23.6.5 47a (לא היו קוברין) → 48a (דלאו אורחא)

- - I Analysis of משנה ה' burial of exec uted persons in separate בית קברות (and 2 areas for מחנה ה' and נסקלין/נשרפין and נחנקין/נהרגין
 - a Explanation: we don't bury a צדיק, as exemplified by the story in v. 1
 - i Challenge: perhaps that happened to fulfill v. 2 the promise that would have "double" אליהר 's power
 - ii Defense: if so, the resurrected would have gone home; he was revived to leave אלישע's grave
 - 1 Question: if so, how was v. 2 fulfilled?
 - 2 Answer: אלישע 's healing מעודע from his מצורע ד); a מצורע is like a dead person (v. 3)
 - iii And: just as we don't bury a צדיק, we segregate "serious" דשעים from "light" רשעים
 - 1 Question: if so, why not have 4 בתי קברות?
 - 2 Answer: they had a tradition of 2 בתי קברות
 - II Backdoor ר' יוחנן סוגיא's position regarding temporary קרבן of a קרבן
 - a Report 1: if someone sinned, designated a חטאת, then became an apostate and then did העובה the קרבן is invalid
 - i Reason: since he was נדחה (at time of his apostasy), it can not be "restored"
 - b Resport2: same case but he became incompetent (after designation) and then was restored
 - i *Justification*: if we only learned about apostasy, סד"א since he did this willfully but wouldn't apply to שוטה
 - 1 And: if we only learned שנ"א, אייטא, אייט because he had no control over it but המרת דת is in his control קמ"ל
 - c קדשים support from rule about קדשים iv קדשים were found there, they may not be brought
 - i Challenge (אביי): perhaps residents have no בעמיו at all so the קדשים are still בדחה (no proof for בעמיו) as per בעמיו
 - l Block (עיר הנדחת): can't bring proof to someone killed for their עיר הנדחת) from one who dies a בעמיו) רשע,
 - 2 Proof: from interpretation of v. 4 (כפרה have כפרה have)
 - (a) Block (מביי): הרוגי ב"ד are unique and certainly have בפרה, but perhaps, הרוגי ב"ד do not
 - (b) Proof: our משנה once killed, they are still not buried with family
 - (i) Deflection: perhaps they only achieve כפרה after burial
 - 1. Block: if so, let the family have full אבילות (after קבורה)
 - 2. Answer: they also need some measure of decomposition to achieve כפרה
 - 3. *If so*: why wait until full decomposition for reinterment? (*answer*: impossible otherwise)
 - III Status of dirt around קבר (as part of larger discussion below about הזמנה)
 - a Story: people would take dirt from ירב's grave as a remedy (against fever)
 - i שמואל: this is fine, as the dirt is public domain
 - 1 Proof: v. 5 which compares מחבור, as per v. 6 ע"ז; ע"ז does not obtain at מחבור, as per v. 6
 - 2 Challenge: if someone digs a grave for his father and then buries him elsewhere אסור si קבר forever
 - (a) Answer: this is a case of a built קבר, not just excavated
 - 3 Challenge: a new grave (unused) is מותר בהנאה; but if a אסור was put there אסור
 - (a) Answer: this again is a built grave
 - 4 Challenge: from ruling about the 3 types of קברות
 - (a) Answer: again a built grave
 - (i) Note: why is it permissible to move a "found" מת מצווה? Might be מת מצווה
 - (ii) Answer: קול has a מת מצווה
 - IV Dispute אביי/רבא about הזמנה (around issue of weaving a shroud, whether it is אסור בהנאה before use)
 - a אביי prohibited הזמנה מילתא infers שם::שם from עגלה ערופה (vv. 7-8)- both are properly done (ע"ז~)
 - b − permissible − רבא infers שנודה זרה from עבודה זרה (vv. 6-7) as both are רבא (עגלה ערופה~) משמשין