SOTAH

TRANSLATED INTO ENGLISH
WITH NOTES, GLOSSARY
AND INDICES

INTRODUCTION

The Gemara offers a homiletic explanation why this Tractate follows immediately on Nazir, in the same way that the Biblical chapters on the two themes adjoin, viz., it teaches that whoever witnesses a suspected woman in her disgrace should withhold himself from wine (2a). The moral was thereby drawn that intemperance tends to weaken the power of resistance to temptation and leads to lewdness.

The name of the Tractate, Sotah, is derived from the verb satah in Numbers V, 12, If any man's wife go aside (sisteh). The Sotah is a woman who, suspected by her husband of infidelity, has to submit to the ordeal of drinking the bitter water to establish her innocence. The main subject treated in the Tractate is accordingly the Scriptural section Numbers V, 12-31, which is examined in the closest detail.

The Tractate Sotah is important for the reason that it is the only source of information at our disposal relating to the ordeal of the bitter water as practised by the Hebrews. Josephus (Ant. III, xi, 6) merely summarises the law as it is found in the Bible. The Scriptures give no instance of the ordeal being carried out, although some commentators detect a reference to it in Psalm CIX, 18, He clothed himself also with cursing as with a garment, and it came into his inward parts like water.

It would be hazardous to argue from the silence of the earlier Hebrew literature that the ritual described in Numbers V was not put into operation. As with the other Semitic peoples, the legislation had to provide for the contingency of a husband suspecting his wife's chastity without there being definite evidence that she had been unfaithful to him. The Code of Hammurabi prescribes: 'If the wife of a man her husband has accused her, and she had not been caught in lying with another male, she shall swear by God and shall return to her house. If a wife of a man on account of another male has had the finger pointed at her, and has not been caught in lying with another male, for her husband she shall plunge into the holy river'. According to this law, mere suspicion on the husband's part could be overcome by the woman taking an oath, and she is given the right to separate from him and go back to her father's house. But if her conduct had caused a scandal, she is forced to go through the ordeal of being cast into the river and if she sank it was regarded as proof of guilt.

An indication that the Hebrews resorted to the ordeal of the bitter water for the purpose may perhaps be found in what is narrated in Exodus XXXII, 20 where we are informed that Moses made the people drink water in which had been sprinkled the powdered metal of the golden calf. As stated in the Talmud the object may have been to distinguish the innocent from the guilty, the latter being harmfully affected by this otherwise quite innocuous potion.

The principal points of law in connection with a Sotah which are treated in the Tractate are as follows: The husband is obliged to give his wife due warning that she must not associate with the man who has aroused his jealousy (2a). One witness is accepted that she had disregarded the warning, provided he does not testify that she committed adultery in which case the ordeal would not be applied (3b). There is a difference of opinion whether it is obligatory on the husband to make his wife undergo the test if she has excited his jealousy (3a).

The next questions considered are the minimum length of time in which she secludes herself with the man to justify the suspicion that intimacy may have occurred (4a); what form the husband's warning must take (5b); and her position with regard to halizah and the levirate-marriage if the husband died before the ordeal took place (5b-6a).

It is claimed that though she be guilty, the water would not affect her if the witnesses who could prove misconduct were abroad and unable to testify against her, or if she possessed personal merit, or if her husband cohabited with her prior to the test (6a, 7a).

The accused woman had to bring a meal-offering to the Temple; and the disposal of the offering is discussed if it became defiled, or the husband died, or witnesses arrived to give evidence of misconduct, before she drank the water (6b).

There follows a detailed account of the procedure adopted for the carrying out of the text. She appears before the local Court, and then before the Great Sanhedrin in Jerusalem who solemnly charge her to make confession if she is guilty so as to avoid the unnecessary obliteration of the Divine Name which is part of the ceremony. If she pleads guilty she is divorced forthwith; but if she protested her innocence she is taken to the East Gate of the Temple, her garments are rent, her hair is loosened, her ornaments are removed and a common rope tied around her breasts (7a, b). Two women are not permitted to undergo the ordeal simultaneously (8a).

The meal-offering was then presented to the priest (14a, b), and the water prepared by mingling it with dust from the floor of the Temple (15b). If there was no dust there, what may be used as a substitute is considered (16a), also how much dust suffices, and it is insisted that the dust must be poured upon the water and not vice versa (16b).

After that comes the description of the scroll, what is written upon it, the writing materials used (17a), the oath of innocence which she swore (18a), and the waving and disposal of the meal-offering (19a). It is debated whether she drinks the water before or after the sacrifice of the meal-offering.

The Talmud then proceeds to point out that she is forced to drink the water if she refuses to do so after the writing on the scroll had been obliterated (19b), and what is to be done with the scroll and meal-offering if she refuses before the obliteration takes place (20a, b).

The effect of drinking the water is described (20b, 21a), and how her merit may suspend the consequences (23a). What is to be done with the meal-offering if it became defiled is discussed (22b, 23a).

Circumstances are enumerated in which the ordeal is not administered but the woman is to be divorced forthwith (23b, 24a, 25a), and also circumstances in which a Court of Law can give her the necessary warning in place of the husband (24a, b, 27a).

The question is raised whether a husband can retract his warning (25a), and it is maintained that the warning against seclusion holds good even when the man is organically defective or a gentile (26b). The ordeal is not applied if the husband or wife is blind, lame, armless or dumb (27a, b). The paramour is affected by the water as well as the woman (28a). Finally there is a section dealing with the evidence of misconduct which bars the application of the ordeal (31a-32a).

The foregoing is a summary of the points of law on the Sotah as they are treated in the first six chapters of the Tractate. In this portion other Halachic matters of an extraneous character are dealt with, chief among them being some legal differences between a man and woman (23a, b) and the various degrees of defilement with holy and non-holy foods (29a-30b).

With Chapter VII the Tractate enters upon a fresh field of discussion. Beginning with the statement that the Scriptural passages which form part of the ceremony of the ordeal may be recited in any language (32b), the Mishnah enumerates other rites and prayers which may be similarly rendered in any language as well as those which can only be spoken in Hebrew. The Gemara thereupon deals at length with the manner in which the priestly benediction was to be pronounced in the Temple and the Synagogue (38a-40b), how the High Priest rendered his Scriptural recital and benediction on the Day of Atonement (40b-41a), how the king read his portion on the Feast of Tabernacles (41a, b), and how the priest designated to accompany the army made his declaration on the field of battle (42a). The last mentioned point inaugurates a discussion on the right of exemption from military service (43a-44b). Lastly there is a full treatment of the law of the heifer whose neck was to be broken when a dead body was found (44b-47b).

It will thus be seen that the Tractate is rich in Halachic material; but it also abounds in valuable Aggadic references. Biblical narratives relating to important personages and incidents are expounded and embellished. Noteworthy among them are: the history of Samson (9b, 10a), Judah (10a, b), Absalom (10b, 11a), Miriam (11a et seq.), the slavery in Egypt and the release (11a-12b), the childhood of Moses (12a, b), the burial of Jacob (13a), the conveyance of Joseph's bones from Egypt (13a, b), the burial of Moses (13b, 14a), the song at the Red Sea (30b, 31a), the crossing of the Jordan and the blessings and curses on Mount Gerizim and Mount Ebal (33b-34a, 35b, 36a, b, 37a, b), the sending of the twelve spies (34b, 35a), the smiting of Uzzah (35a), Joseph and Potiphar's wife (36b), Goliath (42b), Phineas (43a), and Elisha and the bears (46b, 47a). They supply excellent examples of the manner in which the Scriptural stories were elaborated for popular edification.

In addition there are many passages which elucidate the views of the Rabbis on religious and ethical questions. We find striking utterances on the futility of secret sin (3a), the destructive effect of marital infidelity (3b), the harmfulness of pride (4b-5b), on the Shechinah abiding with a happily married couple (17a), the evil of flattery (41b, 42a), and the duty of forming an escort (46b). Certain important doctrines of Jewish theology are stressed, viz. divine retribution (8b), the Imitation of God as the rule of living (14a), and the superioritiy of the service of God from love over the service from fear (31a). Other subjects of interest dealt with are the seven types of Pharisees (22b), a probable reference to Jesus of Nazareth (47a), reforms instituted by John Hyrcanus (47a-48a), the Bath Kol (48b), the Shamir (48b) and the civil war between Aristobulus and Hyrcanus (49b).

The concluding section of the Tractate describes with impressive vividness the state of deterioration into which the Jewish people sank in the period immediately before and after the fall of the Temple. Owing to the prevalence of murder the ceremony of breaking the heifer's neck was discontinued, and Rabban Johanan b. Zakkai suspended the ordeal because of the spread of immorality (47a, b). Justice became perverted with dire effects upon the life of the people (47b). With the destruction of the Sanctuary the great Rabbis passed away, demagogues rose to power, and scholarship was despised. The sad plight of

the populace leads to a description of the terrible conditions which will obtain before the advent of the Messiah; and the plaintive refrain is repeated, 'Upon whom is it for us to rely? Upon our Father Who is in heaven'.

The deep note of pessimism on which the Mishnah closes was unjustified. The haunting fear that Israel was doomed to a continuous decline was disproved by events. Eminent scholars arose to fill the place of those who had gone. Chastened by suffering the people renewed their delight in, and loyalty to, the Torah. The fall of the Temple and State did not write the word finis to the story of the Jewish people; and nothing contributed so largely to their survival as the devotion to the study of the Torah as it is embodied in the Talmud.

A. COHEN

PREFATORY NOTE BY THE EDITOR

The Editor desires to state that the translation of the several Tractates, and the notes thereon, are the work of the individual contributors and that he has not attempted to secure general uniformity in style or mode of rendering. He has, nevertheless, revised and supplemented, at his own discretion, their interpretation and elucidation of the original text, and has himself added the notes in square brackets containing alternative explanations and matter of historical and geographical interest.

ISIDORE EPSTEIN

Folio 2a

CHAPTER I

MISHNAH. IF ONE WARNS(1) HIS WIFE [NOT TO ASSOCIATE WITH A CERTAIN MAN]. R. ELIEZER SAYS: HE WARNS HER ON THE TESTIMONY OF TWO WITNESSES,(2) AND MAKES HER DRINK [THE WATER OF BITTERNESS] ON THE TESTIMONY OF ONE WITNESS(3) OR HIS PERSONAL TESTIMONY. R. JOSHUA SAYS: HE WARNS HER ON THE TESTIMONY OF TWO AND MAKES HER DRINK ON THE TESTIMONY OF TWO.

HOW DOES HE WARN HER? IF HE SAYS TO HER IN THE PRESENCE OF TWO, DO NOT CONVERSE WITH THAT MAN, AND SHE CONVERSED WITH HIM, SHE IS STILL PERMITTED TO HER HUSBAND(4) AND PERMITTED TO PARTAKE OF THE HEAVE-OFFERING.(5) SHOULD SHE HAVE ENTERED A PRIVATE PLACE WITH HIM AND STAYED WITH HIM A TIME SUFFICIENT FOR MISCONDUCT TO HAVE OCCURRED, SHE IS FORBIDDEN TO HER HUSBAND(6) AND FORBIDDEN TO PARTAKE OF THE HEAVE-OFFERING. IF [HER HUSBAND] DIED,(7) SHE PERFORMS THE CEREMONY OF HALIZAH(8) BUT CANNOT CONTRACT A LEVIRATE MARRIAGE.

GEMARA. Now that the Tanna has finished [Tractate] Nazir, what is his reason for continuing with [Tractate] Sotah?(9) — It is according to the view of Rabbi; for it has been taught: Rabbi says, Why does the section of the Nazirite adjoin that of the suspected woman?(10) To tell you that whoever witnesses a suspected woman in her disgrace should withhold himself from wine.(11) But [the Tanna in the Mishnah] should treat of [Tractate] Sotah first and afterwards that of Nazir!(12) — Since he treated of [Tractate] Kethuboth [marriage-settlements] and dealt with the theme, 'He who imposes in vow upon his wife',(13) he next treated of [Tractate] Nedarim [Vows]; and since he treated of [Tractate] Nedarim, he proceeded to treat of [Tractate] Nazir which is analogous to Nedarim,(14) and then continues with Sotah for the reason given by Rabbi.

IF ONE WARNS HIS WIFE. As an accomplished fact(15) it is allowable, but as something still to be done it is not. Consequently our Tanna holds that it is forbidden to give a warning.(16)

R. Samuel b. R. Isaac said: When Resh Lakish began to expound [the subject of] Sotah, he spoke thus: They only pair a woman with a man according to his deeds;(17) as it is said: For the sceptre of wickedness shall not rest upon the lot of the righteous.(18) Rabbah b. Bar Hanah said in the name of R. Johanan: It is as difficult to pair them as was the division of the Red Sea; as it is said: God setteth the solitary in families: He bringeth out the prisoners into prosperity!(19) But it is not so; for Rab Judah has said in the name of Rab: Forty days before the creation of a child, a Bath Kol(20) issues forth and proclaims, The daughter of A is for B;(21) the house of C is for D; the field of E is for F! — There is no contradiction, the latter dictum referring to a first marriage and the former to a second marriage.

R. ELIEZER SAYS, HE WARNS HER ON THE TESTIMONY OF TWO WITNESSES etc. So far only do [R. Eliezer and R. Joshua] differ, viz. in the matter of warning and seclusion, but in the matter of misconduct [they agree] that one witness is believed.(22) We similarly learn in the Mishnah: If one witness says: I saw that she committed

misconduct, she does not drink the water.(23) Whence is it derived according to Torah-law that one witness is believed? As our Rabbis taught: And there be no witness against her(24) — the text refers to two witnesses.(25) But perhaps it is not so and even one [suffices]! There is a teaching to declare, One witness shall not rise up against a man.(26)

1. Lit., 'is jealous of, i.e., he gives her a warning because he feels jealous.
2. There must be two witnesses that he had warned her in their presence; otherwise he cannot require her to drink the water of bitterness.
3. That she had secluded herself with the man, after due warning had been given.
4. Lit., 'to her house'. Marital relations may continue.
5. If her husband is a priest. The heave-offering could be eaten by any member of the priest's household who was ritually clean; Num. XVIII, 8ff.
6. Forthwith, before the water is drunk.
7. Before she had undergone the ordeal.
8. V. Glos.
9. What is the association of ideas between the subject of the Nazirite and the woman suspected of infidelity?
10. In Num. V and VI.
11. Immoderate use of wine is a source of immorality. v. Ber. 63a.
12. That being the order in which they are dealt with in Scripture.
13. The opening words of Keth. VII.
14. A man becomes a nazirite by imposing a vow upon himself.
15. This is derived from the addition of the definite article, the literal sense being: he who warns, i.e., he who has given a warning.
16. Different views are taken on this question; v. p. 8.
17. Only if his actions are righteous does he have a faithful wife.
18. Ps. CXXV, 3.
19. Ibid. LXVIII, 7. The first clause refers to marriage-making, the second to the release of prisoners. Therefore the two are declared identical as regards difficulty.
20. V. Glos.
21. Since the marriage is ordained even before birth, it cannot be dependent upon a man's conduct.
22. [After due warning had been given and seclusion taken place]. And without drinking the water she leaves her husband's house and does not receive what would normally have been due to her under the marriage-contract.
23. Infra 31a.
24. Num. V, 13.

25. I.e., wherever Scripture uses the word witness, even in the singular, it denotes two.
26. Deut. XIX, 15.

Sotah 2b

From the fact that it is stated: '[A] witness(1) shall not rise up against a man', do I not know that one is intended? Why is there a teaching to declare 'one witness'?(2) This establishes the rule that wherever it is stated 'witness', it signifies two unless the text specifies 'one'; and [in the case under discussion] the All-Merciful declares that when there are not two witnesses against her but only one, and she has not been violated,(3) she is forbidden [to her husband].(4) Now the reason for that(5) is because it is written: One witness shall not rise up against a man. Were it however not so [stated], I might have supposed that 'witness' in the verse relating to a suspected woman means one.(6) But if there be not even one witness against her, why should she then be prohibited [to her husband]? — [The verse: One witness etc.] is necessary, because otherwise it might have occurred to me to suppose that 'there be no witness against her' means, he is not believed against her. He is not believed against her! What, then, [does the text] want unless there are two witnesses?(7) Let the Scriptural text be silent on the point [and not mention it at all], since the rule could have been deduced by analogy from the occurrence of the word dabar(8) in the verse relating to civil actions, and I would know that it applies to every case of testimony mentioned in the Torah! — It was necessary [for Scripture to have mentioned it], because otherwise it might have occurred to me to suppose that the matter is different in the case of a suspected woman inasmuch as there was some basis for the charge, seeing that he had warned her and she had been secluded [with the man]; consequently one witness should be believed against her. But how is it possible to say [that if the Torah had not specified that 'witness' always means two, I might have supposed that the intention of 'there be no witness against her' was] that he is not believed against her and she is permitted to her husband? Surely from what is written: 'and she had not been violated'(9) it is implied that she is forbidden to him! It was necessary [for Scripture to have mentioned this], because otherwise it might have occurred to me to suppose that [the evidence against her] is not believed unless there are two witnesses,(10) and [that the verse means] that she had not been violated on the evidence of two witnesses. We are consequently taught [that one witness is believed].

R. JOSHUA SAYS: HE WARNS HER ON THE TESTIMONY OF TWO etc. What is R. Joshua's reason? Scripture states 'against her' — I.e., 'against her' [in the matter of misconduct](11) but not in the matter of warning, 'against her' [in the matter of misconduct] but not in the matter of seclusion. R. Eliezer, [on the other hand] says: 'Against her' [in the matter of misconduct] but not in the matter of warning only. Perhaps, however, 'against her' does mean, and not in the matter of seclusion! — Seclusion is compared to 'defilement' [misconduct], for it is written, and he kept close and she be defiled.(12) But warning also is compared to 'defilement', for it is written, and he be jealous of his wife and she be defiled!(13) — The All-Merciful excluded this by the phrase 'against her'.(14) But what leads you to this conclusion?(15) — It is obvious that seclusion is more serious [than warning] because she is forthwith prohibited to her husband as with 'defilement'. On the contrary, warning is more serious since it is the root cause [of her seclusion rendering her forbidden to her husband]!(16) — If there was no seclusion, would there have been any warning?(17) But if there was no warning, what effect would seclusion have? — Nevertheless seclusion is the more serious since it is the beginning of 'defilement'.

Our Mishnah does not agree with the following Tanna. For it has been taught: R. Jose son of R. Judah says in the name of R. Eliezer: He who warns his wife does so on the testimony of one witness or his personal testimony, and makes her drink [the water of bitterness] on the testimony of two witnesses. The Sages replied: According to the view of R. Jose son of R. Judah, there is no purpose in the matter.(18) What is the reason of R. Jose son of R. Judah? — Scripture states 'against her', i.e., 'against her' [in the matter of misconduct] but not in the matter of seclusion. Perhaps, however, 'against her' means: and not in the matter of warning? — Warning is compared to 'defilement', for it is written, and he be jealous of his wife and she be defiled. But seclusion is also compared to 'defilement', for it is written, and he kept close and she be defiled? — That refers to a length of time sufficient for 'defilement' to have occurred.(19)

[It was stated above:] 'The Sages replied: According to the view of R. Jose son of R. Judah, there is no purpose in the matter'. What does this mean? — There may be times when he did not warn her and he claims that he did warn her.(20) Is there, then, according to our Mishnah any purpose in the matter, since there may be times when she had not been secluded with the man and the husband claims that she had been secluded?(21) — R. Isaac b. Joseph said in the name of R. Johanan, [Read] also according to the view of R. Jose son of R. Judah, there is no purpose in the matter. 'Also according to the view of R. Jose son of R. Judah' [you say]; is there, then, no question with respect to our Mishnah? On the contrary, according to our Mishnah there is foundation [for the charge], but in the other case [the view of R. Jose son of R. Judah] there may be no foundation!(22) — But if the teaching is reported, it must be in this form: R. Isaac b. Joseph said in the name of R. Johanan: 'According to the view of R. Jose son of R. Judah, and also according to our Mishnah, there is no purpose in the matter.'

R. Hanina of Sura said: Nowadays a man should not say to his wife, 'Do not be secluded with So-and-so', lest we decide according to R. Jose son of R. Judah who said: A warning [is effective] if given on [the husband's] personal testimony. If she then secluded herself with the man, since we have not now the water for a suspected woman to test her, the husband forbids her to himself for all time.

Resh Lakish said: What is the meaning of the term kinnui?(23) A matter which causes hatred [Kin'ah] between her and others. Consequently he holds that the warning can be on [the husband's] personal testimony; and since not everybody knows that he gave her a warning and they say: 'What has happened that she holds herself aloof?' they will proceed to cause hatred against her. R. Jemar b. Shelemia said in the name of Abaye: [Kinnui means] a matter which causes hatred between husband and wife. Consequently he holds that the warning must be on the testimony of two witnesses and everybody is aware that he gave her a warning,(24) and it is he who proceeds to cause hatred against her.

1. And not witnesses.
2. The word one is superfluous if a single witness is intended, since it would have been sufficient to state a witness.
3. But consented to the act. Num. V, 13. The English Version translates the verb she be not taken in the act; but the Rabbis understood it in the sense that she was not

forced to misconduct and was a consenting party. Cf. the use of the same verb in Deut. XXII, 28. If she had been violated, she was exempt from the ordeal.

4. Infra 31b. [This proves that in the matter of misconduct one witness is believed, as otherwise whence is it known that she was not violated?]
5. For maintaining that the term witness' in the case of the Sotah denotes two.
6. 'And there be no witness against her' means not even one.
7. What is the purpose of the words if the meaning of there be no witness indicates only one and that his evidence is not accepted?
8. In connection with infidelity the text has he hath found some unseemly matter (dabar) in her (Deut. XXIV, 1), and in connection with civil actions At the mouth of two witnesses, or at the mouth of three witnesses, shall a matter (dabar) be established (ibid. XIX, 15). By the rule of Gezerah Shawah, analogy of expression, the principle of the latter with regard to the number of witnesses required is also applied to the former.
9. Therefore it is maintained that misconduct has occurred with her consent.
10. In a charge of misconduct.
11. One witness is sufficient; but for warning and seclusion two are necessary.
12. Num. V, 13.
13. Ibid. 14.
14. The phrase 'against her' was explained above as relating only to misconduct.
15. That 'against her' excludes the idea that warning is to be compared to misconduct, and that only seclusion is to be likened to it.
16. Without previous warning she would not be prohibited to her husband because of seclusion.
17. There must have been seclusion to cause jealousy and consequently a warning.
18. In requiring the husband's personal testimony, since, as the Gemara will explain, it may be false.
19. So that if the time of seclusion was insufficient, she is not required to drink the water.
20. So what purpose is there in requiring the husband's unsupported evidence?
21. The Mishnah compels the woman to drink the water on the unsupported evidence of the husband.
22. According to the Mishnah there must have been warning on the testimony of two witnesses, so there is some foundation for the charge; but according to R. Jose the husband can give her warning on his uncorroborated testimony which might be groundless.
23. That is the term used in Num. V, 14, 'he be jealous'.

24. Since the witnesses are likely to talk of it to others.

Folio 3a

Conclude that they hold that it is forbidden to give a warning;(1) but according to him who says that it is permissible to give a warning, what is the meaning of Kinnui? — R. Nahman b. Isaac said: Kinnui means nothing but 'warning;' and thus Scripture states: Then the Lord warned [wa-yekna] his land.(2)

It has been taught: R. Meir used to say: If a person commits a transgression in secret, the Holy One, Blessed be He, proclaims it against him in public; as it is said: And the spirit of jealousy came upon him;(3) and the verb 'abar [came upon] means nothing but 'proclaiming', as it is said: And Moses gave commandment, and they caused it to be proclaimed throughout the camp.(4) Resh Lakish said: A person does not commit a transgression unless a spirit of folly [shetuth] enters into him; as it is said: If any man's wife go aside.(5) [The word is] written [so that it can be read] sishteh.(6)

The School of R. Ishmael taught: Why does the Torah believe one witness in the case of a suspected woman? Because there was some basis for the charge, seeing that he had warned her and she had secluded herself with the man, and one witness testifies that she had 'defiled' [misconducted] herself. R. Papa said to Abaye, But the warning is mentioned in the text after the seclusion and misconduct?(7) — He replied to him, We'abar [means] there had already come upon him.(8) But can that interpretation be also applied to, And every armed man of you will pass over?(9) — In that passage, since it is written: And the land will be subdued before the Lord, then afterward ye shall return,(10) it follows that the reference is to the future; but here, if it should enter your mind that we follow the order of the text [and we'abar signifies 'will come'], of what use is a warning after misconduct and seclusion had taken place?

The School of R. Ishmael taught: A man does not warn his wife unless a spirit(11) enters into him; as it is said: 'And the spirit of jealousy came upon him and he be jealous of his wife'. What is the meaning [of the word] 'spirit'? — The Rabbis declare, It is a spirit of impurity;(12) but R. Ashi declares, It is a spirit of purity.(13) Reasonable is the view of him who declares that it is a spirit of purity, because it was taught: and he be jealous of his wife — this is voluntary(14) in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. It is well if you say that it means a spirit of purity, then everything is right; but if you say that it means a spirit of impurity, is it voluntary or obligatory for a man to introduce a spirit of impurity into himself!

[To turn to] the main text: And he be jealous of his wife — this is voluntary in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. For her he may defile himself(15) — this is voluntary in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. Of them shall ye take your bondmen for ever(16) — this is voluntary in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. R. Papa said to Abaye — others declare it was R. Mesharsheya who said to Raba: Is this to say that R. Ishmael and R. Akiba differ in this way throughout the Torah, one maintaining that [a precept] is voluntary and the other that it is obligatory? — He replied, They only differ here over texts: And he be jealous of his wife — it is voluntary in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. What is the reason of R. Ishmael? — He holds the same view as that of the following teacher. It has been taught: R. Eliezer b. Jacob says: Since the Torah declares, Thou shalt not hate thy brother in thine heart,(17) it is possible to think that this applies also in such a

circumstance;(18) therefore there is a text to say: And the spirit of jealousy came upon him and he be jealous of his wife.(19) And [what is the reason of] R. Akiba? — The word 'jealous' occurs a second time in the verse.(20) And [how does] R. Ishmael [explain the repetition of jealous]? — Since it was necessary to write, And she be defiled and afterwards and she be not defiled, the Torah wrote and he be jealous of his wife.(21) This is in agreement with the teaching of the School of R. Ishmael; for it was taught in the School of R. Ishmael; Wherever a Scriptural passage is repeated, it is only repeated because of some new point contained therein. [Similarly] 'For her he may defile himself — this is voluntary in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. What is the reason of R. Ishmael? — Since it is written: Speak unto the priests the sons of Aaron and say unto them, There shall none defile himself for the dead among his people,(22) it was likewise necessary to write, For her he may defile himself. And [from where does] R. Akiba [learn that a priest may so defile himself]? — He derives it from, Except for his kin;(23) what then is the purpose of, For her he should defile himself? [It is to indicate that] it is obligatory. And [how does] R. Ishmael [explain the addition of these words]? — 'For her' he may defile himself but not for any of her limbs.(24)

1. Because they explain Kinnui in the sense of hatred, and it is not allowed to create hatred.
2. Joel II, 18. (E.V. 'Then the Lord was jealous for his land'.)
3. Num. V, 14.
4. Ex. XXXVI, 6.
5. Num. V, 12. The word for 'go aside' is sisteh.
6. I.e., act in folly.
7. The matter of seclusion and misconduct is mentioned in Num. V, 12f, and the warning from jealousy in verse 14.
8. is treated as pluperfect.]
9. Num. XXXII, 21 where the same word, we'abar, occurs.
10. Ibid. 22.
11. Introduced into him by God to warn him of what had occurred.
12. An instigation by Satan.
13. Which revolts against immorality.
14. The husband can ignore the matter if he so wishes.
15. Lev. XXI, 3. Does it mean he may or he should; and similarly with the other instances discussed.
16. Ibid. XXV, 46.
17. Ibid. XIX, 17.
18. That a husband may overlook his wife's seclusion with another man and not warn her.

19. He interprets the words as meaning: if the spirit of jealousy came upon him and he wishes to warn his wife.
20. He understands the second clause as he should be jealous and warn her.
21. The words are repeated because of the two contingencies mentioned and no such deduction is to be drawn as R. Akiba suggests.
22. Lev. XXI, 1.
23. Ibid. 2.
24. An amputated limb of a body defiles in the same way as the whole body. V. Nazir 43b.

[What reply does] R. Akiba [make to this explanation]? — If that were the sole intention, the All-Merciful should have written 'for her' and then stop; what is the purpose of the words 'he should defile himself? Deduce therefrom.(1) [How does] R. Ishmael [meet this argument]? — Since the Torah wrote 'for her', it likewise wrote 'he may defile himself this is in agreement with the teaching of the School of R. Ishmael; for it was taught in the School of R. Ishmael: Wherever a Scriptural passage is repeated, it is only repeated because of some new point contained therein. [And similarly,]'Of them shall ye take your bondmen for ever(2) — this is voluntary in the opinion of R. Ishmael; but R. Akiba says: It is obligatory. What is the reason of R. Ishmael? — Since it is written: Thou shalt save alive nothing that breatheth,(3) it was likewise necessary to write, 'Of them shall ye take your bondmen for ever', in order to indicate that if a man belonging to any other Gentile people has intercourse with a Canaanite woman(4) and begets a son by her, it is permissible to purchase him as a slave. For it has been taught: Whence is it that if a man belonging to any other Gentile people has intercourse with a Canaanite woman and begets a son by her, it is permissible to purchase him as a slave? There is a text to declare, Moreover of the children of the strangers that do sojourn among you, of them shall ye buy.(5) It is possible to think that also if a Canaanite had intercourse with a woman belonging to any other Gentile people and he begets a son by her, it is permissible to purchase him as a slave; therefore there is a text to declare, Which they have begotten in your land(6) — from those born in your land(7) and not from those who dwell in your land.(8) And [from where does] R. Akiba [learn this rule]? — He derives it from, 'Of them shall ye buy'; what then is the purpose of, 'Of them ye shall take your bondmen for ever'? [It indicates that] it is obligatory. And [how does] R. Ishmael [explain the addition of these words]? — 'Of them' [he may purchase] but not of your brethren. [From where does] R. Akiba [derive this rule]? — It is deduced from the mention of 'your brethren' at the end of the verse: But over your brethren the children of Israel ye shall not rule, one over another, with rigour.(9) [How does] R. Ishmael [meet this argument]? — Since the Torah wrote 'But over your brethren', it likewise wrote 'of them'. This is in agreement with the teaching of the School of R. Ishmael; for it was taught in the School of R. Ishmael: Wherever a Scriptural passage is repeated, it is only repeated because of some new point contained therein.

R. Hisda said: Immorality in a house is like a worm in the sesame plant. Further said R. Hisda: Anger in a house is like a worm in the sesame plant. Both these statements refer to a woman, but in the case of a man there is no objection.(10) Further said R. Hisda, At first, before Israel sinned [against morality], the Shechinah abode with each individual; as it is said: For the Lord thy God walketh in the midst of thy camp.(11) When they sinned, the Shechinah departed from them; as it is said: That he see no unclean thing in thee and turn away from thee.(12)

R. Samuel b. Nahmani said in the name of R. Jonathan: Whoever performs one precept in this world, it precedes him for the world to come; as it is said: And thy righteousness shall go before thee;(13) and whoever commits one transgression in this world, it clings to him and precedes him for the Day of Judgment, as it is said: The paths of their way are turned aside; they go up into the waste and perish.(14) R. Eleazar says: It attaches itself to him like a dog; as it is said: He hearkened not unto her, to lie by her, or to be with her(15) — to lie by her in this world, or to be with her in the world to come.

We learn elsewhere: It is a proper conclusion that if the first evidence [that the woman had secluded herself with the man], which does not prohibit her [to her husband] for all time,(16) is not established by fewer than two witnesses, is it not right that the final evidence [that she had misconducted herself] which prohibits her to him for all time, should not be established by fewer than two witnesses! Therefore there is a text to state, 'And there be no witness against her', [implying that], whatever [evidence] there may be against her [is believed, even if it be only one witness]. And with respect to the first evidence [about her seclusion with the man, that one witness suffices may be argued by] a fortiori reasoning as follows: If the final evidence [regarding misconduct], which prohibits her to her husband for all time, is established by one witness, is it not proper that the first evidence, which does not prohibit her to him for all time, should be established by one witness! Therefore there is a text to state, Because he hath found some unseemly matter in her,(17) and elsewhere it states: At the mouth of two witnesses, or at the mouth of three witnesses shall a matter be established;(18) as the 'matter' mentioned in this latter case must be confirmed by the testimony of two witnesses, so also here [in the case of the suspected woman] the 'matter' must be confirmed by the testimony of two witnesses.(19) Is this deduction to be drawn from the words, 'Because he hath found some unseemly matter in her'? It ought to be derived from 'against her' — i.e., 'against her' [in the matter of misconduct] but not in the matter of warning, 'against her' [in the matter of misconduct] but not in the matter of seclusion!(20) — He also says similarly(21) [and his teaching is to be cited as follows]: Therefore there is a text to state 'against her' [in the matter of misconduct] but not in the matter of warning, 'against her' [in the matter of misconduct] but not in the matter of seclusion; and whence is it that merely in a case of misconduct, where there had been no warning or seclusion one witness is not believed? It is stated here, 'Because he hath found some unseemly matter in her', and elsewhere it states: 'At the mouth of two witnesses, or at the mouth of three witnesses, shall a matter be established'; as in the 'matter' mentioned in the latter case two witnesses are required, so also here [where there has been misconduct without warning and seclusion] two witnesses are required. Our Rabbis have taught: Which is the 'first testimony'? Evidence of seclusion, and the 'final testimony' is evidence of 'defilement' [misconduct].

1. That it is obligatory.
2. Lev. XXV, 46.
3. Deut. XX, 16.
4. The woman belonged to the seven nations which had to be exterminated.
5. Lev. XXV, 45.
6. Ibid. I.e., the original natives of Canaan.
7. [Whose father belongs to another land.]
8. [I.e., the original natives of Canaan]. It is to be noted that descent is traced through the father, whereas in the case of a Jew descent is traced through the mother.
9. Lev. XXV, 46.

10. This opinion is contradicted by popular proverbs quoted in the Talmud, viz., 'He among the full-grown pumpkins and his wife among the young ones' (infra, p. 45), and 'He who gives vent to his anger destroys his house' (Sanh. 102b).
11. Deut. XXIII, 15.
12. Ibid.
13. Isa. LVIII, 8.
14. Job VI, 18.
15. Gen. XXXIX, 10.
16. Because the water may prove her innocent.
17. Deut. XXIV, 1.
18. Ibid. XIX, 15.
19. Infra 31a-b.
20. V. supra p. 5.
21. The teacher in the Mishnah accepts the deduction from 'against her' and uses the argument from the occurrence of the word 'matter' for another purpose. He had been quoted wrongly and the Gemara proceeds with the correct form of the teaching.

Folio 4a

And how long is the duration in the matter of seclusion? Sufficient for misconduct, i.e., sufficient for coition, i.e., sufficient for sexual contact, i.e., sufficient for a person to walk round a date-palm. Such is the view of R. Ishmael; R. Eliezer says: Sufficient for preparing a cup of wine;(1) R. Joshua says: Sufficient to drink it; Ben Azzai says: Sufficient to roast an egg; R. Akiba says: Sufficient to swallow it; R. Judah b. Bathyra says: Sufficient to swallow three eggs one after the other; R. Eleazar b. Jeremiah says: Sufficient for a weaver to knot a thread; Hanin b. Phineas says: Sufficient for a woman to extend her hand to her mouth to remove a chip of wood [from between the teeth]; Pelemo says: Sufficient for her to extend her hand to a basket and take a loaf therefrom. Although there is no proof for this [last opinion] there is an indication, viz., For on account of a harlot, to a loaf of bread.(2) What is the purpose of all these definitions? — They are necessary; because if we were only taught sufficient for misconduct, I would have thought that it meant sufficient time for her misconduct and her submission;(3) therefore it is defined as sufficient for coition.(4) If, however, it were only taught sufficient for coition, I would have thought that it meant sufficient time for completed coition; therefore it is defined as sufficient for sexual contact. If, further, we had only been taught sufficient for sexual contact, I would have thought that it meant sufficient time for sexual contact and her submission; therefore it is defined as sufficient for misconduct. And how much is the time sufficient for sexual contact? Sufficient for a person to walk round a date-palm.

In contradiction of the above [I quote the following]: And be kept close(5) — but how long is the duration in the matter of seclusion we have not heard. Since, however, it states 'and she be defiled', deduce that it is time sufficient for misconduct, i.e., sufficient for coition, i.e., sufficient for sexual contact, i.e., sufficient for a date-palm to rebound.(6) Such is the view of R. Eliezer; R. Joshua says: Sufficient for preparing a cup of wine; Ben Azzai says: Sufficient to drink it; R. Akiba says: Sufficient to roast an egg; R. Judah b. Bathyra says: Sufficient to swallow it.(7) Now it is assumed that walking round a date-palm and the rebound of a date-palm are identical [in length of time, and the question thus arises:] R. Ishmael said above, 'Sufficient for a person to walk round a date-palm', and R. Eliezer disagreed with him; and here R. Eliezer says: 'Sufficient for a date-palm to rebound'! — Abaye said: 'Walking round' means on foot, and 'rebound' means by the force of the wind. R. Ashi asked: How is 'rebound' to be understood? Does it mean that the palm is blown in one direction and then in its opposite, or perhaps that it is blown in one direction and then in its opposite and finally returns to its original position? — The question remains unanswered.

R. Eliezer said above: 'Sufficient for preparing a cup of wine', and here he says: 'Sufficient for a date-palm to rebound'! — They are alike in duration. R. Joshua said above, 'Sufficient to drink it', and here he says: 'Sufficient for preparing a cup of wine'! — Say [that the correct version is], Sufficient for preparing a cup of wine and drinking it. But why not say rather that they are alike in duration? — If so, he would agree with R. Eliezer's view.(8) Ben Azzai said above 'Sufficient to roast an egg', and here he says: 'Sufficient to drink [a cup of wine]'! — They are alike in duration. R. Akiba said above, 'Sufficient to swallow [a roasted egg]', and here he says: 'Sufficient to roast an egg'! — Say [that the correct version is], Sufficient to roast an egg and swallow it. But why not say rather that they are alike in duration? — If so, he would agree with Ben Azzai's view. R. Judah b. Bathyra said above,

'Sufficient to swallow three eggs one after the other', and here he says: 'Sufficient to swallow [one roasted egg]'! — He spoke in accordance with the view of R. Akiba who said that we fix as the duration a length of time sufficient to roast and swallow an egg, [and with reference to this he said,] 'speak rather only of the duration of swallowing', that is 'sufficient time to swallow three eggs one after the other', for that is the same as roasting and swallowing [one egg].(9)

'R. Eleazar b. Jeremiah says: Sufficient for a weaver to knot a thread'. R. Ashi asked: Does this mean two ends which are distant or near?(10) — The question remains unanswered.

'Hanin b. Phineas said: Sufficient for a woman to extend her hand to her mouth to remove a chip of wood'. R. Ashi asked: Does this mean wedged tightly [between the teeth] or not? — The question remains unanswered.

'Pelemo said: Sufficient for her to extend her hand to a basket and take a loaf therefrom'. R. Ashi asked: Is it [a loaf] which is wedged in tightly or not, a new or old [basket],(11) a hot or cold [loaf],(12)

1. By diluting it with water.
2. Prov. VI, 26. This is the literal rendering of the Hebrew.
3. I.e., that he should make improper advances and induce her to submit.
4. Consequently she must have secluded herself with the intention of committing misconduct.
5. Num. V, 13.
6. After having been bent by the wind.
7. Tosef. Sot. I, 2.
8. That cannot be, because he gives a different definition, and so it is impossible to think them alike in duration.
9. [Why introduce at all the act of roasting, seeing that the act of swallowing by itself can afford a suitable standard for defining the duration?]
10. I.e., does it include the time spent in bringing the threads together as well as tying them?
11. In a new basket the ends of straws protrude and catch in the loaves, so that it takes longer to get one out.
12. A warm loaf has to be drawn out with greater care and therefore takes longer.

wheaten or of barley,(1) soft or hard-baked? — The question remains unanswered.

R. Isaac son of R. Joseph said in the name of R. Johanan: Each of the teachers defined the duration [of coition] from his own experience. But they included Ben Azzai who was unmarried! — If you wish I can say that he had married and separated [from his wife],(2) or that he had heard it from his master, or that The secret of the Lord is with them that fear him.(3)

R. 'Awira expounded sometimes in the name of R. Ammi and at other times in the name of R. Assi: Whoever eats bread without previously washing the hands is as though he had intercourse with a harlot; as it is said, For on account of a harlot, to a loaf of bread.(4) Raba said: [On that interpretation] the verse, ðFor on account of a harlot, to a loaf of bread' should have read: 'On account of a loaf of bread, to a harlot'! But, said Raba, [the meaning is:] Whoever has intercourse with a harlot will in the end go seeking a loaf of bread.

R. Zerika said in the name of R. Eleazar: Whoever makes light of washing the hands [before and after a meal] will be uprooted from the world. R. Hiyya b. Ashi said in the name of Rab: With the first washing [before the meal] it is necessary to lift the hands up; with the latter washing [after the meal] it is necessary to lower the hands. There is a similar teaching: Who washes his hands [before the meal] must lift them up lest the water pass beyond the joint,(5) flow back and render them unclean. R. Abbahu says: Whoever eats bread without first wiping his hands is as though he eats unclean food; as it is stated: And the Lord said: Even thus shall the children of Israel eat their bread unclean.(6)

And(7) what means, And the adulteress hunteth for the precious life? — R. Hiyya b. Abba said in the name of R. Johanan: Every man in whom is haughtiness of spirit will in the end stumble through an [unfaithful] married woman; as it is said: 'And the adulteress hunteth for the precious life'. Raba said: [On that interpretation] the word 'precious' should have been 'haughty'! Furthermore the verse should have read, [The haughty soul] hunteth [the adulteress]! But, said Raba, [the meaning is:] Whoever has intercourse with a married woman, even though he had studied Torah, of which it is written: It is more precious than rubies,(8) i.e., above a High Priest who enters into the innermost part of the Sanctuary, she will hunt him to the judgment of Gehinnom.(9)

R. Johanan said in the name of R. Simeon b. Yohai: Every man in whom is haughtiness of spirit is as though he worships idols; it is written here, Every one that is proud in heart is an abomination to the Lord,(10) and it is written elsewhere, Thou shalt not bring an abomination into thine house.(11) R. Johanan himself said: He is as though he had denied the fundamental principle;(12) as it is said: Thine heart be lifted up and thou forget the Lord thy God, etc.(13) R. Hama b. Hanina said: He is as though he had broken all the laws of sexual morality;(14) it is written here, Every one that is proud in heart is an abomination to the Lord, and it is written elsewhere, For all these abominations, etc.(15) 'Ulla said: He is as though he had erected an idolatrous altar; as it is said: Cease ye from man whose breath is in his nostrils;(16) for wherein [bammeh] is he to be accounted of?(17) — read not bammeh but bamah [an idolatrous altar].

What means, Hand to hand, he shall not escape punishment?(18) Rab said: Whoever has intercourse with a married woman, though he proclaim the Holy One, blessed be He, to be Possessor of heaven and earth as did our father Abraham, of whom it is written: I have lift

up mine hand unto the Lord, God Most High, Possessor of heaven and earth,(19) he will not escape the punishment of Gehinnom. The students of the School of R. Shila objected: [On that interpretation] the phrase 'Hand to hand etc.' should have read: 'Of my [God's] hand will not escape punishment'! But, said they of the School of R. Shila, [the meaning is:] Though he received the Torah as did our teacher Moses, of whom it is written: At his right hand was a fiery law unto them,(20) he will not escape the punishment of Gehinnom. R. Johanan objected: [On that interpretation] the phrase 'Hand to hand' should have read 'Hand from hand'!(21) But, said R. Johanan,

1. A wheaten loaf is smoother and has to be grasped more firmly; and similarly with one which is soft-baked.
2. The passage in Yeb. 63b does not make it clear whether Ben Azzai was censured for remaining a bachelor or for having married and not begetting children.
3. Ps. XXV, 14. The knowledge was revealed to him.
4. Prov. VI, 26. (E.V. 'For on account of a harlot a man is brought to a loaf of bread'). [As much as to say that the disregard of one Rabbinic precept leads to the disregard of another.]
5. When washing the hands for a meal, the water should reach the second joint of the fingers; Hul. 106a. The hands beyond the joint having been left unwashed are deemed unclean.
6. Ezek. IV, 13.
7. The Gemara now continues the discussion of prov. VI, 26 quoted above.
8. Prov. III, 15.
9. , a play upon the word v. n. 4.
10. Prov. XVI, 5.
11. Deut. VII, 26, the reference being to an idolatrous image.
12. Viz., the existence of God.
13. lbid. VIII, 14.
14. Enumerated in Lev. XVIII.
15. Lev. XVIII, 27.
16. Understood in the sense: who is proud.
17. Isa. II, 22.
18. Prov. XVI, 5.
19. Gen. XIV, 22.
20. Deut. XXXIII, 2.
21. Since the interpretation implies that the adulterer receives from, and does not give to.

Folio 5a

[the meaning is:] Though he practise charity in secret,(1) concerning which it is written: 'A gift in secret pacifieth anger,(2) he will not escape the punishment of Gehinnom.

Whence is there a prohibition for the haughty of spirit? — Raba said in the name of Ze'iri: Hear ye, and give ear; be not proud.(3) R. Nahman b. Isaac said: [It is derived] from this passage, Thine heart be lifted up, and thou forget the Lord thy God,(4) and it is written: Beware lest thou forget the Lord thy God.(5) This is in accord with what R. Abin said in the name of R. Elai; for R. Abin said in the name of R. Elai: Wherever it is stated 'Beware' 'lest' and 'Do not' the reference is to a prohibition.

R. 'Awira expounded, sometimes he said it in the name of R. Assi and at other times in the name of R. Ammi: Every man in whom is haughtiness of spirit will in the end be reduced in rank; as it is said: They are exalted, there will be reduction of status;(6) and lest you think that they remain in existence, the text continues, 'And they are gone'. If, however, he changes [and becomes humble], he will be gathered [to his fathers] in his due time like our father Abraham; as it is said: But when they are lowly, they are gathered in like all(7) — i.e., like Abraham, Isaac and Jacob in connection with whom the word 'all' is used.(8) If not, They are cut off as the tops of the ears of corn.(9) What means 'as the tops of the ears of corn'? R. Huna and R. Hisda [explain it]. One says that it means like the awn of the grain, and the other that it means like the ears themselves. This is quite right according to him who says that it means like the awn of the grain, since it is written 'as the tops of the ears of corn'; but according to him who says that it means like the ears themselves, what signifies 'as the tops of the ears of corn'? — R. Assi said, and it was similarly taught in the School of R. Ishmael: It is like a man who enters his field; he gleans the tallest ears.

With him also that is of a contrite and humble spirit.(10) R. Huna and R. Hisda [explain it]. One says that it means the contrite is with Me, and the other that I [God] am with the contrite. The more probable view is in accord with him who holds the meaning to be I am with the contrite; for behold, the Holy One, blessed be He, ignored all the mountains and heights and caused His Shechinah to abide upon Mount Sinai, but did not elevate Mount Sinai [up to Himself].

R. Joseph said: Man should always learn from the mind of his Creator; for behold, the Holy One, blessed be He, ignored all the mountains and heights and caused His Shechinah to abide upon Mount Sinai, and ignored all the beautiful trees and caused His Shechinah to abide in a bush.(11)

R. Eleazar also said: Every man in whom is haughtiness of spirit is fit to be hewn down like an Asherah.(12) It is written here, The high ones of stature shall be hewn down,(13) and elsewhere it is written: And ye shall hew down their Asherim.(14) Further said R. Eleazar, Every man in whom is haughtiness of spirit, his dust will not be disturbed [for the Resurrection]; as it is said: Awake and sing, ye that dwell in the dust(15) — it is not said 'ye that lie in the dust', but, 'ye that dwell [shokne] in the dust', i.e., each one who during his lifetime made himself a neighbour [shaken] to the dust [by his humility]. Further said R. Eleazar: Over every man in whom is haughtiness of spirit the Shechinah laments; as it is said: But the haughty he knoweth from afar.(16)

R. Awira expounded, and according to another version it was R. Eleazar: Come and see that the manner of the Holy One, blessed be He, is not like the manner of human beings. The

manner of human beings is for the lofty to take notice of the lofty and not of the lowly; but the manner of the Holy One, blessed be He, is not so. He is lofty and He takes notice of the lowly, as it is said: For though the Lord be high, yet hath he respect unto the lowly.(17)

R. Hisda said, and according to another version it was Mar 'Ukba: Every man in whom is haughtiness of spirit, the Holy One, blessed be He, declares, I and he cannot both dwell in the world; as it is said: Whoso privily slandereth his neighbour, him will I destroy; him that hath an high look and a proud heart will I not suffer(18) — read not 'him' [I cannot suffer], but 'with him'(19) I cannot [dwell]. There are some who apply this teaching to those who speak slander; as it is said,'whoso privily slandereth his neighbour, him will I destroyð.

R. Alexandri said: Every man in whom there is haughtiness of spirit, even the slightest wind will disturb;(20) as it is said: But the wicked are like the troubled sea.(21) If the sea, which contains so many quarters of a log,(22) is ruffled by the slightest wind, how much more so a human being who contains but one quarter of a log.(23)

R. Hiyya b. Ashi said in the name of Rab: A disciple of the Sages should possess an eighth [of pride].(24) R. Huna the son of R. Joshua said: [This small amount of pride] crowns him like the awn of the grain. Raba said: [A disciple of the Sages] who possesses [haughtiness of spirit] deserves excommunication, and if he does not possess it he deserves excommunication.(25) R. Nahman b. Isaac said: He should not possess it or part of it; is it a trifling matter concerning which it is written: Every one that is proud in heart is an abomination to the Lord!(26)

Hezekiah said: A man's prayer is not heard unless he makes his heart [soft] like flesh; as it is said, And it shall come to pass, that from one new moon to another, shall all flesh come to worship, etc.(27) R. Zera said: Concerning flesh it is written: And it is healed;(28) but it is not written concerning man, And he is healed.

R. Johanan said: The word for man [adam] indicates dust, blood and gall;(29) the word for flesh [basar] indicates shame, stench and worm. Some declare that [instead of 'stench' we should have the word] Sheol, since its initial letter corresponds.(30)

R. Ashi said: Every man in whom is haughtiness of spirit will in the end be degraded; as it is said,

1. He gives from 'hand to hand'.
2. Prov. XXI, 14.
3. Jer. XIII, 15.
4. Deut. VIII, 14.
5. Ibid. 11.
6. Job XXIV, 24.
7. lbid.
8. V. Gen. XXIV, 1, XXVII, 33 and XXXIII, 11.
9. Job loc. cit.
10. Isa. LVII, 15.

11. Ex. III, 2. Similarly should man associate with the humble.
12. An object of idolatrous worship.
13. Isa. X, 33.
14. Deut. VII, 5.
15. Isa. XXVI, 19. 'Ye that lie in the dust' would apply to all mortals.
16. Ps. CXXXVIII, 6. The Hebrew word translated knoweth, , is understood in the sense of punish, cf. Jud. VIII. 16.
17. lbid.
18. Ps. CL. 5.
19. Involves a slight change in the vocalization.
20. [The smallest disappointment is liable to discomfit him.]
21. Isa. LVII, 20.
22. A liquid measure, equal to the contents of six eggs.
23. This was considered the minimum quantity of blood in the body essential to life.
24. He should have a little pride to maintain his self-respect.
25. To have too much is bad, and also too little because it prevents a Rabbi from exercising his authority.
26. Prov. XVI, 5.
27. Isa. LXVI, 23.
28. Lev. XIII, 18. Hence only one whose heart is soft like flesh will be healed, and not a man in his full pride.
29. The initials of these words in Hebrew form adam.
30. The initial of the word for 'stench' is samek, whereas the second letter in basar is similar in form to that of 'Sheol'.

Sotah 5b

For a rising and for a scab,(1) and se'eth ['rising'] means nothing else than elevation, as it is said: Upon all the high mountains, and upon all the hills that are nisaoth [lifted up].(2) Sappahath ['scab'] means nothing else than attachment; as it is said: Attach me, I pray thee, into one of the priests' offices, that I may eat a morsel of bread.(3)

R. Joshua b. Levi said: Come and see how great are the lowly of spirit in the esteem of the Holy One, blessed be He, since when the Temple stood, a man brought a burnt-offering and received the reward of a burnt-offering, a meal-offering and he received the reward of a meal-offering; but as for him whose mind is lowly, Scripture ascribes it to him as though he had offered every one of the sacrifices; as it is said: The sacrifices of God are a broken spirit.(4) More than that, his prayer is not despised; as it continues: A broken and a contrite heart, O God, thou wilt not despise.

R. Joshua b. Levi further said: He who calculates his ways in this world will be worthy to behold the salvation of the Holy One, blessed be He; as it is said: To him that ordereth his way will I show the salvation of God(5) — read not we-sam [that ordereth] but we-sham [who calculates] his way.(6)

HOW MUST HE WARN HER? etc. This is self-contradictory. You declare, IF HE SAYS TO HER IN THE PRESENCE OF TWO, DO NOT CONVERSE WITH THAT MAN — consequently conversation is the equivalent of seclusion.(7) He then proceeds to teach: AND SHE CONVERSED WITH HIM, SHE IS STILL PERMITTED TO HER HUSBAND AND PERMITTED TO PARTAKE OF THE HEAVEOFFERING — consequently conversation is nothing! — Abaye said: This is what he means: [If he said to her,] Do not converse, and she conversed with him, Do not converse, and she secluded herself with him, that is nothing; [but if he said to her,] Do not be secluded with him, and she conversed with him, she is still permitted to her husband and permitted to partake of the heave-offering. Should she have entered a private place with him and stayed a time sufficient for misconduct to have occurred, she is forbidden to her husband and forbidden to partake of the heave-offering.

IF [HER HUSBAND] DIED, SHE PERFORMS THE CEREMONY OF HALIZAH. Why so? Let her also contract a levirate marriage! — R. Joseph said: Scripture declared: And when she is departed out of his house, she may go and be another man's wife(8) — she may marry 'another' man but not her brother-in-law.(9) Abaye said to him, According to your argument, Halizah also should be unnecessary! He replied to him, If the husband is living, is not a Get required?(10) So here likewise Halizah is necessary.(11) Another version is: R. Joseph said: The All-Merciful declared: And when she is departed out of his house, she may go and be another man's wife, so as not to destroy his house;(12) and you argue, let her also contract a levirate marriage!(13) Abaye said to him, According to your argument, she should never marry again so as not to destroy another man's house! — He replied to him,

1. Lev. XIV, 56 interpreted as: having first been elevated, he will become something superfluous among men, and therefore esteemed as nothing.
2. Isa. II, 14.

3. I Sam. II, 36. The Hebrew for the verb attach resembles the word for scab, v. Shebu, 6b.
4. Ps. LI, 19.
5. Ibid. L, 23.
6. He calculates the loss incurred in fulfilling a precept against the reward it will bring him, v. Aboth, II, 1.
7. Since it justifies a warning from the husband.
8. Deut. XXIV, 2.
9. ['Another' excludes the brother-in-law whose marriage to her is but a continuation, so to speak, of her first marriage. The derivation is based on the superfluous word 'another' which is taken to refer to a case where the wife was charged with an 'unseemly thing' and her husband died. The meaning of the verse would accordingly be as follows: If she found no favour … because he hath found some unseemly thing, he shall write her a bill of divorcement. When she departs out of his house (whether on his death or on divorce) and she goeth and becometh another man's wife, implying she can become the wife only of another man but not the brother-in-law.]
10. Despite her misconduct. Ibid. 3 mentions, and write her a bill of divorcement. The technical term for this document is Get.
11. [The brother-in-law taking the place of the dead husband.]
12. V. supra p. II where it is taught that the wife's immorality destroys the husband's house.
13. And perhaps destroy the brother-in-law's house.

Folio 6a

Do we compel any other man to marry her [as in the case of a brother-in-law where it is a duty]! Another version is: R. Joseph replied: The text calls [the second husband] 'another', because he is not the equal of the first husband, since the latter removes wickedness from his house [by divorcing his wife] whereas the other introduces wickedness into his house [by marrying such a woman]; and you argue, let her also contract a levirate marriage! Abaye said to him, According to your argument, if she does marry another man and he died without issue, she may not contract a levirate marriage since the text calls him 'another'!(1) — While living with the second husband she may have been of spotless reputation! Raba said: It is an a fortiori argument:(2) if she is forbidden to [her husband] to whom she is [otherwise] allowed, how much more so to [her brother-in-law] to whom she is [normally] forbidden! Abaye said to him, According to your argument, if a High Priest betrothed a widow and he died and had a brother who was an ordinary priest, she may not marry him, since if she becomes forbidden to one to whom she is [otherwise] allowed, how much more so to one to whom she is [normally] forbidden!(3) [You say,] 'If she becomes forbidden' — she is actually forbidden;(4) 'to one to whom she is allowed' — he is forbidden [to marry her]! But [ask rather as follows: According to Raba's argument] if the wife of a priest had been violated and he died, and he had a brother who was disqualified,(5) she may not marry him, since if she is forbidden to [her husband](6) to whom she is [otherwise] allowed, how much more so to one to whom she is [normally] forbidden!(7) — A woman who had been violated is permitted to a non-priest and the prohibition does not apply in his case.(8)

MISHNAH. THE FOLLOWING(9) ARE PROHIBITED TO PARTAKE OF THE HEAVE-OFFERING:(10) SHE WHO SAYS, 'I AM UNCLEAN TO THEE';(11) WHEN WITNESSES CAME [AND TESTIFIED] THAT SHE HAD MISCONDUCTED HERSELF;(12) SHE WHO SAYS, I REFUSE TO DRINK [THE WATER]'; WHEN THE HUSBAND IS UNWILLING TO MAKE HER DRINK [THE WATER]: AND WHEN THE HUSBAND COHABITED WITH HER ON THE JOURNEY.(13)

GEMARA. R. Amram said: The following did R. Shesheth tell us and enlighten our eyes from our Mishnah:(14) In the case of a suspected woman where the witnesses against her are in a far-distant land,(15) the water does not prove her.(16) What is the reason? Because Scripture states: And be kept close and she be defiled and there be no witness against her(17) — this is when there is nobody who knows anything against her, thus excluding the case when there are men who know something against her.(18) And he enlightened our eyes from our Mishnah where it is taught: WHEN WITNESSES CAME [AND TESTIFIED] THAT SHE HAD MISCONDUCTED HERSELF. When did the witnesses come? If we say that they came before she drank the water, she is an adulteress;(19) consequently they could only have come after she had drunk the water. This is quite right if you say that the water does not prove her,(20) then all is clear; but if you say that [in such a circumstance] the water does prove her, the water may demonstrate retrospectively that the witnesses were false!(21) — R. Joseph said to him, Still I maintain that the water does prove her, and answer that some merit she possesses causes the water to suspend its effect.(22)

In what do [R. Joseph and R. Shesheth] differ? — In the matter of her becoming ill, according to the teaching of Rabbi. For we learn: Rabbi says: Merit [in the woman] causes

the water of bitterness to suspend its effect, and she never bears a child or thrives, but she gradually grows ill and finally dies through that death.(23) R. Shesheth is of the opinion that both in the view of Rabbi and of the Rabbis she grows ill;(24) and R. Joseph is of the opinion that in the view of Rabbi she grows ill but in the view of the Rabbis she does not.(25)

R. Shimi b. Ashi raised an objection: R. Simeon says: Merit does not cause the water of bitterness to suspend its effect; and if you say that merit does cause the water of bitterness to suspend its effect, you discredit the water in the case of all the women who drink it and defame the pure woman who drank it, since people will say: They were unclean, only their merit caused the water to suspend its effect upon them.(26) But if it is so,(27) then through [the teaching], 'Where the witnesses against her are in a far-distant land', you likewise defame the pure women who drank and people will say: They were unclean, only the witnesses against them are in a far-distant land! — [The reply to R. Shimi is:] You quote R. Simeon; but as R. Simeon holds that merit does not cause the water to suspend its effect, he similarly holds that the existence of witnesses does not cause it to suspend its effect.

Rab raised an objection: The following have their meal-offerings destroyed:(28)

1. [And how can we compel the brother-in-law to marry her?]
2. [To forbid her to the brother-in-law.]
3. As wife of his brother. The conclusion is false, because such a levirate marriage is permissible.
4. A High Priest is not allowed to marry a widow; Lev. XXI, 14.
5. From the priesthood because he was the issue of another marriage which was illegal.
6. A priest could not continue to live with his wife after she had been violated.
7. The argument is false, because the man disqualified from the priesthood could marry his childless brother's widow if she had been violated.
8. I.e., a non-priest was not obliged to divorce his wife who was the victim of violation.
9. Wives of priests.
10. For all time, even if the woman be a priest's daughter (v. Bertinoro).
11. She admits misconduct.
12. Even if she had successfully come through the ordeal, v. Gemara.
13. To Jerusalem, where alone the ordeal was carried out. V. Mishnah p. 30.
14. He found support for his teaching in the statement of the Mishnah.
15. And unable to appear before a Court to give evidence that she misconducted herself.
16. It has no effect, though she be guilty.
17. Num. V, 13.
18. 'No witness' is now interpreted literally, and not as before, viz., only one witness.

19. As the result of their evidence; [consequently she is forbidden to partake of the heave-offering, v. Yeb. 44b].
20. If there are witnesses of her misconduct who have not testified.
21. Because, if she came through successfully, her reputation is cleared. [Why then should she be prohibited to partake of the heave-offering for all time?]
22. This point is discussed immediately. If this view is accepted, the water does not affect her although the witnesses are true.
23. Through her belly swelling and her thigh falling (Num. V, 27). The passage is cited from infra 22b.
24. And the Sages only disagree with him on the question whether she dies. In any case, if she does not grow ill, it cannot be attributed to her merit but to the fact that there are witnesses who have not given evidence.
25. So that on either view, if the water has no effect, it is due to her merit.
26. Also quoted from infra 22b.
27. Viz., that the existence of absent witnesses causes the water not to take effect.
28. V. Num. V, 15 for this offering. In the cases mentioned, it is not burnt upon the altar or redeemed by payment in money of its value, but destroyed by fire.

She who says: 'I am unclean'; and when witnesses came [and testified] that she had misconducted herself.(1) When did the witnesses come? If I say that they came before the offering was hallowed,(2) then it can become non-holy?(3) Consequently they could only have come after it had been hallowed. This is quite right if you say that the water proves her;(4) consequently she is qualified to have [the flour] hallowed and offered on her behalf, and since it was hallowed from the commencement, it is certainly holy(5) and for that reason her meal-offering is destroyed. But if you say that the water does not prove her, it becomes evident retrospectively that the hallowing was from the commencement in error,(6) and therefore [the flour] becomes non-holy!(7) — Rab Judah of Diskarta(8) said: Suppose that [after the hallowing] she committed adultery within the Temple-precincts,(9) since it was hallowed from the commencement, it is certainly holy! R. Mesharsheya objected: But do not the priestly novitiates accompany her?(10) — Rab Judah [meant,] She committed adultery with one of these novitiates. R. Ashi(11) said: Suppose it was necessary for her to relieve herself, do you think that the priestly novitiates hang on to her headgear!(12) R. Papa said: The matter is certainly as we originally explained;(13) and when you argue, [The offering] becomes non-holy, [the answer is that the rule by which the offering is destroyed] is a decree of the Rabbis lest it should be said, we may take [the flour] out of the ministering vessel for secular use.

R. Mari raised an objection: If her offering became ritually defiled before it became hallowed in the vessel, behold it is like all meal-offerings(14) and is redeemed; but if [it became defiled] after it had been hallowed in the vessel, behold it is like all meal-offerings [in such a circumstance] and is destroyed.(15) If the handful of flour(16) was hallowed but there was not sufficient time to offer it before [the husband] died(17) or she died, behold it is like all the meal-offerings and must be destroyed. If the handful had been offered but there was not sufficient time [for the priest] to eat the remainder(18) before [the husband] died or she died, behold it is like all the meal-offerings and is eaten; because it was brought from the commencement in connection with a matter of doubt,(19) it atoned for the doubt which is now ended. If witnesses came [and testified] against her that she had misconducted herself, her meal-offering is destroyed; should the witnesses against her be proved to be perjurers,(20) her meal-offering is non-holy?(21) — You mention perjured witnesses; the fact that they were perjured witnesses is generally known.(22)

There is a teaching in accord with the view of R. Shesheth(23) but not for the same reason as his,(24) viz., If she be clean(25) — [this indicates] there are no witnesses against her in a far-distant land;(26) 'and if she be clean' — [the addition of and indicates] it is not merit that causes the water to suspend its effect; ['and if] she [be clean'] — [meaning that she has escaped the effect of the water because she is in fact clean] and not because women who spin by moonlight were discussing her.(27) Now as for R. Simeon,(28) agreed that he does not expound the conjunction and;(29) still there is the case

1. Quoted from infra p. 144.
2. By the priest placing the flour in one of the ministering vessels.
3. By being redeemed; so why does the Mishnah say it is destroyed?
4. And she drank the water before witnesses testified.

5. Even after the witnesses gave evidence.
6. Since witnesses proved her guilty and the ordeal was unnecessary.
7. And does not even have to be redeemed since the hallowing was based on an error.
8. [Deskarah, 16 miles N.E. of Bagdad; Obermeyer, Die Landschaft Babylonian, p. 116.]
9. And witnesses came to testify concerning this act of infidelity.
10. So that adultery could not occur there.
11. Who rejects the thought that she could be guilty with one of the novitiates.
12. When she retired to relieve herself. Consequently she could have the opportunity with another than the novitiates.
13. That the witnesses came concerning the first act of infidelity.
14. Which became defiled before being hallowed.
15. Mishnah, p. 114. What follows is cited in the main from Tosefta Sotah II.
16. Num. V, 26.
17. In the event of the husband's death she does not drink the water.
18. Of the flour which is not burnt upon the altar and is the priest's perquisite.
19. The woman's chastity.
20. Zomemim v. Glos. Before the meal-offering was burnt upon the altar.
21. Though it has been placed in the vessel; and we do not say, as above, that by a Rabbinic decree, it must be destroyed. This contradicts the view given by R. Papa.
22. So that it will be recognised that the offering was never holy.
23. Viz., that the water does not take effect when there are absent witnesses.
24. Which is based on the phrase 'No witness against her' (v. supra p. 24). The teaching finds another derivation in support.
25. Num. V, 28.
26. The verse is thus explained; if she be really pure and did not escape the effect of the water through the witnesses being far away, then she will conceive.
27. Women gather together in the moonlight to spin and gossip. To be talked about by them was a sufficient disgrace to suspend the effect of the water.
28. Who holds that merit does not suspend the effect of the water.
29. To derive from it a Scriptural basis for his view.

where there are witnesses against her in a far-distant land!(1) — That is uncommon.(2)

MISHNAH. HOW DOES [THE HUSBAND] DEAL WITH HER? HE BRINGS HER TO THE COURT OF JUSTICE IN THE PLACE WHERE HE RESIDES, AND THEY ASSIGN TO HIM TWO DISCIPLES OF THE SAGES(3) LEST HE COHABIT WITH HER ON THE JOURNEY.(4) R. JUDAH SAYS, HER HUSBAND IS TRUSTED WITH HER.(5)

GEMARA. Two [disciples of the Sages] and he make three. Is this to say that it supports the teaching of Rab? For Rab Judah said in the name of Rab: [The Rabbis] did not teach [that a woman may be in the company of two men] except in a city; but on a journey there must be three, in case one of them should have need to relieve himself and consequently one of them will be left alone with [the possibility of] immorality!(6) — No; here the reason is that they should be witnesses against him.(7) [But the fact that] disciples of the Sages are necessary and not ordinary men, does this not support another teaching of Rab? For Rab Judah said in the name of Rab: [The Rabbis] did not teach [that a woman may be in the company of two men] except in the case of pure men; but in the case of dissolute men not even with ten. It once happened that ten men carried a [live] woman [out of the city] in a coffin [to violate her]! — No; here the reason is that they will know to warn him.(8)

R. JUDAH SAYS, HER HUSBAND etc. It has been taught: R. Judah says: By a fortiori reasoning [it is deduced] that a husband is trusted.(9) If a husband is trusted in the matter of his wife during menstruation where the penalty is excision,(10) how much more so in the matter of his wife under suspicion in connection with which there is a mere prohibition.(11) And [how do] the Rabbis [meet this argument]? — The same reasoning establishes [their view]: in the case of a wife during menstruation where the penalty is excision, since it is so stringent, the husband is trusted; but in the case of a wife under suspicion where [cohabitation] is a mere prohibition, since there is no stringent [penalty] for him, he is not trusted. But does R. Judah derive his view from a fortiori reasoning? He surely derives it from a Scriptural text; for it has been taught: Then shall the man bring his wife unto the priest(12) — according to the Torah it is the husband who has to bring his wife; but said the Sages, They assign to him two disciples of the Sages lest he cohabit with her on the journey. R. Jose says: By a fortiori reasoning [it is deduced] that a husband is trusted with her. If a husband is trusted in the matter of his wife during menstruation where the penalty is excision, how much more so in the matter of his wife while under suspicion in connection with which there is a mere prohibition. [The Sages] replied to him, No; if you argue [that he may be trusted] in the case of his wife during menstruation to whom he will have a right [on her recovery], will you argue so in the case of his wife under suspicion when he may never have a right to her!(13) It further states: Stolen waters are sweet, etc.!(14) R. Judah says: According to the Torah it is the husband who has to bring his wife; as it is said: Then shall the man bring his wife!(15) — At first he argued his view to [the Sages] by a fortiori reasoning; but when they refuted it, he then quoted the text to them. But R. Judah's opinion is the same as that of the first Tanna!(16) — There is a point of difference between them, viz., [the continuation], 'But, said the Rabbis' etc.(17)

MISHNAH. THEY BRING HER UP TO THE GREAT COURT OF JUSTICE WHICH IS IN JERUSALEM, AND [THE JUDGES] SOLEMNLY CHARGE HER IN THE SAME WAY THAT THEY CHARGE WITNESSES IN CAPITAL CASES(18) AND SAY TO HER,' MY DAUGHTER, WINE DOES MUCH, FRIVOLITY DOES MUCH, YOUTH DOES MUCH, BAD NEIGHBOURS DO MUCH.(19) DO IT(20) FOR THE SAKE OF HIS GREAT NAME WHICH IS WRITTEN IN HOLINESS SO THAT IT MAY NOT BE OBLITERATED BY THE WATER.'(21) AND THEY RELATE TO HER MATTERS WHICH NEITHER SHE NOR ALL THE FAMILY OF HER FATHER'S HOUSE IS WORTHY TO HEAR.(22) — IF SHE SAID, 'I HAVE MISCONDUCTED MYSELF', SHE GIVES A QUITTANCE FOR HER MARRIAGE-SETTLEMENT(23) AND DEPARTS;(24) BUT IF SHE SAYS, 'I AM PURE', THEY BRING HER UP TO THE EAST GATE WHICH IS BY THE ENTRANCE OF NICANOR'S GATE(25) WHERE THEY GIVE SUSPECTED WOMEN THE WATER TO DRINK, PURIFY WOMEN AFTER CHILDBIRTH AND PURIFY LEPERS.(26) A PRIEST SEIZES HER GARMENTS(27) — IF THEY ARE RENT THEY ARE RENT, AND IF THEY BECOME UNSTITCHED THEY ARE UNSTITCHED UNTIL HE UNCOVERS HER BOSOM,(28) AND HE UNDOES HER HAIR. R. JUDAH SAYS: IF HER BOSOM WAS BEAUTIFUL HE DOES NOT UNCOVER IT, AND IF HER HAIR WAS BEAUTIFUL HE DOES NOT UNDO IT. — IF SHE WAS CLOTHED IN WHITE, HE CLOTHES HER IN BLACK. IF SHE WORE GOLDEN ORNAMENTS

1. Which is deduced from Scripture as suspending the effect of the water; consequently there is still the objection that it causes pure women to be suspected.
2. It is so rare for witnesses to be far away that no suspicion would be created on that ground.
3. To accompany him and his wife on the journey.
4. To Jerusalem where the ordeal takes place.
5. That he will not cohabit; if he does, the ordeal is not held.
6. V. Kid. 81a.
7. In the event of the husband cohabiting with her.
8. Should he wish to cohabit, so that the ordeal be not held.
9. In this matter of cohabitation and witnesses are unnecessary.
10. Kareth v. Glos. Lev. XX, 18. A husband may occupy the same room as his wife while she is in that condition and he is trusted not to cohabit.
11. Without any penalty attached thereto, v. Yeb. 11b.
12. Num. V, 15.
13. If she is proved guilty, he must divorce her. Consequently the temptation is greater in the latter case.
14. Prov. IX, 17.
15. [R. Judah thus derives his ruling from a Scriptural text and not from a fortiori reasoning?]

16. Quoted at the end of the last paragraph who cites Num. V, 15.
17. With which R. Judah disagrees.
18. V. Sanh. 37a.
19. I.e., there may be some excuse for your behaviour.
20. Confess if you are guilty, and so make the ordeal unnecessary which includes the use of the Divine Name.
21. V. Num. V, 23.
22. Instances of persons in Israel's history who confessed their guilt.
23. I.e., she admits misconduct in writing and the forfeiture of the sum due to her under the marriage-settlement,
24. After being formally divorced.
25. Two gates of Corinthian bronze presented to the Temple by an Alexandrian named Nicanor. They were located between the Court of Israelites and the Court of women. V. Nazir (Sonc. ed.) p. 165, n. 11.
26. I.e., the place where such persons, who are not allowed through uncleanness to enter the Temple-precincts, bring their purificatory offerings.
27. At the neck.
28. Lit., 'heart'.

AND NECKLACES, EAR-RINGS AND FINGER-RINGS, THEY REMOVE THEM FROM HER IN ORDER TO MAKE HER REPULSIVE. AFTER THAT [THE PRIEST] TAKES A COMMON ROPE(1) AND BINDS IT OVER HER BREASTS.(2) WHOEVER WISHES TO LOOK UPON HER COMES TO LOOK WITH THE EXCEPTION OF HER MALE AND FEMALE SLAVES, BECAUSE HER HEART IS MADE DEFIANT THROUGH THEM. ALL WOMEN ARE PERMITTED(3) TO LOOK UPON HER, AS IT IS SAID, THAT ALL WOMEN MAY BE TAUGHT NOT TO DO AFTER YOUR LEWDNESS.(4)

GEMARA. Whence is this?(5) — R. Hiyya b. Gamda said in the name of R. Jose b. Hanina: From the analogous use of the word 'law'. It is written here, And the priest shall execute upon her all this law;(6) and elsewhere it is written: According to the tenor of the law which they shall teach thee.(7) As in this latter case it is [the Court of] seventy-one,(8) so also in the former it is [the Court of] seventy-one.

