

הוֹיֹתָא בְּאַרְעָה: ט בְּנִים אֲשֶׁר-יִלְדוּ לָהֶם דּוֹר שְׁלִישִׁי יבֹא לָהֶם בְּקָהֶל יְדוּתָה: ס בְּנִין דֵּי יִתְּלִידוּ לְהוֹן דְּרָא תְּלִיתָאָה יְדִבִּי לְהוֹן לְמַעַל בְּקָהֶלָא דִּיִּי:

not despise an Egyptian, for you were a sojourner in his land. (9) Children who are born to them [Edom and Egypt] may enter into the [marriageable] assembly of the Lord, in their third generation.

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Because they hosted you there in a time of dire need; therefore: (9) Children who are born to them [Edom and Egypt] may enter ... in their third generation — Regarding other nations, however, they are allowed [to marry Jews] immediately [if they have converted to Judaism, although they cannot convert for this purpose]. We learn from here that someone who leads a person to sin is a more severe case than someone who kills a person. For the one who kills a person, removes him [merely] from this world, while one who leads a person to sin, removes him from this world and from the world-to-come. Therefore, Edom, who greeted you with the sword [i.e., the intention was only murder] is not to be [completely] despised. Similarly, Egypt, who drowned them [Jewish male infants, is not to be absolutely despised]. However, those [Ammon and Moav,] who led Israel into sin, are to be [completely] despised (Sifrei 23:117).

כי תצא ליום ששי

KI TETZE FOR FRIDAY

כִּי-תֵצֵא מִחֲנֶה עַל-אִיבֶיךָ וְנִשְׁמַרְתָּ מִכָּל דָּבָר רָע: אֲרִי תַפּוֹךְ מִשְׁרִיתָא עַל בְּעָלֵי דְבִבְךָ וְתִסְתַּמֵּר מִכָּל מַדְעָם בִּישׁ: יא כִּי-יִהְיֶה בְּךָ אִישׁ אֲשֶׁר לֹא-יִהְיֶה טָהוֹר מִקְרָה-לֵילָה וַיֵּצֵא אֶל-מִתּוֹן לַמַּחֲנֶה לֹא יבֹא

(10) When the camp [of Israel] goes out against your enemies, then guard yourself from everything evil. (11) If there will be among you a man who is impure [because of a] nocturnal emission, then he must go outside of the camp.

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(י) כִּי תֵצֵא וגו' וְנִשְׁמַרְתָּ. שֶׁהִשְׁטָן מְקַטְרֵג בְּשַׁעַת הַסַּכָּנָה: (יא) מִקְרָה לֵילָה. דְּבָר הַפְּתוּב בְּהוֹלָה: (10) When [the camp of Israel] goes out [against your enemies], then guard yourself — Because satan accuses men in time of danger [and therefore extra care must be taken in the time of war, when danger prevails] (Talmud Yerushalmi Shabbat 2:6). (11) [If there will be among you a man who is impure because of a] nocturnal emission — Scripture is speaking here in terms of

אֶל-תּוֹךְ הַמַּחֲנֶה: אֲרִי יְהִי בְךָ גִּבּוֹר דִּי לֹא יְהִי דְכִי מִקְרָה לִילִיָּא וְיִפּוֹק לְמִבְרָא
 לְמִשְׁרִיתָא לֹא יַעוּל לְגוּ מִשְׁרִיתָא: יב **וְהָיָה לַפְּנוֹת-עֵרֶב יֵרְחָץ בַּמַּיִם וְכָבֵא
 הַשֶּׁמֶשׁ יָבֵא אֶל-תּוֹךְ הַמַּחֲנֶה:** וְיְהִי לְמִפְנֵי רַמְשָׁא יִסְחִי בְמֵיָּא וְכִמְעַל שְׁמִשָּׁא
 יַעוּל לְגוּ מִשְׁרִיתָא: יג **וְיָד תְּהִיָּה לָךְ מַחוּץ לַמַּחֲנֶה וַיֵּצֵאתָ שָׁמָּה חוּץ:**
 וְאַתְרַּם מִתְקַן יְהִי לָךְ מִבְרָא לְמִשְׁרִיתָא וְתִפּוֹק תִּמְנָן לְבָרָא: יד **וְיָתֵד תְּהִיָּה לָךְ עַל-אֹנֶךְ
 וְהָיָה בְּשִׁבְתְּךָ חוּץ וְחִפְרָתָהּ בָּהּ וְשִׁבְתָּ וְכָסִיתָ אֶת-צִאֲתָךְ:** וְסִכְתָּ
 תְּהִי לָךְ עַל זִינְךָ וְיְהִי בְּמִפְקָד לְבָרָא וְתִחַפֵּר בָּהּ וְתִתּוּב וְתִכְסִי יָת מִפְקָתָךְ: טו **כִּי יִדּוּ
 אֱלֹהֶיךָ מִתְּהִלָּךְ: בַּקָּרֶב מִחֲנֶךְ לְהִצִּילְךָ וְלָתֵת אִיבֶיךָ לְפָנֶיךָ וְהָיָה**

He must not enter inside the camp. (12) And it will be, towards evening, he must bathe in the waters [of a mikvah], and when the sun sets, he may enter inside the camp. (13) And you must have a designated place outside the camp, so that you can go out there [for use as a lavatory]. (14) And you must keep a stake in addition to your weapons; and it will be, when you need to sit down outside [to relieve yourself], you will dig [a hole] with it, sit down, and then cover your excrement. (15) For the Lord your God is present among your camp, to rescue you and to deliver your enemies before you. [Therefore,] your camp

