



Volume 10. Issue 25

Ir Hanidachas – Do They Have a Cheilek La'olam Habah?

*Anshei Ir Hanidachas ein Lahem Cheilek
La'olam Habah*

Sanhedrin 10:4

The above *Mishnah* teaches us that the *anshei ir hanidachas*, the people who were persuaded and convinced to worship *avodah zarah*, do not have a portion in the world to come. While the *Rishonim*, *Rashi* and *Rav*, argue how this fact is derived, they do agree that it is learned out from the *pasuk* mentioned in our *Mishnah*, which discusses the *madichim*, those who persuaded the city to be *oved avodah zarah*. The *Rishonim* then say that the *nidachim*, those who were lead astray, are just like the *madichim*. Just as the *madichim* do not have a portion in *olam habah*, the same is true for the *nidachim*.

The *M'lo Haro'im* (on the margin in the *zecher l'chanoch mishnayos*) asks, how do the *rishonim* know to make a comparison between the *madichim* and the *nidachim*? A more perplexing question addressed by *Tosafos* (47a), the *Ran*, and others is why do the *nidachim* not have a portion? How are they different than a standard *oved avodah zarah* who is stoned (7:4) but does have a *cheilek* in *olam habah*?

The *Ran* says that in fact the old *girsas'os* (versions) of this *Mishnah* omit the abovementioned quote and that they are the correct version of the text. Since the people of the *ir hanidachas* have confessed their sins (as was standard procedure before a death penalty, see 6:2), were killed, and have thus received their dues, they receive *kaparah* when buried just like all people have are killed by *beis din*.

As opposed to changing the text of our *Mishnah*, *Tosafos* answer in a different manner saying that it is true that one who has been killed by *beis din* receives atonement and has a *cheilek*. However, our *Mishnah* is talking about the people of an *ir nidachas* who should have been executed but somehow were not. The *Margaliyos Hayam* adds another possibility that even if they were executed, the people of the *ir nidachas* remain resolute in their rebelliousness and did not say *vidui*. These two categories of people specifically do not have a *cheilek*.

A possible question that could be raised on the answer of *Tosafos* is why does our *Mishnah* teach this point just by *ir nidachas*? The rationale that someone deserving *misah* but who did not receive it does not get *kaparah* and thus does not have a *cheilek* is not an idea unique to *ir nidachas*. It is equally true to all *misos beis din*.

The *Yaavetz* in a *hagah* to our *Mishnah* gives a novel answer. He says that when our *Mishnah* writes that the people of the *ir nidachas* do not have a *cheilek* it is referring to the *madichim*. The *Mishnah* refers to the *madichim* as *anshei ir hanidachas* since this is the way the *pasuk* mentioned in our *Mishnah* refers to them. The *Mishnah* is just echoing the *pasuk*. The *madichim* get such a harsh punishment because those who cause the *rabim* to be *choteh*, *ein maspikim b'yadam la'asos teshuvah* (they are not afforded the opportunity for repentance) and they do not get *kaparah* – especially since they caused the destruction of a Jewish city and for many Jews to be killed. However, the *nidachim* do have a *cheilek la'olam habah*.

Zamir Pollak

Revision Questions

סנהדרין י' בי י"א ו'

- Which three kings and four individuals lost their *chelek*? (י' בי)
- Which three groups of people lost their *chelek* and which three groups are a subject of debate? (י' ג)
- Regarding the previous question, with respect to what detail does *R' Nechemya* argue? (י' ג)
- What are the requirements for a city to be judged as an *ir ha'nidachat*? (י' ד: ה')
- What is the difference between the ways the possessions of the righteous and wicked are treated in an *ir ha'nidachat*? (י' ה')
- What happens to the *hekdesh, trumah, ma'aser sheni* and *kitvei kodesh* of an *ir ha'nidachat*? (י' ו')
- What seven crimes are punished with *chenek*? (י"א: א')
- In what two ways is cursing a parent harsher than striking a parent? (י"א: א')
- In which three locations would the *batei dinim* debate with the *zaken mamre*? (י"א: ב')
- After returning from that final location to his hometown, at what point would a *zaken mamre* be liable for a capital punishment? (י"א: ב')
- For holding to which specific class of laws does one become a *zaken mamre*? (י"א: ג')
- What are the two opinions regarding when they would execute the *zaken mamre*? (י"א: ד')
- When is a *navi* that lies liable for a capital punishment and when is his punishment "*bidei shamayim*"? (י"א: ה')
- Is one liable for a capital punishment if he presents a prophecy in the name of a form of idol worship, yet the content is consistent with *halacha*? (י' א: א')
- From what point is a woman considered an *eshet ish*? (י"א: ו')
- What is exceptional about *zomemei bat kohen*? (י' א: א')

מכות א' א' ג'

- What are *eidim zomemin*?
- In which two cases do *eidim zomemin* not receive reciprocal punishment and what punishment do they receive? (א' א')
- How are *eidim zomemin* punished if they testified that: (א' א')
 - A man gave his wife her *ketubah*?
 - A person owed \$100 to be paid at the end of the month, when in fact the loan was due in ten years time?
- Explain the debate regarding how *eidim zomemin* are punished if they testified about:
 - A loan. (א' ב')
 - That a person was obligated to be punished with lashes. (א' ג')
- Complete the following phrase and explain: (א' ג')

"משלשלין _____ ואין משלשלין _____"

Local Shiurim

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
 Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
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Sunday -Thursday

Rabbi Mordechai Scharf
 9:00am
Kollel Magen Avraham
 Reemon Neighbourhood

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendar/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
4 th August כ"ח אב	5 th August כ"ט אב	6 th August ל' אב	7 th August א' אלול	8 th August ב' אלול	9 th August ג' אלול	10 th August גד' אלול
Makkot 1:4-5	Makkot 1:6-7	Makkot 1:8-9	Makkot 1:10-2:1	Makkot 2:2-3	Makkot 2:4-5	Makkot 2:6-7