AND [THE JUDGES] SOLEMNLY CHARGE HER etc. I quote in contradiction: Just as they solemnly charge her not to drink,(9) so they solemnly charge her to drink, saying to her, 'My daughter, if the matter is clear to thee that thou art pure, rely upon thy purity and drink; because the water of bitterness is only like dry powder which is placed upon living flesh. If there is a wound, it penetrates and goes through [the skin]; and if there is no wound, it has no effect.(10) — There is no contradiction; here [they charge her not to drink] before [the writing on] the scroll is blotted out,(11) and there [they charge her to drink] after it has been blotted out.(12)

AND SAY TO HER etc. Our Rabbis have taught: He tells her narratives and incidents which occurred in the early writings;(13) for instance, Which wise men have told and have not hid it [from their fathers],(14) namely Judah confessed and was not ashamed; what was his end? He inherited the life of the world to come. Reuben confessed and was not ashamed; what was his end? He inherited the world to come. And what was their reward? What was their reward [you ask]! It was as we have just mentioned. But [the meaning is], What was their reward in this world? Unto them alone the land was given, and no stranger passed among them.(15) It is quite right with Judah; we find that he confessed, for it is written: And Judah acknowledged them, and said: She is more righteous than I.(16) Whence, however, is it that Reuben confessed? — As R. Samuel b. Nahmani said in the name of R. Johanan: What means that which is written: Let Reuben live and not die; and this for Judah?(17) All the years that the Israelites were in the wilderness, Judah's bones(18) kept turning in his coffin until Moses arose and begged mercy for him. He said before Him, Lord of the Universe, who caused Reuben to confess? It was Judah,(19) [as it is stated], 'And this for Judah'; immediately [after Moses prayed], 'Hear, Lord, the voice of Judah', each limb entered its socket.(20) But [the angels] would not permit him to enter the heavenly Academy;(21) [so Moses prayed], 'And bring him in unto his people'. He was unable to discuss the theme which the Rabbis were then debating; [so Moses prayed], 'With his hands let him contend for himself.(22) He was still not able to secure a decision in accordance with the traditional practice; [so Moses prayed], 'Be an help against his adversaries'.(23) It is quite right that Judah confessed so that Tamar should not be burnt; but why did Reuben confess? Surely R. Shesheth has declared: Consider him shameless

who [publicly] specifies his sins! — [Reuben confessed] so that his brothers should not be suspected [of his offence].

IF SHE SAID, 'I HAVE MISCONDUCTED MYSELF' etc. Is it to be concluded from this that a quittance is written out?(24) — Abaye said: Read [in our Mishnah]: [The document of the marriage-settlement] is torn. Raba replied to him, But the Mishnah mentions A QUITTANCE! But, said Raba, we deal here with places where they do not write a document for a marriage-settlement.(25)

BUT IF SHE SAYS, 'I AM PURE', THEY BRING HER UP TO THE EAST GATE. 'THEY BRING HER UP'?

1. The Palestinian Gemara explains it as 'an Egyptian cord' which is used because she followed the immoral practices of Egypt. More probably it means a cord made of twisted strips of the bark of the palm-tree. It was the commonest form of rope and used here as a mark of contempt.
2. To prevent her clothing from falling down.
3. Interpreted in the Gemara to mean that they should as a duty look.
4. Ezek. XXIII, 48.
5. That the water must be administered by the great Court in Jerusalem.
6. Num. V, 30.
7. Deut. XVII, 11. The reference is here to the Supreme Court.
8. V. Sanh. 14b and 86a.
9. If guilty, but make confession.
10. Quoted from Tosefta Sotah I, 6.
11. Num. V, 23, so that the Divine Name may not be obliterated in vain.
12. To encourage her to go through the ordeal if she is convinced of her innocence.
13. The Pentateuch.
14. I.e., they confessed, Job XV, 18. (E.V. 'Which wise men have told from their fathers and have not hid it').
15. Ibid. 19.
16. Gen. XXXVIII, 26.
17. Deut. XXXIII, 6f.
18. According to tradition, the bones of all Jacob's sons were carried out of Egypt.
19. When he confessed, Reuben followed his example.
20. Of the skeleton and ceased rolling about.
21. Where the Torah is studied.
22. May he be able to prevail in the debate.
23. V. B.M. 86a.

24. The question whether a quittance is given or the document of the marriage-settlement torn is discussed in B.B. 170b.

25. This was sometimes not done because there was an established rule about the amount due to a wife from her husband, v. B.M. (Sonc. ed.) p. 107, n. 4.

Folio 8a

But she is already there!(1) — They lead her up(2) and lead her down, for the purpose of wearying her.(3) For it has been taught: R. Simeon b. Eleazar says: The Court causes the witnesses to be taken from place to place that their mind may become confused and they retract [their evidence, if false].(4)

WHERE THEY GIVE SUSPECTED WOMEN THE WATER TO DRINK etc. This is quite right in the case of suspected women; because it is written: And the priest shall set the woman before the Lord.(5) Likewise is it with lepers; because it is written: And the priest that cleanseth him shall set the man … before the Lord.(6) But why a woman after childbirth? Is it to say because they come to stand by their offerings; for it has been taught: A person's offering is not sacrificed until he stands by it? If so, it should also apply to men and women with a running issue!(7) — It does indeed also apply to them, and the Tanna [in the Mishnah] only specifies one of them.(8)

Our Rabbis have taught: They do not give two suspected women the water to drink at the same time, so that the heart of one should not become defiant because of the other.(9) R. Judah says: It is not from this reason, but Scripture declares, [The priest shall cause] her [to swear](10) — her alone. And for the first Tanna it is likewise written 'her'!(11) — The first Tanna is R. Simeon who expounds the reason of Scriptural texts(12) and [here] he states the reason: What is the meaning of 'her'? Her alone, so that the heart of one should not become defiant because of the other. What difference is there, then, between them? — The difference between them is the case of a woman who is trembling.(13) But even if [a woman] is trembling, may we give her the water to drink [simultaneously with another woman] when, behold, we may not perform precepts in bundles?(14) For we have learnt: They do not give two suspected women the water to drink at the same time, nor purify two lepers at the same time, nor bore the ears of two slaves at the same time,(15) nor break the necks of two calves at the same time,(16) because we may not perform precepts in bundles! — Abaye said, but others declare it was R. Kahana: There is no contradiction; the latter case referring to one priest,(17) the other to two priests.

A PRIEST SEIZES HER GARMENTS. Our Rabbis have taught: And let the hair of the woman's head go loose.(18) I only have here mention of her head; whence is it derived that it applies to her body?(19) The text states: 'the woman's'.(20) If so, what is the object of the text declaring, 'And let the hair of the head go loose'? It teaches that the priest undoes her hair.(21)

R. JUDAH SAYS, IF HER BOSOM WAS BEAUTIFUL etc. Is this to say that R. Judah is afraid of impure thoughts being aroused and the Rabbis do not fear this? Behold we have heard the opposite opinion of them; for it has been taught: In the case of a man [who is to be stoned] they cover him with one piece of cloth in front, and in the case of a woman with two pieces, one in front and one behind, because the whole of her is considered nudity. This is the statement of R. Judah; but the Sages say: A man is stoned naked but a woman is not stoned naked!(22) — Rabbah answered: What is the reason here?(23) Lest she go forth from the Court innocent, and the priestly novitiates become inflamed through her, whereas in the other case she is stoned. Should you reply that it may cause them to be inflamed by another woman, Raba(24) declared: We have learnt a tradition that the evil impulse only bears sway over what a person's eyes see. Raba asked: Is it, then, that R. Judah contradicts

himself and the Rabbis do not contradict themselves? But, said Raba, R. Judah does not contradict himself as we have just explained,(25)

1. V. Mishnah p. 30.
2. The Temple-mount to be charged by the judges, then lead her to the bottom, and finally up again.
3. So that she may be more disposed to confess.
4. V. Sanh. 32b.
5. Num. V, 18.
6. Lev. XIV, 11.
7. Ibid. XV, 14, 29.
8. Who do not enter the Temple precincts owing to a condition of defilement, and consequently stand at Nicanor's gate.
9. One may be guilty and the other not. The first may refuse to confess because the other does not confess.
10. Num. V, 19. V. Ned. 73a.
11. So why does he give his own reason?
12. V. B.M. 115a.
13. And therefore we cannot say she is defiant, and on the view of the first Tanna, as explained, she might be submitted to the ordeal at the same time with another suspected woman.
14. Each must have separate attention.
15. Ex. XXI, 6.
16. Deut. XXI, 1 ff.
17. Administering the water to two women, when it would be performing a precept in bundles.
18. Num. V, 18.
19. That be uncovers her bosom, as stated in the Mishnah.
20. And not merely 'the hair of her head'.
21. And unravels the locks.
22. V. Sanh. 45a.
23. That R. Judah is against the exposure of her bosom.
24. In the parallel passage in Sanh. 45a the name is Rabbah.
25. The case of a suspected woman is not analogous to that of a woman who is to be stoned.

and the Rabbis likewise do not contradict themselves. What is the reason here?(1) Because [it is written], That all women may be taught not to do after your lewdness.(2) In the other case [of stoning], however, there cannot be a severer warning than that.(3) Should you argue, Let both be inflicted upon her,(4) R. Nahman said in the name of Rabbah b. Abbuha: The text states: Thou shalt love thy neighbour as thyself(5) — choose for him [or her] a light death. Is this to say that Mishnaic teachers disagree [with respect to this teaching] of R. Nahman?(6) — No; everybody is in agreement with R. Nahman's teaching, but they differ here on the following point: [the Rabbis] hold that disgrace is worse than physical pain, and [R. Judah] holds that physical pain is worse than disgrace.(7)

IF SHE WAS CLOTHED IN WHITE etc. It has been taught: If black garments became her, they clothe her in mean garments.

IF SHE WORE GOLDEN ORNAMENTS etc. This is obvious. Since she has to be made repulsive how much more is it necessary to do this!(8) — What you might have thought is that with these ornaments upon her, the disgrace would be greater; as the proverb declares, 'Stripped naked, yet wearing shoes'. Therefore we are taught [that all ornaments must be removed].

AFTER THAT [THE PRIEST] TAKES A COMMON ROPE etc. R. Abba asked R. Huna, Does [the absence of] a common rope invalidate the ceremony of a suspected woman? If the purpose is that her garments should not slip down from her, then a small belt would also suffice; or is it perhaps as the Master said: 'She girded herself with a belt [to adorn herself] for him,(9) therefore the priest takes a common rope and binds it over her breasts', and consequently [its absence] does invalidate the ceremony? — He replied: You have [the reason stated:] After that he takes a common rope and binds it over her breast so that her garments should not slip down from her.

WHOEVER WISHES TO LOOK UPON HER COMES TO LOOK etc. This is self-contradictory! You say: WHOEVER WISHES TO LOOK UPON HER COMES TO LOOK; consequently it makes no difference whether they be men or women. Then it is taught: ALL WOMEN ARE PERMITTED TO LOOK UPON HER — hence women are [permitted] but men are not! — Abaye answered: Explain it(10) as referring to women. Raba said to him, But the Mishnah states: WHOEVER WISHES TO LOOK UPON HER COMES TO LOOK! But, said Raba, [the meaning is:] WHOEVER WISHES TO LOOK UPON HER COMES TO LOOK, it makes no difference whether they be men or women; but women are obliged(11) to look upon her, as it is said: 'That all women may be taught not to do after your lewdness.'

MISHNAH. IN THE MEASURE WITH WHICH A MAN MEASURES IT IS METED OUT TO HIM. SHE ADORNED HERSELF FOR A TRANSGRESSION; THE HOLY ONE, BLESSED BE HE, MADE HER REPULSIVE. SHE EXPOSED HERSELF FOR A TRANSGRESSION; THE HOLY ONE, BLESSED BE HE, HELD HER UP FOR EXPOSURE. SHE BEGAN THE TRANSGRESSION WITH THE THIGH AND AFTERWARDS WITH THE WOMB; THEREFORE SHE IS PUNISHED FIRST IN THE THIGH AND AFTERWARDS IN THE WOMB,(12) NOR DOES ALL THE BODY ESCAPE.

GEMARA. R. Joseph said: Although the measure(13) has ceased, [the principle] IN THE MEASURE has not ceased.(14) For R. Joseph said, and similarly taught R. Hiyya: From the day the Temple was destroyed, although the Sanhedrin ceased to function, the four modes of execution(15) did not cease. But they did cease! — [The meaning is:] The judgment(16) of the four modes of execution did not cease. He who would have been condemned to stoning either falls from a roof [and dies] or a wild beast tramples him [to death]. He who would have been condemned to burning either falls into a fire or a serpent stings him. He who would have been condemned to decapitation is either handed over to the [Gentile] Government(17) or robbers attack him. He who would have been condemned to strangulation either drowns in a river or dies of a quinsy.(18)

It has been taught: Rabbi(19) used to say: Whence is it that in the measure with which a man measures it is meted out to him? As it is said: By measure in sending her away thou dost contend with her.(20) I have here only a se'ah;(21) whence is it to include a trikab and half a trikab, a kab and half a kab, a quarter, an eighth, a sixteenth and a thirtysecond part of a kab? There is a text to state, For all the armour of the armed man in the tumult.(22) And whence is it that every perutah(23) reckons together into a great sum? There is a text to state, Laying one thing to another to find out the account.(24) Thus we find in the case of a suspected woman that in the measure with which she measured it was meted out to her. She stood at the entrance of her house to display herself to the man; therefore a priest sets her by the Nicanor-gate and displays her disgrace to all. She wound a beautiful scarf about her head for him; therefore a priest removes her headgear and places it under her feet. She beautified her face for him; therefore

1. That the Rabbis do not scruple to disgrace the suspected woman, whereas in the case of the woman who is stoned they do.
2. Ezek. XXIII, 48.
3. Viz., the stoning itself; therefore the Rabbis are against the exposure of the body.
4. Disgrace as well as death by stoning.
5. Lev. XIX, 18.
6. That when R. Judah says a woman is stoned naked except for a loin-cloth in front and behind he evidences disagreement with R. Nahman.
7. Therefore the former believe that a woman about to die would prefer to be clothed although it may involve a more protracted death, while R. Judah takes the opposite view, v. Sanh. (Sonc. ed.) pp. 294-5.
8. Why, then, does the Mishnah mention it?
9. Her paramour; v. infra p. 38.
10. The phrase, WHOEVER WISHES etc.
11. The word 'are permitted', is apparently derived here from the root , 'to warn'; hence 'are warned, obliged'.
12. V. Num. V, 21 f.
13. Meted out by a Jewish Court of Justice.

14. Referring to Divine retribution.
15. V. Sanh. 90a.
16. Through Divine intervention.
17. Which executes him by the sword.
18. V. Sanh. (Sonc. ed.) p. 236.
19. [The parallel passage in Sanh. 100a has 'R. Meir'].
20. Isa. XXVII, 8.
21. The word for by measure is connected by Rabbi with se'ah, a dry measure of which a trikab (equals three kab) is a half. Se'ah is taken as representing a very serious offence.
22. Isa. IX, 4, E.V. 5. The Hebrew words for 'armour' and 'armed man' are likewise connected with se'ah.
23. A small coin, here representing a minor offence which is not overlooked for punishment.
24. Eccl. VII, 27.

her face is made to turn green in colour.(1) She painted her eyes for him; therefore her eyes protrude. She plaited her hair for him; therefore a priest undoes her hair. She signalled to him with her finger; therefore her fingernails fall off. She girded herself with a belt for him; therefore a priest takes a common rope and ties it above her breasts. She thrust her thigh towards him; therefore her thigh falls. She received him upon her body; therefore her womb swells. She gave him the world's dainties to eat; therefore her offering consisted of animal's fodder.(2) She gave him costly wine to drink in costly goblets; therefore a priest gives her water of bitterness to drink in a potsherd. She acted in secret; and He that dwelleth in the secret place of the Most High(3) directed His face against her [to punish her], as it is said: The eye also of the adulterer waiteth for the twilight, saying: No eye shall see me.(4) Another version is: She acted in secret; the All-present proclaims it in public, as it is said: Though his hatred cover itself with guile, his wickedness shall be openly shewed before the congregation.(5)

Since [the teaching that even the slightest sin is punished] is derived from 'Laying one thing to another to find out the account', why do I require 'For all the armour of the armed man in the tumult'? — That [the punishment is] according to measure. But since that is derived from 'For all the armour of the armed man in the tumult', why do I require 'By measure in sending her away thou dost contend with her'? — It is in accord with the teaching of R. Hinena b. Papa; for R. Hinena b. Papa said: The Holy One, blessed be He, does not exact punishment of a nation until the time of its banishment into exile, as it is said: 'By measure in sending her away, etc'. But it is not so; for Raba has said: Why are three cups mentioned in connection with Egypt?(6) One which she drank in the days of Moses; one which she drank in the days of Pharaoh-Necho;(7) and one which she is destined to drink with her allies! Should you reply that they passed away, and these are different [Egyptians],(8) behold it has been taught: R. Judah said: Minyamin, an Egyptian proselyte, was a colleague of mine among the disciples of R. Akiba; and Minyamin, the Egyptian proselyte, told me: 'I am an Egyptian of the first generation,(9) and I married an Egyptian woman of the first generation; I will marry my son to an Egyptian woman of the second generation so that my grandson may be permitted to enter the Community'!(10) — But if the above statement was made it was made as follows: R. Hinena b. Papa said: The Holy One, blessed be He, does not exact punishment of a king until the time of his banishment into exile, as it is said: 'By measure in sending her away, etc'. Amemar applied this teaching of R. Hinena b. Papa to the following: What means the text: For I the Lord change not; therefore ye, O sons of Jacob, are not consumed'?(11) 'I the Lord change not' — I have not smitten a people and repeated it;(12) 'therefore ye, O sons of Jacob, are not consumed' — that is what is written: I will spend Mine arrows upon them(13) — Mine arrows will be spent, but [the sons of Jacob] will not cease.

R. Hamuna said: The Holy One, blessed be He, does not exact punishment of a man until his measure [of guilt] is filled; as it is said: 'In the fullness of his sufficiency he shall be in straits, etc'.(14) R. Hinena b. Papa expounded: What means the text: Rejoice in the Lord, O ye righteous; praise is comely for the upright?(15) Read not praise is na'wah ['comely'], but praise is neweh ['a habitation']. This alludes to Moses and David over whose works [in erecting a Sanctuary] their enemies had no power.(16) Of [the Temple planned by] David, it is written: Her gates are sunk in the ground.(17) With regard to Moses the Master said:

After the first Temple was erected, the Tent of Meeting was stored away, its boards, hooks, bars, pillars and sockets. Where [were they stored]? — R. Hisda said in the name of Abimi: Beneath the crypts of the Temple.

Our Rabbis have taught: The suspected woman(18) set her eyes on one who was not proper for her; what she sought was not given to her(19) and what she possessed was taken from her;(20) because whoever sets his eyes on that which is not his is not granted what he seeks and what he possesses is taken from him.

1. This, and the protruding of the eyes, are the effect of drinking the water; v. Mishnah 20a.
2. Barley meal, Num. V, 15.
3. Ps. XCI, I.
4. Job XXIV, 15. No eye etc. is explained in the sense, God will not observe me.
5. Prov. XXVI, 26.
6. The word 'cup' occurs three times in Gen. XL, 11, and is a symbol of calamity.
7. When Egypt was defeated by Babylon (Jer. XLVI. 2). The third 'cup' refers to the Messianic era. The conclusion is, therefore, that punishment is not exacted of a nation only at the time of banishment.
8. The original Egyptians had disappeared and their land was inhabited by a different race.
9. That means, he had been personally converted to Judaism and was not the son of a proselyte.
10. V. Deut. XXIII, 9, E.V. 8. This proves that the original Egyptians are considered as still extant.
11. Mal. III, 6.
12. The Hebrew word for 'change' also means 'repeat'.
13. Deut. XXXII, 23.
14. Job XX, 22.
15. Ps. XXXIII, 1.
16. I.e., the enemies of Israel did not profit by any of the materials when the Temple was destroyed.
17. Lam. II, 9.
18. Who is guilty.
19. She is not allowed to marry her lover.
20. She dies if she drinks the water, and is divorced with loss of her settlement if she confesses.

Sotah 9b

We thus find it with the primeval serpent [in the Garden of Eden] which set its eyes on that which was not proper for it; what it sought was not granted to it and what it possessed was taken from it. The Holy One, blessed be He, said: I declared: Let it be king over every animal and beast; but now, Cursed art thou above all cattle and above every beast of the field.(1) I declared, let it walk with an erect posture; but now it shall go upon its belly. I declared: Let its food be the same as that of man; but now it shall eat dust. It said: I will kill Adam and marry Eve; but now, I will put enmity between thee and the woman, and between thy seed and her seed.(2) Similarly do we find it with Cain, Korah, Balaam, Doeg, Ahitophel, Gehazi, Absalom, Adonijah, Uzziah and Haman, who set their eyes upon that which was not proper for them; what they sought was not granted to them and what they possessed was taken from them.

SHE BEGAN THE TRANSGRESSION WITH THE THIGH etc. Whence is this? Shall I say because it is written: When the Lord doth make thy thigh to fall away and thy belly to swell?(3) But it is likewise written: Her belly shall swell and her thigh shall fall away!(4) — Abaye said: When [the priest] utters the curse, he first curses the thigh and then curses the belly; but when the water produces its effect it does so in its normal order, viz., the belly first and then the thigh. But also in connection with the curse, it is written: Make thy belly to swell and thy thigh to fall away!(5) — That is what the priest informs her, viz., that it affects her belly first and then the thigh so as not to discredit the water of bitterness.(6)

MISHNAH. SAMSON WENT AFTER [THE DESIRE OF] HIS EYES; THEREFORE THE PHILISTINES PUT OUT HIS EYES, AS IT IS SAID, AND THE PHILISTINES LAID HOLD ON HIM, AND PUT OUT HIS EYES.(7) ABSALOM GLORIED IN HIS HAIR; THEREFORE HE WAS HANGED BY HIS HAIR. AND BECAUSE HE COHABITED WITH THE TEN CONCUBINES OF HIS FATHER, THEREFORE HE WAS STABBED WITH TEN LANCES, AS IT IS SAID, AND TEN YOUNG MEN THAT BARE JOAB'S ARMOUR COMPASSED ABOUT.(8) AND BECAUSE HE STOLE THREE HEARTS, THE HEART OF HIS FATHER, THE HEART OF THE COURT OF JUSTICE, AND THE HEART OF ISRAEL, AS IT IS SAID, SO ABSALOM STOLE THE HEARTS OF THE MEN OF ISRAEL,(9) THEREFORE THREE DARTS WERE THRUST THROUGH HIM, AS IT IS SAID, AND HE TOOK THREE DARTS IN HIS HAND, AND THRUST THEM THROUGH THE HEART OF ABSALOM.(10) — IT(11) IS THE SAME IN CONNECTION WITH THE GOOD. MIRIAM WAITED A SHORT WHILE FOR MOSES, AS IT IS SAID, AND HIS SISTER STOOD AFAR OFF;(12) THEREFORE ISRAEL WAS DELAYED FOR HER SEVEN DAYS IN THE WILDERNESS, AS IT IS SAID, AND THE PEOPLE JOURNEYED NOT TILL MIRIAM WAS BROUGHT IN AGAIN.(13) JOSEPH EARNED MERIT BY BURYING HIS FATHER AND THERE WAS NONE AMONG HIS BROTHERS GREATER THAN HE; AS IT IS SAID, AND JOSEPH WENT UP TO BURY HIS FATHER, ETC.,(14) AND THERE WENT UP WITH HIM BOTH CHARIOTS AND HORSEMEN.(15) WHOM HAVE WE GREATER THAN JOSEPH SINCE NONE OTHER THAN MOSES OCCUPIED HIMSELF WITH HIS BURIAL? MOSES EARNED MERIT THROUGH THE BONES OF JOSEPH AND THERE WAS NONE IN ISRAEL GREATER THAN HE, AS IT IS SAID, AND MOSES TOOK THE BONES OF JOSEPH WITH HIM.(16)

WHOM HAVE WE GREATER THAN MOSES SINCE NONE OTHER THAN THE OMNIPRESENT OCCUPIED HIMSELF [WITH HIS BURIAL], AS IT IS SAID, AND HE BURIED HIM IN THE VALLEY?(17) NOT ONLY CONCERNING MOSES DID THEY SAY THIS, BUT CONCERNING ALL THE RIGHTEOUS, AS IT IS SAID, AND THY RIGHTEOUSNESS SHALL GO BEFORE THEE, THE GLORY OF THE LORD SHALL BE THY REARWARD.(18)

GEMARA. Our Rabbis have taught: Samson rebelled [against God] through his eyes, as it is said: And Samson said unto his father, Get her for me, because she is pleasing in my eyes;(19) therefore the Philistines put out his eyes, as it is said: And the Philistines laid hold on him and put out his eyes.(20) But it is not so; for behold it is written: But his father and his mother knew not that it was of the Lord!(21) — When he went [to choose a wife] he nevertheless followed his own inclinations.(22)

It has been taught: Rabbi says: The beginning of his [Samson's] degeneration occurred in Gaza; therefore he received his punishment in Gaza. 'The beginning of his [Samson's] degeneration was in Gaza', as it is written: And Samson went to Gaza, and saw there an harlot etc.;(23) 'therefore he received his punishment in Gaza,' as it is written: And they brought him down to Gaza.(24) But behold it is written: And Samson went down to Timnah!(25) — Nevertheless the beginning of his degeneration occurred in Gaza.(26)

And it came to pass afterward, that he loved a woman in the valley of Sorek, whose name was Delilah.(27) It has been taught: Rabbi says: If her name had not been called Delilah, she was fit that it should be so called. She weakened(28) his strength, she weakened his heart, she weakened his actions. 'She weakened his strength', as it is written: And his strength went from him.(29) 'She weakened his heart', as it is written: And when Delilah saw that he had told her all his heart.(30) 'She weakened his actions' since the Shechinah departed from him, as it is written: But he wist not that the Lord had departed from him.(31)

'And when Delilah saw that he had told her all his heart'. How did she know this?(32) R. Hanin said in the name of Rab: Words of truth are recognisable. Abaye said: She knew that this righteous man would not utter the Divine Name in vain; when he exclaimed: I have been a Nazirite unto God,(33) she said: Now he has certainly spoken the truth.

And it came to pass, when she pressed him daily with her words, and urged him.(34) What means 'and urged him'? R. Isaac of the School of R. Ammi said: At the time of the consummation, she detached herself from him.

Now therefore beware, I pray thee, and drink no wine nor strong drink, and eat not any unclean thing.(35) What means 'any unclean thing'? Furthermore, had she [Samson's mother] up to then eaten unclean things? R. Isaac of the School of R. Ammi said: [She had hitherto eaten] things forbidden to a Nazirite.

But God clave the hollow place that is in Lehi.(36) R. Isaac of the School of R. Ammi said: He [Samson] lusted for what was unclean;(37) therefore his life was made dependent upon an unclean thing.(38)

And the spirit of the Lord began, etc.(39) R. Hama b. Hanina said: Jacob's prophecy became fulfilled, as it is written: Dan shall be a serpent in the way.(40)

To move him in Mahaneh-Dan.(41) R. Isaac of the School of R. Ammi said: This teaches that the Shechinah kept ringing in front of him like a bell;(42) it is written here to move him [lefa'amo] in Mahaneh-Dan, and it is written elsewhere A golden bell [pa'amon] and a pomegranate.(43) Between Zorah and Eshtaol(44) — R. Assi said: Zorah and Eshtaol are two great mountains, and Samson uprooted them and ground one against the other.

And he shall begin to save Israel.(45) R. Hama b. Hanina said:

1. Gen. III, 14.
2. Ibid. 15.
3. Num. V, 21. 'Thigh' is mentioned first.
4. Ibid. 27. Here 'thigh' is mentioned second.
5. Ibid. 22.
6. If the effects were produced in the reverse order.
7. Judg. XVI, 21.
8. And slew Absalom, II Sam. XVIII, 15.
9. Ibid. XV, 6.
10. Ibid. XVIII, 14.
11. The principle of measure for measure.
12. Ex. II, 4.
13. Num. XII, 15.
14. Gen. L, 7.
15. Ibid. 9.
16. Ex. XIII, 19.
17. Deut. XXXIV, 6.
18. Isa. LVIII, 8. The verb translated 'shall be thy rearward' seems to be taken here in its literal sense, shall gather thee sc. to thy fathers.
19. Judg. XIV, 3.
20. Ibid. XVI, 21.
21. Ibid. XIV, 4.
22. And not the will of God.
23. Judg. XVI, I.
24. Ibid. 21.
25. Ibid. XIV, 1.
26. He lawfully married the woman in Timnah but not the woman in Gaza.
27. Ibid. XVI, 4.

28. Dildelah, a play on her name.
29. Ibid. 19.
30. Ibid. 18.
31. Ibid. 20.
32. He had previously told her several falsehoods; so how did she know that he had now spoken the truth?
33. Ibid. 17.
34. Ibid. 16.
35. Ibid. XIII, 4.
36. Judg. XV, 19.
37. Philistine women.
38. The ass's jawbone (lehi) out of which he drank in his thirst.
39. Ibid. XIII, 25.
40. Gen. XLIX, 17. This prophecy alluded to Samson who was of the tribe of Dan.
41. The word in Judg. XIII, 25 for 'move' is commonly used of striking a bell.
42. To direct him where he was to go.
43. Ex. XXVIII, 34.
44. Judg. XIII, 25.
45. Ibid. 5. The word 'begin' () is connected with a similar root () meaning become void.

Folio 10a

The oath of Abimelech became void, as it is written: That thou wilt not deal falsely with me, nor with my son, nor with my son's son.(1)

And the child grew, and the Lord blessed him.(2) Wherewith did He bless him? — Rab Judah said in the name of Rab: With his physique which was like that of other men but his manly strength was like a fast-flowing stream.(3)

And Samson called unto the Lord, and said: O Lord God, remember me, I pray Thee and strengthen me, I pray Thee, that I may be at once avenged of the Philistines for my two eyes.(4) Rab said: Samson spoke before the Holy One, blessed be He, Sovereign of the Universe, Remember on my behalf the twenty(5) years I judged Israel, and never did I order anyone to carry my staff from one place to another.

And Samson went and caught three hundred foxes.(6) Why just foxes? — R. Aibu b. Nagari said in the name of R. Hiyya b. Abba: Samson declared: Let [the animal] come which turns backward(7) and exact punishment of the Philistines who went back on their oath.(8)

It has been taught: R. Simeon the Pious said: The width between Samson's shoulders was sixty cubits, as it is said: And Samson lay till midnight, and arose at midnight and laid hold of the doors of the gate of the city, and the two posts, and plucked them up, bar and all, and put them upon his shoulders;(9) and there is a tradition that the gates of Gaza were not less than sixty cubits [in width]. And he did grind in the prison house.(10)

R. Johanan said: 'Grind' means nothing else than [sexual] transgression; and thus it is stated: Then let my wife grind unto another.(11) It teaches that everyone brought his wife to him to the prison that she might bear a child by him [who would be as strong as he was]. R. Papa said: That is what the proverb tells, 'Before the wine-drinker [set] wine, before a ploughman a basket of roots.'

R. Johanan also said: Whoever is faithless, his wife is faithless to him; as it is said: If mine heart have been enticed unto a woman, and I have laid wait at my neighbour's door(12) and it continues, Then let my wife grind unto another, and let others bow down upon her. That is what the proverb tells, 'He among the full-grown pumpkins and his wife among the young ones'.

R. Johanan also said: Samson judged Israel in the same manner as their Father in heaven; as it is said: Dan shall judge his people as One.(13) R. Johanan also said: Samson was called by the name of the Holy One, blessed be He; as it is said: For the Lord God is a sun and a shield.(14) According to this argument, [his name] may not be erased!(15) — The intention is that [his name] was typical of the name of the Holy One, blessed be He;(16) as the Holy One, blessed be He, shields the whole world, so Samson shielded Israel during his generation.

R. Johanan also said: Balaam was lame in one leg, as it is said: And he went shefi;(17) Samson was lame in both legs, as it is said: An adder in the path.(18)

Our Rabbis have taught: Five were created after the likeness of Him Who is above, and all of them incurred punishment on account of [the feature which distinguished] them: Samson in his strength, Saul in his neck,(19) Absalom in his hair,(20) Zedekiah in his eyes, and

Asa in his feet. 'Samson [was punished] in his strength', as it is written: And his strength went from him.(21) 'Saul [was punished] in his neck', as it is written: Saul took his sword and fell upon it.(22) 'Absalom [was punished] in his hair', as we shall have occasion to explain later. Zedekiah [was punished] in his eyes, as it is written: They put out the eyes of Zedekiah.(23) Asa [was punished] in his feet, as it is written: But in the time of his old age he was diseased in his feet;(24) and Rab Judah said in the name of Rab, Podagra [gout] attacked him.

Mar Zutra, son of R. Nahman, asked R. Nahman, What is Podagra like? — He answered: Like a needle in living flesh. How did he know this? — Some say he suffered from it himself; others say that he heard it from his teacher;(25) and others declare, The secret of the Lord is with them that fear Him, and He will shew them His covenant.(26)

Raba expounded: Why was Asa punished? Because he imposed forced labour(27) upon the disciples of the Sages, as it is said: Then King Asa made a proclamation unto all Judah; none was exempted.(28) What means 'none was exempted'? — Rab Judah said in the name of Rab: Even the bridegroom from his chamber and the bride from her canopy.

It is written: And Samson went down to Timnah,(29) and it is written: Behold, thy father-in-law goeth up to Timnah!(30) R. Eleazar said: Since in the case of Samson he was disgraced there, it is written in connection with it 'went down;' but in the case of Judah, since he was exalted in it,(31) there is written in connection with it 'goeth up'. R. Samuel b. Nahmani said: There are two places named Timnah; one [was reached] by going down and the other by going up. R. Papa said: There is only one place named Timnah; who came to it from one direction had to descend and from another direction had to ascend, as, e.g., Wardina, Be Bari and the market-place of Neresh.(32)

She sat in the gate of Enaim.(33) R. Alexander said: It teaches that she [Tamar] went and sat at the entrance [of the hospice] of our father Abraham, to see which place all eyes ['enaim] look. R. Hanin said in the name of Rab: It is a place named Enaim, as it states: Tappuah and Enam.(34) R. Samuel b. Nahmani said: [It is so called] because she gave eyes to her words.(35) When [Judah] solicited her, he asked her, 'Art thou perhaps a Gentile?' She replied: 'I am a proselyte'. 'Art thou perhaps a married woman?' She replied: 'I am unmarried'. 'Perhaps thy father has accepted on thy behalf betrothals?'(36) She replied: 'I am an orphan'. 'Perhaps thou art unclean?' She replied: 'I am clean'.

And he planted a tamarisk tree in Beer-sheba.(37) Resh Lakish said: It teaches that he [Abraham] made an orchard and planted in it all kinds of choice fruits. R. Judah and R. Nehemiah [differ in this matter]; one said that it was an orchard and the other that it was a hospice. It is right according to him who said that it was an orchard, since it is written 'and he planted'; but according to him who said that it was a hospice, what means 'and he planted?' — It is similarly written: And he shall plant the tents of his palace, etc.(38)

And he called there on the name of the Lord, the Everlasting God.(39) Resh Lakish said: Read not 'and he called'

1. Gen. XXI, 23. The alliance between the Israelites and Philistines ended in the time of Samson.
2. Judg. XIII, 24.

3. The point underlying this piece of Rabbinic hyperbole is that it was through Samson's inordinate passion for Philistine women that he came in contact with their people and brought about Israel's release from their power.
4. Ibid. XVI, 28.
5. Some edd. read 'twenty-two' in error; v. ibid. 31.
6. Judg. XV, 4.
7. When a fox is hunted, it does not run ahead but in a roundabout course.
8. Between Isaac and Abimelech; v. supra.
9. Ibid. XVI, 3.
10. Ibid. 21.
11. Job XXXI, 10.
12. Ibid. 9.
13. Gen. XLIX, 16, the One being God.
14. Ps. LXXXIV, 12, E.V. 11. The word for sun is shemesh which is the basis of Samson's name, Shimshon.
15. As it is forbidden to erase the Divine Name.
16. The word sun is not God's Name but a simile.
17. Num. XXIII, 3. (E.V. 'To a bare height'). The Hebrew word is explained as 'lame'.
18. Gen. XLIX, 17. The word for adder is shefifon which looks like a duplicated form of shefi from the root , 'to dislocate'.
19. Cf. I Sam. X, 23.
20. Cf. II Sam. XIV, 26. There is no Biblical reference in connection with Zedekiah and Asa.
21. Judg. XVI, 19.
22. I Sam. XXXI, 4. The sword passed through his neck.
23. II Kings XXV, 7.
24. I Kings XV, 23.
25. His teacher was a Rabbi named Samuel who was a physician.
26. Ps. XXV, 14. The information was revealed to him by God.
27. In the public service.
28. I Kings XV, 22.
29. Judg. XIV. I.
30. Gen. XXXVIII, 13. Why does one text say 'down' and the other 'goeth up'?
31. Perez was born there from whom David was descended.

32. Towns in Babylonia situated on mountain slopes on the east bank of the Euphrates, v. Obermeyer, op. cit., p. 309.

33. Gen. XXXVIII. 14.

34. Josh. XV, 34. Enam is identified with Enaim.

35. Tamar gave convincing replies to Judah's questions as to whether she was permitted to him.

36. [And thou thus belongest to another man.]

37. Gen. XXI, 33. The explanation 'hospice' is obtained by taking each letter of the word 'tamarisk-tree', and making them the initials of three Hebrew words meaning 'eating, drinking, lodging'.

38. Dan. XI, 45.

39. Gen. l.c.

but 'and he made to call', thereby teaching that our father Abraham caused the name of the Holy One, blessed be He, to be uttered by the mouth of every passer-by. How was this? After [travellers] had eaten and drunk, they stood up to bless him; but, said he to them, 'Did you eat of mine? You ate of that which belongs to the God of the Universe. Thank, praise and bless Him who spake and the world came into being'.

When Judah saw her, he thought her to be an harlot; for she had covered her face.(1) Because she had covered her face he thought her to be an harlot! — R. Eleazar said: She had covered her face in her fatherin-law's house;(2) for R. Samuel b. Nahmani said in the name of R. Jonathan: Every daughter-in-law who is modest in her father-in-law's house merits that kings and prophets should issue from her. Whence is this? From Tamar. Prophets [issued from her], as it is written: The vision of Isaiah the son of Amoz,(3) and kings [issued from her] through David; and R. Levi has said: This is a tradition in our possession from our fathers that Amoz and Amaziah(4) were brothers.

When she was brought forth.(5) Instead of muzeth the verb should have been mithwazzeth!(6) R. Eleazar said: [The verb in the text implies] that after her proofs(7) were found, Samael(8) came and removed them, and Gabriel(9) came and restored them. That is what is written: For the Chief Musician, the silent dove of them that are afar off. Of David, Michtam(10) — R. Johanan said: At the time when her proofs were removed, she became like a silent dove. 'Of David', 'Michtam' — [that means] there issued from her David who was meek [mach] and perfect [tam] to all. Another explanation of 'Michtam' is: his wound [makkah](11) was whole [tammah], since he was born already circumcised. Another explanation of 'Michtam' is: just as in his youth [before he became king] he made himself small in the presence of anyone greater than himself to study Torah, so was he the same in his greatness.(12)

She sent to her father-in-law, saying: By the man whose these are, am I with child.(13) She ought to have told [the messenger] plainly!(14) — R. Zutra b. Tobiah said in the name of Rab — another version is, R. Hama b. Bizna said in the name of R. Simeon the Pious; and still another version is, R. Johanan said in the name of R. Simeon b. Yohai: Better for a man to cast himself into a fiery furnace rather than shame his fellow in public. Whence is this? From Tamar.(15)

Discern, I pray thee.(16) R. Hama b. Hanina said: With the word 'discern' [Judah] made an announcement to his father, and with the word 'discern' an announcement was made to him. With the word 'discern' he made an announcement — Discern now whether it be thy son's coat or not;(17) and with the word 'discern' an announcement was made to him — Discern, I pray thee, whose are these.(16) The word 'na' ['I pray thee'] is nothing else than an expression of request. She said to him, 'I beg of thee, discern the face of thy Creator and hide not thine eyes from me'.(18)

And Judah acknowledged them, and said: She is more righteous than I.(19) That is what R. Hanin b. Bizna said in the name of R. Simeon the Pious: Joseph who sanctified the heavenly Name in private(20) merited that one letter should be added to him from the Name of the Holy One, blessed be He, as it is written: He appointed it in Joseph for a testimony.(21) Judah, however, who sanctified the heavenly Name in public merited that the whole of his name should be called after the Name of the Holy One, blessed be He.(22)

When he confessed and said: She is more righteous than I, a Bath Kol(23) issued forth and proclaimed, 'Thou didst rescue Tamar and her two sons from the fire. By thy life, I will rescue through thy merit three of thy descendants from the fire'. Who are they? Hananiah, Mishael and Azariah.(24) 'She is more righteous than I' — how did he know this?(25) A Bath Kol issued forth and proclaimed, 'From Me came forth secrets.'(26)

And he knew her again no more.(27) Samuel the elder, father-in-law of R. Samuel b. Ammi said in the name of R. Samuel b. Ammi: Having once known her,(28) he did not separate from her again. It is written here, 'And he knew her again no more [Yasaf], and elsewhere it is written: With a great voice increasing [Yasaf].(29)

ABSALOM GLORIED IN HIS HAIR etc. Our Rabbis have taught: Absalom rebelled [against his father] through his hair, as it is said: There was none to be so much praised as Absalom for his beauty … And when he polled his head, now it was at every year's end that he polled it because the hair was heavy on him therefore he polled it, he weighed the hair of his head at two hundred shekels, after the king's weight.(30) It has been taught that [the king's weight] was the weight with which the men of Tiberias and Sepphoris weigh. Therefore he was hanged by his hair, as it is said: And Absalom chanced to meet the servants of David. And Absalom rode upon his mule, and the mule went under the thick boughs of a great oak, and his head caught hold of the oak, and he was taken up between the heaven and the earth; and the mule that was under him went on.(31) He took a sword and wished to cut himself loose;(32) but it was taught in the School of R. Ishmael, At that moment Sheol was split asunder beneath him.(33)

And the king was much moved, and went up to the chamber over the gate, and wept; and as he went, thus he said: O my son Absalom, my son, my son Absalom! would God I had died for thee, O Absalom, my son, my son.(34) And the king covered his face, and the king cried with a loud voice, O my son Absalom, O Absalom my son, my son.(35) Why is 'my son' repeated eight times? Seven to raise him from the seven divisions of Gehinnom; and as for the last, some say to unite his [severed] head to his body and others say to bring him into the World to Come.

Now Absalom in his lifetime had taken and reared up.(36) What means 'had taken'? — Resh Lakish said: He had made a bad purchase for himself.(37) The pillar which is in the king's dale, etc. — R. Hanina b. Papa said: In the deep plan of the King of the Universe;(38)

1. Ibid. XXXVIII, 15.
2. So that Judah had never seen it and did not recognise her.
3. Isa. I, 1.
4. King of Judah, and since he was a descendant of David and Amoz was his brother, it is true that prophets and kings issued from Tamar.
5. Gen. XXXVIII, 25.
6. The verbal form used in the text could be translated 'was found', and the alternative suggested would have clearly indicated 'brought forth'.
7. The signet, cord and staff.

8. Angel of evil, later identified with Satan.
9. One of the four Archangels.
10. Ps. LVI, I.
11. I.e., the place where there should have been a wound after circumcision.
12. After he became king, he humbled himself to study. So he was meek and perfect.
13. Gen. XXXVIII, 25.
14. That Judah was the father of her child. Why the circumlocution?
15. She risked being burnt to death rather than publicly shame Judah.
16. Ibid.
17. Ibid. XXXVII, 32.
18. That is how 'Discern, I pray thee' is explained.
19. Ibid. XXXVIII, 26.
20. When he resisted Potiphar's wife.
21. Ps. LXXXI, 6, E.V. 5. Here in the Hebrew the letter 'he', one of the letters of the Tetragrammaton, is added to Joseph's name: .
22. The four letters of the Tetragrammaton occur in Judah's name .
23. V. Glos.
24. See Dan. III.
25. Since she might have cohabited with other men.
26. V. Mak. 23b.
27. Gen. XXXVIII, 26.
28. That she was righteous.
29. Deut. V, 19. The two verbs are really distinct, but the Rabbi connected them both with the root and accordingly explained the phrase in Gen. as 'and he knew her again without ceasing', v. Sanh. 17a.
30. II Sam. XIV, 25f.
31. II Sam. XVIII. 9.
32. The first half of this sentence is omitted in some edd.
33. So that had he cut through his hair he would have fallen into Sheol.
34. Ibid. XIX, 1. E.V. XVIII, 33.
35. Ibid. 5, E.V. 4.
36. Ibid. XVIII, 18.

37. The verb signifies both took and purchased. The meaning appears to be that his conduct resulted in his having to buy a monument to preserve his memory instead of his succeeding his father; hence it was a bad bargain for him.
38. The word 'dale' means 'deep', and 'king' is applied to God Who had decided that this should happen as a punishment for his sin with Bathsheba.

as it is written: I will raise up evil against thee out of thine own house.(1) Similarly it is stated: So he sent him [Joseph] out of the vale of Hebron.(2) R. Hanina b. Papa said: [The meaning is:] It was through the deep plan of that righteous man [Abraham] who had been buried in Hebron; as it is written: Know of a surety that thy seed shall be a stranger in a land that is not theirs.(3)

For he said: I have no son.(4) Had he, then, no sons? Behold it is written: And unto Absalom there were born three sons and one daughter!(5) — R. Isaac b. Abdimi said: [His meaning was] that he had no son fit for the kingship. R. Hisda said: There is a tradition that whoever burns his neighbour's produce will not leave a son to succeed him; and he [Absalom] had burnt [the produce] of Joab, as it is written: Therefore he said unto his servants, See, Joab's field is near mine, and he hath barley there; go and set it on fire. And Absalom's servants set the field on fire.(6)

IT IS THE SAME IN CONNECTION WITH THE GOOD. MIRIAM etc. Is this like [the other cases mentioned]? There she waited a short while [for Moses], here [the Israelites waited for her] seven days?(7) — Abaye said: Read that in connection with the good [the principle of measure for measure] does not apply. Raba said to him, But the Mishnah teaches IT IS THE SAME IN CONNECTION WITH THE GOOD! But, said Raba, the Mishnah must be understood thus: It is the same in connection with the good that there is the same measure; nevertheless the measure in the case of the good is greater than the measure in the case of punishment.(8)

And his sister stood afar off.(9) R. Isaac said: The whole of this verse is spoken with reference to the Shechinah: 'and stood', as it is written: And the Lord came and stood etc.(10) 'His sister', as it is written: Say unto wisdom, thou art my Sister.(11) 'Afar off, as it is written: The Lord appeared from afar unto me.(12) 'To know', as it is written: For the Lord is a God of knowledge.(13) 'What', as it is written: What doth the Lord require of thee?(14) 'Done', as it is written: Surely the Lord God will do nothing.(15) 'To him', as it is written: And called it Lord is peace.(16)

Now there arose a new king etc.(17) Rab and Samuel [differ in their interpretation]; one said that he was really new, while the other said that his decrees were made new. He who said that he was really new did so because it is written 'new'; and he who said that his decrees were made new did so because it is not stated that [the former king] died and he reigned [in his stead].

Who knew not Joseph — he was like one who did not know [Joseph] at all.

And he said unto his people, Behold the people of the children of Israel.(18) A Tanna taught: He [Pharaoh] originated the plan first, and therefore was punished first. He originated the plan first, as it is written: And he said unto his people; therefore he was punished first, as it is written: Upon thee, and upon thy people, and upon all thy servants.(19)

Come, let us deal wisely with him(20) — it should have been with them! — R. Hama b. Hanina said: [Pharaoh meant,] Come and let us outwit the Saviour of Israel. With what shall we afflict them? If we afflict them with fire, it is written: For, behold the Lord will come with fire,(21) and it continues, For by fire will the Lord plead etc.(22) [If we afflict

them] with the sword, it is written: And by His sword with all flesh.(23) But come and let us afflict them with water, because the Holy One, blessed be He, has already sworn that he will not bring a flood upon the world; as it is said: For this is as the waters of Noah unto Me, etc.(24) They were unaware, however, that He would not bring a flood upon the whole world but upon one people He would bring it; or alternatively, He would not bring [the flood] but they would go and fall into it. Thus it says: And the Egyptians fled towards it.(25) This is what R. Eleazar said: What means that which is written: Yea, in the thing wherein they zadu [dealt proudly] against them?(26) In the pot in which they cooked were they cooked. Whence is it learnt that 'zadu' means cooking? — Because it is written: And Jacob sod [wa-yazed] pottage.(27)

R. Hiyya b. Abba said in the name of R. Simai: There were three in that plan,(28) viz. Balaam, Job(29) and Jethro. Balaam who devised it was slain; Job who silently acquiesced was afflicted with sufferings; Jethro, who fled, merited that his descendants should sit in the Chamber of Hewn Stone,(30) as it is said: And the families of scribes which dwelt at Jabez; the Tirathites, the Shimeathites, the Sucathites. These are the Kenites that came of Hammath, the father of the house of Rechab;(31) and it is written: And the children of the Kenite, Moses' father-in-law etc.(32)

And fight against us and get them up out of the land(33) — it should have read 'and we will get us up!'(34) — R. Abba b. Kahana said: It is like a man who curses himself and hangs the curse upon somebody else.

Therefore they did set over him taskmasters(35) — it should have read 'over them'! — It was taught in the School of R. Eleazar b. Simeon, It indicates that they brought a brick-mould and hung it round Pharaoh's neck; and every Israelite who complained that he was weak was told, 'Art thou weaker than Pharaoh?'

Missim ['taskmasters'] — i.e., something which forms [mesim].(36) 'To afflict him with their burdens'- it should have read 'them'! — The [meaning is] to afflict Pharaoh with the burdens of Israel.(37)

And they built for Pharaoh store cities [miskenoth]. Rab and Samuel [differ in their interpretation]; one said, [They were so called] because they endangered [mesakkenoth] their owners,(38) while the other said because they impoverished [memaskenoth] their owners,(39) for a master has declared that whoever occupies himself with building becomes impoverished.(40)

Pithom and Raamses(35) — Rab and Samuel differ [in their interpretation];(41) one said: Its real name was Pithom, and why was it called Raamses? Because one building after another collapsed [mithroses]. The other said that its real name was Raamses, and why was it called Pithom? Because the mouth of the deep [pi tehom] swallowed up one building after another.

But the more they afflicted him, the more he will multiply and the more he will spread abroad(42) — it should have read 'the more they multiplied and the more they spread abroadð! — Resh Lakish said: The Holy Spirit announced to them. 'The more he will multiply and the more he will spread abroad'.

And they were grieved [wa-yakuzu] because of the children of Israel(42) — this teaches that they were like thorns [kozim] in their eyes.

And the Egyptians made the children of Israel to serve

1. Ibid. XII, 11.
2. Gen. XXXVII, 14. Here 'vale' is also explained as deep plan.
3. Ibid. XV, 13.
4. II Sam. l.c.
5. Ibid. XIV, 27.
6. II Sam. 30.
7. So how does the principle of measure for measure apply?
8. The reward for a good deed exceeds the actual merit of an action and is not merely a quid pro quo as with a wrong deed.
9. Ex. II, 4.
10. I Sam. III, 10.
11. Prov. VII, 4. Wisdom is an emanation from God.
12. Jer. XXXI, 3.
13. I Sam. II, 3.
14. Deut. X, 12.
15. Amos III, 7.
16. Judg. VI, 24. The Hebrew word 'it' is the same as 'to him'.
17. Ex. I, 8.
18. Ex. 9.
19. Ibid. VII, 29.
20. Ibid. I, 10. The Hebrew is literally with him.
21. Isa. LXVI, 15.
22. Ibid. 16.
23. Ibid. Some edd. quote as the proof text: With his sword drawn in his hand (Num. XXII, 23).
24. Isa. LIV, 9.
25. Ex. XIV, 27. So the Hebrew literally.
26. Ibid. XVIII, II. The verb 'they dealt proudly' resembles in form another with the meaning 'they cooked' .
27. Gen. XXV, 29.
28. To destroy Israel through the decree: Every son that is born ye shall cast in the river, Ex. I, 22.

29. Various opinions are expressed in the Talmud regarding the age in which he lived. According to one view he was born in the year that Jacob settled in Egypt and died at the time of the Exodus, v. B.B. 15a-b.
30. In the Temple where the Sanhedrin met.
31. I Chron. II, 55. The various names are understood in the sense that they were eminent scholars.
32. Judg. I, 16; v. Sanh. (Sonc. ed.) p. 722.
33. Ex. I, 10.
34. I.e., we will be driven out of the land.
35. Ibid. 11, the text is literally him.
36. Viz., bricks, referring to the brick-mould which Pharaoh had to wear.
37. He had to carry the brick-mould as the pattern for the Israelites to work upon.
38. Led to the destruction of the Egyptians.
39. When they were spoiled by the Israelites before the Exodus.
40. [According to this dictum the interpretation 'memaskenoth' is general in its application and has no particular reference to the Egyptians. Some edd. accordingly omit the last sentence.]
41. They agreed that only one store city was built.
42. Ex. 12. So the Hebrew literally.

with rigour [parek].(1) R. Eleazar said: [It means] with a tender mouth [peh rak];(2) R. Samuel b. Nahmani said: [It means] with rigorous work [perikah]. And they made their lives bitter with hard service, in mortar and in brick etc. Raba said: At first it was in mortar and in brick; but finally it was in all manner of service in the field. All their service wherein they made them serve with rigour.(3) R. Samuel b. Nahmani said in the name of R. Jonathan: They changed men's work for the women and the women's work for the men; and even he who explained [parek] above as meaning 'with tender mouth' admits that here it means 'with rigorous work'.

R. Awira expounded: As the reward for the righteous women who lived in that generation were the Israelites delivered from Egypt. When they went to draw water, the Holy One, blessed be He, arranged that small fishes should enter their pitchers, which they drew up half full of water and half full of fishes. They then set two pots on the fire, one for hot water and the other for the fish, which they carried to their husbands in the field, and washed, anointed, fed, gave them to drink and had intercourse with them among the sheepfolds, as it is said: When ye lie among the sheepfolds etc.(4) As the reward for 'When ye lie among the sheepfolds', the Israelites merited the spoliation of the Egyptians, as it is said: As the wings of a dove covered with silver, and her pinions with yellow gold.(5) After the women had conceived they returned to their homes; and when the time of childbirth arrived, they went and were delivered in the field beneath the apple-tree, as it is said: Under the apple-tree I caused thee to come forth [from thy mother's womb] etc.(6) The Holy One, blessed be He, sent down someone from the high heavens who washed and straightened the limbs [of the babes] in the same manner that a midwife straightens the limbs of a child; as it is said: And as for thy nativity, in the day thou wast born thy navel was not cut, neither wast thou washed in water to cleanse thee.(7) He also provided for them two cakes, one of oil and one of honey, as it is said: And He made him to suck honey out of the rock, and oil etc.(8) When the Egyptians noticed them, they went to kill them; but a miracle occurred on their behalf so that they were swallowed in the ground, and [the Egyptians] brought oxen and ploughed over them, as it is said: The ploughers ploughed upon my back.(9) After they had departed, [the Israelite women with their babes] broke through [the earth] and came forth like the herbage of the field, as it is said: I caused thee to multiply as the bud of the field;(10) and when [the babes] had grown up, they came in flocks to their homes, as it is said: And thou didst increase and wax great and didst come with ornaments(11) — read not with ornaments [ba'adi 'adayim] but in flocks [be'edre 'adarim]. At the time the Holy One, blessed be He, revealed Himself by the Red Sea, they recognised Him first, as it is said: This is my God and I will praise Him.(12)

And the king of Egypt spake to the Hebrew midwives etc.(13) Rab and Samuel [differ in their interpretation]; one said they were mother and daughter, and the other said they were daughter-in-law and mother-in-law. According to him who declared they were mother and daughter, they were Jochebed and Miriam; and according to him who declared they were daughter-in-law and mother-in-law, they were Jochebed and Elisheba.(14) There is a teaching in agreement with him who said they were mother and daughter; for it has been taught: 'Shiphrah'(15) is Jochebed; and why was her name called Shiphrah? Because she straightened [meshappereth] the limbs of the babe. Another explanation of Shiphrah is that the Israelites were fruitful [sheparu] and multiplied in her days. 'Pu'ah' is Miriam; and why

was her name called Puah? Because she cried out [po'ah] to the child(16) and brought it forth. Another explanation of Pu'ah is that she used to cry out through the Holy Spirit(17) and say: 'My mother will bear a son who will be the saviour of Israel'.

And he said: When ye do the office of a midwife to the Hebrew women etc.(18) What means 'obnayim'?(19) R. Hanan said: He entrusted them with an important sign and told them that when a woman bends to deliver a child, her thighs grow cold like stones ['abanim'].(20) Another explains [the word 'obnayim'] in accordance with what is written: Then I went down to the potter's house, and, behold, he wrought his work on the wheels.(21) As in the case of a potter, there is a thigh on one side, a thigh on the other side and the wooden block in between, so also with a woman there is a thigh on one side, a thigh on the other side and the child in between.

If it be a son, then ye shall kill him.(22) R. Hanina said: He entrusted them with an important sign, viz., if it is a son, his face is turned downward and if a daughter, her face is turned upward.(23) But the midwives feared God, and did not as the king of Egypt spoke to them.(24) Instead of alehen ['to them'] we should have had 'lahen'!(25) — R. Jose son of R. Hanina said: It teaches that he solicited them for immoral intercourse,(26) but they refused to yield.

But saved the men children alive — A Tanna taught: Not only did they not put them to death, but they supplied them with water and food.(27) And the midwives said unto Pharaoh, Behold the Hebrew women are not as the Egyptian women etc.(28) What means hayoth?(29) If it is to say they were actually midwives,(30) do you infer that a midwife does not require another midwife to deliver her child! — But [the meaning is] they said to him, This people are compared to an animal [hayyah] — Judah [is called] a lion's whelp;(31) of Dan [it is said] Dan shall be a serpent;(32) Naphtali [is called] a hind let loose;(33) Issachar a strong ass;(34) Joseph a firstling bullock;(35) Benjamin a wolf that ravineth.(36) [Of those sons of Jacob where a comparison with an animal] is written in connection with them, it is written: but [in the instances where such a comparison] is not written, there is the text: What was thy mother? A lioness; she couched among lions etc.(37)

And it came to pass, because the midwives feared God, that He made them houses.(38) Rab and Samuel [differ in their interpretation]; one said they are the priestly and Levitical houses, and the other said they are the royal houses. One who says they are the priestly and Levitical houses: Aaron and Moses; and one who says they are the royal houses: for also David descended from Miriam, as it is written: And Azubah died, and Caleb took unto him Ephrath, which bare him Hur,(39) and it is written: Now David was the son of that Ephrathite etc.(40)

And Caleb the son of Hezron begat children of Azubah his wife and of Jerioth,' and these were her sons: Jesher and Shobab and Ardon.(41) 'The son of Hezron'? He was the son of Jephunneh!(42) — [It means] that he was a son who turned [panah] from the counsel of the spies. Still, he was the son of Kenaz, as it is written: And Othniel the son of Kenaz, Caleb's younger brother, took it!(43) — Raba said: He was the stepson of Kenaz.

1. Ibid. 13.

2. They induced the Israelites to work by using smooth words to them.
3. Ibid. 14.
4. Ps. LXVIII, 14, E.V., 13.
5. Ps. LXVIII, 14, E.V., 13. The dove is often used by the Rabbis as a symbol of Israel.
6. Cant. VIII, 5. That is how the verb is interpreted here.
7. Ezek. XVI, 4. There was no midwife present to cut the navel-string, nor was ordinary water used.
8. Deut. XXXII, 13.
9. Ps. CXXIX, 3.
10. Ezek. XVI, 7.
11. Ibid.
12. Ex. XV, 2. The word 'this' implies that He had been previously seen; therefore it must have been by the former babes.
13. Ibid. I, 15.
14. She was Aaron's wife (Ex. VI, 23).
15. Ibid. I, 15.
16. Rashi explains: she uttered soothing words which induced the child to come forth. She blew a charm into the mother's ear and brought forth the child (Jast.).
17. I.e., the prophetic gift.
18. Ibid. 16.
19. This word in the verse is translated birthstool.
20. By means of this symptom they would be able to detect a mother who tried to conceal a birth.
21. Jer. XVIII, 3. The word for wheels is 'obnayim'.
22. Ex. I, 16.
23. At the time of birth (Nid. 31a).
24. Ibid. 17.
25. The latter is the more usual form since no direct speech follows.
26. The preposition 'el, which occurs in the text, is employed in this sense.
27. The text does not state, 'they did not kill'; therefore 'saved alive' is so explained.
28. Ex. I, 19.
29. The word in this verse translated lively.
30. That is the significance the word has in Rabbinic Hebrew.

31. Gen. XLIX, 9.
32. Ibid. 17.
33. Ibid. 21.
34. Ibid. 14.
35. Deut. XXXIII, 17.
36. Gen. XLIX, 27.
37. Ezek. XIX, 2.
38. Ex. I, 21.
39. I Chron. II, 19.
40. I Sam. XVII, 12.
41. I Chron. II, 18.
42. V. Num. XIII, 6.
43. Judg. I, 13.

Folio 12a

There is also evidence for this, since it is written, [And Caleb the son of Jephunneh] the Kenizzite.(1) Conclude, therefore, that Azubah is identical with Miriam; and why was her name called Azubah? Because all men forsook her ['azabuhah] at first.(2) 'Begat!'(3) But he was married to her! — R. Johanan said: Whoever marries a woman for the name of heaven,(4) the text ascribes it to him as though he had begotten her. 'Jerioth' — [she was so named] because her face was like curtains.(5) 'And these were her sons' — read not baneha [her sons] but boneha [her builders].(6) 'Jesher' [he was so called] because he set himself right [yishsher].(7) 'Shobab' — [he was so called] because he turned his inclination aside [shibbeb].(8) 'And Ardon' — [he was so called] because he disciplined [radah] his inclination. Others say: Because his face was like a rose [wered].

And Ashhur the father of Tekoa had two wives, Helah and Naarah.(9) Ashhur is identical with Caleb; and why was his name called Ashhur? Because his face was blackened [hushheru] through his fasts.(10) 'The father'- he became a father to her.(11) 'Tekoa'- he fixed [taka'] his heart on his Father in heaven.(12) 'Had two wives' — [this means] Miriam became like two wives. 'Helah and Naarah' — she was not both Helah and Naarah, but at first she was Helah [an invalid] and finally Naarah [a young girl].(13) And the sons of Helah were Zereth, Zohar and Ethnan.(14) 'Zereth' — [Miriam was so called] — because she became the rival [zarah] of her contemporaries [in beauty]. 'Zohar' — because her face was [beautiful] like the noon [zoharayim]. 'Ethnan' — because whoever saw her took a present ['ethnan] to his wife.(15)

And Pharaoh charged all his people.(16) R. Jose son of R. Hanina said: He imposed the same decree upon his own people.(17) R. Jose son of R. Hanina also said: He made three decrees: first, 'if it be a son, then ye shall kill him'; then 'every son that is born ye shall cast into the river'; and finally he imposed the same decree upon his own people.

And there went a man of the house of Levi.(18) Where did he go? R. Judah b. Zebina said that he went in the counsel of his daughter. A Tanna taught: Amram was the greatest man of his generation; when he saw that the wicked Pharaoh had decreed 'Every son that is born ye shall cast into the river', he said: In vain do we labour. He arose and divorced his wife.(19) All [the Israelites] thereupon arose and divorced their wives. His daughter said to him, 'Father, thy decree is more severe than Pharaoh's; because Pharaoh decreed only against the males whereas thou hast decreed against the males and females. Pharaoh only decreed concerning this world whereas thou hast decreed concerning this world and the World to Come.(20) In the case of the wicked Pharaoh there is a doubt whether his decree will be fulfilled or not, whereas in thy case, though thou art righteous, it is certain that thy decree will be fulfilled, as it is said: Thou shalt also decree a thing, and it shall be established unto thee!(21) He arose and took his wife back; and they all arose and took their wives back.

And took to wife(18) — it should have read 'and took back'!(22) R. Judah b. Zebina said: — He acted towards her as though it had been the first marriage; he seated her in a palanquin, Aaron and Miriam danced before her, and the Ministering Angels proclaimed, A joyful mother of children.(23)

A daughter of Levi.(18) How is this possible! She was one hundred and thirty years old, and he calls her 'a daughter'! (For R. Hama b. Hanina said: This(24) refers to Jochebed

whose conception occurred during the journey [to Egypt] and her birth between the walls;(25) as it is said: Who was born to Levi in Egypt(26) — her birth occurred in Egypt but her conception did not occur there.)(27) — Rab Judah said: [She is called 'a daughter'] because the signs of maidenhood were reborn in her.(28)

And the woman conceived and bare a son.(29) But she had already been pregnant three months!(30) — R. Judah b. Zebina said: It compares the bearing of the child to its conception; as the conception was painless so was the bearing painless. Hence [it is learnt] that righteous women were not included in the decree upon Eve.(31)

And when she saw him that he was good.(29) It has been taught: R. Meir says: His name was Tob [good]; R. Judah says: His name was Tobiah; R. Nehemiah says: [She foresaw that he would be] worthy of the prophetic gift; others say: He was born circumcised; and the Sages declare, At the time when Moses was born, the whole house was filled with light — it is written here, And when she saw him that he was good, and elsewhere it is written: And God saw the light that it was good.(32)

She hid him three months.(29) [She was able to do this] because the Egyptians only counted [the period of her pregnancy] from the time that she was restored [to youth], but she was then already pregnant three months.

And when she could not longer hide him(33) — why? She should have gone on hiding him! — But whenever the Egyptians were informed that a child was born, they would take other children there so that it should hear them [crying] and cry with them; as it is written: Take us the foxes, the little foxes etc.(34)

She took for him an ark of bulrushes(33) — why just bulrushes? R. Eleazar said: Hence [it is learnt] that to the righteous their money is dearer than their body;(35) and why so? — That they should not stretch out their hand to robbery.(36) R. Samuel b. Nahmani says: [She selected them] because they are a soft material which can withstand both soft and hard materials.(37)

And daubed it with slime and with pitch(38) — A Tanna taught: The slime was inside and the pitch outside so that that righteous child should not smell the bad odour.

And she put the child therein and laid it in the reeds [suf](38) — R. Eleazar said: In the Red [suf] Sea; R. Samuel b. Nahmani said:

1. Josh. XIV, 6, and not the son of Kenaz.
2. She was an invalid so that nobody would marry her.
3. The Hebrew text could be translated: and Caleb begat Azubah.
4. From a pious motive, as in this case where through illness Miriam remained unmarried.
5. She also is identified with Miriam. Through illness her face was pale like the colour of curtains (yeri'oth).
6. Through them she attained the dignity of motherhood.
7. Viz., Caleb escaped the error of the other spies.
8. From following the rest of the spies.

9. I Chron. IV, 5.
10. He mortified himself to resist joining the other spies.
11. To Miriam who, on account of illness, required constant attention.
12. For will-power not to join in the evil report.
13. I.e., she recovered and became young in appearance.
14. I Chron. IV, 7.
15. His passion was aroused by the sight of Miriam.
16. Ex. I, 22.
17. To kill the male children, because the astrologers had warned him that a boy was soon to be born who would overthrow him.
18. Ex. II, 1.
19. Since all the male children to be born would be killed, and the primary object of marriage was the procreation of sons.
20. The drowned babes would live again in the Hereafter; but unborn children are denied that bliss.
21. Job XXII, 28.
22. His wife, according to the story just related.
23. Ps. CXIII, 9.
24. 'The daughter of Levi'.
25. I.e., just as the caravan arrived at Egypt.
26. Num. XXVI, 59. The Torah mentions that the Israelites numbered seventy who came to Egypt, whereas there are only sixty-nine names in the list. Hence this statement about Jochebed.
27. From that time one hundred and thirty years had elapsed.
28. Although so old, she became young in form and appearance.
29. Ex. II, 2.
30. Viz., before she was restored to youth, as will be explained.
31. That she would bear children in pain (Gen. III, 16).
32. Gen. I, 4.
33. Ex. II, 3.
34. Cant II, 15.
35. She selected bulrushes because of their cheapness, although hard wood would have been better for the welfare of the child.
36. They are frugal in expenditure upon their comforts so as not to be tempted to dishonesty for the gratification of their needs.

37. Hard wood would be more easily split, whereas bulrushes yield under pressure.

38. Ex. II, 3.

Sotah 12b

It means reeds, as it is written: The reeds and flags shall wither away.(1)

And the daughter of Pharaoh came down to bathe at the river.(2) R. Johanan said in the name of R. Simeon b. Yohai: It teaches that she went down there to cleanse herself of her father's idols;(3) and thus it says: When the Lord shall have washed away the filth of the daughters of Zion etc.(4) And her maidens walked along etc.(5) R. Johanan said: The word for 'walk' means nothing else than death; and thus it says: Behold I am going to die.(6) And she saw the ark among the reeds.(2) When [the maidens] saw that she wished to rescue Moses, they said to her, 'Mistress, it is the custom of the world that when a human king makes a decree, though everybody else does not obey it, at least his children and the members of his household obey it; but thou dost transgress thy father's decree!' Gabriel came and beat them to the ground.

And sent her handmaid to fetch it(2) — R. Judah and R. Nehemiah [differ in their interpretation]; one said that the word means 'her hand' and the other said that it means 'her handmaid'. He who said that it means 'her hand' did so because it is written ammathah;(7) he who said that it means 'her handmaid' did so because the text has not yadah [her hand]. But according to him who said that it means 'her handmaid', it has just been stated that Gabriel came and beat them to the ground!(8) — He left her one, because it is not customary for a king's daughter to be unattended. But according to him who said that it means 'her hand', the text should have been yadah! — It teaches us that [her arm] became lengthened; for a master has said: You find it so(9) with the arm of Pharaoh's daughter and similarly with the teeth of the wicked, as it is written: Thou hast broken [shibbarta] the teeth of the wicked,(10) and Resh Lakish said: Read not shibbarta but shirbabta [thou has lengthened].(11)

She opened it and saw the child(12) — it should have been 'and saw'. R. Jose b. R. Hanina said: She saw the Shechinah with him.(13)

And, behold, the boy wept(12) — he is called a 'child' and then a 'boy'! — A Tanna taught: He was a child but his voice was like that of a grown boy; such is the view of R. Judah. R. Nehemiah said to him, If so, you have made our master Moses into one possessed of a blemish;(14) but it teaches that his mother made for him a canopy [such as is used at the marriage] of boys(15) in the ark, saying: 'Perhaps I may not be worthy [to be present at] his marriage-canopy'.

And she had compassion on him and said: Of the Hebrews' children is this.(12) How did she know it? — R. Jose b. R. Hanina said: Because she saw that he was circumcised. 'Is this' — R. Johanan said: It teaches that she unwittingly prophesied that 'this' one will fall [into the river] but no other will fall.(16) That is what R. Eleazar said: What means the text: And when they shall say unto you, Seek unto them that have familiar spirits and unto the wizards, that chirp and that mutter?(17) They foresee and know not what they foresee; they mutter and know not what they mutter. They saw that Israel's saviour would be punished through water; so they arose and decreed, Every son that is born ye shall cast into the river.(18) After they had thrown Moses [into the water], they said: 'We do not see that sign any longer';(19) they thereupon rescinded their decree. But they knew not that he was to be punished through the water of Meribah.(20) That is what R. Hama b. Hanina said: What means the text: These are the waters of Meribah, because they strove?(21) These are

[the waters] about which Pharaoh's magicians saw and erred; and concerning this Moses said: Six hundred thousand footmen etc.(22) Moses said to Israel, 'On my account were all of you delivered [from drowning by the edict of Pharaoh]'.

R. Hanina b. Papa said: That day(23) was the twenty-first of Nisan,(24) and the Ministering Angels spoke before the Holy One, blessed be He, 'Lord of the Universe! Shall he who will utter a song to Thee by the Red Sea on this day be punished on this day?' R. Aha b. Hanina said: That day was the sixth of Sivan,(25) and the Ministering Angels spoke before the Holy One, blessed be He, 'Lord of the Universe! Shall he who will receive the Torah on Mount Sinai on this day be punished on this day?' It is quite right according to him who said that it was the sixth of Sivan, for then it occurred three months [after his birth]; for a master has said: Moses died on the seventh of Adar(26) and was born on the seventh of Adar, and from the seventh of Adar to the sixth of Sivan is three months. But according to him who said that it was the twenty-first of Nisan, how could it have been?(27) — That year was a leap year;(28) the greater part of the first [Adar] and the greater part of the last [Nisan] and a full month in between.(29)

Then said his sister to Pharaoh's daughter, Shall I go and call thee a nurse of the Hebrew women?(30) Why just 'of the Hebrew women'? — It teaches that they handed Moses about to all the Egyptian women but he would not suck. He(31) said: Shall a mouth which will speak with the Shechinah suck what is unclean! That is what is written: Whom will He teach knowledge etc.?(32) — To whom will He teach knowledge and to whom will He make the message understandable? To them that are weaned from the milk, and drawn from the breasts.

And Pharaoh's daughter said unto her, Go etc.(33) R. Eleazar said: It teaches that she went quickly like a young woman.(34) R. Samuel b. Nahmani said: [She is called] the maid ['almah] because she made the words secret.(35)

And Pharaoh's daughter said unto her, Take this child away.(36) R. Hama b. Hanina said: She prophesied without knowing what she prophesied — Heliki ['take away'] — behold what is thine [ha sheliki].

And I will give thee thy wages.(36) R. Hama b. Hanina said: Not enough that the righteous have their loss restored to them but they also receive their reward in addition.

And Miriam the prophetess, the sister of Aaron, took etc.(37) The 'sister of Aaron' and not the sister of Moses! — R. Amram said in the name of Rab, and according to others it was R. Nahman who said in the name of Rab: It teaches that she prophesied while she yet was the sister of Aaron only(38)

1. Isa. XIX, 6.
2. Ex. II, 5.
3. Since immersion is part of the ceremony of conversion, it is assumed that she became a proselyte.
4. Isa. IV, 4.
5. Ex. II, 5.
6. Gen. XXV, 32.

7. The text could be read either as amathah 'her maid' or 'ammathah 'her arm'. The Targum of Onkelos renders by 'her arm'.
8. Therefore they were all dead; so how could the princess send her handmaid?
9. [The lengthening of a limb, v. Meg. 15b.]
10. Ps. III, 8.
11. [The reference is to Og, King of Bashan, v. Ber. 54b.]
12. Ex. II, 6. The text is literally: she saw him the child.
13. The suffix hu (him) is explained as God and the particle eth as 'with' and not the sign of the accusative: she saw Him with the child'.
14. His voice would be abnormal, and this disqualified a Levite from the Temple-ministry.
15. [Or. 'canopy of youth', i.e., a bridal canopy.]
16. Because on that day the decree to drown the males was rescinded.
17. Isa. VIII, 19.
18. Ex. I, 22.
19. Indicating that the peril to Pharaoh was averted by this action.
20. [And that this was the meaning of the sign they had seen.]
21. Num. XX. 13.
22. Ibid. XI, 21. Footmen is in Hebrew ragli which can also mean 'for my sake'.
23. [On which Moses was cast into the Sea.]
24. The first month in the Jewish year. It was on that day later on that the Egyptians were drowned.
25. The third month, the date of the Revelation.
26. The twelfth month.
27. The difference between the two dates is only one month and fourteen days.
28. When a thirteenth month is inserted between Adar and Nisan.
29. This gives in round figures the three months required.
30. Ex. II, 7.
31. Some authorities explain 'He' as referring to God.
32. Isa. XXVIII, 9.
33. Ex. II, 8.
34. The word in the verse 'almah 'maid' is connected with its analogous root in Aramaic which means 'to be vigorous'.
35. 'Alam means 'to hide'; she did not disclose her relationship to the child.

