

## OVERVIEW of the Daf

### 1) Sorcery (cont.)

The Gemara concludes explaining R' Shimon's position that gentiles are prohibited from sorcery.

### 2) Kilayim

Shmuel cites a source for R' Elazar's position that Kilayim is included in the Noahide code.

This source is unsuccessfully challenged.

### 3) Blasphemy

R' Acha bar Yaakov emphasizes that one is not liable unless he blasphemes with the four-letter name of Hashem.

The necessity for this emphasis is explained.

A second version of R' Acha bar Yaakov's teaching is presented.

The Gemara provides the sources for three halachos mentioned in the Mishnah: 1) that judges must stand when they hear the name of God blasphemed, 2) they must tear their garments and 3) the tear may not be repaired.

A Baraisa elaborates on the requirement to tear one's garment upon hearing blasphemy.

The last ruling of the Baraisa is challenged and explained.

R' Yehudah in the name of Shmuel rules that one does not tear his garment if he hears a gentile blaspheme.

R' Yehudah in the name of Shmuel rules that one tears a garment only if the blasphemy included the Specific Name of God.

These rulings are at odds with R' Chiya who rules that nowadays one is not required to tear his clothing when he hears blasphemy.

### 4) Clarifying the Mishnah

Reish Lakish explains why in a trial involving blasphemy it is sufficient for the second witness to state that he heard the same statement already testified about from the first witness.

The fact that the Mishnah mentioned three cases is explained.

### 5) MISHNAH: The Mishnah discusses which acts of worship

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## REVIEW and Remember

1. What is the source that Beis Din should stand when they hear the Name of Hashem?

2. Why are we not accustomed to tear our clothing when we hear blasphemy?

3. What acts of idol worship deserve execution?

4. Why is one who embraces or kisses an idol not executed?

## Distinctive INSIGHT

*Who must rend their garments upon hearing about a curse?*  
 תנו רבנן אחד השומע ואחד שומע מפי השומע חייב לקרוע, והעדים אינם חייבין לקרוע שכבר קרעו בשעה ששמעו וכו'

Ramban (Toras HaAdam) writes that one must rend his clothes if he hears a report that another person explicitly cursed God's name. It is not necessary for the current listener to hear an explicit repeat of the curse, for in that case it would be obvious that a listener who hears such explicit words would have to tear his clothes as a sign of despair.

As proof to his view, Ramban cites the Yerushalmi (7:8) which asks that we should find that all who observe as a blasphemer is being led to his death and hear the announcement why he is being executed should have to rend their clothes. They each hear the terrible tragedy of the desecration which took place, and they should be required to react with disgust by tearing their clothes. Why, asks the Yerushalmi, is this not the case? The Yerushalmi answers that only one who hears second hand about the curse must tear his clothes (one who hears from someone who heard it directly pronounced by the blasphemer). However, those who hear the news third hand do not have to rend their garments. In any case, it is clear from this discussion in the Yerushalmi that the requirement to rend one's clothes is even when one hears a report about the curse having taken place, and not only when one hears an exact repeat of the curse itself.

The view of Ramban is cited as the halacha by ב"ב and ש"ך in Yoreh De'ah 340:55.

Tosafos (ד"ה המלך) seems to disagree with Ramban, as he asks why King Chizkiyahu tore his clothes when he heard a report of the blasphemous words of Ravsheika (Melachim 2, 19:1). Tosafos is troubled because in judging a case of blasphemy, the entire proceedings take place only with references to what was said, and the witnesses who heard the full curse only repeat precisely what they heard when the final moment arrives, when the verdict is about to be delivered. Ravsheika was not in the custody of the people of Yerushalayim, so the report delivered to King Chizkiyahu did not take place while he was being judged, and Tosafos HaRosh rejects the notion that Ravsheika was judged in absentia. Aruch LaNer also notes that the report to the king could not have been in a setting of a court, because a king is not permitted to be part of the court proceedings.

In any case, we see that Tosafos is bothered by King Chizkiyahu tearing his clothes without hearing the actual curse, while according to Ramban this would not have been a problem, as one tears his clothes even when he hears a report about a curse of God's name.

Sefer Mishnas Chachamim comments that the wording found in Rambam and Sma"g seems to indicate that they agree that until one hears the actual blasphemous expression being repeated, the one who hears it need not rend his garments. ■

# HALACHAH Highlight

*Is one required to obtain shoes for Shabbos?*

אבל ... והמלביש והמנעיל עובר בלא תעשה

*But... one who clothes or shoes as idol violates a negative command*

The Gemara Shabbos (113a) derives from the word **וכבדתו** that one's clothing on Shabbos should not be the same as one's clothing during the week. Similarly, the Yerushalmi (Peah 8:7) cites R' Chanina's statement that one should have two garments, one for Shabbos and one for the week. A question that Poskim discuss is whether shoes are categorized as a garment thus necessitating a different pair of shoes for Shabbos or not.

