



Sereifa

The *Mishnah* (7:2) describes the capital punishment of *sereifa*. The individual is not burnt in fire as the name might suggest, but rather molten lead was poured down his throat, such that the burning was internal. The *Mishnah* debates the technique used to ensure the individual's mouth was open. According to the first opinion, a coarse rope covered in soft material was wrapped around his neck and pulled by two people. *R' Yehuda* however argues that that technique might end up strangling him and would result in *sereifa* never being performed. Consequently, tools were used to pry the individual's mouth open.

Returning to the first opinion, why was the rope prepared in this way? *Rashi* (52a) explains that the hard strong material was needed to adequately restrict his breathing, yet it using it alone would tear at his skin. Consequently, it was covered in a soft material. Even though the individual was being executed, due to the *mitzvah* of “*ve'ahavta le'reicha kamocho*” care still needed to be taken.

The *Yerushalmi* however explains that it was wrapped in the soft material to ensure that the individual did not die from strangulation and *sereifa* could still be administered.

The *Shayarei HaKorban* (*Sanhedrin* 7:4) raises several difficulties with this *Mishnah*. Firstly, we find that the same combined material was used when administering the capital punishment of *chanika* (strangulation). In that case the objective is to strangle the person, so why would the combine material be used?

The *Shayarei HaKorban* cites the *Lechem Mishneh* who suggests that since the technique was used for one punishment it was used from both – *lo plug*. Yet the *Shayarei HaKorban* asks that that is not enough of a reason to use this technique for *chanika* that might delay the death, which would be a violation of *ve'ahavata*! According to *Rashi*, he explains that perhaps the slight delay is to prevent the tearing effect of the course rope on his body and fulfils *vehavta*¹.

Yet, according to the *Yerushalmi* that explains that the padding is to prevent strangulation, the question still stands.

The *Shayarei Korban* notes that according to the *Rambam* (*Sanhedrin* 15:4) the witnesses are the ones that pull and tighten the rope. The *Rambam* rules (15:1) that when it comes to *sekila*, the witnesses upon who's testimony the person is being executed, are the ones that administer the execution. This is based on the *pasuk* – “*yad eidim te'heye bo ba'rishona*”. It would seem that the law is being applied to *sereifa* also. The *Shayarei Korban* however asks, that for *sereifa*, pulling the rope is not the means of execution, rather the molten lead. That being the case, why would the witnesses be involved in, what would seem to be, the preparatory stage? Furthermore, when the *Rambam* described the pouring of the lead, he described an individual as being given the task. One would think that it should be both witnesses performing that task.

Perhaps we can answer the *Shayarei Korban* as follows. The *Melechet Shlomo* cites the *Tosfot* (*Sotah* 19b) who explains that the reason why the *Chachamim* maintain that this technique is used here (and not by a *Sotah*) is because *sereifa* is a more extreme form of punishment than *chanika*. Consequently, based on *ve'ahavata*, they would bring him close to the point of death with *chanika*, and complete the execution with *sereifa*. We find from the *Tosfot*, that pulling the rope was not just a technique to force the person's mouth open, but rather it was part of the execution itself. Consequently, we can understand why the *Rambam* required the witnesses to perform the task. Furthermore, we see from *sekila*, which is also in a number of phases, that even though the both *eidim* were involved, they were not both involved at every stage. One witness performed the first stage, and if the person survived all stages, others would be involved in completing the execution. Consequently, we find that the combined material was lethal – a controlled technique used as part of the execution requiring witnesses – allowing only one of them (or perhaps someone else) to pour the lead.

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¹ Indeed we find that it is for a similar reason that a woman who receives *skila* is clothed. Even though the clothing might delay the death somewhat,

it is preferable to the disgrace she would feel being exposed – and therefore fulfils *ve'ahavta*.

Revision Questions

סנהדרין ו' - ח' - ב'

- Where was one given a death penalty buried? (ו': ו')
- What would people say to the judges after execution and why? (ו': ו')
- What are the four capital punishments? (א': ז')
- What are the two opinions regarding their order of severity? (א': ז')
- Describe *sreifa*? (ב': ז')
- What are the two opinions regarding *hereg*? (ג': ז')
- Describe *chenek*? (ג': ז')
- List the sixteen offences that are punishable with *skilah*? (ד': ז')
- Explain the debate regarding one who has a relationship with their mother. (ד': ז')
- For which offence does an animal also receive *skilah* and why? (ד': ז')
- What is the definition of a *megadef* that is punishable with *skilah*? (ה': ז')
- What is the complexity involved with trying a *megadef* and how was it dealt with? (ה': ז')
- What are the four principle forms of worship and why is it important? (ו': ז')
- Is kissing an idol punishable with stoning? (ו': ז')
- Explain the capital offence of "handing a child to *molech*". (ז': ז')
- What is a *ba'al ov*? What is a *yid'oni*? (ז': ז')
- When is engaging in one of the above, a capital offence? (ז': ז')
- What transgression on *Shabbat* is a capital offence? (ח': ז')
- When is cursing a parent a capital offence? (ח': ז')
- What are the requirements for having a relationship with a *na'arah me'orasah* to be punishable with *skilah*? (ט': ז')
- What is a *meisit* and how does it differ from other capital offences? (י': ז')
- What is the definition of a *mechashef*? (י"א': ז')
- At what age can one qualify to be a *ben sorer u'moreh*? (י"א': ח')
- What is the source for the law in the previous question? (י"א': ח')
- What must the child do to become a *ben sorer u'moreh*? (י"א': ב')
- If the child does so, when is he still not a *ben sorer u'moreh*? (י"א': ב')

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12 January י"ב טבת	13 January י"ג טבת	14 January י"ד טבת	15 January ט"ו טבת	16 January ט"ז טבת	17 January י"ז טבת	18 January י"ח טבת
Sanhedrin 8:3-4	Sanhedrin 8:5-6	Sanhedrin 8:7-9:1	Sanhedrin 9:2-3	Sanhedrin 9:4-5	Sanhedrin 9:6-10:1	Sanhedrin 10:2-3