36. Ex. II, 9.

37. Ibid. XV, 20.

38. Before Moses' birth.

and said: 'My mother will bear a son who will be the saviour of Israel'. When Moses was born, the whole house was filled with light; and her father arose and kissed her upon her head, saying 'My daughter, thy prophecy has been fulfilled'; but when they cast him into the river, her father arose and smacked her upon her head, saying: 'Where, now, is thy prophecy!' That is what is written: And his sister stood afar off to know what would be done to him(1) — what would be the fate of her prophecy.

JOSEPH EARNED MERIT etc. Why the difference that first it is written: And Joseph went up to bury his father, and with him went up all the servants of Pharaoh etc.,(2) followed by, And all the house of Joseph, and his brethren, and his father's house,(3) and in the sequel it is written: And Joseph returned into Egypt, he and his brethren,(4) followed by, And all that went up with him to bury his father? — R. Johanan said: At first, before [the servants of Pharaoh] beheld the glory of the Israelites, they did not treat them with respect;(5) but in the sequel, when they beheld their glory, they treated them with respect. For it is written: And they came to the threshing-floor of Atad;(6) but is there a threshing-floor for brambles? — R. Abbahu said: It teaches that they surrounded Jacob's coffin with crowns like a threshing-floor which is surrounded with a hedge of brambles, because the sons of Esau, of Ishmael and of Keturah also came. A Tanna taught: They all came to wage war [against the Israelites]; but when they saw Joseph's crown hanging upon Jacob's coffin, they all took their crowns and hung them upon his coffin. A Tanna taught: Sixty-three crowns were hung upon Jacob's coffin.

And there they lamented with a very great and sore lamentation.(7) It has been taught: Even the horses and asses [joined in the lamentation]. When [the cortege] arrived at the Cave of Machpelah, Esau came and wished to prevent [the interment there], saying to them, Mamre, Kiriath-arba, the same is Hebron(8) — now R. Isaac has said: Kiriath-arba [is so called] because four couples [were buried there], viz. Adam and Eve, Abraham and Sarah, Isaac and Rebekah, and Jacob and Leah — [Jacob] had buried Leah in his portion and what remains belongs to me'. They replied to him, 'Thou didst sell it'. He said to them, 'Granted that I sold my birth-right, but did I sell my plain heir's right!' They replied: 'Yes, for it is written: In my grave which I [Jacob] have digged for me',(9) and R. Johanan has said in the name of R. Simeon b. Jehozadak: The word kirah [dig] means nothing else than 'sale' [mekirah], and thus in the coast-towns they use kirah as a term for 'sale'. — He said to them, 'Produce a document [of sale] for me'. They replied to him, 'The document is in the land of Egypt. Who will go for it? Let Naphtali go, because he is swift as a hind'; for it is written: Naphtali is a hind let loose, he giveth goodly words(10) — R. Abbahu said: Read not 'goodly words' [imre shefer] but imre sefer [words of a document]. Among those present was Hushim, a son of Dan, who was hard of hearing; so he asked them, 'What is happening?' They said to him, '[Esau] is preventing [the burial] until Naphtali returns from the land of Egypt'. He retorted: 'Is my grandfather to lie there in contempt until Naphtali returns from the land of Egypt!' He took a club and struck [Esau] on the head so that his eyes fell out and rolled to the feet of Jacob. Jacob opened his eyes and laughed; and that is what is written: The righteous shall rejoice when he seeth the vengeance; he shall wash his feet in the blood of the wicked.(11) At that time was the prophecy of Rebekah fulfilled, as it is written: Why should I be bereaved of you both in one day?(12) Although the death of the two of them did not occur on the one day, still their burial took place on the same day.

— But if Joseph had not occupied himself with [Jacob's burial], would not his brethren have occupied themselves with it? Behold it is written: For his sons carried him into the land of Canaan!(13) — They said [among themselves], 'Leave him [to conduct the interment]; for the honour [of our father] will be greater [when it is conducted] by kings than by commoners'.

WHOM HAVE WE GREATER THAN JOSEPH etc.? Our Rabbis have taught: Come and see how beloved were the commandments by Moses our teacher; for whereas all the Israelites occupied themselves with the spoil, he occupied himself with the commandments, as it is said: The wise in heart will receive commandments etc.(14) But whence did Moses know the place where Joseph was buried? — It is related that Serah, daughter of Asher, was a survivor of that generation. Moses went to her and asked: 'Dost thou know where Joseph was buried?' She answered him, 'The Egyptians made a metal coffin for him which they fixed in the river Nile so that its waters should be blessed'. Moses went and stood on the bank of the Nile and exclaimed: 'Joseph, Joseph! the time has arrived which the Holy One, blessed be He, swore, "I will deliver you", and the oath which thou didst impose upon the Israelites(15) has reached [the time of fulfilment]; if thou wilt shew thyself, well and good; otherwise, behold, we are free of thine oath'. Immediately Joseph's coffin floated [on the surface of the water]. Be not astonished that iron should float; for, behold, it is written: As one was felling a beam, the axe-head fell into the water etc. Alas, my master, for it was borrowed. And the man of God said: Where fell it? And he shewed him the place. And he cut down a stick and cast it in thither, and made the iron to swim.(16) Now cannot the matter be argued by a fortiori reasoning — if iron floated on account of Elisha who was the disciple of Elijah who was the disciple of Moses, how much more so on account of Moses our teacher! R. Nathan says: He was buried in the sepulchre of the kings; and Moses went and stood by the sepulchre of the kings and exclaimed. 'Joseph! the time has arrived which the Holy One, blessed be He, swore "I will deliver you", and the oath which thou didst impose upon the Israelites has reached [the time of fulfilment]; if thou wilt shew thyself, well and good; otherwise, behold, we are free of thine oath'. At that moment, Joseph's coffin shook, and Moses took it and carried it with him. All those years that the Israelites were in the wilderness, those two chests, one of the dead and the other of the Shechinah,(17) proceeded side by side, and passersby used to ask: 'What is the nature of those two chests?' They received the reply: 'One is of the dead and the other of the Shechinah'. 'But is it, then, the way of the dead to proceed with the Shechinah?' They were told,

1. Ibid. II, 4.
2. Gen. L, 7.
3. Gen. L, 8.
4. Ibid. 14. The order of the procession is now reversed.
5. And proceeded in front of them.
6. Ibid. 10. As a common noun 'atad' means 'brambles'.
7. Gen. L, 10.

8. Ibid. XXXV, 27. Kiriath — 'arba is literally 'the burial of four'. He claimed that only four couples were to be buried there, and demanded the one remaining sepulchre for himself. The explanatory remark of R. Isaac is interpolated into Esau's words.
9. Ibid. L, 5.
10. Gen. XLIX, 21.
11. Ps. LVIII, 11.
12. Gen. XXVII, 45.
13. Ibid. L, 13. It is not stated that Joseph did this.
14. Prov. X, 8.
15. To carry Joseph's bones out of Egypt (Exod. XIII, 19).
16. II Kings VI, 5f.
17. Aron means in Hebrew both an ark and a coffin. It here refers to the Ark of the Covenant.

'This one [Joseph] fulfilled all that was written in the other'.(1) But if Moses had not occupied himself with him, would not the Israelites have occupied themselves with him? Behold, it is written: And the bones of Joseph which the children of Israel brought up out of Egypt buried they in Shechem!(2) Furthermore, if the Israelites had not occupied themselves with him, would not his own sons have done so? And, behold, it is written: And they became the inheritance of the children of Joseph!(3) — They(4) said [to one another], 'Leave him; his honour will be greater [when the burial is performed] by many rather than by few'; and they also said: 'Leave him; his honour will be greater [when the burial is performed] by the great rather than by the small'.

Buried they in Shechem.(3) Why just in Shechem? — R. Hama son of R. Hanina said: From Shechem they stole him,(5) and to Shechem we will restore what is lost. The following verses are contradictory: it is written: And Moses took the bones of Joseph with him,(6) and it is written: And the bones of Joseph which the children of Israel brought up(7) etc.! — R. Hama son of R. Hanina said: Whoever performs a task without finishing it and another comes and completes it, Scripture ascribes it to the one who completed it as though he had performed it. R. Eleazar said: He(8) is likewise deposed from his greatness; for it is written: And it came to pass at that time that Judah went down.(9) R. Samuel b. Nahmani said: He also buries his wife and children; for it is written: Shua's daughter, the wife of Judah, died etc.,(10) and it is written: But Er and Onan died.(11)

Rab Judah said in the name of Rab: Why was Joseph called 'bones' during his lifetime?(12) Because he did not interfere to safeguard his father's honour when [his brothers] said to him, Thy servant our father(13) and he made no reply to them. Rab Judah also said in the name of Rab, and others declare that it was R. Hama son of R. Hanina: Why did Joseph die before his brothers? Because he gave himself superior airs.

And Joseph was brought down to Egypt.(14) R. Eleazar said: Read not 'was brought down' but 'brought down', because he brought Pharaoh's astrologers down from their eminence.(15) And Potiphar, an officer of Pharaoh's bought him, Rab said: He bought him for himself;(16) but Gabriel came and castrated him,(17) and then Gabriel came and mutilated him [pera'], for originally his name is written Potiphar but afterwards Potiphera.(18)

WHOM HAVE WE GREATER THAN MOSES etc. And the Lord said unto me, Let it suffice thee.(19) R. Levi said: With the word 'suffice' [Moses] made an announcement and with the word 'suffice' an announcement was made to him. With the word 'suffice' he made an announcement: 'Suffice you';(20) and with the word 'suffice' an announcement was made to him: 'Let it suffice thee'. Another explanation of 'Let it suffice [rab] thee' is, Thou hast a master [rab], viz., Joshua.(21) Another explanation of 'Let it suffice thee' is, That people should not say: How severe the Master is and how persistent the pupil is.(22) And why so? In the School of R. Ishmael it was taught: According to the camel is the burden.(23)

And he said unto them, I am an hundred and twenty years old this day.(24) Why does the text state 'this day?' [The meaning is], This day are my days and years completed.(25) Its purpose is to teach you that the Holy One, blessed be He, completes the years of the righteous from day to day, and from month to month; for it is written: The number of thy

days I will fulfil.(26) I can no more go out and come in(24) — what means 'go out and come in'? If it is to be understood literally, behold it is written: And Moses was an hundred and twenty years old when he died; his eye was not dim, nor his natural force abated;(27) it is also written: And Moses went up from the plains of Moab unto mount Nebo;(28) and it has been taught: Twelve steps were there, but Moses mounted them in one stride! — R. Samuel b. Nahmani said in the name of R. Jonathan: [It means] to 'go out and come in' with words of Torah, thus indicating that the gates of wisdom were closed against him.

And Moses and Joshua went, and presented themselves in the tent of meeting.(29) A Tanna taught: That was a Sabbath when two teachers [gave discourses] and the authority was taken from one to be transferred to the other. It has further been taught: R. Judah said: Were it not for a Scriptural text, it would be impossible to utter the following. Where did Moses die? In the portion of Reuben, for it is written: And Moses went up from the plains of Moab unto mount Nebo, and Nebo was located in the portion of Reuben, for it is written: And the children of Reuben built … and Nebo etc.(30) — It was called Nebo because three prophets [nebi'im] died there, viz. Moses, Aaron, and Miriam. — And where was Moses buried? In the portion of Gad, for it is written: And he provided the first part for himself etc.(31) Now what was the distance between the portion of Reuben and that of Gad? Four mil.(32) Who carried him those four mil? It teaches that Moses was laid upon the wings of the Shechinah, and the Ministering Angels kept proclaiming, He executed the justice of the Lord, and His judgments with Israel,(33) and the Holy One, blessed be He, declared: Who will rise up for Me against the evil-doers? Who will stand up for Me against the workers of iniquity?(34)

Samuel(35) said [that God declared], Who is as the wise man? and who knoweth the interpretation of a thing?(36) R. Johanan said [that God declared], Where shall wisdom be found?(37) R. Nahman said [that God announced], So Moses died there etc.(38) Semalyon(39) said: So Moses died there, the great Sage of Israel.(40)

It has been taught: R. Eliezer the Elder said: Over an area of twelve mil square, corresponding to that of the camp of Israel, a Bath Kol made the proclamation, 'So Moses died there', the great Sage of Israel. Others declare that Moses never died; it is written here, 'So Moses died there', and elsewhere it is written: And he was there with the Lord.(41) As in the latter passage it means standing and ministering, so also in the former it means standing and ministering.

And He buried him in the valley in the land of Moab over against Beth-peor.(42) R. Berechyah said: Although [Scripture provides] a clue within a clue, nevertheless no man knoweth of his sepulchre.(42) The wicked Government once sent to

1. The Ark contained the tables of the Decalogue.
2. Josh. XXIV, 32.
3. Josh. XXIV, 32.
4. Joseph's sons.
5. His brothers. Cf. Gen. XXXVII, 12.
6. Ex. XIII, 19.
7. Josh. XXIV, 32.

8. Viz., he who does not finish his undertaking.
9. Gen. XXXVIII, 1, i.e., descended from his greatness, because he began to rescue Joseph but did not complete it.
10. Ibid. 12.
11. Ibid. XLVI, 12. They were Judah's sons.
12. Cf. L, 25.
13. Ibid. XLIV, 31.
14. Ibid. XXXIX, 1.
15. He interpreted the dreams which baffled them.
16. For an immoral purpose, being inflamed by Joseph's beauty.
17. The word Hebrew for 'officer' also means eunuch.
18. Cf. Gen. XLI, 45.
19. Deut. III, 26.
20. Num. XVI, 3.
21. The meaning is that his leadership was coming to an end and Joshua was about to succeed him.
22. Do not petition Me more, lest the people make reflections on My nature.
23. God is stricter with the righteous because their faith will stand the test.
24. Deut. XXXI, 2.
25. It was his birthday.
26. Ex. XXIII, 26.
27. Deut. XXXIV, 7.
28. Ibid. 1.
29. Deut. XXXI, 14.
30. Num. XXXII. 37f.
31. Deut. XXXIII, 21. It continues, For there was the lawgiver's portion reserved.
32. A mil equalled 2,000 cubits, or 3,000 feet.
33. Ibid.
34. Ps. XCIV, 16. I.e., now that Moses is dead.
35. The Rabbi of that name.
36. Eccl. VIII, 1.
37. Job XXVIII, 12.
38. Deut. XXXIV, 5.

39. Rashi explains it as the name of a wise man. Others take it as the designation of an angel who made the proclamation, v. Aruch.

40. [. Lit., 'the Great Scribe'. Moses is so designated because he wrote the Torah (Maharsha). Krauss, S., (Hagoren, VII, p. 32ff) attempts to connect this appellation with the mythological idea of a heavenly Scribe by the side of the Deity determining the fate of nations and individuals].

41. Ex. XXXIV, 28. The word there is common to both verses.

42. Deut. XXXIV, 6.

Folio 14a

the governor(1) of Beth-peor [the message], 'Shew us where Moses is buried'. When they stood above, it appeared to them to be below; when they were below, it appeared to them to be above. They divided themselves into two parties; to them who were standing above it appeared below, and to those who were below it appeared above. This is in fulfilment of what is said: 'No man knoweth of his sepulchre'. R. Hama son of R. Hanina said: Even Moses our teacher does not know where he is buried; it is written here, 'No man knoweth of his sepulchre', and it is written elsewhere, And this is the blessing wherewith Moses the man of God blessed.(2) R. Hama son of R. Hanina also said: Why was Moses buried near Beth-peor? To atone for the incident at Peor.(3)

R. Hama son of R. Hanina further said: What means the text: Ye shall walk after the Lord your God?(4) Is it, then, possible for a human being to walk after the Shechinah; for has it not been said: For the Lord thy God is a devouring fire?(5) But [the meaning is] to walk after the attributes of the Holy One, blessed be He. As He clothes the naked, for it is written: And the Lord God made for Adam and for his wife coats of skin, and clothed them,(6) so do thou also clothe the naked. The Holy One, blessed be He, visited the sick, for it is written: And the Lord appeared unto him by the oaks of Mamre,(7) so do thou also visit the sick. The Holy One, blessed be He, comforted mourners, for it is written: And it came to pass after the death of Abraham, that God blessed Isaac his son,(8) so do thou also comfort mourners. The Holy one, blessed be He, buried the dead, for it is written: And He buried him in the valley,(9) so do thou also bury the dead.

'Coats of skin' — Rab and Samuel [differ in their interpretation]; one said that it means a material that grows from the skin, and the other a material from which the [human] skin derives pleasure.(10)

R. Simlai expounded: Torah begins with an act of benevolence(11) and ends with an act of benevolence. It begins with an act of benevolence, for it is written: And the Lord God made for Adam and for his wife coats of skin, and clothed them;(12) and it ends with an act of benevolence, for it is written: 'And He buried him in the valley'.

R. Simlai expounded: Why did Moses our teacher yearn to enter the land of Israel? Did he want to eat of its fruits or satisfy himself from its bounty? But thus spake Moses, 'Many precepts were commanded to Israel which can only be fulfilled in the land of Israel. I wish to enter the land so that they may all be fulfilled by me'. The Holy One, blessed be He, said to him, 'Is it only to receive the reward [for obeying the commandments] that thou seekest? I ascribe it to thee as if thou didst perform them'; as it is said: Therefore will I divide him a portion with the great, and he shall divide the spoil with the strong; because he poured out his soul unto death, and was numbered with the transgressors; yet he bare the sins of many, and made intercession for the transgressors.(13) 'Therefore will I divide him a portion with the great' — it is possible [to think that his portion will be] with the [great of] later generations and not former generations; therefore there is a text to declare, 'And he shall divide with the strong', i.e., with Abraham, Isaac and Jacob who were strong in Torah and the commandments. 'Because he poured out his soul unto death' — because he surrendered himself to die, as it is said: And if not, blot me, I pray thee etc.(14) 'And was numbered with the transgressors' — because he was numbered with them who were condemned to die in the wilderness. 'Yet he bare the sins of many' — because he secured atonement for the

making of the Golden Calf. 'And made intercession for the transgressors' — because he begged for mercy on behalf of the sinners in Israel that they should turn in penitence; and the word pegi'ah ['intercession'] means nothing else than prayer, as it is said: Therefore pray not thou for this people, neither lift up cry nor prayer for them, neither make intercession to Me.(15)

CHAPTER II

MISHNAH. [THE HUSBAND] BRINGS HER MEAL-OFFERING(16) IN A BASKET OF PALM-TWIGS AND PLACES IT UPON HER HANDS IN ORDER TO WEARY HER. WITH ALL OTHER MEAL-OFFERINGS, THE BEGINNING AND END OF THEIR [SACRIFICE] ARE IN MINISTERING VESSELS; BUT WITH THIS, ITS BEGINNING IS IN A BASKET OF PALM-TWIGS AND ITS END IN A MINISTERING VESSEL. ALL OTHER MEAL-OFFERINGS REQUIRE OIL AND FRANKINCENSE, BUT THIS REQUIRES NEITHER OIL NOR FRANKINCENSE. ALL OTHER MEAL-OFFERINGS CONSIST OF WHEAT, BUT THIS CONSISTS OF BARLEY. THE MEAL-OFFERING OF THE 'OMER,(17) ALTHOUGH CONSISTING OF BARLEY, WAS IN THE FORM OF GROATS; BUT THIS WAS IN THE FORM OF COARSE FLOUR. RABBAN GAMALIEL SAYS: AS HER ACTIONS WERE THE ACTIONS OF AN ANIMAL, SO HER OFFERING [CONSISTED OF] ANIMAL'S FODDER.

GEMARA. It has been taught: Abba Hanin says in the name of R. Eliezer: What is the purpose [of placing the basket upon her hands]? In order to weary her so that she may retract.(18) If the Torah has such consideration(19) for them who transgress His will, how much more so for them who perform His will. But whence is it [known that the object of this regulation is] to show consideration; perhaps it is to avoid [the Divine Name on] the scroll being obliterated? — He is of the opinion

1. This is Rashi's explanation of the word gastera. Goldschmidt, accepting it, identifies it with the latin quaestor; but Jastrow and Krauss render 'camp', connecting it with castra.
2. Ibid. XXXIII, 1. The word 'man' is common to both passages.
3. V. Num. XXV, 1 ff.
4. Deut. XIII, 5.
5. Ibid. IV, 24.
6. Gen. III, 21.
7. Ibid. XVIII, 1. Since the preceding verses deal with Abraham's circumcision, it is deduced that the occasion was when he was recovering.
8. Gen. XXV, 11.
9. Deut. XXXIV, 6.
10. I.e., wool and linen respectively.
11. [Gemiluth hasadim, lit., 'doing deeds of loving kindness'. The inner meaning of the phrase is 'making good', 'requiting' — a making good to man for the goodness of

God and it is connected with tenderness and mercy to all men and all classes. V. J. Pe'ah. IV.]

12. Gen. III, 21.
13. Isa. LIII, 12.
14. Ex. XXXII, 32.
15. Jer. VII, 16. [It is suggested that the application of these verses to Moses was a tacit parrying of the use made of that passage by Christian apologists. V. Moore, Judaism III, p. 166, n. 254.
16. Num. V, 15.
17. Lev. II, 14. The Talmud (Men. 68b) argues that it consisted of barley.
18. And confess, if guilty.
19. In its endeavour to make the woman avoid the serious consequences of drinking the water.

that she is first given the water to drink and then the offering is sacrificed,(1) so that if it be [suggested that the reason is] because of the scroll, [the writing] has already been obliterated.

WITH ALL OTHER MEAL-OFFERINGS etc. The following is quoted in contradiction: How is the procedure of meal-offerings? A man brings a meal-offering from his house(2) in silver or golden baskets, places it in a ministering vessel, hallows it in a ministering vessel, adds to it its oil and frankincense, and carries it to a priest who carries it to the altar and brings it near unto the south-west corner opposite the point of the altar's horn, and that suffices. He then moves the frankincense to one side [of the vessel], takes a handful [of the flour] from a place where its oil is abundant, sets it in a ministering vessel, hallows it in a ministering vessel, gathers its frankincense and places it on the top thereof, and sets it upon the altar and fumigates it in a ministering vessel. He next salts [the handful of flour] and sets it upon the fire. When the handful has been offered, the remainder may be eaten, and the priests are allowed to mix it with wine, oil and honey, and are only forbidden to make it leaven.(3) Now here it is taught that [meal-offerings are brought only] in silver or golden baskets!(4) — R. Papa said: The correct version [of the Mishnah] is: in vessels which are proper to be used as ministering vessels. It therefore follows that a basket of palm-twigs is not proper to be used as a vessel. This would not agree with the view of R. Jose son of R. Judah; for it has been taught: As regards a ministering vessel of wood, Rabbi disqualifies it but R. Jose son of R. Judah allows it! — If you wish you may say that it is in accord even with the view of R. Jose son of R. Judah, because he is referring to [wooden vessels which are] valuable, but does he say that with regard to [wooden vessels which are] inferior!(5) Does R. Jose son of R. Judah not hold with the text: Present it now unto thy governor?(6)

'Places it in a ministering vessel and hallows it in a ministering vessel'. Is the conclusion to be drawn from this that the ministering vessels only hallow when such is the intention!(7) — The correct version is: places it in a ministering vessel in order to hallow it in a ministering vessel. 'Adds to it its oil and frankincense'; as it is said: He shall pour oil upon it, and put frankincense thereon.(8) 'And carries it to a priest'; for it is written: And he shall bring it to Aaron's sons etc.(9) 'Who carries it to the altar'; for it is written: And he shall bring it unto the altar.(10) Brings it near unto the south-west corner opposite the point of the altar's horn, and that suffices'. Whence is this? — For it is written: And this is the law of the meal-offering: the sons of Aaron shall offer it before the Lord, before the altar;(11) and it has been taught: 'Before the Lord' — it is possible [to think that this means] on the west [side of the altar],(12) therefore the text declares, 'Before the altar'.(13) If [Scripture only had] 'before the altar', it is possible [to think that this means] on the south side, therefore the text declares, 'Before the Lord'. So what was the procedure? He sets it on the south-west corner opposite the point of the altar's horn, and that suffices. R. Eleazar says: It is possible [to think that the meaning is] he sets it on the west of the horn or the south of the horn; but you can answer: Wherever you find two texts, one self-confirmatory and confirming the words of the other, whereas the second is self-confirmatory but annuls the words of the other, we abandon the latter and accept the former. Thus when you emphasize 'before the Lord' on the west [side of the altar],(14) you annul 'before the altar' on the south side;(15) but when you emphasize 'before the altar' on the south side,(14) you confirm 'before the Lord' on the west side.(14) What, then, is the procedure? He brings it on the south of the

horn. But how do you confirm it?(16) — R. Ashi said: This Tanna holds that the whole of the altar stood in the north.(17)

What means 'and that suffices'?(18) — R. Ashi said: It was necessary [to mention this], because otherwise it may have occurred to me to say that the bringing of the meal-offering itself [to the altar without the ministering vessel] is required. Consequently we are informed [that the contrary is the correct procedure]. But say that it is really so [and the ministering vessel is not necessary]! — The text states: And it shall be presented unto the priest, and he shall bring it unto the altar(19) — as the presentation to the priest is in a [ministering] vessel, so also the bringing to the altar must be in a [ministering] vessel.

'He then moves the frankincense to one side [of the vessel]', so that none of it may be included in the handful taken of the meal-offering; as we have learnt: If, when he took a handful, there came into his hand a pebble or particle of salt or grain of frankincense, it is disqualified.(20) 'Takes a handful [of flour] from a place where its oil is abundant' — whence is this? For it is written: Of the fine flour thereof and of the oil thereof;(21) of the bruised corn thereof and of the oil thereof.(22) 'Sets it in a ministering vessel and hallows it in a ministering vessel' — for what purpose, since he has already hallowed it once? — It is analogous to the case of blood: although the knife(23) hallows it in the animal's neck, [the priest] again hallows it in a ministering vessel;(24) so here, too, there is no difference. 'Gathers its frankincense and places it on the top thereof; for it is written: And all the frankincense which is upon the meal-offering.(25) 'And sets it upon the altar

1. This question is discussed infra 19a. The effects of the water take place only after the offering of the meal-offering.
2. To the Temple-court.
3. V. Tosefta Men. I, 16f. The whole passage is explained anon.
4. And not in ministering vessels as taught in the Mishnah.
5. E.g., of palm-twigs.
6. Mal. I, 8. The context is a denunciation of offering inferior animals. The same rule applies to vessels used in the Temple.
7. On this there is a difference of opinion, one being that the vessels automatically hallow their contents, v. Men. 7a.
8. Lev. II, 1. This is done by the person who presents the offering.
9. Ibid. 2.
10. Ibid. 8.
11. Ibid. VI, 7, E.V. 14.
12. Since this side faced the Holy of Holies which was located in the west of the Temple-area.
13. Lit., 'before the face of the altar'. I.e., the face of the altar which was towards the south. [Since the north side of the altar was designated 'the side' , i.e., the rear (v. Lev. I. 11) the face of the altar must denote the south side.]
14. V. note 6.

15. V. note 7.
16. If the meal-offering is to be brought to the south side of the altar, it is not opposite the entrance of the Sanctuary, which is on the West.
17. Of the Temple-area. So that the south of the altar faced the entrance of the Sanctuary and is thus described as 'before the Lord'.
18. What else could he think was necessary?
19. Lev. II, 8.
20. As not being a complete handful.
21. Ibid. 2.
22. Ibid. 16.
23. Which is regarded as a utensil of the Sanctuary.
24. I.e., the basin in which the blood is received.
25. Lev. VI, 8, E.V. 15.

and fumigates it in a ministering vessel'. He fumigates it in a ministering vessel' [you say]!(1) — The correct version is: and sets it upon the altar in a ministering vessel to fumigate it.

He next salts [the handful of flour] and sets it upon the fire'; for it is written: And every oblation of thy meal-offering shalt thou season with salt.(2) 'When the handful has been offered, the remainder may be eaten'. Whence is this? — For it is written: And the priest shall burn the memorial of it etc.,(3) and it is written: And that which is left of the meal-offering shall be Aaron's and his sons'.(4) 'When the handful has been offered etc.' — this(5) is differently explained by two teachers; for it has been reported: From what time does the taking of the 'handful' render the eating of the remainder permissible? R. Hanina says: When the fire takes hold of it; R. Johanan said: When the fire burns the greater part of it. 'And the priests are allowed to mix it with wine, oil and honey' — for what reason? The text states: By reason of the anointing,(6) i.e., as a mark of eminence, in the same manner as kings take their food. 'And are only forbidden to make it leaven'; for it is written: It shall not be baked with leaven, their portion(7) — R. Simeon b. Lakish says: [It means] that even their portion must not be baked with leaven.

WITH ALL OTHER MEAL-OFFERINGS etc. But do all other meal-offerings(8) require oil and frankincense? Behold, there is the meal-offering of the sinner concerning which the All-Merciful said: He shall put no oil upon it, neither shall he put any frankincense thereon!(9) — This is what he intends: All other meal-offerings require oil and frankincense, and consist of wheat in the form of fine flour; but the meal-offering of the sinner, although it does not require oil and frankincense, consists of wheat in the form of fine-flour; the meal-offering of the 'omer, although it consists of barley, requires oil and frankincense and is in the form of groats; but this one [of the suspected woman] does not require oil and frankincense, and consists of barley in the form of coarse flour.

It has been taught: R. Simeon said: It is right that the meal-offering of a sinner should require oil and frankincense, so that a sinner should not gain;(10) why, then, are they not required? That his offering should not be luxurious. It is also right that an ordinary sin-offering(11) should require drink-offerings, so that a sinner should not gain; why, then, are they not required? That his offering should not be luxurious. The sin-offering of a leper, however, and his trespass-offering do require drink-offerings because they are not due to sin. But that is not so; for, behold R. Samuel b. Nahmani said in the name of R. Jonathan: On account of seven faults does the plague of leprosy occur etc.!(12) — In this case he received atonement [of his sin] by the plague(13) he suffered; and when he brings an offering, it is only to allow him to participate in what is holy.(14) According to this conclusion, the sin-offering of a Nazirite should require drink-offerings, since it is not due to a sin! He holds with R. Eliezer ha-Kappar who said: A Nazirite is also a sinner.(15)

RABBAN GAMALIEL SAYS, AS etc. It has been taught: Rabban Gamaliel(16) said to the Sages: Learned men, permit me to explain this allegorically.(17)

1. [Surely the fumigation does not take place at this stage! Rashi deletes the words 'in a ministering vessel', as the question is concerned only with the act of fumigation].
2. Lev. II, 13.

3. Ibid. 16.
4. Ibid. 10.
5. The meaning of the term offered used in this connection.
6. Num. XVIII, 8. Anointing occurred at the induction of a priest and a king.
7. Lev. VI, 10.
8. With the exception of that of the suspected woman.
9. Ibid. V, 11.
10. By being spared the cost of these ingredients.
11. Lit., 'sin-offering of (forbidden) fat', because the words ye shall eat neither fat nor blood (Lev. III, 16) are followed by Chap. IV which deals with the sin-offering.
12. Enumerated in 'Ar. 16a, v. Shebu. 8a.
13. Suffering, according to the Rabbis, is a means of atonement.
14. The offerings were purificatory in their intention, and unlike an ordinary sin-offering, which is brought in expiation.
15. Because he abstained from wine. V. Naz. 22a.
16. [Apparently Gamaliel III, the son of R. Judah ha-Nasi, a contemporary of R. Meir; v. Chayes. Z.H., notes; and Lauterbach, JQR (N.S.), I, p. 514, where the whole passage is discussed. V. also Wahrmann, Untersuchungen, I, p. 26ff.]
17. For the term here used, v. Lauterbach op. cit. I 291ff., 503ff, especially p. 509 and Kid. 22b.

He had heard R. Meir say: She fed him with the dainties of the world; therefore her offering is animal's fodder.(1) Then said he to him, You may be right about a rich woman, but what of a poor woman! But [the reason is], As her actions were the action of an animal, so her offering [consisted of] animal's fodder.

MISHNAH. [THE PRIEST] TAKES AN EARTHENWARE BOWL AND POURS HALF A LOG OF WATER INTO IT FROM THE LAVER. R. JUDAH SAYS: A QUARTER [OF A LOG]. JUST AS [R. JUDAH] REDUCES THE AMOUNT OF WRITING,(2) SO HE REDUCES THE QUANTITY OF WATER. [THE PRIEST] ENTERS THE TEMPLE AND TURNS RIGHT. THERE WAS A PLACE THERE A CUBIT SQUARE IN EXTENT WITH A MARBLE TABLET, TO WHICH A RING WAS ATTACHED. HE LIFTS THIS OUT, TAKES SOME DUST FROM BENEATH IT WHICH HE PUTS [INTO THE BOWL] JUST SUFFICIENT TO BE VISIBLE ABOVE THE WATER; AS IT IS SAID, AND OF THE DUST THAT IS ON THE FLOOR OF THE TABERNACLE THE PRIEST SHALL TAKE, AND PUT IT INTO THE WATER.(3)

GEMARA. A Tanna taught: [The priest takes] a new earthenware bowl — such is the opinion of R. Ishmael. What is R. Ishmael's reason?(4) — He derives it from the common use of the word 'vessel' [here and in the law] of a leper. As with the latter new earthenware was required, so here likewise was new earthenware required. Whence is it that there [with a leper it must be new]? — For it is written: And the priest shall command to kill one of the birds in an earthen vessel over running water(5) — as it must be running water which has not been previously used, so also it must be a vessel which has not been previously used. According to this argument, as there [with a leper] it had to be running water, so also here [with a suspected woman] it had to be running water! — In the view of R. Ishmael that is indeed so; for R. Johanan said the water from the laver(6) was according to R. Ishmael spring-water, and the Sages declare that it can be ordinary water. It may, however, be objected [to this argument] that as with a leper it is necessary to have cedar wood, hyssop and scarlet,(7) [so are these required with the water of bitterness]!(8) — Rabbah said: The text mentions in an earthen vessel,(9) i.e., a vessel to which I referred previously.(10)

Raba said: [The Rabbis in our Mishnah] did not teach [that a used vessel may be employed] except when its exterior is not blackened [by smoke]; but if its exterior is blackened it is unfit for use. What is their reason? — It is analogous to the water: just as the water must not be changed in appearance,(11) so also the vessel must not be changed in appearance. Raba asked: How is it if the earthenware had been blackened and re-whitened by being passed through the furnace again? Do we say that since it has once been rejected, it remains rejected; or perhaps, since it has been restored, it is suitable? — Come and hear: 'R. Eleazar says: If a man twisted cedar wood, scarlet and hyssop into a cord for the purpose of carrying his bundle on his back, they are unfit [to be used in the ceremony of purification];' and yet they are here again smoothed out!(12) But in that case we suppose that [some of the material] has been peeled off.(13)

[THE PRIEST] ENTERS THE TEMPLE AND TURNS RIGHT etc. For what reason? Because a Master has declared: All the turns which thou dost make must only be to the right.

THERE WAS A PLACE THERE A CUBIT etc. Our Rabbis have taught: 'And of the dust that is etc.' — it is possible to think that [the priest] may prepare [dust] from outside and bring it in; therefore there is a text to state, 'On the floor of the tabernacle'. If 'on the floor of the tabernacle', it is possible to think that he may dig for it with an axe; therefore there is a text to state 'that is'. How was it done? If [dust] is there, take of it; if none is there, put some there [and take of it]. Another [Baraitha] taught: 'And of the dust that is' — this teaches that he prepares some from outside and brings it in. 'On the floor of the tabernacle' — Issi b. Judah says: It includes the floor

1. V. supra p. 75.
2. V. next Mishnah, p. 87.
3. Num. V, 17.
4. For requiring a new bowl.
5. Lev. XIV, 5.
6. [Which water was used for the water of bitterness.]
7. V. ibid. 4.
8. The Torah does not require these things, and so the analogy is false.
9. [And not 'he shall take a vessel and put in it etc.']
10. Viz., in the law of the leper. Hence it is established that a new vessel is also necessary in the ceremony of the water of bitterness.
11. Although they do not insist on running water, it must not be discoloured by dirt.
12. When they are disconnected. So by analogy the earthenware cannot be made fit for use by re-whitening.
13. While it was used as a cord; therefore the restoration is not complete. But in the case of the vessel there is complete restoration and so it is allowed.

Folio 16a

[of the Tabernacle] in Shiloh, Nob, Gideon and the permanent Temple; Issi b. Menahem says: It is unnecessary [to include the permanent Temple];(1) if in the case of a minor defile ment(2) Scripture does not differentiate [between the temporary Tabernacle and the permanent Temple], in the case of the defilement of a married woman(3) how much more so [is it unnecessary to differentiate]. Why, then, does the text state 'on the floor of the tabernacle'? He may not take it from the midst of a heap.(4)

The following question was asked: If there is no dust, how is it about putting ashes there? According to the view of Beth Shammai, the question does not arise because they said that we never find ashes called dust; but the question does arise according to the view of Beth Hillel because they said that we do find ashes called dust.(5) How is it then? Although the word 'dust' is used, it is here written 'on the floor of the tabernacle';(6) perhaps, however, the phrase 'on the floor of the tabernacle' is intended to be understood according to the interpretation of Issi b. Judah and Issi b. Menahem?(7) — Come and hear: for R. Johanan said in the name of R. Ishmael: In three places the halachah crushes the Scriptural text under heel:(8) the Torah states with dust,(9) whereas the halachah allows [the blood to be covered] with anything; the Torah states no razor,(10) whereas the legal decision is [that a Nazirite may not shave] with anything; the Torah states a book,(11) whereas the legal decision [allows] any [form of document]. Now if this(12) is so, it should also have been enumerated! — He taught [some instances] and omitted others. What else, then, did he omit?(13) — He omitted [the shaving] of a leper;(14) for it has been taught: And it shall be on the seventh day that he shall shave all his hair — that is a generalization; off his head and his beard and his eyebrows — that is a particularization; even all his hair he shall shave off(15) — that is again a generalization. Now [the rule of exegesis is]: when there is a general proposition, followed by the enumeration of particulars, and this is followed by a general proposition, include only that which resembles the particulars.(16) As the particulars refer to a part [of the body] where the hair grows and is visible, so every place where the hair grows and is visible [comes within the scope of the law]. What does it include? It includes the hair on the private part. What does it exclude? It excludes that of the arm-pit and the whole body [which is normally covered]. The halachah, however, is: he shaves himself as smooth as a gourd.(17) For we have learnt: When [the priest] comes to shave the leper, he passes a razor over all his flesh;(18) and it continues,(19) On the seventh day he shaves(20) the second shaving after the manner of the first.(21) R. Nahman b. Isaac said: [R. Johanan] enumerated instances where the halachah crushes the Scriptural text under heel; but here it crushes a Rabbinical teaching(22) under heel.(23) R. Papa said: [R. Johanan] enumerated instances where the halachah crushes the Scriptural text under heel and overthrows it; but here it crushes the text under heel and extends it.(24) R. Ashi said: According to whom is this teaching [that only the visible parts of the body are to be shaved]? It is R. Ishmael who expounds [the Torah] by the rule of generalization and particularization.(25)

1. In Jerusalem.
2. I.e., entrance into the Temple-precincts while ritually unclean. This is not an offence punished by a Court with death.
3. Which is a capital crime.

4. It must first be scattered on the floor. [In contradiction to the second Baraitha cited which permits the bringing in dust from elsewhere and putting it forthwith into the water].
5. This matter, with reference to covering the blood after slaughter of an animal, is discussed in Hul. 88b.
6. So it is impossible to think that ashes could be meant.
7. If these words intend the inclusion of temporary Sanctuaries and the Temple, then 'dust' could here signify ashes.
8. I.e., practice goes beyond the letter of the Torah.
9. Lev. XVII, 13.
10. Num. VI, 5.
11. So literally, of a letter of divorcement (Deut. XXIV, I).
12. The use of ashes instead of dust.
13. [He would not in enumeration just stop short at one point.]
14. This refers to the second act of shaving. The leper was shaved twice; see Lev. XIV, 8 and 9.
15. Lev. XIV, 9.
16. V. Shebu (Sonc. ed.) p. 13, n. 3.
17. I.e., all over his body.
18. Neg. XIV. 2.
19. Ibid 3.
20. [This is a reading of Rashi which is preferable to that of the cur. edd: 'on the seventh day he shall shave', as this is a quotation of Neg. XIV. 3.]
21. Over all the body.
22. [A teaching derived from Rabbinic exegesis. MS.M. reads 'Midrash'; v. Chajes, Z.H. ntes.]
23. And therefore R. Johanan's list of three cases is complete.
24. [By shaving the whole body the demands of the text are not set aside but extended.]
25. He elaborated thirteen rules of interpretation, and that quoted above is one of them. [And so according to R. Ishmael in whose name the above enumeration was reported by R. Johanan the list is complete].

According to whom [is the teaching that he must be shaved the second time] as smooth as a gourd? It is R. Akiba who expounds [the Torah] by the rule of amplification and limitation; for it has been taught: 'And it shall be on the seventh day that he shall shave all his hair' — that is an amplification; 'off his head and his beard and his eyebrows' — that is a limitation; 'even all his hair he shall shave off — that is again an amplification. Now [the rule of exegesis is]: Where there is an amplification, followed by a limitation, and this is followed by an amplification, the amplification applies to the whole. In which respect is there an amplification? It includes all the body [to be shaved]. In which respect is there a limitation? It excludes the hair which grows inside the nostril. How is it, then, with our original question [whether ashes may be used when there is no dust]? — Come and hear: For R. Huna b. Ashi said in the name of Rab: If there is no dust there, he brings decayed herbage and hallows it! — But this is no proof. Decayed herbage may indeed be [called] dust but not ashes.

JUST SUFFICIENT TO BE VISIBLE ABOVE THE WATER. Our Rabbis have taught: Three things must be visible, viz., the dust in the ceremony of the suspected woman, the ashes in the ceremony of the red heifer(1) and the spittle in the ceremony of Halizah.(2) They said in the name of R. Ishmael, Also the blood of the bird.(3) What is R. Ishmael's reason? — Because it is written: And shall dip them in the blood of the bird etc.;(4) and it has been taught: 'in the blood' — it is possible [to think that they must be dipped] in blood and not in water; therefore the text declares '[over the running] water'. If Scripture [had only mentioned] 'water', it would be possible [to think that they must be dipped] in water and not in blood; therefore the text declares 'in the blood'. What, then, was the procedure? He brings water in which the blood of the bird is recognisable. What is the quantity? A quarter [of a log]. And [why is this instance not included in their enumeration by] the Rabbis? — That is part of the subject-matter; for thus said the All-Merciful, Dip in blood and water.(5) [How is this argument met by] R. Ishmael? — In that case, the All-Merciful should have written: 'And he shall dip in them'; so why [is it stated] in blood and in water? That [the blood] must be recognisable. And [how is this argument met by] the Rabbis? — If the All-Merciful had written: 'And he shall dip in them', I might have imagined [that he was to dip] in each separately; therefore He wrote 'in blood and in water' to indicate that they must be mixed. [How does] R. Ishmael [answer this point]? That they are to be mixed [is learnt from] another verse; it is written: And kill one of the birds in an earthen vessel over running water.(6) [How do] the Rabbis [answer this point]? — If [we had to learn it] from that passage, we might have thought that he is to kill it near a vessel, press the jugular veins,(7) and receive the blood in another vessel. Hence we are informed [by this verse that the killing must be done over the vessel containing the water].

R. Jeremiah asked R. Zera, How is it if [the bird] was so big that [its blood] effaced [all trace of] the water, or if it was so small that [all trace of its blood] was effaced by the water? He answered: Have I not told thee not to take thyself beyond the legal decision?(8) The Rabbis estimated [the quantity of a quarter of a log] by a free bird;(9) and this is never so big that [its blood] should efface [all trace of] the water, nor so small that [all trace of its blood] should be effaced by the water.

Our Rabbis have taught: If he put the dust [in the bowl] before the water, it is invalid; but R. Simeon allows it. What is the reason of R. Simeon? — Because it is written: And for the

unclean they shall take of the dust of the burning of the sin-offering;(10) and it has been taught: R. Simeon said: Was it dust and not ashes? The text changes the expression to indicate that a conclusion was to be drawn from it by the rule of analogy: it is mentioned here 'dust', and there [in the ceremony of the suspected woman] it is also mentioned 'dust'; as in the second instance the dust had to be placed over the water,(11) so also here the dust had to be placed over the water; and further, as it is valid here if he put the dust on before the water, so also there [in the ceremony of the suspected woman] it is valid if he put the dust on before the water.(12) Whence is this derived there [in the rite of the red heifer]? — There are two texts: It is written thereto,(13) consequently the ashes are first; and it is written running water in a vessel, consequently the water is first. So what was the procedure? He can put either in first. [How is this interpretation answered by] the Rabbis?(14) — 'In a vessel' — precisely so;(15) 'thereto'- that they are to be mixed. But say rather that 'thereto' means precisely so;(16) and 'in a vessel' means that the water must be poured directly into the vessel from the spring!(17) — As we find that everywhere it is the qualifying element which is on top,(18) so also here(19) the qualifying element must be on top.

1. Num. XIX.
2. V. Glos.
3. Used in the purificatory rites of a leper.
4. Lev. XIV, 6.
5. So long as there is some blood in the water, even if it cannot be distinguished.
6. Lev. XIV, 5.
7. So that no blood escapes while carrying it to the other vessel.
8. Not to raise questions about exaggerated points in connection with the decisions.
9. Such as flies in and out of a house. [A swallow; v. Lewysohn Zoologic, p. 206ff].
10. Num. XIX, 17. The text has the word for dust, not 'ashes'.
11. As stated in Num. V, 17.
12. As explained anon.
13. Ibid., running water shall be put thereto.
14. Who declare that the rite is invalid if the dust is placed in the bowl before the water.
15. I.e., the water must be poured in first.
16. The water to be poured on the ashes.
17. It must be running water, and not poured from another vessel.
18. [In the case of a suspected woman, and of a leper, the qualifying elements — i.e., the dust which gives the water of bitterness its efficacy and the blood of the bird — must be placed on top as indicated by the plain meaning of the Scriptural texts: Num. V, 17, and Lev. XIV, 6.]
19. With the ashes of the red heifer.

Folio 17a

MISHNAH. WHEN HE COMES TO WRITE THE SCROLL, FROM WHAT PLACE DOES HE WRITE? FROM IF NO MAN HAVE LAIN WITH THEE(1) … BUT IF THOU HAST GONE ASIDE, BEING UNDER THY HUSBAND ETC.(2) HE DOES NOT, HOWEVER, INCLUDE, THEN THE PRIEST SHALL CAUSE THE WOMAN TO SWEAR,(3) BUT CONTINUES WITH, THE LORD MAKE THEE A CURSE AND AN OATH … AND THIS WATER THAT CAUSETH THE CURSE SHALL GO INTO THY BOWELS AND MAKE THY BELLY TO SWELL, AND THY THIGH TO FALL AWAY.(4) HE DOES NOT, HOWEVER, INCLUDE, AND THE WOMAN SHALL SAY, AMEN, AMEN. R. JOSE SAYS, HE MAKES NO OMISSIONS.(5) R. JUDAH SAYS, HE WRITES NONE OF ALL THIS EXCEPT, THE LORD MAKE THEE A CURSE AND AN OATH ETC. AND THIS WATER THAT CAUSETH THE CURSE SHALL GO INTO THY BOWELS ETC. AND DOES NOT INCLUDE, AND THE WOMAN SHALL SAY, AMEN, AMEN.

GEMARA. On what point do they differ? — They differ in [the interpretation of] the following verse: And the priest shall write these curses in a book.(6) R. Meir(7) is of the opinion that curses denotes [the passages which are] actually curses;(8) the curses(9) is to include the curses which result from the benedictions;(10) 'these' is to exclude the curses in Deuteronomy;(11) 'the these' is to exclude instructions [given to the officiating priest] and the responses of Amen [made by the woman]. R. Jose agrees with all that has been stated, except that he interprets the particle 'eth(12) as indicating the inclusion of instructions and responses, whereas R. Meir draws no deductions from the occurrences of the particle 'eth. R. Judah, on the other hand, expounds all the above points as implying limitation; 'curses' denotes [the passages which are] actually curses; 'the curses' is to exclude the imprecations which result from the benedictions; 'these' is to exclude the imprecations in Deuteronomy; 'the these' is to exclude instructions and responses. What is the difference that R. Meir interprets the definite article [in the curses] as implying amplification and the definite article [in the these] as implying limitation? — When the definite article occurs in connection with amplification(13) it also denotes amplification, and when it occurs in connection with limitation(14) it also denotes limitation. But R. Meir does not accept the rule that an affirmative is to be deduced as the corollary of a negative!(15) — R. Tanhum said: It is written hinnaki.(16)

R. Akiba expounded: When husband and wife are worthy, the Shechinah abides with them; when they are not worthy fire consumes them.(17) Raba said: [The fire which results] from the woman is severer than that from the man.(18) What is the reason? In the case of the former [the letters aleph and shin] are consecutive, but not in the case of a man.(19)

Raba said: Why does the Torah command that dust should be provided for [the ceremony of] a suspected woman? If she be innocent, there will issue from her a son like our father Abraham, of whom it is written: Dust and ashes;(20) and if she be not innocent, she reverts to dust.(21)

Raba expounded: As a reward for our father Abraham having said: 'I am but dust and ashes', his descendants were worthy to receive two commandments, viz., the ashes of the red heifer and the dust [of the ceremony] of a suspected woman. But there is likewise dust for the covering of the blood!(22) — In this case [the use of dust is merely] the completion of the commandment without any advantage [to the performer].(23)

Raba expounded: As a reward for our father Abraham having said: I will not take a thread nor a shoelatchet,(24) his descendants were worthy to receive two commandments, viz., the thread of blue(25) and the thong of the phylacteries. It is right in the case of the thong of the phylacteries, for it is written: And all the peoples of the earth shall see that thou art called by the name of the Lord,(26) and it has been taught: R. Eliezer the Elder says: This refers to the phylactery worn upon the head;(27) but what is [the advantage to him who performs the law] of the thread of blue? — It has been taught: R. Meir used to say: Why is blue specified from all the varieties of colours? Because blue resembles [the colour of] the sea, and the sea resembles [the colour of] heaven, and heaven resembles [the colour of] the Throne of Glory, as it is said: And they saw the God of Israel and there was under His feet as it were a paved work of sapphire stone, and as it were the very heaven for clearness,(28) and it is written: The likeness of a throne as the appearance of a sapphire stone.(29)

MISHNAH. HE WRITES NEITHER ON A [WOODEN] TABLET NOR ON PAPYRUS NOR ON

1. Num. V, 19, — 'be thou free from this water of bitterness'.
2. Ibid. 20, — [This is taken to imply a curse; v. infra].
3. Ibid. 21.
4. Ibid. 22.
5. And the whole Scriptural passage is included.
6. Num. V, 23.
7. Who is the author of the anonymous statement in the Mishnah, v. Sanh. 86a.
8. 'The Lord make thee etc.', verse 20.
9. According to Hebrew idiom, 'these curses' is literally 'the curses the these'.
10. [I.e., 'if no man have lain with thee … be thou free' implies that 'if thou hast gone aside … be thou not free'].
11. If the text of Num. V, 23 had read 'and the priest will write the curses in a book' it might have been understood as referring to the curses in Deut. XXVIII, 16ff.
12. The sign of the accusative before 'these curses'.
13. The phrase 'and the priest will write' is a general statement — an amplification.
14. 'These' is a limited term.
15. How then does he consider verse 20 to imply a curse, v. Kid. 61a-62a and Shebu. 36a.
16. 'Be free' in Num. V, 19. Since the word is defectively spelt without the mater lectionis, and the Hebrew letter he closely resembles the letter heth, it might be

taken to mean 'be strangled'; and so an imprecation is mentioned and it has not to be deduced as a corollary, v. Shebu (Sonc. ed.) p. 213, n. 6.

17. The letters of the word for 'husband' are aleph, yod and shin, and for 'wife' aleph, shin and he. The yod and he form the Divine Name; but if omitted, only aleph and shin are left which form the word esh 'fire'.
18. I.e., a bad wife is more destructive of domestic happiness than a bad husband.
19. The first and second letters of the word for 'woman' or 'wife' form esh; but in the word for 'husband' or 'man' they are the first and third letters.
20. Gen XVIII, 27.
21. Dies from the effect of the water.
22. Of a slaughtered animal (Lev. XVII, 13).
23. Whereas the dust in the ceremony of the ordeal helps to restore the confidence of a husband in his wife or punishes immorality and the ashes of the red heifer serve to cleanse the unclean.
24. Gen. XIV, 23.
25. On the fringes of the garment (Num. XV, 38).
26. Deut. XXVIII, 10.
27. Hence its advantage to him who performs the precept.
28. Ex. XXIV, 10.
29. Ezek. I, 26. [And he who fulfils the precept is blessed, as it were, with the Divine Presence (Rashi).]

Sotah 17b

DIFTERA(1) BUT ON A [PARCHMENT] SCROLL, AS IT IS SAID, IN A BOOK.(2) NOR DOES HE WRITE WITH A [PREPARATION OF] GUM OR VITRIOL(3) OR WITH ANYTHING WHICH INDENTS [THE PARCHMENT] BUT WITH INK,(4) AS IT IS SAID, AND BLOT OUT(5) — WRITING WHICH IS CAPABLE OF BEING BLOTTED OUT.

GEMARA. Raba said: A scroll for a suspected woman which one wrote at night is invalid. What is the reason? An analogy is drawn between two passages where the word 'law' occurs: here it is written: And the priest shall execute upon her all this law,(6) and elsewhere it is written: According to the tenor of the law which they shall teach thee, and according to the judgment.(7) As judgment [could only be delivered] in the daytime,(8) so a scroll for a suspected woman [could only be written] in the daytime. If he wrote the text not in its proper order,(9) it is invalid; for it is written: And he shall write these curses(10) — just as they are written [in the Scriptural text]. If he wrote it before she took the oath upon herself, it is invalid; as it is said: He shall cause her to swear and after that, He shall write.(11) If he wrote it in the form of a letter,(12) it is invalid — 'in a book' said the All-merciful.

1. Animal's hide prepared with salt and flour but not with gallnut. It was consequently more absorptive than fully prepared parchment. V. Krauss, T A. II, 262, v. Git. (Sonc. ed.) p. 87, n. 2.
2. Num. V, 23. The book was then in the form of a scroll.
3. [Kankantun, v. Git. (Sonc. ed.) p. 10, n. 8.]
4. It was really black paint, consisting of lampblack mixed with oil. V. Krauss, op. cit., III, 148ff., v. Git. (Sonc. ed.) p. 70, n. 9.
5. Num. V, 23.
6. Num. V, 30.
7. Deut. XVII, II.
8. This was the rule of judicial procedure; v. Sanh. 32a.
9. [Lit., 'backward'; probably as an incantation, v. Blau, Das altjudische Zauberwesen, pp. 146ff.]
10. Num. V, 23.
11. Ibid. 19 and 23.
12. I.e., without first tracing lines to secure evenness of script, as is required with a scroll of the Law, v. Git. (Sonc. ed.) p. 20, n. 3.

Folio 18a

If he wrote it on two folios it is invalid; the All-merciful spoke of one 'book' and not of two or three books. If he wrote one letter and blotted it out [with the water of bitterness] and then wrote another letter and blotted it out(1) it is invalid; for it is written: And the priest shall execute upon her all this law.

Raba asked: How is it if he wrote two scrolls for two suspects and blotted them in one vessel of water? Do we only require that the writing should be expressly for each case? That we have here; or perhaps it is also necessary to have obliteration expressly for each case! If, furthermore, you conclude that we also require obliteration expressly for each case, how is it if he obliterated them in two vessels and then mixed them? Do we only require that the obliteration should be expressly for each case? That we have here; or perhaps each of the women does not drink the water prepared for her! If, furthermore, you conclude that [this renders the rite invalid because] each of the women does not drink the water prepared for her, how is it if he again divided the water into two parts [after having mixed it]? Is there or is there not a retrospective differentiation?(2) — The questions remain unanswered. Raba asked: How is it if he made her drink through a straw or tube? Is that to be regarded as a mode of drinking or not? — The question remains unanswered. R. Ashi asked: How is it if some of the water was spilt or remained over? The question remains unanswered.

R. Zera said in the name of Rab: Why are two oaths mentioned in connection with a suspected woman?(3) One [was imposed] before [the writing on] the scroll was blotted out and the other after it was blotted out. Raba demurred: They are both written [in the Scriptural text] before [the inscription on] the scroll was obliterated! But, said Raba, with one oath a curse was connected(4) and not with the other. What was the formula of the oath with which a curse was connected? — R. Amram said in the name of Rab: 'I make thee swear that thou hast not misconducted thyself, for if thou hast, may [the curses] befall thee.' Raba asked: [In this wording] the curse and the oath are distinct!(5) But, said Raba, [the formula is], 'I make thee swear that if thou hast misconducted thyself, may [the curses] befall thee'.(6) R. Ashi asked: [In this wording] there is a curse but no oath! But, said R. Ashi, [The formula is], 'I make thee swear that thou hast not misconducted thyself; and that if thou hast, may [the curses] befall thee'.

MISHNAH. TO WHAT DOES SHE RESPOND 'AMEN, AMEN'? AN 'AMEN' OVER THE CURSE AND AN 'AMEN' OVER THE OATH; AN 'AMEN' WITH RESPECT TO THIS MAN(7) AND AN 'AMEN' WITH RESPECT TO ANY OTHER MAN;(8) AN 'AMEN' THAT I DID NOT GO ASTRAY AS A BETROTHED MAIDEN OR MARRIED WOMAN

1. He did not write out the text in full before obliterating it.
2. Bererah v. Glos. Do we regard the water now divided as being differentiated and identical with the original quantities of water?
3. V. Num. V, 19, 21.
4. Verse 21 where the phrase oath of cursing occurs.

5. [The oath here is not connected with the curse, but relates to the wife's fidelity.]
6. [The oath relates only to the wife's conduct and is not connected with the curse.]
7. Who is the cause of the ordeal.
8. With whom she may have associated without her husband's knowledge.

OR [A CHILDLESS WIDOW] WAITING FOR MY BROTHER-IN-LAW'S [DECISION WHETHER HE WOULD MARRY ME] OR TAKEN TO HIS HOUSE,(1) AND AN 'AMEN' THAT I HAVE NOT MISCONDUCTED MYSELF AND IF I HAVE MAY [THE CURSES] BEFALL ME. R. MEIR SAYS: ONE 'AMEN' IS THAT I HAVE NOT MISCONDUCTED MYSELF AND THE OTHER 'AMEN' THAT I WILL NOT MISCONDUCT MYSELF.

ALL AGREE THAT A MAN CANNOT MAKE A STIPULATION WITH HER IN RESPECT OF THE TIME BEFORE SHE WAS BETROTHED(2) OR AFTER SHE IS DIVORCED. IF SHE SECLUDES HERSELF WITH ANOTHER MAN(3) AND MISCONDUCTS HERSELF AND SUBSEQUENTLY [HER HUSBAND] TAKES HER BACK, HE CANNOT MAKE A STIPULATION WITH HER [IN RESPECT OF THIS].(4) THIS IS THE GENERAL RULE: HE CANNOT MAKE A STIPULATION WITH HER IN RESPECT OF ANY ACT OF COHABITATION WHICH DOES NOT RENDER HER PROHIBITED TO HIM.

GEMARA. R. Hamnuna said: [A childless widow] waiting for her brother-in-law's [decision whether he would marry her] who acted immorally is forbidden to her levir.(5) Whence is this? Since the Mishnah teaches: [A CHILDLESS WIDOW] WAITING FOR MY BROTHER-IN-LAW'S [DECISION WHETHER HE WOULD MARRY ME] OR TAKEN TO HIS HOUSE. This is quite right if you say that she is prohibited [to her brother-in-law] then he can make a stipulation with her;(6) but if you say that she is not prohibited to him,(7) how can he make a stipulation with her; for we have learnt: THIS IS THE GENERAL RULE: HE CANNOT MAKE A STIPULATION WITH HER IN RESPECT OF ANY ACT OF COHABITATION WHICH DOES NOT RENDER HER PROHIBITED TO HIM! In the West,(8) however, they said: The legal decision is not in agreement with R. Hamnuna. But whose [then] is the teaching concerning [A CHILDLESS WIDOW] WAITING FOR HER BROTHER-IN-LAW OR TAKEN TO HIS HOUSE? — It is R. Akiba's; for he said: No betrothal can take effect in cases which are subject to a mere negative prohibition,(9) and he regards her(10) act as equal to an incestuous union.(11)

R. Jeremiah asked: Can he make a stipulation in connection with a first marriage(12) or her marriage with his brother?(13) — Come and hear: THIS IS THE GENERAL RULE: HE CANNOT MAKE A STIPULATION WITH HER IN RESPECT OF ANY ACT OF COHABITATION WHICH DOES NOT RENDER HER PROHIBITED TO HIM. Consequently when it would render her prohibited to him he can make a stipulation with her. Draw that conclusion.(14)

R. MEIR SAYS: ONE 'AMEN' IS THAT I HAVE NOT MISCONDUCTED MYSELF etc. It has been taught: When R. Meir declares, AND THE OTHER 'AMEN' THAT I WILL NOT MISCONDUCT MYSELF, it does not imply that if she in the future misconducts herself, the water affects her now; but should she later misconduct herself, the water will bestir and affect her.

R. Ashi asked: Can a man make a stipulation with regard to remarriage?(15) [Do we argue] that for the present she is not prohibited to him [and therefore he cannot make a stipulation with her], or that it may happen that he will divorce and remarry her [and therefore can

make a stipulation]? — Come and hear: ALL AGREE THAT A MAN CANNOT MAKE A STIPULATION WITH HER IN RESPECT OF THE TIME BEFORE SHE WAS BETROTHED OR AFTER SHE IS DIVORCED. IF SHE SECLUDES HERSELF WITH ANOTHER MAN AND MISCONDUCTS HERSELF AND SUBSEQUENTLY [HER HUSBAND] TOOK HER BACK, HE CANNOT MAKE A STIPULATION WITH HER [IN RESPECT OF THIS]. Hence if he takes her back and she then misconducts herself, he can make a stipulation [in respect of this]. Draw that conclusion.(16)

Our Rabbis have taught: This is the law of jealousy(17) — it teaches that a woman may drink [the water of bitterness] and do so again.(18) R. Judah says: 'This'(19) indicates that a woman does not drink and do so again. R. Judah said: It happened that Nehonia the welldigger(20) testified before us that a woman had drunk [the water of bitterness] and had done so a second time. We accepted his testimony as relating to two husbands but not one husband. The Sages, however, declared that a woman does not drink and do so again, whether it be in respect of one husband or two husbands. But for the first Tanna [cited above] it is likewise written 'This'!(21) And for the latter Rabbis [cited above] it is likewise written 'the law of!(22) — Raba said: In the case of the same husband and the same paramour none differ that a woman does not drink and do so again,

1. For the purpose of marriage, but before its consummation.
2. That she had never acted immorally.
3. After being divorced, and the divorce was not on account of misconduct because in that event there could be no re-marriage.
4. In respect of what she may have done after the divorce.
5. Because she is regarded as a wife who was unfaithful to her husband.
6. In respect of her conduct before he married her; and if she was immoral, he may not marry her.
7. For immorality before marriage.
8. The Palestinian Schools.
9. Without carrying with them the death penalty or of kareth. There is such a prohibition in connection with a childless widow's marriage (v. Deut. XXV, 5) v. Yeb. 10b.
10. The childless widow who acted immorally.
11. [And therefore forbidden to her brother-in-law just as a wife who misconducted herself is forbidden to her husband.]
12. When he had remarried her after divorcing her can he make her swear that she had been faithful to him during their first marriage?
13. After he had gone through the levirate-marriage with her, can he make her swear that she had not misconducted herself whilst living with his brother?
14. In both of the contingencies mentioned immorality would render her prohibited; so he can make the stipulation.

15. Since R. Meir interprets 'Amen' as referring to what may occur in the future, suppose a husband makes a condition that his wife shall not misconduct herself if he divorces her and remarries her, and after remarriage she is unfaithful?
16. That such a stipulation is permissible.
17. Num. V, 29. The text is literally 'law of jealousies', which is taken to mean: the law is to be applied in every instance of suspicion.
18. If suspected a second time.
19. The word has an exclusive meaning, and equals this is the only time the woman undergoes the ordeal.
20. [V. B.K. (Sonc. ed.) p. 287. He however could not have testified before R. Judah who lived about 200 years later. The text must accordingly be connected with the parallel passage in J. Sotah II, where the reading is Nehemia of Shihin testified in the name of R. Akiba v. Hyman, A Toledoth, p. 924.]
21. He permits a woman to drink a second time; why does he not interpret 'This' is an exclusive sense?
22. Why do they not understand this as not permitting the second ordeal?

Folio 19a

for it is written 'This'. In the case of two husbands and two paramours none differ that a woman drinks and does so again, for it is written 'the law of. Where they differ is in the case of the same husband and two paramours, or two husbands and the same paramour. The first Tanna holds that 'the law of indicates the inclusion of them all, and 'This' indicates the exclusion of the case of the same husband and the same paramour. The Rabbis hold that 'This' indicates the exclusion of them all, and 'the law of indicates the inclusion of the case of two husbands and two paramours. R. Judah holds that 'This' is to exclude two cases and 'the law of is to include two cases. 'This' is to exclude two cases, viz., the same husband and the same paramour, and the same husband and two paramours; 'the law of is to include two cases, viz., two husbands and the same paramour, and two husbands and two paramours.

CHAPTER III

MISHNAH. HE(1) TAKES HER MEAL-OFFERING OUT OF THE BASKET OF PALM-TWIGS AND PLACES IT IN A MINISTERING VESSEL AND SETS IT UPON HER HAND; AND THE PRIEST PLACES HIS HAND UNDER HERS AND WAVES IT.(2)

HAVING WAVED IT, HE BROUGHT A HANDFUL [TO THE ALTAR], FUMIGATED IT, AND THE REMAINDER WAS EATEN BY THE PRIESTS. HE [FIRST] GIVES [HER THE WATER OF BITTERNESS] TO DRINK, AND THEN SACRIFICES HER MEAL-OFFERING. R. SIMEON SAYS: HE SACRIFICES HER MEAL-OFFERING AND THEN GIVES HER TO DRINK, AS IT IS SAID, AND AFTERWARD SHALL MAKE THE WOMAN DRINK THE WATER;(3) BUT IF HE GAVE HER TO DRINK AND THEN SACRIFICED HER MEAL-OFFERING IT IS VALID.

GEMARA. R. Eleazar said to R. Joshiah his contemporary:(4) You shall not sit down(5) until you have explained the following: Whence is it that the meal-offering of a suspected woman requires to be waved? 'Whence have we it? It is written In connection therewith, And shall wave(6) — But [my question is], whence [is it that it has to be done] with [the co-operation of] the owner?'(7) — It is derived from the analogous use of the word 'hand' in connection with the peace-offering. Here it is written: 'The priest shall take out of the woman's hand', and there it is written: His own hands shall bring.(8) As in this present case it refers to the priest [who waves the offering of the suspected woman], so there it refers to the priest;(9) and as there [in the waving of the peace-offering] the owner [holds it during the rite] so here the owner [holds it]. What, then, was the procedure? — [The priest] places his hand under the hands of the owner and waves.

HAVING WAVED IT, HE BROUGHT A HANDFUL … HE [FIRST] GIVES [HER THE WATER OF BITTERNESS] TO DRINK, AND THEN SACRIFICES HER MEAL-OFFERING. But he has already offered it!(10) — This is what is intended:(11) What is the procedure in connection with meal-offerings? He waves, brings a handful [to the altar]. fumigates it and the remainder is eaten by the priests. As to the giving of the water to drink, on this R. Simeon and the Rabbis differ; because the Rabbis hold that he gives her to drink and then sacrifices her meal-offering, whereas R. Simeon holds that he sacrifices her meal-offering and then gives her to drink, as it is said: 'And afterwards shall make the woman drink'.

BUT IF HE GAVE HER TO DRINK AND THEN SACRIFICED HER MEAL-OFFERING IT IS VALID.

1. According to Rashi it is the husband; other commentators declare it is the priest.
2. The offering, forward and backward, and up and down.
3. Num. V, 26.
4. This is added to distinguish him from an earlier Rabbi of that name.
5. Lit., 'sit on your legs', v. Nazir (Sonc. ed.) p. 87, n. 9.
6. Ibid. 25.
7. In this instance, the suspected woman; and the verse declares, The priest shall take the meal-offering of jealousy out of the woman's hand and shall wave, Ibid.
8. Lev. VII, 30.
9. Who performs the act of waving although it is not explicitly mentioned.
10. Since the Mishnah stated: HE BROUGHT A HANDFUL (TO THE ALTAR), FUMIGATED IT.
11. This Mishnah is describing the order of the sacrifice without any reference to whether it comes before or after the drinking of the water.

Sotah 19b

Our Rabbis taught: And when he hath made her drink(1) — what does this intend to tell us since It has already been stated: And he shall make the woman drink?(2) [It informs us] that if [the writing on] the scroll has been obliterated and she says: 'I refuse to drink', they exert influence upon her and make her drink by force. Such is the statement of R. Akiba. R. Simeon says: 'And afterwards shall make the woman drink' — what does this intend to tell us since it has already been stated: 'And he shall make the woman drink'? [It informs us] that it only takes place after all the rites mentioned above have been carried out, thus indicating that three things prevent [the giving of the water to drink]: [the priest] must have offered the handful, [the writing on] the scroll must have been blotted out, and [the woman] must have taken the oath. '[The priest] must have offered the handful' — R. Simeon is consistent with his opinion when he said that the priest sacrifices her meal-offering and then gives her to drink. '[The writing on] the scroll must have been blotted out' — [obviously so], for what else could he give her to drink!(3) — R. Ashi said: No, it is necessary [to mention this for the case where] a trace of the inscription is recognisable.(4) '[The woman] must have taken the oath.' [This means] merely she does not drink, but they write the scroll for her [before she takes the oath]? But Raba has said: If he wrote the scroll for a suspected woman before she took the oath, what he did was Invalid! — [R. Simeon] mentioned this(5) unnecessarily. On what, then, do they differ? — There are three verses: first 'he shall make the woman drink', second 'and afterward shall make drink', and third 'and when he hath made her drink'. The Rabbis hold that the first phrase is required for the subject-matter, i.e., he gives her to drink and then sacrifices her meal-offering; the phrase 'and afterward shall make drink' is necessary [to cover the case where] a trace of the inscription is recognisable; and the third phrase indicates that if [the writing on] the scroll has been obliterated and she says 'I refuse to drink', they exert influence upon her and make her drink by force. R. Simeon, on the other hand, holds that 'and afterward shall make drink' is required for the subject-matter. i.e., he sacrifices her meal-offering and then gives her to drink. The first phrase is to indicate that if he first gave her to drink and afterward sacrificed her meal-offering it is valid; and the third phrase denotes that if [the writing on] the scroll has been obliterated and she says 'I refuse to drink', they exert influence upon her and make her drink by force. The Rabbis, however, do not hold that the text opens with [a commandment which is only valid as] an accomplished fact.(6)

Does R. Akiba hold that they give her to drink by force? Surely it has been taught: R. Judah says: They insert iron tongs into her mouth, so that if [the writing on] the scroll has been obliterated and she says 'l refuse to drink', they exert influence upon her and make her drink by force. R. Akiba says: Do we require anything else than to prove her, and is she not actually proved!(7) But so long as the priest has not offered the handful, she can retract;(8) and when he has offered the handful, she cannot retract! — But, even on your reasoning, the teaching is inconsistent. It states: 'When he has offered the handful, she cannot retract', but is she not actually proved!(9) [You must perforce say] that there is no contradiction; as one case is where she retracts through trembling and the other where she retracts through defiance;(10) and this is what he means: when [she retracts] through defiance she does not drink at all; but when it is through trembling, so long as the priest has not offered the handful she is able to retract, since [the writing on] the scroll had not yet been obliterated, or even if it had been obliterated because the priests acted illegally in obliterating it; but if

he had offered the handful, in which case the priests acted legally in obliterating it, she is unable to retract.(11)

1. Num. V. 27.
2. Ibid. 24. In the consonantal text the two verbs look the same, but there is a grammatical difference.
3. Since the writing was an essential ingredient of what she drank.
4. R. Simeon insists on total obliteration.
5. That she first takes the oath before drinking; for it must have been done before the scroll was written.
6. A Biblical precept states what is or is not to be done, not that something should not be done but, if accomplished, it is allowed to stand. For this reason they reject R. Simeon's explanation of the first phrase.
7. Her refusal to drink is interpreted as an admission of guilt. R. Akiba is therefore against force being used.
8. And admit guilt, and so avoid force.
9. By refusing to drink before the handful was offered.
10. Only in the latter is the refusal considered an admission of guilt.
11. [Similarly R. Akiba in stating in the first Baraitha that she is given to drink by force refers to the case when it is through trembling.]

Folio 20a

But R. Akiba [nevertheless] contradicts himself; he declared above that it was the obliteration [of the inscription] which prevents [her from retracting], and here he declares that [the offering of the] handful prevents her! — There are two Tannaim [who take opposite sides on this question] in the view of R. Akiba.

The question was asked, how is it if she said: 'I refuse to drink' through defiance and she retracts and says 'I am willing to drink'? Is it that since she said: 'I refuse to drink' she admitted 'I am unclean', and having presumed her self to be unclean, she is unable to retract; or perhaps, since she says 'I am willing to drink', she evidences that she first spoke in terror? — The question remains unanswered. Samuel's father said: It is necessary to put something bitter into the water. What is the reason? Scripture declares, The water of bitterness(1) — i.e., [water] which had been previously made bitter.

MISHNAH. IF, BEFORE [THE WRITING ON] THE SCROLL HAD BEEN BLOTTED OUT, SHE SAID 'I REFUSE TO DRINK', HER SCROLL IS STORED AWAY(2) AND HER MEAL-OFFERING IS SCATTERED OVER THE ASHES.(3) HER SCROLL IS NOT VALID TO BE USED IN GIVING ANOTHER SUSPECTED WOMAN TO DRINK. IF [THE WRITING ON] THE SCROLL HAS BEEN BLOTTED OUT AND SHE SAID 'I AM UNCLEAN', THE WATER IS POURED AWAY AND HER MEAL-OFFERING IS SCATTERED IN THE PLACE OF THE ASHES.(4) IF [THE WRITING ON] THE SCROLL HAD BEEN BLOTTED OUT AND SHE SAID 'I REFUSE TO DRINK', THEY EXERT INFLUENCE UPON HER AND MAKE HER DRINK BY FORCE.

