

Review of Makos Lesson 18 - Daf 4B:

(p)**Answer:** Motzi Shem Ra proves that this is not the reason (he did not do an action and he is lashed, even though he must be warned).

1. Each has its own stringency unlike the other. We learn from the Tzad ha'Shavah (common side) of them. They did not do an action, yet they are lashed. Likewise, one is lashed for any Lav without an action.

(q)**Question:** We cannot learn from the Tzad ha'Shavah, for both the sources (Motzi Shem Ra and Edim Zomemim) are Kenasos!

(r)**Answer:** R. Yehudah says that Edim Zomemim is not a Kenas. He argues with R. Akiva.

(s)**Question:** We cannot learn from the Tzad ha'Shavah, for both the sources have **extreme** stringencies not found in other Aveiros!

(t)**Answer:** R. Yehudah learns from a Tzad ha'Shavah even in such a case.

Conclusion: R. Yehuda argues with R. Akiva (or R. Yaakov), and rules that one receives lashes for a Lav that does not have an action. He learns it from the common denominator between the two cases of the defamer and false witnesses. R. Yehuda must also argue with R. Akiva and hold that Edim Zomemim is a monetary payment and not a fine.