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Sanhedrin Daf 113

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Daf Notes is currently being dedicated to the neshamot of

**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**

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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

### **Scrolls in Ir Hanidachas**

The *Mishna* stated that any scrolls of scriptures in the *ir hanidachas* – the city that strayed to idolatry were put into storage, as they may not be destroyed, due to their holy nature, nor used, since they belonged to this city. The *Gemora* states that this *Mishna*, which allows a city to be an *ir hanidachas*, as long as the scrolls are removed, differs with Rabbi Eliezer, who says that the prohibition on destroying such scrolls preclude the city from being judged as an *ir hanidachas*. The *Gemora* cites a *braisa*, in which Rabbi Eliezer says that any city that had a *mezuzah* in it could not become an *ir hanidachas*, since the verse says the whole city must be burned, while another verse prohibits the destruction of anything sanctified to Hashem, such as a *mezuzah*. (113a)

### **Not Rebuilt as what?**

The *Mishna* cited a dispute between Rabbi Yosi Haglili and Rabbi Akiva regarding the prohibition on rebuilding an *ir hanidachas*. Rabbi Yosi Haglili says that it may not be rebuilt in any capacity, including as gardens and orchards, while Rabbi Akiva says that only rebuilding it for habitation is prohibited.

The *Gemora* suggests that their dispute depends on the principle of Rabbi Avin, who says in the name of

Rabbi Ila that when the verse presents a general positive command, followed by a specific prohibition, the prohibition does not limit the positive command. The verse first states a general positive command: that the *ir hanidachas* should be *tel olam* – a mound forever, followed by a specific prohibition: *lo tibane od* – it should not be rebuilt (i.e., as a city) any more. Rabbi Yossi Haglili accepts Rabbi Avin’s principle, and therefore says that the limitation of the prohibiting clause (as a city) does not limit the positive command to leave the city a mound, i.e., totally desolate, even from vegetation. Rabbi Akiva disagrees with Rabbi Avin’s principle, and therefore limits the positive command by the limitation of the prohibition.

The *Gemora* deflects this, saying that both agree to Rabbi Avin’s principle, but they differ in their understanding of the prohibition. Rabbi Akiva says that prohibition’s clause of *od* – any more implies that only rebuilding what was there (i.e., habitation) is prohibited. Since this clause is stipulated, this defines the positive command and the prohibition. Rabbi Yossi Haglili, however, understands *od* as forever, prohibiting any rebuilding. (113a)

### **Rebuilding Yericho**

The *Gemora* cites a *braisa* that states that only trees that have been detached from the ground of an *ir*



*hanidachas* must be destroyed, but not trees that are still attached. However, trees of a different city, both attached and detached, must be destroyed. Rav Chisda explains that the “different city” refers to Yericho, which Yehoshua stipulated must be *cherem lashem* – sanctified to Hashem, including all trees, attached or detached.

The *Gemora* discusses the prohibitions on Yericho in more detail. Yehoshua swore that anyone who would rebuild Yericho would be cursed by his children dying – from his oldest dying when he lays the foundation, to his youngest dying when he finished the doors. The *braisa* explains that this included anyone who would rebuild the original city of Yericho, even with a new name, or another city, but named Yericho. The *braisa* explains that Chiyail built a new city, and named it Yericho, leading him to bury his oldest son when he began, and his youngest when he completed. Chiyail should have learned from his oldest son dying and stopped his building, but he did not stop until he buried all his sons, all the way to his youngest. (113a)

### ***Eliyahu and Achav***

The *Gemora* relates that Achav, king of Israel, was a close friend of Chiyail. Achav went with Eliyahu to console him when he lost his son. While in his house, Achav wondered whether the son dying was a result of the curse of Yehoshua, and Eliyahu confirmed that it was. Achav disputed this, and reasoned that if the curse of Moshe, the teacher of Yehoshua was not fulfilled, Yehoshua’s would definitely not be fulfilled. Achav explained that in the Torah Moshe said that if the Jews stray from Hashem and worship idolatry, there would be no rain. However, in Achav’s time,

there were idols on every highway and byway, yet there was so much rain that Achav had a hard time reaching them to worship. Eliyahu then swore that from that point on there would be no rain until he said so. The *Gemora* explains that he requested that Hashem entrust him with the key for rain, so he could implement this punishment, and Hashem agreed. Hashem then told Eliyahu to go the *kris* stream, where the ravens brought him meat and bread (*from Achav’s house*). After some time, the stream dried up due to the drought. Hashem decided that there was enough suffering, and it was time to return rain, but Eliyahu still had the key to rain. Hashem therefore commanded Eliyahu to go to Tzarfaz, and be fed by a widow there. The widow’s son died, and Eliyahu prayed to Hashem that he receive the key for reincarnation, in order to bring the son back to life. Hashem then responded that there are three keys that are exclusively Hashem’s domain: rain, birth, and reincarnation. Since Eliyahu already had the key for rain, if Hashem would give him the key for reincarnation, Eliyahu would have a majority of the keys, which would be inappropriate. Eliyahu therefore relinquished the key for rain to acquire the key for reincarnation. At that point, Hashem commanded Eliyahu to appear to Achav and tell him that Hashem will bring rain. A Torah scholar from Galil taught in front of Rav Chisda that Eliyahu’s situation was akin to one who locked his door, and then lost his key. Similarly, Eliyahu “locked” the door of rain (*preventing it from raining*), but was not the one to reopen it, since Hashem retrieved the key, and reopened it Himself.