SHE HAD SCARCELY FINISHED DRINKING WHEN HER FACE TURNS GREEN, HER EYES PROTRUDE AND HER VEINS SWELL;(5) AND IT IS EXCLAIMED, REMOVE HER THAT THE TEMPLE-COURT BE NOT DEFILED'.(6) IF SHE POSSESSED A MERIT, IT [CAUSES THE WATER] TO SUSPEND ITS EFFECT UPON HER. SOME MERIT SUSPENDS THE EFFECT FOR ONE YEAR, ANOTHER FOR TWO YEARS, AND ANOTHER FOR THREE YEARS. HENCE DECLARED BEN AZZAI, A MAN IS UNDER THE OBLIGATION TO TEACH HIS DAUGHTER TORAH, SO THAT IF SHE HAS TO DRINK [THE WATER OF BITTERNESS], SHE MAY KNOW THAT THE MERIT SUSPENDS(7) ITS EFFECT. R. ELIEZER SAYS: WHOEVER TEACHES HIS DAUGHTER TORAH TEACHES HER OBSCENITY. R. JOSHUA SAYS: A WOMAN PREFERS ONE KAB(8) AND SEXUAL INDULGENCE TO NINE KAB(9) AND CONTINENCE. HE USED TO SAY, A FOOLISH PIETIST, A CUNNING ROGUE, A FEMALE PHARISEE, AND THE PLAGUE OF PHARISEES(10) BRING DESTRUCTION UPON THE WORLD.

GEMARA. Rab Judah declared that Samuel said in the name of R. Meir: When I studied Torah with R. Akiba, I used to put vitriol(11) into the ink and he said nothing to me; but when I went to R. Ishmael, he said to me, 'My son, what is thy occupation?' I answered: 'I am a scribe'.(12) He told me: 'My son, be careful, because thy work is the work of Heaven; if thou omittest a single letter or addest a single letter, thou dost as a consequence destroy the whole world'.(13) I said to him, 'There is an ingredient which I put into the ink, and its name is vitriol'. He asked me, 'May we put vitriol into the ink? The Torah has said: He shall

blot out,(14) i.e., writing which can be blotted out!' What did [R. Ishmael] intend to tell [R. Meir] that the latter answered him in that manner?(15) — [R. Meir] meant, Obviously, I am skilled in the rules of defective and plene spelling;(16) but I even have no reason to fear lest a fly should come and settle upon the crownlet of the letter D and obliterate it so that it makes it look like the letter R.(17) There is an ingredient which I put into the ink, and its name is vitriol. But it is not so, for it has been taught: R. Meir said: When I studied Torah with R. Ishmael, I used to put vitriol into the ink and he said nothing to me; but when I went to R. Akiba, he forbade it to me! Here is an inconsistency in [the order of the Rabbis upon whom R. Meir] attended, and an inconsistency in [the name of the Rabbi who] forbade it. It is quite right, there is no inconsistency in [the order of the Rabbis upon whom R. Meir] attended; he first went to R. Akiba, but when he was unable [to follow his arguments],(18) he went to R. Ishmael. After having studied(19) with him, he returned to R. Akiba whose reasoning he was then able to grasp. But there is an inconsistency in [the name of the Rabbi who] forbade it! — That is a difficulty.

It has been taught: R. Judah says: R. Meir used to declare that for all [kinds of script] we may put vitriol into the ink

1. Num. V, 18.
2. It was not destroyed because the inscription included the Divine Name.
3. Of the Temple-offerings.
4. This was a special Court in the Temple where the refuse of sacrifices was destroyed.
5. Literally, she becomes filled with veins.
6. The reason is discussed in the Gemara.
7. [MS.M.: 'suspended'. In the absence of such a knowledge, the woman who passed through the ordeal unscathed may be led to doubt the efficacy of the water of bitterness searching out sin, and thus indulge in further immoral practices. By realising however that merit has suspended the effects, she would pause and be in constant dread of the fate hanging over her.]
8. Metaphorical for a scanty livelihood.
9. Luxurious style of living.
10. All these phrases will be explained in the Gemara.
11. V. supra p. 90. n. 8.
12. Of Torah-scrolls for use in the Synagogue.
13. Such an error might turn a phrase into blasphemy.
14. Num. V, 23.
15. By mentioning the use of vitriol.
16. I.e., the use of vowel letters which are sometimes added and sometimes omitted.
17. [Changing, e.g., 'the Lord is one' into 'another.']
18. Which, through lack of knowledge, were beyond his comprehension.

19. [Lit., 'learned Gemara'. On the term Gemara v. B.M. (Sonc. ed.) p. 206. n. 6. Here it denotes the summary of Tannaitic teachings preserved in early Mishnas and Baraithas; v. Epistle of Sherira Gaon, p. 44.]

except only for the portion concerning the suspected woman. R. Jacob says in his [R. Meir's] name, Except the portion of the suspected woman [written] in the Temple.(1) What is the difference between them? — R. Jeremiah said: The point between them is [whether it is permissible] to blot out from the Torah [-scroll the passage required for the rite of the water of bitterness];(2) and these teachers [differ on the same issue] as the following teachers, for it has been taught: Her scroll is not valid to be used in giving another suspected woman to drink. R. Ahi b. Joshiah says: Her scroll is valid to be used in giving another suspected woman to drink.(3) R. papa said: perhaps it is not so, the first teacher only gives his opinion there because [the scroll] was designated for Rachel and cannot therefore be re-designated for Leah, but since the text of the Torah-scroll is written without reference to any individual, we may obliterate [the passage]. R. Nahman b. Isaac said: perhaps It is not so; R. Ahi b. Joshiah only gives his opinion there in the case of a scroll which was written for the purpose of the curses; but with a Torah-scroll which is written for the purpose of study, we may not obliterate [the passage]. Does not, then, R. Ahi b. Joshiah accept what we learnt: If a man wrote [a document] to divorce his wife but changed his mind, and then met a man who resided in the same city(4) and said to him, 'My name is identical with yours and my wife's name identical with your wife's name', it is invalid [as a document] wherewith to divorce?(5) — They answer: There [in connection with divorce] the All-Merciful declared: He shall write for her(6) — we require that it should be written expressly for her; here likewise [it is stated], Shall execute upon her(7) — what is intended by the word 'execute'? The obliteration [of the writing].(8)

SHE HAD SCARCELY FINISHED DRINKING WHEN HER FACE etc. Whose [teaching] is this?(9) — It is R. Simeon's, because he said that [the priest] sacrifices her meal-offering and then gives her to drink,(10) since the water does not affect her so long as her meal-offering is not sacrificed, as it is written: A meal-offering of memorial, bringing iniquity to rememberance.(11) But cite the continuation [of the Mishnah]: IF SHE POSSESSED A MERIT, IT [CAUSES THE WATER] TO SUSPEND ITS EFFECT UPON HER — this accords with the view of the Rabbis; because if [it be supposed that it accords with the view of] R. Simeon, behold he has declared: Merit does not cause the water of bitterness to suspend its effect!(12) — R. Hisda said: Whose is it, then? It is R. Akiba's, because he said: He sacrifices her meal-offering and then gives her to drink, and on the question of [the effect of] merit he agrees with the Rabbis.

AND IT IS EXCLAIMED, 'REMOVE HER' etc. What is the reason? — Perhaps she dies. Is this to say that a corpse is forbidden in the camp of the Levites?(13) But it has been taught: One who is defiled through contact with a corpse is permitted to enter the camp of the Levites; and not only did they say this of one who is defiled through contact with a corpse but even the corpse itself [may be taken there], as it is said: And Moses took the bones of Joseph with him(14) — 'with him', i.e., in his division!(15) — Abaye said: [The reason is] lest she become menstruant.(16) Is this to say that a sudden fright brings on [menstruation]? — Yes, for it is written: And the queen was exceedingly grieved,(17) and Rab said, [It means] that she became menstruant. But we have learnt: Trembling holds back [the menstrual] flow! — Fear holds it back but a sudden fright brings It on.

IF SHE POSSESSED A MERIT etc. Whose teaching is our Mishnah? It is not that of Abba Jose b. Hanan, nor of R. Eleazar b. Isaac of Kefar Darom, nor of R. Ishmael; for it has been

taught: If she possess a merit, it suspends [the effect of the water] for three months, sufficiently long for pregnancy to be recognisable. Such is the statement of Abba Jose b. Hanan; R. Eleazar b. Isaac of Kefar Darom says: For nine months, as it is stated: Then she shall be free and shall conceive seed,(18) and elsewhere it declares, A seed shall serve him, it shall be related(19) — i.e., a seed which is fit to be related.(20) R. Ishmael says: For twelve months, and although there is no proof of this, yet there is some indication; because it is written, Wherefore, O king, let my counsel be acceptable unto thee, and break off thy sins by righteousness, and thine iniquities by showing mercy to the poor,'

1. Specially prepared for the ordeal.
2. According to R. Jacob it is not permissible, and consequently one may use vitriol for writing that portion in the Torah-scroll.
3. The point here also is whether the scroll must be expressly written for the ordeal.
4. The name of the city is inserted in the document.
5. The second woman, since it must be written expressly for the woman who is to be divorced, v. Git. 24a.
6. Deut. XXIV. 1.
7. Num. V, 30.
8. Only the obliteration, but not the writing, must be expressly for the woman who is being tried.
9. That the water takes effect as soon as she drinks it.
10. V. supra 19a.
11. Ibid. 15.
12. V. supra p. 25. Consequently the above teaching cannot be R. Simeon's.
13. The Court of the Levites in the Temple where the Court of Women and the Nicanor Gate (v. supra p. 30, n. 9.) were located.
14. Ex. XIII, 19.
15. Which was the camp of the Levites.
16. As the result of her agitation.
17. Est. IV, 4.
18. Num. V, 28.
19. Ps. XXII, 31.
20. Viz., at birth, and so the period of nine months is required. Rashi explains differently.

if there may be a lengthening of thy tranquility,(1) and it is written: All this came upon king Nebuchadnezzar,(2) and it is written: At the end of twelve months!'(3) — [The teaching is] certainly R. Ishmael's and he found a verse which mentions [the period] and repeats it; for it is written: Thus saith the Lord: For three transgressions of Edom.(4) But why [was it said] that although there is no proof of this, yet there is some indication?(5) — It may be different with heathens upon whom [God] does not execute judgment immediately.

AND ANOTHER FOR THREE YEARS etc. What sort of merit? If I answer merit of [studying] Torah, she is [in the category] of one who is not commanded and fulfils!(6) — Rather must it be merit of [performing] a commandment. But does the merit of performing a commandment protect as much as that? — Surely it has been taught: The following did R. Menahem son of R. Jose expound: For the commandment is a lamp and Torah is light(7) — the verse identifies the commandment with a lamp and Torah with light; the commandment with a lamp to tell thee that as a lamp only protects temporarily, so [the fulfilment of] a commandment only protects temporarily; and Torah with light to tell thee that as light protects permanently, so Torah protects permanently; and it states: When thou walkest it shall lead thee etc.(8) — 'when thou walkest it shall lead thee', viz., In this world; 'when, thou sleepest it shall watch over' thee, viz., in death; and when, thou awakest it shall talk with thee, viz., in the Hereafter. Parable of a man who is walking in the middle of the night and darkness, and is afraid of thorns, pits, thistles, wild beasts and robbers, and also does not know the road in which he is going. If a lighted torch is prepared for him, he is saved from thorns, pits and thistles; but he is still afraid of wild beasts and robbers, and does not know the road in which he is going. When, however, dawn breaks, he is saved from wild beasts and robbers, but still does not know the road in which he is going. When, however, he reaches the cross-roads, he is saved from everything.(9) Another explanation is: A transgression nullifies(10) [the merit of] a commandment but not of [study of] Torah; as it is said: Many waters cannot quench love!(11) — Said R. Joseph: A commandment protects and rescues(12) while one is engaged upon it; but when one is no longer engaged upon it, it protects(13) but does not rescue. As for [study of] Torah, whether while one is engaged upon it or not, it protects and rescues. Raba demurred to this: According to this reasoning, did not Doeg and Ahitophel engage upon [study of] Torah; so Why did it not protect them?(14) — But, said Raba, while one is engaged upon [study of] Torah, it protects and rescues, and while one is not engaged upon it, it protects but does not rescue. As for a commandment whether while one is engaged upon it or not, it protects but does not rescue.

Rabina said: It is certainly merit of [the study of] Torah [which causes the water to suspend its effect]; and when you argue that she is in the category of one who is not commanded and fulfils, [it can be answered] granted that women are not so commanded, still when they have their sons taught Scripture and Mishnah and wait for their husbands until they return from the Schools,(15) should they not share [the merit] with them?

What means 'the cross-roads' [in the parable related above]? — R. Hisda said: It alludes to a disciple of the Sages and the day of his death. R. Nahman b. Isaac said: It alludes to a disciple of the Sages and his fear of sin.(16) Mar Zutra said: It alludes to a disciple of the

Sages when the tradition cited by him is in accord with the halachah.(17) Another explanation is: A transgression nullifies [the merit of] a commandment but not of [study of] Torah. R. Joseph said: R. Menahem son of R. Jose expounded that verse(18) as though [it were Interpreted] from Sinai, and had Doeg and Ahitophel expounded it [similarly], they would not have pursued David, as it is written, saying: God hath forsaken him, etc.(19) What verse did they expound?(20) — That he see no unclean thing in thee etc.(21) They did not know, however, that a transgression nullifies [the merit of] a commandment but not of [study of] Torah.(22)

What means He would utterly be contemned?(23) — 'Ulla said: Not like Simeon the brother of Azariah nor like R. Johanan of the Prince's house(24) but like Hillel(25) and Shebna. When R. Dimi came(26) he related that Hillel and Shebna were brothers; Hillel engaged in [study of] Torah and Shebna was occupied in business. Eventually [Shebna] said to him, 'Come, let us become partners and divide [the profits]'. A Bath Kol(27) issued forth and proclaimed. If a man would give all the substance of his house etc.(28)

1. Dan. IV, 24.
2. Ibid. 25.
3. Ibid. 26.
4. Amos I, II. The respite of a year is trebled and this period corresponds to that given in the Mishnah.
5. The texts quoted did afford proof!
6. The duty of Torah-study is not obligatory upon a woman; therefore she cannot acquire so much merit even if she does so, v. A.Z. 3a.
7. Prov. VI, 23.
8. Ibid. 22.
9. The commandment is the torch, Torah the dawn, and death the cross-roads.
10. Lit., 'extinguishes'.
11. Cant. VIII. 7. This shows that a commandment has no great protective powers.
12. 'Protects' from sufferings and 'rescues' from the urge of the evil inclination.
13. The merit of its fulfilment can thus protect the woman against the effects of the water.
14. [This is used in a loose sense. The question is the Torah should have 'rescued' them (Tosaf. of Sens.)
15. These were often a distance from the home and involved a long absence. V. Ber. 17a.
16. His study of Torah imbues him with a fear of sin which withholds him from transgression. His clear conscience serves him well at the time of death.
17. This is proof that he had studied correctly and the consciousness of this also calms his mind at the end of his life.

18. Viz., Prov. VI, 23.
19. Ps. LXXI, 11, i.e., David because of his sin with Bathsheba, and so they imagined they could pursue him with impunity.
20. To support them in their view.
21. Deut. XXIII, 15, E.V. 14. The continuation is: and turn away from thee. Now the phrase 'unclean thing' usually means an immoral act, and it was so understood by Doeg and Ahitophel.
22. And David was still protected by his zeal in Torah-study. This is the exposition of R. Menahem son of R. Jose.
23. Cant. VIII, 7.
24. Simeon studied while supported by his brother, and R. Johanan was subsidised by R. Judah II, the Prince. Each, therefore, forfeited some of the merit which accrued from his study.
25. Who studied in the direst poverty; v. Yoma 35b.
26. From Palestine to Babylon.
27. V. Glos.
28. Cant. VIII, 7. Hillel, unlike the others named, declined to barter the merit he earned by devotion to Torah.

Sotah 21b

HENCE DECLARED BEN AZZAI: A MAN IS UNDER THE OBLIGATION TO TEACH … R. ELIEZER SAYS: WHOEVER TEACHES HIS DAUGHTER TORAH TEACHES HER OBSCENITY. Can it enter your mind [that by teaching her Torah he actually teaches her] obscenity! — Read, rather: as though he had taught her obscenity. R. Abbahu said: What is R. Eliezer's reason? — Because it is written: I wisdom have made subtilty my dwelling,(1) i.e., when wisdom enters a man subtilty enters with it.

And what do the Rabbis(2) make of the words 'I wisdom'? — They require them in accordance with the teaching of R. Jose son of R. Hanina; for R. Jose son of R. Hanina said: Words of Torah only remain with him who renders himself naked(3) on their behalf; as it is said: 'I wisdom have made nakedness my dwelling'. R. Johanan said: Words of Torah only remain with him who makes himself like one who is as nothing, as it is said: Wisdom shall be found from nothing.(4)

R. JOSHUA SAYS: A WOMAN PREFERS etc. What does he intend? — He means that a woman prefers one kab and sensuality with it to nine kab with continence.

HE USED TO SAY, A FOOLISH PIETIST etc. What is a foolish pietist like? — E.g., a woman is drowning in the river, and he says: 'It is improper for me to look upon her and rescue her'. What is the cunning rogue like? — R. Johanan says: He who explains his case to the judge before the other party to the suit arrives.(5) R. Abbahu says: He who gives a poor man a denar to bring his possessions to the total of two hundred zuz;(6) for we have learnt; He who possesses two hundred zuz may not take gleanings, forgotten sheaves, the produce of the corner of the field, or the poor tithe;(7) but should he lack one denar of the two hundred [zuz], even if a thousand persons give him [the gleanings, etc.] simultaneously, he may accept.(8) R. Assi said in the name of R. Johanan: [A cunning rogue is] he who gives advice to sell an estate which is inconsiderable;(9) for R. Assi said in the name of R. Johanan: If the male-orphans sold an inconsiderable estate before [the daughters established their claim at a Court], their act of selling is legal. Abaye said: [A cunning rogue is] he who gives advice to sell property in accordance with the view of Rabban Simeon b. Gamaliel; for it has been taught: [If a man said], 'My property is for you and after you for So-and-so', and the first person went and sold it and ate up [the proceeds], the second man can recover from the purchaser. Such is the statement of Rabbi; Rabban Simeon b. Gamaliel says: The second only receives what the first left.(10) R. Joseph b. Mama said in the name of R. Shesheth: He who induces others to follow in his ways.(11) R. Zerika said in the name of R. Huna: He who is lenient with himself(12) and strict with others. 'Ulla said: He

1. Prov. VIII, 12. Subtilty is not desirable in a woman.
2. Those who disagree with R. Eliezer.
3. He neglects everything else, and is therefore destitute. The Hebrew word for 'subtilty' is connected with a root meaning 'to be naked'.
4. Sic., Job XXVIII, 22.
5. Such an action is illegal; v. Shebu. 31a.

6. In order to prevent him from taking advantage of the law, so that he can retain the produce for his own kinsfolk.
7. V. Lev. XXIII, 22, Deut. XXIV, 19.
8. Pe'ah VIII, 8.
9. The law of inheritance is that where the estate is small, the daughters inherit 'and the sons can go begging' (B.B. 140a).
10. Cf. Keth. 95b; and B.B. 137a.
11. By hypocritically pretending to be pious.
12. In the interpretation of the Law.

who learnt Scripture and Mishnah but did not attend upon Rabbinical scholars.(1)

It has been reported, If one has learnt Scripture and Mishnah but did not attend upon Rabbinical scholars, R. Eleazar says he is an 'Am ha-arez'(2) R. Samuel b. Nahmani says he is a boor; R. Jannai says he is a Samaritan;(3) R. Aha b. Jacob says he is a magician.(4) R. Nahman b. Isaac said: The definition of R. Aba b. Jacob appears the most probable; because there is a popular saying: The magician mumbles and knows not what he says; the tanna(5) recites and knows not what he says.

Our Rabbis taught: Who is an 'Am ha-arez? Whoever does not recite the Shema'(6) morning and evening with its accompanying benedictions; such is the statement of R. Meir. The Sages say: Whoever does not put on the phylacteries. Ben Azzai says: Whoever has not the fringe upon his garment.(7) R. Jonathan b. Joseph says: Whoever has sons and does not rear them to study Torah. Others say: Even if he learnt Scripture and Mishnah but did not attend upon Rabbinical scholars, he is an 'Am ha-arez. If he learnt Scripture but not Mishnah, he is a boor; if he learnt neither Scripture nor Mishnah, concerning him Scripture declares, I will sow the house of Israel and the house of Judah with the seed of man and with the seed of beast.(8)

My son, fear thou the Lord and the king, and mingle not with them that are given to change.(9) R. Isaac said: They are the men who learn legal decisions.(10) This is self-evident!(11) — [It is not, because] you might have supposed [that the text meant], they who repeat a sin, and that it is according to the teaching of R. Huna; for R. Huna said: When a man commits a transgression and repeats it, it becomes to him something which is permissible. Therefore he informs us [that this is not the intention of the text]. A Tanna taught: The Tannaim(12) bring destruction upon the world. How can it occur to you to say that they bring destruction upon the world! Rabina said: Because they decide points of law from their teachings.(13) It has been similarly taught: R. Joshua said: Do they destroy the world? Rather do they cultivate the world, as it is said: As for the ways, the world is for him.(14) But [the reference is to] those who decide points of law from their teachings.

A FEMALE PHARISEE etc. Our Rabbis have taught: A maiden who gives herself up to prayer,(15) a gadabout widow,(16) and a minor whose months are not completed(17) — behold these bring destruction upon the world. But it is not so; for R. Johanan has said: We learnt fear of sin from a maiden [who gave herself up to prayer] and [confidence in] the bestowal of reward from a [gadabout] widow! Fear of sin from a maiden — for R. Johanan heard a maiden fall upon her face and exclaim, 'Lord of the Universe! Thou hast created Paradise and Gehinnom; Thou hast created righteous and wicked. May it be Thy will that men should not stumble through me'. [Confidence in] the bestowal of reward from a widow — a certain widow had a Synagogue in her neighbourhood; yet she used to come daily to the School of R. Johanan(18) and pray there. He said to her, 'My daughter, is there not a Synagogue in your neighbourhood?' She answered him, 'Rabbi, but have I not the reward for the steps!'(19) — When it is said [that they bring destruction upon the world] the reference is to such a person as Johani the daughter of Retibi.(20) What means 'a minor whose months are not completed'? — They explained it thus: It refers to a disciple who rebels against the authority of his teachers. R. Abba said: It refers to a disciple who has not attained the qualification to decide questions of law and yet decides them; for R. Abbahu

declared that R. Huna said in the name of Rab, What means that which is written: For she hath cast down many wounded, yea, all her slain are a mighty host?(21) 'For she hath cast down many wounded' — this refers to a disciple who has not attained the qualification to decide questions of law and yet decides them; 'yea, all her slain are a mighty host' — this refers to a disciple who has attained the qualification to decide questions of law and does not decide them.

1. To attain higher learning in Torah. He thus makes a pretence of a scholarship which he really does not possess.
2. Lit., 'people of the earth'; the description of those Jews who are careless about religious duties.
3. And his bread and wine must not be used by an observant Jew.
4. Who deceives the people.
5. V. Glos., s.v. Tanna (b).
6. V. Glos. For the benedictions, V. Singer P. B. pp- 39ff, 96ff.
7. V. Num. XV, 37ff [Zeitlin, S. (JQR (NS) XXIII, p. 58) sees in this an allusion to the early Jewish Christians who, as is known from the N.T. and the early Church Fathers, objected to the Shema', phylacteries and fringes.]
8. Jer. XXXI, 27.
9. Prov. XXIV, 21. The word for 'that are given to change' is shonim from shanah which in later Hebrew means 'learn' or 'repeat'.
10. And do not study with the scholars to understand their scope and derivation from Scripture.
11. So why is it mentioned?
12. Who only report teachings without giving their derivations, cf. Glos. s.v. (b), and supra p. 103, n. 2.
13. [The Baraithas and Mishnas which they memorized without knowing perfectly the reasoning on which they were based.]
14. Sic., Hab. III, 6. In Meg. 28b this is explained: Read not halichoth 'ways', but halachoth 'legal decisions', i.e., as for him (who studies) legal decisions, the world exists on account of him.
15. In the J. Talmud there is a variant: 'gives herself up to fasting'. We seem to have here an expression of disapproval of conventual life.
16. Her chastity is open to suspicion.
17. Explained below.
18. Where Services were held.
19. I.e., for the extra distance she walked to attend the Services.
20. She was a widow who by witchcraft made childbirth difficult for a woman and then offered prayer for her.

21. Prov. VII, 26.

Sotah 22b

At what age [is he qualified]? — At forty.(1) But it is not so, for Rabbah decided questions of Law!(2) — [He did so only in a town where the Rabbis] were his equals.(3)

AND THE PLAGUE OF PHARISEES etc. Our Rabbis have taught: There are seven types of Pharisees: the shikmi Pharisee, the nikpi Pharisee, the kizai Pharisee, the 'pestle' Pharisee, the Pharisee [who constantly exclaims] 'What is my duty that I may perform it?', the Pharisee from love [of God] and the Pharisee from fear. The shikmi Pharisee — he is one who performs the action of Shechem.(4) The nikpi Pharisee — he is one who knocks his feet together.(5) The kizai Pharisee — R. Nahman b. Isaac said: He is one who makes his blood to flow against walls.(6) The 'pestle' Pharisee — Rabbah b. Shila said: [His head] is bowed like [a pestle in] a mortar. The Pharisee [who constantly exclaims] 'What is my duty that I may perform it?' — but that is a virtue! — Nay, what he says is, 'What further duty is for me that I may perform it?'(7) The Pharisee from love and the Pharisee from fear — Abaye and Raba said to the tanna [who was reciting this passage], Do not mention 'the Pharisee from love(8) and the Pharisee from fear'; for Rab Judah has said in the name of Rab: A man should always engage himself in Torah and the commandments even though it be not for their own sake,(9) because from [engaging in them] not for their own sake, he will come [to engage in them] for their own sake. R. Nahman b. Isaac said: What is hidden is hidden, and what is revealed is revealed; the Great Tribunal will exact punishment from those who rub themselves against the walls.(10)

King Jannai(11) said to his wife', 'Fear not the Pharisees and the non-Pharisees but the hypocrites who ape the Pharisees; because their deeds are the deeds of Zimri(12) but they expect a reward like Phineas'.(13)

MISHNAH. R, SIMEON SAYS: MERIT DOES NOT CAUSE THE WATER OF BITTERNESS TO SUSPEND ITS EFFECT, AND IF YOU SAY THAT MERIT DOES CAUSE THE WATER OF BITTERNESS TO SUSPEND ITS EFFECT, YOU DISCREDIT THE WATER IN THE CASE OF ALL THE WOMEN WHO DRINK IT AND DEFAME THE PURE WOMAN WHO DRANK IT, SINCE PEOPLE WILL SAY, THEY WERE UNCLEAN, ONLY THEIR MERIT CAUSED THE WATER TO SUSPEND ITS EFFECT UPON THEM. RABBI SAYS: MERIT CAUSES THE WATER OF BITTERNESS TO SUSPEND ITS EFFECT, AND SHE NEVER BEARS A CHILD OR THRIVES, BUT SHE GRADUALLY GROWS ILL AND FINALLY DIES THROUGH THAT DEATH.(14)

IF HER MEAL-OFFERING BECAME DEFILED BEFORE IT BECAME HALLOWED IN THE [MINISTERING] VESSEL, BEHOLD IT IS LIKE ALL MEAL-OFFERINGS [SIMILARLY DEFILED] AND CAN BE REDEEMED;(15) BUT IF [IT BECAME DEFILED] AFTER IT HAD BEEN HALLOWED IN THE [MINISTERING] VESSEL, BEHOLD IT IS LIKE ALL MEAL-OFFERINGS [SIMILARLY DEFILED] AND IS DESTROYED. THE FOLLOWING HAVE THEIR MEAL- OFFERINGS DESTROYED:

1. Tosaphoth explains this to mean after forty years of study. It may, however, be connected with the statement in Ab. V, 24, At forty for understanding.
2. He died at the age of forty; v. R. H. 18a.

3. Since they were not his superiors in learning, he decided questions although less than the requisite age. [Tosaf. s.v. explains that Rabbah surpassed all other scholars in his town, and the restriction applies only where there are others equal in learning to the young scholar. For further notes on the passage, v. A.Z. (Sonc. ed.) p. 101.]
4. Who was circumcised from an unworthy motive (Gen. XXXIV). The J. Talmud (Ber. 14b) explains: who carries his religious duties upon his shoulder (shekem), i.e., ostentatiously.
5. He walks with exaggerated humility. According to the J. Talmud: He says: Spare me a moment that I may perform a commandment.
6. In his anxiety to avoid looking upon a woman he dashes his face against the wall. The J. Talmud explains: calculating Pharisee, i.e., he performs a good deed and then a bad deed, setting one off against the other.
7. As though he had fulfilled every obligation.
8. [Abaye and Raba understood 'love' and 'fear' to denote love of the rewards promised for the fulfilment of precepts and fear of punishment for transgressing them. In J. Ber., however, they are both taken in reference to God — i.e., love of God and fear of Him.]
9. From pure and disinterested motives.
10. In simulated humility. Others render: who wrap themselves in their cloaks. The meaning is that hypocrisy is of no avail against the Judge Who reads the heart.
11. Alexander Jannaeus. For his advice, given on his death-bed to his wife Salome, v. Josephus, Ant. XIII, XV, 5.
12. Num. XXV, 14.
13. Ibid. 11ff. [He probably had in mind the treacherous act by a group of Zealots — not Pharisees — in resisting foreign assistance — Demetrius Eucerus, King of Syria — in their struggle with Alexander Jannaeus. Josephus, op. cit. XIII, 13, 5. V. Klausner, 11, 128.
14. Caused by the symptoms described in Num. V, 27.
15. By paying its value into the Temple treasury.

Folio 23a

SHE WHO SAYS, 'I AM UNCLEAN TO THEE',(1) WHEN WITNESSES CAME [AND TESTIFIED] THAT SHE HAD MISCONDUCTED HERSELF, SHE WHO SAYS I REFUSE TO DRINK, WHEN THE HUSBAND REFUSES TO LET HER DRINK, AND WHEN HER HUSBAND COHABITED WITH HER ON THE JOURNEY [TO JERUSALEM]. FURTHERMORE, THE MEAL-OFFERINGS OF ALL WOMEN MARRIED TO PRIESTS ARE DESTROYED.(2) THE MEAL-OFFERING OF THE DAUGHTER OF AN ISRAELITE(3) WHO IS MARRIED TO A PRIEST IS DESTROYED. BUT THE MEAL-OFFERING OF A PRIEST'S DAUGHTER WHO IS MARRIED TO AN ISRAELITE IS EATEN. WHAT [DIFFERENCES ARE THERE IN LAW] BETWEEN A PRIEST AND A PRIEST'S DAUGHTER? THE MEAL-OFFERING OF A PRIEST'S DAUGHTER IS EATEN BUT THE MEAL-OFFERING OF A PRIEST IS NOT EATEN.(4) A PRIEST'S DAUGHTER MAY BECOME DECLASSED,(5) BUT A PRIEST DOES NOT BECOME DECLASSED.(6) A PRIEST'S DAUGHTER MAY RENDER HERSELF UNCLEAN BY CONTACT WITH THE DEAD, BUT A PRIEST MAY NOT RENDER HIMSELF UNCLEAN BY CONTACT WITH THE DEAD. A PRIEST EATS OF THE MOST HOLY [CLASS OF OFFERINGS],(7) BUT A PRIEST'S DAUGHTER MAY NOT EAT OF THE MOST HOLY.

WHAT [DIFFERENCES ARE THERE IN LAW] BETWEEN A MAN AND A WOMAN? A MAN RENDS HIS CLOTHES AND LOOSENS HIS HAIR,(8) BUT A WOMAN DOES NOT REND HER CLOTHES AND LOOSEN HER HAIR. A MAN MAY VOW THAT HIS SON WILL BECOME A NAZIRITE, BUT A WOMAN MAY NOT VOW THAT HER SON WILL BECOME A NAZIRITE.(9) A MAN MAY BE SHAVED ON ACCOUNT OF THE NAZIRITESHIP OF HIS FATHER,(10) BUT A WOMAN CANNOT BE SHAVED ON ACCOUNT OF THE NAZIRITESHIP OF HER FATHER. A MAN MAY SELL HIS DAUGHTER,(11) BUT A WOMAN MAY NOT SELL HER DAUGHTER. A MAN MAY GIVE HIS DAUGHTER IN BETROTHAL,(12) BUT A WOMAN MAY NOT GIVE HER DAUGHTER IN BETROTHAL. A MAN IS STONED NAKED, BUT A WOMAN IS NOT STONED NAKED.(13) A MAN IS HANGED,(14) BUT A WOMAN IS NOT HANGED. A MAN IS SOLD FOR HIS THEFT,(15) BUT A WOMAN IS NOT SOLD FOR HER THEFT.

GEMARA. Our Rabbis taught: The meal-offerings of all women who had married into the priesthood are to be destroyed.(16) How is this? In the case of the daughter of a priest, Levite or Israelite who had married a priest, her meal-offering is not eaten because he has a share in it,(17) nor is it treated as a holocaust(18) because she(19) has a share in it; but the handful is offered separately and the remainder separately. But there is to be applied here the rule that whatever sacrifice has a portion thereof treated as 'offerings made by fire' comes under the law of ye shall not burn!(20) — R. Judah, son of R. Simeon b. Pazi said: They are burnt as fuel,(21) in accordance with the statement of R. Eliezer; for it has been taught: R. Eliezer says: For a sweet savour(22) thou mayest not bring it [upon the altar] but thou mayest bring it as fuel. This is right for R. Eliezer who holds this opinion; but what is there to say as regards the Rabbis who do not hold this opinion? — [They declare that] it is to be treated according to the view of R. Eleazar b. Simeon; for it has been taught: R. Eleazar b. Simeon says: The handful(23) is offered separately and the remainder is scattered upon the place of the ashes.

1. To her husband through infidelity.
2. Although not defiled. The law of Lev. II, 3 does not apply, v. Gemara.
3. A non-priest.
4. V. Lev. VI, 16.
5. By contracting an illegal marriage. Even after divorce or in widowhood she loses her privileges.
6. Permanently by contracting an illegal marriage. After divorce or his wife's death he regains his privileges.
7. A sin-offering or guilt-offering.
8. When declared a leper (Lev. XIII, 45).
9. V. Nazir 28b.
10. I.e., in the event of his father's death, he can go through the ceremony described in Num. VI, 18, v. Nazir 30a.
11. As a bondwoman (Ex. XXI, 7).
12. Without her consent when she is a minor.
13. V. Sanh. 44b.
14. After capital punishment (Deut. XXI, 22).
15. Ex. XXII, 2.
16. And not eaten by the priests.
17. The flour belongs to him, and so the offering in fact comes under the law of Lev. VI, 16.
18. Which is the way the meal-offering of a priest is treated
19. Who is a non-priest.
20. Lev. II, 11. In this verse the word mimmennu 'of it' appears to be superfluous, and the deduction is drawn that the parts of a sacrifice which are designated as not to be burnt upon the altar must not be burnt upon it. How, then, can it be stated that 'the remainder' is to be burnt separately?
21. Upon the altar but not as part of the sacrifice.
22. Ibid. 12.
23. Of a meal-offering for a sin brought by a priest. Lev. VI, 16 speaks of a freewill-offering.

Sotah 23b

And even the Rabbis only differ from R. Eleazar b. Simeon in the matter of the meal-offering brought by a sinner from among the priests which is something to be offered [in its entirety],(1) but even here(2) the Rabbis admit.(3)

[THE MEAL-OFFERING] OF THE DAUGHTER OF AN ISRAELITE WHO IS MARRIED etc. What is the reason? — Because Scripture declared: And every meal-offering of the priest shall be wholly burnt; it shall not be eaten(4) — 'of the priest' but not of a priest's daughter.(5)

A PRIEST'S DAUGHTER MAY BECOME DECLASSED, BUT A PRIEST DOES NOT BECOME DECLASSED. Whence have we this? — Because Scripture declared: He shall not profane his seed among his people(6) — his seed may become profaned,(7) but he himself cannot become profaned.

A PRIEST'S DAUGHTER MAY RENDER HERSELF UNCLEAN etc. What is the reason? — Scripture declared: Speak unto the priests the sons of Aaron(8) — 'the sons of Aaron' but not the daughters of Aaron.

A PRIEST EATS OF THE MOST HOLY — for it is written: Every male among the children of Aaron shall eat of it.(9)

WHAT [DIFFERENCES ARE THERE IN LAW] BETWEEN A MAN etc. Our Rabbis taught: [He is a leprous] man.(10) I have here only mention of a man; whence is it [that the law applies to] a woman? When it states: And the leper in whom [the plague is],(11) behold here are two.(12) If so, what does the word 'man' indicate? [It is to be applied] to the subject-matter of what follows, viz., it is a man who rends his clothes etc, [but not a woman].

A MAN MAY VOW THAT HIS SON WILL BECOME A NAZIRITE, BUT A WOMAN CANNOT VOW THAT HER SON WILL BECOME A NAZIRITE. R. Johanan said: This is a legal decision [traditionally handed down] in connection with a Nazirite.(13)

A MAN MAY BE SHAVED ON ACCOUNT OF THE NAZIRITESHIP OF HIS FATHER, BUT A WOMAN CANNOT BE SHAVED ON ACCOUNT OF THE NAZIRITESHIP OF HER FATHER. R. Johanan said: This is a legal decision [traditionally handed down] in connection with a Nazirite.(14)

A MAN MAY GIVE HIS DAUGHTER IN BETROTHAL, BUT A WOMAN CANNOT GIVE HER DAUGHTER IN BETROTHAL. Because it is written: I gave my daughter unto this man.(15)

A MAN MAY SELL HIS DAUGHTER, BUT A WOMAN MAY NOT SELL HER DAUGHTER. Because it is written: And if a man sell his daughter.(16)

A MAN IS STONED NAKED etc. What is the reason? — And stone him(17) — what means 'him'? If I say that it means him and not her, behold it is written: Then shalt thou bring forth that man or that woman!(18) But [the meaning is] 'him' without his clothing but not her without her clothing.

A MAN IS HANGED etc. What is the reason? — Scripture declared: And thou hang him on a tree(19) — 'him' but not her.

A MAN IS SOLD FOR HIS THEFT, BUT A WOMAN IS NOT SOLD FOR HER THEFT. What is the reason? — Scripture declared: Then he shall be sold for his theft(20) — 'for his theft' but not for her theft.

CHAPTER IV

MISHNAH. A BETROTHED MAIDEN AND A CHILDLESS WIDOW WAITING FOR HER BROTHER-IN-LAW [TO DECIDE WHETHER HE WILL MARRY HER] DO NOT DRINK [THE WATER OF BITTERNESS](21) AND DO NOT RECEIVE WHAT IS DUE UNDER THE MARRIAGE-SETTLEMENT; AS IT IS SAID, WHEN A WIFE, BEING UNDER HER HUSBAND, GOETH ASIDE,(22) THUS EXCLUDING A BETROTHED MAIDEN AND A CHILDLESS WIDOW WAITING FOR HER BROTHER-IN-LAW. A WIDOW WHO HAD MARRIED A HIGH PRIEST,(23) A DIVORCED WOMAN OR A HALUZAH(24) WHO HAD MARRIED AN ORDINARY PRIEST, AN ILLEGITIMATE

1. According to the Rabbis, this sin-offering is to be dealt with in the same manner as the ordinary meal-offering of the priest and burnt in its entirety without the handful being first removed and offered.
2. With the meal-offering of a priest's wife which is not something to be wholly offered, since this is treated like a non-priest.
3. That the remainder is not to be offered, but should be scattered.
4. Lev. VI, 16.
5. Consequently if the woman is a priest's wife but not a priest's daughter her offering is destroyed.
6. Lev. XXI, 15.
7. As the result of an illegal marriage.
8. Ibid. 1.
9. Ibid. VI, 11.
10. Ibid. XIII, 44.
11. Ibid. 45.
12. Since these words are otherwise redundant after the preceding verse.
13. V. Nazir 28b.
14. V. Nazir 30a.
15. Deut. XXII, 16. The subject is 'the damsel's father'.
16. Ex. XXI, 7.
17. Lev. XXIV, 14.
18. Deut. XVII, 5.
19. Ibid. XXI, 22.
20. Ex. XXII, 2. E.V. 3.

21. In the event of seclusion with another man after receiving due warning.

22. Num. V. 29.

23. All the marriages enumerated here are illegal.

24. V. Glos.

Folio 24a

OR A NETHINAH(1) WHO HAD MARRIED AN ISRAELITE, AND AN ISRAELITE'S DAUGHTER WHO HAD MARRIED AN ILLEGITIMATE OR A NATHIN DO NOT DRINK [THE WATER OF BITTERNESS] AND DO NOT RECEIVE WHAT IS DUE UNDER THE MARRIAGE-SETTLEMENT.

THE FOLLOWING DO NOT DRINK AND DO NOT RECEIVE THE MARRIAGE-SETTLEMENT: SHE WHO SAYS 'I AM UNCLEAN WHEN WITNESSES CAME [AND TESTIFIED] THAT SHE HAD MISCONDUCTED HERSELF, AND SHE WHO SAYS 'I REFUSE TO DRINK'. WHEN HER HUSBAND IS UNWILLING TO LET HER DRINK, OR WHEN HER HUSBAND COHABITED WITH HER ON THE JOURNEY [TO JERUSALEM]. SHE RECEIVES THE MARRIAGE-SETTLEMENT BUT DOES NOT DRINK. IF THE HUSBANDS DIED BEFORE [THE WOMEN] DRANK, BETH SHAMMAI DECLARE THAT THEY RECEIVE THE MARRIAGE-SETTLEMENT BUT DO NOT DRINK, AND BETH HILLEL DECLARE THAT THEY EITHER DRINK OR DO NOT RECEIVE THE MARRIAGE-SETTLEMENT.

[A WIFE] WHO WAS PREGNANT BY A FORMER HUSBAND OR WAS SUCKLING A CHILD BY A FORMER HUSBAND(2) DOES NOT DRINK AND DOES NOT RECEIVE THE MARRIAGE-SETTLEMENT. SUCH IS THE STATEMENT OF R. MEIR; BUT THE RABBIS DECLARE THAT HE IS ABLE TO SEPARATE FROM HER AND TAKE HER BACK AFTER THE PERIOD [OF TWO YEARS]. A WOMAN INCAPABLE OF CONCEPTION,(3) ONE TOO OLD TO BEAR CHILDREN, AND ONE WHO IS UNFIT TO BEAR CHILDREN(4) DO NOT RECEIVE THE MARRIAGE-SETTLEMENT AND DO NOT DRINK.(5) R. ELIEZER SAYS: HE IS ABLE TO MARRY ANOTHER WIFE(6) AND HAVE OFFSPRING BY HER. AS FOR ALL OTHER WOMEN, THEY EITHER DRINK OR DO NOT RECEIVE THE MARRIAGE-SETTLEMENT.

THE WIFE OF A PRIEST DRINKS AND IS PERMITTED TO HER HUSBAND.(7) THE WIFE OF A EUNUCH(8) DRINKS. THROUGH [SECLUSION WITH] ALL PERSONS FORBIDDEN TO HER IN MARRIAGE(9) JEALOUSY [NECESSITATING THE ORDEAL] IS ESTABLISHED WITH THE EXCEPTION OF A MINOR(10) AND ONE NOT A MAN.(11)

IN THE FOLLOWING CASES A COURT OF LAW CAN GIVE WARNING:(12) WHEN THE HUSBAND IS A DEAF-MUTE OR HAS BECOME INSANE OR IS IMPRISONED. NOT FOR THE PURPOSE OF MAKING HER DRINK DID THEY SAY THIS, BUT TO DISQUALIFY HER IN CONNECTION WITH THE MARRIAGE-SETTLE MENT. R. JOSE SAYS: ALSO TO MAKE HER DRINK; WHEN HER HUSBAND IS RELEASED FROM PRISON HE MAKES HER DRINK.

GEMARA. [In the instances enumerated by the Mishnah, the husband] does not let her drink, but he may give her a warning.(13) Whence is this learnt? — Our Rabbis taught: Speak unto the children of Israel and say(14) — [the addition of 'and say'] is to include a betrothed maiden and a childless widow waiting for her levir in the law respecting the warning. Whose is [the teaching of] our Mishnah? — It is R. Jonathan's; for it has been taught: Being under thy husband(15) excludes a betrothed maiden. It is possible to think that we are also to exclude a childless widow; therefore the text repeats the word 'man'.(16)

Such is the statement of R. Joshiah. R. Jonathan says: 'Being under thy husband' excludes a childless widow. [It is possible to think that] we exclude a childless widow waiting for her levir but not a betrothed maiden; therefore there is a text to declare, When a wife, being under her husband, goeth aside,(17) thus excluding a betrothed maiden. One teacher(18) considers a betrothed maiden as more bound to him since the marriage ensues through him and they stone her on his account;(19) whereas the other teacher considers that a childless widow is more bound to [her brother-in-law] since the nuptial surrender is not lacking.(20) What, then, does R. Jonathan make of the repetition of the word 'man'? — He requires it to include the wife of a deaf-mute man, the wife of an imbecile, and the wife of

1. A descendant of the Gibeonites (Josh. IX) with whom Israelites were not allowed to intermarry. An illegitimate was debarred under the law of Deut. XXIII, 3, E.V. 2.
2. Under Rabbinic Law, a pregnant woman who had been divorced or widowed should not marry for two years. This Mishnah deals with the case where she married within that period and her husband became jealous of her.
3. Lit., 'ram-like', v. Keth. 11a.
4. This refers to a woman who lost the capability of bearing by taking some drug and not just barren or too old to bear children.
5. Because marriage with such as these is forbidden to one who has no children.
6. In addition to her; he therefore regards such a marriage as valid.
7. If proved innocent.
8. Who became so after marriage.
9. E.g., her father or brother.
10. Under the age of nine years.
11. Explained in the Gemara.
12. Instead of the husband, when they have cause to suspect the wife.
13. Not to associate with the man, in order to deny her right to the marriage. settlement if she disobeyed.
14. Num. V, 12.
15. Ibid. 19.
16. In verse 12 any man's wife is literally: a man, a man, his wife. The addition of the word 'man' is taken to include the case of a childless widow, waiting for her levir.
17. Ibid. 29.
18. R. Jonathan.
19. If she is unchaste (Deut. XXII, 24).
20. By the death of her husband she ipso facto becomes the wife of her brother-in-law if he wishes to take her, and an act of cohabitation constitutes a marriage.

a weak-minded man.(1) And what does R. Joshiah make of the phrase 'being under her husband'? — He requires it to draw an analogy between a husband and wife and between a wife and husband.(2)

Now the reason [given why a betrothed maiden is excluded] is because these Scriptural texts occur, otherwise I would have said that a betrothed maiden must drink; but when R. Aha b. Hanina came from the South he brought this teaching with him: Besides thine husband(3) — i.e., when intercourse with a husband had preceded intercourse with a paramour and not when intercourse with a paramour had preceded intercourse with a husband!(4) — Rami b. Hama said, [It is necessary to rely upon the texts] for such a contingency as when the fiance had had intercourse with her in her father's house.(5) Similarly with a childless widow the texts would be required for the contingency as when the brother-in-law had had intercourse with her in her father-in-law's house;(6) but can you call her a childless widow waiting for her levir'? [In such circumstances], Surely she is his legal wife; for Rab has said: He(7) has acquired her [as his wife] in every respect!(8) — It is as Samuel said: He has only acquired her for the objects mentioned in the Scriptural portion.(9) If that is so, are we to say that Rab agrees with R. Joshiah(10) and Samuel with R. Jonathan?(11) — Rab can reply. I even agree with R. Jonathan, because from the fact that it was necessary for the text to exclude her,(12) it follows that she is his legal wife.

1. V. infra 27a.
2. This is likewise expounded infra 27a.
3. Num. V, 20.
4. Consequently a betrothed maiden is excluded from the law.
5. Before marriage.
6. After her husband's death.
7. The levir.
8. By cohabitation. If, e.g., he is a priest, she partakes of the heave-offering.
9. Deut. XXV, 5-10. viz., to be his brother's heir and free himself from the ceremony of Halizah; but cohabitation would not constitute a marriage to give her the right to partake of the heave.offering if he was a priest.
10. Who says that a childless widow waiting for her levir drinks, and that can arise in the case where the cohabitation occurred in her father's house.
11. Who holds that she does not drink, for cohabitation does not constitute full marriage.
12. A childless widow who cohabited with her brother-in-law.

Folio 25a

Similarly Samuel can reply. I even agree with R. Joshiah. because from the fact that it was necessary for the text to include her, it follows that she is not his wife at all.

The question was asked: Does a woman who transgresses [the Jewish] ethical code(1) require to be warned in order to make her lose her marriage-settlement or does she not require it? Do we say that since she transgresses the ethical code she does not require to be warned; or perhaps warning is necessary because she may reform? — Come and hear: A BETROTHED MAIDEN AND A CHILDLESS WIDOW WAITING FOR HER BROTHER-IN-LAW(2) DO NOT DRINK AND DO NOT RECEIVE WHAT IS DUE UNDER THE MARRIAGE-SETTLEMENT. [In these instances the man] does not let her drink but he may give her warning. But for what purpose [does he warn her]? Is it not to make her lose her marriage-settlement!(3) — Abaye said: No; [the purpose is] to prohibit her to himself [in marriage]. R. Papa said: [The purpose is] to make her drink when she is married;(4) as it has been taught: We may not warn a betrothed maiden with the object of making her drink while she is betrothed; but we may warn a betrothed maiden with the object of making her drink when she is married.

Raba said: Come and hear: A WIDOW WHO HAD MARRIED A HIGH PRIEST, A DIVORCED WOMAN OR A HALUZAH WHO HAD MARRIED AN ORDINARY PRIEST, AN ILLEGITIMATE OR A NETHINAH WHO HAD MARRIED AN ISRAELITE, AND AN ISRAELITE'S DAUGHTER WHO HAD MARRIED AN ILLEGITIMATE OR A NATHIN DO NOT DRINK AND DO NOT RECEIVE WHAT IS DUE UNDER THE MARRIAGE-SETTLEMENT. They do not drink but they receive a warning. But for what purpose? If [you answer] to make them prohibited to the husband, behold they are already prohibited;(5) rather must it be to make them lose the marriage-settlement! — Rab Judah of Diskarta(6) said: No; [the purpose is] to prohibit her to the paramour as to the husband; as we learn: Just as she is prohibited to the husband so is she prohibited to the paramour.(7)

R. Hanina of Sura said; Come and hear: IN THE FOLLOWING CASES A COURT OF LAW CAN GIVE WARNING: WHEN THE HUSBAND IS A DEAF-MUTE OR HAS BECOME INSANE OR IS IMPRISONED. NOT FOR THE PURPOSE OF MAKING HER DRINK DID THEY SAY THIS BUT TO DISQUALIFY HER IN CONNECTION WITH THE MARRIAGE-SETTLEMENT. Conclude from this that she does require to be warned! That conclusion is to be drawn. But why did not [the other Rabbis] draw the inference from this passage? — [They thought] perhaps it is different in the circumstance where she had no cause at all to be afraid of her husband.(8)

The question was asked: If a woman transgresses [the Jewish] ethical code and the husband desired to retain her, may he do so or may he not? Do we say that the All-Merciful depends upon the husband's objection [to her conduct],(9) and in this case he does not object; or, perhaps, since [a husband normally] objects, he must object [and divorce her]? — Come and hear: IN THE FOLLOWING CASES A COURT OF LAW CAN GIVE WARNING: WHEN THE HUSBAND IS A DEAF-MUTE OR HAS BECOME INSANE OR IS IMPRISONED. Should you maintain that if the husband desired to retain her he may do so, can the Court of Law do something of which the husband may not approve?(10) — As a general rule, when a woman transgresses the ethical code, [the husband] is agreeable [to the warning].

The question was asked: If a husband retracted his warning, is the warning retracted or not?(11) Do we say that the All-Merciful depends upon the husband's warning and here the husband retracted it; or perhaps since he already gave a warning he is unable to withdraw it? — Come and hear: IN THE FOLLOWING CASES A COURT OF LAW CAN GIVE WARNING: WHEN THE HUSBAND IS A DEAF-MUTE OR HAS BECOME INSANE OR IS IMPRISONED. Should you maintain that if a husband retracted his warning his warning is retracted, can we(12) perform an action which the husband may come and retract!(13) — As a general rule, a man agrees with the opinion of a Court of Law.(14)

Come and hear: And they assign to him two disciples of the Sages lest he cohabit with her on the journey.(15) Should you maintain that if a husband retracted his warning the warning is retracted, let him then withdraw it and cohabit with her! — Why are disciples of the Sages specified? Because they are learned men, so that if he wishes to cohabit with her, they say to him, 'Withdraw your warning and cohabit with her'.(16)

Come and hear: R. Joshiah said: Three things did Ze'ira tell me as emanating from the men of Jerusalem:(17) If a husband retracted his warning the warning is retracted; if a Court of Law wished to pardon an elder who rebelled [against their decision] they may pardon him; and if the parents wished to forgive a stubborn and rebellious son(18) they may forgive him.(19) When, however, I came to my colleagues in the South, they agreed with me in respect of two but did not agree with me in respect of the rebellious elder, so that disputes should not multiply in Israel. Deduce therefrom that if a husband retracted his warning the warning is retracted. Draw that conclusion.

In this connection R. Aha and Rabina differ. One said that [the warning can be] retracted before seclusion but not after seclusion, and the other said that also after seclusion it can be retracted. The more probable view is that of him who said that it cannot be retracted. Whence is this learnt? — [It is to be inferred] from the answer which the Rabbis gave to R. Jose; for it has been taught: R. Jose says: By a fortiori reasoning [it is deduced] that a husband Is trusted with her. If a husband is trusted in the matter of his wife during menstruation where the penalty is excision, how much more so in the matter of his wife while under suspicion in connection with which there is a mere prohibition! [The Rabbis] replied to him, No; if you argue [that he may be trusted] in the case of his wife during menstruation to whom he will have a right [on her recovery], will you argue so in the case of his wife while under suspicion when he may never have a right to her!(20) Now if you maintain that [a warning may be] retracted after seclusion, then it can happen that he may again have a right to her; because if he so desire, he can retract his warning and cohabit! Therefore deduce from this that after seclusion it cannot be retracted. Draw that conclusion.

IF THE HUSBANDS DIED BEFORE [THE WOMEN] DRANK, BETH SHAMMAI etc. On what point [do the two Schools] differ?

Beth Shammai are of opinion that a bond which is due for redemption is considered as having been redeemed;(21)

1. And thereby shows an indifference for public opinion; such a woman is put away without recovering her kethubah, v. Keth. 72a.
2. These too had transgressed the ethical code by their act of seclusion.
3. Consequently, without warning she would not lose it.
4. If she secluded herself with a man after marriage, then the warning which the husband gave her for a previous action, while she was betrothed, is still valid.
5. Since such a marriage is contrary to law.
6. V. supra p. 26, n. 7.
7. V. infra 27b.
8. Since he was incapacitated; but in normal circumstances, they imagined that she would lose her marriage-settlement without a warning.
9. Because Scripture declares, 'and he be jealous of his wife'. If he is not jealous, is her conduct to be overlooked?
10. The Court, representing the husband, would thereby involve him in an act which was contrary to his wish, and this is not legally possible, v. Keth. 11a.
11. [Assuming that the husband may retain a wife who transgresses the ethical code, the question still arises whether he can retract or not in the case where he had given her a warning.]
12. I.e., the Court.
13. And then offer an affront to the court.
14. But if he wishes to retract he may do so.
15. V. supra 7a.
16. This is a reply to the question. The husband indeed can withdraw, and that is the very reason why disciples of the Sages are specified.
17. [Rashi: who was of the men of Jerusalem].
18. Cf. Deut. XXI, 18ff.
19. For further notes v. Sanh. (Sonc. ed.) p. 585.
20. V. supra 7a.
21. If the bond was on the security of the borrower's property, then at the time of the redemption the property is considered as automatically passing into the possession of the creditor pending payment. By analogy, the widow is automatically entitled to her marriage-settlement on the husband's death and the onus is upon the heirs to

prove that she had forfeited it by producing witnesses that she had committed adultery.

whereas Beth Hillel are of opinion that a bond which is due for redemption is not considered as having been redeemed.(1)

[A WIFE] WHO WAS PREGNANT BY A FORMER HUSBAND etc. R. Nahman said in the name of Rabbah b. Abbuha: The dispute(2) is in connection with a barren woman and one too old to bear children; but as for a woman incapable of conception, all agree that she does not drink and does not receive her marriage-settlement, as it is said: Then she shall be free and shall conceive seed(3) — i.e., one whose way it is to conceive seed, thus excluding one whose way is not to conceive seed.

An objection was raised: 'If a man gives a warning to his betrothed or to his brother's childless widow, should she seclude herself [with the other man] before the marriage, she does not drink and does not receive her marriage-settlement'.(4)

1. As the creditor must first establish his right to the debtor's property, so the widow must prove her right to the marriage-settlement by drinking the water, since she is under suspicion; for fuller notes v. Shebu. (Sonc. ed.) p. 298, n. 5.
2. Viz., R. Eliezer says: He is able to marry another wife and have offspring by her.
3. Num. V, 28.
4. V. Tosef. Sotah v, 4.

Folio 26a

'[A wife] who was pregnant by a former husband or was suckling a child by a former husband does not drink and does not receive the marriage-settlement.'(1) Such is the statement of R. Meir; because R. Meir says: A man may not marry a woman who is pregnant by a former husband or is suckling a child by a former husband, and if he married her he must let her go and never take her back; the Sages, on the other hand, say: He must let her go, but when the time arrives when he may marry her(2) he marries her. 'If a youth married a barren woman or one too old to bear, and he did not previously have a wife and children, she does not drink and does not receive the marriage-settlement. R. Eliezer says: He is able to marry another wife and have offspring by her'.(3) But 'if a man gives a warning to his betrothed or to his brother's childless widow and she secluded herself after marriage, she either drinks or does not receive the marriage-settlement. If the wife is pregnant or suckling a child by himself,(4) she either drinks or does not receive the marriage-settlement. And if a youth married a barren woman or one too old to bear, and he already had a wife and children, she either drinks or does not receive the marriage-settlement. The legal wife of an illegitimate,(5) the legal wife of a Nathin, the wife of a proselyte or freed slave, and a woman incapable of conception either drink or do not receive the marriage-settlement.(6) Here the woman incapable of conception is specified [among the woman who are required to drink]! It is a refutation of R. Nahman.(7)

R. Nahman can reply, [That which I stated above is a difference between] Tannaim, whereas I agree with the following Tanna. For it has been taught: R. Simeon b. Eleazar says: A woman incapable of conception does not drink and does not receive the marriage-settlement, as it is said: Then she shall be free and shall conceive seed(8) — i.e., one whose way is to conceive seed, thus excluding one whose way is not to conceive seed.(9) What, then, do the Rabbis make of the phrase 'Then she shall be free and shall conceive seed'? They require it in accordance with the following teaching: 'Then she shall be free and conceive seed' — so that if she had been barren, she now becomes visited.(10) Such is the statement of R. Akiba. R. Ishmael said to him, In that case, all barren women will seclude themselves and be visited, and since this one did not seclude herself she will be the loser!(11) If so, what is the purpose of 'Then she shall be free and shall conceive seed'? If she formerly bore children in pain she will now bear with ease; if formerly girls she will now give birth to boys; if formerly short she will now bear tall children; if formerly dark she will now have fair children.

'The legal wife of an illegitimate [either drinks or does not receive the marriage-settlement]' — this is self-evident!(12) — What you might have said was that disqualified [members of the Community] should not be multiplied.(13) Therefore he informs us [that such a marriage is treated like any other].

'The wife of a proselyte or freed slave and a woman incapable of conception [either drink or do not receive the marriage-settlement]' — this is self-evident! — What you might have said was, Speak unto the children of Israel(14) — but not to proselytes. Therefore he informs us [that proselytes are included in the law]. Or as an alternative answer: And say(15) is to be interpreted as including [the wife of a proselyte, etc.].

THE WIFE OF A PRIEST DRINKS etc. This is self-evident! — What you might have said was, And she had not been violated(16) — then she is prohibited [to her husband];(17)

hence if she had been violated she is permitted to him; but this woman [being the wife of a priest] is prohibited to him even if she had been violated, and consequently she does not drink. Therefore he informs us [that she does undergo the ordeal].

AND IS PERMITTED TO HER HUSBAND. This is self-evident! — R. Huna said: [This refers to a case where] she becomes ill.(18) But if she becomes ill, the water has proved her [guilty]! — [It refers to a case where] she becomes ill in other limbs.(19) What you might have said was that she had committed adultery, and the fact that the water did not affect her in the usual way was due to her having acted immorally under force and as such she is prohibited to a priest. Therefore he informs us [that she is permitted to her husband].

THE WIFE OF A EUNUCH DRINKS. This is self-evident! — What you might have said was, Besides thine husband(20) declared the All Merciful, and this man [being a eunuch] does not come within the category [of husband]. Therefore he informs us [that he is considered to be her husband for the law of the ordeal].

THROUGH [SECLUSION WITH] ALL PERSONS FORBIDDEN TO HER IN MARRIAGE JEALOUSY IS ESTABLISHED. This is self-evident!

1. Ibid. 6.
2. I.e., after the lapse of two years from the birth of the child.
3. Tosef. ibid. 5. The last sentence occurs in the Mishnah p. 120, and instead the Tosef. reads: R. Eliezer says: He is able to separate from her and take her back after a time.
4. I.e., by the husband who gives her warning.
5. Viz., a woman who was competent to marry such a man, and she secluded herself after warning.
6. Tosef. ibid. 1-4.
7. He asserted above, 'All agree that she does not drink'.
8. Num. V, 28.
9. Tosef. ibid. 4.
10. The Biblical term used of barren women who conceive.
11. By remaining loyal to her husband and avoiding all suspicion a barren woman will continue sterile!
12. Since her marriage is legal.
13. The purpose of the Torah cannot be to restore harmony between such a couple, since the offspring of the union would be disqualified from membership in the Community.
14. Num. V, 12.
15. Ibid.
16. Num. V, 13; i.e., she had been a consenting party.

17. V. supra 2b.
18. After drinking the water.
19. Not those enumerated in Num. V, 22.
20. Ibid. 20.

— What you might have said was, The phrase 'and she be defiled' occurs twice(1) — once with respect to the husband and the other with respect to the paramour(2) — but it only applies when she becomes prohibited [to the paramour] by this act of adultery; but where she was in any event forbidden to him, conclude that she is not [barred from marrying him]. Therefore he informs us [that she has to undergo the ordeal although the paramour was forbidden to her in any case and if guilty she cannot marry her paramour].

WITH THE EXCEPTION OF A MINOR etc. A man(3) declared the All-Merciful, not a minor.

AND ONE NOT A MAN. Whom does this exclude? If I answer that it is to exclude one whose flesh is wasted,(4) behold Samuel has said: A warning [against seclusion] can be given in connection with a man who is wasting and he disqualifies for partaking of the heave-offering!(5) (A warning [against seclusion] can be given in connection with him — this is self-evident! — What you might have said was, 'And a man lie with her carnally' declared the All-Merciful and such a one does not come within that category; therefore he informs us [that seclusion with him does bring the woman within the scope of the law]. And he disqualifies for partaking of the heave-offering — that is self-evident! — What you might have said was, He shall not profane his seed(6) declared the All-Merciful-one who had 'seed' can profane,(7) but one who had no 'seed' cannot profane; therefore he informs us [that he can profane].(8)) If, on the other hand, it is to exclude a gentile, behold R. Hamnuna has said: A warning [against seclusion] can be given in connection with a gentile and he disqualifies for partaking of the heave-offering! (A warning [against seclusion] can be given in connection with him — this is self-evident! — What you might have said was, The phrase 'and she be defiled' occurs twice — once with respect to the husband and the other with respect to the paramour — but it only applies when she becomes prohibited [to the paramour] by this act of adultery; but where she was in any event forbidden to him,(9) conclude that she is not [warned against seclusion]. Therefore he informs us [that a warning can be given with respect to a gentile]. And he disqualifies for partaking of the heave-offering — this is self-evident! — What you might have said was, And if a priest's daughter be married unto a stranger(10) declared the All-Merciful, i.e., when there was a legal marriage-status, but not when there is no legal marriage-status.

Therefore he informs us [that a gentile] does disqualify her. This is in agreement with R. Johanan who said in the name of R. Ishmael: Whence is it that a gentile or a slave who had intercourse with a priest's daughter or Levite's daughter or an Israelite's daughter disqualifies her [for the heave-offering]? As it is said: But if a priest's daughter be a widow, or divorced(11) — only In the case of a man where her widowhood or divorce [is legally recognised],(12) thus excluding a gentile or slave where her widowhood or divorce is not [legally recognised].)(13) What, then, [does the phrase AND NOT A MAN] exclude? — R. Papa said: It excludes an animal, because there is not adultery in connection with an animal.(14)

Raba of Parazika(15) asked R. Ashi, Whence is the statement which the Rabbis made that there is no adultery in connection with an animal? — Because it is written: Thou shalt not

bring the hire of a harlot or the wages of a dog etc.;(16) and it has been taught: The hire of a dog(17) and the wages of a harlot(18) are permissible, as it is said: Even both these(19) — the two [specified in the text are abominations] but not four.(20)

What is the purpose [of the Scriptural phrase] carnally?(21) — It is required for this teaching: 'Carnally' to the exclusion of something else. What means 'something else'? — R. Shesheth said: It excludes the case where he warned her against unnatural intercourse. Raba said to him, [It excludes the case where he warned her against] unnatural intercourse? It is written: As lying with womankind!(22) But, said Raba, it excludes the case where he warned her against contact of the bodies.(23) Abaye said to him, That is merely an obscene act [and not adultery], and did the All-Merciful prohibit [a wife to her husband] for an obscene act? But, said Abaye, it excludes the case where he warned her against external contact. This is quite right according to him who maintains that by sexual contact is to be understood insertion(24) inasmuch as external contact is not regarded, and consequently the Scriptural phrase is intended to exclude the latter; but according to him who maintains that sexual contact is the external contact what is there to say? — Certainly [the Scriptural phrase is intended to exclude the case where] he warned her against contact of the bodies; and should you argue that the All-Merciful made it depend upon the husband's objection [to such conduct] and behold the husband did object,(25) therefore he informs us [that the phrase 'carnally' is to exclude this].

Samuel said: Let a man marry

1. Ibid. 13f.
2. She must be divorced by her husband and is not allowed to marry her paramour. V. Mishnah p. 135.
3. Lie with her carnally. Num. V, 13.
4. Tosef. Bek. V, 4, identifies the term with he who hath his stones broken in Lev. XXI, 20.
5. If he married a priest's daughter when he was so afflicted, she loses the right to eat of the heave-offering.
6. Lev. XXI, 15.
7. A priest's daughter by marriage.
8. Consequently a person who is so afflicted is regarded as 'a man' and cannot be intended by the Mishnah.
9. He being a gentile.
10. Lev. XXII, 12.
11. Lev. XXII, 13.
12. Does she return to her father's house and eat the heave-offering.
13. Therefore a gentile cannot be intended by the Mishnah.
14. She would not be prohibited to her husband for such an act.

15. Farausag near Bagdad v. B.B. (Sonc. ed.) p. 15. n. 4. He is thus distinguished from the earlier Rabbi of that name
16. Deut. XXIII, 19.
17. Money given by a man to a harlot to associate with his dog. Such an association is not legal adultery.
18. If a man had a female slave who was a harlot and he exchanged her for an animal, it could be offered.
19. Are an abomination unto the Lord (ibid.).
20. Viz., the other two mentioned by the Rabbis.
21. In Num. V, 13, since the law applies to a man who is incapable.
22. Lev. XVIII, 22. The word for 'lying' is in the plural and is explained as denoting also unnatural intercourse.
23. With the other man, although there is no actual coition.
24. Which is legally equal to complete coition.
25. As evidenced by his warning.

a woman of ill-repute rather than the daughter of a woman of ill-repute, since the former comes from pure stock and the latter from impure stock.(1) R. Johanan, however, said: Let a man marry the daughter of a woman of ill-repute rather than a woman of ill-repute, since the former is presumably chaste whereas the latter is not. An objection was raised: One should marry a woman of ill-repute! — Raba said: Can you possibly think that [the meaning is that] he should marry [a woman of ill-repute who is such] at the outset? But the statement should take this form: 'If a man married [a woman of ill-repute']; and similarly [read] 'the daughter of a woman of ill-repute'.(2) But the legal decision is: Let a man marry the daughter of a woman of ill-repute rather than a woman of ill-repute; because R. Tahlifa, the son of the West,(3) recited in the presence of R. Abbahu, If a woman is an adulteress, her children are legitimate since the majority of the acts of cohabitation are ascribed to the husband.

R. Amram asked: How is it if she was excessively dissolute?(4) According to him who maintains that a woman only conceives immediately before her period the question does not arise, because [the husband] may not know [when this is] and does not watch her; but the question does arise according to him who maintains that a woman only conceives immediately after the time of her purification. How is it then? Does he watch her since he knows when this occurs; or perhaps this is of no account since she is excessively dissolute?(5) The question remains unanswered.

IN THE FOLLOWING CASES A COURT OF LAW etc. Our Rabbis taught: 'Man' — why does Scripture repeat the word?(6) To include the wife of a deaf man, the wife of an imbecile, the wife of a weak-minded man, and cases where the husband has gone on a journey to a distant country or is imprisoned, that a Court of Law can give them warning to disqualify them in connection with the marriage-settlement. It is possible [to think that the warning] is also to make them drink; therefore there is a text to say: Then shall the man bring his wife.(7) R. Jose says: It is also to make the woman drink so that when the husband is released from prison he makes her drink.(8) On what do they differ? — The Rabbis are of the opinion that we require that the same man who 'warned' her must 'bring' her,(9) whereas R. Jose is of the opinion that we do not require that the same man who 'warned' her must 'bring' her.(10)

Our Rabbis taught: When a wife, being under her husband, goeth aside(11) — this is to compare a husband with a wife and a wife with a husband. For what practical purpose? — R. Shesheth said: Just as he does not make her drink if he is blind, as it is written: And it be hid from the eyes of her husband,(12) so she does not drink if she is blind. R. Ashi said: Just as a woman who is lame or armless does not drink, for it is written,

1. [As it is not known with whom the mother had relation.]
2. [Since the Baraitha has to be amended in any case we might just as well amend 'a woman' into 'the daughter of a woman etc.'.]
3. I.e., the Palestinian.
4. Are the children legitimate?
5. And she may deceive him although he is careful to watch her.

6. In the Hebrew text of Num. V, 12.
7. Ibid. 25.
8. V. supra 24a.
9. To the ordeal, and only the husband can bring her.
10. And so he gives the Court power to warn her for the purpose of the ordeal.
11. Num. V. 29.
12. Ibid. 13. He presumably could see.

Sotah 27b

And the priest shall set the woman before the Lord … and put the meal-offering in her hands,(1) so he does not make her drink if he is lame or armless. Mar son of R. Ashi said: Just as a dumb woman does not drink, for it is written And the woman shall say Amen, Amen,(2) so he does not make her drink if he is dumb.

CHAPTER V

MISHNAH. JUST AS THE WATER PROVES HER SO THE WATER PROVES HIM;(3) AS IT IS SAID, 'AND SHALL ENTER' TWICE.(4) JUST AS SHE IS PROHIBITED TO THE HUSBAND(5) SO IS SHE PROHIBITED TO THE PARAMOUR;(6) AS IT IS SAID, DEFILED … AND IS DEFILED.(7) THIS IS THE STATEMENT OF R. AKIBA. R. JOSHUA SAID: THUS USED ZECHARIAH B. HAKAZAB TO EXPOUND.(8) RABBI SAYS: THE WORD DEFILED OCCURS TWICE IN THE SCRIPTURAL PORTION,(9) ONE REFERRING [TO HER BEING PROHIBITED] TO THE HUSBAND AND THE OTHER TO THE PARAMOUR.

ON THAT DAY,(10) R. AKIBA EXPOUNDED, AND EVERY EARTHEN VESSEL, WHEREINTO ANY OF THEM FALLETH, WHATSOEVER IS IN IT SHALL BE UNCLEAN,(11) IT DOES NOT STATE TAME [IS UNCLEAN] BUT YITMA',(12) I.E. TO MAKE OTHERS UNCLEAN. THIS TEACHES THAT A LOAF WHICH IS UNCLEAN IN THE SECOND DEGREE,(13) MAKES [WHATEVER IT COMES IN CONTACT WITH] UNCLEAN IN THE THIRD DEGREE. R. JOSHUA SAID: WHO WILL REMOVE THE DUST FROM THINE EYES, R. JOHANAN B. ZAKKAI, SINCE THOU SAYEST THAT ANOTHER GENERATION IS DESTINED TO PRONOUNCE CLEAN A LOAF(14) WHICH IS UNCLEAN IN THE THIRD DEGREE ON THE GROUND THAT THERE IS NO TEXT IN THE TORAH ACCORDING TO WHICH IT IS UNCLEAN!(15) IS NOT R. AKIBA THY PUPIL?(16) HE ADDUCES A TEXT IN THE TORAH ACCORDING TO WHICH IT IS UNCLEAN, VIZ., 'WHATSOEVER IS IN IT SHALL BE UNCLEAN'.

ON THAT DAY R. AKIBA EXPOUNDED, AND YE SHALL MEASURE WITHOUT THE CITY FOR THE EAST SIDE TWO THOUSAND CUBITS ETC.(17) BUT ANOTHER TEXT STATES, FROM THE WALL OF THE CITY OUTWARD A THOUSAND CUBITS ROUND ABOUT.(18) IT IS IMPOSSIBLE TO SAY THAT IT WAS A THOUSAND CUBITS SINCE IT HAS BEEN ALREADY STATED TWO THOUSAND CUBITS'; AND IT IS IMPOSSIBLE TO SAY THAT IT WAS TWO THOUSAND CUBITS SINCE IT HAS BEEN ALREADY STATED 'A THOUSAND CUBITS'! HOW WAS IT THEN? A THOUSAND CUBITS FOR THE SUBURB(19) AND TWO THOUSAND CUBITS FOR THE SABBATH-LIMIT.(20) R. ELIEZER THE SON OF R. JOSE THE GALILEAN SAYS: A THOUSAND CUBITS FOR THE SUBURB AND TWO THOUSAND CUBITS FOR FIELDS AND VINEYARDS.(21)

ON THAT DAY R. AKIBA EXPOUNDED, THEN SANG MOSES AND THE CHILDREN OF ISRAEL THIS SONG UNTO THE LORD AND SPAKE, SAYING,(22) THERE WAS NO NEED FOR THE WORD 'SAYING', SO WHY WAS IT ADDED? IT TEACHES THAT THE ISRAELITES RESPONDED TO EVERY SENTENCE AFTER MOSES, IN THE MANNER OF READING HALLEL,(23) 'I WILL SING UNTO THE

LORD, FOR HE HATH TRIUMPHED GLORIOUSLY,(24) ON THAT ACCOUNT IS THE WORD 'SAYING' MENTIONED. R. NEHEMIAH SAYS: IN THE MANNER OF READING THE SHEMA'(25) AND NOT HALLEL.

