bor*, in what situation would the wine contained there be *assur*? (ד' יי)
- What are the four occurrences that occurred to wine in a *bor* which *R' Shimon* permitted? (ד' יי)
- If one makes *tahor* wine and leaves it in the *nochri's* possession what are the attributes of the house and city in which this wine is placed, to ensure it is permitted? (ד' יייא)
- What was the *ma'aseh* that occurred in *Beit She'an* with the someone who was *metaher* the wine of a *nochri*? (ד' ייב)
- If one was hired to produce *yayin nesech* what is the status of his salary? (ה' אי)
- In what situation would the income received from hiring out a donkey be forbidden? (ה' אי)
- How much *yayin nesech* must fall on dates and figs to make them *assur*? (ה' בי)
- Explain the *machloket* between *Tana Kama* and *R' Shimon ben Gamliel* regarding a *nochri* who is transporting jars of wine without a Jew being present. (ה' ג)
- If one leaves his jug of wine with a *nochri* in his store and is not present at all times is that wine *mutar*? (ה' די)
- If one was eating with a *nochri* at a table, in what instance would the wine that is placed on the *dulbaki* (side table): (ה' ה)
- *Assur*?
- *Mutar*?
- If a troop of *goyim* enter a city at a time of peace which barrels of wine are forbidden? (ה' ו)
- Is a Jewish professional allowed to collect his *sechar* from barrels of *yayin nesech*? (ה' ז)
- If one is pouring *yayin nesech* from *kli* to *kli* what is the status of the *kli*: (ה' ז)
- being poured out?
- being poured into?

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
11 May י"ג אייר	12 May י"ד אייר	13 May ט"ו אייר	14 May ט"ז אייר	15 May י"ז אייר	16 May י"ח אייר	17 May י"ט אייר
Avodah Zara 5:8-9	Avodah Zara 5:10-11	Avodah Zara 5:12 - Avot 1:1	Avot 1:2-3	Avot 1:4-5	Avot 1:6-7	Avot 1:8-9

