

28 Elul 5777  
Sept. 19, 2017



Sanhedrin Daf 65

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### **Mishna**

A necromancer (*one who communicates with the dead – this is referred to as a Ba’al Ov*) is a *Pitom* who speaks from his armpit (*the voice of a raised spirit emanates from there*); and a *Yidoni*, who speaks with his mouth (*with a bone of the Yadua animal*) - they are stoned, and one who inquires of them violates a prohibition. (65a)

### **Ov and Yidoni**

The *Gemora* asks from a *Mishna* in Kerisus which lists only the *Ov* and not the *Yidoni* as those that are liable for *kares*.

Rabbi Yochanan answers: It is because they are both said in one negative commandment (*and therefore, if one would unintentionally violate both prohibitions, he would only be required to bring one korban chatas*).

Rish Lakish answers: The *Mishna* omits *Yidoni* because it does not involve an action. [*One does not bring a korban chatas for violating a prohibition which involves no action. He merely places the bone in his mouth (which is considered a preparatory action) and the voice speaks by itself. Ov, on the other hand, requires that he clap his arms in order for the spirit to speak from his armpit.*]

The *Gemora* asks: Why, according to Rabbi Yochanan, does the *Mishna* there mention *Ov*, and not *Yidoni*? [*It could have said either one of them!*]

The *Gemora* answers: It is because it is mentioned first in the verse.

Rav Pappa explains: Rish Lakish does not agree with Rabbi Yochanan because the two prohibitions are separated with regard to their death penalty (*and therefore, even if one would unintentionally violate both prohibitions, he would be required to bring two chatas sacrifices*)

Rabbi Yochanan maintains that the *chatas* offerings are dependent on being separated with regard to the prohibition, not with respect of their death penalty.

The *Gemora* explains that Rabbi Yochanan does not agree with Rish Lakish in the explanation of the *Mishna*, for that *Mishna* is following Rabbi Akiva’s opinion, who holds that one is required to bring a *chatas* even for a prohibition that involves no action.

Rish Lakish, however, maintains that although Rabbi Akiva holds that a major action is not required, a minor action, nevertheless, is required.

The *Gemora* explains that a blasphemer sins with an action by curving his lips. The *Ov* sins with an action by clapping his arms.

The *Gemora* asks: Is this correct according to the opinion of the Rabbis (*who include the Ov in the listing, but not the blasphemer*)? But it was taught in a *braisa*: One who worships idols is liable to bring a *korban chatas* only for that which entails an action, e.g., slaughtering, burning a

sacrifice, pouring libations and bowing down. Rish Lakish had said: Which *Tanna* maintains that a *chatas* is required for bowing down? It is Rabbi Akiva, who rules that a sin entailing major action is not required. But Rabbi Yochanan said: It even agrees with the Rabbis, for bending his body constitutes an action. Now, since Rish Lakish maintains that according to the Rabbis, bending one's body does not constitute an action, surely the clapping of the arms is not an action?

The *Gemora* answers: Rish Lakish said that the clapping constitutes an action only according to the opinion of Rabbi Akiva, but not according to the Rabbis.

The *Gemora* asks: If so, the *Mishna* there should state that the Rabbis maintain that the blasphemer and *Ba'al Ov* are excluded (*and in truth, they only exclude the blasphemer*)?

Rather, Ulla answered that the *Mishna* there refers to a *Ba'al Ov*, who burns incense to a demon.

Rava asked him: Isn't burning incense to a demon idolatry (*and that is also listed in the Mishna*)?

Rather, Rava said: The *Mishna* refers to one who burns incense as a charm (*to call up the demons, that they may assist him in his sorcery*).

Abaye asked him: But burning incense as a charm is the act as a charmer (*chover chever*) (*which is merely punishable with lashes*)?

Rava answers: That is so, but the Torah decreed that this particular charmer is subject to stoning.

