

23.7.14

65a (משנה 2) → 66a (יוסי)



- I 21 parameters of necromancers - אוב וידעוני משנה 21
- a Definitions: אוב - ("raises dead" and) speaks from under his arm; ידעוני - speaks from his mouth
  - b Consequences: the shaman gets סקילה; anyone who seeks them out is under אזרה (only)
    - i Question: why are both אר"י mentioned here; but in א:א only אוב is mentioned
    - ii Answer1 (ר' יוחנן): they're a single א:א, no need to mention both each time and אוב was listed first in מקרא
    - iii Answer2 (ר"ל): in כריתות, only אוב, as he does an action; ידעוני is a מ"א
      - 1 Reason for rejecting ר"ל: they are distinct in context of מיתה (v. 2)
        - (a) Retort: only the distinction in the context of the לאו (v. 1) would matter; not in re: מיתה
      - 2 Reason for rejecting ר' יוחנן ר"ע is כריתות א:א: ר"ע, who doesn't require מעשה
        - (a) Challenge: ר"ע does require a minimal action: מגדף moves his lips and אוב bangs his hands together
          - (i) But: is this sufficient for רבנן? lists קיטור, זיבות, ניסוך ברייתא רבנן?
            - 1. זק"נ limit to ר"ע – but the inclusion of השתחוואה is ר"ל.
            - 2. רבנן agree that prostration is an action
              - a. So: if ר"ל doesn't regard prostration as an action, how could אוב be a מעשה?
              - b. Answer: indeed, ר"ל agreed that א:א is כריתות – but even he would exclude ידעוני
              - c. Challenge: א:ב should be added to מגדף as an exception in א:ב
              - d. Answer1 (עולא): א:א is אוב (עולא): א:א is a case where he is burning incense to the שד
                - i. Challenge: that's covered under ע"ז
              - e. Answer2 (רבא): he is burning incense to the חבר (to effect necromancy)
                - i. Challenge (אביי): this is חובר חבר (v. 1) – only a לאו
                - ii. Defense: this form of ח"ח, used for אוב, incurs סקילה (or כרת)
              - f. ברייתא v. 1 – a large or small menagerie generates liability – even a snake and scorpion
                - i. Therefore (אביי): tying hornet+scorpion together, even to keep them from harming – אסור
    - 3 Challenge (to ר"י): why is prostration an action (לרבנן) but not moving lips?
      - (a) Answer1 (רבא): מגדף is unique, as it depends on the intent of the מגדף
        - (i) Challenge (ר' זירא): then why are עדים זוממים also excepted – intent is of no consequence there
        - (ii) defense: in עדים זוממים, the קול is מחיב (i.e. the result, not the action of their speaking)
          - 1. challenge: ר"י maintains that קול is an action, as per his position (contra ר"ל re: חסימה בקול)
        - (iii) rather: the main מחיב עדים זוממים is their claim to having seen (what they saw) – ראייה אין בו מעשה

c ברייתא: definition of אוב (speaks between joints) and ידעוני (puts bone in his mouth and it speaks)

    - i Challenges: vv. 3-4 (implying that they "raise" the dead)
      - 1 Answers: they rise up to that spot (joints/mouth) and speak

d ברייתא: whether he places the מת on his זכרות or seeks from the skull – considered בעל אוב

    - i Difference: former doesn't answer in usual fashion, ineffective on שבת, latter does (story w/ ר"ע and Turnus Rufus)

e Discussion: בעל אוב is the same as דורש אל המתים (v. 1) – why the separate לאוין?

    - i Answer: דורש אל המתים is someone who starves himself so that רוח טומאה should envelop him (ר"ע's reaction – v. 5)
    - ii Tangential stories of rabbinic wizardry: רבא created a man, ר"ח and ר"א would study יצירה, create a calf and eat it

f ברייתא: definition of מעונן (v. 6)

    - i ר"ש: a wizard who puts 7 types of semen over his eyes
    - ii חכמים: someone who uses sleight-of-hand (illusions) as magic.
    - iii ר"ע: someone who calculates hours, determining when it is auspicious to go out, purchase etc.

g ברייתא: definition of מנחש (v. 6) – someone who interprets events as omens (e.g. his bread fell from his mouth...)

h ברייתא v. 6b – applies to those who use rodents, fowl and fish to cast spells

II 20 משנה 20

    - a Implication: there are some actions on שבת that are התורה מן אסורים but don't carry כרת/חטאת
      - i Answer: תחומין (according to ר"ע – דאורייתא) and הבערה (according to ר' יוסי – ר"ע)