



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Sanhedrin Daf Ayin Gimmel

MISHNA

- These are the people that we save from doing an aveirah even if we have to kill them to do so: someone who is chasing another to kill him, a man who is chasing another man to be mezaneh with him, and a man who is chasing a naarah hame'orasa to be mezaneh with her. However, a man who is chasing an animal to be mezaneh with it, a man who is being mechalel Shabbos, or a man who is going to worship avoda zara are not killed to prevent them from doing the aveirah.

GEMARA

- A Braisa says, the pasuk of "lo saamod ahl dam rei'echa" teaches that one may kill a rodef.
 - **Q:** That pasuk is needed for a different drasha in a Braisa, which uses it to teach that there is an obligation to save a person who is in danger!? **A:** The pasuk is needed to teach the obligation to save someone who is in danger. We learn that a rodef may be killed from a kal v'chomer from one who is chasing a naarah hame'orasa to be mezaneh with her. If that person may be killed, and he is only trying to blemish her (not kill her), then surely a rodef may be killed.
 - **Q:** We don't punish based on a kal v'chomer, so that can't be the basis for killing a rodef!? **A:** The yeshiva of **Rebbi** taught a Braisa that says there is a hekesh. The pasuk of naarah hame'orasa compares that situation to one of murder. Now, there is nothing to be learned *from* a murderer, so the comparison must be to teach *for* the case of a murderer. It teaches that just as the man chasing the naarah hame'orasa may be killed, the rodef may be killed as well.
 - **Q:** How do we know that one may kill the person chasing the naarah hame'orasa? **A:** The yeshiva of **R' Yishmael** taught a Braisa that says, the pasuk says "v'ein moshi'ah lah". This suggests that if there was someone who could have rescued her, they could have used any means necessary to do so.
 - **Q:** We said the Braisa learns the obligation to save someone from danger from the pasuk of "lo saamod ahl dam rei'echa". Another Braisa says this is learned from the pasuk of "vahasheivoso lo"! **A:** From that pasuk we would only learn that there is an obligation to save someone when you yourself can do the saving. The pasuk of "lo saamod" teaches that there is even an obligation to hire someone to save a person.
 - **Q:** How do we know that these people are killed to prevent them from doing these aveiros? **A:** The pasuk says "v'lanaara (spelled "v'lanaar") lo saaseh davar ein lanaara cheit maves". "naar" refers to a man looking to be mezaneh with another man, "naarah" refers to a naarah hame'orasa, "cheit" refers to women assur to him with kares, "maves" refers to women assur to him with the death penalty.
 - **Q:** Why can't the pasuk teach regarding one of these and I could then learn for the other cases? **A:** If we would only say the case of a man chasing a man for
- A Braisa says, if someone is chasing another to kill him, a man who is chasing another man to be mezaneh with him, and a man who is chasing a naarah hame'orasa to be mezaneh with her, or after a woman who would be assur to him with a death penalty, or after a woman with whom he is assur with kares, we save him from doing the aveira even if we must kill him to do so. However, if it is a Kohen Gadol chasing a widow, or a regular Kohen chasing a divorcee or a chalutza, we would not kill him. If he was already mezaneh with this forbidden woman and he is trying to be mezaneh with her again, we would not kill him. If the woman can be saved without killing the man, we may not kill the man. **R' Yehuda** said, if the woman tells her rescuers, "allow him to be mezaneh with me so that he not kill me", the man may not be killed.
 - **Q:** How do we know that these people are killed to prevent them from doing these aveiros? **A:** The pasuk says "v'lanaara (spelled "v'lanaar") lo saaseh davar ein lanaara cheit maves". "naar" refers to a man looking to be mezaneh with another man, "naarah" refers to a naarah hame'orasa, "cheit" refers to women assur to him with kares, "maves" refers to women assur to him with the death penalty.
 - **Q:** Why can't the pasuk teach regarding one of these and I could then learn for the other cases? **A:** If we would only say the case of a man chasing a man for

zenus we would say that is different because it is not a natural act. If we would only have naarah hame'orasa we would say that is different because he is actually blemishing the woman (she loses her besulim). If we would only have "cheit" we would say it even applies for women who are assur to him with a lav. Therefore we also need "maves" (which teaches that the "cheit" refers to some form of death – i.e. kares). If we only had "maves" we would say that this is only for women assur with the death penalty, but not those assur with kares.

