

OVERVIEW of the Daf

1) Illicit relations (cont.)

The Gemara concludes its challenge to the premise of R' Meir's position that gentiles are warned against any of the relationships for which a Beis Din would execute a Jew.

R' Yehudah resolves this challenge by noting that R' Eliezer and R' Akiva disagree about R' Meir's position regarding which relatives are included in the Noahide prohibition against incest.

The Baraisa that presents this dispute is cited.

The Gemara analyzes R' Eliezer and R' Akiva's respective expositions.

The exact point of dispute between R' Eliezer and R' Akiva is identified.

R' Eliezer's position that a gentile may not marry his father's sister is unsuccessfully challenged.

R' Akiva's position that a gentile is not prohibited from marrying his sister is unsuccessfully challenged.

R' Huna asserts that a gentile may marry his daughter.

According to a second version a gentile is prohibited from marrying his daughter.

The proof to the second version is rejected.

2) A slave

R' Chisda rules that a gentile who becomes a slave is permitted to marry his mother and sister.

R' Dimi rules that a Noahide who cohabits with the slave woman designated for his slave is executed.

The parameters of this ruling are discussed.

3) Illicit relations (cont.)

R' Elazar in the name of R' Chanina issues a ruling related to a gentile cohabiting in an unnatural manner.

Rava challenges this ruling and gives a different although related ruling.

R' Chanina asserts that a gentile who strikes a Jew is killed and equates this act with striking Hashem.

4) Striking another person

Reish Lakish states that one who raises his hand to strike another Jew is called wicked.

Zeiri in the name of R' Chanina states that he is called a sinner.

R' Huna asserts that his hand should be cut off.

R' Elazar states that his only rectification is to be buried.

R' Elazar presents an alternative exposition from that same pasuk.

Reish Lakish also teaches that a farmer who works constantly will have a successful crop.

5) A gentile who observes Shabbos

Reish Lakish teaches that a gentile who observes Shabbos is killed.

Ravina adds a detail to this law.

This ruling is unsuccessfully challenged. ■

Distinctive INSIGHT

The essence of the Shabbos, for the Jew and for the Gentile

ואמר ריש לקיש עובד כוכבים ששבת חייב מיתה שנאמר ויום ולילה לא שבותו, ואמר מר אזהרה שלהן זו היא מיתתן

The contributions of the gentile nations of the world are specifically in the realm of their building a physical world. Their mission is to settle and build the world, and every effort expended by individuals or groups simply contributes to this monolithic goal. This is the reason why the sages in our Gemara teach us that a gentile who observes Shabbos by intentionally remaining idle has abandoned his calling, and thereby has forfeited his life.

This is the situation regarding the gentiles. However, the mission of the Jewish people is to pursue spiritual achievements, even as we exist and survive our stay in this world.

In his Pninei Da'as, HaRav Eliyahu Meir Bloch notes a contrast in the verse regarding counting the seven Shemitta cycles which make up forty-nine years leading to the Yovel year. The verse (Vayikra 25:8) begins by saying, "And you shall count for yourself (וספרת לך) seven sabbaths of years, seven years seven times; and the days of the seven sabbaths of years shall be for you forty-nine years." The emphasis is clearly upon the individual to count. The subsequent verse (v. 12) changes dramatically and states, "For it is a yovel, it shall be holy to you (plural—לכם); from the field you may eat its crop." Whereas the reference to "count for yourself (singular)" in verse 8 describes the cycles of years of work, the possessive references to Yovel (v. 10-12), however, appears in the plural - "It is Yovel, it shall be holy for you." What can we learn from this nuance?

While it is true that every person's private work and toil are essential for his survival, these do not comprise critical elements of the nation's ultimate destiny nor of communal service. This is why the years of work discussed in our verses are described as being possessed by the individual. The year of Yovel, however, is "לכם" - part of the collective domain. When the Jewish nation is able to be physically idle and at rest, its members become fully involved in spiritual pursuits, and they generate holiness, which is a communal objective.

This contrast between the individual's physical exertions and the nation's spiritual gains is unique among the Jewish people.

Yovel is a time when the Jewish nation is relieved from its direct physical burden of working the land. This provides every individual with the opportunity to pursue holy matters and to create holiness, as every person is able to contribute to the fulfillment of the destiny of the nation. Yovel is "לכם" - for the entire people.

