

OVERVIEW of the Daf

1) Liability for each transgression (cont.)

The Gemara concludes the exchange between R' Yitzchok and Rabanan concerning the source that each ervah transgression is subject to a separate kareis punishment.

2) Two prohibitions but one kareis

R' Elazar in the name of R' Hoshaya states that when there are two prohibitions but one kareis the prohibitions are considered separate as far as the Chatas obligation is concerned.

In light of this teaching the Gemara explains the necessity for the Torah to explain why the Torah specified kareis in reference to one's sister.

R' Nachman bar Yitzchok cites a Mishnah that seems to support R' Hoshaya's principle.

3) Violating all the kareis prohibitions

The Gemara searches for the circumstance in which one could violate all 34 kareis prohibitions.

R' Yochanan suggests a solution.

This explanation is unsuccessfully challenged.

R' Elazar in the name of Rav offers another explanation of the Mishnah.

The reason Shabbos is considered one violation rather than 39 is explained.

The Gemara cites support for this explanation from the Mishnah's comment regarding idolatry.

The Gemara searches for the case in which inadvertence is possible in the case of idolatry.

R' Pappa offers another explanation for an inadvertent violation of idolatry.

Another case of inadvertent violation of idolatry is suggested.

R' Acha the son of R' Ika in the name of R' Bibi offers another explanation of the Mishnah.

Proof for this explanation is suggested.

This proof is unsuccessfully challenged.

R' Bibi's explanation is unsuccessfully challenged.

4) Two kereisos but one prohibition

R' Yirmiyah inquires whether one is liable to bring two Chataos if he violated two prohibitions that are covered by a single warning of the Torah.

R' Zeira clarifies the case intended by R' Yirmiyah and then answers that the issue is subject to debate between R' Yochanan and Reish Lakish.

The Gemara records the exchange between R' Yochanan and Reish Lakish concerning ov and yidoni.

Included in this discussion is a debate concerning the activity that is called ov and other related prohibitions. ■

Distinctive INSIGHT

Worshipping an idol due to love or fear

אלא מאהבה ומיראה, הניחא לאביי דאמר חייב אלא לרבא דאמר פטור מאי איכא למימר

The Gemara determined that the case of idolatry listed in the Mishnah is where the person who committed this sin realized that the actions he was doing were prohibited when done for an idol, but he was unaware that he was performing them for idolatry at that particular moment. This person would be liable for one chattas, because he has basically committed one error, in that he was unaware that he was in front of an idol. If the situation was reversed, where he knew that he was in front of an idol, but he was unaware that his actions were idolatrous worship, he would have been liable for a separate chattas for each act. In this case, each and every act would be a distinct and separate error, each warranting its own chattas.

The Gemara analyzes the specific details in this case. How can a person not be aware that his actions are being done for an idol? The Gemara concludes that the case is where the person realized that he was performing in front of an idol, but his intentions were not in order to worship the idol as a god, but the person rather acted due to his being compelled due to "love or fear." Rashi and Rabeinu Gershom explain that this means that the violator was motivated due to love or fear of another person. His mistake was that he felt that it was permitted to worship an idol if he was forced to do so because of pressure from another person. Ramban (Shabbos 72b) explains that the "love or fear" is that he was overwhelmed by the beauty of the idol, or that he feared that the idol would harm him if he did not perform its service. This is also how Rambam explains the case (Hilchos Avodas Kochavim 3:6).

Kesef Mishnah explains that Rambam did not explain that the motive was love or fear of a person, because he holds that this would be considered coerced, and because the person did not accept the idol as a god it would not be reasonable that this would be liable according to Abaye. Sefer Be'er Sheva explains that Rambam feels that if the person's worship of the idol was motivated due to fear of a person it would not be permitted according to Rava. The person would have been expected to withstand the coercion and not to perform the service of the idolatry. This is why Rambam explains that the love or fear being referred to here is that of the beauty of the idol or based upon some fear that the idol will harm him if he does not act.