ON THAT DAY R. JOSHUA B. HYRCANUS EXPOUNDED: JOB ONLY SERVED THE HOLY ONE, BLESSED BE HE, FROM LOVE: AS IT IS SAID, THOUGH HE SLAY ME, YET WILL I WAIT FOR HIM.(26) AND SHOULD IT BE STILL DOUBTFUL WHETHER THE MEANING IS 'I WILL WAIT FOR HIM' OR 'I WILL NOT WAIT',(27) THERE IS ANOTHER TEXT TO DECLARE, TILL I DIE I WILL NOT PUT AWAY MINE INTEGRITY FROM ME.(28) THIS TEACHES THAT WHAT HE DID WAS FROM LOVE. R. JOSHUA [B. HANANIAH] SAID: WHO WILL REMOVE THE DUST FROM THINE EYES, R. JOHANAN B. ZAKKAI, SINCE THOU HAST BEEN EXPOUNDING ALL THY LIFE THAT JOB ONLY SERVED THE ALL-PRESENT FROM FEAR, AS IT IS SAID, THAT MAN WAS PERFECT AND UPRIGHT, AND ONE THAT FEARED GOD. AND ESCHEWED EVIL!(29) DID NOT JOSHUA, THE PUPIL OF THY PUPIL,(30) TEACH THAT WHAT HE DID WAS FROM LOVE?(31)

GEMARA. [The Mishnah states: SO THE WATER PROVES] HIM. Whom? If I say that it is the husband, what has the husband done? Should you reply

1. Num. V, 18.
2. Ibid. 22.
3. Her paramour.
4. Num. V, 24, 27.
5. He must divorce her if she is guilty.
6. He is not allowed to marry her.
7. Ibid. 29. The and is redundant; it is therefore employed by R. Akiba for an exegetical purpose.
8. He similarly explained the redundant and.
9. In verses 14 and 29. It also occurs in verse 13; but that is expounded in a different connection. V. fol. 2b, p. 5.
10. When the preceding was taught. It was the important occasion when R. Eleazar b. Azariah was appointed Principal of the School in place of Rabban Gamaliel II. V. Ber. 27b et seq. (Rashi). V. 'Ed. (Sonc. ed.). Introduction p. XI. [Geiger, Lesestucke aus der Mischnah, p. 37: on the same day on which the previous teachings were presented.]
11. Lev. XI, 33. The reference is to unclean creeping things.
12. Since the text was unpointed R. Akiba read the word as yetamme', i.e., 'makes (others) unclean'.
13. The vessel becomes unclean first and then defiles the loaf in it.
14. [Even in holy food like that of the heave-offering.]

15. (Even in common food.)
16. [He was not the pupil of R. Johanan b. Zakkai, but of his disciple R. Eliezer b. Hyrcanus, yet he is so described on account of his eminence. (Maim.).]
17. Num. XXXV, 5, defining the limits of the cities of refuge.
18. Ibid. 4.
19. Open spaces for cattle.
20. Beyond the city an additional space was included equal to the extreme point one was allowed to proceed to from an inhabited spot on the Sabbath. viz., 2000 cubits. This latter space was inclusive of the suburb.
21. This was also inclusive of the suburb.
22. Ex. XV, 1.
23. This will be explained in the Gemara. Hallel, lit., 'praise', is the name given to Pss. CXIII-CXVIII, cf. Suk. III, 10.
24. Ex. XV, 1.
25. V. Glos. The method of recital is explained in the Gemara.
26. Job XIII, 15.
27. There is a variant in the text which gives the alternative translation. V. R.V. margin.
28. Ibid. XXVII, 5.
29. Ibid. I, 1.
30. He was the pupil of Akiba.
31. [Buchler, Sin and Atonement, p. 140, suggests this controversy to have arisen in connection with the discussion whether the book of Job should be included in the Canon.]

that if there be sin in him(1) the water proves him, [it may be asked] should there be sin in him on his own account does the water prove her for her own sin, and behold it has been taught: And the man shall be free from iniquity, and that woman shall bear her iniquity,(2) i.e., so long as the husband is free from iniquity the water proves his wife, but if the husband is not free from iniquity the Water does not prove his wife! — Should [the Mishnah, on the other hand, refer] to the paramour, it should have used the same phraseology as in the continuation, viz., 'Just as she is prohibited to the husband so is she prohibited to the paramour'!(3) — It certainly refers to the paramour; but in the first clause since it uses the word 'HER' it uses the word HIM and in the continuation since it used the word 'HUSBAND' it used the word 'PARAMOUR.'

AS IT IS SAID 'AND SHALL ENTER' TWICE. The question was asked: Does [the teacher in the Mishnah] mean 'shall enter and shall enter' or 'and shall enter and shall enter'?(4) — Come and hear: JUST AS SHE IS PROHIBITED TO THE HUSBAND SO IS SHE PROHIBITED TO THE PARAMOUR; AS IT IS SAID, DEFILED … AND IS DEFILED.(5) But it is still questionable whether [the teacher in the Mishnah] draws the conclusion from the repetition of 'defiled' or from the conjunction in 'defiled … and is defiled'! — Come and hear: Since he states in the continuation, RABBI SAYS: THE WORD DEFILED OCCURS TWICE IN THE SCRIPTURAL PORTION, ONE REFERRING TO THE HUSBAND AND THE OTHER TO THE PARAMOUR, it follows that it is R. Akiba who expounds the conjunction 'and'. Consequently for R. Akiba there are six texts [containing the phrase 'and shall enter'](6) — one for the command regarding her(7) and one for the command regarding him;(8) one for the action regarding her and one for the action regarding him;(9) one for the notification(10) regarding her and one for the notification regarding him. For Rabbi,(11) on the other hand, there are three texts — one for the command, one for the action and one for the notification.(12) But whence does Rabbi derive the teaching: JUST AS THE WATER PROVES HER SO THE WATER PROVES HIM? — He derives it from [the following teaching]: For it has been taught: And make the belly to swell and the thigh to fall away,(13) i.e., the belly and thigh of the paramour. You say it is the belly and thigh of the paramour; perhaps it is not so, but the belly and thigh of the adulteress! Since it is stated and her belly shall swell and her thigh shall fall away,(14) here it is clearly the belly and thigh of the adulteress which are referred to; so how am I to explain 'and make the belly to swell and the thigh to fall away'? It refers to the belly and thigh of the paramour. And the other?(15) — It indicates that the priest informs her that [the water] affects the belly first and then the thigh so as not to discredit the water of bitterness.(16) And the other?(17) — If that were so, It should have been written 'her belly and her thigh'; what means 'belly and thigh' [without specification]? Conclude that the reference is to the paramour. But am I to suppose that [the phrase without specification] is intended only for this?(18) — If that were so, it should have been written 'his belly and his thigh'; what means 'belly and thigh'? Draw two inferences therefrom.(19)

R. JOSHUA SAID, THUS USED ZECHARIAH etc. Our Rabbis taught: Why is it mentioned three times in the Scriptural portion if she be defiled,(20) she be defiled,(21) and she is defiled?(22) One [to make her prohibited] to the husband, one to the paramour, and one for partaking of the heave-offering. This is the statement of R. Akiba. R. Ishmael said: It is an a fortiori conclusion; if a divorced woman,(23) who is allowed to partake of

the heave-offering, is prohibited [to marry into] the priesthood, how much more must a woman who is prohibited from partaking of the heave-offering(24) be prohibited [to marry into] the priesthood!(25) For what purpose(26) is it stated and she be defiled … and she be not defiled?(27) If she be defiled, why should she drink; and if she be not defiled, why does he make her drink! Scripture informs you that in a doubtful case she is prohibited. From this you can draw an analogy [with respect to the defilement caused] by a creeping thing:(28) if in the case of a suspected woman, where the effect is not the same should the act be in error or in presumption, under compulsion or of free will,(29) there is the consequence [of being prohibited] when there is a doubt as when there is certainty; how much more so must there be the consequence [of defilement] in a case of doubt as in a case of certainty with a creeping thing where the effect is the same whether [the contact was] in error or in presumption, or whether it was under compulsion or of free will!

1. By having cohabited with her after she had secluded herself with the other man.
2. Nun. V, 31.
3. And state, 'so the water proves the paramour'.
4. I.e., is the inference drawn from the redundant and or from the repetition of the word?
5. Similarly in the first clause the deduction is drawn from the redundant and.
6. In verses 22. 24 and 27, the conjunction 'and' duplicating each.
7. verse 24, where God decreed that the water should have the effect of proving her.
8. The paramour.
9. verse 27, where the assurance is given that the water would take effect.
10. Of the priest, in verse 22.
11. Who draws no conclusion from 'and'.
12. As regards the woman only in each instance.
13. Num. V, 22. The pronoun 'thy' in the E.V. does not occur in the Hebrew. Therefore the reference is taken to be the paramour.
14. Ibid. 27.
15. I.e., how does R. Akiba explain the phrase 'and make the belly etc.'?
16. V. supra 9b.
17. How does Rabbi meet this argument?
18. To teach that it refers to the paramour.
19. That it refers to the paramour and also that it indicates the order in which the effect of the water is felt.
20. Num. V, 27.
21. Ibid. 14.
22. Ibid. 29.

23. Viz., a priest's daughter who had been married to a non-priest, v. Lev. XXII, 13.
24. Because of suspected adultery.
25. This will be explained anon.
26. The exposition that follows is independent of the preceding.
27. Num. V, 14.
28. Viz., when it is doubtful whether defilement has been caused.
29. If the woman acted in error or under force, she does not undergo the ordeal.

Sotah 28b

And from the position you have taken up(1) [proceed to draw the following deductions]: As [the case of doubt in connection with] the suspected woman can only occur in a private domain [where seclusion takes place],(2) so [the case of doubt in connection with] a creeping thing can only occur [when the contact takes place] in a private domain.(3) And as [the case in connection with] a suspected woman is a matter where there is a rational being to be interrogated,(4) so [in the case of doubt in connection with] a creeping thing it must be a matter where there is a rational being to be interrogated.(5) Hence [the Rabbis] said: Where there is a rational being to be interrogated, should a doubtful [case of defilement] occur in a private domain it is regarded as unclean, but should it occur in a public place as clean; and when there is no rational being to be interrogated whether it occurs in a private domain or in a public place a doubtful [case of defilement] is regarded as clean.(6)

R. Akiba dealt above with [the woman being prohibited to partake] of the heave-offering, and R. Ishmael answers him with a statement about the priesthood!(7) And further, whence does R. Akiba derive [the rule that the suspected woman cannot marry into] the priesthood? Should you answer that with reference to [this rule about] the priesthood a Scriptural text is not necessary,

1. Viz., drawing the above analogy.
2. As distinct from a public place.
3. If the doubt occurred about contact in a public place, there is no defilement.
4. As to whether she had misconducted herself or not.
5. There must have been a person present who can be questioned about the probability of the contact having taken place.
6. Thus the end of the cited Baraitha.
7. Into which an adulteress cannot marry. The reply was quite irrelevant to the issue.

Folio 29a

since a woman about whom there is a doubt whether she is immoral is treated like an immoral woman,(1) then [for the rule about] the heave-offering a Scriptural verse should likewise be unnecessary, since a woman about whom there is a doubt whether she is immoral is treated like an immoral woman!(2) — But according to R. Akiba, there are four texts [where the word 'defiled' occurs](3) — one [to prohibit the woman] to the husband, one to the paramour, one to the priesthood and one for the heave-offering. Whereas according to R. Ishmael there are [only] three texts(4) — one [to prohibit her] to the husband, one to the paramour, and one for the heave-offering; and [the prohibition] regarding the priesthood he deduces by a fortiori reasoning. Whence, however, does R. Ishmael [know] that a text is required for the heave-offering and that [the prohibition] regarding the priesthood is to be deduced by a fortiori reasoning; perhaps [a text] is required as regards the priesthood and the heave-offering is permitted to her!(5) — He can reply to you, This is proved by the analogy of the husband and paramour: just as [the prohibition] respecting husband and paramour is in force already during the lifetime [of the husband],(6) so also [the prohibition] respecting the heave-offering is likewise to come into force during his lifetime, to the exclusion of that respecting the priesthood which comes into effect after death.(7) R. Akiba, on the other hand,(8) does not accept the analogy of the husband and paramour; and even if he accepted it, a teaching which is deducible by a fortiori reasoning Scripture took the trouble to write down.(9)

R. Giddal said in the name of Rab: The [difference between] a case where there is a rational being to be interrogated and one where there is no rational being to be interrogated is derived from the following texts: And the flesh that toucheth any unclean thing shall not be eaten(10) — when the thing is certainly unclean it may not be eaten; hence when there is a doubt whether it is unclean or clean it may be eaten. Consider now the continuation: And as for the flesh, all that is clean shall eat [sacrificial] flesh(11) — [A man who is] certainly clean may eat, but when there is a doubt whether he is unclean or clean he may not eat!(12) Is not, then, the conclusion to be drawn from this that in one case there is a rational being to be interrogated and not in the other?(13) The statement of R. Giddal in the name of Rab was necessary, and it was also necessary to derive [the rule of defilement caused by a creeping thing] from the case of the suspected woman; for if [it had only been based on] the teaching of Rab, I would have said that the rule was the same whether [the defilement occurred] in a private domain or a public place; therefore it was also necessary to derive it from the case of a suspected woman.(14) If, further, it [had been derived solely] from the case of the suspected woman, I would have said that the rule(15) only applied when that which was touched and that which touched it were both rational beings.(16) So it is necessary [to have Rab's teaching].(17)

ON THAT DAY R. AKIBA EXPOUNDED, AND EVERY EARTHEN VESSEL etc. Since it has no [basis in Scripture according to which it is unclean],(18) why should it be unclean? — Rab Judah said in the name of Rab, It has none from the Torah, but it has one as a deduction from a fortiori reasoning: If a tebul yom,(19) who is allowed with non-holy food,(20) disqualifies(21) the heave-offering,(22) how much more so must a loaf unclean in the second degree, which is disqualified in the case of non-holy food,(23) render the heave-offering unclean in the third degree! It can, however, be objected, This(24) applies to a tebul yom because he may be a source of primary defilement.(25) [But it may be answered,] You can draw [the necessary conclusion]

1. 'A harlot' (Lev. XXI, 7) whom a priest may not marry.
2. And if a priest's daughter loses the right to eat of the heave-offering though lawfully married to a non-priest (Lev. XXII, 12), how much more must she forfeit it if she is immoral; v. Yeb. 68a.
3. In Num. V, 17, 28 and 29. In the last verse it is preceded by 'and', which is understood as the duplication of the term.
4. He does not expound 'and'.
5. Why does he not apply one occurrence of the word 'defiled' to the matter of the priesthood instead of the heave-offering?
6. She is forbidden to the paramour whilst the husband is yet alive.
7. During the husband's lifetime she cannot in any way marry into the priesthood since a priest may not marry a divorcee; the prohibition is consequently to refer here to after the husband's death, that even then a priest may not marry the suspected woman. Since the analogy does not apply, the text cannot be applied to this prohibition.
8. Who bases the prohibition of marriage with a priest on a text.
9. So the fact that the rule could be arrived at by deduction does not obviate R. Akiba's contention that it is based on a text.
10. Lev. VII, 19.
11. Ibid., sic.
12. Contrary conclusions are drawn from the verse.
13. The clause 'and as for flesh etc.' speaks of a man who is the object of uncleanness and a rational being to be interrogated; whereas the former 'and the flesh that toucheth etc.' refers to where there is no rational being to be interrogated.
14. From which it is learnt that the rule is not the same in both localities.
15. About a doubtful case of defilement being regarded as unclean.
16. As happens with the suspected woman.
17. That it is sufficient if the object touched is a rational being for a doubtful case to be unclean. It is not required that the defiling agent should also be a rational being.
18. As R. Johanan declares in the Mishnah; and yet he held it to be defiled.

19. Lit., 'bathed during day', i.e., an unclean person who has undergone immersion but awaits sunset before he regains his state of purity. V. Lev. XXII, 7.
20. And does not defile it.
21. [This term denotes the last degree of uncleanness which cannot communicate defilement to any other object coming into contact with it.]
22. By touching it so that it may not be eaten by a priest. v. Yeb. 74b.
23. [If a creeping thing touches an object which in turn comes into contact with non-holy food, the latter, which is in the second degree of uncleanness, is disqualified; v. Lev. XI, 33.]
24. The disqualifying of the heave-offering.
25. Lit., 'father of defilement'. By, e.g., having touched a corpse or by himself being a leper. Tebul yom cannot thus be made the basis of deduction.

from a tebul yom [who was defiled] by a creeping thing.(1) [Should it be objected that] it applies [only] to a tebul yom [who was defiled] by a creeping thing because he belongs to that category in which there may be a primary source of defilement],(2) the case of an earthenware vessel proves [the contrary].(3) [And should it be objected that] it applies to an earthenware vessel because its interior space renders unclean,(4) the case of tebul yom proves [the contrary].(5)

Thus the original reasoning [by a fortiori] holds good, since the characteristic [of the tebul yom] is unlike the characteristic [of the earthenware vessel](6) and vice versa;(7) the point they have in common is that they are allowed with non-holy food but disqualify the heave-offering.(8) How much more, then, must a loaf unclean in the second degree, which disqualifies in the case of non-holy food, disqualify the heave-offering! ANOTHER GENERATION,(9) however, might object. What is the point common to them both? That in each there is a characteristic which makes for severity!(10) But R. Johanan does not raise an objection on the ground that there is in each a characteristic which makes for severity.(11)

It has been taught: R. Jose said: Whence is it that with sacrificial food there is disqualification with the fourth degree of defilement? It is a deduction [from a fortiori reasoning]: If one lacking atonement,(12) who is permitted with the heave-offering,(13) is dis qualified as regards sacrificial food,(14) how much more does the third degree, which is disqualified with the heave-offering,(15) create a fourth degree of defilement with sacrificial food! We learnt [the rule about] a third degree of defilement with sacrificial food from the Torah and a fourth degree from a fortiori reasoning;(16) whence have we it from the Torah that there is a third degree with sacrificial food? — As it is written: And the flesh that toucheth any unclean thing shall not be eaten(17) — do we not deal here with [flesh] that touched something unclean in the second degree?(18) And the All-Merciful declared: 'It shall not be eaten'. A fourth degree [is derived] from a fortiori reasoning as we stated above.

R. Johanan said: I do not understand the Master's(19) reason(20) since its refutation is by its side, viz., food which is made unclean by contact with a tebul yom proves [the contrary], inasmuch as it is disqualified in the case of heave-offering but does not create a fourth degree of defilement with sacrificial food. For it has been taught: Abba Saul said: A tebul yom is unclean in the first degree as regards sacrificial food to create two further degrees of defilement(21) and one degree of disqualification.(22) R. Meir Says: He creates one further degree of defilement and one of disqualification. The Sages Say: Just as he disqualifies food or liquids of the heave-offering,(23) so he disqualifies sacrificial food and drinks.(24) To this R. Papa demurred: Whence is it that R. Jose holds the same view as the Rabbis? perhaps he holds the same view as Abba Saul who says [that the tebul yom] creates two further degrees of defilement and one of disqualification! — If it enter your mind that he holds the same view as Abba Saul, let him [deduce the rule about] a fourth degree of defilement with sacrificial food from the case of food that is rendered unclean by contact with a tebul yom [as follows]: If a tebul yom is himself allowed with non-holy food,(25) and yet you say that food which is unclean through him creates a fourth degree with sacrificial food,

1. He is then unclean in the first degree but not a source of primary cause of defilement. A creeping thing is a primary source of defilement.
2. [A man who touches a dead body becomes a primary source of uncleanness. This does not apply to foodstuffs.]
3. Since it can never be a primary source of defilement and yet defiles the heave-offering by contact.
4. Without actual contact, v. Lev. XI, 33.
5. Because he obviously cannot defile except by direct contact and yet he disqualifies the heave-offering by touching it.
6. Since the latter unlike the former defiles by its interior space.
7. The former, unlike the latter, being possibly a primary source of defilement.
8. [This is difficult to explain, since an earthenware vessel does disqualify non-holy food (v. Lev. Xl, 33ff). Rashi suggests another reading which is not free from difficulty. Tosaf. of Sens explains the reference to be to a broken earthenware vessel which in respect of non-holy food communicates no defilement.]
9. Which would not regard this as unclean.
10. In the law relating thereto, viz., the tebul yom can be a primary source of defilement and the interior space of an earthenware vessel can render unclean.
11. Because the characteristic of severity is peculiar to each and not common to both.
12. E.g., a leper on his recovery, (v. Lev. XIV, 9ff). The seventh day the sacrifice had not yet been offered, and he may not partake of sacrificial food until this has been done.
13. And does not disqualify it by his touch.
14. I.e., he disqualifies it by his touch.
15. As proved on a fortiori reasoning, supra.
16. [Once the third degree is derived from the Torah, it is possible to employ the a fortiori reasoning in regard to the fourth degree. Were it not so, we should have required the a fortiori reasoning for the third degree only.]
17. Lev. VII, 19.
18. Since 'unclean thing' means that which had been rendered unclean by something else. The flesh was accordingly unclean in the third degree.
19. V. Nazir (Sonc. ed.) p. 64, n. 1.
20. R. Jose's argument as given in the preceding paragraph with respect to a fourth degree with holy food.
21. What touches him is unclean in the second degree and what this touches is unclean in the third.

22. If the heave-offering was touched by the object unclean in the third degree it would become disqualified but would not create a fourth degree.
23. But does not create any further degree of defilement.
24. [Without creating a further degree of defilement. Whereas, adopting R. Jose's arguments the food touched by the tebul yom should on a fortiori reasoning produce here a disqualification in the fourth degree.]
25. And does not disqualify it.

then that which is unclean in the third degree through contact with what is unclean in the second degree — the second degree which is itself forbidden in the case of non-holy food(1) — must all the more create a fourth degree with the holy!(2) And should you reply [as stated above], 'It can, however, be objected.It applies to a tebul yom because he may be a primary source of defilement', behold he [R. Jose] derived his argument from one lacking atonement and [he] did not raise this objection.(3)

R. Assi said in the name of Rab — another version is Rabbah b. Issi said in the name of Rab, — R. Meir, R. Jose, R. Joshua, R. Eleazar and R. Eliezer all hold the view that what is unclean in the second degree does not create a third degree with non-holy food. R. Meir — for we have learnt: Everything that requires immersion in water according to the statement of the scribes(4) defiles the holy, disqualifies the heave-offering, and is permitted with the non-holy and with the tithe. Such is the statement of R. Meir; but the Sages prohibit in the case of the tithe.(5) R. Jose — as we have stated above; for if it were so,(6) then let him derive a fourth degree with the heave-offering and a fifth with the sacrificial food.(7) R. Joshua — for we have learnt: R. Eliezer Says: He who eats food unclean in the first degree is unclean in the first degree; [if he eats] food unclean in the second degree he is unclean in the second degree; and similarly with the third degree. R. Joshua Says: He who eats food unclean in the first or second degree is unclean in the second degree; [if he eats food unclean] in the third degree, he is unclean in the second degree as regards the sacrificial food but not unclean in the second degree as regards the heave-offering. This(8) is said of non-holy food which was prepared in the purity of the heave-offering.(9) [This means, does it not,] 'When it is in the purity of the heave-offering' but not when it is in the purity of the sacrificial food?(10) Conclude, then, that he holds that [normally] what is unclean in the second degree does not create a third degree with the non-holy. R. Eleazar — for it has been taught: R. Eleazar says: The following three are alike: the first degree of defilement in the case of the sacrificial food, the non-holy and the heave-offering; it creates two further degrees of defilement and one of disqualification with the sacrificial food;(11) it creates one further degree of defilement and one of disqualification with the heave-offering;(12) and it creates one degree of disqualification with the non-holy.(13) R. Eliezer-for we have learnt: R. Eliezer Says: Hallah(14) may be taken from [dough] which is pure on account of that which is defiled. How is this? There are two portions of dough, one pure and the other defiled. He takes a quantity sufficient for hallah(15) from the dough from which its hallah had not been removed,(16) and places a piece less than the size of an egg(17) in the centre [of the defiled dough] so that [it may be considered that hallah] had been taken from the mass [of the defiled dough].

1. Non-holy food can become unclean in the second degree.
2. [The advantage of this deduction consists in that it is more direct than that of R. Jose, which involves a second a fortiori reasoning to prove that there is a disqualification in the third degree in the case of the heave-offering (v. p. 145, n. 3) Tosaf.]
3. I.e., that one lacking atonement is different since he may be a primary source of defilement. The reason R. Jose did not raise this objection is evidently because he is no longer regarded as unclean, and the same applies to a tebul yom. Consequently

R. Jose cannot be said to agree with Abba Saul, but must agree with the Rabbis, hence the question of R. Johanan.

4. Viz., things which, according to the Torah, are clean, but the Rabbis take a stricter view.
5. To be eaten; v. Parah, XI, 5.
6. That there was a third degree of defilement with the non-holy.
7. From his own a fortiori reasoning cited above.
8. That food in the third degree renders the one eating it unclean in respect of sacrificial food.
9. I.e., when a priest took upon himself that even the non-holy food he ate should be in the same state of purity as the heave-offering. But ordinary non-holy food cannot become unclean in the third degree.
10. [As non-holy food cannot be raised to the level of purity of sacrificial food. Rashi reads: 'but not when it is ordinary non-holy food'. This is also the reading of MS.M.]
11. There is thus a fourth degree of defilement.
12. There is then a third degree.
13. And so there is no third degree with the non-holy.
14. Part of the dough presented to the priest; v. Num. XV, 17-21.
15. One twenty-fourth of the whole in the case of an individual and half of that proportion in the case of a baker.
16. The pure dough.
17. A quantity less than the size of an egg cannot communicate defilement.

The Sages, however, forbid this. And it has also been taught: [The quantity(1) may be] equal to the size of an egg. — [Now the schoolmen] held that both [these teachings](2) refer to dough which is unclean in the first degree, and that non-holy food from which hallah had not yet been taken is not like hallah.(3) Is it not, then, to be supposed that they differ on this point: One(4) holds that a second degree of defilement does not create a third with the non-holy,(5) whereas the others hold that it does create a third degree with the non-holy?(6) R. Mari b. R. Kahana said: All agree that a second degree of defilement does not create a third with the non-holy; but here they differ with regard to non-holy food from which hallah had yet to be taken. One holds that it is like hallah;(7) the other holds that it is not like hallah. If you like I can say that all agree that non-holy food from which hallah had yet to be taken is not like hallah and a second degree of defilement does not create a third with the non-holy; and here they differ on whether it is permitted to apply the laws of defilement to non-holy food in the land of Israel.(8) One(9) holds that it is permitted to apply the laws of defilement to non-holy food in the land of Israel, the others hold that it is prohibited.(10)

ON THAT DAY R. AKIBA EXPOUNDED, [AND YE SHALL MEASURE] etc. On what do they(11) differ? — One holds that the regulations concerning the Sabbath-limit are an institution of the Torah,(12) whereas the other holds they are an institution of the Rabbis.

Our Rabbis taught: On that day R. Akiba expounded: At the time the Israelites ascended from the Red Sea, they desired to utter a Song; and how did they render the song? Like an adult who reads the Hallel [for a congregation](13) and they respond after him with the leading word.(14) [According to this explanation] Moses said: 'I will sing unto the Lord' and they responded, 'I will sing unto the Lord'; Moses said: 'For He hath triumphed gloriously' and they responded, 'I will sing unto the Lord'. R. Eliezer son of R. Jose the Galilean declares, Like a minor who reads the Hallel [for a congregation], and they repeat after him all that he Says.(15) [According to this explanation] Moses said: 'I will sing unto the Lord' and they responded, 'I will sing unto the Lord'; Moses said: 'For He hath triumphed gloriously' and they responded, 'For He hath triumphed gloriously'. R. Nehemiah declares: Like a school-teacher(16) who recites(17) the Shema' in the Synagogue, viz., he begins first and they respond after him.(18) On what do they differ? — R. Akiba holds that the word 'saying'(19) refers to the first clause;(20) R. Eliezer son of R. Jose the Galilean holds that 'saying' refers to every clause; and R. Nehemiah holds that 'and spake' indicates that they sang all together 'and saying' that Moses began first.

Our Rabbis taught: R. Jose the Galilean expounded: At the time the Israelites ascended from the Red Sea, they desired to utter a Song; and how did they render the song? The babe lay upon his mother's knees and the suckling sucked at his mother's breast; when they beheld the Shechinah, the babe raised his neck and the suckling released the nipple from his mouth, and they exclaimed: This is my God and I will Praise Him;(21) as it is said: Out of the mouths of babes and sucklings hast thou established strength.(22) R. Meir used to say: Whence is it that even the embryos in their mothers' womb uttered a song? As it is said,

1. [According to R. Eliezer.]
2. [The one that holds that the quantity should be less than the size of an egg as well as the other, that it may be the size of an egg.]

3. I.e., like heave-offering in respect of the law of defilement. [But is treated like non-holy, both on the view of R. Eliezer and the Rabbis. For this reason even if the quantity placed between the two doughs is of the size of an egg it does not communicate the defilement in the second degree, which it contracts from the defiled dough to the pure one, since there is no third degree with non-holy.]
4. R. Eliezer.
5. [For this reason he allows in the second teaching a quantity of the size of an egg; and the reservation in the first teaching is merely as a precaution lest the piece of dough may come in contact with impure dough after the hallah has been designated.]
6. This shews that R. Eliezer holds that there is no third degree with non-holy food.
7. The Rabbis consider that it can create a third degree.
8. In Ber. 47b R. Meir defines an 'Am ha-arez (v. supra p. 110) as one who does not eat his non-holy food in a condition of ritual purity; but the Rabbis give a different definition.
9. R. Eliezer.
10. [And their concern is with the piece of dough placed between the two doughs which, though less than the size of an egg, can yet contract defilement.]
11. R. Akiba and R. Eliezer, son of R. Jose of Galilee.
12. R. Akiba takes this view; and therefore, according to him, the Torah had to make provision for the Sabbath-limit in the cities of refuge.
13. He acts as precentor and his rendering is on their behalf so that they may thereby fulfil their duty to recite it.
14. Lit., 'heads of chapters'. According to a statement in Suk. 38a, the response consisted of the word Hallelujah.
15. Since he was a minor, his rendering would not exempt them from saying every word.
16. Whose class was usually in the Synagogue and so he acted as Precentor.
17. The word pores is lit., 'divide', and its exact meaning is disputed. V. Elbogen. Der judische Gottesdienst, pp. 514ff and the references cited there.
18. Elbogen takes this to mean that the Precentor and Congregation read the verses alternately. Rashi's explanation is: he reads the benedictions preceding the Shema' which they repeat after him and then they read the Shema in unison. According to this explanation, Moses and the Israelites were divinely inspired so that they independently sang the same words in unison.
19. In Ex. XV, 1.
20. 'I will sing unto the Lord', and that only was the Israelite's. response.
21. Ibid. 3.

22. Ps. VIII, 3. E.V. 2.

Folio 31a

Bless ye the Lord in the Congregations, even the Lord, from the fountain of Israel.(1) But these could not behold [the Shechinah]! — R. Tanhum said: The abdomen became for them a kind of transparent medium and they did behold it.

ON THAT DAY R. JOSHUA B. HYRCANUS EXPOUNDED, JOB ONLY SERVED etc. But let him see how the word 'lo'(2) is spelt; if it is written with lamed and aleph then it means 'not', and if with lamed and waw then it means for Him'!(3) But is the meaning 'not' wherever the spelling is lamed and aleph? Can it apply to: In all their affliction there was affliction to Him?(4) [The word 'lo', 'to Him'] is spelt lamed and aleph, but does it here also signify 'not'! And should you say that here too [it means 'not'], behold it continues with: And the angel of His presence saved them!(5) But sometimes it has one meaning and at other times the other meaning.

It has been taught: R. Meir Says: It is declared of Job one that feared God,(6) and it is declared of Abraham thou fearest God;(7) just as 'fearing God' with Abraham indicates from love, so 'fearing God' with Job indicates from love. Whence, however, have we it in connection with Abraham himself [that he was motived by love]? As it is written: The seed of Abraham who loved Me.(8) What difference is there between one who acts from love and one who acts from fear? — The difference is that indicated in this teaching: R. Simeon b. Eleazar says: Greater is he who acts from love than he who acts from fear, because with the latter [the merit] remains effective for a thousand generations but with the former it remains effective for two thousand generations. Here it is written: Unto thousands of them that love Me and keep My commandments(9) and elsewhere it is written: And keep His commandments to a thousand generations.(10) But in this latter passage it is likewise written: 'With them that love Him and keep His commandments to a thousand generations! — In the first verse cited [the word 'thousand'] is attached [to them that love Me,] whereas in the second verse [cited the word 'thousand'] is attached [to keep His commandments].(11)

Two disciples were once sitting in the presence of Raba. One said to him, In my dream they read to me, O how great is Thy goodness which Thou hast laid up for them that fear Thee.(12) The other said to him, In my dream they read to me, But let all those that put their trust in Thee rejoice, let them ever shout for joy, because Thou defendest them; let them also that love Thy name be joyful in Thee.(13) He replied to them, Both of you are completely righteous Rabbis, but one is actuated by love and the other by fear.

CHAPTER VI

MISHNAH. IF A MAN WARNED HIS WIFE AND SHE SECLUDED HERSELF [WITH ANOTHER MAN], EVEN IF HE HEARD [THAT SHE HAD DONE SO] FROM A FLYING BIRD,(14) HE DIVORCES HER AND GIVES HER THE MARRIAGE-SETTLEMENT.(15) SUCH IS THE STATEMENT OF R. ELIEZER. R. JOSHUA SAYS: [HE DOES NOT DO THIS] UNTIL WOMEN WHO SPIN BY MOONLIGHT DISCUSS HER.(16)

IF ONE WITNESS SAID, I SAW THAT SHE COMMITTED MISCONDUCT, SHE DOES NOT DRINK THE WATER.(17) NOT ONLY THAT, BUT EVEN A SLAVE,

MALE OR FEMALE,(18) IS BELIEVED ALSO TO DISQUALIFY HER FOR THE MARRIAGE-SETTLEMENT. HER MOTHER-IN-LAW, HER MOTHER-IN-LAW'S DAUGHTER, HER ASSOCIATE-WIFE,(19) HER SISTER-IN-LAW(20) AND HER STEPDAUGHTER(21) ARE BELIEVED, NOT TO DISQUALIFY HER FOR THE MARRIAGE-SETTLEMENT BUT THAT SHE SHOULD NOT DRINK.

IT(22) IS A PROPER CONCLUSION THAT IF THE FIRST EVIDENCE [THAT THE WOMAN HAD SECLUDED HERSELF WITH THE MAN], WHICH DOES NOT PROHIBIT HER [TO HER HUSBAND] FOR ALL TIME,(23) IS NOT ESTABLISHED BY FEWER THAN TWO WITNESSES, IS IT NOT RIGHT THAT THE FINAL EVIDENCE [THAT SHE HAD MISCONDUCTED HERSELF] WHICH PROHIBITS HER TO HIM FOR ALL TIME, SHOULD NOT BE ESTABLISHED BY FEWER THAN TWO WITNESSES! THEREFORE THERE IS A TEXT TO STATE, AND THERE BE NO WITNESS AGAINST HER,(24) I.E., WHATEVER [EVIDENCE] THERE MAY BE AGAINST HER [IS BELIEVED, EVEN IF IT BE ONLY ONE WITNESS]. AND WITH RESPECT TO THE FIRST EVIDENCE [ABOUT HER SECLUSION WITH THE MAN, THAT ONE WITNESS SUFFICES MAY BE ARGUED BY] A FORTIORI REASONING AS FOLLOWS IF

1. Ibid. LXVIII, 27, E.V. 26. 'From the fountain' indicates those who were still in the womb.
2. In Job XIII, 15.
3. So how could the Mishnah state that there is a doubt about the meaning?
4. Isa. LXIII, 9.
5. These words prove that 'lo' in the preceding clause cannot mean 'not.'
6. Job I, 1.
7. Gen. XXII, 12.
8. Isa. XLI, 8, sic.
9. Ex. XX, 6. 'Thousands' is interpreted as generations, and the plural indicates at least two thousand.
10. Deut. VII. 9.
11. So in the former the motive is love, in the latter fear of punishment.
12. Ps. XXXI, 20.
13. Ibid. V, 12.
14. It was only a vague rumour that came to his ears. [The rumour was concerning (a) seclusion only (Rashi); (b) misconduct (Maim.). — 'A FLYING BIRD' may denote a talking bird, a parrot (v. Maim. and Strashun.)
15. He gives this to her if he was unwilling for her to drink the water, (Rashi). [According to this interpretation the husband, if he wishes, can make her drink even on the strength of a vague rumour, even as he can on the evidence of one witness to the seclusion, according to R. Eliezer. Rashbam, however, holds that a vague rumour is not on par with one witness and the husband therefore, though he cannot

make her drink, must put her away and give her the marriage-settlement. (V. Tosaf. Sens): Similarly on the view of Maimonides (v. n. 1) the divorce is compulsory. though in the absence of real evidence of misconduct she does not forfeit the marriage-settlement.]

16. Her behaviour had given rise to public scandal.
17. One witness is accepted and she is divorced besides losing the marriage-settlement. V. supra 2a.
18. Whose evidence is not accepted in an ordinary case.
19. The husband had more than one wife.
20. Viz., the wife of her husband's brother whom she was due to marry if she was left a childless widow.
21. All these are presumably ill-disposed towards her, and their evidence would not have been accepted in any other kind of charge.
22. V. supra 3b.
23. Because the water may prove her innocent.
24. Num. V, 13.

Sotah 31b

THE FINAL EVIDENCE [REGARDING MISCONDUCT], WHICH PROHIBITS HER TO HER HUSBAND FOR ALL TIME, IS ESTABLISHED BY ONE WITNESS, IS IT NOT PROPER THAT THE FIRST EVIDENCE, WHICH DOES NOT PROHIBIT HER TO HIM FOR ALL TIME, SHOULD BE ESTABLISHED BY ONE WITNESS! THEREFORE THERE IS A TEXT TO STATE, BECAUSE HE HATH FOUND SOME UNSEEMLY MATTER IN HER,(1) AND ELSEWHERE IT STATES, AT THE MOUTH OF TWO WITNESSES, OR AT THE MOUTH OF THREE WITNESSES, SHALL A MATTER BE ESTABLISHED;(2) AS THE 'MATTER' MENTIONED IN THIS LATTER CASE MUST BE CONFIRMED BY THE TESTIMONY OF TWO WITNESSES, SO ALSO HERE [IN THE CASE OF THE SUSPECTED WOMAN] THE 'MATTER' MUST BE CONFIRMED BY THE TESTIMONY OF TWO WITNESSES.

IF ONE WITNESS SAYS THAT SHE MISCONDUCTED HERSELF AND ANOTHER WITNESS SAYS THAT SHE DID NOT,(3) OR IF A WOMAN SAYS [OF HER] THAT SHE MISCONDUCTED HERSELF AND ANOTHER WOMAN SAYS THAT SHE DID NOT, SHE DRINKS THE WATER. IF ONE WITNESS SAYS THAT SHE MISCONDUCTED HERSELF AND TWO SAY THAT SHE DID NOT, SHE DRINKS THE WATER. IF TWO SAY THAT SHE MISCONDUCTED HERSELF AND ONE SAYS THAT SHE DID NOT, SHE DOES NOT DRINK IT.

GEMARA. [Why does the teacher in the Mishnah use] the Scriptural text: 'Because he hath found some unseemly matter in her'? He should have used [the teaching]: 'Against her' — i.e., 'against her' [in the matter of misconduct] but not in the matter of warning, 'against her' [in the matter of misconduct] but not in the matter of seclusion!(4) — He does also intend to say this: Therefore there is a text to state 'against her' — i.e., 'against her' [in the matter of misconduct] but not in the matter of warning, 'against her' [in the matter of misconduct] but not in the matter of seclusion. Whence, however, have we it that one witness is not believed in an ordinary charge of infidelity where there was neither warning nor seclusion? Here [in connection with infidelity] the word 'matter' occurs and it also occurs [in the law of evidence]; as with the latter [a charge is established] by two witnesses so [is the former established] by two witnesses.

IF ONE WITNESS SAYS THAT SHE MISCONDUCTED HERSELF. The reason [why one witness is not accepted] is because there is another who contradicts him; but where nobody contradicts him one witness is believed — Whence have we this rule? Because our Rabbis have taught: 'And there be no witness against her' — the text refers to two witnesses. You say that it refers to two witnesses; but perhaps it is not so and even one [suffices]! There is a teaching to declare, One witness shall not rise up against a man etc.(5) From the fact that it is stated: '[A] witness shall not rise up against a man,' do I not know that one is intended? Why is there a teaching to declare one witness'? This establishes the rule that wherever it is stated witness, it signifies two unless the text specifies 'one', and [in the case under discussion] the All-Merciful declares that when there are not two witnesses against her but only one, 'and she has not been violated,' she is forbidden [to her husband].(6)

But since, according to the Torah one witness is believed, how is it possible for another to contradict him? Surely 'Ulla has said: Wherever the Torah accepts the testimony of one

witness, he is regarded as two, and the evidence of one is of no account when opposed by two!(7) — But, said 'Ulla, read the Mishnah as, 'She does not drink';(8) and R. Isaac similarly declared that she does not drink, but R. Hiyya said that she does drink. The view of 'Ulla creates a difficulty against the statement of R. Hiyya!(9) — There is no difficulty; one statement refers to evidence given simultaneously(10) and the other when one witness follows the other.(11)

We learnt: IF ONE WITNESS SAYS THAT SHE MISCONDUCTED HERSELF AND TWO SAY THAT SHE DID NOT, SHE DRINKS THE WATER. Consequently if there was one [against her] and one [for her], she would not drink; this is a refutation of R. Hiyya! — R. Hiyya can reply: And according to your view [that she does not drink] consider the next clause: IF TWO SAY THAT SHE MISCONDUCTED HERSELF AND ONE SAYS THAT SHE DID NOT, SHE DOES NOT DRINK IT. Consequently if there was one [against her] and one [for her], she would drink! But the whole [of this section of Mishnah] refers to disqualified witnesses,(12) and it is R. Nehemiah's teaching; for it has been taught: R. Nehemiah says: 'Wherever the Torah accepts the testimony of one witness, [the decision] follows the majority of persons [who testify]', so that two women against one man is identical with two men against one man. But there are some who declare that wherever a com petent witness came [and testified] first, even a hundred women are regarded as equal to one witness;(13)

1. Deut. XXIV, 1.
2. Ibid. XIX, 15.
3. At the time of seclusion.
4. For notes v. supra 3b.
5. Deut. XIX, 15.
6. For notes v. supra 3b.
7. So that the evidence of the first witness, being accepted by the Torah, must stand though it is contradicted by another.
8. Instead of 'she drinks the water', and she is held to be guilty.
9. If the Torah accepts one witness, why should she drink the water?
10. If it is contradictory it is not accepted.
11. If one witness had testified and been accepted, another cannot come subsequently and offer contradictory evidence.
12. Viz., women and slaves; and it teaches that two witnesses of this class can discredit the evidence of a competent witness.
13. And they cannot upset his testimony.

Folio 32a

and with what circumstance are we dealing here?(1) For example, if it was a woman who came first [and testified]; and R. Nehemiah's statement is to be construed thus: R. Nehemiah says: 'Wherever the Torah accepts the testimony of one witness, [the decision] follows the majority of persons [who testify]', so that two women against one woman is identical with two men against one man, but two women against one man is like half and half.(2) Why, then, have we two teachings concerning disqualified witnesses?(3) What you might have said was that when we follow the majority of persons [who testify] it is for taking the severer view, but to take the lenient view we do not follow [the majority]. Therefore [the Mishnah] informs us [of one case where the accused must drink and one where she does not drink, and in each the majority is followed].

CHAPTER VII

MISHNAH. THE FOLLOWING MAY BE RECITED IN ANY LANGUAGE: THE SECTION CONCERNING THE SUSPECTED WOMAN,(4) THE CONFESSION MADE AT THE PRESENTATION OF THE TITHE,(5) THE SHEMA',(6) THE 'PRAYER',(7) THE GRACE AFTER MEALS,(8) THE OATH CONCERNING TESTIMONY(9) AND THE OATH CONCERNING A DEPOSIT.(10)

THE FOLLOWING ARE RECITED IN THE HOLY TONGUE:(11) THE DECLARATION MADE AT THE OFFERING OF THE FIRSTFRUITS,(12) THE FORMULA OF HALIZAH,(13) THE BLESSINGS AND CURSES,(14) THE PRIESTLY BENEDICTION,(15) THE BENEDICTION OF THE HIGH PRIEST,(16) THE SECTION OF THE KING,(17) THE SECTION OF THE CALF WHOSE NECK IS BROKEN,(18) AND THE ADDRESS TO THE PEOPLE BY THE PRIEST ANOINTED [TO ACCOMPANY THE ARMY] IN BATTLE.(19)

WHENCE IS IT THAT THE DECLARATION MADE AT THE OFFERING OF THE FIRST-FRUITS [MUST BE IN HEBREW]? [IT IS STATED]. AND THOU SHALT ANSWER AND SAY BEFORE THE LORD THY GOD,(20) AND ELSEWHERE IT IS STATED, AND THE LEVITES SHALL ANSWER AND SAY;(21) AS THE LATTER MUST BE IN THE HOLY TONGUE,(22) SO MUST THE FORMER BE IN THE HOLY TONGUE. WHENCE IS IT THAT THE FORMULA OF HALIZAH [MUST BE IN HEBREW]? [IT IS STATED]. AND SHE SHALL ANSWER AND SAY,(23) AND ELSEWHERE IT IS STATED, AND THE LEVITES SHALL ANSWER AND SAY'; AS THE LATTER MUST BE IN THE HOLY TONGUE. SO MUST THE FORMER BE IN THE HOLY TONGUE. R. JUDAH SAYS: [IT IS DERIVED FROM THE TEXT], AND SHE SHALL ANSWER AND SAY THUS(24) — I.E., SHE MUST SAY IT IN THIS LANGUAGE.

HOW WERE THE BLESSINGS AND CURSES [PRONOUNCED]? WHEN ISRAEL CROSSED THE JORDAN AND CAME TO MOUNT GERIZIM AND MOUNT EBAL WHICH ARE BY SAMARIA, (THIS IS IN THE VICINITY OF SHECHEM WHICH IS IN THE VICINITY OF THE TEREBINTHS OF MOREH, AND IT IS SAID, ARE THEY NOT BEYOND JORDAN ETC.(25) AND ELSEWHERE IT STATES, AND ABRAM PASSED THROUGH THE LAND UNTO THE PLACE OF SHECHEM UNTO THE TEREBINTH OF MOREH;(26) AS THE TEREBINTH OF MOREH MENTIONED IN

THIS LATTER VERSE IS SHECHEM, SO THE TEREBINTH OF MOREH MENTIONED IN THE FORMER VERSE IS SHECHEM.) SIX TRIBES ASCENDED THE SUMMIT OF MOUNT GERIZIM, SIX TRIBES ASCENDED THE SUMMIT OF MOUNT EBAL, AND THE PRIESTS AND LEVITES WITH THE ARK WERE STATIONED BELOW IN THE CENTRE, THE PRIESTS SURROUNDING THE ARK, THE LEVITES [SURROUNDING] THE PRIESTS, AND ALL ISRAEL ON THIS SIDE AND THAT SIDE; AS IT IS SAID, AND ALL ISRAEL, AND THEIR ELDERS AND OFFICERS, AND THEIR JUDGES STOOD ON THIS SIDE THE ARK AND ON THAT SIDE ETC.(27) THEY TURNED THEIR FACES TOWARDS MOUNT GERIZIM AND OPENED WITH THE BLESSING: BLESSED BE THE MAN THAT MAKETH NOT A GRAVEN OR MOLTEN IMAGE',(28) AND BOTH PARTIES(29) RESPOND AMEN. THEY THEN TURNED THEIR FACES TOWARDS MOUNT EBAL AND OPENED WITH THE CURSE: CURSED BE THE MAN THAT MAKETH THE GRAVEN OR MOLTEN IMAGE', AND BOTH PARTIES RESPOND 'AMEN.' [SO THEY CONTINUE] UNTIL THEY COMPLETE THE BLESSINGS AND CURSES. AFTER THAT THEY BROUGHT THE STONES,(30) BUILT THE ALTAR AND PLASTERED IT WITH PLASTER, AND INSCRIBED THEREON ALL THE WORDS OF THE TORAH IN SEVENTY LANGUAGES,(31) AS IT IS SAID, VERY PLAINLY.(32) THEN THEY TOOK THE STONES(33) AND WENT

1. When the Mishnah teaches: IF ONE WITNESS … AND TWO SAY etc.
2. One witness against one witness; if they testified simultaneously the evidence is not accepted.
3. In these last two clauses of the Mishnah which have been explained as referring to the evidence of women and slaves.
4. The exhortation addressed to her by the priest (Num. V, 19ff).
5. Deut. XXVI, 13ff.
6. V. Glos.
7. 'The Eighteen Benedictions' recited twice daily. V. P.B. pp. 44ff.
8. Op. cit. pp. 280ff.
9. Against the withholding of evidence (Lev. V, 1ff.).
10. That it had not been misappropriated if the bailee declares that it had been stolen or is missing.
11. Hebrew.
12. Deut. XXVI, 9ff.
13. Ibid. XXV, 9.
14. Ibid. XXVII, 15ff.
15. Num. VI, 24ff.
16. V. infra. Mishnah p. 198.
17. V. infra, Mishnah p. 202.

18. Deut. XXI, 7f.
19. Ibid. XX, 3ff.
20. Ibid. XXVI, 5.
21. Ibid. XXVII, 14.
22. This will be demonstrated in the Gemara.
23. Ibid. XXV, 9.
24. He attaches the word 'thus' to what precedes.
25. Deut. XI, 30. The verse ends with: beside the terebinths of Moreh.
26. Gen. XII, 6.
27. Josh. VIII, 33.
28. The reverse of Deut. XXVII, 15.
29. On the two mounts.
30. V. Deut. XXVII, 2ff.
31. The total number of languages in the world as the Rabbis thought.
32. Ibid. 8.
33. After the sacrifices had been offered, the altar was taken to pieces.

Sotah 32b

AND SPENT THE NIGHT IN THEIR PLACE.(1)

GEMARA. Whence have we it that the section concerning the suspected woman [may be recited in any language]? — As it is written: And the priest shall say unto the woman(2) — in whatever language he speaks.

Our Rabbis taught: They explain to her in any language she understands for what reason she is about to drink the water, in what [sort of vessel] she drinks, why she had misconducted herself and in what manner she had misconducted herself. For what reason she is about to drink the water — because of [her husband's] warning and her subsequent seclusion. In what [sort of vessel] she drinks — in a potsherd.(3) Why she had misconducted herself- because of levity and childishness. And in what manner she had misconducted herself — whether in error or deliberately, under compulsion or of free will. But why all this? So as not to discredit the water of bitterness.(4)

THE CONFESSION MADE AT THE PRESENTATION OF THE TITHE. Whence have we it that this [may be recited in any language]? — As it is written: And thou shalt say before the Lord thy God, I have put away the hallowed things out of mine house,(5) and the deduction is to be drawn from the analogous use of the word 'say' in connection with the suspected woman that it may be in whatever language he speaks. R. Zebid said to Abaye, But let the deduction be drawn from the analogous use of the word 'say' in connection with the Levites(6) [as follows]: As there it means that it must be in the holy tongue so here it must be in the holy tongue! — [He answered], We deduce [the meaning of] an unqualified use of 'say' from another occurrence of an unqualified use of 'say, but we do not deduce [the meaning of] an unqualified use of 'say' from a passage where the expression 'answer and say' occurs.(7)

It has been taught: R. Simeon b. Yohai said: A man should recount what is to his credit in a low voice and what is to his discredit in a loud voice. That he is to recount what is to his credit in a low voice [is learnt] from the confession made at the presentation of the tithe, and what is to his discredit in a loud voice from the declaration made at the offering of the first-fruits.(8) But should one recount what is to his discredit in a loud voice? Surely R. Johanan has said in the name of R. Simeon b. Yohai: Why was It instituted that the 'prayer'(9) should be recited softly? So as not to put transgressors to shame;(10) for behold, Scripture made no distinction as to the place of a sin-offering or burnt-offering!(11) — Do not read [in R. Simeon's statement] 'his discredit' but 'his trouble';(12) as it has been taught: And he shall cry, Unclean, unclean(13) — it is necessary [for the leper] to make his trouble known to the multitude so that the multitude may pray on his behalf; and thus everybody to whom a calamity has occurred should make it known to the multitude so that the multitude may pray on his behalf. The [above] text states: 'R. Johanan said in the name of R. Simeon b. Yohai: Why was it instituted that the 'prayer' should be recited softly? So as not to put transgressors to shame; for, behold, Scripture made no distinction as to the place of a sin-offering or burnt-offering.' But it is not so, for there is a difference in the treatment of the blood. The blood of a sin-offering [was applied] above [the red line which ran round the altar], whereas the blood of a burnt-offering [was applied] below it! — Only the priest would know that. There is, however, the difference that for a sin-offering a female animal was sacrificed and for a burnt-offering a male! — Being

covered by the fat tail [the sex would not be recognised]. That is quite right with a female lamb, but what of a female goat?(14) — In that case the man brought the shame upon himself, because he should have offered a lamb but offered a goat. What, however, of the sin-offering brought for idolatry when only a goat suffices!(15) — In that case let him experience shame so that he may receive atonement.

THE SHEMA'. Whence have we it that this [may be recited in any language]? As it is written: Hear, O Israel(16) — in any language you understand.

Our Rabbis taught: The Shema' must be recited as it is written.(17) Such is the statement of Rabbi but the Sages say: In any language. What is Rabbi's reason? — Scripture declares, And [these words] shall be,(18) i.e., they must remain as they are. And [what is the reason of] the Rabbis? — Scripture declares, 'Hear, O Israel' — in any language you understand. But for the Rabbis it is likewise written: 'And [these words] shall be'!(19) — That indicates that one may not read it in the wrong order.(20) And whence does Rabbi derive the rule that one may not read it in the wrong order? — From the fact that the text uses 'these words' and not merely 'words'. And the Rabbis?(21) — They draw no inference from the use of 'these words' instead of 'words'. But for Rabbi it is likewise written: 'Hear'! — He requires that for the rule: Make audible to your ears what you utter with your lips.(22) And the Rabbis? — They agree with him who said that if one has not recited the Shema' audibly he has fulfilled his obligation. It is possible to say that Rabbi holds

1. Viz., in Gilgal where they were again set up (Josh. IV, 20).
2. Num. V, 21.
3. V. supra p. 38.
4. So that if she had offended in error or under compulsion and the water did not affect her, she should not think there would have been no effect if she had offended deliberately or of her free will.
5. Deut. XXVI, 13.
6. V. ibid. XXVII, 14 and Mishnah p. 157.
7. Viz., in connection with the Levites. Consequently the analogy is drawn with the reference to the suspected woman and not the Levites.
8. In the former he tells how he had done his duty (V. Deut. XXVI, 13f.) and in that connection the unqualified 'say' occurs. In the latter he tells of his humble ancestry (ibid. 5ff.) and in that connection 'answer and say', i.e., say aloud, occurs.
9. V. supra p. 157, n. 4.
10. Who confess their sins in the course of prayer.
11. They were offered on the same side of the altar, and an onlooker would not be able to tell which offering was being sacrificed.
12. In the declaration made over the first-fruits, the allusion was to the vicissitudes of the patriarch; and such should be spoken aloud.
13. Lev. XIII, 45.
14. Which has no fat tail.

15. V. Num. XV, 27, 29.
16. Deut. VI, 4. The word for 'Hear' also means 'understand'.
17. Only in Hebrew.
18. Ibid. 6.
19. Why do they not explain them: they must remain as they are?
20. V. supra p. 91.
21. What do they derive from the use of 'these words'?
22. I.e., the Shema' must be recited audibly.

that the whole Torah may be read in any language; for if you maintain that it may be read(1) only in the holy tongue, wherefore had the All-Merciful to write 'And [these words] shall be'? — It is necessary because it is written 'Hear'.(2) It is likewise possible to say that the Rabbis hold that the whole Torah must be read in the holy tongue; for if you maintain that it can be read in any language, wherefore had the All-Merciful to write the word 'Hear'? — It is necessary because it is written 'And [these words] shall be'.(3)

THE 'PRAYER'. [It may be recited in any language because] it is only supplication, and one may pray in any language he wishes. But may the 'prayer' be recited in any language? Behold Rab Judah has said: A man should never pray for his needs in Aramaic. For R. Johanan declared: If anyone prays for his needs in Aramaic, the Ministering Angels(4) do not pay attention to him, because they do not understand that language! — There is no contradiction, one referring to [the prayer] of an individual and the other to that of a Congregation.(5) And do not the Ministering Angels understand Aramaic? Behold it has been taught: Johanan, the High Priest, heard a Bath Kol(6) issue from within the Holy of Holies announcing, 'The young men who went to wage war against Antioch(7) have been victorious.(8) It also happened with Simeon the Righteous(9) that he heard a Bath Kol issue from within the Holy of Holies announcing, 'Annulled is the decree which the enemy intended to introduce into the Temple'. Then was Caius Caligula(10) slain and his decrees annulled. They noted down the time [when the Bath Kol spoke] and it tallied.(11) Now it was in Aramaic that it spoke! — If you wish I can say that it is different with a Bath Kol since it occurs for the purpose of being generally understood;(12) or if you wish I can say that it was Gabriel who spoke; for a Master has declared: Gabriel came and taught [Joseph] the seventy languages.(13)

THE GRACE AFTER MEALS. [That this may be recited in any language is derived from] the text: And thou shalt eat and be full, and thou shalt bless the Lord thy God(14) — in any language wherein thou utterest a benediction.

THE OATH CONCERNING TESTIMONY. [That this may be uttered in any language is derived from] the text: And if any one sin, in that he heareth the voice of adjuration(15) — in whatever language he hears it.

THE OATH CONCERNING A DEPOSIT. [That this may be uttered in any language] is derived from the analogous use of the phrase 'if any one sin' in the oath concerning testimony.(16)

THE FOLLOWING ARE RECITED IN THE HOLY TONGUE: THE DECLARATION MADE AT THE OFFERING OF THE FIRST-FRUITS, THE FORMULA OF HALIZAH, etc. down to: WHENCE IS IT THAT THE DECLARATION MADE AT THE OFFERING OF THE FIRST-FRUITS [MUST BE IN HEBREW]? [IT IS STATED], AND THOU SHALT ANSWER AND SAY BEFORE THE LORD THY GOD, AND ELSEWHERE IT IS STATED, AND THE LEVITES SHALL ANSWER AND SAY; AS THE LATTER MUST BE IN THE HOLY TONGUE, SO MUST THE FORMER BE IN THE HOLY TONGUE. But whence have we it of the Levites themselves [that they used Hebrew]? — It is derived from the analogous use of the word 'voice' in connection with Moses. Here it is written with a loud voice,(17) and elsewhere it is written: Moses spake and God answered

him by a voice;(18) as in the latter passage it was in the holy tongue, so also in the other passage it means in the holy tongue.

WHENCE IS IT THAT THE FORMULA OF HALIZAH etc. What, then, do the Rabbis make of the word 'thus'?(19) — They require it to indicate that each act(20) invalidates [the ceremony by its omission]. And R. Judah?(21) — From the use of 'Kakah' instead of koh.(22) And the Rabbis? — They draw no inference from the use of 'Kakah' instead of koh.

1. In the synagogue (Rashi).
2. If he were of the opinion that the Torah can only be read in Hebrew, it would necessarily apply to the Shema'. Why, then, should he draw a conclusion from shall be? He does so to oppose the inference which the Rabbis draw from Hear.
3. Which might otherwise be taken to indicate that the Shema' must be read in Hebrew.
4. Who convey the petitions to the Throne of Glory.
5. With the latter, the help of the angels is not required.
6. V. Glos. This is evidently the incident related by Josephus (Ant. XIII, X, 3) of John Hyrcanus.
7. [Antiochus Cyzicenus, over whom the children of John Hyrcanus were victorious, v. loc. cit., and Derenbourg, Essai, p. 47.]
8. This and the following announcements were made in Aramaic, so the angels must have understood it.
9. Possibly the High Priest Simon, son of Boethus, also called Cantheras, as Josephus describes him (op. cit. XIX, VI, 2). [For other views v. HUCA VIII-IX, p. 300.]
10. The name is corrupted in the text. He ordered that his statue should be placed in the Temple and worshipped (Josephus, War II, X, 1.)
11. With the time of Caligula's assassination.
12. And Aramaic was the vernacular of the period.
13. V. infra. Gabriel was exceptional; but the other angels were ignorant of Aramaic.
14. Deut. VIII, 10.
15. Lev. V, 1.
16. V. ibid. 21.
17. Deut. XXVII, 14.
18. Ex. XIX, 19.
19. Upon which R. Judah bases the teaching that the formula must be in Hebrew.
20. Mentioned in Deut. XXV, 9, viz., loosing the shoe, spitting in his face, and pronouncing the formula.
21. From where does he derive this teaching?

22. Both words signify 'thus'; and since the text has the longer form, he takes it as an indication that the formula must be in Hebrew and also that the omission of an act invalidates the ceremony.

What, then, does R. Judah make of the phrase 'and she shall answer and say'?(1) — He requires it for the purpose of deducing that the Levites [must pronounce the blessings and curses] in the holy tongue.(2) But let him derive that from the analogous use of the word 'voice' in connection with Moses! — He had learnt [from his teacher] to draw an inference from the analogous use of the word 'answer' but not from 'voice'.(3) It has been similarly taught: R. Judah says: Wherever [in Scripture the words] 'thus', both in the form of 'koh' and 'kakah', or 'answer and say' occur, [what has to be spoken] must only be in the holy tongue. The word 'koh' is found in 'Thus ye shall bless',(4) 'kakah' in connection with Halizah, and 'answer and say' with the Levites.

HOW WERE THE BLESSINGS AND CURSES [PRONOUNCED]? WHEN ISRAEL CROSSED THE JORDAN etc. Our Rabbis taught: Are they not beyond Jordan?(5) [This means] on the other side of the Jordan and beyond; such is the statement of R. Judah. Behind the way of the coming of the sun(6) — the place where the sun dawns.(7) In the land of the Canaanites which dwell in the Arabah(6) — i.e., mount Gerizim and mount Ebal where the Cutheans(8) dwell. Over against Gilgal(6) — [this means] near Gilgal.(9) Beside the terebinths of Moreh(6) — [this means] Shechem. Elsewhere it states: And Abram passed through the land unto the place of Shechem unto the terebinth of Moreh;(10) as the terebinth of Moreh mentioned in this latter verse is Shechem, so in the former verse it means Shechem.

It has been taught:(11) R. Eleazar son of R. Jose said: In this connection I proved the Samaritan Scriptures(12) to be false. I said to them, 'You have falsified your Torah(13) but you gained nothing thereby.(14) You declare that 'the terebinths of Moreh' means Shechem; we too admit that 'the terebinths of Moreh' means Shechem. We learnt this by an inference from analogy;(15) but how have you learnt it!'(16)

R. Eleazar said: 'Are they not beyond the Jordan'? [This means] near the Jordan; because if it signified on the other side of the Jordan and beyond, is it not written: And it shall be when ye are passed over Jordan!(17) 'Behind the way of the coming of the sun' — [this means] the place where the sun sets.(18) 'In the land of the Canaanites' — i.e., the land of the Hivites. 'Which dwell in the Arabah' — but do they not dwell among mountains and hills!(19) 'Over against Gilgal' — but they could not see Gilgal!(20) — R. Eliezer b. Jacob says: Scripture has here only the intention of pointing out to them the route for the second [part of the journey] as it had pointed out to them the route for the first [part of the journey].(21) 'The way' — [this means], Proceed along the high-road and not through fields and vineyards. 'Which dwell' — [this means], Pass through inhabited territory and not through deserts. 'In the Arabah' — [this means], Pass through the plain and not through mountains and hills.

Our Rabbis taught: How did Israel cross the Jordan? Each day [during the journey in the wilderness] the ark journeyed behind two standards,(22) but on this day [of crossing] it journeyed in front; as it is said: Behold, the ark of the covenant of the Lord of all the earth passeth over before you.(23) Each day the Levites carried the ark, but on this day the priests carried it; as it is said: And it shall come to pass, when the soles of the feet of the priests that bear the ark of the Lord etc.(24) — It has been taught: R. Jose says: On three occasions the priests carried the ark: when they crossed the Jordan, when they walked round Jericho,(25) and when they deposited it in its place.(26) —

1. Since he does not follow the Rabbis in basing upon it the rule that the formula must be in Hebrew.
2. Since the phrase 'answer and say' occurs in Deut. XXVII, 14.
3. [No inference can be drawn from the analogous use of a word (a Gezerah shawah, v. Glos.) which has not been received on tradition from a teacher.]
4. Num. VI, 23, the priestly benediction which must be in Hebrew.
5. Deut. XI, 30. This might have been interpreted as close to the other side of the Jordan.
6. Ibid.; 'coming' is usually understood as 'setting', but it is here explained as 'coming up, rising'.
7. [The East. The phrase means accordingly: Far away from the Eastern bank of the Jordan where the Israelites were at the time towards the West. The term as distinct from denotes 'greatly separated'.]
8. Samaritans, so called because they were brought by Sargon, King of Assyria, from Cuthea, to take the place of the exiled Israelites.
9. [Not the Gilgal east of Jericho, but another place of that name identified with Juleijil, east of Mt. Gerizim; v. p. 166, n. 3.
10. Gen. XII, 6.
11. As Rashi remarks, the words 'it has been taught' should be deleted, as it is the continuation of the Baraitha, v. Sifre, a.l.
12. For sifre 'Scriptures' we must read with the J. Talmud Sofre 'scribes, learned men'.
13. The Samaritan recension of the Pentateuch. In Deut. XI, 30 it adds 'over against Shechem' which does not appear in the Hebrew version.
14. I.e., your addition of the words was unnecessary.
15. Gezerah shawah (v. Glos.).
16. By tampering with the text.
17. Ibid. XXVII, 4. This is explained: as soon as you have passed over; therefore it must have been a place close to the Jordan.
18. [The West, and the verse means far away from the Western towards the Eastern bank of the Jordan.]

19. Arabah signifies the plain.
20. They lived at a distance from it; so why is this mentioned? [Rashi, who seems to have another and preferable text, explains the question: 'but they (these places) are far from Gilgal' Gilgal being East of Jericho (v. p. 165, n. 5), why then mention it, cf. also Rashi on Deut. XI, 30.]
21. When Israel left Egypt a pillar of fire and cloud directed them; but this ceased on the death of Moses. Scripture therefore gives them directions, and its purpose is not to explain the location of Gerizim and Ebal.
22. Of the tribes; v. Num. X, 11ff.
23. Josh. III, 11.
24. Ibid. 13.
25. Ibid. VI, 6.
26. In Solomon's Temple (I Kings VIII, 3).

Folio 34a

When the feet of the priests were dipped in the water, the water flowed backward; as it is said: And when they that bore the ark were come unto the Jordan … that the waters which came down from above stood and rose up in one heap.(1) What was the height of the water? Twelve mil by twelve mil in accordance with the dimensions of the camp of Israel.(2) Such is the statement of R. Judah; and R. Eleazar b. Simeon said to him, According to your explanation, which is swifter, man or water? Surely water is swifter; therefore the water must have returned and drowned them!(3) It rather teaches that the waters were heaped up like stacks to a height of more than three hundred mil, until all the kings of the East and West saw them; as it is said: And it came to pass, when all the kings of the Amorites, which were beyond Jordan westward, and all the kings of the Canaanites, which were by the sea, heard how that the Lord had dried up the waters of Jordan from before the children of Israel until they were passed over, that their heart melted, neither was there spirit in them any more, because of the children of Israel.(4) And also Rahab the harlot said to Joshua's messengers, For we have heard how the Lord dried up the water of the Red Sea etc.;(5) and it continues, And as soon as we heard it, our hearts did melt neither did there remain any more etc.(6)

While they were still in the Jordan, Joshua said to them, Know why you are crossing the Jordan; it is on condition that you disinherit the inhabitants of the land from before you; as it said: Then ye shall drive out all the inhabitants of the land from before you etc.(7) If you do this, well and good; otherwise the water will return and drown you [othekem].(8) — What means 'othekem'? Me and you. While they were still in the Jordan, Joshua said to them, Take you up every man of you a stone upon his shoulder, according unto the number of the tribes of the children of Israel etc.;(9) and it continues, That this may be a sign among you, that when your children ask in time to come, saying: What mean ye by these stones? etc.(10) It was to be a monument for the children that their fathers had crossed the Jordan. While they were still in the Jordan, Joshua said to them. Take you hence out of the midst of the Jordan, out of the place where the priests' feet stood firm, twelve stones, and carry them over with you, and lay them down in the lodging place, where ye shall lodge this night etc.(11) It is possible [to think that they were to deposit them] in any lodging place; therefore there is a text to state, 'Where ye shall lodge this night'.

R. Judah(12) said: Abba Halafta, R. Eliezer b. Mathia and Hananiah b. Hakinai stood upon those stones and estimated that each was equal to about forty se'ah.(13) There is a tradition that the weight which a man can raise upon his shoulder is a third of the weight he can carry;(14) so from this you may calculate what was the weight of the cluster of grapes,(15) as it is said: And they bare it upon a staff between two.(16) From the fact that it is stated upon a staff do I not know that it [was carried] between two? Why, then, is there a text to state 'between two'? [It means] on two staffs. R. Isaac said: [It means] a series of balancing poles.(17) How was it? Eight [spies] carried the grape-cluster,(18) one carried a pomegranate, one carried a fig, and Joshua and Caleb did not carry anything. If you wish I can say [that they did not carry anything] because they were the most distinguished of them,(19) or alternatively that they did not have a share in the plan.(20)

R. Ammi and R. Isaac the smith differ in opinion. One said: According to the statement of R. Judah,(21)

1. Josh. III, 15f.
2. supra p. 71. So that as soon as the last Israelite had crossed over, the waters returned.
3. If the water rose to twelve mil only to subside again, they would not have been able to traverse a sufficient distance to escape the returning water.
4. Josh. V, 1.
5. Ibid. II, 10.
6. Ibid. 11.
7. Num. XXXIII. 52.
8. This is an unusual Hebrew form, and is taken as a combination of othi, 'me' and ethkem 'you'.
9. Josh. IV, 5.
10. Ibid. 6.
11. Josh. IV, 3.
12. The reading should be: R. Jose.
13. The se'ah was a measure of capacity; so what is here meant is a weight equal to that of forty se'ah of wheat.
14. When others help to set it upon his shoulder. Consequently the weight of each was 120 se'ah.
15. Carried by the spies.
16. Num. XIII, 23.
17. For four couples of carriers.
18. [The weight of which would have been on this calculation 960 se'ahs, that is 8 times 120.]
19. And so it was beneath their dignity.
20. The bringing of the fruit was part of the plan to discourage the community. They would judge from its size what must be the stature of the inhabitants.
21. That the water was twelve mil in height.

they crossed over in the formation of their encampment, and according to the statement of R. Eleazar b. Simeon(1) they crossed over in single file.(2) The other said: According to the statement of both teachers they crossed over in the formation of their encampment. One teacher was of the opinion that man was swifter, and the other that water was swifter.(3)

Send for thee men(4) — Resh Lakish said: ['For thee' means] from thine own mind;(5) because does anybody choose a bad position for himself?(6) That is what is written: And the thing pleased me well(7) — Resh Lakish said: It pleased me [Moses] well but not the All-Present.

That they search the land for us(8) — R. Hiyya b. Abba said: The spies aimed at nothing else than discrediting the land of Israel. Here it is written: That they may search [we-yahperu] the land for us, and elsewhere it is written: Then the moon shall be confounded [we-haferah] and the sun ashamed etc.(9)

And these were their names: of the tribe of Reuben, Shammua the son of Zaccur.(10) R. Isaac said: It is a tradition in our possession from our forefathers that the spies were named after their actions, but only with one has it survived with us: Sethur the son of Michael.(11) [He was named] Sethur because he undermined [sathar] the works of the Holy One, blessed be He; and Michael [was so named] because he suggested that God [el] was weak [mak].(12) R. Johanan said: We can also explain [the name] Nahbi the son of Vophsi.(13) [He was named] Nahbi because he hid [hikbi] the words(14) of the Holy One, blessed be He; and Vophsi [was so named] because he stepped over [pasa'] the attributes(15) of the Holy One, blessed be He.

And they went up by the South and he came unto Hebron(16) — it should have read 'and they came'! — Raba said: It teaches that Caleb held aloof from the plan of the spies and went and prostrated himself upon the graves of the patriarchs, saying to them, 'My fathers, pray on my behalf that I may be delivered from the plan of the spies'. (As for Joshua, Moses had already prayed on his behalf; as it is said: And Moses called Hoshea the son of Nun Joshua,(17) [meaning], May Jah save thee [yoshi'aka] from the plan of the spies.) That is the intention of what is written: But My servant Caleb, because he had another spirit with him.(18)

And there were Ahiman, Sheshai and Talmai(19) — Ahiman [was so named because he was] the strongest [meyuman] of them; Sheshai because he made the earth like pits [shehithoth];(20) Talmai because he made the earth like furrows [telamim]. Another explanation:(21) Ahiman built 'Anath, Sheshai built Alash, and Talmai built Telbesh.(22) The children of Anak — [they are so called] because they wore the sun as a necklace [ma'anikin] owing to their stature.

Now Hebron was built seven years(19) — what means 'was built'? If I say that it means actually built, is it possible that a man constructs a house for his younger son before his elder son; as it is written: And the sons of Ham: Cush and Mizraim?(23) But [the intention is], it was seven times more productive than Zoan. There is no worse stony ground in all the land of Israel than Hebron, and that is why they bury the dead there; and there is none among all the countries superior to the land of Egypt, as it is said: Like the garden of the Lord, like the land of Egypt;(24) and there is no place superior to Zoan In all the land Egypt, as it is written: For his princes are at Zoan.(25) Nevertheless Hebron was seven

times more productive than Zoan. But was Hebron stony ground; behold it is written: And it came to pass at the end of forty years, that Absalom said unto the king, I pray thee, let me go [and pay my vow … in Hebron];(26) and R. Iwya — another version is, Rabbah b. Bar Hanan-said: He went to fetch lambs from Hebron; and there is also a teaching: [The best] rams are from Moab and lambs from Hebron! — From that very fact [it is proved that the land was stony]; because the soil is thin it produces pastures(27) and the cattle grow fat there.