The tefillos for Shabbos include a reference to this, as we find: "Your children recognize and know that from You comes their rest, and through their rest, they will sanctify Your Name." ■

HALACHAH Highlight

The status of a convert who was circumcised but has not yet immersed

עכו"ם ששבת חייב מיתה

A gentile who refrains from melacha is liable to death

Reish Lakish rules that a gentile who observes Shabbos is liable to death. The Midrash¹ writes that a gentile who observes Shabbos before receiving a bris milah is liable to death. Interestingly, the Midrash does not mention the requirement for immersing in a mikveh to become Jewish. Radvaz² explains that the bris milah removes from the gentile the tum'ah associated with being gentile and the immersion brings the convert into the Jewish People. What is the status of a person who finds himself between these two steps upon the arrival of Shabbos? If he is considered Jewish he is obligated to observe Shabbos but if he is not yet Jewish he is obligated to desecrate Shabbos in order to not be liable to death. Many years ago there was just such an incident that happened in Yerushalayim and the rov with whom the convert consulted advised him to perform melacha on Shabbos. Since his conversion was not yet complete he was not allowed to fully observe Shabbos. When this incident became known it generated a significant response from some of the leading Rabbonim of the generation.

Rav Chaim Pinchas Scheinberg³ offers a number of resolutions for a person who is in a stage where it is not known whether or not he is Jewish. He suggests that the best approach is to refrain from melacha and observe Shabbos. The basis of

REVIEW and Remember

1. What is the point of dispute between R' Eliezer and R' Meir?

2. What halacha is derived from the word ודבק?

3. Why is a slave permitted to marry his mother?

4. What are the different recommended consequences for one who lifts his hand to strike another Jew?

this approach is that Shabbos was given to the Jewish People and when a gentile observes Shabbos he is in a sense stealing Shabbos from the Jewish People and thus liable to death. This rationale applies when a gentile observes Shabbos as a gentile, but if someone observes Shabbos because they may be Jewish they are not considered stealing Shabbos from the Jewish People.

Another suggestion is for the person to wear a four cornered garment with tzitzis in the public domain. If he is Jewish the tzitzis are considered part of the garment since they are needed for the mitzvah but if he is a gentile the tzitzis are not considered part of the garment and having strings attached to one's garment would constitute an act of transporting and thus he would have violated Shabbos. ■

1. דברים רבה פ"א פרשה כ"ג
2. שו"ת הרדב"ז ח"ג סי' תע"ט תתקי"ז
3. משמרת חיים ח"א הל' שבת אות ד' ■

STORIES Off the Daf

Intention and action

אע"פ שלא הכהו נקרא רשע

The Beis Yisrael of Gur, זת"ל, recounted a poignant episode from his childhood. "I remember when one of my father's assistants got ill. This particular aide was at times very rough with the people, even hitting them to establish a little order among the large crowd that would pack into the small beis midrash of that time in Gur.

"When I walked into the shteibel with my father he said to me, 'Do you know why my assistant is sick? It is only because he hits people. If he accepts up-

on himself from now on to refrain from this very negative trait, he will recover.' "

On another occasion the Beis Yisrael said, "I simply cannot grasp how a Jew can raise his hand to strike his fellow Jew. From the day when I was a child and my father, of blessed memory, showed me the famous statement in Sanhedrin 58, such an action has been anathema to me. There we find that one who raises his hand to hit his friend is considered wicked even if he does not strike him. Who could believe that a Jew could disregard this and threaten his fellow in this manner?"¹

But his father, the Imrei Emes, זת"ל, himself, questioned the rationale behind this very statement. "On the surface this seems strange. Why should one who rais-

es his hand to hit his friend be considered a wicked person? Do not our sages tell us in Kiddushin that Hashem does not consider the intent to do bad as if one actually acted on his intentions? So why should a person who only raised his hand to strike his friend be called wicked?"

He replied to his own question. "Raising one's hand is not merely a thought. It is the beginning of the act itself. Although Hashem does not count a thought as an action, he does count the beginning of an action as if one perpetrated the entire act!"² ■

1. פאר ישראל ח"ב ע' רח"צ
2. שפתי צדיקים ע' י"ט