Rav Ovadia Yosef<sup>1</sup> references Teshuvos Sha'ar Ephraim<sup>2</sup> who discusses an incident where one person agreed to clothe a friend and the question arose whether he is obligated to provide shoes as well. He suggests that our Mishnah is proof that shoes are not included in the category of clothing. The Mishnah teaches that one who clothes or puts shoes on an idol is liable for worshipping idolatry. The fact that placing shoes is mentioned separately from clothing indicates that it is not included in the term clothing. He mentions, however, that this proof could be refuted but does not elaborate on how. Teshuvos Shvus Yaakov<sup>3</sup> suggests the following rationale why the proof is not irrefutable. The Tanna did not mean to teach that shoes are not part of the general category of clothing. The reason the Tanna listed shoes separately was to teach that one is liable even if all he did was put shoes onto the idol. Had the Tanna not mentioned shoes one may have thought

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carry the death penalty and which violate a standard negative commandment.

## 6) Clarifying the Mishnah

R' Yirmiyah explains the wording of the Mishnah and explains that there is liability for some acts of worship even if that is not the normal way that idol is worshipped.

The reason sprinkling blood is not enumerated is explained.

A Baraisa is cited that provides the source for liability for certain acts of worship even though they are not the normal manner of serving that idol.

One point from the Baraisa is explained.

Another point in the Baraisa is challenged. ■

that one is liable only if he clothes and puts shoes on the idol. Rav Ovadia Yosef challenges this explanation of why our Mishnah is not a proof. Clearly, even if one were to put a single garment on an idol he would violate the prohibition against worshipping idolatry. Therefore, if we were to assume that putting on shoes is the same as clothing there is no reason to think that liability requires that he put clothing and shoes on the idol.

After additional analysis Rav Ovadia Yosef concludes that there is no requirement to designate shoes specifically for Shabbos but it is appropriate to shine and polish them in honor of Shabbos. One who obtains shoes to be worn exclusively on Shabbos, although not necessary, deserves to be blessed. ■

1. שו"ת יחזה דעת ח"ה סי' כ"ג.

2. שו"ת שער אפרים סי' קכ"ד.

3. שו"ת שבות יעקב ח"א סי' כ"ד. ■

# STORIES Off the Daf

*Casting stones*

"הזורק אבן למורקוליס..."

We find on today's daf that one who "casts a stone to Markulis" (Mercury) is liable to the death penalty. In Chulin, our sages make a startling comparison to this idolatrous practice. "Anyone who teaches an unworthy student is like one who throws a stone to Markulis."<sup>1</sup> But what is the meaning of the comparison?

The Yosher Divrei Emes, zt"l, explained this while discussing Torah learning in general. "Through learning Torah one can attain humility, as our sages say in Perek Kinyan Torah (Avos, Ch. 6): 'It enrobes him with humility.'<sup>2</sup> Although we find there that one of the forty-eight ways through which the Torah is acquired is humility, which implies that humility is a prerequisite to

learning Torah and not a result of learning Torah, this is not a contradiction since there are two different stages of humility. There is one at the beginning and a very different one after one learns.

"The humility that is a prerequisite to learning Torah is that one distances himself from what leads to acting overtly arrogant or angry and the like. The second humility that is the result of Torah is a truly humble spirit, which is the result of true fear of heaven. The main meaning of Torah lishmah is that one learns to cleave to Hashem and subdue his own honor before Him and his fellow man. The more Torah learned in this spirit, the more one becomes truly humble—a שפל רוח. In this context רוח means desire and שפל רוח means that one yearns to be humble.

"Now we can understand why one who teaches an unworthy student is compared to one who cast a stone to Markulis. One who does so gives honor to a fool; he glorifies

that which is not worthy of duty. And one who worships Pe'or or casts a stone to Markulis is liable even if he intended to shame the idolatry through this. We might wonder why he should be so liable since all he has done is to cast a stone or deface himself. The answer is that since this is the way that these false gods are worshiped, one is liable no matter his intention.

"The same is true of one who teaches a student who has no interest in coming close to Hashem. Even if the one who teaches him Torah has good intentions, his efforts will not bear fruit. This student learns solely to be called a lamdan and lacks even a modicum of humility. The more Torah he learns, the more inflated and set in his ways he becomes. He has placed honor upon an unworthy object. Despite a teacher's intentions, only a student who wants to cleave to Hashem through his learning will do so."<sup>3</sup> ■

1. חולין, דף קל"ג

2. פרקי אבות, ו' א'

3. יושר דברי אמת, אות ז' ■