Meiri (to Sanhedrin 61b) points out that fear that an idol may cause harm is itself an acknowledgment of the powers of the idol, which is an acceptance of it as being legitimate, which is the greatest form of actual idolatry. Riva"sh also notes that most idolaters are motivated due to fear of the power of their gods, rather than an appreciation of the god's goodness. ■

HALACHAH Highlight

Actively violating a prohibition to save one's life

ואי קאתו בתריה שרי

And if they are running after him it is permitted

The Gemara discusses the prohibition of **חובר חבר** – a joiner of congeries. Abaye rules that it is prohibited to join a bee with a scorpion so that they should kill one another but if they are chasing him it is permitted so that they kill each other and he will be spared. Shulchan Aruch¹ rules that if a person is being pursued by snakes or scorpions it is permitted to use incantations to save his life. Taz² explains that the rationale behind this halacha is that other than the three cardinal sins saving one's life is a higher priority than any transgression. Moreover, this halacha teaches that one is even permitted to actively violate a transgression if that act will save a person's life. This emphasis, notes Teshuvos Binyan Tzion³, answers the question Tosafos⁴ raised concerning our Gemara. Tosafos wondered about the novelty of Abaye's ruling. If one is being pursued and is in danger it is obvious that he may transgress a prohibition to save himself. If he is not in danger why would it be permitted for one to violate the prohibition? The answer to this question is that Abaye is teaching that one may even actively violate a prohibition in order to save his life.

Binyan Tzion then asks why Taz found Abaye's teaching novel in this regard when seemingly the same principle is found elsewhere. For example, the Mishnah in Yoma (83a)

REVIEW and Remember

1. What are the transgressions of **מפטם וסך**?

2. What is an example of an inadvertent idolatry violation?

3. What is the law regarding one who committed two acts that are each punished with kareis but covered by a single prohibition?

4. What is the transgression of **אוב**?

teaches that one who is dangerously ill is permitted to eat on Yom Kippur even non-kosher foods until he is out of danger. This is an explicit case of one actively violating a prohibition in order to save his life. Binyan Tzion answers that the Mishnah in Yoma teaches that a person who is already in danger may actively transgress a prohibition in order to save his life. Abaye's teaching takes this principle one step further and permits one to actively violate a prohibition to prevent himself from being in danger. The fact that he may join the bees and scorpions to avoid that danger that would result if he were attacked is the novelty of Abaye's teaching and with this principle the question raised by Tosafos is answered. ■

1. שו"ע יו"ד סי' קע"ט סעי' ז'.

2. ט"ז שם סק"ד.

3. שו"ת בנין ציון החדשות סי' קס"ט.

4. תוס' ד"ה ואי אתו. ■

STORIES Off the Daf

Repairing the Damage

ונכרת מעמיו

Today's daf continues to discuss the halachos of various issurei kareis.

The evil inclination will drive a person insane if given half a chance. First it entices a person to sin. Then it riddles him with thoughts of guilt and gloomy thoughts of what will be the result of his sinful activities.

Rav Yitzchak Sher, zt"l, explained why the yetzer hara won't even allow a person to enjoy having sinned. "The yetzer wants to kill us, as our sages teach. He therefore pushes one to sin and urges God to punish the hapless fellow. Even if

he cannot kill us, he wants us to suffer. He is in essence saying, "You sinned, now give up all the pleasure too."

One of the strongest arguments the yetzer has is when a person transgresses issurei kareis, chas v'shalom. The evil inclination immediately begins harping on this stain, insisting that teshuvah doesn't help—in direct contradiction of the Gemara itself. Yet even one who learned that kareis can be rectified cannot help being daunted by the need for Yom Kippur and yesurin to clean away such guilt.¹ Although the Meiri there adds that a complete teshuvah also atones alone, who can say he has done a complete teshuvah?

The Chofetz Chaim, zt"l, brings that the Yesod V'Shoresh Ha'avodah, zt"l, teaches how to wipe away even the kareis-

sins. "It is brought from the Arizal that one who did a sin punishable by kareis should stay awake the entire night and learn Torah, especially those segments where the sin he transgressed is discussed."

The Yesod V'Shoresh Ha'avodah adds, "This practice is most frequently followed during the nights of Aseres Yemei Teshuvah. The custom is for people to stay on their feet and learn Meseches Kareisos the entire night."

The Chofetz Chaim adds that one who learns Meseches Kareisos well attains added holiness and purity. Learning this tractate is a segulah to rectify transgressions.² ■

1. דעת רבי ישמעאל ביומא, דף פ"ה, ע"ב, וכן פסק הרמב"ם, בהלי תשובה, פ"א, ה"ל ד'

2. ליקוטי הלכות להח"ח, תחילת מסכת כריתות