The *Gemora* cites a *braisa*: *The chover chever*. This applies to one who charms large congeries (*all types of beasts*), and to one who charms small ones (*insects*) - even snakes and scorpions. [*Rashi states that one is forbidden from conjuring these insects through incantations in order to get*

*them to fight with each other, or even if his intention is to move them from inhabited areas to unpopulated ones so that they should not cause harm to people.*]

Abaye said: Therefore even if one joins a bee with a scorpion (*through charms*), even if his intention is to prevent them from doing harm, it is forbidden.

The *Gemora* asks: Why, according to Rabbi Yochanan, do the Rabbis maintain that bending one's body constitutes an action, but curving his lips does not?

Rava answers: A blasphemer is different for his main sin is in his heart.

Rabbi Zeira asks from a *braisa* which excludes *eidim zomemin* from bringing a *korban chatas*, because it is a prohibition that does not involve an action. But why should this be? Their sin is with their mouth; not in the heart!?

Rava answers: *Eidim zomemin* are different, for their sin is merely with sounding their voice in *Beis Din* (*that is not an action*).

The *Gemora* asks: But does Rabbi Yochanan not hold that sounding a voice constitutes an action? But the following was stated: If one muzzled his animals (*while threshing*) by sounding his voice (*and thus violated the prohibition of muzzling his animals while threshing*), or if one led his animals (*an ox and a donkey*) with his voice (*and thus violated the prohibition of kilayim*) - Rabbi Yochanan said he is liable, for curling his lips constitute an action, and Rish Lakish said that he is not liable, for the curling of his lips do not constitute an action.

Rather, Rava answers that *eidim zomemin* are different, for their primary sin is in seeing (*by testifying that they saw that particular incident; and "seeing" does not constitute an action*).



The *Gemora* cites a *braisa*: A *Ba'al Ov* is someone who "speaks" from between his joints or his armpits. *Yidoni* is one who places a bone from the Yidoe animal in his mouth, and it speaks by itself.

The *Gemora* asks from a verse which would seem to indicate that a *Ba'al Ov* is one who causes the spirit to speak while it is still in the grave.

The *Gemora* explains the verse to mean that the spirit of the deceased rises from the grave and rests between the practitioner's armpits, and from there - it speaks.

The *Gemora* notes that this is what happened with the woman practitioner and King Shaul as well.

The *Gemora* cites a *braisa*: A *Ba'al Ov* is one who raises the spirit of the deceased and causes it to rest on his male member, or one who inquires of the deceased while still buried in the ground (*and it answers through sorcery*). What is the difference between the two cases? The dead conjured up onto his male member does not ascend naturally (*but feet first*), nor does it ascend on *Shabbos*; while if one inquires of its skull it answers naturally and on *Shabbos* too.

And this question was asked by Turnus Rufus (*a Roman Governor in Eretz Yisroel*) of Rabbi Akiva: Why is this day of *Shabbos* different from any other? Rabbi Akiva replied: Why is this man (*yourself*) different from another (*that you are the Governor*)? Turnus Rufus replied: It is because my master (*the Caesar*) wishes it. Rabbi Akiva rejoined: *Shabbos* as well is distinguished because my Master wishes so. Turnus Rufus asked him: Who tells you that today is *Shabbos*? He answered: Let the river Sabbatyon prove it (for every day it flows with a tremendously strong current, throwing stones and rubble with tremendous force, but on *Shabbos* it subsides); let the *Ba'al Ov* prove it (*for the spirit cannot be raised on Shabbos*); let your father's grave prove it, where no smoke ascends from it on *Shabbos* (*for he is*

*not judged on Shabbos*). He said to him: You have shamed my father, embarrassed, and insulted him.

The *Gemora* cites a *braisa* which demonstrates that "*Seeking out the dead*" is different than "*Inquiring of Ov.*" Seeking out the dead refers to one who starves himself and spends the night in a cemetery, so that an impure spirit should rest upon him (*and the demons in the cemetery will help him perform sorcery*).

And when Rabbi Akiva reached this verse, he wept, saying: If one who starves himself that an impure spirit should rest upon him has his wish granted, he who fasts that a pure spirit should rest upon him, how much more so should his desire be fulfilled! But what can I do, as our sins have caused us not to be successful, as it is written: *But your sins have separated between you and your God.*

Rava said: If the righteous desired it, they could (*by being completely free from any sins*) create a world.