- **Q:** Why wouldn't "cheit" and "maves" be enough, and we can learn the others from there? **A:** They could be learned from there. Rather, the words "naar" and "naarah" are needed – one to exclude someone who is going to worship avoda zara and the other excludes one who is going to be mezaneh with an animal and one who is going to be mechalel Shabbos.
 - **Q:** What about according to **R' Shimon ben Yochai**, who says that we do kill a person to save him from worshipping avoda zara? **A:** One word comes to exclude one who is going to be mezaneh with an animal and the other excludes one who is going to be mechalel Shabbos. We would have thought to learn a gezeira shava from avoda zara to Shabbos, and learn that one should be killed to prevent chilul Shabbos as well.
 - **Q:** What about according to **R' Elazar the son of R' Shimon**, who says that we do kill a person to save him from being mechalel Shabbos based on this gezeira shava? **A:** One word comes to exclude one who is going to be mezaneh with an animal and the other drasha of "naarah" should not be made, because since it wrote naar it also wrote naarah.
- The Braisa said that **R' Yehuda** argues and says that if the woman tells her rescuers, "allow him to be mezaneh with me so that he not kill me", the man may not be killed. **Rava** explains that the **T"K and R' Yehuda** argue in a case where the woman does not want to be blemished, but would rather allow it to happen than have herself be killed. The **Rabanan** say that the Torah is concerned about the woman being blemished, and she is as well. Therefore, we may kill the man even though the woman says not to. **R' Yehuda** says the reason we may kill the man is because the woman may allow herself to be killed rather than to be blemished. Therefore, when she says that she will not allow herself to be killed, we may not kill him.
- **Q:** **R' Pappa** asked **Abaye**, a Kohen Gadol will also blemish the widow (she becomes a chalalah) so why do the **Rabanan** not allow us to kill him? **A:** The Torah is more concerned for a serious blemish (like one that takes place when they are true arayos to each other), but not as concerned for a smaller blemish (like what happens to the widow) and therefore does not allow us to kill the Kohen Gadol.
- **Q:** The Braisa says that "cheit" teaches that we may kill someone who is chasing a woman who is assur to him with kares. A Mishna says that a man must pay the 50 shekel penalty if he is mezaneh with his sister who is a naarah. Now, if we were really allowed to kill him, he should be patur from paying any fines!? **A:** The **Rabanan** said to **R' Chisda**, he becomes patur from being killed at the time of hara'ah with his sister, and does not become chayuv to pay the fine until the full act of bi'ah is complete. Since he may not be killed at the time he becomes chayuv to pay, he must pay the fine.
- **Q:** This is only true according to the view that hara'ah is touching the man's eiver to the woman's eiver. However, according to the view that hara'ah is actual penetration, the making of the blemish and the obligation to pay the fine come at the same time!? **A:** Rather, **R' Chisda** said that the case is where the brother first had bi'ah with her in the unnatural way and then in the natural way. Once the first act was done he is no longer chayuv misah. The obligation to pay the penalty only comes during the second act. **A2: Rava** said the case is that the sister said she will allow him to be mezaneh with her so that he not kill her, and the Braisa is following the view of **R' Yehuda** from the earlier Braisa. **A3: R' Pappa** said the Mishna is discussing where the sister was seduced to be mezaneh with him, in which case all agree that he may not be killed (and

therefore must pay the penalty). **A4: Abaye** said, the Mishna is referring to where the woman can be saved without having to kill the brother, and the Mishna follows **R' Yonason ben Shaul** who says in a Braisa that one who kills a rodef when he could have stopped him without killing him, will himself be chayuv misah for killing the rodef.