

## OVERVIEW of the Daf

### 1) Yoav's execution (cont.)

The Gemara resumes its discussion of the events surrounding Yoav's execution.

A dispute whether Yoav was loyal to Dovid Hamelech or not is recorded.

The Gemara expounds upon verses related to Yoav's killing of Avner.

### הדרן עלך נגמר הדין

2) **MISHNAH:** The Mishnah presents a dispute regarding the order of severity of the different forms of execution.

### 3) The order in a series

R' Huna is cited as stating that generally when a Mishnah presents a series of things, the order in which the items appear on the list is not significant, with one exception to the rule.

R' Pappa the elder in the name of Rav asserts that our Mishnah is also an exception.

The reason R' Huna did not consider our Mishnah to be an exception is that he was not addressing cases involving a dispute.

R' Pappa maintains that the Mishnayos in Yoma are also in specific order and the Gemara explains why the other Amoraim did not include this case.

R' Huna the son of R' Yehushua notes another exception and again the Gemara explains why the other opinions did not mention this exception.

The Mishnah that is not in a specific order is cited.

Another Mishnah that is not in order is cited.

### 4) The relative severity of different forms of execution

The Gemara begins to discuss the rationale behind Rabanan's position that stoning is more severe than burning. ■

## REVIEW and Remember

1. Why wasn't Yoav guilty for killing Avner?  
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2. Why were Avner and Amasa considered better and more righteous than Yoav?  
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3. What is the dispute in the Mishnah concerning the correct ordering of the methods of execution?  
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4. What fact would lead Rabanan to conclude that stoning is more severe than burning?  
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## Distinctive INSIGHT

*The methods of death penalty are of varying degrees of severity*

ארבע מיתות נמסרו לבית דין, סקילה שריפה הרג וחנק

The Mishnah at the beginning of the perek lists the four methods of capital punishment in the Torah. Rashi explains that the order in which they appear in the Mishnah is crucial, as they are listed in order beginning with the most severe to least severe. The first and most severe method is **סקילה** (stoning), followed by **שריפה** (burning with molten lead), **הרג** (decapitation) and finally **חנק** (strangulation). Rashi explains that we have to know the relative degrees of severity of the death penalties in order to know what to do if someone is liable for two death penalties at once. The halacha is that such a person is put to death with the more severe of the two options (**קם ליה בדרכה מיניה**)—see later 81a), so we must know which method is more severe among the varying penalties.

Meiri notes a different practical outcome in our knowing which death penalty is more severe than the other. The Mishnah later (79b) teaches that where a group of people to be put to death with one particular method become confused with a group of people who are deserving of a less severe death penalty (i.e. people to be stoned become mixed with a group who are to be put to death with strangulation), the halacha is that the entire group is put to death with the less severe method. Therefore, our Mishnah informs us of the relative severities of these penalties.

Tosafos Yom Tov wonders about Rashi, and why he does not cite the earlier Mishnah noted by Meiri (on 79b) and the practical application regarding the relative severities of these penalties found there, as opposed to the halacha which only appears later (81a). He answers that Rashi apparently preferred to note a practical difference where we apply the more severe penalty (**קם ליה וכו'**), rather than to cite a case where knowing the degrees of severity would result in applying the less severe penalty (where the groups become mixed together). Another answer may be that Rashi preferred to give an example where we need to know the varying degrees of severity in regard to a single individual (which of two punishments to mete out to him) as opposed to a case which only applies among several people (where groups of people become mixed together).

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מרת חנה בת ר' דוד, ע"ה רובין

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# HALACHAH Highlight

## The "bluris" haircut

They were all children of "beautiful captives" and possessed a "bluris" haircut

The Gemara relates that Dovid Hamelech had, according to Rashi<sup>1</sup>, four hundred young men in his army who were children of "beautiful captives." One of the ways these young men were identified was by their hair which followed the gentile style called בלורית. Rashi<sup>2</sup> explains that the בלורית style haircut involved cutting the hair on the top of the head and letting the hair near the neck grow long. Accordingly, since Chazal<sup>3</sup> consider the בלורית haircut prohibited due to its pagan origin (מדרכי האמורי), it would be prohibited for a person to cut his hair short on top and long in the back.

