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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

The instigator is the common person (*and not necessarily a prophet*) who instigates another common person (*and not the majority of a city*). He said to him, “There is deity in such-and-such a place; it eats like so, it drinks like so, it does benefit like so, it does harm like so.”

They do not hide witnesses against anyone liable to the death penalty (*to apprehend them*) except this.

If he tried instigating two, they can be the witnesses, and they bring him to the court and they stone him.

If he tried instigating one, he (*in order to apprehend him*) should reply, “I have friends who would want that.” If he is clever, and he will not speak before them (*for fear of being apprehended*), they place witnesses in hiding for him behind the fence, and he says to him, “Say what you said to me in private,” and this one tells him, and he says to him, “How can we leave our God in Heaven and go and worship trees and stones?” If he retracts, then all is well, but if he says, “Thus is our obligation and it will be beneficial for us,” those standing behind the fence bring him to court and they stone him.

If a person says to another, “I will serve,” “I will go serve,” “Let us go and serve;” “I will sacrifice to an idol,” “I will go sacrifice,” “Let us go and sacrifice;” “I will burn

an offering to an idol,” “I will go burn an offering,” “Let us go burn an offering;” “I will pour a libation,” “I will go pour a libation,” “Let us go pour a libation;” “I will bow down,” “I will go bow down,” “Let us go bow down” (*he is liable*). (67a)

Instigator

The *Mishna* had stated: The instigator is the common person (*and then he is stoned*). We may infer that if he was a prophet, he is strangled.

The *Mishna* continued: who instigates another common person. We may infer that if he instigated a public, he is strangled.

The *Tanna* of our *Mishna* must be Rabbi Shimon, for it has been taught in a *braisa*: A prophet who instigates people to idolatry is stoned. Rabbi Shimon said: He is strangled.

Let us consider the latter clause in the *Mishna*: A subverter is one who says, “Let us go and serve idols.” Rav Yehudah said in the name of Rav: This *Mishna* teaches of those who instigate an entire city. This is in agreement with the Rabbis who maintain that he too is stoned (*unlike Rabbi Shimon, who rules that he would be strangled*)! Is the first clause taught according to Rabbi Shimon and the second according to the Rabbis?

Ravina said: Both clauses are in accordance with the Rabbis, but they are taught according to the format of “not only this, but also this” (*and even an instigator of a city will be stoned*).

Rav Pappa said: When the *Mishna* stated that the instigator is the common person, it is only in respect of hiding witnesses (*but not with respect to the punishment*), for it has been taught in a *braisa*: They do not hide witnesses against anyone liable to the death penalty (*to apprehend them*) except this. How is it done? A light is lit in an inner room and the witnesses are hidden in an outer room, so that they can see and hear him, but he cannot see them. Then the person he wished to instigate says to him, “Say what you said to me in private,” and this one tells him, and he says to him, “How can we leave our God in Heaven and go and worship trees and stones?” If he retracts, then all is well, but if he says, “Thus is our obligation and it will be beneficial for us,” those standing behind the fence bring him to court and they stone him. (67a)

Mishna

A subverter (*of a city*) is one who says, “Let us go and serve idols.”

The sorcerer is one who performs sorcery and is liable (*to be stoned*), and not one who creates illusions. Rabbi Akiva says in the name of Rabbi Yehoshua: If two gather cucumbers (*through sorcery*) - one gathers and is exempt, and one gathers and is liable. The one who performs an action is liable, but the one who deceives the eye (*by creating an illusion that he is gathering*) is exempt. (67a)

Sorcery

The *Gemora* cites a *braisa*: The prohibition against sorcery applies to both a man and a woman. The Torah mentions a woman sorceress because it is mostly women who perform sorcery.

The *Gemora* cites a *Tannaic* dispute regarding the death penalty for those people who engage in sorcery. Some say it is stoning and others say that it is by sword.

Rabbi Yochanan said: Why is sorcery called *keshafim*? It is because they contradict the power of the Divine agencies (*the word is used as an acronym; if in Heaven, they declare that a certain person should live, someone, through sorcery, can bring about his death*).

It is written: *There is none besides him*. Rabbi Chanina said that this is true even regarding sorcery.

A woman once attempted to take dust from under Rabbi Chanina’s feet (*in order to perform sorcery against him*). He said to her, “If you succeed in your attempts, go ahead! I am not worried, for it is written: *There is none besides him*.”

The *Gemora* asks: But did not Rabbi Yochanan say that sorcery is called *keshafim* because they contradict the power of the Divine agencies?

The *Gemora* answers: Rabbi Chanina was different, owing to his abundant merit.

Abaye said: The laws of sorcerers are like those of *Shabbos*: Certain actions are punishable by stoning, some are exempt from punishment, yet forbidden, while others are entirely permitted. Thus, if one performs an action with sorcery, he is stoned; if he merely creates an illusion, he is exempt, yet it is forbidden; and actions such as were performed by Rabbi Chanina and Rabbi



Oshaya, who spent every Shabbos eve creating a third-grown calf, which they then ate.

Then the magicians said to Pharaoh, "This is the finger of God." Rabbi Elozar said: This proves that a magician cannot produce a creature smaller than a barley-corn.