And they returned from spying out the land …

1. That the height was over three hundred mil.
2. The time of crossing was much longer; consequently the heap of water had to be of greater height.
3. For that reason they suggest different heights for the water to enable the people to escape.
4. Num. XIII, 2. So the Hebrew literally.
5. I.e., the plan did not emanate from God but from Moses.
6. Would God have sanctioned a plan which He knew was to end in disaster?
7. Deut. I, 23.
8. Ibid. 22. The word for search is here given the meaning 'confound'.
9. Isa. XXIV, 23.
10. Num. XIII, 4.
11. Ibid. 13.
12. Lit., 'he made himself to be weak' — a reverential avoidance of a disparaging reference to God. He was the man who said: 'Even the master of the house cannot remove his furniture from there' (infra 35a).
13. Ibid. 14.
14. Did not truthfully report them.
15. He misrepresented them.
16. Ibid. 22. So the Heb. literally.
17. Num. XIII, 16.
18. Ibid. XIV, 24. It continues: I will bring him into the land whereinto he went, viz. Hebron. V. Josh. XIV, 14.
19. Num. XIII, 22.
20. Through his heavy tread.
21. These words should be deleted, and do not occur in the parallel passage Yoma 10a.
22. [Identified by Obermeyer (op. cit. pp. 102-3) with 'Anah, Alusa and Telbeth, three fortified island-towns on the Northern Euphrates.]

23. Gen. X, 6. Canaan was the youngest of his sons and Mizraim the second.

24. Ibid. XIII, 10.

25. Isa. XXX, 4.

26. II Sam. XV, 7.

27. It does not yield any other produce.

Folio 35a

and they went and came.(1) R. Johanan said in the name of R. Simeon b. Yohai, It compares the going to the coming back; as the coming back was with an evil design, so the going was with an evil design.(2) And they told him and said: We came etc.,(3) and it continues, Howbeit the people are strong.(4) R. Johanan said(5) in the name of R. Meir, Any piece of slander, which has not some truth in the beginning, will not endure in the end.(6)

And Caleb stilled [wa-yahas] the people concerning Moses(7) — Rabbah said, [It means] that he won them over [hissithan] with words. When Joshua began to address them, they said to him, 'Would this person with the lopped-off head(8) speak to us!' [Caleb] said [to himself], If I address them [in the same strain as Joshua], they will answer me in like manner and silence me; so he said to them, 'Is it this alone that Amram's son has done to us!'(9) They thought that he was speaking to censure Moses, so they were silent. Then he said to them, 'He brought us out of Egypt, divided the Red Sea for us and fed us with manna. If he were to tell us, Prepare ladders and ascend to heaven, should we not obey him! Let us go up at once and possess it etc.'(10)

But the men that went up with him said: We will not be able etc.(11) R. Hanina b. Papa said: A grievous statement did they make at that moment, viz. For they are stronger than we — read not than we but than He;(12) as it were even the master of the house cannot remove his furniture from there.(13)

It is a land that eateth up the inhabitants thereof.(14) Raba expounded: The Holy One, blessed be He, said: I intended this for good(15) but they thought it in a bad sense. I intended this for good, because wherever [the spies] came, the chief [of the inhabitants] died, so that they should be occupied [with his burial] and not inquire about them.(16) (Others say that Job died then and the whole world was occupied with mourning for him.) But they thought it in a bad sense: It is a land that eateth up the inhabitants thereof.(17)

And we were in our own sight as grasshoppers, and so we were in their sight.(18) R. Mesharsheya said: The spies were liars. As regards 'we were in our own sight as grasshoppers', very well; but how could they know that 'so we were in their sight'? But it is not so;(19) for when [the inhabitants] held their funeral-meal(20) they ate it beneath cedar trees, and when [the spies] saw them they climbed the trees and sat there. Then they heard them say: 'We see men like grasshoppers in the trees'.

And all the congregation lifted up their voice and wept.(21) Rabbah said in the name of R. Johanan: That day was the ninth of Ab;(22) and the Holy One, blessed be He, said: They are now weeping for nothing, but I will fix [this day] for them as an occasion of weeping for generations.

But all the congregation bade them stone them with stones,(23) and it continues, And the glory of the Lord appeared in the tent of meeting. R. Hiyya b. Abba said: It teaches that they took stones and hurled them against Him Who is above.(24)

Even those men that did bring up an evil report of the land died by the plague.(25) R. Simeon b. Lakish said: They died an unnatural death.(26) R. Hanina b. Papa said: R. Shila of Kefar Temarthah expounded; It(27) teaches that their tongue was elongated and reached down to their navel, and worms issued from their tongue and penetrated their navel and

from their navel they penetrated their tongue. R. Nahman b. Isaac said: They died of croup.(28)

When(29) the last of the Israelites ascended from the Jordan, the waters returned to their place; as it is said: And it came to pass, when the priests that bore the ark of the covenant of the Lord were come up out of the midst of the Jordan, and the soles of the priests' feet were lifted up unto the dry ground, that the waters of Jordan returned unto their place, and went over all its banks, as aforetime.(30) Consequently the ark and its bearers and the priests were on one side [of the Jordan] and the Israelites on the other!(31) The ark carried its bearers and passed over [the river]; as it is said: And it came to pass, when all the people were clean passed over, that the ark of the Lord passed over, and the priests, in the presence of the people.(32) On that account was Uzza punished, as it is said: And when they came unto the threshing-floor of Chidon, Uzza put forth his hand to hold the ark.(33) The Holy One, blessed be He, said to him, 'Uzza, [the ark] carried its bearers; must it not all the more [be able to carry] itself!'

And the anger of the Lord was kindled against Uzzah; and God smote him there for his error [shal] etc.(34) R. Johanan and R. Eleazar [differ on the interpretation of the word 'shal']. One said [that it means] on account of the act of error [shalu];(35) the other said [that it means] he relieved himself in its presence.(36)

And there he died by(37) the ark of God. R. Johanan said: Uzzah entered the World to Come, as it is stated 'with the ark of God' — as the ark endures for ever, so Uzzah entered the World to Come.

And David was angry, because the Lord had broken forth upon Uzzah.(38) R. Eleazar said: His face was changed [so that it became in colour] like a cake baked upon the coals [hararah]. Are we to infer from this that wherever wa-yihar occurs it has this meaning? — In other passages the word 'af [anger] is added but here it is not added.

Raba expounded: Why was David punished?(39) Because he called words of Torah 'songs', as it is said: Thy statutes have been my songs in the house of my pilgrimage.(40) The Holy One, blessed be He, said to him, 'Words of Torah, of which it is written: Wilt thou set thine eyes upon it? It is gone,(41) thou recitest as songs! I will cause thee to stumble in a matter which even school-children know.' For it is written: But unto the sons of Kohath he gave none, because the service of the sanctuary etc.;(42) and yet [David] brought it in a waggon.

And he smote of the men of Beth-Shemesh, because they looked into the ark.(43) God smote them because they looked into the ark! R. Abbahu and R. Eleazar [differ in their interpretation]; one said that they went on reaping while they prostrated themselves [before the ark];(44) the other said that they also used this [disrespectful] language to it,

1. Num. XIII, 25f.
2. They planned at the outset to bring back a discouraging report.
3. Ibid. 27.
4. Ibid. 28.
5. The Gemara inserts here: mnemonic — truth, alone, interment. These are keywords to assist in remembering the sequence of the passages treated.

6. On that account the report opened with a true description of the land's fertility.
7. Ibid. 30. I.e., he silenced them to hear something about Moses. E.V. 'before'.
8. An allusion to the fact that he was childless. What interest could he have in the conquest since he had no children to possess the land! (Rashi).
9. He chose his words that the people should imagine he was against Moses, and so they would listen to him. 'Alone' in this sentence is the key-word of the mnemonic.
10. Ibid.
11. Ibid. 31.
12. [instead of a difference of pronounciation in the Babylonian Masora, in order to distinguish between the 1st. masc. plur and 3rd. sing, (v. Ges. K. 1910 para. m, n. 1), and cf. Ibn Ezra on Ex. I, 9.]
13. Even God is powerless against them.
14. Num. XIII, 32.
15. Viz., that many Canaanites die there. Hence the word 'interment' in the mnemonic.
16. This is how the spies were able to return unmolested.
17. This fate would befall the Israelites if they settled there.
18. Ibid. 33.
19. The spies did not lie in this matter.
20. After burying the dead, as mentioned above.
21. Ibid. XIV, 1.
22. Fifth month. On that date the two Temples were destroyed, and the day is observed as a fast.
23. Ibid. 10.
24. The word 'them' includes God,
25. Num. XIV, 37.
26. That is the meaning of 'by the plague'.
27. The definite article in 'the plague' shows that it was not an ordinary epidemic.
28. It was regarded as the severest form death could take (Ber. 8a) and was the fate of the slanderer (Shab. 33b).
29. After this long digression there is resumed the narrative of the crossing of the Jordan.
30. Josh. IV, 18.
31. The text is understood in the same sense that the priests who carried the ark dipped their feet in the Jordan and the waters remained parted so long as the feet were kept there. When the Israelites had crossed, the priests lifted their feet out of the water,

stepping back upon the bank. They were consequently on the other side; so how did they get over?

32. Ibid. 11. Note that the ark 'passed over', and was not carried over.
33. I Chron. XIII, 9.
34. II Sam. VI, 7.
35. [error, neglect, cf. Ezra IV, 12.]
36. Shal is connected with the root nashal 'to drop off.
37. Lit., 'with'.
38. II Sam. VI, 8. 'Angry' is 'wa-yihar' lit., 'be kindled'. The explanation is intended to avoid the thought that David was angered against God.
39. That Uzzah died through him.
40. Ps. CXIX, 54. When he fled from his enemies, he entertained himself by treating Scriptural passages as songs. He thus made a profane use of them.
41. Prov. XXIII, 5 — i.e., the Torah is beyond human understanding.
42. Num. VII, 9. The ark had to be carried upon the shoulders of the Levites.
43. I Sam. VI, 19.
44. [The phrase is taken to signify 'they gazed at the ark' with unbecoming interest, v. Driver, S.R., Samuel, a.l.]

Sotah 35b

'Who embittered thee that thou wast thus embittered,(1) and what has come upon thee that thou art now appeased?'

Even He smote of the people seventy men and fifty thousand men.(2) R. Abbahu and R. Eleazar [differ in their interpretation]; one said that there were only seventy men [smitten] each of whom was the equal of fifty thousand men, while the other said that there were fifty thousand men [smitten] each of whom was equal to the seventy who constituted the Sanhedrin.

And it was so, that when they that bore the ark of the Lord had gone six paces, he sacrificed an ox and a fatling,(3) and it is also written, [They sacrificed] seven bullocks and seven rams!(4) — R. Papa said in the name of Samuel: [The two passages are reconciled by supposing that] at each pace an ox and a fatling [were offered] and at each six paces seven bullocks and seven rams. R. Hisda said to him, On your theory you filled the whole of the land of Israel with high places! But, said R. Hisda, at each six paces an ox and a fatling [were offered] and at each six sets of six paces seven bullocks and seven rams.

[In one place the name of the threshing-floor] is written Chidon [and in another] Nacon!(5) — R. Johanan said: At first [it was called] Chidon and afterwards Nacon.(6)

In consequence [of what is related in the Scriptures], you must conclude that there were three sets of stones: one which Moses caused to be erected in the land of Moab, as it is said: Beyond Jordan, in the land of Moab, began Moses to declare etc.,(7) and elsewhere it states: Thou shalt write upon the stones all the words of this law [very plainly],(8) and the inference is drawn from the use of the analogous word [that as in the latter passage stones were employed, they were similarly employed in connection with what is narrated in the first passage]. The second set was that which Joshua caused to be erected in the midst of the Jordan, as it is said: And Joshua set up twelve stones in the midst of Jordan.(9) The third set was that which he caused to be erected in Gilgal, as it is said: And those twelve stones which they took.(10)

Our Rabbis taught: How did the Israelites inscribe the Torah? — R. Judah says: They inscribed it upon the stones, as it is stated: 'Thou shalt write upon the stones all the words of this law etc.' After that they plastered them over with plaster. R. Simeon said to him, According to your explanation, how did the nations of that period learn the Torah!(11) — He replied to him, The Holy One, blessed be He, endowed them with exceptional intelligence; and they sent their scribes who peeled off the plaster and carried away [a copy of the inscription]. On that account was the verdict sealed against them [to descend] to the pit of destruction, because it was their duty to learn [Torah] but they failed to do so. R. Simeon says: They inscribed it upon the plaster and wrote below, That they teach you not to do after all [their abominations].(12) Hence you learn that if they turn in penitence they would be accepted. Raba b. Shila said: What is R. Simeon's reason? — Because it is written: And the peoples shall be as the burnings of lime(13) — i.e., on account of the matter of the plaster.(14) And [how does] R. Judah [explain this verse]? — [Their destruction will be] like plaster — as there is no other remedy for plaster except burning, so there is no other remedy for those nations [who cleave to the abominations] except burning. According to whom [is the following teaching] which has been taught: And thou carriest

them away captive(15) — this is to include Canaanites who reside outside the land [of Israel] so if they turn in penitence they will be accepted.

1. And didst not release thyself from the Philistines.
2. I Sam. VI, 19. [In M.T. the particle ('and') is missing.]
3. II Sam. VI, 13.
4. I Chron. XV, 26.
5. Cf. II Sam. VI, 6 with I Chron. XIII, 9.
6. Chidon means 'a spear', an appropriate name for the place where Uzzah lost his life; Nacon means 'established', and alludes to the fact that the ark was established there.
7. Deut. I, 5. The Hebrew for 'declare' is be'er.
8. Ibid. XXVII, 8. The Hebrew for 'plainly' is ba'er.
9. Josh. IV, 9.
10. Josh. IV, 20.
11. Since the inscription was covered with plaster.
12. Deut. XX, 18. The command to destroy was limited to those of the seven nations who resided in Canaan. Those of them who lived outside its borders could survive by giving up their abominable practices.
13. Isa. XXXIII, 12. The word for 'lime' is the same as for plaster.
14. The nations will be destroyed because they neglected to pay heed to the teachings inserted on the plaster.
15. Deut. XXI, 10.

Folio 36a

According to whom is this? — According to R. Simeon.

Come and see how many miracles were performed on that day. Israel crossed the Jordan, came to mount Gerizim and mount Ebal [thus traversing a distance of] more than sixty mil, no creature was able to withstand them and whoever withstood them was immediately panic-stricken; as it is said: I will send My terror before thee, and will discomfort all the people to whom thou shalt come, etc.,(1) and it states: Terror and dread falleth upon them … till Thy people pass over, O Lord.(2) This alludes to the first advance [of Israel in the days of Joshua]; and 'Till the people pass over which Thou hast gotten'(2) alludes to the second advance [in the days of Ezra]. Conclude from this that the Israelites were worthy that a miracle should be performed on their behalf during the second advance as in the first advance, but sin caused [it to be withheld].

After that they brought the stones, built the altar, and plastered it with plaster, and inscribed thereon all the words of the Torah in seventy languages; as it is said: Very plainly.(3) Then they sacrificed burnt-offerings and peace-offerings, ate and drank and rejoiced, pronounced the blessings and the curses,(4) packed up the stones, and came and lodged in Gilgal; as it is said: Carry them over with you and lay them down in the lodging place.(5) It is possible [to think that they were to deposit them] in any lodging place; therefore there is a text to state, Where ye shall lodge this night,(5) and then it is written: And those twelve stones, which they took [out of Jordan, did Joshua set up in Gilgal].(6)

A Tanna taught: The hornet did not pass over [Jordan] with them; but behold it is written: And I will send the hornet before thee!(7) — R. Simeon b. Lakish said: It stood by the bank of the Jordan and injected a virus [into the Canaanites] which blinded their eyes above and castrated them below; as it is said: Yet destroyed I the Amorite before them, whose height was like the height of the cedars, and he was strong as the oaks; yet I destroyed his fruit from above and his roots from beneath etc.(8) R. Papa said: There were two hornets, one in the period of Moses and the other in the period of Joshua; the former did not pass over [Jordan] but the other did.

SIX TRIBES ASCENDED THE SUMMIT OF MOUNT GERIZIM etc. What means and the half of them?(9) — R. Kahana said: As they were divided here [on the mounts](10) so were they divided on the stones of the ephod.(11) An objection was raised: The High priest had two precious stones on his shoulders, one on this side and one on the other side; upon them were inscribed the names of the twelve tribes, six on one stone and six on the other, as it is said: Six of their names on the one stone, [and the names of the six that remain on the other stone, according to their birth].(12) [This indicates that] the second six were to be according to their birth, but the first six were not to be according to their birth; because [the name of] Judah came first, and there were fifty letters, twenty-five on each stone. R. Hanina b. Gamaliel says:

1. Ex, XXIII. 27.
2. Ibid. XV, 16.
3. Deut. XXVII. 8.

4. [Wilna Gaon deletes 'and the curses', and refers the blessings to the Grace after meals, since the blessings and curses on the Mounts were pronounced before the altar was built, v. Mishnah.]
5. Josh. IV, 3.
6. Ibid. 20.
7. Ex. XXIII, 28.
8. Amos II, 9.
9. Josh. VIII, 33. The Hebrew has the definite article which seems superfluous.
10. Simeon, Levi, Judah, Issachar, Joseph and Benjamin on Mount Gerizim, and Reuben, Gad, Asher, Zebulun, Dan and Naphtali on Mount Ebal, v. Deut. XXVII, 12-13.
11. Six tribes in the same order on each stone; v. Ex. XXVIII, 9ff.
12. Ibid. 10.

They were not apportioned upon the stones as they were apportioned in the Book of Numbers(1) but as they were apportioned in the second Book of the Pentateuch.(2) How then [were they arranged]? The sons of Leah in order of seniority [on one stone, and on the other] the sons of Rachel, one on top and the other at the bottom, with the sons of the hand-maids in the centre.(3) In that case, how am I to explain 'according to their birth'? [It means that the inscription was] according to the names which their father called them and not according to the names which Moses called them — Reuben and not Reubeni, Simeon and not Simeoni, Dan and not had-Dani, Gad and not hag-Gadi.(4) This is a refutation of R. Kahana!(5) The refutation [is unanswered].

What, then, is the meaning of 'and the half of them'? — It has been taught: 'The half in front of mount Gerizim was larger than that in front of mount Ebal, because [the tribe of] Levi was below [with the ark].'(6) On the contrary, for the reason that Levi was below it must have been smaller!(7) — This is what he intends: Although Levi was below [the party on mount Gerizim was still larger] because the sons of Joseph were included with them [and they were very numerous]; as it is said: And the children of Joseph spake unto Joshua, saying: Why hast thou given me but one lot and one part for an inheritance, seeing I am a great people? … And Joshua said unto them, If thou be a great people, get thee up to the forest.(8) He said to them, 'Go, hide yourselves in the forests that the evil eye(9) may not have sway over you'. They replied to him, 'The evil eye can bear no sway over the seed of Joseph'; for it is written: Joseph is a fruitful bough, a fruitful bough by a fountain,(10) and R. Abbahu said: Read not 'ale 'ayin [by a fountain] but 'ole 'ayin [overcoming the eye]. R. Jose b. Hanina said: [It is derived] from this passage, And let them grow [we-yidgu] into a multitude in the midst of the earth(11) — as the water covers the fish [dagim] in the sea so that the [evil] eye bears no sway over them, so the [evil] eye bears no sway over the seed of Joseph.

[It was stated above that on the stones of the ephod] were fifty letters; but there were fifty less one! — R. Isaac said: One letter was added to the name of Joseph, as it is said: He appointed it in Joseph for a testimony, when he went out over the land of Egypt.(12) R. Nahman b. Isaac objected: We require according to their birth!(13) — But [the correct explanation is] that throughout the whole Torah Benjamin's name is spelt without the letter yod [before the final letter], but here [on the ephod] it was spelt complete with yod; as it is written: But his father called him Benjamin.(14)

R. Hana(15) b. Bizna said in the name of R. Simeon the Pious: Because Joseph sanctified the heavenly Name in private one letter was added to him from the Name of the Holy One, blessed be He; but because Judah sanctified the heavenly Name in public, the whole of his name was called after the Name of the Holy One, blessed be He. How was it with Joseph [that he sanctified the Name]? — As it is written: And it came to pass about this time, that he went into the house to do his work.(16) R. Johanan said: This teaches that both [Joseph and Potiphar's wife] had the intention of acting immorally. 'He went into the house to do his work' — Rab and Samuel [differ in their interpretation]. One said that it really means to do his work; but the other said that he went to satisfy his desires.(17) 'And there was none of the men of the house etc. — is it possible that there was no man in a huge house like that of this wicked [Potiphar]! — It was taught in the School of R. Ishmael: That day was their feast-day, and they had all gone to their idolatrous temple; but she had pretended to be ill

because she thought, I shall not have an opportunity like to-day for Joseph to associate with me. And she caught him by his garment, saying etc.(18) At that moment his father's image came and appeared to him through the window and said: 'Joseph, thy brothers will have their names inscribed upon the stones of the ephod and thine amongst theirs; is it thy wish to have thy name expunged from amongst theirs and be called an associate of harlots?' (As it is written: He that keepeth company with harlots wasteth his substance.)(19) Immediately his bow abode in strength(20) — R. Johanan said in the name of R. Meir: [This means] that his passion subsided. And the arms of his hands were made active(20) — he stuck his hands in the ground so that his lust came out from between his finger-nails. 'By the hands of the Mighty One of Jacob'(20) — Who caused his name to be engraven upon the stones of the ephod but the Mighty One of Jacob? 'From thence is the shepherd, the stone of Israel'(21) — from there was he worthy to be made a shepherd, as it is said: Give ear, O Shepherd of Israel, Thou that leadest like the flock of Joseph.(22)

It has been taught: Joseph was worthy that twelve tribes should issue from him as they issued from his father Jacob, as it is said: These are the generations of Jacob, Joseph;(23) but his lust came out from between his finger-nails.(24) Nevertheless they(25) issued from his brother Benjamin and were given names on his own account; as it is said: And the sons of Benjamin: Bela and Becher and Ashbel etc.(26) [He was called] Bela, because [Joseph] was swallowed up [nibla'] among the peoples. [He was called] Becher, because [Joseph] was the firstborn [bekor] of his mother. [He was called] Ashbel, because God sent [Joseph] into captivity [sheba'o el]. [He was called] Gera, because [Joseph] dwelt [gar] in lodgings [in a strange land]. [He was called] Naaman, because he was especially beloved [na'im]. [They were called] Ehi and Rosh, because [Joseph] is my brother [ahi] and chief [rosh]. [They were called] Muppim and Huppim, because [Benjamin said: Joseph] did not see my marriage-canopy [huppah] and I did not see his.(27) [He was called] Ard, because [Joseph] descended [yarad] among the peoples. Others explain [that he was called] Ard, because [Joseph's] face was like a rose [wered].

R. Hiyya b. Abba said in the name of R. Johanan: At the moment when Pharaoh said to Joseph, And without thee shall no man lift up his hand etc.,(28) Pharaoh's astrologers exclaimed: 'Wilt thou set in power over us a slave whom his master bought for twenty pieces of silver!' He replied to them, 'I discern in him royal characteristics.' They said to him, 'In that case he must be acquainted with the seventy languages'. Gabriel came and taught [Joseph] the seventy languages, but he could not learn them. Thereupon [Gabriel] added to his name a letter from the Name of the Holy One, blessed be He, and he learnt [the languages] as it is said: He appointed it in Joseph(29) for a testimony, when he went out over the land of Egypt, where I [Joseph] heard a language that I knew not.(30) On the morrow, in whatever language Pharaoh conversed with him he replied to him; but when [Joseph] spoke to him in the holy tongue he did not understand what he said. So he asked him to teach it to him; he taught it to him but he could not learn it. [Pharaoh] said to him, 'Swear to me that thou wilt not reveal this';(31) and he swore to him. When [Joseph] later said to him, My father made me swear, saying,(32) he remarked to him, 'Go, ask [to be released from] thine oath.'(33) He replied to him, 'I will also ask [to be released from my oath] concerning thee'.(34) Therefore, although it was displeasing to him, [Pharaoh] said to him, Go up and bury thy father, according as he made thee swear.(35)

What was it that Judah did?(36) — As it has been taught: R. Meir said: When the Israelites stood by the Red Sea, the tribes strove with one another, each wishing to descend into the sea first. Then sprang forward

1. V. I, 5ff.
2. V. Ex. I, 2ff.
3. On the one stone were Reuben, Simeon, Levi, Judah, Issachar and Zebulun; on the other Benjamin, Dan, Naphtali, Gad, Asher and Joseph.
4. The latter are the tribal as distinct from the personal names.
5. Who said that the tribes were divided on the stones of the ephod as on the two mounts; and this has been shewn to be incorrect.
6. [The article 'the' denotes that those who stood on Ebal represented the full contingent of half the tribes. Whereas on Gerizim one of the tribes — Levi — was missing (Maharsha)].
7. Since Levi should have been among the first six tribes.
8. Josh. XVII, 14f.
9. The personification of envy which causes harm to those who enjoy good fortune. Their numerical strength would excite envy.
10. Gen. XLIX, 22.
11. Ibid. XLVIII, 16, referring to Joseph's sons.
12. Ps. LXXXI, 6. In this verse Joseph's name is spelt with five letters instead of the usual four, v, supra p. 50, n. 2.
13. As explained above, viz., the name as given by Jacob; consequently we cannot use the exceptional form of his name as it occurs here.
14. Gen. XXXV, 28; here it is spelt with the yod.
15. In the parallel passage, supra 10b the name is Hanin.
16. Ibid. XXXIX, 11.
17. I.e., for an immoral purpose.
18. Ibid. 12.
19. Prov. XXIX. 3.
20. Gen. XLIX, 24.
21. Gen. XLIX, 24.
22. Ps. LXXX, 2, E.V. 1., sic. Hence Israel is called Joseph's flock and he is the shepherd.
23. Gen. XXXVII, 2.
24. As mentioned above, and so his power to beget was diminished.
25. I.e., ten sons, who, added to Joseph's two, made the total of twelve.

26. Ibid. XLVI, 21.
27. The derivation of Muppim has fallen out of the text, but is found in Tanhuma to Genesis (ed. Buber, p. 206), viz., his mouth (pi) was like that of our father, i.e., he learnt Torah from Joseph as from Jacob.
28. Ibid. XLI, 44
29. V. p. 179, n. 7.
30. Ps. LXXXI, 6.
31. That he was ignorant of Hebrew, and a king was expected to know every language.
32. Ibid. L, 5, viz., that he should inter his body in Canaan.
33. In Jewish Law only proper authorities could release a man from his oath. Pharaoh did not wish Joseph to leave Egypt to bury his father.
34. I.e., if Pharaoh refused him permission, he would take steps to enable him to disclose the king's ignorance of Hebrew.
35. Ibid. 6.
36. That he sanctified God's Name publicly.

Folio 37a

the tribe of Benjamin and descended first into the sea; as it is said: There is little Benjamin their ruler(1) — read not rodem [their ruler] but rad yam [descended into the sea]. Thereupon the princes of Judah hurled stones at them; as it is said: The princes of Judah their council.(2) For that reason the righteous Benjamin was worthy to become the host of the All-Powerful,(3) as it is said: He dwelleth between his shoulders.(4) R. Judah said to [R. Meir]: That is not what happened; but each tribe was unwilling to be the first to enter the sea. Then sprang forward Nahshon the son of Amminadab(5) and descended first into the sea; as it is said: Ephraim compasseth me about with falsehood, and the house of Israel with deceit; but Judah yet ruleth with God.(6) Concerning him it is stated in Scripture,(7) Save me O God, for the waters are come in unto my soul. I sink in deep mire, where there is no standing etc.(8) Let not the waterflood overwhelm me, neither let the deep swallow me up etc.(9) At that time Moses was engaged for a long while in prayer; so the Holy One, blessed be He, said to him, 'My beloved ones are drowning in the sea and thou prolongest prayer before Me!' He spake before Him, 'Lord of the Universe, what is there in my power to do?' He replied to him, Speak unto the children of Israel that they go forward. And lift thou up thy rod, and stretch out thy hand etc.(10) For that reason Judah was worthy to be made the ruling power in Israel, as it is said: Judah became His sanctuary, Israel his dominion.(11) Why did Judah become His sanctuary and Israel his dominion? Because the sea saw [him] and fled.(12)

It has been taught. R. Eliezer b. Jacob says: It is impossible to declare that Levi [was stationed] below since it is stated that he was above,(13) and it is impossible to declare that he was above since it is stated that he was below;(14) so how was it? The elders of the priests and Levites were below and the rest above. R. Joshiyah said: All [the Levites] who were qualified to serve [as bearers of the ark] were below and the rest above. Rabbi says: Both [the priests and Levites] and also [the Israelites] were standing below.(15) They turned their faces towards mount Gerizim and opened with the blessing, and then towards mount Ebal and opened with the curse; for what means 'al?(16) It means 'near to'; as it has been taught: And thou shalt put pure frankincense near ['al] each row(17) — Rabbi says: 'Al means 'near to'. You declare that 'al means 'near to'; but perhaps it is not so and the signification is actually 'upon'? Since it states: Thou shalt put a veil 'al the ark,(18) conclude that 'al means 'near to'.

THEY TURNED THEIR FACES TOWARDS MOUNT GERIZIM AND OPENED WITH THE BLESSING etc. Our Rabbis taught: There was a benediction in general and a benediction in particular, likewise a curse In general and a curse in particular.(19) [Scripture states]: to learn, to teach, to observe and to do;(20) consequently there are

1. Ps. LXVIII, 28, E.V. 27.
2. Ibid. The word for council has the same root as the verb 'to stone'; so it is here understood as 'their stoners'.
3. The Temple was erected on the territory of Benjamin, v. Yoma 12a.
4. Deut. XXXIII, 12, i.e., God dwells in the land of Benjamin.
5. He was the prince of the tribe of Judah (Num. VII, 12).

6. Hos. XII, 1. The last words are rod 'im el, which are interpreted: he descended (into the sea because his trust was) with God.
7. Kabbalah, lit., 'tradition', a term used for the Biblical canon other than the Pentateuch, v. B.K. (Sonc. ed) p. 3. n. 3.
8. Ps. LXIX, 2f.
9. Ibid. 16.
10. Ex. XIV, 15f.
11. Ps. CXIV. 2. The Temple was in the kingdom of Judah. 'His dominion' is understood as Judah's rule over Israel.
12. Ibid. 3.
13. On Gerizim (Deut. XXVII, 12).
14. Josh. VIII, 33.
15. This seems to be implied in Josh. l.c.
16. In Deut. XXVII, 12, translated 'upon'.
17. Lev. XXIV, 7.
18. Ex. XL, 3. The veil was not 'upon' the ark but 'near to, i.e., in front of it.
19. The general blessing or curse was in connection with Deut. XXVII, 26, and the particular blessing or curse for the actions specified in that chapter.
20. Cf. ibid. v. I and Xl, 19.

four [duties associated with each commandment]. Twice four are eight(1) and twice eight are sixteen.(2) It was similar(3) at Sinai and the plains of Moab; as it is said: These are the words of the covenant which the Lord commanded Moses etc.'(4) and it is written: Keep therefore the words of this covenant etc.(5) Hence there were forty-eight covenants in connection with each commandment.(6) R. Simeon excludes [the occasion of] Mount Gerizim and Mount Ebal(7) and includes that of the Tent of Meeting in the wilderness.(8) The difference of opinion here is the same as that of the teachers in the following: R. Ishmael says: General laws were proclaimed at Sinai and particular laws in the Tent of Meeting. R. Akiba says: Both general and particular laws were proclaimed at Sinai, repeated in the Tent of Meeting, and for the third time in the plains of Moab. Consequently there is not a single precept written in the Torah in connection with which forty-eight covenants were not made. R. Simeon b. Judah of Kefar Acco(9) said in the name of R. Simeon: There is not a single precept written in the Torah in connection with which forty-eight times six hundred and three thousand, five hundred and fifty(10) covenants were not made. Rabbi said: According to the reasoning of R. Simeon b. Judah of Kefar Acco who said in the name of R. Simeon that there is not a single precept written in the Torah in connection with which forty-eight times six hundred and three thousand, five hundred and fifty covenants were not made, it follows that for each Israelite there are six hundred and three thousand, five hundred and fifty commandments.(11) What is the issue between them? — R. Mesharsheya said: The point between them is that of personal responsibility and responsibility for others.(12)

R. Judah b. Nahmani, the lecturer(13) of Simeon b. Lakish, expounded: The whole section [of the blessings and curses] refers to none other than the adulterer and adulteress. [It states,] Cursed be the man that maketh a graven or molten image etc.(14) Does it suffice merely to pronounce cursed with such a person!(15) — But it alludes to one who has immoral intercourse, and begets a son who goes to live among heathens(16) and worships idols; cursed be the father and mother of this man since they were the cause of his sinning.(17)

Our Rabbis taught: Thou shalt set the blessing upon Mount Gerizim and the curse etc.(18) What is the purpose of this text? If it is to teach that the blessing [is to be pronounced] on Mount Gerizim and the curse on mount Ebal, it has already been said: These shall stand upon mount Gerizim to bless the people,(19) and it continues, And these shall stand upon mount Ebal for the curse!(20) But [the purpose is to indicate] that the blessing must precede the curse. It is possible to think that all the blessings must precede the curses; therefore the text states 'blessing' and 'curse, I.e., one blessing precedes a curse and all the blessings do not precede the curses. A further purpose is to draw a comparison between blessing and curse to tell us that as the curse is pronounced by the Levites so the blessing must be pronounced by the Levites; as the curse is uttered in a loud voice so must the blessing be uttered in a loud voice; as the curse is said in the holy tongue(21) so must the blessing be said in the holy tongue; as the curse is in general and particular terms so must the blessing be in general and particular terms; and as with the curse both parties respond with Amen so with the blessing both parties respond with Amen.

MISHNAH. HOW WAS THE PRIESTLY BENEDICTION [PRONOUNCED]? IN THE PROVINCE(22) IT WAS SAID AS THREE BLESSINGS,(23) BUT IN THE TEMPLE AS ONE BLESSING.(24) IN THE TEMPLE THE NAME WAS UTTERED

1. In connection with every command there is a covenant for each of the four duties. So there were four blessings and four curses pronounced with each precept.
2. Eight blessings and curses with the general commandment and eight with the particular commandments.
3. Viz., there were sixteen blessings and curses implied with the covenants entered into in each of the two places named.
4. Deut. XXVIII, 69. apart from the section at Mt. Gerizim.
5. Ibid. XXIX, 8.
6. Sixteen in each of the three places.
7. Because not all the commandments formed the covenant there.
8. After its erection God spoke to Moses from thence (Lev. I, 1).
9. [Caphare Accho in lower Galilee, mentioned in Josephus, Wars II, 20, 6; v. Hildesheimer, Beitrage, p. 81.]
10. The number of male Israelites, with each of whom the covenants were made.
11. And forty-eight covenants were made in connection with each of them.
12. If it is held according to the Rabbis that each Israelite is responsible for the conduct of the rest, then the number must be squared to get the total.
13. It was customary for a teacher to impart the lesson to a lecturer who delivered it to the disciples.
14. Deut. XXVII, 15.
15. The penalty is death.
16. [Being the offspring of an adulterous union, he is debarred from the Assembly and cannot marry an Israelite woman.]
17. [And not only with idolatry. His heathen association will lead him to commit the other offences in this section, provoking upon his parents the enumerated curses; v., however, Rashi.]
18. Ibid, XI, 29.
19. Ibid. XXVII, 12.
20. Ibid. 13.
21. V. supra 33a.
22. I.e., outside the Temple.
23. As divided in Num. VI, 24ff., and after each sentence there was a response of Amen.

24. There was no interruption because the response of Amen was not made in the Temple.

Folio 38a

AS WRITTEN,(1) BUT IN THE PROVINCE IN ITS SUBSTITUTED NAME.(2) IN THE PROVINCE THE PRIESTS RAISE THEIR HANDS IN A LINE WITH THEIR SHOULDERS, BUT IN THE TEMPLE ABOVE THEIR HEADS, EXCEPT THE HIGH PRIEST WHO DOES NOT RAISE HIS HANDS HIGHER THAN THE PLATE.(3) R. JUDAH SAYS: ALSO THE HIGH PRIEST RAISES HIS HANDS HIGHER THAN THE PLATE, AS IT IS SAID, AND AARON LIFTED UP HIS HANDS TOWARD THE PEOPLE AND BLESSED THEM.(4)

GEMARA. Our Rabbis taught: On this wise ye shall bless(5) — i.e., in the holy tongue. You say that it means in the holy tongue; but perhaps it is not so and it means in any language! It is stated here, 'On this wise ye shall bless,' and elsewhere it is stated: These shall stand to bless the people,'(6) as in this latter passage it was in the holy tongue, so also in the former it was in the holy tongue. R. Judah says: [This deduction] is unnecessary, because it states 'on this wise' [which signifies] that they must pronounce it in this language [as written in Scripture].(7)

Another [Baraitha] taught: 'On this wise ye shall bless' — i.e., standing. You say that it means standing; but perhaps that is not so and [the benediction may be pronounced] even sitting! It is stated here, 'On this wise ye shall bless,' and elsewhere it is stated: 'These shall stand to bless' — as here it was standing so in the former passage it was standing. R. Nathan says: [This deduction] is unnecessary; behold it states: To minister unto Him and to bless in His name(8) — as [the priest] ministers standing so he blesses standing. Whence is it that the ministering itself [was performed standing]? Because it is written: To stand to minister.(9)

Another [Baraitha] taught: 'On this wise ye shall bless' — i.e., with raising of the hands. You say that it means with raising of the hands; but perhaps that is not so [and the benediction can be pronounced] without raising of the hands! It is stated here, 'On this wise ye shall bless', and elsewhere it is stated: 'And Aaron lifted up his hands toward the people and blessed them';(10) as in this latter passage it was with raising of the hands, so also in the former passage it was with raising of the hands. R. Jonathan raised the question: If [your reasoning is valid], then as in that passage(10) [the benediction was pronounced] by the High Priest, on the new moon(11) and in the service of the Community, so also here it must be the High Priest, on the new moon and in the service of the Community! R. Nathan says: [This deduction] is unnecessary; behold it states: Him and his sons for ever,(12) comparing him and his sons — as [the High Priest pronounced the benediction] with raising of the hands, so also his sons with raising of the hands. Furthermore it is written for ever,(13) and a comparison is drawn between the benediction and ministering.(14)

Another [Baraitha] taught: 'On this wise ye shall bless the children of Israel' — with the use of the Shem Hameforash.(15) You say that it means with the Tetragrammaton; but perhaps that is not so and a substituted name was used!(16) There is a text to say: So shall they put My name(17) — My name which is unique to Me. It is possible to think that [the Shem Hameforash was also used] in places outside the Temple; but it is stated here, 'So shall they put My name' and elsewhere it is stated: To put His name there(18) — as in this latter passage it denotes in the Temple so also in the former passage it denotes in the Temple. R. Joshiah says: [This deduction] is unnecessary; behold it states: In every place where I cause

My name to be remembered I will come unto thee.(19) Can it enter your mind that every place is intended?(20) But the text must be transposed thus: In every place where I will come unto thee and bless thee will I cause My name to be remembered; and where will I come unto thee and bless thee? In the Temple; there, in the Temple, will I cause My name to be remembered.

Another [Baraitha] teaches: 'On this wise ye shall bless the children of Israel' — I have here only the children of Israel; whence is it that proselytes, women and enfranchised slaves [are included]? There is a text to state, Ye shall say unto them(21) — i.e., to all of them.

Another [Baraitha] teaches: 'On this wise ye shall bless' — i.e., face to face.(22) You say that it means face to face; but perhaps that is not so and it means the face [of the priests] towards the back [of the people]! There is a text to state, 'Ye shall say unto them' — i.e., like a man who talks to his companion.

Another [Baraitha] teaches: 'On this wise ye shall bless — i.e., in a loud voice. But perhaps it is not so and the meaning is softly! There is a text to state, 'Ye shall say unto them' — like a man who talks to his companion.

Abbaye said: We have a tradition that [the Precentor](23) exclaims 'Kohanim!' when [at least] two are present but he does not exclaim 'Kohen!' when only one is there;(24) as it is said: Ye shall say unto them — i.e., [at least] unto two. R. Hisda said: We have a tradition that [when the Precentor is himself] a kohen he exclaims 'Kohanim!' but a lay-Israelite does not; as it is said: 'Ye shall say unto them' — the saying

1. The Tetragrammaton YHWH.
2. Viz., Adonai.
3. Worn on the forehead (Ex. XXVIII, 36).
4. Lev. IX, 22.
5. Num. VI. 23.
6. Deut. XXVII, 12.
7. V. supra 33b, p. 164.
8. Ibid. X, 8.
9. Ibid. XVIII, 5.
10. Which refers to the special occasion when the Tent of Meeting was dedicated.
11. That day on which the Tabernacle was set up was New Moon, v. Ex. XL, 2.
12. Deut. XVIII, 5.
13. He thus answers the argument that the benediction should only be pronounced by the High Priest and on the new moon.
14. I.e., although Deut. XVIII, 5 only mentions ministering and not blessing, yet from the phrase to minister and to bless (ibid. X. 8) it is concluded that they are analogous.

15. [Lit.. 'the Distinguished Name', synonymous with Shem Hameyuhad, 'the Unique Name' and generally held identical with the Tetragrammaton, uttered as written, v. Sanh. (Sonc. ed.) p. 408, n. 1.]
16. [I.e., as read Adonai, v. Tosaf.]
17. Num. VI, 27.
18. Deut. XII, 5.
19. Ex. XX, 24.
20. [That the Divine presence will come there. Surely this is restricted to the Sanctuary or Temple; v. Rashi.]
21. Num. VI, 23.
22. The priests and people must face one another.
23. When calling upon the Kohanim (v. Glos., s.v. Kohen) in the Synagogue to pronounce the benediction.
24. [But the priest turns his face to bless the people of his own accord; v. 'Atereth Zekenim Sh. 'A. Orah Hayyim 128, 10.]

must come from one of their own body. The legal decision is in accord with the view of Abaye and not according to R. Hisda.

(Mnemonic:(1) Desires, for the benediction, platform, in the 'Service', cup, recognise, accepts hospitality, heifer.)

R. Joshua b. Levi said: Whence is it that the Holy One, blessed be He, desires the priestly benediction? As it is said: So shall they put My name upon the children of Israel; and I will bless them.(2) R. Joshua b. Levi also said: Every kohen who pronounces the benediction is himself blessed, but if he does not pronounce it he is not blessed; as it is said: I will bless them that bless thee.(3) R. Joshua b. Levi also said: Any kohen who refuses to ascend the platform(4) transgresses three positive commandments, viz., 'On this wise shall ye bless', 'Ye shall say unto them', and 'So shall they put My name'. Rab said: We have to take into consideration that he might be the son of a divorcee or the son of a Haluzah.(5) But [R. Joshua and Rab] are not at variance, one referring to a case where he ascends [the platform] occasionally,(6) the other to a case where he does not occasionally ascend it.

R. Joshua b. Levi also said: Any kohen who does not ascend [the platform] in the 'Service'(7) may not ascend later; as it is said: And Aaron lifted up his hands toward the people, and blessed them, — and he came down from offering the sin-offering and the burnt-offering and the peace-offering.(8) As in this passage [the benediction occurred] during the 'Service', so here [in the Synagogue] it must be [during the prayers relating to] the 'Service'. But that is not so, seeing that R. Ammi and R. Assi ascended [at a later point in the liturgy]! — R. Ammi and R. Assi had already moved their feet [at the proper point to ascend the platform] but did not reach there [in time]. This is as R. Oshaia taught, [The statement that the kohen may not ascend after that point in the liturgy] does not apply except when he had not moved his feet, but if he had moved his feet he may ascend. It has been similarly learnt: If he(9) is confident that he can raise his hands [for the benediction] and resume the prayers [without an error], he is permitted to do so;(10) on arguing in this connection that he surely does not move [his feet],(11) [the reply was] that he shifts a little [to one side]; so also in the present instance, if [a kohen] moves a little [to ascend at the right point, it is sufficient].

R. Joshua b. Levi also said: We give the cup of blessing(12) for the recital of the Grace after meals only to one who is of a generous disposition,(13) as it is said: He that hath a bountiful eye shall be blessed, for he giveth of his bread to the poor(14) — read not yeborak ['shall be blessed'] but yebarek [shall say the Benediction]. R. Joshua b. Levi also said: Whence is it that even the birds recognise those who have a niggardly spirit?(15) As it is said: For in vain is the net spread in the eyes of any bird.(16) R. Joshua b. Levi also said: Whoever accepts hospitality of men of niggardly spirit transgresses a prohibition; as it is said: Eat thou not the bread of him that hath an evil eye, [neither desire thou his dainties]. For as he reckoneth within himself; so is he; eat and drink, saith he to thee, [but his heart is not with thee].(17) R. Nahman b. Isaac said: He transgresses two prohibitions, 'Eat thou not' and 'Neither desire thou'. R. Joshua b. Levi also said: [The necessity for] the heifer whose neck is to be broken(18) only arises on account of the niggardly of spirit, as it is said: Our hands have not shed this blood.(19) But can It enter our minds that the elders of a Court of Justice are shedders of blood! The meaning is, [The man found dead] did not come

to us for help and we dismissed him, we did not see him and let him go — i.e., he did not come to us for help and we dismissed him without supplying him with food, we did not see him and let him go without escort.(20)

Adda said in the name of R. Simlai: In a Synagogue where all the worshippers are kohanim, they all ascend the platform. For whom, then, do they pronounce the benediction? R. Zera answered: For their brethren [working] in the fields.(21) But it is not so; for Abba the son of R. Minyamin b. Hiyya taught: The people who are behind the kohanim do not come within the scope of the benediction!(22) — There is no contradiction; the former refers to men who are compelled [to be absent] and the latter to men who are not compelled [to be stationed behind the kohanim]. But R. Shimi of the Fort of Shihori taught: In a Synagogue where all the worshippers are kohanim, some ascend [the platform] and the rest respond with Amen! — There is no contradiction; the latter refers to where ten remain [to respond Amen] and the former where ten do not remain.

The [above] text stated: 'Abba the son of R. Minyamin b. Hiyya taught: The people who are behind the kohanim do not come within the scope of the benediction.' It is obvious that the tall do not create an obstruction for the short,(23) nor does the ark [where the Torah-scrolls are deposited] create an obstruction; but how is it with a partition [within the Synagogue]? — Come and hear: R. Joshua b. Levi said: Even a partition of iron does not divide between Israel and their Father in heaven. The question was asked: How is it with those standing on the side [of the kohanim]? — Abba Mar son of R. Ashi said: Come and hear: We have learnt: If he intended to sprinkle(24) in front of him

1. V. p. 171, n. 6.
2. Num. VI, 27. [By blessing the people, the priests place, so to speak, to the delight of God, His name upon them (Rashi)].
3. Gen. XII, 3.
4. From which the benediction is pronounced.
5. V. Glos. His father may have contracted a marriage which is forbidden to a kohen, in which case the son was disqualified.
6. On some of the Festivals and then declines to do so on others; in which case we do not suspect him of being disqualified.
7. I.e., the paragraph of the Eighteen Benedictions referring to the Temple-service. That is the point at which the kohen ascends the platform. V. P.B. p. 238a.
8. Lev. IX, 22.
9. The case is where the Precentor is the only kohen in the Synagogue. He is not required to 'raise his hands', because it might confuse him and lead to a mistake in the rendering of the prayers.
10. V. Ber. 34a.
11. From the reading desk to ascend the platform, so how can he 'raise his hands'?
12. A cup of wine is used in the recital of Grace.
13. Lit., 'good of eye', the opposite of bad of eye, i.e., envious.

14. Prov. XXII, 9.
15. Lit., 'narrow of eye'. Birds avoid such as these.
16. Prov. I, 17. verse 19 continues, So are the ways of everyone that is greedy of gain.
17. Ibid. XXIII, 6f.
18. Cf. Deut. XXI, 1ff.
19. Ibid. 7.
20. A man without escort was liable to be set upon and murdered.
21. Who were prevented by their work from being present.
22. R.H. 35a. So how much more, they who are not present!
23. Although the latter are shut out from the view of the kohanim, they are not excluded from the benediction.
24. The purifying water to remove the defilement of vessels (v. Num. XIX, 18).

Folio 39a

and he sprinkled behind him, or vice versa, the sprinkling is invalid; [but if he intended to sprinkle] in front of him and did so on the sides in front of him, his sprinkling is valid.(1)

Raba son of R. Huna said: When the Torah-scroll is unrolled(2) it is forbidden to converse even on matters concerning the law; as it is said: And when he opened it all the people stood up,(3) and standing up signifies nothing else than silence, as it is said: And I wait because they speak not, because they stand still and answer no more.(4) R. Zera said in the name of R. Hisda: [It may be derived] from this passage, And the ears of all the people were attentive unto the book of the law.(5)

R. Joshua b. Levi also said: Any kohen who has not washed his hands may not lift them up [to pronounce the benediction]; as it is said: Lift up your hands in holiness and bless ye the Lord.(6)

His disciples asked R. Eleazar b. Shammua, 'How have you prolonged your life?' He replied: 'Never have I made use of a Synagogue as a short cut,(7) nor stepped over the heads of the holy people,(8) nor lifted up my hands [as a kohen] without first uttering a benediction.' What benediction did he utter? — R. Zera said in the name of R. Hisda: '[Blessed art Thou, O Lord our God, King of the Universe] Who hast commanded us with the sanctity of Aaron and hast commanded us to bless Thy people Israel in love'.(9) When he [the priest] moves his feet [to ascend the platform] what does he say? — 'May it be pleasing before Thee, O Lord our God, that this benediction wherewith Thou hast commanded us to bless Thy people Israel may be free from stumbling and iniquity.' When he turns his face from the Congregation [to the ark after pronouncing the benediction] what does he say? — R. Hisda led R. 'Ukba forward(10) and the latter explained [that what he says is], 'Lord of the Universe, we have performed what Thou hast decreed upon us;(11) fulfil with us

1. Consequently those standing on the side are within the scope of the benediction.
2. For the lection in the Synagogue.
3. Neh. VIII, 3, describing the reading of the Torah to the assembly.
4. Job XXXII, 16.
5. Neh. VIII, 3.
6. Ps. CXXXIV, 2.
7. In Ber. 62b it is stated: If one enters a Synagogue not for the purpose of making it a short cut, he may use it in that manner. But R. Eleazar took a stricter view.
8. I.e., made his way to his seat by passing through the students who sat on the floor. He either arrived first or sat on the outside.
9. This formula has been adopted in the ritual; P.S. p. 238a. [Cf. Rashi, Num. VI, 23 (quoting from Midrash): Ye shall not bless them hurriedly and hastily but devoutly and with a perfect heart.]
10. [Rashi (Bezah. 29a), 'took him out for a walk'; R. Hananeel (a.l.): 'put the words in his mouth' — i.e., prepared the exposition for him. R. 'Ukba was Exilarch and had his public discourses prepared by R. Hisda.]

11. [I.e., although we are not worthy to bless; v. Tikkin Tefillah., Ozar ha- Tefilloth, (Wilna, 1923) p. 941.]

what Thou hast promised us, viz., Look down from Thy holy habitation, from heaven etc.'(1)

R. Hisda said: The kohanim are not permitted to bend their fingerjoints(2) until they turn their faces from the congregation.

R. Zera said in the name of R. Hisda: The Precentor is not permitted to exclaim 'Kohanim!'(3) until the response of Amen [to the preceding benediction] had been completed by the congregation; and the kohanim are not permitted to begin the benediction until the announcement [of 'Kohanim!'] had been completed by the Precentor; and the congregation is not permitted to respond Amen until the benediction had been completed by the kohanim, — and the kohanim are not permitted to begin another section of the bene diction until the response of Amen had been completed by the congregation [to the preceding].

R. Zera also said in the name of R. Hisda: The kohanim are not permitted to turn their faces from the congregation 'until the Precentor begins the paragraph 'Grant peace';(4) nor are they permitted to move their feet and descend until the Precentor has finished 'Grant peace'.

R. Zera also said in the name of R. Hisda: The congregation is not permitted to respond Amen until a benediction had been completed by the Precentor; and the reader is not permitted to read in the Torah until the response of Amen [to the preliminary benediction] had been completed by the congregation; and the translator(5) is not permitted to begin the translation until the verse had been completed by the reader; and the reader is not permitted to begin another verse until the translation [of the preceding verse] had been completed by the translator.

R. Tanhum said in the name of R. Joshua b. Levi: He who is to read the lection from the prophets must first read [a passage] in the Torah.(6) R. Tanhum also said in the name of R. Joshua b. Levi: He who is to read the lection from the prophets is not permitted to begin his recital until the Torah-scroll is rolled up.(7) R. Tanhum also said in the name of R. Joshua b. Levi: The Precentor is not permitted to strip the ark bare in the presence of the Congregation because of the dignity of the congregation.(8) R. Tanhum also said in the name of R. Joshua b. Levi: The congregation is not permitted to depart until the Torah-scroll is removed(9) and deposited in its place. Samuel said: [They may not depart] until [the Pre centor] has gone out.(10) There is no variance between them; the former refers to when there is another exit,(11) the latter to when there is not another exit. Raba said: Bar Ahina explained to me [that the Scriptural basis for this regulation is], Ye shall walk after the Lord your God.(12)

While the kohanim are blessing the people(13) what do the latter say? — R. Zera declared in the name of R. Hisda: Bless the Lord, ye angels of His, ye mighty in strength … Bless the Lord, all ye His hosts, ye ministers of His that do His pleasure. Bless the Lord, all ye His works, in all places of His dominion. Bless the Lord, O my soul.(14) What do they say [during the benediction] in the additional service of the Sabbath?(15) — R. Assi declared: A Song of Ascents, Behold, bless ye the Lord, all ye servants of the Lord … Lift up your hands in holiness and bless ye the Lord.(16) Blessed be the Lord Out of Zion, Who dwelleth at Jerusalem. Praise ye the Lord.(17) But they should also say: The Lord bless thee out of Zion(18) which occurs in that context! — Judah the son of R. Simeon b. Pazzi

answered: Since he commenced with the blessings of the Holy One, blessed be He, he should conclude with His blessings. What do they say in the afternoon — service of a fast-day?(19) — R. Aha b. Jacob declared: Though our iniquities testify against us, work Thou for Thy name's sake … O Thou hope of Israel, the Saviour thereof in the time of trouble, why shouldest Thou be as a sojourner in the land … Why shouldest Thou be as a man astonied, as a mighty man that cannot save? etc.(20)

1. Deut. XXVI, 15.
2. The fingers are outstretched during the benediction.
3. On hearing which word they begin to bless the congregation.
4. V. P.B., p. 53.
5. In the ancient Synagogue the recital of each verse of the Scriptural section was followed by a translation into the vernacular.
6. This custom is still preserved in the Synagogue, except that the lection from Scripture is read by the Precentor and not the person called up to the reading of the Law.
7. The purpose is that they who are rolling it should not be prevented from listening to the recital.
8. The ark was adorned with hangings, and these must not be removed so long as the worshippers are Present.
9. [From the ark. The Scroll was removed from the synagogue after service for safe custody. The words, 'and deposited in its place' are difficult to explain. Rashi does not appear to have had them, nor do they occur in MS.M.]
10. He used to carry the Scroll with him to his house for safe custody.
11. [In which case the congregation can depart through the other exit as soon as the Scroll is removed, even before it leaves the synagogue (Rashi).]
12. Deut. XIII, 5.
13. On week-days according to the old usage.
14. Ps. CIII, 20ff. Each of the Scriptural selections consists of three verses, one for each part of the priestly benediction.
15. According to modern usage the kohanim do not utter the benediction on the Sabbath, with the exception of the Day of Atonement which falls on a Sabbath.
16. Ibid. CXXXIV, If.
17. Ibid. CXXXV, 21.
18. Ibid. CXXXIV, 3.
19. This is not the modern practice.
20. Jer. XIV, 7ff.

Folio 40a

What do they say in the concluding service of the Day of Atonement?(1) — Mar Zutra declared — according to another version, there is a teaching to this effect: — Behold, thus shall the man be blessed that feareth the Lord. The Lord shall bless thee out of Zion, and thou shalt see the good of Jerusalem all the days of thy life. Yea, thou shalt see thy children's children. Peace be upon Israel.(2) Where did they say these verses? — R. Joseph answered: Between each benediction. R. Shesheth answered: At the mention of the Divine Name. R. Mari and R. Zebid differ on this matter; one said: A verse [by the congregation is to be recited] simultaneously with a verse [by the kohanim], while the other said, [The congregation recites] the whole for each verse [by the kohanim]. R. Hiyya b. Abba said: Whoever recites them outside the Temple simply errs.(3) R. Hanina b. Papa said: Know that even in the Temple it is unnecessary to recite them; for is there a servant whom one blesses without his listening! R. Aha b. Hanina said: Know that even outside the Temple it is necessary to recite them; for is there a servant whom one blesses without his face brightening!(4)

R. Abbahu said: At first I used to recite them; but when I saw that R. Abba of Acco did not recite them I also did not. R. Abbahu also said: At first I used to think that I was humble; but when I saw R. Abba of Acco offer one explanation and his Amora(5) offer another without his taking exception. I considered that I was not humble. How did R. Abbahu display humility? — The wife of R. Abbahu's Amora said to R. Abbahu's wife, 'My husband has no need of [instruction from] your husband; and when he bends down(6) and straightens himself, he merely pays him respect'.(7) R. Abbahu's wife went and reported this to him, and he said to her, 'Why worry about it? Through me and him the All-Highest is praised'. Further, the Rabbis decided to appoint R. Abbahu as principal [of the Academy]; but when he saw that R. Abba of Acco had numerous creditors [pressing for payment], he said to the Rabbis, 'There is a greater [scholar than I for the office]'.

R. Abbahu and R. Hiyya b. Abba once came to a place; R. Abbahu expounded Aggada(8) and R. Hiyya b. Abba expounded legal lore. All the people left R. Hiyya b. Abba and went to hear R. Abbahu, so that the former was upset. [R. Abbahu] said to him: 'I will give you a parable. To what is the matter like? To two men, one of whom was selling precious stones and the other various kinds of small ware. To whom will the people hurry? Is it not to the seller of various kinds of small ware?' Everyday R. Hiyya b. Abba used to accompany R. Abbahu to his lodging-place because he was esteemed by the Government; but on that day R. Abbahu accompanied R. Hiyya b. Abba to his lodging-place, and still his mind was not set at rest.

While the Precentor recites the paragraph 'We give thanks'(9) what does the congregation say? — Rab declared: 'We give thanks unto Thee, O Lord our God, because we are able to give Thee thanks'. Samuel declared: 'God of all flesh, seeing that we give Thee thanks'. R. Simai declared: 'Our Creator and Creator of all things in the beginning, seeing that we give Thee thanks.' The men of Nehardea(10) declared in the name of R. Simai: 'Blessings and thanksgiving to Thy great Name because Thou hast kept us alive and preserved us, seeing that we give Thee thanks'. R. Aha b. Jacob used to conclude thus: 'So mayest Thou continue to keep us alive and be gracious to us; and gather us together and assemble our exiles to Thy holy courts to observe Thy statutes and to do Thy will with a perfect heart, seeing that we give Thee thanks'. R. Papa said: Consequently let us recite them all.(11)

R. Isaac said: Let respect for the congregation be always upon thee; for behold, the kohanim had their faces towards the people and their backs towards the Shechinah.(12) R. Nahman said: It is derived from this text: Then David the king stood up upon his feet and said: Hear me, my brethren and my people.(13) If [he called them] 'my brethren' why 'my people', and vice versa? — R. Eleazar said: David told the Israelites, If you listen to me, you are my brethren; if not, you are my people and I will rule you with a rod. The Rabbis said: It is derived from the regulation that the kohanim are not permitted to ascend the platform wearing their shoes. This is one of the ten ordinances which R. Johanan b. Zakkai instituted. What was the reason? Was it not out of respect for the congregation? — R. Ashi said: No; [the reason] there was lest the shoe-lace become untied and he proceeds to retie it, and people will say: 'He is the son of a divorcee or a Haluzah'.(14)

BUT IN THE TEMPLE AS ONE BLESSING etc.

1. This also is omitted in the modern ritual.
2. Ps. CXXVIII, 4ff.
3. They should be said only in the Temple where alone the Tetragrammaton is used, since they are a blessing upon the Divine Name.
4. Therefore the recital of these verses, in acknowledgement, by the congregation is acceptable to God.
5. V. Glos. Who should have conveyed the Rabbi's explanation to the disciples.
6. To receive the teaching from the Rabbi.
7. Because he was highly regarded by the Government. V. infra and Hag. 14a, Sanh. 14a.
8. The non-legal part of Rabbinic lore which is the more popular, v. Glos.
9. V. P.B. p. 51.
10. A town in S. Babylonia where Rab founded his School.
11. The accepted version combines them all. V. P.B. p. 51.
12. I.e., the Ark in which the Torah-Scrolls are kept.
13. I Chron. XXVIII, 2.
14. Disqualified for priestly service. A derisive taunt at him for his undignified behaviour by stooping on the platform to retie his shoelace.

Sotah 40b

For what reason is this? — Because the response of Amen was not made in the Temple.

Our Rabbis taught: Whence is it that the response of Amen was not made in the Temple? As it is said: Stand up and bless the Lord your God from everlasting to everlasting.(1) And whence is it that every benediction must be followed by an expression of praise? As it is said: And blessed be Thy glorious name which is exalted above all blessing and praise(2) — i.e., upon every benediction ascribe praise to Him.

MISHNAH. WHAT WAS THE PROCEDURE WITH THE BENEDICTIONS OF THE HIGH PRIEST?(3) THE SYNAGOGUE ATTENDANT TAKES A TORAH-SCROLL AND HANDS IT TO THE SYNAGOGUE-PRESIDENT. THE SYNAGOGUE-PRESIDENT HANDS IT TO THE DEPUTY(4) AND HE HANDS IT TO THE HIGH PRIEST. THE HIGH PRIEST STANDS, RECEIVES [THE SCROLL] AND READS [THEREIN] AFTER THE DEATH(5) AND HOWBEIT ON THE TENTH DAY.(6) THEN HE ROLLS THE TORAH-SCROLL TOGETHER, PLACES IT IN HIS BOSOM AND EXCLAIMS, 'MORE THAN I HAVE READ BEFORE YOU IS WRITTEN HERE!' THE PASSAGE 'ON THE TENTH DAY', WHICH IS IN THE BOOK OF NUMBERS, HE READS BY HEART,(7) AND HE RECITES EIGHT BENEDICTIONS IN CONNECTION THEREWITH, VIZ., OVER THE TORAH, FOR THE TEMPLE-SERVICE, FOR THE THANKSGIVING, FOR THE PARDON OF SIN, OVER THE TEMPLE, OVER ISRAEL, OVER THE PRIESTS, OVER JERUSALEM, AND THE REST OF THE PRAYER.(8)

GEMARA. Is it to be deduced from this(9) that honour may be paid to a disciple in the presence of his master? — Abaye said: [No]; all this was done for the purpose of honouring the High Priest.

THE HIGH PRIEST STANDS, RECEIVES [THE SCROLL] AND READS etc. [Since it is stated that] he stands, it follows that he had been sitting; but a Master has said: In the Temple-court the kings of the house of David alone were allowed to sit, as it is said: Then David the king went in, and sat before the Lord, and he said: Who am I? etc!'(10) — It is as R. Hisda declared, [This occurred] in the Court of Women;(11) and here also [with the reading of the High Priest] it was in the Court of Women. An objection was raised: Where did the lection take place? In the Temple-court; R. Eliezer b. Jacob declares it was on the Temple Mount, as it is said,

1. Neh. IX, 5. This was the response to be used in the Temple; not Amen. [No satisfactory reason has so far been given for this regulation. Graetz MGWJ 1872, pp. 492ff., suggests that this does not mean that the response Amen was not allowed in the Temple, but that the solemnity of its service, heightened by the pronunciation of the Tetragrammaton as written, demanded a more extensive and impressive formula than the single Amen. V. also Blau, L. REJ, XXXIX, p. 188.]
2. Ibid. The word 'above' is understood as 'upon'.
3. What is described here followed the completion of the rites connected with the sacrifices of the Day of Atonement. The Synagogue referred to was that situated on the Temple Mount.

4. Segan. Of the High Priest who took his place if he became defiled or incapacitated during the Day of Atonement (Rashi); v. however Sanh. (Sonc. ed.) p. 97, n. 1.
5. I.e., Lev. XVI.
6. Ibid. XXIII, 26-32.
7. Num. XXIX, 7-11, to obviate the necessity of unrolling the Scroll from the former passage in Leviticus.
8. The separate editions of the Mishnah and the J. Talmud omit 'over Jerusalem', and to complete the number eight read 'and over the rest of the prayer'.
9. That the Torah was handed to his inferiors before being delivered to the High Priest.
10. II Sam. VII, 18.
11. A part of the Temple-precincts which was non-holy.

Folio 41a

And he read therein before the broad place that was before the water gate.(1) R. Hisda said: In the Court of Women.

AND READS [THEREIN] AFTER THE DEATH AND HOWBEIT ON THE TENTH DAY. I quote in contradiction: We may skip a passage in the Prophets but not in the Torah!(2) — Abaye said: There is no contradiction; the latter teaching refers to a case where the passage skipped is sufficiently long to interrupt the translator, whereas [in the Mishnah] it is not sufficiently long to interrupt the translator.(3) On this point, however, it has been taught: We may skip a passage in the Prophets but not in the Torah. How much may be skipped [in the reading of the Prophets]? A passage which is not sufficiently long to interrupt the translator. Consequently so far as the Torah is concerned nothing at all [may be skipped]! — But Abaye said: There is no contradiction; the teaching [that we may skip a passage in the reading of the Torah] applies to where there is one theme,(4) the other teaching to where there are two themes. Thus it has been taught: We may skip [a passage] in the Torah where there is one theme and in the Prophets where there are two themes, but in either case only when it is not sufficiently long to interrupt the translator. We may not, however, skip from one Prophetical Book to another; but with a book of the Minor Prophets(5) we may skip [from one to another] except that this may not be done from the end of the Book to its beginning.(6)

THEN HE ROLLS THE TORAH-SCROLL TOGETHER, PLACES IT IN HIS BOSOM etc. Why all this?(7) — So as not to discredit the Torah-Scroll.(8)

THE PASSAGE 'ON THE TENTH DAY', WHICH IS IN THE BOOK OF NUMBERS, HE READS BY HEART. Let him roll up the Scroll and recite [the passage]!(9) — R. Huna b. Judah said in the name of R. Shesheth: Because we do not roll up a Torah-scroll in the presence of a congregation.(10) Then let another Torah-scroll be brought and read [it therein]! — R. Huna b. Judah said: [No], because it would discredit the first.(11) R. Simeon b. Lakish said: Because we may not pronounce an unnecessary benediction.(12) Do we, then, pay attention to [the reason that it would] discredit [the first Scroll]? Behold, R. Isaac the smith said: When the new moon of Tebeth(13) falls on the Sabbath, three Scrolls are brought: the first for the lection of the [Sabbath] day, the second for [the portion of] the new moon, and the third for [the portion of] Hanukkah!(14) — When three men [read] in three Scrolls, there is no fear about [a Scroll] being discredited, but when one man [reads] in two Scrolls there is this fear.

AND HE RECITES EIGHT BENEDICTIONS IN CONNECTION THEREWITH etc. Our Rabbis taught: [The High Priest] pronounces a benediction over the Torah just as we do in Synagogue;(15) for the Temple-service for the thanksgiving,(16) and for the pardon of sin as usual;(17) over the Temple separately,(18) over the priests separately, over the Israelites separately — and over Jerusalem separately.

AND THE REST OF THE PRAYER. Our Rabbis taught: The rest of the prayer consists of petitions song and supplication that Thy people Israel is in need of salvation; and he concludes with, '[Blessed art Thou, O Lord,] Who hearkenest unto prayer.' From this point onward,(19) each individual brings a Torah-scroll from his house and reads therein. For what purpose is this done? To display its beauty in public.(20)

MISHNAH. WHAT WAS THE PROCEDURE IN CONNECTION WITH THE PORTION READ BY THE KING? AT THE CONCLUSION OF THE FIRST DAY OF THE FESTIVAL [OF TABERNACLES] IN THE EIGHTH,(21) I.E., THE END OF THE SEVENTH,(22) THEY ERECT A WOODEN DAIS IN THE TEMPLE COURT, UPON WHICH HE SITS; AS IT IS SAID, AT THE END OF EVERY SEVEN YEARS, IN THE SET TIME etc.(23) THE SYNAGOGUE-ATTENDANT(24) TAKES A TORAH-SCROLL AND HANDS IT TO THE SYNAGOGUE PRESIDENT,(25) AND THE SYNAGOGUE-PRESIDENT HANDS IT TO THE [HIGH PRIEST'S] DEPUTY. HE HANDS IT TO THE HIGH PRIEST WHO HANDS IT TO THE KING. THE KING STANDS AND RECEIVES IT, BUT READS SITTING. KING AGRIPPA(26) STOOD AND RECEIVED IT AND READ STANDING, FOR WHICH ACT THE SAGES PRAISED HIM. WHEN HE REACHED, THOU MAYEST NOT PUT A FOREIGNER OVER THEE,(27) HIS EYES RAN WITH TEARS.(28) THEY SAID TO HIM, 'FEAR NOT, AGRIPPA, THOU ART OUR BROTHER, THOU ART OUR BROTHER!' [THE KING] READS FROM THE BEGINNING OF DEUTERONOMY UP TO THE SHEMA',(29) THE SHEMA', AND IT SHALL COME TO PASS IF YE HEARKEN,(30) THOU SHALT SURELY TITHE,(31) WHEN THOU HAST MADE AN END OF TITHING,(32) THE PORTION OF THE KING,(33) AND THE BLESSINGS AND CURSES, UNTIL HE FINISHES ALL THE SECTION. THE KING PRONOUNCES THE SAME BENEDICTIONS AS THE HIGH PRIEST, EXCEPT THAT HE SUBSTITUTES ONE FOR THE FESTIVALS INSTEAD OF ONE FOR THE PARDON OF SIN.

GEMARA. Does it enter your mind [that the Mishnah means] the eighth [day of the Festival]! — Read 'the eighth [year].(34) But why all this?(35) — It is all necessary; for if the All-Merciful had only written 'at the end', I might have thought that the reckoning was to be from then(36) although they had not observed a year of release;(37) therefore the All-Merciful wrote in 'the year of release', If the All-Merciful had only written 'the year of release', I might have thought that this means the end of the year of release;(38) therefore the All-Merciful wrote 'in the set time.(39) If He had only written 'in the set timeð, I might have thought that this means at the New Year festival; therefore the All-Merciful wrote 'in the feast of tabernacles'. And if the All-Merciful had only written 'in the feast of tabernacles', I might have thought that this means on the last day of the festival; therefore the All-Merciful wrote 'when all Israel is come'(40)

1. Neh. VIII, 3.
2. When read in the Synagogue.
3. While he is translating the last passage from Lev. XVI, it would be possible to turn up chap. XXIII. v. supra p. 199, nn. 2-3.
4. As here, since both passages deal with the Day of Atonement.
5. These are regarded as one Book.
6. I.e., it is not allowed to turn back in the reading.
7. Viz., his exclamation, 'More than I have read' etc.
8. The people should not imagine it was a defective Scroll and for that reason he read a portion by heart.

9. Since he does not read it from the Scroll, why is it left open?
10. In modern practice this is done.
11. People would conclude that it had some defect, and for that reason another was brought.
12. Over the use of the second Scroll.
13. The tenth month.
14. The Feast of Dedication which occurs at the end of Kislev and the beginning of Tebeth. Why are not all three portions read from one Scroll?
15. V. P.B. p. 147.
16. Op. cit., 50f.
17. [As we have it in the Day of Atonement liturgy (Rashi, Yoma 70).]
18. This and the following benedictions are not in the existing liturgy.
19. I.e., after the High Priest had finished the benedictions.
20. It was considered praiseworthy to possess a beautiful copy of the Torah-scroll.
21. This is explained in the Gemara.
22. The years were arranged in Cycles of seven, the seventh being 'the year of release' (Deut. XV, 1ff).
23. Deut. XXXI, 10.
24. [Hazzan. There is no certainty either in regard to the original function or rank of the Hazzan. Here he appears as second to the synagogue president; v. n. 5.]
25. [. Identified with the , the officer who administered the external affairs of the Synagogue; v. Krauss, Synagogale Altertumer pp. 116ff and JE II, 86.]
26. Agrippa I. His reading occurred in the year 41 C.E. [Others ascribe this incident to Agrippa II. V. Derenbourg. op. cit. p. 217, and Buchler, Priester und der Cultus pp. 12ff.]
27. Ibid. XVII, 15.
28. Because on his father's side he was not of Jewish descent.
29. I.e., down to ibid. VI, 4.
30. Ibid. Xl. 13-25.
31. Ibid. XIV, 22ff.
32. Ibid. XXVI, 12ff.
33. Ibid. XVII, 14ff.
34. The word should have the feminine form, not masculine as in the Mishnah, to make it clear that the year and not the day is intended.

35. Viz., the elaborate description of the time when the reading takes place as it is given in Deut. XXXI. 10.
36. From the fortieth year after the Exodus.
37. The observance only began seven years after the land had been divided among the Israelites.
38. I.e., before the eighth year.
39. The word for 'set time' usually denotes a festival; hence it refers to a festival in the eighth year.
40. Deut. XXXI, 11. referring to the pilgrimage to the Sanctuary which was on the first day.

, i.e., the beginning of the Festival.

THE SYNAGOGUE-ATTENDANT TAKES A TORAH-SCROLL AND HANDS IT TO THE SYNAGOGUE-PRESIDENT. Is it to be deduced from this that honour may be paid to a disciple in the presence of his master?(1) — Abaye said: [No]; all this was done for the purpose of honouring the king.

THE KING STANDS AND RECEIVES IT, BUT READS SITTING. KING AGRIPPA STOOD AND RECEIVED IT AND READ STANDING. [Since it is stated that] he stands, it follows that he had been sitting. But a Master has said: In the Temple-court the kings of the House of David alone were allowed to sit; as it is said: Then David the king went in, and sat before the Lord, and he said etc.!(2) — It is as R. Hisda declared: [This occurred] in the Court of Women, and here also [with the reading by the king] it was in the Court of Women. FOR WHICH ACT THE SAGES PRAISED HIM. Since they praised him, it follows that he acted rightly; but R. Ashi has said: Even according to him who maintains that when a Nasi(3) forgoes the honour due to him one may avail himself of the permission, when a king forgoes the honour due to him one may not avail himself of the permission; as it is said: Thou shalt set a king over thee(4) — that his authority(5) may be over thee! — It is different [with the fulfilment of] a precept.(6)

WHEN HE REACHED 'THOU MAYEST NOT PUT [etc.]'. A Tanna taught in the name of R. Nathan: At that moment(7) the enemies of Israel(8) made themselves liable to extermination, because they flattered Agrippa. R. Simeon b. Halafta said: From the day the fist of flattery prevailed, justice became perverted, conduct deteriorated, and nobody could say to his neighbour, 'My conduct is better than yours'. R. Judah the Palestinian — another version, R. Simeon b. Pazzi — expounded: It is permitted to flatter the wicked in this world, as it is said: The vile person shall be no more called liberal, nor the churl said to be bountiful(9) — consequently it is allowed in this world. R. Simeon b. Lakish said: [It may be derived] from this text: As one seeth the face of God, and thou wast pleased with me.(10) On this point he is at variance with R. Levi; for R. Levi said: A parable of Jacob and Esau: To what is the matter like? To a man who invited his neighbour to a meal, and the latter perceived that he wished to kill him. So he said to him, 'The taste of this dish of which I am partaking is like the dish I tasted in the king's palace'. The other said [to himself]. 'He is acquainted with the king!' So he became afraid and did not kill him.(11) R. Eleazar said: Every man in whom is flattery brings anger upon the world: as it is said: But they that are flatterers at heart lay up anger.(12) Not only that, but their prayer remains unheard; as it continues, They cry not for help when He chasteneth them.(13) (Mnemonic:(14) Anger, embryo, Gehinnom, in his hand, menstruant, exile).