Rambam<sup>4</sup> gives two examples of the בלורית haircut. One style is when a person cuts short the hair on the sides of his head leaving the hair in the middle of his head to grow long. The second prohibited style is when a person cuts the hair on the front of his head, from ear to ear, and leaves the hair in back to grow long.

An issue debated by later authorities relates to someone who chooses to grow all of his hair long. From the commentary of Beis Yosef<sup>5</sup> it seems that there is no prohibition even according to Rambam, for a person to allow all of his hair to grow long. Bach<sup>6</sup> disagrees and writes that according to Rambam one violates the prohibition of emulating the ways of the

# STORIES Off the Daf

## Not-so-idle chat

The Ponevezher Rav, zt"l, once gave a very inspiring lesson from today's daf.

"Imagine two people who were in a war with each other for many years, but are ordered by the king to start getting along. What do you suppose they would say to each other? One would assume they would chat about neutral topics. The weather, for example, or one might ask the other how he is feeling. Yet in the case of Avner and Yoav, although they had been sworn enemies,

"על עסקי שלו..."

Rashi explains that Yoav tricked Avner by asking an obscure halachic question and killing him. If this was as unnatural as it would be for us in our generation, surely Avner would have at least been on guard for a trick. Who could possibly fall for such an obvious ploy?

"The obvious answer is that in their time, it was very normal for two Jews to speak in learning even if they had once been enemies. Obviously, even strangers would discuss Torah since this must have been the practice of all regular Jews. It is therefore not surprising that Yoav was able to trick Avner in this simple manner.

"From here we learn how our

nation would fulfill the verse, 'All day long the Torah is my conversation.' Their every discussion and thought was always on the holy Torah."<sup>1</sup>

The Ponevezher Rav was not merely lecturing others. He was telling them how he lived in practice. It is well known that before the war, he had thought up a chiddush of his own for every daf of Shas. One merely needed to tell him the daf, and he would not only recall everything on it, he was also immediately ready to give over an insightful dvar Torah.<sup>2</sup> ■

1. הרב מפונוביז, ח"ג, ע' י"ט
2. כן שמעתי מדודי, הרב שמחה גולשבסקי ז"ל, שהיה תלמידו ■

(Insight...continued from page 1)

Sefer זרע יצחק suggests that Rashi noticed that the Mishnah on 79b features the case of groups of condemned people which become mixed with each other, but because that Mishnah also lists the dispute between Chachamim and R' Shimon, Rashi preferred to cite the later Mishnah (81a) and its case which lists the opinion of Chachamim without dissent.

■ נפקא מינה למי שנתחייב ב' מיתות וכו' – 50b Gemara itself on רש"ש explains that Rashi uses the expression used by the

gentiles when one grows his hair long regardless of whether he shaves off the hair on the sides or not.

Rav Ovadia Yosef<sup>7</sup> cites numerous opinions on both sides of this debate. He comes to the conclusion that although one should not protest against those who grow their hair long since there are many authorities who maintain that growing all of one's hair long does not violate the prohibition against emulating the gentiles, nevertheless it is appropriate for one to be strict in accordance with the many authorities who maintain that growing long hair is prohibited. He adds the following play on words: – "ויאמר לקוצרים ה' עמכם: And he said to the haircutters (literally: "harvesters"), 'Hashem should be with you.'" ■

1. רש"י לקידושין ע"ו: ד"ה ילדים.
2. רש"י שם ד"ה מספרים קומי.
3. ע' תוספתא שבת פרק ז' ה"א.
4. רמב"ם פרק י"א מהל' ע"ז ה"א.
5. בית יוסף יו"ד סי' קע"ח.
6. בי"ח יו"ד שם.
7. שו"ת יחווה דעת ח"ב סי' ב'. ■