Rav Pappa said: By God! They cannot produce even something as large as a camel; but those that are larger than a barley-corn can be conjured (*since they are large, they can travel great distances*); the others, he cannot.

Rav said to Rabbi Chiya: I once saw an Arabian traveler take a sword and cut up a camel. He then rang a bell, at which the camel arose. Rabbi Chiya replied: Afterwards, was there any blood or innards? Since there was not, that proves that it was merely an illusion.

Zeiri went to Alexandria in Egypt and bought a donkey (*which was created through sorcery*). When he was about to give it water to drink, it dissolved, and there stood before him a wooden board. The vendors said to him (*when he asked to be reimbursed*): Were you not the great Zeiri, we would not return you your money; does anyone buy anything here without first testing it through water?

Jannai came to an inn. He said to them, "Give me a drink of water," and they offered him *shatita*. Seeing the lips of the woman (*who served him*) moving (*he realized that sorcery was involved*), he poured off a little, which turned into scorpions. Then he said, "Since I have drunk of yours, now you come and drink of mine." So he gave her to drink, and she turned into a donkey. He then rode upon her into the market. But her friend came and broke the spell (*changing her back into a human being*), and so he was seen riding upon a woman in the marketplace.

It is written: *And the frog ascended, and covered the land of Egypt*. Rabbi Elozar said: It was one frog, which bred prolifically and filled the entire land.

This actually is a matter disputed by the *Tannaim*. Rabbi Akiva said: There was one frog which filled the whole of Egypt (*with its offspring*). Rabbi Elozar ben Azaryah said to him: Akiva, What do you have to do with *Aggadah*? Cease these words and devote yourself to the laws of *Negaim* and *Ohalos*. One frog croaked for the others, and they all came. (67a – 67b)

INSIGHTS TO THE DAF

Ben Stada

In the old *defusim*, the following was included in the *braisa*: And so they did to Ben Stada (*Yeshu Hanotzri*) in Lod (*they entrapped him*) and they hung him on Erev Pesach.

The *Gemora* asks: Was he Ben Stada? Wasn't he Ben Pamlira?

Rav Chisda answers: The husband's name was Stada; the adulterer's name was Pamlira (*and Yeshu's father was in fact Pamlira*).

The *Gemora* asks: But the husband's name was actually Papus ben Yehudah?

Rather, the *Gemora* answers that his mother's name was Stada.

The *Gemora* asks: But in truth, his mother's name was Miriam the hair braider?



The *Gemora* answers: [*Her name was Miriam but Stada was her nickname*] Like they said in Pumbedisa, this one strayed from her husband.

The Chasdei Dovid writes that Ben Stada is in fact Yeshu Hanotzri and the reason why this was mentioned here is to teach us that one is liable as an instigator, even if he instigates that he himself should be served. This is like the *Gemora* said above that when he is successful and people in fact serve him, he is liable for death. Since Yeshu was successful - that people worshipped him, he was stoned.

The Rishonim dispute if Ben Stada is in fact Yeshu Hanotzri. Let us examine when the incident with Yeshu took place. The Rishonim maintain that this transpired during the time of the second Beis Hamikdash in the times of Rabbi Yehoshua ben Perachyah and King Yannai from the Chashmonaim. Some say that it was towards that end of the second Beis Hamikdash- close to the destruction.

Rabbeinu Tam writes that Ben Stada is not Yeshu, for Ben Stada lived in the times of Papus ben Yehudah (*his mother's husband*), and Papus lived in the times of Rabbi Akiva. Yeshu, however, lived during the lifetime of Rabbi Yehoshua ben Perachya- which was many years before Rabbi Akiva.

Other Rishonim hold that Ben Stada is Yeshu. Tosfos writes that Miriam the hair braider was Yeshu's mother. Tosfos also states that although the *Gemora* says that the *Sanhedrin* were exiled forty years before the destruction of the Beis Hamikdash and they did not adjudicate capital cases, nevertheless, when they saw a necessity for it, they would return to the Lishkas Hagazis; this was done for Yeshu. Evidently, Tosfos was not concerned with Rabbeinu Tam's proof from Rabbi

Yehoshua ben Perachyah, and on the contrary, he maintains that Yeshu lived in the times of Rabbi Akiva – near the end of the second Beis Hamikdash.

Proof that Ben Stada mentioned here is referring to Yeshu is also brought from the fact that the *Gemora* above mentioned that Yeshu was stoned and hung on Erev Pesach for performing sorcery and for instigating *Klal Yisroel* to serve *avodah zarah*, and in the *Gemora* in Shabbos it says that Yeshu performed sorcery and was hung on Erev Pesach. It would be illogical to say that there were two different instigators, who both performed sorcery, and both were hung on Erev Pesach in two different eras.

Another proof is brought from the *Gemora* in Sotah which relates that Yeshu was in Alexandria in Mitzrayim and the *Gemora* in Shabbos states that Ben Stada performed sorcery in Mitzrayim through scratching on his skin.

There are also many places in the Talmud where it seems to indicate that Yeshu lived close to the end of the second Beis Hamikdash.