Rabbi Yosi taught in Tzipori, “Eliyahu, my father (*i.e., beloved teacher*), was strict,” since he punished Achav severely in anger over his denial of the curses of



Moshe and Yehoshua. Eliyahu used to visit Rabbi Yossi, but stopped visiting for three days after this statement. When he returned, Rabbi Yosi asked why he did not visit the past three days. Eliyahu said that he was angry that Rabbi Yosi called him strict. Rabbi Yosi responded that Eliyahu's harsh response to this statement was proof that Eliyahu was indeed strict. (113a – 113b)

### ***Righteous vs. Wicked***

The *Mishna* says that the verse, which states that as a result of destroying the *ir hanidachas* Hashem's wrath will be removed, teaches that as long as the wicked are in the world, Hashem's wrath is in the world. Rav Yosef explains that the wicked refers to thieves. The *braisa* says that when a wicked person enters the world, Hashem's wrath enters the world, as the verse states, "when the wicked comes, comes destruction". However, when a wicked person leaves, good enters the world, as the verse says, "when the wicked are lost, there is rejoicing". When a righteous person leaves the world, evil enters the world, as the verse says "the righteous is lost, no one pays attention, people of kindness die without anyone understanding, because before the evil, the righteous dies", indicating that as soon as the righteous dies, the evil comes. However, when a righteous person enters the world, good enters the world, as the verse says that when Noach was born, his father said "this [one] will relieve from us from our actions and sadness." (113b)

WE SHALL RETURN TO YOU,  
KOL YISRAEL YEISH LAHEM CHELEK

AND TRACTATE SANHEDRIN IS CONCLUDED

### **INSIGHTS TO THE DAF**

#### ***Lost Key***

The *Gemora* says that Eliyahu's loss of the key for rain was like one who locked a door, and then could not get back in because he lost the key.

The Maharsha notes that the metaphor is inexact, as the key for rain was not lost, but rather retrieved by Hashem.

The Ben Yehoyada says that the metaphor is accurate, since the "loss" of the key in the metaphor simply means that the key is inaccessible to the one who locked the door, e.g., it fell down a hole, or was taken by someone else, and ended up *inside* the locked door. Similarly, the "key" for rain is the spiritual power to control the flow of water from the clouds, which is normally in Heaven, above the clouds. When Eliyahu received this key, he was like the one who locked the door, and remained with the key outside the door. When he returned the key, it was like one who lost the key to the inside of the door, as the "key" for rain returned to the Heavens, which normally controls the spiritual power of rain.

#### ***Constructive Punishment***

The *Gemora* says that Eliyahu did not visit Rabbi Yossi



for three days. The Ben Yehoyada says that the three days contain 72 hours, the numerical value of the word *chesed* – kindness. In this way, Eliyahu was hinting to Rabbi Yosi that his motivation in preventing the rain was not anger, but rather kindness to Achav, in order to induce him to repent, which he indeed did.

### ***Which Wicked?***

The *Gemora* identifies the “wicked” in the *Mishna* as thieves. The Ben Yehoyada discusses why the *Gemora* identifies specifically this sin, as opposed to ones like idolatry, which are considered equivalent to the whole Torah. He offers the following explanations, both of which understand a “thief” as one who deceives others to think they are righteous, thereby “stealing” their impression, and focus on the term *charon af* – Hashem’s burning anger:

Although sins like idolatry are severe, if someone avenges Hashem’s honor, it quiets Hashem’s anger, as evidenced by Pinchas’s killing of Zimri. Therefore, it is difficult to categorically state that as result of any sin, however severe, Hashem’s anger will *burn*, because someone may avenge them, quieting the anger. However, when the sin is deception, wherein people do not know the true nature of the sinner, no one will avenge Hashem’s honor, and His anger will burn.

Hashem’s *af* - anger would mean Hashem would prevent rain, but *burning* anger means Hashem would allow crops to grow, only to be devoured by locusts. This more severe punishment makes the person see the item that he ultimately does not receive, making his pain more acute. When one deceives others to think he is righteous, he is making it appear as if there

is substance, when there is none. Therefore, the commensurate punishment is to allow people to see crops, but not allow them to reach the point of eating.

### **DAILY MASHAL**

After 120 years each of us will be asked if he did business faithfully and if he set aside time for Torah. The recesses of our hearts are examined before the *beis din* on High: “Did you do business faithfully?” Did you know, feel and always believe that everything comes from on High? That Hashem is the one who causes your success? Did you feel with all your senses that the Creator provides everyone’s livelihood with kindness and mercy? **Yes?** You nod your head in consent. **But did you really believe?** Let us examine if you really believed that everything comes from Him and that you only worked in order to perform the effort required of you. **Did you set aside time for Torah?** When the time for the *shi’ur* came, did you leave all your business to run to learn, clearly understanding that Hashem knows that you’ve fulfilled your effort in business? Yes? Did you set aside time for Torah? Then happy is your lot!