

Makos Review Lesson 39 - Daf 8B - 9A

WHEN DOES A SON GO TO GALUS WHEN KILLING HIS FATHER?

1. **Mishnah:** A son can get Galus for killing his father.
2. **Contradiction from Beraisa:** "Makeh Nefesh" excludes one who strikes his father.
3. **Answer #1 of Rav Kahana:** The Beraisa is like R. Shimon. The Mishnah is like Chachamim.
4. R. Shimon says that choking is more stringent than beheading. Galus atones for killing (anyone but a parent) b'Shogeg, for this is punishable by beheading (if done b'Mezid);
5. It does not atone for killing a parent, which is more stringent (even wounding a parent is punishable by choking)!
6. Chachamim say that choking is less stringent than beheading. Also killing a parent is punished by beheading, so Galus atones for it.
7. **Answer #2 of Rava:** The Beraisa teaches that one who **wounds** a parent is not exiled;
8. One might have thought that since one is killed for doing it b'Mezid, he is exiled for Shogeg. The Beraisa teaches that this is not so.

WHO IS INCLUDED IN GOING TO GALUS ?

1. **Mishnah:** Anyone can get Galus for killing a Yisrael...
2. **Question:** What does this come to include?
3. **Answer:** It includes a Canaanite slave and a non-Jew.
4. Our Mishnah alludes to what a Beraisa teaches.....as we see...
5. **Beraisa:** A slave or Nochri is exiled (for doing one thing to a Yisrael,) and he is lashed for (doing something else to) a Yisrael. A Yisrael is exiled, and is lashed for (doing things to) a slave or Nochri.
6. **Question:** Granted, a slave or Nochri is exiled for killing a Yisrael, and he is lashed for cursing him. A Yisrael is exiled for killing a slave or Nochri. However, how is a Yisrael lashed due to a slave or Nochri? There is no Lav against cursing him - "v'Nasi b'Amcha Lo Sa'or" (only people of your nation)!
7. **Answer #1 of Rav Acha bar Yakov:** The case is, he testified about him and he was Huzam. (Made into a false witness)
8. **Rejection:** Surely, he is lashed for the same reason as the slave or Nochri (in the Reisha). However, that can not be the case of the Reisha, since the Slave or Nochri cannot testify; and, therefore, can not be Huzam !
9. **Answer #2 (Rav Acha brei d'Rav Ika):** The case is, the Yisrael hit him, and the monetary compensation for the wound would have been less than a Perutah; as we learn from....
10. **R. Ami in the name of R' Yochanan:** If Reuven wounded Shimon and the compensation would be less than a Perutah , he is lashed instead; because we do not equate wounding to cursing (to say that it applies only to Amcha).