

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

Rava bar R' Chanan completes his unsuccessful challenge to one of the rulings in the Baraisa cited.

The premise of Rava bar R' Chanan's question is unsuccessfully challenged.

A second unsuccessful challenge to Rava bar R' Chanan's position is presented.

2) Idolatry

A contradiction between two mishnayos was noted whether making a statement of allegiance to an idol is sufficient to make the offender subject to the death penalty.

R' Hamnuna offers one resolution to the contradiction.

R' Yosef suggests a second resolution but subsequently rejects the resolution and elaborates on the related point of dispute between R' Meir and R' Yehudah.

R' Yosef offers another resolution to the contradiction by distinguishing between an individual and a group.

The source for the distinction between an individual and a group is cited.

Abaye challenges this distinction and asserts that the distinction is between one who instigates himself and one who is instigated by others.

The source for this distinction is cited.

Rava offers another resolution to the contradiction and provides the source for that distinction.

R' Ashi and Ravina give their own resolutions to the contradiction.

3) Worshipping idolatry out of love or fear

Abaye and Rava disagree whether one is liable for worshipping idolatry out of love or fear.

Abaye offers numerous proofs to his position but Rava has a response to each one. ■

REVIEW and Remember

1. If a person merely declares intent to worship idolatry, is he liable to the death penalty?

2. What is the point of dispute between R' Meir and R' Yehudah?

3. How does Abaye resolve the contradiction between the two Mishnayos?

4. What is the point of dispute between Abaye and Rava concerning the worship of idolatry out of love?

Distinctive INSIGHT

Worshipping idolatry due to love or fear

איתמר העובד עבודת כוכבים מאהבה ומיראה... אביי אמר חייב דהא פלחא. רבא אמר פטור אי קבלה עליה באלוה אין, אי לא לא.

Abaye and Rava dispute the halacha in a case where one worships idolatry "from love or from fear." Abaye rules that the worshipper is liable for such idol worship. Even though he was motivated due to his emotions of love or fear, the fact is that he worshipped the god. Rava says that under these circumstances, the person is exempt, because he did not accept the god upon himself as a deity, and his actions were driven by other factors.

What does the Gemara mean when it says that the person worshipped idolatry "due to love or fear"? Rashi (ד"ה מאהבה) explains that this means that the person was motivated due to love or fear of another person. Rambam (Hilchos Avodas Kochavim 3:6) writes that worshipping due to love refers to where a person adored a particular form of idol, and he participated in its worship because he felt it was very beautiful. Worshipping due to fear refers to where someone was afraid that the idol would harm him. The person was gripped with a perceived panic that this idol would hurt him, so he went through the motions of worshipping it to protect himself.

According to either explanation, the person who did the worship did not genuinely accept the idol as a deity. ר"ן points out that according to Rambam, the fact that the person feels that the god can cause good or harm, and he is worshipping it for that reason, proves the person should certainly be liable, even if he does not directly acknowledge this idol as having any other special powers. This should be similar to where someone offers incense to a demon in order to raise the soul of the dead (later 65a, and Kereisos 3b), which is considered an act of idolatry and is liable for death. The definition of a prohibited act therefore seems to be anytime someone worships an idol because he feels that he will benefit from doing so. This demonstrates that he trusts and believes that this power has the ability to help in a particular area, and this is precisely what is prohibited.

We find that according to Rava, if one's worship of a foreign god is motivated by fear, his act is not punishable. Yet Tosafos points out that where a person is threatened to either worship idolatry or be killed, the halacha demands that one not succumb to this intimidation, and that he offer his life to defend his principles to worship only God. If Rava rules that acting out of fear is not a violation of this sin, why should a per-

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 By Shawn Karp In loving memory of our grandfather
 צבי מאיר בן יהודה
 by the Karp family, Far Rockaway, NY

HALACHAH Highlight

Declaring the intent to inform on an enemy

האומר אעבוד אלך ואעבוד נלך ונעבוד

If one says, "I will serve," or "I will go and serve," or "Let us go and serve," etc.