Rava created a man (with the *Sefer Yetzirah* through *mystic combinations of the Divine Name*), and sent him to Rabbi Zeira. Rabbi Zeira spoke to him, but it did not answer him. Thereupon he said to him: You are a creation of one of my colleagues; return to your dust!

Rav Chanina and Rav Oshaya spent every *Shabbos* eve in studying the Book of Creation (*Sefer Hayetzirah*). They created a calf which was a third of its maturity and ate it.

The *Gemora* cites a *braisa*: A *Me'onein* - Rabbi Shimon said: That is one who applies the seed of seven male species to his eyes (*in order to perform sorcery*). The *Chachamim* say: It is one who creates illusions. Rabbi Akiva said: It is one who calculates the times and hours, saying: Today is favorable for leaving; tomorrow for making purchases; the eve of the Shemittah year will produce good wheat; pulling up the beans will prevent them from becoming wormy.



The Gemora cites a *braisa*: A *Menacheish* – This is one who says that someone’s bread has fallen from his mouth (*he should be worried that he will be harmed*); his staff has fallen from his hand; his son called after him; a raven calls him; a deer has crossed his path; a snake came at his right side; a fox came at his left (*which are all bad signs*); do not commence the tax collecting with me; it is morning (*so I will not pay my debt the first thing*); it is the first of the month; it is *Motzoei Shabbos*.

The Gemora cites a *braisa*: *You shall not augur, nor shall you calculate times*. This refers to those who practice enchantment by means of weasels, birds, and fish. (65a – 66a)

## DAILY MASHAL

### ***Why is Shabbos Different?***

The Gemora relates an incident between Rabbi Akiva and Turnus Rufus: And this question was asked by Turnus Rufus (*a Roman Governor in Eretz Yisroel*) of Rabbi Akiva: Why is this day of *Shabbos* different from any other? Rabbi Akiva replied: Why is this man (*yourself*) different from another (*that you are the Governor*)? Turnus Rufus replied: It is because my master (*the Caesar*) wishes it. Rabbi Akiva rejoined: *Shabbos* as well is distinguished because my Master wishes so. Turnus Rufus asked him: Who tells you that today is *Shabbos*? He answered: Let the river Sabbathyon prove it (for every day it flows with a tremendously strong current, throwing stones and rubble with tremendous force, but on *Shabbos* it subsides); let the *Ba'al Ov* prove it (*for the spirit cannot be raised on Shabbos*); let your father’s grave prove it, where no smoke ascends from it on *Shabbos* (*for he is not judged on Shabbos*). He said to him: You have shamed my father, embarrassed, and insulted him.

Rabbi Yaakov Montrose from Kollel Iyun HaDaf cites the Maharsha, who explains that Turnus Rufus’ question was

comprised of three parts: 1. How do you know that the day of the week you observe as *Shabbos* is the day Hashem rested from His creation of the world? 2. How do you know that He commanded you to rest on this day? 3. How do you know that this day will be a day of rest in the future as well?

Rabbi Akiva answered all three questions. The river Sabbathyon shows that Hashem rested on this day. The fact that the *Ba'al Ov* cannot raise the dead on *Shabbos* shows that this is the day Hashem designated for us to desist from work. The fact that smoke stops rising from the grave of Turnus Rufus’ father on *Shabbos* shows that *Shabbos* is also significant in the spiritual world.

The Ben Yehoyadah comments on the wording of Turnus Rufus’ first question, “*Mah Yom mi’Yomayim?*” Although Rashi translates the question as, “*What is today from other days?*” the literal translation is, “*What is today from the other two days (Yomayim)?*” The Ben Yehoyadah explains that Turnus Rufus was asking about two specific days: Sunday and Friday. There were pagan religions which observed their “day of rest” on Sunday, and the Ben Yehoyadah suggests that there was possibly another nation (pre-Islam) which observed its “day of rest” on Friday. Accordingly, Turnus Rufus asked, “*Why is your choice for a day of rest not the same as the other two days of rest proclaimed by other religions, Sunday or Friday?*”