R. Eleazar also said: As for any man in whom is flattery, even the embryos in their mothers' wombs curse him; as it is said: He that saith unto the wicked, Thou art righteous, peoples shall curse him, nations shall abhor him(15) — the word kob ['abhor'] means nothing but 'curse', as it is said: Whom God hath not cursed;(16) and le'om [nation] means nothing but 'embryo', as it is said: And the one le'om [nation] shall be stronger than the other nation.(17) R. Eleazar also said: Every man in whom is flattery will fall into Gehinnom; as it is said: Woe unto them that call evil good, and good evil etc.(18) What is Written after that? Therefore as the tongue of fire devoureth the stubble, and as the dry grass sinketh

down in the flame etc.(19) R. Eleazar also said: Whoever flattereth his neighbour(20) will finally fall into his hand; if he does not fall into his hand, he will fall into the hand of his sons; and if he does not fall into his sons' hand, he will fall into the hand of his grandsons; as it is stated: And Jeremiah said to Hananiah, Amen; the Lord do so; the Lord perform thy words,(21) and it is written,

1. V. infra 40b.
2. II Sam. VII, 18.
3. The Chief of the Great Sanhedrin.
4. Deut. XVII, 15.
5. Lit., 'fear'.
6. A king may forgo his honour when fulfilling it.
7. When the Rabbis said: 'Thou art our brother'.
8. An euphemism for Israel.
9. Isa. XXXII. 5. This verse alludes to the Hereafter.
10. Gen. XXXIII, 10. The words were spoken in flattery by Jacob to the wicked Esau.
11. Similarly Jacob's words were not flattery, but spoken with the intention of frightening Esau.
12. Job XXXVI, 13.
13. Because their cry receives no response.
14. V. p. 171, n. 6. The first word refers to what has just preceded.
15. Prov. XXIV, 24.
16. Num. XXIII, 8.
17. Gen. XXV, 23. The context deals with the unborn sons of Rebekkah.
18. Isa. V, 20.
19. Ibid. 24.
20. [Var. lec. 'the wicked']
21. Jer. XXVIII, 6. In the Massoretic text the reading is 'The prophet Jeremiah said: Amen; the Lord etc.'

Folio 42a

And when he was in the gate of Benjamin, a captain of the ward was there, whose name was Irijah, the son of Shelemiah, the son of Hananiah,' and he laid hold on Jeremiah the prophet, saying: Thou fallest away to the Chaldeans. Then said Jeremiah, It is false,' I fall not away to the Chaldeans etc.,(1) and it continues, So he laid hold on Jeremiah and brought him to the princes.(2) R. Eleazar also said: Any community in which is flattery is as repulsive as a menstruant woman; as it is said: 'For the community of flatterers is galmud'(3) — and in over-sea towns they call a menstruant woman galmudah. What means galmudah? — She is separated [gemulah da] from her husband. R. Eleazar also said: Any community in which is flattery will finally go into exile. It is written here, 'For the community of flatterers is galmud', and elsewhere it is written: Then shalt thou say in thine heart, Who hath gotten me these, seeing I have been bereaved of my children, and am solitary [galmudah], an exile and wandering to and fro etc.(4)

R. Jeremiah b. Abba said: Four classes will not receive the presence of the Shechinah: the class of scoffers, the class of flatterers, the class of liars, and, the class of slanderers. The class of scoffers, as it is written: He stretched out His hand against scorners.(5) The class of flatterers, as it is written: For a flatterer shall not come before Him.(6) The class of liars, as it is written: He that speaketh falsehood shall not be established before Mine eyes.(7) The class of slanderers, as it is written: For Thou art not a God that hath pleasure in wickedness; evil shall not sojourn with Thee(8) — i.e., Thou art righteous, O Lord, evil may not sojourn in Thy habitation.

CHAPTER VIII

MISHNAH. AT THE TIME WHEN THE ANOINTED FOR BATTLE(9) ADDRESSES THE PEOPLE HE SPEAKS IN THE HOLY TONGUE, AS IT IS SAID, AND IT SHALL BE, WHEN YE DRAW NIGH UNTO THE BATTLE, THAT THE PRIEST SHALL APPROACH(10) — I.E., THE ANOINTED FOR BATTLE; AND SPEAK UNTO THE PEOPLE — I.E., IN THE HOLY TONGUE; AND SHALL SAY UNTO THEM, HEAR, O ISRAEL, [YE DRAW NIGH THIS DAY UNTO BATTLE AGAINST YOUR ENEMIES](11) — 'AGAINST YOUR ENEMIES' BUT NOT AGAINST YOUR BRETHREN, NOT JUDAH AGAINST SIMEON NOR SIMEON AGAINST BENJAMIN, SO THAT IF YOU(12) FALL INTO THEIR HAND THEY SHALL HAVE MERCY UPON YOU, AS IT IS SAID, AND THE MEN WHICH HAVE BEEN EXPRESSED BY NAME ROSE UP, AND TOOK THE CAPTIVES, AND WITH THE SPOIL CLOTHED ALL THAT WERE NAKED AMONG THEM, AND ARRAYED THEM, AND SHOD THEM, AND GAVE THEM TO EAT AND TO DRINK, AND ANOINTED THEM, AND CARRIED ALL THE FEEBLE OF THEM UPON ASSES, AND BROUGHT THEM TO JERICHO, THE CITY OF PALM TREES, UNTO THEIR BRETHREN; THEN THEY RETURNED TO SAMARIA ETC.(13) AGAINST YOUR ENEMIES DO YOU MARCH, SO THAT IF YOU FALL INTO THEIR HAND THEY WILL HAVE NO MERCY UPON YOU. LET NOT YOUR HEART FAINT; FEAR NOT NOR TREMBLE ETC.(14) — 'LET NOT YOUR HEART FAINT' AT THE NEIGHING OF THE HORSES AND THE BRANDISHING OF SWORDS; 'FEAR NOT' BECAUSE OF THE CRASH OF SHIELDS

AND THE TRAMP OF THE SOLDIERS' FOOTWEAR; — 'NOR TREMBLE' AT THE SOUND OF TRUMPETS; 'NEITHER BE YE AFFRIGHTED' AT THE SOUND OF BATTLE-CRIES. FOR THE LORD YOUR GOD IS HE THAT GOETH WITH YOU(15) THEY COME [RELYING] UPON THE MIGHT OF FLESH AND BLOOD, BUT YOU COME [RELYING] UPON THE MIGHT OF THE ALL-PRESENT. THE PHILISTINES CAME [RELYING] UPON THE MIGHT OF GOLIATH; BUT WHAT WAS HIS FATE? IN THE END HE FELL BY THE SWORD AND THEY FELL WITH HIM. THE AMMONITES CAME [RELYING] UPON THE MIGHT OF SHOBACH;(16) BUT WHAT WAS HIS FATE? IN THE END HE FELL BY THE SWORD AND THEY FELL WITH HIM. BUT WITH YOU IT IS OTHERWISE; 'FOR THE LORD YOUR GOD IS HE THAT GOETH WITH YOU TO FIGHT WITH YOU ETC.' [THIS ALLUDES TO] THE CAMP OF THE ARK.(17)

GEMARA. How does [the author of the Mishnah] prove his point?(18) — He proves it thus: It is stated in this connection 'and speak', and elsewhere it states: Moses spake, and God answered him by a voice;(19) as in the latter passage it was in the holy tongue, so also in the former it was in the holy tongue.

Our Rabbis taught: The priest shall approach and speak unto the people.(20) It is possible to think that any priest who so desires [may address them]; therefore there is a text to state, And the officers shall speak(21) — as the officers must have been appointed so must the priest have been appointed [for the purpose]. But I might say that it is the High Priest [who addresses them]! — It is analogous to the case of an officer; as an officer has a superior appointed over him,(22) so also the priest [who addresses the people] has a superior appointed over him.(23) But the High Priest likewise [has a superior over him]. viz., the king! — He is referring to his service.(24) But I might say that it is the deputy High Priest [who addresses them]!(25) — The deputy High Priest is not considered appointed; as it has been taught: R. Hanina, the deputy of the priests,(26) said: For what is the priests' deputy appointed? If any disqualification should occur to the High Priest, he enters and functions in his stead.(27)

'And shall say unto them, Hear, O Israel'. Why must he just [open with the words] 'Hear, O Israel'? — R. Johanan said in the name of R. Simeon b. Yohai: The Holy One, blessed be He, said to Israel, Even if you only fulfilled morning and evening the commandment to recite the Shema',(28) you will not be delivered into [the enemy's] hand.

'Let not your heart faint; fear not' etc. Our Rabbis taught: He addresses them twice: once on the boundary(29) and once on the battle-field. What does he say on the boundary?

1. Ibid. XXXVII, 13f. Note the captain was the grandson of Hananiah.
2. [The M.T. reads 'So I Irijah laid hold etc.']
3. Job XV, 34. The usual translation of galmud is 'barren'.
4. Isa. XLIX, 21.
5. Hos. VII, 5 sic., i.e., God kept them at a distance.
6. Job XIII, 16.
7. Ps CI, 7.

8. Ibid. V, 5. The Psalm deals with the evil of slander.
9. The priest designated to accompany the army to battle.
10. Deut. XX, 2.
11. Ibid., 3.
12. I.e., any Israelite falls into the hand of another Israelite in battle.
13. II Chron. XXVIII, 15.
14. Deut. XX, 3.
15. Deut. XX, 4.
16. Cf. II Sam. X, 14ff
17. I.e., the Israelite army which was accompanied by the ark.
18. That the priest addresses the people in Hebrew.
19. Ex. XIX, 19.
20. Deut. XX, 2.
21. Ibid. 5.
22. Viz., the judge whose decisions the officer enforces.
23. Therefore the High Priest is excluded.
24. In the Temple. In this sphere the High Priest is supreme.
25. V. p. 199, n. 1.
26. V. Aboth. (Sonc. ed.) III, 2.
27. But so long as the High Priest could officiate, the deputy ranked as an ordinary priest.
28. V. Glos. This also opens with 'Hear, O Israel'.
29. Before marching into the enemy's territory.

'Hear the words of the war-regulations and return home'.(1) What does he say to them on the battle-field? 'Let not your heart faint; fear not, nor tremble, neither be ye affrighted'. [These four expressions] correspond to the four means adopted by the nations of the world [to terrorise the enemy]: they crash [their shields], sound [trumpets], shout [battle-cries] and trample [with their horses].

THE PHILISTINES CAME [RELYING] UPON THE MIGHT OF GOLIATH etc. Goliath [was so named], said R. Johanan, because he stood with affrontery [gilluy panim] before the Holy One, blessed be He; as it is said: Choose you a man for you, and let him come down to me.(2) The word 'man' signifies none other than the Holy One, blessed be He, as it is said: The Lord is a man of war.(3) The Holy One, blessed be He, declared: Behold, I will bring about his downfall through the hand of a son of man; as it is said: David was the son of that man of Ephrath.(4)

R. Johanan said in the name of R. Meir: In three places did his mouth trap that wicked man:(5) first, 'Choose you a man for you, and let him come dawn to me';(2) second, 'If he be able to fight with me, and kill me etc.,'(6) and third, 'Am I a dog, that thou comest to me with staves?'(7) David likewise replied to him, Thou contest to me with a sword, and with a spear, and with a javelin;(8) and he continued, But, I come to thee in the name of the Lord of hosts, the God of the armies of Israel, which thou hast defied.(8)

And the Philistine drew near morning and evening.(9) R. Johanan said: To make them omit the recital of the Shema' morning and evening.

And presented himself forty days.(9) R. Johanan said: [The period] corresponds to the forty days in which the Torah was given.(10)

And there went out a champion [benayim] out of the camp of the Philistines etc.(11) What means 'benayim'? — Rab said: That he was built up [mebunneh] without any blemish. Samuel said: He was the middle one [benoni] of his brothers.(12) In the School of R. Shila they explained: He was made like a building [binyan]. R. Johanan said: He was the son of a hundred fathers and one mother [ben nane].(13) 'Named Goliath of Gath' — R. Joseph learnt: [He is so described] because all men pressed his mother like a wine-press [gath].

The text has ma'aroth(14) but we read the word as ma'arkoth! R. Joseph learnt: Because all had intercourse [he'eru] with his mother. The text has Harafah and also Orpah!(15) — Rab and Samuel [differ in their interpretation]. One said that her name was Harafah and why was she called Orpah? Because all had intercourse with her from the rear 'orfin] — The other said: Her name was Orpah; and why was she called Harafah? Because all ground her like a bruised corn [harifoth]. Thus it states: And the woman took and spread the covering over the well's mouth and strewed harifoth [bruised corn] thereon.(16) If you like, I can derive [the meaning of harifoth] from this verse: Though thou shouldest bray a fool in a mortar with a pestle among harifoth [bruised corn].(17)

These four were born to Harafah in Gath; and they fell by the hand of David, and by the hand of his servants.(18) Who were they? — R. Hisda said: Saph, Madon, Goliath and Ishbi-benob.(19) 'And they fell by the hand of David, and by the hand of his servants', as it is written: And Orpah kissed her mother-in-law, but Ruth clave unto her.(20) R. Isaac said: The Holy One, blessed be He, spake, May the sons of the one who kissed(21) come and fall by the hand of the sons of the one who clave.

Raba expounded: As a reward for the four tears which Orpah dropped upon her mother-in-law, she merited that four mighty warriors should issue from her; as it is said: And they lifted up their voice and wept again.(22)

The text further has hez [the arrow] of his spear but we read 'ez [the staff] of his spear!(23) — R. Eleazar said: [It indicates that] we have not reached half [hazi] the praise of that wicked man.(24) Hence [it is learnt] that it is forbidden to recount the praise of the wicked. Then [Scripture] should not have begun to recount it at all! — [The object] is to proclaim the praise of David [who conquered such a giant].

THE AMMONITES CAME [RELYING] UPON THE MIGHT OF SHOBACH etc. [The name] is written Shobach and also Shofach!(25) — Rab and Samuel [differ in their interpretation]. One said that his name was Shofach; and why was he called Shobach? Because he was made like a dove-cote [shobak].(26) The other said that his name was Shobach; and why was he called Shofach? Because whoever beheld him was [through terror] poured out [nishpak] before him like a ewer.

Their quiver ['ashpah] is an open sepulchre, they are all mighty men.(27) Rab and Samuel [differ in their interpretation]; another version is, R. Ammi and R. Assi [differ in their interpretation]. One said: At the time when they shot an arrow they made heaps upon heaps [ashpatoth] of slain; and should you say that this was only because they were only skilled in fighting, there is a text to state, They are all mighty men.(28) The other said: At the time when they relieved themselves they made heaps and heaps of excrement; and should you say that this was due to disorder of the bowels, there is a text to state, They are all mighty men.(29) R. Mari said: Infer from this that whoever has excessive excrement suffers from disorder of the bowels. What is the practical purpose of this? — He should take steps [to cure himself].

Heaviness in the heart of a man maketh it stoop [yashhennah].(30) — R. Ammi and R. Assi [differ in their interpretation]. One said, [The last word means], let him dismiss it [yissehennah] from his mind; the other said, [it means], let him talk of it [yesihenah] with others.

BUT WITH YOU IT IS OTHERWISE etc. Why all this?(31) Because the Name(32) and all His substituted names

1. Viz., those who are qualified for exemption. V. ibid. 5ff.
2. I Sam. XVII, 8.
3. Ex. XV, 3.
4. I Sam. XVII, 12.
5. Goliath's words brought calamity upon him.

6. I Sam. XVII, 9. David did kill him.
7. Ibid. 43.
8. Ibid. 45.
9. Ibid. 16.
10. V. Ex. XXIV, 18. [Ginzberg (Legends, VI, p. 250) quotes in this connection Philo, who explains the forty days as corresponding to the number of days wherein Israel feasted when they received the law in the wilderness. 'For forty days' said Goliath 'I will reproach them and after that I will fight them'. V., however, Rashi.]
11. I Sam. XVII, 4.
12. The third of four brothers. V. infra.
13. Nana, Pers. for mother.
14. 'Out of the ranks', ibid. 23.
15. Cf. II Sam. XXI, 18 and Ruth I, 4. The first is taken as a proper noun and identified with the second.
16. II Sam. XVII, 19.
17. Prov. XXVII, 22.
18. II Sam. XXI, 22.
19. V. ibid. 18, 20 (translated a man of great stature), 19 and 16.
20. Ruth I, 14.
21. Goliath and his brothers were sons of Orpah who is identified with Naomi's daughter-in-law.
22. Ibid. 'Again' denotes that they wept twice, and a tear dropped from each eye on each occasion.
23. In I Sam. XVII, 7.
24. Scripture has not described in full the prowess of Goliath.
25. Cf. II Sam. X, 16 and I Chron. XIX, 16.
26. He was excessively tall.
27. Jer. V, 16.
28. So it was due to their extraordinary strength.
29. As giants they ate abnormal quantities of food.
30. Prov. XII, 25.
31. Viz., 'For the Lord your God etc.' and not simply, Your God is with you.
32. The Tetragrammaton.

were deposited in the ark. Thus it states: And Moses sent them, a thousand of every tribe, to the war, them and Phinehas(1) — 'them' refers to the Sanhedrin; 'Phinehas' was the [priest] Anointed for Battle; 'with the vessels of the sanctuary' i.e., the ark and the tablets [of the decalogue] which were in it; 'and the trumpets for the alarm' i.e., the horns.(2) — A Tanna taught: Not for naught did Phinehas go to the battle [against Midian] but to exact judgment on behalf of his mother's father [Joseph]; as it is said: And the Midianites sold him into Egypt etc.(3) Is this to say that Phinehas was a descendant of Joseph? But behold it is written: And Eleazar Aaron's son took him one of the daughters of Putiel to wife; [and she bare him Phinehas]!(4) Is it not to be supposed, then, that he was a descendant of Jethro who fattened [pittem](5) calves for idolatry? — No; [he was a descendant] of Joseph(6) who mastered [pitpet] his passion. But did not the other tribes despise him(7) [saying], 'Look at this son of Puti, the son whose mother's father fattened calves for idolatry; he killed a prince in Israel!'(8) But, if his mother's father was descended from Joseph, then his mother's mother was descended from Jethro; and if his mother's mother was descended from Joseph, then his mother's father was descended from Jethro. This is also proved as a conclusion from what is written: 'One of the daughters of Putiel', from which are to be inferred two [lines of ancestry].(9) Draw this conclusion.

MISHNAH. AND THE OFFICERS SHALL SPEAK UNTO THE PEOPLE, SAYING, WHAT MAN IS THERE THAT HATH BUILT A NEW HOUSE, AND HATH NOT DEDICATED IT? LET HIM GO AND RETURN TO HIS HOUSE — ETC.(10) IT IS ALL ONE WHETHER HE BUILT A BARN FOR STRAW, A STABLE FOR CATTLE, A SHED FOR WOOD, OR A STOREHOUSE;(11) IT IS ALL ONE WHETHER HE BUILT, PURCHASED, INHERITED IT OR SOMEBODY HAD GIVEN IT TO HIM AS A PRESENT.(12) AND WHAT MAN IS THERE THAT HATH PLANTED A VINEYARD, AND HATH NOT USED THE FRUIT THEREOF? ETC.(13) IT IS ALL ONE WHETHER HE PLANTED A VINEYARD OR PLANTED FIVE FRUIT-TREES(14) AND EVEN OF FIVE SPECIES;(15) IT IS ALL ONE WHETHER HE PLANTED, BENT(16) OR GRAFTED IT, OR WHETHER HE PURCHASED, INHERITED OR SOMEBODY HAD GIVEN IT TO HIM AS A PRESENT. AND WHAT MAN IS THERE THAT HATH BETROTHED A WIFE? ETC.(17) IT IS ALL ONE WHETHER HE HAD BETROTHED A VIRGIN OR A WIDOW, OR EVEN A CHILDLESS WIDOW WAITING FOR HER BROTHER-IN-LAW, OR EVEN IF A MAN HEARD THAT HIS BROTHER HAD DIED IN BATTLE,(18) HE RETURNS HOME. ALL THESE HEAR THE PRIEST'S WORDS CONCERNING THE WAR-REGULATIONS AND RETURN HOME; BUT THEY SUPPLY WATER AND FOOD AND REPAIR THE ROADS [FOR THE ARMY].

THE FOLLOWING DO NOT RETURN HOME: HE WHO BUILT A LODGE,(19) A LOGGIA OR A VERANDAH; HE WHO PLANTED FOUR FRUIT-TREES OR FIVE TREES WHICH ARE NOT FRUIT-BEARING; HE WHO TOOK BACK HIS DIVORCED WIFE. IF A HIGH PRIEST MARRIED A WIDOW, OR AN ORDINARY PRIEST MARRIED A DIVORCEE OR A HALUZAH,(20) OR A LAY ISRAELITE MARRIED AN ILLEGITIMATE OR A NETHINAH,(21) OR THE DAUGHTER OF AN ISRAELITE MARRIED AN ILLEGITIMATE OR A NATHIN, HE DOES NOT RETURN HOME.(22) R. JUDAH SAYS: ALSO HE WHO REBUILT A HOUSE UPON ITS

FOUNDATIONS DOES NOT RETURN HOME. R. ELIEZER SAYS: ALSO HE WHO BUILT A BRICK-HOUSE IN SHARON(23) DOES NOT RETURN HOME.

THE FOLLOWING DO NOT MOVE FROM THEIR PLACE:(24) HE WHO BUILT A NEW HOUSE AND DEDICATED IT, PLANTED A VINEYARD AND USED ITS FRUIT, MARRIED HIS BETROTHED, OR TOOK HOME HIS BROTHER'S CHILDLESS WIDOW; AS IT IS SAID, HE SHALL BE FREE AT HOME ONE YEAR(25) — 'AT HOME,' THIS REFERS TO HIS HOUSE; 'SHALL BE' REFERS TO HIS VINEYARD; 'AND SHALL CHEER HIS WIFE' REFERS TO HIS WIFE; WHICH HE HATH TAKEN' IS TO INCLUDE HIS BROTHER'S CHILDLESS WIDOW. THESE DO NOT SUPPLY WATER AND FOOD AND REPAIR THE ROADS [FOR THE ARMY].

GEMARA. Our Rabbis taught: 'And the officers shall speak' — it is possible to think that this refers to their own words;(26) but when it states: And the officers shall speak further,(27) behold this is to be understood as their own words; so how am I to explain 'And the officers shall speak'? Scripture alludes to the words of the priest Anointed for Battle. So what was the procedure? A priest speaks [the words] and an officer proclaims them [to the army]. One [authority] taught: A priest speaks [the words] and an officer proclaims them; another taught: A priest speaks [the words] and a priest proclaims them; while yet another taught: An officer speaks [the words] and an officer proclaims them! — Abaye said: What, then, was the procedure? From 'when ye draw nigh' down to 'and the officers shall speak'(28) a priest speaks and a priest proclaims. From 'and the officers shall speakð down to 'and the officers shall speak further'(29) a priest speaks and an officer proclaims. From 'and the officers shall speak' onwards an officer speaks and an officer proclaims.

WHAT MAN IS THERE THAT HATH BUILT A NEW HOUSE? etc. Our Rabbis taught: 'That hath built' — I have here only the case where he built; whence is it [that the law applies also to a case where] he purchased, inherited or somebody gave it to him as a present? There is a text to state, What man is there that hath built a house.(30) I have here only the case of a house; whence is it that it includes a barn for straw, a stable for cattle, a shed for wood and a storehouse? There is a text to state 'that hath built' — i.e., whatever [structure be erected]. It is possible to imagine that I am also to include one who built a lodge, loggia or verandah; there is a text to state 'a house' — as 'house' implies a place suitable for habitation so every [building for which exemption may be claimed must be] suitable for habitation. R. Eliezer b. Jacob says: [The word] 'house' [is to be interpreted] according to its usual definition; [and the fact that Scripture does not read] 'and hath not dedicated' but and hath not dedicated it(31) is to exclude a robber.(32) Is this to say that [this teaching] is not in agreement with that of R. Jose the Galilean?(33) For if it agreed with R. Jose the Galilean, behold he has said: Fainthearted(34) i.e., he who is afraid

1. Num. XXXI, 6.
2. [Shofaroth (pl. of Shofar) — i.e., the instruments which were called in those days Shofaroth and not by the biblical term hazozeroth; v. Shab. 36a (Strashun).]
3. Gen. XXXVII, 36.
4. Ex. VI, 25.

5. Putiel is explained as 'one who fattened (calves) for a god'.
6. Identified with Putiel.
7. Phinehas.
8. Viz., Zimri (Num. XXV. 7ff). Consequently Phinehas was considered by his contemporaries to have descended from Jethro. V. Sanh. 82b.
9. The name Putiel is spelt with a yod which is usually the sign of the plural. Hence both the explanations given are possible, viz., Putiel can be identified either with Joseph or Jethro.
10. Deut. XX, 5.
11. For wine, oil, produce etc.
12. So long as it was new to him, he was exempt from service.
13. Ibid. 6.
14. The minimum number to warrant exemption.
15. May be included in the requisite number of plantings.
16. The vine so that the end is embedded in the soil and brings forth a new shoot.
17. Deut. XX, 7.
18. Leaving no offspring, and it is his duty to marry the widow.
19. Lit., 'house of the gate'.
20. V. Glos.
21. V. p. 119, n. 5.
22. Because these are illegal marriages.
23. A place in Palestine which is very sandy; so a house built there does not last long.
24. To join the army and then claim exemption.
25. Deut. XXIV, 5.
26. I.e., spoken by the officers and not by the priest.
27. Deut. XX, 8. The addition of 'further' is the basis of the deduction.
28. I.e., the exhortation in Deut. XX, 3ff.
29. Ibid. 5-7.
30. This is understood as: whatever man built a new house, the present owner of it is exempt.
31. The suffix is superfluous.
32. A man who steals a new house is not exempt.
33. Who exempts a sinner; v. supra p. 222.
34. Deut. XX, 8.

because of the transgressions he had committed!(1) — You may even say that it agrees with R. Jose the Galilean, as, e.g., when the man had repented and restored the monetary value. But in that event he becomes the purchaser, and as such returns home! — Since it originally came into his possession as the result of robbery, he does not [return home].

AND WHAT MAN IS THERE THAT HATH PLANTED A VINEYARD? etc. Our Rabbis taught: 'That hath planted' — I have here only the case where he planted; whence is it [that the law applies also to a case where] he purchased, inherited or somebody gave it to him as a present? There is a text to state, And what man is there that hath planted a vineyard. I have here only the case of a vineyard; whence is it that it includes five fruit-trees and even of other kinds [of plantings]? There is a text to state 'that hath planted'. It is possible to think that I am also to include one who planted four fruit-trees or five trees which are not fruit-bearing; therefore there is a text to state 'a vineyard'. R. Eliezer says: [The word] 'vineyard' [is to be interpreted] according to its usual definition; [and the fact that Scripture does not read] 'one hath not used the fruit' but 'and hath not used the fruit thereof is to exclude one who bends or grafts [the vine]. But we have the teaching: IT IS ALL ONE WHETHER HE PLANTED, BENT OR GRAFTED IT! — R. Zera said in the name of R. Hisda: There is no contradiction, the latter referring to a permitted grafting and the former to a prohibited grafting.(2) What is an instance of this permitted grafting? If I say a young shoot on a young shoot, it follows that he ought to return home on account of [planting] the first young shoot! It must therefore be [grafting] a young shoot on an old stem. But R. Abbahu has said: If he grafted a young shoot on an old stem, the young shoot is annulled by the old stem and the law of 'orlah(3) does not apply to it! — R. Jeremiah said: It certainly refers to a young shoot on a young shoot, and [the case of a permitted grafting is where], e.g., he planted the first [stem] for a hedge or for timber; as we have learnt: He who plants for a hedge or for timber is exempt from the law of 'orlah.(4)

What is the distinction that a young shoot is annulled [when grafted] on an old stem(5) but not [when grafted] on a young shoot?(6) — In the former case if he reconsiders his intention with regard to it, it is incapable of retraction;(7) but in the latter case if he reconsiders his intention with regard to it, it is capable of retraction(8) since it is then analogous to [plants which] grow of themselves;(9) for we have learnt: When they grow of themselves they are liable to 'orlah. But let him explain [the Mishnah(10) as dealing with] the case of a vineyard belonging to two partners, where each returns home on account of his own [grafting]!(11) — R. Papa declared: This is to say that in the case of a vineyard belonging to two partners, the war-regulations do not apply to it.(12) Why, then, is it different with five brothers, one of whom dies in battle,(13) that they all return home? — In the latter illustration we apply the words 'his wife' to each one of them;(14) but in the other we cannot apply the words 'his vineyard' to each one of them.(15)

R. Nahman b. Isaac said: [The Mishnah deals with the] case where he grafted(16) a tree into vegetables, and this accords with the view of the teacher responsible for the following teaching: If one bends(17) a tree into vegetables — Rabban Simeon b. Gamaliel allows it in the name of R. Judah b. Gamda of Kefar Acco,(18) but the Sages forbid it. When R. Dimi came [from Palestine to Babylon] he reported in the name of R. Johanan, Whose teaching is it?(19) It is that of R. Eliezer b. Jacob. Did not R. Eliezer b. Jacob declare above, The word 'vineyard' [is to be interpreted] according to its usual definition? So here

also 'planted' [is to be interpreted] according to its usual definition; hence if he planted he does [return home], but if he bends or grafts he does not.(20)

When R. Dimi came he reported that R. Johanan said in the name of R. Eliezer b. Jacob: A young shoot less than a handbreadth in height is liable for 'orlah so long as it appears to be a year old;(21) but this only applies where there are two plants with two other plants parallel to them and one in front.(22) Should, however, the entire vineyard [consist of such shoots], then it is talked about.(23)

When R. Dimi came he reported that R. Johanan said in the name of R. Eliezer b. Jacob: A dead body affects four cubits with respect to the recital of the shema',(24) as it is said: Whoso mocketh the poor reproacheth his Maker.(25)

R. Isaac declared that R. Johanan said in the name of R. Eliezer b. Jacob: A step-daughter reared with her [step-] brothers is forbidden to marry one of them because she appears to be their sister. But this is not so since the relationship is generally known.(26)

R. Isaac also declared that R. Johanan said in the name of R. Eliezer b. Jacob: If gleanings, forgotten sheaves and the corner of the field(27) are gathered into a barn, they become subject to the tithe.(28) 'Ulla said: He only intended this to refer to a rural district, but in the city the fact [that the owner is a poor man who collected the produce from the fields of others] is generally known.

R. Isaac also declared that R. Johanan said in the name of R. Eliezer b. Jacob: A shoot which is less than a handbreadth in height does not make the seeds forfeit;(29) but this only applies when there are two plants with two other plants parallel to them and one in front. Should, however, the entire vineyard [consist of such shoots] it does make [the seeds] forfeit.

R. Isaac also declared that R. Johanan said in the name of R. Eliezer b. Jacob:

1. Consequently a robber may return home.
2. Two different species.
3. Lit., 'circumcision', the Law of Lev. XIX, 23 forbidding the enjoyment of the fruit of a tree during the first three years of growth. Since this regulation does not apply to a young shoot grafted on an old stem, it is not regarded as a new planting.
4. And similarly he would not have to return on account of it.
5. And its fruit is not subject to 'orlah.
6. [Since it has been stated that one returns on account of a young shoot grafted on to another which has been planted for timber.]
7. An old stem can never become young again, consequently the young shoot grafted to it becomes annulled.
8. The planter can change his mind within the first three years, and determine the purpose of the young shoot, originally grafted for timber, to be for fruit, so that it becomes itself subject to 'orlah.
9. And at the time of their plantation there was no definite purpose in the mind of the planter whether it was for fruit or timber.

10. Which rules that one returns on account of grafting.
11. [Instead of the far-fetched circumstance where the first young shoot was planted for timber.]
12. Lit., 'they do not return on account of it from the army'. The partners do not have exemption for a new planting or grafting which belongs to them jointly, so that the Mishnah cannot deal with such a case.
13. Leaving no offspring so that his wife is due to marry one of his brothers.
14. Since it is not determined which one will marry her.
15. Because it belongs to them jointly.
16. [So Rashi. Rabina is answering the question in the Mishnah exempting one who grafts, cur. edd: 'bent'.]
17. [Tosef. Kil. I, has 'grafts'.]
18. [Being a permissible grafting it exempts the owner.]
19. Viz., the statement above: is to exclude one who bends or grafts (the vine).
20. [Even in a permissible case of bending or grafting.]
21. Because if he uses its fruit, it might seem to others that he was doing what was forbidden.
22. Five plants so arranged are considered a vineyard, to which all agree that the law of 'orlah applies, v. Ber. 35a.
23. It is generally known that the vineyard has this peculiarity, and he may use the fruit.
24. It may not be recited within the four cubits.
25. Prov. XVII, 5. To perform a precept near a corpse is to deride it, since it is denied the privilege.
26. That they have neither father or mother in common.
27. V. Lev. XIX, 9f. and Deut. XXIV, 19.
28. Because people may think that it is the produce of the man's field.
29. Under the law forbidding mixture; v. Deut. XXII, 9.

Folio 44a

A dead body affects four cubits with respect to communicating defilement.(1) Similarly teaches a Tanna: With a fore-court of a burial vault,(2) whoever stands within it is clean, provided there is in it a space of four cubits.(3) Such is the statement of Beth Shammai; but Beth Hillel declare, [A space of] four handbreadths'.(3) When does this(4) apply? If the entrance is from above; but if the entrance is from the side,(5) all agree that [a space of] four cubits [is necessary]. This should be just the reverse!(6) On the contrary, when [the entrance is] from the side, he merely steps aside and goes out; but when it is from above it is impossible for him to avoid forming a cover!(7) — But read thus: when does [the statement of Beth Hillel] apply? To [a vault] whose entrance is from the side; but if the entrance is from above [a space of] four cubits [is necessary].(8) Now [the teaching that one is clean who stands therein] only holds good of a fore-court of a burial vault where the partitions [between the graves and the fore-court] are distinctly marked, but a corpse in general affects four cubits.(9)

AND WHAT MAN IS THERE THAT HATH BETROTHED A WIFE? etc. Our Rabbis taught: 'That hath betrothed' — it is all one whether he betrothed a virgin or a widow or a childless widow waiting for her brother-in-law; and even when there are five brothers, one of whom died in battle, they all return home.(10) [The fact that Scripture does not read] 'and hath not taken' but 'and hath not taken her' is to exclude a High Priest who married a widow, an ordinary priest who married a divorcee or a Haluzah, a lay Israelite who married an illegitimate or a Nethinah, or a daughter of an Israelite married to an illegitimate or a Nathin. Is this to say that [this teaching is] not in agreement with R. Jose the Galilean? For if it agreed with R. Jose the Galilean, behold he has said: 'Fainthearted' i.e., he who is afraid because of the transgressions he had committed!(11) — You may even say that it agrees with R. Jose the Galilean, and it is in accord with Rabbah; for Rabbah said: He is certainly not guilty until he has cohabited with her. For what is the reason [of the prohibition] shall he not take?(12) So that he shall not profane [his seed].(13) Hence he does not receive the punishment of lashes(14) until he has cohabited with her.

Our Rabbis taught: [The order of the phrases is] 'that hath built', 'that hath planted', 'that hath betrothed'. The Torah has thus taught a rule of conduct: that a man should build a house, plant a vineyard and then marry a wife. Similarly declared Solomon in his wisdom, Prepare thy work without, and make it ready for thee in the field, and afterwards build thine house(15) — 'prepare thy work without', i.e., a dwelling. place; 'and make it ready for thee in the field', i.e., a vineyard; 'and afterwards build thine house', i.e., a wife. Another interpretation is: 'prepare thy work without', i.e., Scripture; 'and make it ready for thee in the field', i.e., Mishnah; 'and afterwards build thine house', i.e., Gemara. Another explanation is: 'prepare thy work without', i.e., Scripture and Mishnah; 'and make it ready for thee in the field', i.e., Gemara; 'and afterwards build thine house,' i.e., good deeds. R. Eliezer, son of R. Jose the Galilean says: 'Prepare thy work without,' i.e., Scripture: Mishnah and Gemara; 'and make it ready for thee in the field,' i.e., good deeds; 'and afterwards build thine house, i.e., make research [in the Torah] and receive the reward.

THE FOLLOWING DO NOT RETURN HOME: HE WHO BUILT A LODGE etc. A Tanna taught: If [when rebuilding the house] he adds a row [of fresh bricks] to it, he does return home.(16)

R. ELIEZER SAYS: ALSO HE WHO BUILT A BRICK-HOUSE IN SHARON DOES NOT RETURN HOME. A Tanna taught: [The reason is] because they have to renew it twice in a period of seven years.

THE FOLLOWING DO NOT MOVE FROM THEIR PLACE: HE WHO BUILT A NEW HOUSE AND DEDICATED IT etc. Our Rabbis taught: A new wife(17) — I have here only 'a new wife'; whence is it [that the law applies also to] a widow and divorcee? There is a text to state 'wife', i.e., in every case. Why, however, does the text state 'a new wife'? [It means] one who is new to him, thus excluding the case of a man who takes back his divorced wife, since she is not new to him.

Our Rabbis taught: He shall not go out in the host(18) — and it is possible to think that he does not go out in the host, but he supplies water and food and repairs the roads [for the army]; therefore there is a text to state, 'Neither shall he be charged with any business'. It is possible to think that I am also to include [among those who do not move from their place] the man who built a house but did not dedicate it, or planted a vineyard and did not use its fruit, or betrothed a wife but did not take her; therefore there is a text to state, 'Neither shall he be charged' — but you may charge others.(19) Since, however, it is written 'Neither shall he be charged', what is the purpose of 'He shall not go out in the host'?(20) So that a transgression of the Law should involve two prohibitions.

MISHNAH. AND THE OFFICERS SHALL SPEAK FURTHER UNTO THE PEOPLE ETC.(21) R. AKIBA SAYS: 'FEARFUL AND FAINTHEARTED IS TO BE UNDERSTOOD LITERALLY VIZ., HE IS UNABLE TO STAND IN THE BATTLE-RANKS AND SEE A DRAWN SWORD. R. JOSE THE GALILEAN SAYS: 'FEARFUL AND FAINTHEARTED' ALLUDES TO ONE WHO IS AFRAID BECAUSE OF THE TRANSGRESSIONS HE HAD COMMITTED; THEREFORE THE TORAH CONNECTED ALL THESE(22) WITH HIM THAT HE MAY RETURN HOME ON THEIR ACCOUNT.(23) R. JOSE SAYS: A HIGH PRIEST WHO MARRIED A WIDOW, AN ORDINARY PRIEST WHO MARRIED A DIVORCEE OR HALUZAH, A LAY ISRAELITE WHO MARRIED AN ILLEGITIMATE OR NETHINAH, AND THE DAUGHTER OF AN ISRAELITE WHO MARRIED AN ILLEGITIMATE OR A NATHIN-BEHOLD SUCH AN ONE IS 'FEARFUL AND FAINTHEARTED'.(24)

AND IT SHALL BE, WHEN THE OFFICERS HAVE MADE AN END OF SPEAKING UNTO THE PEOPLE, THAT THEY SHALL APPOINT CAPTAINS OF HOSTS AT THE HEAD OF THE PEOPLE.(25) AND AT THE REAR OF THE PEOPLE THEY STATION GUARDS IN FRONT OF THEM AND OTHERS BEHIND THEM, WITH IRON AXES IN THEIR HANDS, AND SHOULD ANYONE WISH TO FLEE, THEY HAVE PERMISSION TO SMITE HIS THIGHS,

1. Whoever comes within that distance is rendered unclean.
2. V. B.B. (Sonc. ed.) p. 422 for diagram.
3. V. op. cit. p. 423.
4. The more lenient requirement of the School of Hillel.
5. [This means apparently that the sepulchral chambers surrounded the fore-court only on three sides, the fourth side being left open. V. R. Samson of Sens commentary on Oh. loc. cit.]

6. Viz., that when the entrance is from the side the requirement should be less strict.
7. When he climbs up to get out he may put his hands upon the graves; therefore a larger space should be required since the probability of contracting defilement is greater.
8. [This is the end of the cited Mishnah Oh. XV, 8. What follows is from a Baraitha another version of which is to be found in Tosef. Oh. XV.]
9. [Even according to Beth Hillel, otherwise what need for their ruling in the case of one standing in a fore-court? The Tanna of the cited Mishnah is thus in support of R. Eliezer b. Jacob.]
10. V. supra p. 214.
11. If that is so, the men who contracted an illegal marriage should return home.
12. Lev. XXI, 14, referring to the women forbidden in marriage to a High Priest.
13. Ibid. 15.
14. And but for the verse 'and hath not taken her', they would not be exempted where there was betrothal.
15. Prov. XXIV, 27.
16. It is then regarded as a new house.
17. Deut. XXIV, 5.
18. Ibid.
19. E.g., who have built a house and not dedicated it or betrothed a woman and not taken her to wife.
20. The former surely includes the latter.
21. Deut. XX, 8.
22. Those who had exemption because of a new house etc.
23. Otherwise anyone who claimed exemption because of sinfulness had to expose himself publicly as a transgressor.
24. The difference in the point of view of R. Jose the Galilean and R. Jose will be explained in the Gemara.
25. Deut. XX, 9.

BECAUSE THE BEGINNING OF FLIGHT IS FALLING,(1) AS IT IS SAID, ISRAEL IS FLED BEFORE THE PHILISTINES, AND THERE HATH BEEN A GREAT SLAUGHTER AMONG THE PEOPLE;(2) AND FURTHER ON IT STATES, AND THE MEN OF ISRAEL FLED FROM BEFORE THE PHILISTINES AND FELL DOWN SLAIN ETC.(3)

TO WHAT DOES ALL THE FOREGOING APPLY? TO VOLUNTARY WARS, BUT IN THE WARS COMMANDED BY THE TORAH(4) ALL GO FORTH EVEN A BRIDEGROOM FROM HIS CHAMBER AND A BRIDE FROM HER CANOPY.(5) R. JUDAH SAYS: TO WHAT DOES ALL THE FOREGOING APPLY? TO THE WARS COMMANDED BY THE TORAH; BUT IN OBLIGATORY WARS(6) ALL GO FORTH, EVEN A BRIDEGROOM FROM HIS CHAMBER AND A BRIDE FROM HER CANOPY.

GEMARA. What is the difference between R. Jose and R. Jose the Galilean?(7) — The issue between them is the transgression of a Rabbinical ordinance.(8) With whom does the following teaching accord: He who speaks between [donning] one phylactery and the other(9) has committed a transgression and returns home under the war-regulations? With whom [does it accord]? With R. Jose the Galilean. Who is the Tanna of the following: Our Rabbis taught: If he heard the sound of trumpets and was terror-stricken, or the crash of shields and was terror-stricken, or [beheld] the brandishing of swords and the urine discharged itself upon his knees, he returns home? With whom [does it accord]? Are we to say that it is with R. Akiba and not R. Jose the Galilean?(10) — In such a circumstance even R. Jose the Galilean admits [that he returns home], because it is written: Lest his brethren's heart melt as his heart.(11)

AND IT SHALL BE, WHEN THE OFFICERS HAVE MADE AN END etc. The phrase, BECAUSE THE BEGINNING OF FLIGHT IS FALLING should be, 'because falling is the beginning of flight'! Read [in the Mishnah]: Because falling is the beginning of flight.

TO WHAT DOES ALL THE FOREGOING APPLY? TO VOLUNTARY WARS etc. R. Johanan said: [A war] which is [designated] voluntary according to the Rabbis is commanded according to R. Judah,(12) and [a war] which is [designated] commanded according to the Rabbis is obligatory according to R. Judah.(13) Raba said:(14) The wars waged by Joshua to conquer [Canaan] were obligatory in the opinion of all; the wars waged by the House of David for territorial expansion were voluntary in the opinion of all; where they differ is with regard to [wars] against heathens so that these should not march against them. One(15) calls them commanded and the other voluntary, the practical issue being that one who is engaged in the performance of a commandment is exempt from the performance of another commandment.(16)

CHAPTER IX

MISHNAH. [THE DECLARATION OVER] THE HEIFER WHOSE NECK IS TO BE BROKEN MUST BE IN THE HOLY TONGUE; AS IT IS SAID, IF ONE BE FOUND SLAIN IN THE EARTH … THEN THY ELDERS AND THY JUDGES SHALL COME FORTH.(17) THREE USED TO GO FORTH FROM THE SUPREME COURT IN

JERUSALEM; R. JUDAH SAYS: FIVE, AS IT IS STATED, THY ELDERS, I.E., TWO, 'AND THY JUDGES' I.E., TWO, AND SINCE A COURT OF JUSTICE CANNOT CONSIST OF AN EVEN NUMBER, THEY ADD ONE MORE.

IF [THE CORPSE] WAS FOUND HIDDEN IN A HEAP OF STONES, OR HANGING ON A TREE, OR FLOATING UPON THE SURFACE OF THE WATER, THEY DO NOT BREAK [A HEIFER'S NECK]. BECAUSE IT IS STATED, 'IN THE EARTH' — AND NOT HIDDEN IN A HEAP OF STONES, NOR HANGING ON A TREE IN A FIELD, NOR FLOATING UPON THE SURFACE OF THE WATER. IF IT WAS FOUND NEAR TO THE FRONTIER, OR A CITY THE MAJORITY OF WHOSE INHABITANTS WERE HEATHENS, OR A CITY IN WHICH THERE IS NO COURT OF JUSTICE, THEY DO NOT BREAK [A HEIFER'S NECK]. THEY ONLY MEASURE(18) THE DISTANCE TO A CITY IN WHICH THERE IS A COURT OF JUSTICE.

GEMARA. How does [the author of the Mishnah] prove his point?(19) — R. Abbahu said: This is what he intends: It is stated: And they shall answer and say(20) and elsewhere it is stated: And the Levites shall answer and say etc.,(21) as the answering mentioned in this latter passage was in the holy tongue, so here also it was in the holy tongue, and as to the procedure in the ceremony of the heifer whose neck was to be broken — IF ONE BE FOUND SLAIN IN THE EARTH … THEN THY ELDERS AND THY JUDGES SHALL COME FORTH. THREE USED TO GO FORTH FROM THE SUPREME COURT IN JERUSALEM; R. JUDAH SAYS: FIVE etc.

Our(22) Rabbis taught: 'Then thy elders and thy judges shall come forth' — 'thy elders', i.e., two, 'and thy judges', i.e., two, and since a Court of justice cannot consist of an even number, they add one more; hence there were five. Such is the statement of R. Judah; but R. Simeon says: 'Thy elders', i.e., two, and since a Court of Justice cannot consist of an even number, they add one more; hence there were three. But for R. Simeon also it is written 'and thy judges'! — He requires that for [the teaching that they must be] the most distinguished of thy judges. And [where does] R. Judah [derive the teaching that they must be the most distinguished]? — It follows from 'thy' in 'thy elders'.(23) [How does] R. Simeon [meet this argument]? — If the All-Merciful had only written 'elders', I might have thought that even old men from the market-place [would suffice]; therefore the All-Merciful wrote 'thy elders'. If, further, the All-Merciful had only written 'thy elders', I might have thought that even [members of] a minor Sanhedrin(24) [would suffice]; therefore the All-Merciful wrote 'and thy judges' i.e., the most distinguished of thy judges. [Where does] R. Judah [derive the teaching that they must be members of the Supreme Court]? — He draws an analogy between the use of the word 'elders' here and in the phrase the elders of the Congregation;(25) as it there denotes the most distinguished men of the congregation so here also it denotes the most distinguished men of the congregation. If he makes a deduction, then let him deduce the whole from there and what is the necessity of 'and thy judges'!(26) — But the 'and' in 'and thy judges' [denotes that the phrase is to be used] for obtaining the requisite number. [How does] R. Simeon [meet this argument]?(27)

1. The Gemara reverses the wording here.
2. I Sam. IV, 27.
3. Ibid. XXXI, I.

4. E.g., the conquest of Canaan and the annihilation of the Amalekites (Deut. XXV, 19).
5. The women provided food for the troops.
6. In defence against attack.
7. Since they agree in defining 'fainthearted' as one afraid of his sins.
8. R. Jose does not consider this sufficient to warrant exemption; therefore in the Mishnah he instances marriages forbidden by the Torah as the kind of transgression for which exemption may be claimed.
9. Upon the arm and the forehead. It is forbidden to speak between the putting on of the two.
10. Since the latter does not understand 'fainthearted' as relating to physical fear.
11. Deut. XX, 8.
12. They differ in terminology but agree that a bridegroom does not serve.
13. They agree that a bridegroom must serve.
14. Raba explains R. Johanan's statement.
15. R. Judah.
16. If it is to be considered a war commanded by the Torah, those engaged in it are exempt from the performance of other commandments.
17. Deut. XXI, 1ff.
18. The distance between the corpse and the nearest city (ibid. 2).
19. That the declaration must be in Hebrew. The verse adduced affords no proof.
20. Ibid. 7.
21. Ibid. XXVII, 14.
22. On the whole passage, v. Sanh. (Sonc. ed.) pp. 66ff.
23. It would have been sufficient for the text to read: Then elders shall go forth.
24. Consisting of twenty-three members, and not the Great Sanhedrin in Jerusalem of seventy-one members.
25. E.g., in Lev. IV, 15.
26. In Sanh. 3b it is argued that Lev. IV, 15 must be interpreted in the sense that five elders are required; that being so, why does not R. Judah use that argument and not 'and thy judges' for his opinion that five are necessary?
27. Since he only requires three.

Folio 45a

He draws no deduction from 'and';(1) (for what then does the All-Merciful intend by the phrase? — They are to be the most distinguished of thy judges.)(2) But on this line of argument: 'and they shall come forth'(3) i.e., two, 'and they shall measure' i.e., two; according to R. Judah, then, there must be nine and according to R. Simeon there must be seven!(4) — [No; the two phrases] are required for the following teaching:(5) 'They shall come forth' — they and not their agents; 'and they shall measure' — even if it is found obviously near to a particular city,(6) they must still measure since it is a commandment to carry out the measurement.

Our Mishnah is not in agreement with R. Eliezer b. Jacob; for it has been taught: R. Eliezer b. Jacob says: 'Thy elders' i.e., the Sanhedrin; 'thy judges' i.e., the king and High priest-the king, for it is written: The king by judgment establisheth the land;(7) and the High priest, for it is written: And thou shalt come unto the priests the Levites, and unto the judge that shall be etc.(8) The question was asked: Is R. Eliezer b. Jacob only at variance [in defining 'judges'] as the king and High priest, but as regards [the number of members of] the Sanhedrin does he agree with R. Judah or R. Simeon; or perhaps he is also at variance on that matter too and requires the whole of the Sanhedrin? — R. Joseph said: Come and hear: If they(9) found a rebellious elder(10) in Beth Pagi,(11) and he rebelled against them,(12) it is possible to think that his act of rebellion is punishable; therefore there is a text to State, Then shalt thou arise and get thee up unto the place.(13) This teaches that the 'place' determines [whether the act of rebellion is punishable].

Now how many of them had gone forth [from the Great Sanhedrin to Beth Pagi]? If I say that only a part of them had gone forth, perhaps they who remain behind are of the same opinion as the accused!(14) It is therefore evident that all must go forth. And for what purpose? If for a secular object, was it possible for them all to go? For behold it is written: Thy navel is like a round goblet, wherein no mingled wine is wanting,(15) so that should a member have need to go out [from the hall where the Sanhedrin was in session], he may only do so if twenty-three [of his colleagues] remain, corresponding to the number of a minor Sanhedrin, otherwise he may not leave! Obviously, then, [they had gone forth] for a religious object. For what object? Must it not be to measure in connection with the heifer, according to the opinion of R. Eliezer b. Jacob?(16) — Abaye said to [R. Joseph], No; [they may all go forth for such a purpose as] to add to the boundaries of the city [of Jerusalem] or the Temple-courts; as we have learnt: We do not add to the boundaries of the city [of Jerusalem] or the Temple-courts except by a Court of seventy-one.(17) There is a teaching in agreement with R. Joseph: If they(18) met in Beth Pagi, and [an elder] rebelled against them; e.g., they went forth to carry out a measurement in connection with the heifer, or to add to the boundaries of the city [of Jerusalem] or the Temple-courts,(19) it is possible to think that his act of rebellion is punishable; therefore there is a text to State, Then shalt thou arise and get thee up [etc.].(13) This teaches that the 'place' determines [whether the act of rebellion is punishable].

IF [THE CORPSE] WAS FOUND HIDDEN IN A HEAP OF STONES, OR HANGING ON A TREE. Is this to say that our Mishnah agrees with R. Judah and not the Rabbis? For it has been taught: And hast forgot a sheaf in the field(20) — this excludes [a sheaf] which was hidden; such is the statement of R. Judah, but the Sages declare that 'in the field' is to include a hidden sheaf!(21) — Rab said: You may even maintain that it agrees with the

Rabbis since each case is to be explained in the light of its context. [In connection with the corpse] it is written: 'If one be found slain,' i.e., wherever it be found; 'in the earth', i.e., to the exclusion of one which is hidden. The other case [of the sheaf] is to be explained in the light of the context; for it is written: 'When thou reapest thine harvest in thy field and hast forgot a sheaf. There is an analogy between the forgotten sheaf and the harvesting: as the harvesting is visible to all so the forgotten sheaf must be visible to all;(22) and the fact that the All-Merciful wrote 'in the field' is to include a hidden sheaf. Then let R. Judah likewise draw an analogy between the forgotten sheaf and the harvesting!(23) — He actually does so; but [he argues], What is the purpose of 'in the field'? It is required to include standing-corn which is forgotten.(24) From where, then, do the Rabbis derive the regulation of standing-corn which is forgotten? — They derive it from, When thou reapest thine harvest in thy field [and hast forgot].(25) And [how does] R. Judah [explain this phrase]? — He requires it for the teaching of R. Abbahu in the name of R. Eleazar; for R. Abbahu said in the name of R. Eleazar: It excludes the case where sheaves were carried [by the wind] into his neighbours' field.(26) And [from where] do the Rabbis [derive this regulation]? — From the fact that Scripture has 'thy field' and not merely 'the field'. And [what of] R. Judah? — He draws no inference from 'thy field' as distinct from 'the field'.

R. Jeremiah asked: How is it if sheaves were carried(27) into his own field? Is the air-space above a field identical with the field or not? — R. Kahana said to R. Papi another version is, R. Kahana said to R. Zebid, The problem is to be solved from the teaching of R. Abbahu who said in the name of R. Eleazar, 'It excludes the case where sheaves were carried [by the wind] into his neighbour's field,' implying, does it not, that only [when they are carried into] his neighbour's field they are [excluded], but [if the wind drops them] into his own field they are not!(28) But according to your reasoning, [it would follow that] if the sheaves were carried into his neighbour's field [and alighted upon a stone, etc.,] they are excluded, but should they lie [upon the ground] they are not;(29) surely we require [the sheaves to be] 'in thy field', but they are not there! Rather must they [argue thus:(30) 'It excludes when the sheaves were] in his neighbour's field' even if actually lying upon the ground; and the expression 'carried' is only employed because this could have happened only if they were 'carried' [by the force of the wind].

Come and hear: If he laid hold of a sheaf to convey it into the city, placed it on top of another sheaf belonging to his neighbour and forgot it, the lower is considered to be a forgotten sheaf but not the upper. R. Simeon b. Judah says in the name of R. Simeon: Neither is a forgotten sheaf, the lower because it is hidden and the upper because it is suspended.(31) Hence they only differ as regards the lower, but with respect to the upper they all agree that it is not a hidden sheaf!(32) — It is different in this circumstance, because having taken hold of it he has the right to it. If that is so,(33) why use the argument 'placed it on top of another sheaf belonging to his neighbour'? It would have been the same if he had laid it upon the field [of his neighbour]! — That is so; but he used the illustration of 'on top of another sheaf belonging to his neighbour', because of the instance of the lower sheaf [about which there was a difference of opinion]. Why, then, should he use the phrase 'because it is suspended'!(34) — Read: because it is like something suspended.(35)

Abaye said: Behold I am like Ben Azzai in the streets of Tiberias.(36) So one of the Rabbis asked Abaye, If there were two corpses, one on top of the other,(37) from which is the

measurement taken? [Do we argue that with] two things of the same kind [the lower] is regarded as hidden and with two things of the same kind [the upper] is not regarded as suspended, so that he takes the measurement from the upper; or perhaps with two things of the same kind [the upper] is regarded as suspended and with two things of the same kind [the lower] is not regarded as hidden, so that he takes the measurement from the lower; or perhaps with two things of the same kind [the lower] is regarded as hidden and with two things of the same kind [the upper] is regarded as suspended, so that he takes measurement neither from the lower nor the upper! — He replied to him,

1. I.e., he does not expound the analogy.
2. [This passage, which is bracketed in cur. edd., is rightly omitted in some texts.]
3. Deut. XXI, 2.
4. The former obtained the number five from 'thy elders and thy judges' and now four more are to be added.
5. And are not to be used to add to the number of elders.
6. So that there is no need for measuring.
7. Prov. XXIX, 4.
8. Deut. XVII, 9. 'And' is understood as 'evenð; therefore the priests acted as judges; and since one in particular is specified in 'the judge' it must be the High Priest.
9. The number of the Great Sanhedrin.
10. One who refused to abide by the decision of the Sanhedrin, Deut. XVII, 8.
11. A place within the walls of Jerusalem. Origen mentions that it was a village inhabited by priests.
12. Against the decision of the local Sanhedrin to whom a disputed point of law was submitted.
13. Deut. XVII, 8, i.e., the Temple mount, the locale of the Great Sanhedrin.
14. How then could the rebellious elder be condemned?
15. Cant. VII, 3, E.V. 2. This verse is applied to the Sanhedrin, called 'navel', because it sat in a place which was considered to be the centre of the world. 'Mingled wine' is defined (Shab. 77a) as diluted with two-thirds of water. Hence one third of the Sanhedrin must at least be present at a session.
16. Who, ex hypothesi, requires the presence of the entire Sanhedrin.
17. Sanh. I, 5.
18. The Great Sanhedrin.
19. So it is possible that they all went out to do the measuring.
20. Deut. XXIV, 19.
21. The former explains 'in the field' as lying about upon the surface of the field; the Rabbis understand it as hidden somewhere in the field.

22. And the reaper merely overlooked it.
23. And not maintain that it is excluded.
24. If he forgot to cut down a portion of the corn, this remains for the poor.
25. They connect 'forgot' with 'thy field', so that the forgetting applies also to corn standing in the field.
26. And thinking that they were not his, he left them.
27. Some texts read 'afu (flew) instead of zafu. The question relates to the circumstance where the sheaves did not fall upon the field but upon a stone or something similar, so that they were suspended above the field.
28. Consequently so long as the sheaves are in his own field, they come within the law of the forgotten sheaf.
29. And come within the law of the forgotten sheaf.
30. With reference to the teaching of R. Abbabu.
31. Not lying upon the ground.
32. This conclusion would therefore answer R. Jeremiah's question.
33. That his having taken hold of it precludes it from being regarded as a forgotten sheaf.
34. Since it was irrelevant to the issue.
35. It is exempt from the law of the forgotten sheaf because, having been in the owner's hand, it is like something suspended and not lying upon the ground.
36. I.e., in his own town of Pumbeditha he felt as competent to solve difficult problems as did Ben Azzai in his city of Tiberias.
37. The top one is not fully over the other, so that if the measurements are taken from the two, a different city would be the nearest in each case.

You have it stated: 'If he laid hold of a sheaf to convey it into the city, placed it on top of another sheaf belonging to his neighbour and forgot it, the lower is considered to be a forgotten sheaf but not the upper. R. Simeon b. Judah says in the name of R. Simeon: Neither is a forgotten sheaf, the lower because it is hidden and the upper because it is suspended. Now they were(1) of the opinion that these Tannaim agreed with R. Judah who said: 'In the field', i.e., to the exclusion of one which is hidden. Do they, then, not differ on this issue: One holds that with two things of the same kind [the lower] is regarded as hidden, and the other holds it is not regarded as hidden? — No; if they were of the same opinion as R. Judah, they all agree that with two things of the same kind [the lower] is regarded as hidden; but here the difference is the same as that of R. Judah and the Rabbis. The Rabbis here agree with the Rabbis there,(2) and R. Simeon b. Judah agrees with R. Judah.(3) If that is so, why use the argument 'on top of another sheaf belonging to his neighbour'? It would have been the same if he had placed it on the earth or on pebbles! That is so; but the purpose was to let you know how strong is the position of R. Judah who said that even with two things of the same kind [the lower] is regarded as hidden.

Our Rabbis taught: 'Slain,' but not strangled,(4) 'slain,' but not one who is expiring;(5) 'in the land', but not hidden in a heap of stones; 'lying', but not hanging on a tree; 'in the earth', but not floating upon the surface of the water. R. Eleazar says: In all these cases, if the person had been slain, they break the heifer's neck. It has been taught: R. Jose b. Judah said: They asked R. Eleazar, Do you not admit that if he had been strangled and was lying upon a dung-heap,(6) they do not break the heifer's neck?(7) [Yes:] consequently [you must agree that] 'slain' indicates one who is not strangled; similarly 'in the earth' indicates one who is not hidden in a heap of stones, 'lying' one who is not hanging on a tree, 'in the earth' one who is not floating upon the surface of the water! [How does] R. Eleazar [meet this argument]? — The word 'slain' is written redundantly.(8)

IF IT WAS FOUND NEAR TO THE FRONTIER, OR A CITY THE MAJORITY OF WHOSE INHABITANTS WERE GENTILES etc. Because it is written 'be found', thus excluding what commonly occurs.(9)

OR A CITY IN WHICH THERE IS NO COURT OF JUSTICE. Because we require 'the elders of that city', and such are not [forthcoming].

THEY ONLY MEASURE THE DISTANCE TO A CITY [IN WHICH THERE IS A COURT OF JUSTICE]. This is obvious! Since he stated: OR A CITY IN WHICH IS NO COURT OF JUSTICE [etc.], I know that they only measure the distance to a city in which there is a Court of Justice! — He thereby informs us what is taught in the following: Whence is it that if it was found near a city in which there is no Court of Justice, they leave [the city out] and measure to [the nearest] city which has a Court of Justice? There is a text to state, The elders of that city shall take,(10) i.e., in every case.(11)

MISHNAH. IF [THE CORPSE] WAS FOUND EXACTLY BETWEEN TWO CITIES, BOTH OF THEM BRING TWO HEIFERS [BETWEEN THEM]. SUCH IS THE STATEMENT OF R. ELIEZER;(12) BUT JERUSALEM DOES NOT BRING A HEIFER WHOSE NECK IS TO BE BROKEN. IF THE HEAD WAS FOUND IN ONE PLACE AND THE BODY IN ANOTHER PLACE, THEY CARRY THE HEAD TO THE BODY. SUCH IS THE STATEMENT OF R. ELIEZER.(13) R. AKIBA SAYS: [THEY CARRY]

THE BODY TO THE HEAD. FROM WHAT PART [OF THE BODY] DO THEY MEASURE? R. ELIEZER SAYS: FROM THE NAVEL; R. AKIBA SAYS: FROM THE NOSE; R. ELIEZER B. JACOB SAYS: FROM THE PLACE WHERE HE WAS MADE A SLAIN PERSON, FROM THE NECK.

GEMARA. What is R. Eliezer's reason?(13) — He holds that it is possible to make an exact measurement; and the word 'nearest'(14) holds good of even more than one city.

BUT JERUSALEM DOES NOT BRING A HEIFER WHOSE NECK IS TO BE BROKEN. Because Scripture declares, To possess it,(15) and he is of the opinion that Jerusalem was not apportioned among the tribes.

IF THE HEAD WAS FOUND IN ONE PLACE etc. In what do they differ? If I should say that they differ on the question from where the measurement is to be taken, behold since [the author of the Mishnah] states in the sequel: FROM WHAT PART [OF THE BODY] DO THEY MEASURE? it follows that we are not dealing here with the subject of measurement! — R. Isaac said: They differ because of the regulation that a meth mizwah(16) acquires his place; and thus he means to say: He acquires his place for burial, and where the head is found in one place and the body in another, they carry the head to the body [and bury it there]. Such is the statement of R. Eliezer; but R. Akiba says, [They carry] the body to the head [and bury it there]. In what do they differ? One is of the opinion that the body is in the place where it fell and the head rolled away, while the other is of the opinion that the head remains in the place where it falls while the body falls some way off.

FROM WHAT PART [OF THE BODY] DO THEY MEASURE? In what do they differ? One is of the opinion that the source of existence is in the nose, while the other is of the opinion that the source of existence is in the navel. Is this to say [that they differ on the same point] as the following teachers: From where is the embryo formed? From the head, and thus it states: Thou art He that took me [gozi] out of my mother's womb,(17) and it further states: Cut off [gozi] thine hair and cast it away etc.(18) Abba Saul Says: It is from the navel, and its root spreads in all directions [from there]! — You may even say that Abba Saul [agrees with R. Akiba], because Abba Saul's statement only applies to the formation, that when an embryo is formed it is formed from the centre, but with respect to existence all agree that [its source is] in the nose; for it is written: All in whose nostrils was the breath of the spirit of life etc.(19)

R. ELIEZER B. JACOB SAYS: FROM THE PLACE WHERE HE WAS MADE A SLAIN PERSON, FROM THE NECK. What is the reason of R. Eliezer b. Jacob? — Because it is written: To lay thee upon the necks of the wicked that are slain.(20)

MISHNAH. WHEN THE ELDERS OF JERUSALEM(21) HAD DEPARTED AND GONE AWAY, THE ELDERS OF THAT CITY(22) TAKE A HEIFER OF THE HERD(23) WHICH HAS NOT DRAWN IN THE YOKE, AND A BLEMISH DOES NOT DISQUALIFY IT. THEY BRING IT DOWN TO A RAVINE WHICH IS STONY(24) — 'ETHAN' IS TO BE UNDERSTOOD IN ITS LITERAL SENSE OF 'HARD' — BUT EVEN IF IT BE NOT STONY, IT IS FIT [FOR THE CEREMONY]. THEY THEN BREAK ITS NECK WITH A HATCHET FROM BEHIND.(25) THE SITE MAY NEVER BE SOWN OR TILLED, BUT IT IS PERMITTED TO CARD FLAX AND CHISEL STONES THERE. THE ELDERS OF THAT CITY THEN WASH THEIR HANDS WITH WATER IN THE PLACE WHERE THE HEIFER'S NECK WAS

BROKEN AND DECLARE, OUR HANDS HAVE NOT SHED THIS BLOOD, NEITHER HAVE OUR EYES SEEN IT.(26) BUT CAN IT ENTER OUR MINDS THAT THE ELDERS OF A COURT OF JUSTICE ARE SHEDDERS OF BLOOD! [THE MEANING OF THEIR STATEMENT IS], HOWEVER, [THE MAN FOUND DEAD] DID NOT COME TO US [FOR HELP] AND WE DISMISSED HIM WITHOUT SUPPLYING HIM WITH FOOD, WE DID NOT SEE HIM AND LET HIM GO WITHOUT ESCORT.(27)

1. The scholars who thought of solving the question from this Baraitha.
2. Who maintained that a hidden sheaf came within the law of the forgotten sheaf.
3. Who excludes a hidden sheaf from the law.
4. The Hebrew for slain (halal) denotes by the sword.
5. Not actually dead.
6. So the body was not hanging, hidden or floating.
7. For the reason that he was not 'slain'.
8. It occurs four times in Deut. XXI, 1-9; emphasing that he must be 'slain' and not 'strangled'.
9. It frequently happened that dead bodies were found in such localities.
10. Deut. XXI, 3.
11. The measurement must always be made and the nearest city containing 'elders' ascertained.
12. [J. adds: BUT THE SAGES SAY ONLY ONE CITY BRINGS A HEIFER WHOSE NECK IS TO BE BROKEN BUT TWO CITIES DO NOT BRING.]
13. For requiring two heifers if the body is found equidistant between two cities.
14. Deut. XXI, 3.
15. Deut. XXI, I.
16. Lit., 'a dead body which is a commandment'; i.e., an unattended corpse, and it is the duty of whoever finds it to be concerned with its burial. The Talmud (B.K. 81b) relates that when Joshua divided out the land, he imposed a condition that a meth mizwah should be buried in whatever spot he is found.
17. Ps. LXXI, 6.
18. Jer. VII, 29. On the basis of the similar word in this verse, it is explained in the former as 'the place where my hair grows', i.e., the head.
19. Gen. VII, 22.
20. Ezek. XXI, 34.
21. The members of the Great Sanhedrin whose duty it was to make the measurement.
22. Which is found to be nearest the corpse.
23. Defined in Parah I, 1 as less than a year old.

24. The word ethan (Deut. XXI, 4) is interpreted by Maimonides in the sense given in the E.V. viz., running water.
25. Not in front as in the act of ritual slaughter.
26. Deut. XXI, 7.
27. [In the J. text of the Mishnah and in MS.M. the words 'without … food' and 'without escort' are missing, and in the Gemara there it is stated that the reference is not, as maintained by the Babylonian scholars, to the murdered person, but to the murderer. The elders, that is to say, declare that 'he did not come to us and we dismissed him or allowed him to go unpunished.']

Folio 46a

THEN THE PRIESTS EXCLAIM, FORGIVE, O LORD, THY PEOPLE ISRAEL, WHOM THOU HAST REDEEMED, AND SUFFER NOT INNOCENT BLOOD TO REMAIN IN THE MIDST OF THY PEOPLE ISRAEL.(1) THERE IS NO NEED FOR THEM TO SAY, AND THE BLOOD SHALL BE FORGIVEN THEM;(2) BUT THE HOLY SPIRIT ANNOUNCES TO THEM, 'WHEN YOU ACT THUS, THE BLOOD IS FORGIVEN YOU.'

GEMARA. But that a blemish disqualified a heifer may be deduced by a fortiori reasoning from the instance of the [red] cow:(3) if a blemish disqualifies a cow which is not disqualified on account of age,(4) how much more must a blemish disqualify a heifer which is disqualified on account of age! — It is different there, because Scripture stated: Wherein is no blemish(5) — a blemish disqualifies [a red cow] but does not disqualify a heifer. According to this argument,(6) the other disqualifications on account of work having been done by it should not apply [to the red cow];(7) why, then, did Rab Judah say in the name of Rab, If a person laid a bundle of sacks upon it,(8) it is disqualified, but with a heifer [it is not disqualified] until it draws [a load]!(9) — It is different with a [red] cow, because we derive the meaning of the term 'yoke' [in connection with a red cow] from its occurrence in connection with a heifer.(10) But let [the deduction that a blemish disqualifies] a heifer be also drawn from the instance of a [red] cow on the basis of a common use of the term 'yoke'! — Behold the All-Merciful has excluded that by using the word 'wherein' [bah]. But with the heifer it is likewise written 'wherewith' [bah]!(11) — This is required to exclude animals destined as sacrifices which are not disqualified by having been used for work; because it might have occurred to you to say: Let us draw a conclusion by a fortiori reasoning from the heifer: if a heifer which is not disqualified by a blemish is disqualified by having been used for work, how much more must animals destined as sacrifices, which are disqualified by a blemish, be disqualified by having been used for work! It can, however, be objected: This is right for a heifer because it is also disqualified by an age-limit! — Do you mean to say, then, that there are no animals destined as sacrifices which are disqualified by an age-limit? Hence a text is necessary for those offerings which are disqualified by an age-limit.(12) Is, however, [the regulation that] animals destined as sacrifices are not disqualified by having been used for work derived from here?(13) Surely it is derived from the following: Blind, or broken, or maimed, or having a wen, or scurvy or scabbed, ye shall not offer these unto the Lord(14) — these ye shall not offer, but you may offer animals as sacrifices which have been used for work! — [This verse](15) is necessary, because it might have occurred to you to say: This only applies where they have been used for permissible work, but where it was for prohibited work(16) conclude that they are forbidden [as sacrifices]! So it was necessary [to have this verse from which we infer that the animals may be offered even if they had been used for prohibited work]. But it could likewise have been derived from the following: Neither from the hand of a stranger shall ye offer the bread of your God of any of these(17) — these you shall not offer, but you may offer animals which have been used for work! — [This verse](15) is necessary, because it might have occurred to you to say: This only applies when they were worked while they were still not designated as sacrifices, but when they were worked after having been designated as sacrifices conclude that they are forbidden! So it was necessary [to have this verse from which we infer that even then they are acceptable as offerings].

The above text [teaches]: 'Rab Judah said in the name of Rab: If a person laid a bundle of sacks upon it, it is disqualified; but with a heifer [it is not disqualified] until it draws [a load]'. It is objected: Yoke(18) — I have only mention of a yoke; whence is it that there are other [disqualifications on account of] work having been done by it? You may argue by a fortiori reasoning: if a heifer which is not disqualified by a blemish is disqualified by having been used for work, how much more must a [red] cow, which is disqualified by a blemish, be disqualified by having been used for various kinds of work! And if you like you may argue:(19) It is stated here 'yoke' and there [with the heifer] it is stated 'yoke', as there the various kinds of work disqualify, so here [with the red cow] the various kinds of work disqualify. But why have this alternative argument?(20) — Because you might reply [as mentioned above], 'It can, however, be objected: This is right for a heifer because it is also disqualified by an age-limit'. Or it might also [be objected] that the case of animals destined as sacrifices proves [the contrary, thus:] a blemish disqualifies them but the fact that they were used for work does not disqualify them. [Therefore the alternative line of reasoning is employed:] It is stated here 'yoke' and there [with the heifer] it is stated 'yoke'; as there the various kinds of work [disqualify], so here [with the red cow] the various kinds of work [disqualify].

Now from the same line of reasoning: You may conclude as there [with the heifer it is not disqualified] until it draws [a load], so here [with the red cow it is not disqualified] until it draws [a load]!(21) — This is a matter disputed by Tannaim. Some of them deduce it from the instance of the heifer,(22) while others deduce it from [the law of the red] cow itself.(23) For it has been taught: 'Yoke' — I have mention only of a yoke; whence is it that various kinds of work [disqualify]? There is a text to state, Upon which never came yoke(24) i.e., [work] of any sort. If that is so, why is 'yoke' specified? A yoke disqualifies whether during the time of work or not during the time of work,(25) but the various kinds of work only disqualify during the time of work.(26) But say that 'upon which never came' is general and 'yoke' is particular, and where there is a case of general and particular, only what is in the particular is in the general(27) — viz., a yoke only [disqualifies] and nothing else! The phrase 'which' is inclusive [of various kinds of work], and there is a similar teaching in connection with the heifer as follows: Yoke(28) — I have mention only of a yoke; whence is it that various kinds of work [disqualify]? There is a text to state, 'Which hath not been wrought with' — i.e., [work] of any sort. If that is so, why is 'yoke' specified? A yoke disqualifies whether during the time of work or not during the time of work, but the various kinds of work only disqualify during the time of work. But say that 'which hath not been wrought with' is general and 'yoke' is particular, and where there is a case of general and particular, only what is in the particular is in the general — viz. a yoke [disqualifies] and nothing else!(29) — The phrase 'which' is inclusive [of various kinds of work].

