



Molech – When Is One Surprisingly Patur?

Among the list of those offenses punishable by stoning, the *Mishnah* in *Sanhedrin* 7:4 mentions the *issur* of *molech*. *Molech* is mentioned only three times in the *Torah* (*Vayikra* 18 and 20 and *Devarim* 18) and very few details are given of the *issur*. While the *mefarshei HaTorah* and *Gemara* disagree regarding a number of points, what emerges is that *Molech* is a sort of *avodah zarah* (and even that fact is a *machlokes Tannaim*) in which a parent would hand over his child to the *avodah zarah* priests and the child would then be passed through fire. The *Mishnah* in 7:7 explains that one is only *chayav s'kila* if those two criteria are met: there is a *mesira* to the priests and the child is passed through the fire.

One fascinating *din* regarding *molech* is what the *Gemara* says in 64b that a person who passes all of his kids through fire is *patur mis'kila*. The reason given in the *Gemara* is that the *pasuk* in *Vayikra* 18 says “*umizar'acha*”, from which we learn that only if one gives from his offspring and not all of them. While this *din* can be taken as a *gezeiras hakasuv*, the *mefarshim* give various *sevaras* to understand this *halacha*.

The *Maharal* in *Be'er Hagolah*, cited in *Margaliyos Hayam*, says that standard practice is that what one gives to *Hashem* (and *l'havdil*, to *avodah zarah* according to them) is a *miktzas*

davar. Some common examples are *terumos*, *ma'aseros* and *challah*. When a person retains a portion then it is clear and recognizable that *Hashem* bestowed upon him this goodness in the first place. However, when a person gives everything, it is not considered “giving” because that is not an honour to *Hashem*. The same is true *l'havdil*, by *molech*, and passing all of one's children is not considered giving to *molech*.

Rash ben haRashbatz, also cited by *Margaliyos Hayam*, provides a different logic. It is known that for one to be *chayav s'kila* for *avodah zarah* one must either do one of the four *avodahs* (*Sanhedrin* 7:6) or perform the *avodah* that is specific and unique to that particular *avodah zarah*. Apparently, the *avodah* of *molech* was *davka* practiced with one (or not all) of one's children. Thus, if one was *oved* with all of his kids, this is not the special *avodah* of *molech* and thus one is *patur*.

The *Maharsha* on this *Gemara* brings down the *Smag* who explains that a person who is killed by *beis din* receives *kapara*. A person who passes all of his kids through fire has committed such a terrible *aveirah* that the *Torah* tells us that *Hashem* does not want this person to get *kapara*. *Hashem* will take care of him.

Zamir Pollak

Revision Questions

סנהדרין ו' ד' ז' ג' א'

- Explain the stoning process. (ו' ד')
- Describe what a “hanging” is and when it is applied. (ו' ד')
- According to *R' Meir*, how does *Hashem* respond to such punishments and what does he learn from it? (ו' ה')
- When does one not transgress “*lo talin*” when delaying the burial? (ו' ה')
- 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? (ו' א')
- What are the two opinions regarding their order of severity? (ו' ז')
- Describe *sreifa*? (ו' ב')
- What are the two opinions regarding *hereg*? (ו' ג')
- Describe *chenek*? (ו' ג')
- List the sixteen offences that are punishable with *skilah*? (ו' ד')
- Explain the debate regarding one who has a relationship with their mother. (ו' ז')
- For which offence does an animal also receive *skilah* and why? (ו' ז')
- What is the definition of a *megadef* that is punishable with *skilah*? (ו' ז')
- What is the complexity involved with trying a *megadef* and how was it dealt with? (ו' 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*”. (ו' ז')
- What is a *ba'al ov*? What is a *yid'oni*? (ו' ז')
- When is engaging in one of the above, a capital offence? (ו' ז')
- What transgression on *Shabbat* is a capital offence? (ו' ח')
- When is cursing a parent a capital offence? (ו' ח')
- What are the requirements for having a relationship with a *na'arah me'orasah* to be punishable with *skilah*? (ו' ט')
- What is a *meisit* and how does it differ from other capital offences? (ו' י')
- What is the definition of a *mechashef*? (ו' י"א')

Local Shiurim

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Sunday -Thursday
10 minutes before *Mincha*
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Friday & Shabbat
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Shiur in English

Sunday -Thursday
Rabbi Mordechai Scharf
9:00am
Kollel Magen Avraham
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www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

Rabbi E. Kornfeld
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
28 th July ז' אב	29 th July ח' אב	30 th July ט' אב	31 st July י' אב	1 st August יא' אב	2 nd August יב' אב	3 rd August יג' אב
Sanhedrin 8:1-2	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

