

## Talmud Makos Review Lessons 78-79: DAF 16A:

They both explain R. Yehudah.....

1. **Beraisa - R. Yehudah:** "Lo Sosiru (do not leave over from the Korban Pesach until morning)... vaha'Nosar... ba'Esh Tisrofu (burn what is left over)" - the verse gives an Aseh to fix the Lav, therefore one is not lashed for it.
  - R. Yochanan infers, had the Torah not given an Aseh, one would be lashed for it, even though the warning is doubtful (perhaps he will finish eating before morning)
  - Reish Lakish infers, had the Torah not given an Aseh, one would be lashed for it, even though Ein Bo Ma'aseh.
2. **Question:** Why doesn't Reish Lakish also learn like R. Yochanan, that doubtful warning is (proper) warning?
3. **Answer:** He holds like a different Tana according to R. Yehudah;.....
4. **Beraisa:** If we are unsure if Reuven is the son of David or Moshe, and Reuven strikes or curses David and Moshe, one after the other or at the same time, he is liable (even though the warning is doubtful);
  - R. Yehudah says, he is liable only if he struck or cursed both at the same time.
5. **Question:** Why doesn't R. Yochanan also learn like Reish Lakish, that one is lashed for a Lav she'Ein Bo Ma'aseh?
6. **Answer:** He holds like the following teaching;.....
  - R. Yochanan citing R. Yehudah citing R. Yosi ha'Galili: One is lashed for a Lav that is done through an action;
  - The only Lavim without an action for which one is lashed are swearing (falsely), Temurah and cursing a person with Hash-m's name.
7. **Question:** According to both R. Yochanan and Reish Lakish, R. Yehudah contradicts himself!
8. **Answer - part 1 (for Reish Lakish):** Tana'im argue about the opinion of R. Yehudah.
9. **Answer - part 2 (for R. Yochanan):** R. Yehudah himself holds that one is lashed for Lav she'Ein Bo Ma'aseh. He said in the name of R. Yosi ha'Galili that one is not lashed.

prohibition that does not involve action. Nevertheless,

		R' YOCHANAN	REISH LAKISH
I.	LASHES FOR NEGATION OF REMEDIAL POSITIVE COMMANDMENT	DEPENDS ON WHETHER OR NOT HE NULLIFIES IT	DEPENDS ON WHETHER OR NOT HE FULFILLS IT
II.	UNCERTAIN WARNING	VALID	INVALID
III.	PROHIBITION THAT DOES NOT INVOLVE ACTION	NOT LIABLE TO LASHES	LIABLE TO LASHES
IV.	ONE WHO DOES NOT EAT A LOAF HE VOWS TO EAT THAT DAY	NO LASHES – IT DOES NOT INVOLVE ACTION	NO LASHES – IT IS AN UNCERTAIN WARNING
V.	R' YEHUDAH IN THE BARAISA OF NOSSAR		
	A) UNCERTAIN WARNING IS VALID	ACCEPTS	DOES NOT ACCEPT*
	B) LASHES THOUGH NO ACTION	DOES NOT ACCEPT**	ACCEPTS
VI.	R' YEHUDAH IN THE BARAISA OF STRIKING		
	UNCERTAIN WARNING IS INVALID	DOES NOT ACCEPT	ACCEPTS
VII.	R' YEHUDAH IN THE NAME OF R' YOSE HAGLILI		
	NO LASHES FOR PROHIBITION THAT DOES NOT INVOLVE ACTION	ACCEPTS	DOES NOT ACCEPT
	* based on VI    **based on VII		

R' Yehudah also cites the view of his teacher, R' Yose