There was once an incident in which two fellows, Reuven and Shimon, were arguing with a third person named Levi. In the midst of their argument Reuven and Shimon declared that they were going to inform on Levi to the government. They began on their way to inform on Levi but in the middle of the trip they had a change of heart and returned home. The question arose whether Reuven and Shimon had already disqualified themselves as witnesses for having begun the journey to inform on Levi. Shulchan Aruch¹ rules that if an enemy declares his intent to inform on another Jew he is unfit to testify. Sema² explains that this ruling applies only between enemies where there is a genuine concern that the one who made the threat will follow through on his threat. Accordingly, since Reuven and Shimon were in the midst of an argument with Levi when they made their threat and began the trip to inform on him they should be disqualified from testifying.

Teshuvos Beis Yaakov³ suggests that the parallel may not be accurate. Our Gemara emphasizes that whether an individual declares that he is going to worship idolatry or whether two people declare that they are going to worship idolatry they are liable to death. Rashi⁴ explains that although a person who joins a group may not follow through on his stated intent, e.g. if the oth-

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son who is threatened give up his life rather than perform the worthless worship?

Tosafos answers that although one is obligated to resist such an ultimatum with his life, a beis din would not rule such an act to be a capital crime. Tosafos also answers that Rava only exempts this act where all who worship this idol do so only due to love or fear. Where an idol is worshipped as a god, even Rava agrees that one may not perform the worship due to fear. ■

er members of the group change their mind he may also change his mind, nevertheless, the declaration makes him liable. This principle, however, is limited to idolatry, concerning the halachos of informing we do not find an emphasis that two people who threaten to inform on another person will be liable. The rationale for such an approach is that each one is supported by the other and if one of them will back out maybe the second will retract as well thus neither has made a definitive decision to inform. The ruling of Shulchan Aruch seems to stress this point since it is written in the singular. In his final analysis, though, Beis Yaakov rejects this approach and assumes that the declaration made by Reuven and Shimon is sufficient to disqualify them from testifying but if one of them said, "We are going to go and inform," and the second person was silent they would not be disqualified from testifying since the implication of the declaration is that he will go only if the second person agrees to go with him. ■

1. שו"ע חו"מ סי' ל"ד סעי' כ"י.
2. סמ"ע שם סי"ק מ"ט.
3. שו"ת בית יעקב סי' קי"ט.
4. רש"י ד"ה נלך ונעבוד. ■

STORIES Off the Daf

A problem of relocation

"אי קבליה עליה באלוה..."

Beis Medrash HaGadol on the East Side of New York was confronted with a serious problem. They needed to find new premises, but the only place for sale was an apartment that had been used as a church for several years. Although the leader of the congregation, Rabbi Avraham Yosef Ash, z"l, had heard that many authorities prohibit this, in this case the non-Jews had not built the structure for religious purposes; they merely purchased a regular apartment for their services. In addition, they had not brought in idols or icons of any sort. Nevertheless, Rabbi Ash asked the Binyan Tzion, zt"l, whether they could buy

the property or not. After all, perhaps the property was אסור בהנאה.

The Binyan Tzion replied that if they had no choice they could purchase the apartment to use as a shul. "It is certainly not prohibited to purchase the property, since one can buy a place used for idolatry for his personal use. The moment an idolator sells the property, he has nullified the idolatrous use of it and it is permitted to a Jew.

"However, there is a dispute whether a house of idol worship that has been nullified is considered disgusting for use as a shul and the like. The Magen Avraham permits this like the Yerei'im.¹ But the Dagul Mervavah brings from Tosafos that it is considered disgusting and may not be used.²

"Yet there are two reasons to be lenient in this case. First of all, the halachah

follows the Ravad that non-Jews are permitted to adhere to a belief that is 'b'shutafus'—a Godly partnership, chas v'shalom. The second point is that they did not bring any actual idols into the apartment, which you mentioned in your question. As far as the first point, it clearly makes no difference since, for Jews, belief in partnership is definitely idolatry. The other point is also irrelevant since surely having a place where people call out to a foreign deity is a bona fide house of idol worship whether or not they happen to have an idol.

"Yet, if there is no choice you can rely on the lenient authorities and purchase the apartment for use as a shul."³ ■

1. או"ח, סי' קנ"ד, סי"ק י"ז
2. דג"מ שם, מתוס' במגילה ו'
3. שו"ת בנין ציון, סי' ס"ג ■