R. Abbahu said: I asked R. Johanan, To what extent must there be drawing by a yoke [to constitute a disqualification]?(30) — He replied: The full extent of the yoke. The question was asked: Does this mean its length or breadth? One of the Rabbis, named R. Jacob, answered: The statement of R. Johanan was explained to me as indicating drawing by a yoke to the extent of a handbreadth in its breadth. Then [R. Johanan] should have said: A handbreadth!-He intended to inform us that the minimum of a yoke [in its breadth] is a handbreadth. For what purpose does he deduce this? — For buying and selling.

R. Johanan b. Saul said: Why does the Torah mention that he should bring a heifer into a ravine? The Holy One, blessed be He, said: Let something which did not produce fruit(31) have its neck broken in a place which is not fertile and atone for one who was not allowed to produce fruit. What [does this last word] 'fruit' mean? If I answer [that it means] offspring, then according to this argument we should not break a heifer's neck if [the man found dead] was old or castrated! Therefore [by 'fruit' must be understood the performance of] commandments.(32)

AND BRING IT DOWN TO A RAVINE WHICH IS STONY 'ETHAN' IS TO BE UNDERSTOOD IN ITS LITERAL SENSE OF 'HARD'. Our Rabbis taught: Whence is it that 'ethan' means 'hard'? As it is said,

1. Deut. XXI, 8.
2. Ibid.
3. Num. XIX. How can the Mishnah declare that a blemish does not disqualify it?
4. It may be more than a year old.
5. Ibid. 2.
6. That 'wherein' (bah) is a restrictive particle.
7. Since it is merely stated 'upon which never came yoke' and not, as with the heifer, 'wherewith (bah) it hath not been wrought and which hath not drawn (Deut. XXI, 3), the 'wherewith' restricting it to the heifer.
8. The red cow, and no yoke was placed upon it.
9. Because the text states explicitly 'which hath not drawn'.
10. And the restrictive word 'wherewith', stated with the heifer, is required for another purpose.
11. Cf. p. 236, n. 7.
12. E.g., the lambs offered on the Passover are specified as being of the first year, (Num. XXVIII, 19).
13. From the restrictive particle written with the heifer.
14. Lev. XXII, 22.
15. The 'wherewith' stated with the heifer.
16. E.g., on the Sabbath.
17. Ibid. 25.
18. Num. XIX, 2.
19. Not by a fortiori reasoning but from the analogous occurrence of 'yoke'.
20. Why does not the first suffice?
21. Which refutes Rab Judah.
22. This is the Tanna of the Baraitha cited. He will accordingly not disqualify the cow until it draws.

23. The Tanna who follows.
24. Num. XIX, 2.
25. If he put the yoke on the animal to ease the load and not for the purpose of drawing it.
26. If, e.g., he put sacks upon it not as a burden, there is no disqualification. Where, however, the sacks were placed as a load there is immediate disqualification, even though the cow did not draw. This is in agreement with Rab Judah.
27. The general rule must be restricted in application to what is contained in the particular.
28. Deut. XXI, 3.
29. This is one of the principles of hermeneutics according to R. Ishmael. V. B.K., 54a.
30. With a heifer.
31. A heifer less than a year old could not bring forth young.
32. Which produces a harvest of merit; and he was prevented by his murder from doing this.

Strong [ethan] is thy dwelling-place, and thy nest is set in the rock;(1) and it states: Hear, O ye mountains, the Lord's controversy, and ye enduring foundations [ethanim] of the earth.(2) Others, however, say: Whence is it that 'ethan' means 'old'? As it is stated: It is an ethan nation, it is an ancient nation.(3)

THEY THEN BREAK ITS NECK WITH A HATCHET FROM BEHIND. What is the reason [that it is done from behind]? — He derives it by the analogous word 'breaking' [stated] in the case of a bird brought as a sin-offering.(4)

THE SITE MAY NEVER BE SOWN OR TILLED. Our Rabbis taught: Which is neither plowed nor sown(5) — this refers to the past; such is the statement of R. Joshiah. R. Jonathan says: It refers to the future. Raba said: Nobody disputes as to the future since it is written: It shall not be sown;(6) when they differ as to the past, R. Joshiah argues, Is it written: 'And it shall not be tilled'?(7) And R. Jonathan argues, Is it written: 'Which has not been tilled'?(8) And [how does] R. Joshiah [meet R. Jonathan's argument]? — The relative pronoun 'which' must be understood of the past.(9) And R. Jonathan? — 'Which' is employed in an inclusive sense.(10)

BUT IT IS PERMITTED TO CARD FLAX AND CHISEL STONES THERE. Our Rabbis taught: 'Which is neither plowed nor sown' — I have here only sowing; whence is it that the other kinds of agricultural work [are prohibited]? There is a text to state, 'which is neither plowed' — i.e., [agricultural labour] in any form. If that is so, why is it stated 'nor sown'?(11) Its purpose is to inform us that as sowing is special since it is connected with the soil itself, so everything which is connected with the soil itself [is forbidden], to the exclusion of carding flax and chiselling stones which are not connected with the soil itself. But argue that 'which is neither plowed' is general and 'nor sown' particular, and where there is a case of general and particular, only what is in the particular is in the general — viz. sowing only [is forbidden] but nothing else! — The term 'which' is employed in an inclusive sense.

THE ELDERS OF THAT CITY THEN WASH THEIR HANDS etc. Our Rabbis taught: And all the elders of that city, who are nearest unto the slain man, shall wash their hands over the heifer whose neck was broken in the valley.(12) There was no need to state, 'whose neck was broken'!(13) Why, then, is 'whose neck was broken' added? [It signifies], Over the place of the heifer's neck where it was broken. They then declare, 'Our hands have not shed this blood, neither have our eyes seen it'. But can it enter our minds that [the members of a] Court of Justice shed blood! [The meaning of their statement is], however, [The man found dead] did not come to us for help and we dismissed him without supplying him with food, we did not see him and let him go without an escort.

It has been taught: R. Meir used to say: We may compel a person to escort [a traveller],(14) because the reward for escorting is limitless; as it is said: And the watchers saw a man come forth out of the city, and they said unto him, Shew us, we pray thee, the entrance into the city, and we will deal kindly with thee.(15) It continues, And he shewed them the entrance into the city.(16) What was the kindness they did to him? They slew the whole of the city at the edge of the sword, but let that man and his family go.

And the man went into the land of the Hittites, and built a city, and called the name thereof Luz: which is the name thereof unto this day.(17) It has been taught: That is the Luz in

which they dye the blue;(18) that is the Luz against which Sennacherib marched without disturbing it,(19) against which Nebuchadnezzar marched without destroying it, and even the Angel of Death has no permission to pass through it, but when the old men there become tired of life(20) they go outside the wall and then die. For is not the matter(21) an a fortiori inference? If this Canaanite, who did not utter a word or walk a step,(22) caused deliverance to come to himself and his seed unto the end of all generations, how much more so he who performs the act of escorting by actually going with the person! How did he show them [the way]? — Hezekiah said: He just curved his mouth for them;(23) R. Johanan said: He pointed for them with his finger. There is a teaching in agreement with R. Johanan, viz., Because this Canaanite pointed with his finger, he caused deliverance to come to himself and his seed unto the end of all generations.

R. Joshua b. Levi said: Whoever is on a journey and has no escort should occupy [his mind] with Torah;(24) as it is said: For they shall be a chaplet of grace unto thy head, and chains about thy neck.(25) R. Joshua b. Levi also said: Because of the four paces with which Pharaoh accompanied Abraham, as it is said: And Pharaoh gave men charge concerning him etc.,(26) he [was allowed to] enslave the latter's descendants for four hundred years, as it is said: And shall serve them, and they shall afflict them four hundred years.(27) Rab Judah said in the name of Rab: Whoever accompanies his neighbour four cubits in a city will come to no harm [when on a journey]. Rabina accompanied Raba b. Isaac four cubits in a city; danger threatened him but he was saved.

Our Rabbis taught: A teacher [accompanies] his pupils until the outskirts(28) of a city; one colleague [accompanies] another up to the Sabbath-limit;(29) a pupil [accompanies] his master a distance without limit.(30) But how far?(31) — R. Shesheth said: Up to a parasang. This only applies when his master is not a distinguished scholar; but should his master be a distinguished scholar [he accompanies him] three parasangs.

R. Kahana once accompanied R. Shimi b. Ashi from Pum-Nahara to Be-Zinyatha.(32) When they arrived there, he said to him, 'Is it true what you say, that these palms of Babylon are from the time of Adam?' He answered: 'You have reminded me of something which R. Jose b. Hanina said, viz., What means that which is written: Through a land that no man passed through, and where no man dwelt?(33) Since no man passed through it, how could anyone dwell there, and since nobody dwelt there how could anyone pass through it! But [the meaning is], A land concerning which Adam decreed that it should be inhabited has become inhabited, and a land concerning which Adam did not so decree has not been inhabited'.(34) R. Mordecai accompanied R. Ashi from Hagronia(35) to Be-Kafi;(36) another version is to Be-Dura.(37)

R. Johanan said in the name of R. Meir: Whoever does not escort others or allow himself to be escorted is as though he sheds blood; for had the men of Jericho escorted Elisha he would not have stirred up bears against the children, as it is said: And he went up from thence unto Bethel; and as he was going up by the way, there came forth little children out of the city, and mocked him, and said unto him, Go up, thou bald head; go up, thou bald head.(38) What they said to him was, 'Go up, thou who hast made this place bald for us!'(39) What means 'little children'?(40) — R. Eleazar said: Ne'arim [children] means they were bare [menu'arim] of precepts; 'little' means they were little of faith.(41) A Tanna taught: They were youths [ne'arim] but they behaved like little children. R. Joseph demurred to this: But perhaps they were so called after the name of the place; for is it not

written: And the Syrians had gone out in bands, and had brought away captive out of the land of Israel a little maid,(42) and the question is asked by us a maid [na'arah] and little?(43) And R. Pedath explained: She was a little girl from a place called Ne'uran!(44) — In this passage her place is not specified,(45) but in the other their place is specified.(46)

And he looked behind him and saw them, and cursed them in the name of the Lord.(47) What did he see? — Rab said: He actually looked upon them, as it has been taught: Rabban Simeon b. Gamaliel says: Wherever the Sages set their eyes there is either death or calamity.(48) Samuel said: He saw that their mothers had all become conceived with them on the Day of Atonement.(49) R. Isaac the smith said: He saw that their hair was plaited as with Amorites.(50) R. Johanan said: He saw that there was no sap of the commandments in them. But perhaps there would have been such in their descendants!(51) — R. Eleazar said: Neither in them nor in their descendants unto the end of all generations.

And there came forth two she-bears out of the wood, and tore forty and two children of them.(52)

1. Num. XXIV, 21.
2. Micah VI, 2. 'Foundations', being parallel to 'mountains', has a similar meaning.
3. Jer. V, 15. The true meaning here is 'enduring', but the word is taken as defined by what follows.
4. Cf. Lev. V, 8 where the Hebrew is 'from the back of the neck'.
5. Deut. XXI, 4.
6. So the Hebrew literally. They all agree that the site may not be sown or tilled after the ceremony has taken place there.
7. Since the text has not this form, it must refer to the past.
8. Consequently it can only refer to the future.
9. Since it would not be used if a command were implied, and the Torah would have stated: 'it shall not be tilled'.
10. To include all kinds of agricultural work, as explained below.
11. Since sowing is included in agricultural labour.
12. Deut. XXI, 6.
13. The words seem redundant.
14. [Or the court compels a town to provide escorts for travellers.]
15. Judg. I, 24.
16. Ibid. 25.
17. Ibid. 26.
18. For the fringes (Num. XV, 38). The purpose of this statement and what follows is to illustrate the words 'which is the name thereof unto this day', showing that the city survived destruction and still exists.

19. By not plundering it and exiling the inhabitants.
20. Lit., 'their mind becomes loathsome to them'.
21. That the reward for escorting is limitless.
22. It merely states 'he showed them'.
23. I.e., he made inarticulate sounds.
24. As a means of protection.
25. Prov. I, 9. The Hebrew word for chaplet is the same as for 'escort'.
26. Gen. XII, 20.
27. Ibid. XV, 13.
28. [I.e., seventy cubits and two thirds beyond the outer range of the houses of the city. V. Ned. 56a.]
29. V. p. 136, n. 7.
30. [It is one of those deeds of kindliness to the performance of which no maximum is set; v. next note.]
31. [I.e., what minimum distance must he accompany his teacher?]
32. [Lit., 'Among the Palms', the former was near the Tigris, the latter was the district of the old city of Babylon, to which Sura belonged and which was rich in palms; cf. Sanh. 96b (Obermeyer, op. cit. p. 295).]
33. Jer. II, 6.
34. Accordingly Adam must have decreed that those palms should grow there.
35. Outside Nehardea.
36. [Be Kufai. A village four parasangs west of Bagdad, v. Obermeyer, op. cit. p. 267.]
37. [Be-Duraja, S.W. of Bagdad. This would be about two hours beyond Be Kafi; (Obermeyer, op. cit., p. 268)]. This is cited to show how far a disciple escorted his teacher.
38. II Kings II, 23. 'He went up' implies that he was unaccompanied.
39. He had sweetened the waters in that place (ibid. 19ff.) and so had caused loss to the people of the vicinity who had profited by selling drinkable water. Hence the ill-feeling against him.
40. 'Little' appears to be superfluous.
41. Because they worried about their livelihood since they could no longer sell water.
42. Ibid. V, 2.
43. Na'arah implies that she was young (v. Glos.).
44. Therefore it is suggested that in the other verse ne'arim means 'men of Ne'uran'. In Josh. XVI, 7 there is a town called Naarath.

45. It is merely stated 'out of the land of Israel', so Na'arah could possibly indicate a place name.
46. We gather from the context that the children belonged to Jericho.
47. II Kings II, 24.
48. It was believed that the Rabbis were endowed with this power and the Talmud relates several anecdotes on the subject.
49. When cohabitation is forbidden.
50. Lit., 'he saw they had a belorith'. They aped heathen manners. On belorith v. Sanh. (Sonc. ed.) p. 114. n. 5.
51. So why should they have perished on that account?
52. II Kings II, 24.

Folio 47a

Rab and Samuel [differ in their interpretation]; one said it was a miracle, while the other said it was a miracle within a miracle. He who said it was a miracle did so because there was a forest but there were no bears;(1) he who said it was a miracle within a miracle did so because there was no forest nor were there any bears. [But according to the latter interpretation] there need have been [provided] bears but not a forest! — [It was required] because [the bears] would have been frightened.(2)

R. Hanina said: On account of the forty-two sacrifices which Balak, king of Moab, offered,(3) were forty-two children cut off from Israel. But it is not so; for Rab Judah has said in the name of Rab: Always should a man occupy himself with Torah and the commandments even though it be not for their own sake,(4) for from [occupying himself with them] not for their own sake he comes to do so for their own sake; because as a reward for the forty-two sacrifices which Balak, king of Moab, offered,(5) he merited that Ruth should issue from him and from her issued Solomon concerning whom it is written: A thousand burnt-offerings did Solomon offer!(6) And R. Jose b. Honi said: Ruth was the daughter of Eglon the son of Balak!(7) — Nevertheless his desire was to curse Israel.(8)

And the men of the city said unto Elisha, Behold, we pray thee, the situation of this city is pleasant, as my lord seeth etc.(9) [But how could it be so] since 'the water is naught and the land miscarrieth'! What, then, was its pleasantness? — R. Hanin said: The favour of a place in the estimation of its inhabitants. R. Johanan said: There are three kinds of favour: the favour of a locality in the estimation of its inhabitants, the favour of a woman In the estimation of her husband, and the favour of an article in the estimation of its purchaser.

Our Rabbis taught: Elisha was afflicted with three illnesses: one because he stirred up the bears against the children, one because he thrust Gehazi away with both his hands, and one of which he died; as it is said: Now Elisha was fallen sick of his sickness whereof he died.(10)

Our Rabbis have taught: Always let the left hand thrust away and the right hand draw near. Not like Elisha who thrust Gehazi away with both his hands (and not like R. Joshua b. Perahiah who thrust one of his disciples away with both his hands).(11) How is it with Elisha? As it is written: And Naaman said: Be content, take two talents,(12) and it is written: And he said unto him, Went not my heart with thee when the man turned again from his chariot to meet thee? Is it a time to receive money, and to receive garments, and oliveyards, and sheep and oxen, and manservants and maidservants?(13) But had he received all these things? Silver and garments were what he had received! — R. Isaac said: At that time Elisha was engaged [in the study of the Law concerning] the eight kinds of [unclean] creeping things;(14) so he said to [Gehazi], 'You wicked person, the time has arrived for you to receive the reward for [studying the law of] the eight creeping things.'(15) The leprosy therefore of Naaman shall cleave unto thee and unto thy seed for ever.(16)

Now there were four leprous men(17) — R. Johanan said: This refers to Gehazi and his three sons. And Elisha came to Damascus(18) — why did he go there?(19) — R. Johanan said: He went to induce Gehazi to repent but he refused. He said to him, 'Repent'; but he replied: 'Thus have I received from thee that whoever sinned and caused others to sin is deprived of the power of doing penitence'. What had he done? Some say: He applied a

loadstone to the idolatrous image of Jeroboam(20) and suspended it between heaven and earth. Others say: He engraved upon it the Name [of God] so that it used to exclaim, 'I [am the Lord thy God]' and 'Thou shalt have no [other God beside me]' — Still others say: He drove the Rabbis from before him, as it is written: And the sons of the prophets said unto Elisha, Behold now, the place where we dwell before thee is too strait for us(21) — hence, up to then it had not been too strait.

What(22) was the incident with R. Joshua b. Perahiah? — When King Jannaeus(23) put the Rabbis to death, Simeon b. Shetah was hid by his sister, whilst R. Joshua b. perahiah fled to Alexandria in Egypt. When there was peace,(24) Simeon b. Shetah sent [this message to him]: 'From me, Jerusalem, the Holy city, to thee Alexandria in Egypt. O my sister, my husband(25) dwelleth in thy midst and I abide desolate'. [R. Joshua] arose and came back and found himself in a certain inn where they paid him great respect. He said: 'How beautiful is this 'aksania'!(26) One of his disciples(27) said to him, 'My master, her eyes are narrow!' He replied to him, 'Wicked person! Is it with such thoughts that thou occupiest thyself!' He sent forth four hundred horns and excommunicated him.(28) [The disciple] came before him on many occasions, saying'Receive me'; but he refused to notice him. One day while [R. Joshua] was reciting the Shema', he came before him. His intention was to receive him and he made a sign to him with his hand, but the disciple thought he was repelling him. So he went and set up a brick and worshipped it. [R. Joshua] said to him, 'Repent'; but he answered him, 'Thus have I received from thee that whoever sinned and caused others to sin is deprived of the power of doing penitence'. A Master has said: The disciple practised magic and led Israel astray.

It has been taught: R. Simeon b. Eleazar says: Also human nature(29) should a child and woman thrust aside with the left hand and draw near with the right hand.(30)

MISHNAH. IF THE MURDERER WAS DISCOVERED BEFORE THE HEIFER'S NECK WAS BROKEN, IT GOES FREE AND FEEDS WITH THE HERD; BUT IF AFTER THE HEIFER'S NECK WAS BROKEN, IT IS BURIED IN THAT PLACE BECAUSE IT CAME THERE FROM THE OUTSET IN CONNECTION WITH A MATTER OF DOUBT,(31) AND ATONED FOR THE DOUBT WHICH IS NOW GONE. IF THE HEIFER'S NECK WAS BROKEN AND AFTERWARDS THE MURDERER IS DISCOVERED, BEHOLD HE IS EXECUTED.

IF ONE WITNESS SAYS 'I SAW THE MURDERER' AND ONE WITNESS SAYS 'YOU DID NOT SEE HIM';(32) OR IF A WOMAN SAYS 'I SAW HIM' AND ANOTHER WOMAN SAYS 'YOU DID NOT SEE HIM', THEY BREAK ITS NECK. IF ONE WITNESS SAYS 'I SAW HIM' AND TWO SAY 'YOU DID NOT SEE HIM', THEY BREAK ITS NECK. IF TWO SAY 'WE SAW HIM' AND ONE SAYS TO THEM 'YOU DID NOT SEE HIM', THEY DO NOT BREAK ITS NECK.(33)

WHEN MURDERERS MULTIPLIED THE CEREMONY OF BREAKING A HEIFER'S NECK WAS DISCONTINUED. THAT WAS WHEN ELIEZER B. DINAI, ALSO CALLED TEHINAH B. PERISHAH, APPEARED;(34) HE WAS AFTERWARDS RENAMED 'SON OF THE MURDERER'. — WHEN ADULTERERS MULTIPLIED THE CEREMONY OF THE BITTER WATER WAS DISCONTINUED AND IT WAS R. JOHANAN B. ZAKKAI WHO DISCONTINUED IT, AS IT IS SAID, I WILL NOT PUNISH YOUR DAUGHTERS WHEN THEY COMMIT WHOREDOM, NOR YOUR

BRIDES WHEN THEY COMMIT ADULTERY, FOR THEY THEMSELVES ETC.(35) WHEN JOSE B. JOEZER OF ZEREDAH AND JOSE B. JUDAH OF JERUSALEM DIED, THE GRAPE-CLUSTERS(36) CEASED, AS IT IS SAID, THERE IS NO CLUSTER TO EAT; MY SOUL DESIRETH THE FIRST RIPE FIG.(37)

JOHANAN THE HIGH PRIEST(38) BROUGHT TO AN END THE CONFESSION MADE AT THE PRESENTATION OF THE TITHE.(39) HE ALSO ABOLISHED THE WAKERS AND THE KNOCKERS(40)

1. These were miraculously created for the occasion.
2. If there was no forest provided for them in which they could hide, they would not have dared to attack the children.
3. Num. XXIII, 1, 14, 29.
4. Without the expectation of reward.
5. Although he did not offer them for their own sake.
6. I Kings lii, 4. V. Hor. (Son. ed.) p. 75.
7. So this was Balak's reward and not the death of the children.
8. And so he had his reward in the death of these children.
9. II Kings II, 19.
10. Ibid. XIII, 14. Sick and sickness denote two, apart from his fatal illness.
11. MSS. and old editions read Jesus the Nazarene. R. T. Herford sees in Gehazi a hidden reference to Paul. Cf. his Christianity in Talmud and Midrash, pp. 97ff.
12. II Kings V, 23.
13. Ibid. 26.
14. Name of the Chapter in Mishnah Shabbath, XIV, I, cf. Lev. XI, 29ff.
15. Referring to the eight kinds of presents he had accepted. That will be his reward in this world so that he may be punished in the Hereafter. For a fuller version v. Sanh. (Sonc. ed.) p. 735.
16. II Kings V, 27. 'For ever' indicates the World to Come.
17. II Kings VII, 3.
18. Ibid. VIII, 7.
19. V. Sanh. (Sonc. ed.) p. 734, n. 8.
20. Cf. I Kings XII, 28.
21. II Kings VI, I.
22. The following paragraph is deleted in censored editions, v. Sanh. (Sonc. ed.) p. 736, n. 2.

23. Alexander Jannaeus, king of Israel from 104 to 78 B.C.E., a persecutor of the Pharisees. The chronological discrepancy is obvious since he lived a century before Jesus, v. however, Sanh. (Sonc. ed.) loc. cit.
24. On his death-bed the King advised the Queen to put her confidence in the Pharisees. V. Josephus, Ant. XIII, XV, 5.
25. His teacher, R. Joshua.
26. The word means 'inn' and 'female innkeeper'. The Rabbi intended it in the first sense, Jesus in the second.
27. MSS.: 'Jesus'.
28. A horn is blown at the ceremony of excommunication. The large number used on this occasion indicated the extreme severity of the penalty.
29. One must learn to control it so as to avoid extremes.
30. [One must not be too severe in chiding a child or reproving a wife lest they be driven to despair.]
31. The unknown murderer.
32. [I.e., 'I was present with you at the time of the alleged murder and testify that it did not take place.' J. reads 'I did not see it', and similarly in the following clause substitutes the first person for the second.]
33. The single witness does not upset the evidence of two, so there is no doubt about the murderer.
34. He was a notorious bandit who committed numerous murders; (v. Josephus, Ant. XX, 6, I; 8, 5.)
35. Hos. IV, 14.
36. Descriptive of Rabbis of exceptional learning. These two Rabbis flourished in the first half of the second cent. B.C.E. and were the first of the Zugoth or 'Pairs' of teachers who preserved and passed on the Torah-lore accumulated by the men of the Great Assembly. [Lauterbach. J.Z. (JQR VI, p. 32, n. 34) explains this to mean that with his death teachers ceased to act as a body, reporting only such teachings as represented the opinion of the whole group to which they belonged, but began to report rulings of individual teachers.]
37. Micah VII, 1.
38. John Hyrcanus who reigned over Judea from 135 to 104 B.C.E.
39. Cf. Deut. XXVI, 13f.
40. These terms are explained in the Gemara.

Sotah 47b

UP TO HIS DAYS THE HAMMER USED TO STRIKE(1) IN JERUSALEM, AND IN HIS DAYS THERE WAS NO NEED TO INQUIRE ABOUT DEMAI.(2)

GEMARA. Our Rabbis taught: Whence is it that if the heifer's neck had been broken, and the murderer is afterwards discovered, they do not set him free? There is a text to state, And no expiation can be made for the land for the blood that is shed therein, but by the blood of him that shed it.(3)

IF ONE WITNESS SAYS, 'I SAW THE MURDERER' etc. The reason [why his evidence is not accepted] is because there is somebody who contradicts him; therefore if there is nobody who contradicts him, one witness is believed. Whence is this? — As our Rabbis taught: And it be not known who hath smitten him(4) — hence if it be known who had smitten him, even by one person at the other end of the world, they do not break the neck. R. Akiba says: Whence is it that if the Sanhedrin saw a person commit murder, but they do not recognise him, the neck of the heifer is not broken? There is a text to state, Neither have our eyes seen it;(5) but [in this case] they had seen it.(6)

Now that you admit that one witness is believed, how is it possible for another individual to contradict him? Surely 'Ulla has said: Wherever the Torah accepts the testimony of one witness, he is regarded as two [witnesses], but the evidence of one is not regarded as the evidence of two!(7) 'Ulla can reply to you, Read in the Mishnah: They do not break its neck. Similarly said R. Isaac, Read in the Mishnah: They do not break its neck; but R. Hiyya said: Read in the Mishnah: They break its neck. Then R. Hiyya is in conflict with the teaching of 'Ulla! — There is no contradiction, one case referring to evidence given simultaneously(8) and the other when one witness follows the others.(9)

The Mishnah declares: IF ONE WITNESS SAYS 'I SAW THE MURDERER' AND TWO SAY 'YOU DID NOT SEE HIM', THEY BREAK ITS NECK. Consequently if there is one against one, they do not break its neck; and this is a refutation of R. Hiyya's statement!(10) — But according to your own argument, cite the con tinuation: IF TWO SAY 'WE SAW HIM' AND ONE SAYS TO THEM 'YOU DID NOT SEE HIM', THEY DO NOT BREAK ITS NECK. Consequently if — there is one against one, they do break its neck!(11) But our Mishnah deals entirely with disqualified witnesses,(12) and is in accord with R. Nehemiah who said,(13) Wherever the Torah accepts the testimony of one witness, [the decision] follows the majority of persons [who testify], so that two women against one woman is identical with two men against one man. But there are some who declare that wherever a competent witness came [and testified] first, even a hundred women are regarded as equal to one witness; and with what circumstance are we dealing here? For example, if it was a woman who came first [and testified]; and R. Nehemiah's statement is to be construed thus: R. Nehemiah Says: Wherever the Torah accepts the testimony of one witness, [the decision] follows the majority of persons [who testify], so that two women against one woman is identical with two men against one man, but two women against one man is like half and half. Why, then, have we two teachings concerning disqualified witnesses?(14) What you might have said was that when we follow the majority of persons [who testify] it is for taking the severer view, but to take the lenient view we do not follow [the majority]. Therefore [the Mishnah] informs us [of one case where the neck is broken and one where it is not, and in each the majority is followed].

WHEN MURDERERS MULTIPLIED etc. Our Rabbis taught: When murderers multiplied the ceremony of breaking a heifer's neck was discontinued, because it is only performed in a case of doubt; but when murderers multiplied openly, the ceremony of breaking a heifer's neck was discontinued.

WHEN ADULTERERS MULTIPLIED etc. Our Rabbis taught: And the man shall be free from iniquity(15) — at the time when the man is free from iniquity, the water proves his wife; but when the man is not free from iniquity, the water does not prove his wife. Why, then, [was it necessary for the Mishnah to add]: AS IT IS SAID, 'I WILL NOT PUNISH YOUR DAUGHTERS WHEN THEY COMMIT WHOREDOM etc'? Should you say that his own iniquity [prevents the water from proving his wife] but the iniquity of his sons and daughters does not, come and hear: 'I WILL NOT PUNISH YOUR DAUGHTERS WHEN THEY COMMIT WHOREDOM, NOR YOUR BRIDES WHEN THEY COMMIT ADULTERY'. And should you say that his sin with a married woman [prevents the water from proving his wife] but not if it was with an unmarried woman, come and hear: FOR THEY THEMSELVES GO ASIDE WITH WHORES AND WITH THE HARLOTS etc.' What means And the people that doth not understand shall be overthrown?(16) R. Eleazar said: The prophet spoke to Israel, If you are scrupulous with yourselves, the water will prove your wives; otherwise the water will not prove your wives.

When hedonists multiplied, justice became perverted,(17) conduct deteriorated and there is no satisfaction [to God] in the world. When they who displayed partiality in judgment multiplied, the command Ye shall not be afraid [of the face of man](18) became void and Ye shall not respect [persons in judgment](19) ceased to be practised; and people threw off the yoke of heaven and placed upon themselves the yoke of human beings. When they who engaged in whisperings in judgment(20) multiplied, fierceness of [the divine] anger increased against Israel and the Shechinah departed; because it is written: He judgeth among the judges.(21) When there multiplied [men of whom it is said] Their heart goeth after their gain,(22) there multiplied they who call evil good and good evil.(23) When there multiplied they 'who call evil good and good evil', woes(24) increased in the world. When they who draw out their spittle(25) multiplied, the arrogant increased, disciples diminished, and Torah went about [looking] for them who would study it. When the arrogant multiplied, the daughters of Israel began to marry arrogant men, because our generation looks only to the outward appearance. But that is not so; for a Master has declared: An arrogant person is not acceptable even to the members of his household, as it is said: A haughty man one abideth not at home(26) — i.e., even in his own house! — At first they jump round him, but in the end he becomes repugnant to them.

When there multiplied they who forced their goods upon householders,(27) bribery increased as well as miscarriage of justice, and happiness ceased. When there multiplied [judges] who said 'I accept your favour' and 'I shall appreciate your favour', there was an Increase of Every man did that which was right in his own eyes;(28) common persons were raised to eminence, the eminent were brought low, and the kingdom [of Israel] deteriorated more and more. When envious men and plunderers [of the poor] multiplied, there increased they who hardened their hearts and closed their hands from lending [to the needy], and they transgressed what is written in the Torah, viz., Beware that there be not etc.(29) When there multiplied women who had stretched forth necks and wanton eyes,(30) [the need] increased for the bitter water but it ceased [to be used]. When receivers of gifts multiplied,

the days [of human life] became fewer and years were shortened; as it is written: But he that hateth gifts shall live.(31) When the haughty of heart multiplied, dissensions increased in Israel. When the disciples of Shammai and Hillel multiplied who had not served [their teachers] sufficiently, dissensions increased in Israel and the Torah became like two Toroth. When there multiplied they who accepted charity of Gentiles, Israel became on top and they below, Israel went forward and they backward.(32)

WHEN JOSE B. JOEZER DIED etc. What does 'grape-clusters' [eshkoloth] mean? — Rab Judah said in the name of Samuel: A man in whom is everything [ish she-hakol bo].

JOHANAN THE HIGH PRIEST BROUGHT TO AN END THE CONFESSION MADE AT THE PRESENTATION OF THE TITHE etc. What was his reason? — R. Jose b. Hanina said: Because people were not presenting it according to the regulation; for the Allmerciful said that they should give it to the Levites

1. V. note on the Gemara infra.
2. Produce about which there is uncertainty whether it had been tithed. The Gemara will explain what is intended.
3. Num. XXXV, 33.
4. Deut. XXI, I.
5. Ibid. 7.
6. Consequently the ceremony is not performed.
7. But according to the Mishnah, if one is contradicted by one, the former is not accepted and the neck is broken.
8. Then one witness can contradict another.
9. The evidence of the first witness having been accepted is regarded as that of two.
10. He proposed that when one is against one the Mishnah should read: They break its neck.
11. Which supports R. Hiyya and in apparent contradiction to the first clause.
12. Women and slaves.
13. What follows is quoted from supra 31b et seq., q.v. for notes.
14. In the two clauses of our Mishnah which have been explained as referring to the evidence of women and slaves.
15. Num. V, 31.
16. Hos. IV, 14.
17. Judges accepted bribes.
18. Deut. I, 17.
19. Ibid.
20. To influence the judges in favour of one party.
21. Ps. LXXXII, I, i.e., God is only with honest judges.

22. Ezek. XXXIII, 31.
23. Isa. V, 20.
24. The word woe occurs frequently in Isa. V.
25. As a mark of ostentation.
26. Hab. II, 5 sic.
27. Judges who compelled them to buy against their will.
28. Judg. XVII, 6.
29. Deut. XV, 9.
30. Isa. III, 16.
31. Prov. XV, 27.
32. A euphemism for the reverse: Israel became below etc. This sentence has fallen out of the text in some modern editions.

whereas we present it to the priests.(1) Then let them make the confession over the other tithes!(2) — Resh Lakish said: Any household which does not make the confession over the first tithe may not make it over the other tithes. For what reason? — Abaye said: Because Scripture deals with that first;(3) This implies that they had separated it [before proceeding to the other tithes]. But surely it has been taught: He also annulled the confession and decreed in respect of demai;(4) because he sent [inspectors] throughout the Israelite territory and discovered that they only separated the great terumah(5) but as for the first and second tithes some fulfilled the law while others did not.(6) So he said to [the people], 'My sons, come, I will tell you this. Just as in [the neglect] of the "great terumah" there is mortal sin,(7) so with [the neglect] to present the terumah of the tithe and with the use of untithed produce there is mortal sin'. He thus arose and decreed for them that whoever purchases fruits from an 'Am ha-arez(8) must separate the first and second tithes therefrom. From the first tithe he separates the terumah of the tithe and gives it to a priest, and as for the second tithe he should go up and eat it in Jerusalem. With regard to the first tithe and the tithe of the poor(9) whoever demands them from his neighbour has the onus of proving [that they had not been already apportioned]!(10) [Johanan] made two decrees: he abolished the confession [over the presentation of the first tithe] in the case of the Haberim(11) and decreed in regard to the demai(12) of the 'Amme ha-arez.(13)

HE ALSO ABOLISHED THE WAKERS. What does 'WAKERS' mean? — Rehabah said: The Levites used daily to stand upon the dais and exclaim, Awake, why sleepest Thou, O Lord?(14) He said to them, Does, then, the All-Present sleep? Has it not been stated: Behold, He that keepeth Israel shall neither slumber nor sleep!(15) But so long as Israel abides in trouble and the Gentiles are in peace and comfort, the words 'Awake, why sleepest Thou, O Lord'? [should be uttered].(16)

AND KNOCKERS. What does 'KNOCKERS' mean? — Rab Judah said in the name of Samuel: They used to make an incision on the calf between its horns(17) so that the blood should flow into its eyes.(18) [Johanan] came and abolished the practice because it appeared as though [the animal had] a blemish. There is a Baraitha which teaches: They used to strike [the animal] with clubs as is the practice with idolatry. [Johanan] said to them, How long will you feed the altar with nebeloth!(19) [How could he have described the carcasses as] nebeloth when they had been properly slaughtered! — Rather [should they be described as] terefoth,(20) since the membrane of the brain may have been perforated. He [thereupon] arose and ordained rings for them in the ground.(21)

UP TO HIS DAYS THE HAMMER USED TO STRIKE IN JERUSALEM. On the intermediate days of the Festival.(22)

ALL HIS DAYS(23) THERE WAS NO NEED TO INQUIRE ABOUT DEMAI. As we have explained above.(24)

MISHNAH. WHEN THE SANHEDRIN CEASED [TO FUNCTION], SONG CEASED FROM THE PLACES OF FEASTING; AS IT IS SAID, THEY SHALL NOT DRINK WINE WITH A SONG ETC.(25)

WHEN THE FORMER PROPHETS(26) DIED, THE URIM AND THUMMIM(27) CEASED. WHEN [THE SECOND] TEMPLE WAS DESTROYED, THE SHAMIR AND NOPHETH ZUFIM(28) CEASED, AND MEN OF FAITH DISAPPEARED FROM

ISRAEL; AS IT IS SAID, HELP, LORD, FOR THE GODLY MAN CEASETH ETC.(29) RABBAN SIMEON B. GAMALIEL SAYS: R. JOSHUA TESTIFIED THAT FROM THE DAY THE TEMPLE WAS DESTROYED, THERE IS NO DAY WITHOUT A CURSE, THE DEW HAS NOT DESCENDED FOR A BLESSING, AND THE FLAVOUR HAS DEPARTED FROM THE FRUITS. R. JOSE SAYS: THE FATNESS(30) WAS ALSO REMOVED FROM THE FRUITS.

R. SIMEON B. ELEAZAR SAYS; [THE CESSATION OF] PURITY HAS REMOVED TASTE AND FRAGRANCE [FROM FRUITS]; [THE CESSATION OF] THE TITHES HAS REMOVED THE FATNESS OF CORN. BUT THE SAGES SAY: IMMORALITY AND WITCHCRAFT DESTROYED EVERYTHING.

GEMARA. How do we know that the text, ['They shall not drink wine with a song'] — applies to the time when the Sanhedrin ceased? — R. Huna, son of R. Joshua, said: Because Scripture states: The elders have ceased from the gate, the young men from their music.(31)

Rab said: The ear which listens to song should be torn off. Raba said: When there is song in a house there is destruction on its threshold; as it is stated: Their voice shall sing in the windows, desolation shall be in the thresholds, for He hath laid bare the cedar work.(32) What means 'for he hath laid bare ['erah] the cedar work'? — R. Isaac said: Is a house panelled with cedar-wood a city ['irah]?(33) But [the meaning is] even a house panelled with cedars will be overthrown [mithro'ea'].(34) R. Ashi said: Infer from this that when destruction begins, it begins on the threshold; as it is stated: 'Desolation shall be in the thresholds' — Or if you will, deduce it from here: And the gate is smitten with destruction.(35) Mar, son of R. Ashi said: I have personally seen him,(36) and he gores like an ox.

R. Huna said: The singing of sailors and ploughmen is permitted, but that of weavers is prohibited.(37) R. Huna abolished singing, and a hundred geese were priced at a zuz(38) and a hundred se'ahs of wheat at a zuz and there was no demand for them [even at that price];(39) R. Hisda came and [ordered R. Huna's edict to be] disregarded, and a goose was required [even at the high price of] a zuz but was not to be found.(40) R. Joseph said: When men sing and women join in it is licentiousness; when women sing and men join in it is like fire in tow.(41) For what practical purpose is this mentioned? — To abolish the latter before the former.(42)

R. Johanan said: Whoever drinks to the accompaniment of the four musical instruments(43) brings five punishments to the world; as it is stated: Woe unto them that rise up early in the morning, that they may follow strong drink, that tarry late into the night, till wine inflame them! And the harp, and the lute, the tabret and the pipe, and wine, are in their feasts; but they regard not the work of the Lord.(44) What is written after this? 'Therefore My people are gone into captivity for lack of knowledge' — they therefore cause captivity in the world; 'and their honourable men are famished' — they therefore bring hunger into the world; and their multitude are parched with thirst(45) — they therefore cause Torah to be forgotten by its students. And the mean man is bowed down and the great man is humbled(46) — they therefore cause humiliation to the haters of God(47) — and 'man' signifies none other than the Holy One, blessed be He, as it is said: The Lord is a man of war,'(48) 'and the eyes of the lofty are humbled' they therefore cause the humiliation of Israel. And what is written after that? Therefore

1. Deut. XXVI, 13 requires that the first tithe should be given to the Levites; but it is related in Yeb. 86b that because the Levites refused to join in the return from Babylon, Ezra punished them by having the tithe transferred to the priests.
2. The second and poor tithes.
3. The Rabbis explain the verse as follows: 'Thou shalt give it unto the Levite' i.e., the first tithe; 'and unto the stranger' i.e., the tithe of the poor; 'within thy gates' i.e., the second tithe.
4. The reason given by R. Jose b. Hanina.
5. The part which is separated in the first instance is the 'great terumah' or offering for the priests, to distinguish it from the 'terumah of the tithe', i.e., the tenth part given by the Levite of the tithe he receives, to the priest; then the first tithe is taken from the remainder for the Levites; after that the second tithe is removed to be eaten by the owner in Jerusalem (Deut. XIV, 22ff.); and each third year a tithe is allocated to the poor (ibid. XXVI, 12); v. Glos., s.v. Terumah.
6. I. H. Weiss (Dor I p. 119) suggests that at that time there was a growing aversion against paying the tithe to the Levites, firstly because their status had changed from the period when the land was apportioned among the tribes and they had no share; and secondly because part of the produce had to be paid as a tax to the Government and the law of the tithe pressed very heavily upon the people.
7. I.e., the penalty involved is death at the hands of Heaven.
8. V. p. 110 n. 1.
9. Since they are non-holy and may be eaten by any person.
10. This shows that the people neglected the separation of the tithe to the Levite.
11. The opposite of the 'Amme ha-arez. They were most scrupulous in the allocation of the tithes. The reason for his edict was, as stated, because the tithe was presented to a priest and not a Levite.
12. 'Doubtful produce', corn purchased from a farmer about which there is a doubt whether the tithes had been apportioned.
13. Because he learnt from his inspectors that the law was being. neglected. It could therefore be safely assumed that the 'Amme ha-arez, were not observing it. Consequently if one purchased their produce, he had the responsibility of apportioning the tithes.
14. Ps. XLIV, 24.
15. Ibid. CXXI, 4.
16. Since his reign was blessed with peace and prosperity, he felt it was unnecessary for the Levites to use the words.
17. Before it was slaughtered for the altar.
18. To prevent it from seeing what was to happen so that it should not struggle.
19. I.e., animals which died not by the act of ritual slaughter.

20. Animals found to possess a disqualification during the examination which followed the act of slaughter.
21. To hold the animals fast so that they should not struggle, and the other methods were discontinued.
22. I.e., work used to be done on those days, which were a semi-festival, and he abolished the practice.
23. [The actual reading in our Mishnah is 'IN HIS DAYS'.]
24. The purchaser had the responsibility of separating the tithe himself, so there was no need to inquire whether the produce had been tithed before the sale.
25. Isa. XXIV, 9' The authority of the Sanhedrin was ended by the Roman General Gabinius in the middle of the first cent. B.C.E. Cf. Josephus, Ant. XIV, v. 4.
26. The phrase is explained in the Gemara.
27. V. Ex. XXVIII, 30.
28. Shamir is the name of a worm which tradition relates had the power of splitting the hardest stone. The Gemara will explain Nopheth Zufim, a phrase occurring in Ps. XIX, 11, lit., 'the droppings of the honeycomb'.
29. Ps. XII, 2. That the second and not the first Temple is intended here is proved in Tosaf. to Git. 68a.
30. Nourishing quality.
31. Lam. V, 14. The elders sat in the gate of the city to judge.
32. Zeph. II, 14. The last clause is understood as: even a cedar house, i.e., even the strongly-built house, will be destroyed.
33. So Maharsha. Rashi explains differently.
34. Hath laid bare ('erah) is connected with a root 'to be razed'.
35. Isa. XXIV, 12.
36. The demon of destruction, v. B.K. 21a.
37. Singing helps the former in their work, but with the latter it is done out of frivolity.
38. A small coin worth about sevenpence.
39. Through the decline of feasting.
40. The demand for geese had become so great.
41. A woman's singing aroused sexual passion. The latter is more serious, because it implies a wilful act on the part of the men to listen to the female voices.
42. If both cannot be suppressed at the same time, the latter should receive more attention as being the worse of the two.
43. Mentioned in the verse to be quoted.
44. Isa. V, 11f.

45. Ibid. 23.

46. Ibid. 15.

47. A euphemism for God Himself.

48. Ex. XV, 3.

Sheol hath enlarged her desire and opened her mouth without measure; and their glory, and their multitude, and their pomp, and he that rejoiceth among them, descend into it.(1)

WHEN THE FORMER PROPHETS DIED. Who are the former prophets? — R. Huna said: They are David, Samuel and Solomon. R. Nahman said: During the days of David, they were Sometimes successful(2) and at other times unsuccessful; for behold, Zadok consulted it and succeeded, whereas Abiathar consulted it and was not successful, as it is said. And Abiathar went up.(3) Rabbah b. Samuel objected: [It is written], And he(4) set himself to seek God all(5) the days of Zechariah who had understanding in the vision of God.(6) Was this not by means of the urim and Thummim?(7) — No, it was through the prophets.

Come and hear: When the first Temple was destroyed — the cities with pasture land(8) were abolished, the Urim and Thummim ceased, there was no more a king from the House of David; and if anyone incites you to quote, And the governor said unto them that they should not eat of the most holy things till there stood up a priest with Urim and Thummim,(9) reply to him: [It is only a phrase for the very remote future] as when one man says to another, 'Until the dead revive and the Messiah, son of David, comes'! — But, said R. Nahman: Who are the former prophets? [The term 'former'] excludes Haggai, Zechariah, and Malachi who are the latter [prophets]. For our Rabbis have taught: When Haggai, Zechariah and Malachi died, the Holy Spirit(10) departed from Israel; nevertheless they made use of the Bath Kol.(11) On one occasion [some Rabbis] were sitting in the upper chamber of Gurya's house in Jericho; a Bath Kol was granted to them from heaven which announced, 'There is in your midst one man who is deserving that the Shechinah should alight upon him, but his generation is unworthy of it'. They all looked at Hillel the elder; and when he died, they lamented over him, 'Alas, the pious man! Alas, the humble man! Disciple of Ezra!' On another occasion they were sitting in an upper chamber in Jabneh; a Bath Kol was granted to them from heaven which announced, 'There is in your midst one man who is deserving that the Shechinah should alight upon him, but his generation is unworthy of it'. They all looked at Samuel the Little;(12) and when he died, they lamented over him, 'Alas, the humble man! Alas, the pious man! Disciple of Hillel!' At the time of his death he also said,(13) 'Simeon and Ishmael(14) [are destined] for the sword and their colleagues for death, and the rest of the people for spoliation, and great distress will come upon the nation.' They also wished to lament over R. Judah b. Baba,(15) 'Alas, the pious man! Alas, the humble man!' But the times were disturbed and they could not lament publicly over those who had been slain by the government.

WHEN [THE SECOND] TEMPLE WAS DESTROYED, THE SHAMIR CEASED etc. Our Rabbis taught: With the Shamir Solomon built the Temple,(16) as it is said: And the house, when it was in building, was built of stone made ready at the quarry.(17) The words are to be understood as they are written;(18) such is the statement of R. Judah. R. Nehemiah asked him, Is it possible to say so? Has it not been stated: All these were of costly stones … sawed with saws!(19) If that be so, why is there a text to State, There was neither hammer, nor axe nor any tool of iron heard in the house, while it was in the building?(20) [It means] that they prepared them outside and brought them within. Rabbi said: The statement of R. Judah is probable in connection with the stones of the Sanctuary, and the statement of R. Nehamiah in connection with [Solomon's] house. For what purpose,

then, according to R. Nehemiah, was the Shamir necessary? — It was required as taught in the following: We may not write with ink upon these stones,(21) because it is said: Like the engravings of a signet,(22) nor cut into them with a knife because it is said: In their settings;(23) but he writes with ink upon them, shows the Shamir [the written strokes] on the outside, and these split of their own accord,(24) like a fig which splits open in summer and nothing at all is lost, or like a valley which splits asunder in the rainy season and nothing at all is lost.

Our Rabbis taught: The Shamir is a creature about the size of a barley-corn, and was created during the six days of Creation.(25) No hard substance can withstand it. How is it kept? They wrap it in tufts of wool and place it in a leaden tube full of barley-bran.

R. Ammi said: When the first Temple was destroyed, fringed(26) silk and white glass(27) ceased to be used. There is a teaching to the same effect: When the first Temple was destroyed, fringed silk and white glass and iron chariots ceased to be used. Some say: Also wine-jelly(28) which comes from Senir(29) and resembles cakes of figs.

AND NOFETH ZUFIM. What means NOFETH ZUFIM? — Rab said: The fine flour which floats [zofah] upon the top of a sieve [nafah] and resembles dough kneaded with honey and oil. Levi said: It is two loaves attached to [opposite sides of] an oven which keep on swelling until they touch one another.(30) R. Joshua b. Levi said: It is the honey which comes from the hills [zofim].(31) How is this known?(32) — As R. Shesheth(33) translated:(34) When the bees spring forth and fly in the heights of the world and collect honey from the herbage on the mountains.

We have learnt there:(35) Whatever is poured out(36) is clean with the exception of thick honey and batter.(37) What means zifim [thick]? — R. Johanan said: Honey used for adulteration [ziyyef]; and Resh Lakish said: It is named after its place, as it is written: Zif, Telem and Bealoth.(38) You may similarly quote, When the Zifites came and said to Saul, Doth not David etc.(39) What means Zifites? — R. Johanan said: Men who falsify their words; and R. Eliezer says: They are named after their place, as it is written: Zif Telem, and Bealoth.(38)

AND MEN OF FAITH DISAPPEARED. R. Isaac said: These are men who had faith in the Holy One, blessed be He. For it has been taught: R. Eliezer the Great(40) declares: Whoever has a piece of bread in his basket and Says. 'What shall I eat tomorrow?' belongs only to them who are little in faith. And that is what R. Eleazar said: What means that which is written: For who hath despised the day of small things?(41) [It signifies,] What is the cause that the tables of the righteous are despoiled in the Hereafter?(42) The smallness [of faith] which was in them, that they did not trust in the Holy One, blessed be He. Raba said: They are the little ones(43) among the children of the wicked of Israel

1. Isa. V, 14.
2. In obtaining knowledge of the future by consulting the Urim and Thummim.
3. II Sam. XV, 24. This is explained by the Rabbis: he retired from the priesthood because he received no reply from the Urim and Thummim.
4. Uzziah, King of Judah.
5. [M.T. reads 'in the days of.]

6. II Chron. XXVI, 5.
7. Therefore there were Urim and Thummim in the days of King Uzziah, contrary to the view of R. Huna.
8. For the Levites; v. Num. XXXV, 2.
9. Ezra II, 63. From this verse it would appear that the Urim and Thummim continued up to the destruction of the first Temple, contrary to the view of R. Huna.
10. Divine inspiration.
11. V. Gios.
12. A famous pupil of Hillel who died about a decade after the destruction of the second Temple.
13. Under the influence of the Holy Spirit.
14. Probably Simeon b. Gamaliel and Ishmael b. Elisha who were put to death after the capture of Jerusalem. See the full discussion in R.T. Herford, op. cit., pp. 129ff.
15. A victim of the Hadrianic Persecution. For further notes on this passage, v. Sanh. (Sonc. ed.) p. 46.
16. V. Git. (Sonc. ed.) p. 323, n. 2.
17. I Kings VI, 7. The Hebrew is 'perfect stone'.
18. I.e., the stones were naturally in a hewn state, as though they had been cut in a quarry.
19. Ibid. VII, 9 referring to Solomon's house.
20. Ibid. VI, 7 referring to the Temple.
21. On the ephod and High Priest's breastplate.
22. Ex. XXVIII, 11.
23. Ibid. 20. Lit., 'in their fullnesses', i.e., no part of the stones may be cut away.
24. Through the action of the Shamir the stones are split open along the written lines without any part of the stones being cut away.
25. According to Ab. v. 9 it was one of the ten things created in the twilight of the sixth day, before the first Sabbath.
26. Perles, Etymol. Studien, p. 51, identifies the word with the Persian parand or barand.
27. V. B.M. (Sonc. ed.) p. 184, n. 3.
28. Lit., congealed wine; perhaps identical with 'wine mixed with snow (Neg. I, 2).
29. A northern peak of Mt. Hermon mentioned in the Bible as famed for its cypresses.
30. The dough is blessed and so increases in size. The loaves float (Zaf) in the space of the oven.

31. There is another reading: zipya which Jastrow explains as the inner cells of the honeycomb.
32. That bees gather honey from the hills.
33. [Var. lec. 'R. Joseph', v. B.K. (Sonc. ed.) p. 9, n. 9.]
34. The words 'as bees do' in Deut. I, 44.
35. Nazir 50a.
36. If something is poured from a clean vessel into an unclean vessel, what is in the former is not defiled by the fact that the latter is unclean.
37. Being thick the outflow connects what is in the two vessels.
38. Josh. XV. 24.
39. Ps. LIV, 2 (in the E.V. it is part of the heading of the Psalm).
40. Eliezer b. Hyrcanus.
41. Zech. IV, 10.
42. They do not receive their full reward.
43. Children who died young.

Folio 49a

who despoil the verdict upon their fathers in the Hereafter, Saying before Him, 'Sovereign of the Universe! Since thou art about to exact punishment of them, why hast Thou blunted their teeth?'(1)

R. Elai b. Jebarekya said: Had it not been for the prayer of David, all Israel would have been sellers of rubbish,(2) as it is stated: Grant them esteem, O Lord.(3)

R. Elai b. Jebarekya also said: Had it not been for the prayer of Habakkuk, two disciples of the Sages would have to cover themselves with one garment(4) and occupy themselves with Torah; as it is stated: O Lord, I have heard the report of Thee and am afraid; O Lord, revive Thy work in the midst of the years(5) — read not 'in the midst of the years [bekereb shanim]' but in the drawing together of two [bekerub shenayim].(6)

R. Elai b. Jebarekya also said: If two disciples of the Sages proceed on a journey and there are no words of Torah between them, they are deserving of being burnt with fire; as it is stated: And it came to pass, as they still went on, that, behold, a chariot of fire etc.(7) The reason [why the chariot of fire appeared] was that there was discussion [of Torah between them]; hence if there had not been such discussion, they would have deserved to be burnt.

R. Elai b. Jebarekya also said: If two disciples of the Sages reside in the same city and do not support each other in [the study of] the law, one dies and the other goes into exile;(8) as it is stated: That the manslayer might flee thither, which slayeth his neighbour without knowledge,(9) and 'knowledge' means nothing but Torah, as it is stated: My people are destroyed for lack of knowledge.(10)

R. Judah, son of R. Hiyya said: Any disciple of the Sages who occupies himself with Torah in poverty will have his prayer heard; as it is stated: For the people shall dwell in Zion at Jerusalem; thou shalt weep no more; He will surely be gracious unto thee at the voice of thy cry; when He shall hear, He will answer thee,(11) and it continues, And the Lord will give you bread in adversity and water in affliction.(12) R. Abbahu said: They also satisfy him from the lustre of the Shechinah, as it is stated: Thine eyes shall see thy Teacher.(13) R. Aha b. Hanina said: Neither is the veil(14) drawn before him, as it is said: 'Thy teacher shall no more be hidden.'

RABBAN SIMEON B. GAMALIEL SAYS IN THE NAME OF R. JOSHUA:(15) FROM THE DAY THAT THE TEMPLE WAS DESTROYED, THERE IS NO DAY etc. Raba said: And the curse of each day is severer than that of the preceding, as it is stated: In the morning thou shalt say: Would God it were even! and at even thou shalt say: Would God it were morning.(16) Which morning [would they long for]? If I say the morning of the morrow, nobody knows what it will be. Therefore [it must be the morning] which had gone.(17) How, in that case, can the world endure?(18) — Through the doxology recited after the Scriptural reading,(19) and [the response of] 'May His great Name [be blessed]' [which is uttered in the doxology] after studying Aggada;(20) as it is stated: A land of thick darkness, as darkness itself, a land of the shadow of death, without any order.(21) Hence if there are Scriptural readings, it is illumined from the thick darkness.

THE DEW HAS NOT DESCENDED FOR A BLESSING AND THE FLAVOUR HAS DEPARTED FROM THE FRUITS etc. It has been taught: R. Simeon b. Eleazar Says: [The cessation of] purity has removed taste and fragrance [from fruits]; [the cessation of] tithes

has removed the fatness of corn. R. Huna once found a juicy date which he took and wrapped in his mantle. His son, Rabbah, came and said to him, 'I smell the fragrance of a juicy date'. He said to him, 'My son, there is purity in thee',(22) and gave it to him. Meanwhile [Rabbah's] son, Abba, came; [Rabbah] took it and gave it to him. [R. Huna] said to [Rabbah], 'My son, thou hast gladdened my heart(23) and blunted my teeth'.(24) That is what the popular proverb Says, 'A father's love is for his children; the children's love is for their own children.'

R. Aha b. Jacob reared R. Jacob, his daughter's son. When he grew up, [the grandfather] said to him, 'Give me some water to drink'. He replied: 'I am not thy son'.(25) That is what the popular proverb says: 'Rear me, rear me;(26) I am thy daughter's son'.

MISHNAH. DURING THE WAR WITH VESPASIAN(27) THEY [THE RABBIS] DECREED AGAINST [THE USE OF] CROWNS WORN BY BRIDEGROOMS AND AGAINST [THE USE OF] THE DRUM.(28) DURING THE WAR OF QUIETUS(29) THEY DECREED AGAINST [THE USE OF] CROWNS WORN BY BRIDES AND THAT NOBODY SHOULD TEACH HIS SON GREEK. DURING THE FINAL WAR(30) THEY DECREED THAT A BRIDE SHOULD NOT GO OUT IN A PALANQUIN(31) IN THE MIDST OF THE CITY, BUT OUR RABBIS DECREED THAT A BRIDE MAY GO OUT IN A PALANQUIN IN THE MIDST OF THE CITY.

WHEN R. MEIR(32) DIED, THE COMPOSERS OF FABLES CEASED. WHEN BEN AZZAI(33) DIED, THE ASSIDUOUS STUDENTS [OF TORAH] CEASED. WHEN BEN ZOMA(34) DIED, THE EXPOSITORS CEASED.(35) WHEN R. AKIBA(36) DIED, THE GLORY OF THE TORAH CEASED. WHEN R. HANINA B. DOSA DIED, MEN OF DEED(37) CEASED. WHEN R. JOSE KETANTA DIED, THE PIOUS MEN CEASED; AND WHY WAS HIS NAME CALLED KETANTA? BECAUSE HE WAS THE YOUNGEST(38) OF THE PIOUS MEN.(39) WHEN R. JOHANAN B. ZAKKAI(40) DIED, THE LUSTRE OF WISDOM CEASED.(41) WHEN RABBAN GAMALIEL THE ELDER DIED, THE GLORY OF THE TORAH CEASED, AND PURITY AND ABNEGATION PERISHED. WHEN R. ISHMAEL B. FABI(42) DIED, THE LUSTRE OF THE PRIESTHOOD CEASED. WHEN RABBI DIED, HUMILITY AND FEAR OF SIN CEASED.(43) R. PHINEAS B. JAIR SAYS: WHEN [THE SECOND] TEMPLE WAS DESTROYED, SCHOLARS(44) AND NOBLEMEN WERE ASHAMED AND COVERED THEIR HEAD,(45) MEN OF DEED WERE DISREGARDED, AND MEN OF ARM AND MEN OF TONGUE(46) GREW POWERFUL. NOBODY ENQUIRES,(47) NOBODY PRAYS [ON THEIR BEHALF], AND NOBODY ASKS.(48) UPON WHOM IS IT FOR US TO RELY? UPON OUR FATHER WHO IS IN HEAVEN. R. ELIEZER THE GREAT SAYS: FROM THE DAY THE TEMPLE WAS DESTROYED, THE SAGES BEGAN TO BE LIKE SCHOOL-TEACHERS,(49) SCHOOL-TEACHERS LIKE SYNAGOGUE-ATTENDANTS, SYNAGOGUE-ATTENDANTS LIKE COMMON PEOPLE, AND THE COMMON PEOPLE

1. Caused them suffering in this world by our death in childhood. By this plea the bereaved parents are spared punishment.
2. Earning a precarious livelihood.

3. Ps. IX, 21 (E.V. 'Put them in fear'). ['Them' are Israel, and the prayer is that God will bestow on them worldly goods which will secure for them the esteem of the nations.]
4. Through poverty.
5. Hab. III, 2.
6. 'Thy work' is the study of Torah; and 'drawing together of two' refers to two students sharing one garment.
7. II Kings II, 11.
8. One being the cause of the other's death, he has, so to speak, to flee to a city of refuge; he is exiled.
9. Deut. IV, 42.
10. Hos. IV, 6.
11. Isa. XXX, 19. The people dwelling in Zion symbolise students of Torah.
12. Ibid. 20 sic.
13. Ibid. 'Teacher' is applied to God.
14. Hiding the glory of God from man.
15. The wording in the Mishnah is: R. Joshua testified.
16. Deut. XXVIII, 67.
17. Because yesterday was less severe than today. Therefore they longed for its return.
18. If every day is worse than the preceding day.
19. [Kidushah-de-Sidra. Lit., 'the doxology of the order'. This name is given to the passage recited at the conclusion of the morning service which begins 'And a Redeemer shall come unto Zion' (v. P.B. p. 73) and which consists of Scriptural verses including the doxology in Hebrew and Aramaic. It was designed according to Rashi to take the place of the daily study of the law which is enjoined upon every Jew. For other explanations v. Abrahams, I., Companion to the Daily Prayer Book, p. LXXXIII.]
20. V. p. 197, n. 1.
21. Job X, 22. The word for 'order' is the same as that for the Scriptural reading.
22. For that reason he was able to smell its fragrance.
23. With his purity.
24. By displaying more love for the son than the father, because he gave him the date.
25. He claimed that the duty of honouring parents did not apply to grandparents, although he had been reared by him.
26. And yet I have not the duty of a son.
27. Which ended in the destruction of the second Temple.

28. At wedding festivities.
29. The text has Titus; but Neubauer's Mediaeval Jewish Chronicles, II p. 66 has the correct reading. Quietus was a Moorish prince, appointed by Trajan to command the army which overran Babylon in 116 C.E.
30. Rashi explains: when the Temple was destroyed. More probably it refers to the last stand against Rome under Bar Kochba in 135 C.E.
31. In which she was conveyed to her husband's house.
32. He was renowned for his fables, V. Sanh, 38b.
33. He was wedded to the Torah. V. supra p. 15.
34. He was a famous expositor. V. Ber. 12b.
35. [The text of the separately printed Mishnah adds: WHEN R. JOSHUA DIED, GOODNESS DEPARTED FROM THIS WORLD. WHEN R, SIMEON B. GAMALIEL DIED, THE LOCUST CAME AND TROUBLE INCREASED. WHEN R. ELEAZAR B. AZARIAH DIED, WEALTH DEPARTED FROM THE SAGES.]
36. He studied every letter of the Torah and derived ideas from every peculiarity of expression.
37. The phrase has been variously interpreted. V. Buchler, Some Types of Jewish-Palestinian Piety, pp. 79ff, He explains it as men who devoted their lives to deeds of loving kindness.
38. I.e., the last of them. There is no other mention of him in Rabbinic literature.
39. [J. B.K. III, makes him identical with Jose the Babylonian, the son of Akabia b. Mahalaliel. V. Derenbourg. Essai, p. 483.]
40. His disciples called him 'the lamp of Israel'. V. Br. 28b.
41. [On the wide sweep of his knowledge embracing the whole gamut of sciences known in his day v. B.B. 134a.]
42. Appointed High Priest by Agrippa II in 59 C.E. He was executed in Cyrene after the destruction of the Temple (Josephus, War VI, II, 2.).
43. Since Rabbi (Judah I, the Prince) was the redactor of the Mishnah, this paragraph is clearly a later addition. V. Bacher, Agada der Tannaiten, II, p. 222, n. 4.
44. Haberim, v. Glos.
45. Through the insolence of inferior Persons who grew powerful.
46. Demagogues.
47. Concerning Israel's plight.
48. About the welfare of his neighbour.
49. They deteriorated in quality.

BECAME MORE AND MORE DEBASED; AND THERE WAS NONE TO ASK, NONE TO INQUIRE. UPON WHOM IS IT FOR US TO RELY? UPON OUR FATHER WHO IS IN HEAVEN. IN THE FOOTSTEPS OF THE MESSIAH(1) INSOLENCE WILL INCREASE AND HONOUR DWINDLE;(2) THE VINE WILL YIELD ITS FRUIT [ABUNDANTLY] BUT WINE WILL BE DEAR;(3) THE GOVERNMENT WILL TURN TO HERESY(4) AND THERE WILL BE NONE [TO OFFER THEM] REPROOF; THE MEETING-PLACE [OF SCHOLARS] WILL BE USED FOR IMMORALITY; GALILEE WILL BE DESTROYED, GABLAN(5) DESOLATED, AND THE DWELLERS ON THE FRONTIER WILL GO ABOUT [BEGGING] FROM PLACE TO PLACE WITHOUT ANYONE TO TAKE PITY ON THEM; THE WISDOM OF THE LEARNED(6) WILL DEGENERATE, FEARERS OF SIN WILL BE DESPISED, AND THE TRUTH WILL BE LACKING; YOUTHS WILL PUT OLD MEN TO SHAME, THE OLD WILL STAND UP IN THE PRESENCE OF THE YOUNG, A SON WILL REVILE HIS FATHER, A DAUGHTER WILL RISE AGAINST HER MOTHER, A DAUGHTER-IN-LAW AGAINST HER MOTHER-IN-LAW, AND A MAN'S ENEMIES WILL BE THE MEMBERS OF HIS HOUSEHOLD;(7) THE FACE OF THE GENERATION WILL BE LIKE THE FACE OF A DOG,(8) A SON WILL NOT FEEL ASHAMED BEFORE HIS FATHER. SO UPON WHOM IS IT FOR US TO RELY? UPON OUR FATHER WHO IS IN HEAVEN.

GEMARA. Rab said: [The decree against the use of a crown] applies only to one made of salt and brimstone,(9) but if made of myrtle or roses it is permitted; and Samuel said: Also one made of myrtle or roses is prohibited, but if made of reeds or rushes it is permitted; and Levi said: Also one made of reeds or rushes is prohibited. Similarly taught Levi in his Mishnah:(10) It is also prohibited if made of reeds or rushes.

AND AGAINST [THE USE OF] THE DRUM [IRUS]. What means IRUS? — R. Eleazar said: A drum with a single bell.(11) Rabbah b. R. Huna made a tambourine for his son; his father came and broke it, saying to him, 'It might be substituted for a drum with a single bell. Go, make for him [an instrument by stretching the skin] over the mouth of a pitcher or over the mouth of a kefiz'.(12)

DURING THE WAR OF QUIETUS THEY DECREED AGAINST [THE USE OF] CROWNS WORN BY BRIDES etc. What means 'crowns worn by brides'? — Rabbah b. Bar Hanah said in the name of R. Johanan: A [miniature] golden city.(13) There is a teaching to the same effect: What are 'crowns worn by brides'? — A golden city. But one may make a cap for her out of fine wool. A Tanna taught: They also decreed against [the use of] the canopy of bridegrooms. What means 'canopy of bridegrooms'? — Crimson silk embroidered with gold. There is a teaching to the same effect. The canopy of bridegrooms is crimson silk embroidered with gold. But we may make a framework of laths and hang on it anything one desires.

AND THAT NOBODY SHOULD TEACH HIS SON GREEK. Our Rabbis taught: When the kings of the Hasmonean house fought one another,(14) Hyrcanus was outside and Aristobulus within. Each day(15) they used to let down denarii in a basket, and haul up for them [animals for] the continual offerings. An old man there, who was learned in Greek wisdom,(16) spoke with them(17) in Greek,(18) saying: 'As long as they carry on the

Temple-service, they will never surrender to you'. On the morrow they let down denarii in a basket, and hauled up a pig.(19) When it reached half way up the wall, it stuck its claws [into the wall] and the land of Israel was shaken over a distance of four hundred parasangs. At that time they declared, — 'Cursed be a man who rears pigs and cursed be a man who teaches his son Greek wisdom!' Concerning that year we learnt that it happened that the 'omer(20) had to be supplied from the gardens of Zarifim and the two loaves from the valley of En-Soker.(21) But it is not so!(22) For Rabbi said: Why use the Syrian language in the land of Israel? Either use the holy tongue or Greek! And R. Joseph said: Why use the Syrian language in Babylon? Either use the holy tongue or Persian! — The Greek language and Greek wisdom are distinct.(23) But is Greek philosophy forbidden? Behold Rab Judah declared that Samuel said in the name of Rabban Simeon b. Gamaliel, What means that which is written: Mine eye affecteth my soul, because of all the daughters of my city?(24) There were a thousand pupils in my father's house; five hundred studied Torah and five hundred studied Greek wisdom, and of these there remained only I here and the son of my father's brother in Assia!(25) — It was different with the household of Rabban Gamaliel because they had close associations with the Government;(26) for it has been taught: To trim the hair in front(27) is of the ways of the Amorites;(28) but they permitted Abtilus b. Reuben(29) to trim his hair in front because he had close associations with the Government. Similarly they permitted the household of Rabban Gamaliel to study Greek wisdom because they had close associations with the Government.

DURING THE FINAL WAR THEY DECREED THAT A BRIDE SHOULD NOT GO OUT IN A PALANQUIN etc. Why? — For reasons of chastity.(30)

WHEN RABBAN JOHANAN [B. ZAKKAI] DIED, [THE LUSTRE OF] WISDOM CEASED. Our Rabbis taught: When R. Eliezer died, the Torah-scroll was hidden away.(31) When R. Joshua died, counsel and thought ceased.(32) When R. Akiba died, the arms of the Torah ceased and the fountains of wisdom were stopped up. When R. Eleazar b. Azariah died, the crowns of wisdom ceased, because the crown of the wise is their riches.(33) When R. Hanina b. Dosa died, men of deed ceased. When Abba(34) Jose b. Ketanta died, the pious men ceased; and why was his name called Abba Jose b. Ketanta? Because he was the youngest of the pious men. When Ben Azzai died, the assiduous students [of Torah] ceased. When Ben Zoma died, the expositors ceased. When Rabban Simeon b. Gamaliel died, locusts(35) came up and troubles increased. When Rabbi died, troubles were multiplied twofold.

WHEN RABBI DIED, HUMILITY AND FEAR OF SIN CEASED. R. Joseph said to the tanna,(36) Do not include [when reciting this Mishnah] the word 'humility', because there is I.(37) R. Nahman said to the teacher, Do not include 'fear of sin', because there is I.(38)

1. Just before his advent.
2. Jast. renders; the nobility shall be oppressed. In Sanh. 97a there is a variant: honour will be perverted; or, according to Jast. the nobility will pervert (justice).
3. Through the spread of drunkenness.
4. These words are omitted in the Talmud ed. of the Mishnah. The meaning is: The Roman Empire will go over to Christianity. V. Herford, op. cit., p. 207.

5. Perhaps Gebal of Ps. LXXXIII, 8, i.e., the Northern part of Mount Seir. [Others: Gaulan, E. of the Sea of Galilee and the Upper Jordan.]
6. Lit., 'scribes'.
7. V. Micah VII, 6.
8. Impervious to shame. [In some editions the whole of this passage beginning 'R. Phineas b. Jair' is introduced with 'Our Rabbis taught', and not as part of the Mishnah.]
9. Rashi explains that it was a crown cut out of a block of salt upon which figures were traced with brimstone.
10. His own collection of traditional teachings.
11. Lit., 'mouth'.
12. A vessel of the capacity of three log.
13. According to Shab. 59a a golden crown designed in the form of Jerusalem. V. Krauss. Tal. Arch., I, p. 662 n. 961.
14. The allusion is to the struggle between the two sons of Alexander Jannaeus, Hyrcanus had the assistance of the Romans who besieged Jerusalem.
15. According to Josephus Ant. XIV, II, 2, this demand for animals was for the Passover only.
16. [Sophistry, v, Graetz, Geschichte. III, 710ff.]
17. He was in Jerusalem and addressed his words to the besiegers. He spoke in Greek because the people in the city did not understand it.
18. Lit., 'in great wisdom'.
19. In Josephus' version, they took the money but sent up no animals. So the men in Jerusalem 'prayed to God that He would avenge them on their countrymen. Nor did He delay that punishment, but sent a strong and vehement storm of wind that destroyed the fruits of the whole country.'
20. The sheaf of the first fruits and the meal-offering of two tenth parts of an ephah (Lev. XXIII, 10, 13) should consist of produce grown in the vicinity of Jerusalem. But that year the surroundings were devastated and the produce had to be brought from distant places.
21. For further notes on this passage v. B.K. (Sonc. ed.) pp. 469ff.
22. That it is forbidden to teach Greek.
23. The language is permitted but not the wisdom,
24. Lam. III. 51.
25. So Greek wisdom was studied by Rabban Gamaliel's pupils. Assia was a town east of the lake of Tiberias, v. Sanh. (Sonc. ed.) p. 151, n, 1.
26. An exception was made in their case.

27. Forming a fringe on the forehead and letting the curls hang down over the temples. V. Krauss, op. cit., I. p, 647 n. 845.
28. A heathenish practice which is forbidden.
29. Nothing more is recorded of him in Rabbinic literature.
30. There was danger of her being attacked.
31. A tribute to his great learning.
32. He was a protagonist of Judaism against heathen attacks. V. Hag. 5b.
33. Prov. XIV, 24. He was extremely wealthy. V. Shab. 54b.
34. Abba, 'father', was a title of affection given to a number of Rabbis.
35. Some understand this literally; others see a reference to exacting tax-gatherers who despoiled the people. [The reference is said to be to R. Simeon II b. Gamaliel II, (the father of Rabbi) and to the plague of locusts and pestilence that broke out in the year 164 C.E. — about the time of his death. V. Kerem Chemed IV, p. 220.]
36. Who conveyed his teaching to the students, v. Glos. s.v. (b).
37. He claimed to be humble, [V. Hor. (Sonc. ed.) p. 105.]
38. [In the separate printed editions of the Mishnah there follows: R. PHINEAS B. JAIR USED TO SAY: HEEDFULNESS LEADS TO CLEANLINESS; CLEANLINESS LEADS TO PURITY; PURITY LEADS TO ABSTINENCE; ABSTINENCE LEADS TO HOLINESS; HOLINESS LEADS TO HUMILITY; HUMILITY LEADS TO FEAR OF SIN; FEAR OF SIN LEADS TO SAINTLINESS; SAINTLINESS LEADS TO (THE POSSESSION) OF THE HOLY SPIRIT; THE HOLY SPIRIT LEADS TO THE RESURRECTION OF THE DEAD; AND THE RESURRECTION OF THE DEAD COMETH THROUGH ELIJAH OF BLESSED MEMORY, AMEN. On this passage which has been named the Saint's Progress, v. A.Z., 20b. (Sonc. ed.) p. 106.]