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that which usually occurs [that is, emissions are usually seen at night. However, the law applies equally if the emission occurred during the day] (Sifrei 23:120). Then he must go outside of the camp — This is a positive commandment; He must not enter inside the camp — This is a negative commandment. He is forbidden to

וַיָּצֵא אֶל מַחוּץ לַמַּחֲנֶה. זוּ מִצְוֹת עֲשֵׂה: **לֹא יָבֵא אֶל תּוֹךְ הַמַּחֲנֶה.** זוּ מִצְוֹת לֹא תַעֲשֶׂה. וְאַסּוּר לְכַנֵּס לְמַחֲנֶה לַיָּהּ וְכָל שָׁנָן לְמַחֲנֶה שְׂכִינָה: (יב) **וְהָיָה לַפְּנוֹת עֵרֶב.** סְמוּךְ לְהַעֲרֵב שְׁמִשּׁוֹ יִטְבּוֹל שְׂאִינוֹ טְהוֹר בְּלֹא הָעֵרֶב הַשֶּׁמֶשׁ: (יג) **וְיָד תְּהִיָּה לָךְ.** כְּתַרְגּוּמוֹ כְּמוֹ אִישׁ עַל יָדוֹ: **מַחוּץ לַמַּחֲנֶה.** חוּץ לְעֵנָן: (יד) **עַל אֹנֶךְ.** לְבַד מִשְׁאָר כְּלֵי תַשְׁמִישׁ:

enter inside the Levite [section of the] camp, and all the more so, [is he forbidden to enter inside] the [section of] the camp [in which] the Shekhinah [the Divine Presence, resides] (Sifrei 23:120, Pesachim 68a). (12) And it will be, towards evening — He should immerse [in the mikvah] close to sunset, since he does not become pure anyway, until after [having waited for] the sunset to pass (Sifrei 23:121). (13) ויד תהיה לך — [Understand the word יד as the Targum translates it: ואתר, that is a designated place. Similarly, we find (Numbers 2:17), על ידו which means “each man in his place.” Outside the camp — I.e., outside [the area surrounded by] the cloud of glory. (14) על אונך — I.e., [you should keep this stake] besides your other items of equipment. אונך — [Has the same derivative and] the same meaning as

מִחֲנִיךְ קָדוֹשׁ וְלֹא-יֵרָאֶה בְּךָ עֲרוֹת דָּבָר וְשֵׁב מֵאַחֲרֶיךָ: ס אֲרִי יי
 אֵלֶיךָ שְׁכֵנְתָה מִהֲלָכָא בְּגוּ מִשְׁרִיתֶךָ לְשׁוּבוֹתֶךָ וּלְמִמָּסָר בְּעָלִי דְבִבְךָ קְדָמְךָ וְתִהְיֶי מִשְׁרִיתֶךָ
 קִדִּישָׁא וְלֹא יִתְחַזִּי בְּךָ עֵבֶרֶת פְּתָנָם וִיתוּב מִיִּמְרָה מְלֹאוֹטְבָא לָךְ: טו לֹא-תִסְגִּיר עֶבֶד
 אֶל-אֲדָנָיו אֲשֶׁר-יִנְצַל אֵלָיֶךָ מֵעַם אֲדָנָיו: לֹא תִמָּסֵר עֶבֶד עַמּוּמִין לֵיד
 רַבּוּנָה דִּישְׁתּוּב לְוֹתֶךָ מִלּוֹת רַבּוּנָה: יז עִמָּךְ יֵשֵׁב בְּקֶרְבְּךָ בַּמָּקוֹם אֲשֶׁר-יִבְחַר
 בְּאַחַד שְׁעָרֶיךָ בְּטוֹב לוֹ לֹא תוֹנֶנּוּ: ס עִמָּךְ יִתֵּב בֵּינְךָ בְּאַתְרָא דִּי יִתְרַעֵי
 בְּחֻדָּא מִן קְרוּיָךְ בְּדִיטְב לֵה לֹא תוֹנֶנּוּ: יח לֹא-תִהְיֶה קְדֻשָּׁה מִבְּנוֹת יִשְׂרָאֵל
 וְלֹא-יִהְיֶה קְדָשׁ מִבְּנֵי יִשְׂרָאֵל: לֹא תִהְיֶה אֶתְתָּא מִבְּנֵי יִשְׂרָאֵל לְגַבְרָא עֶבֶד וְלֹא

must be holy. Let Him not see any unseemly matter among you, that He would turn away from you. (16) If a slave seeks refuge with you from his master, do not hand him back over to his master. (17) [Rather,] he must [be allowed to] reside among you, in the place which he will choose within any of your gates, where it is good for him. Do not oppress him. (18) There must not be a prostitute among the daughters of Israel, nor a male prostitute among the sons of Israel.

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אֲזַנְךָ. כְּמוֹ כָּלִי זִינָה: (טו) וְלֹא יֵרָאֶה בְּךָ. הַקֶּבֶ"ה
 עֲרוֹת דָּבָר: (טו) לֹא תִסְגִּיר עֶבֶד. כְּתַרְגוּמוֹ דְּדָבָר
 אַחֵר אָפְלוּ עֶבֶד כְּנַעֲנִי שֶׁל יִשְׂרָאֵל שֶׁבָּרַח מִחוּצָה
 לְאֶרֶץ לְאֶרֶץ יִשְׂרָאֵל: (יח) לֹא תִהְיֶה קְדֻשָּׁה.
 מוֹפְקֶרֶת מְקַדָּשֶׁת וּמְזוֹמָנֶת לְזָנוּת: וְלֹא יִהְיֶה קְדָשׁ.
 מְזוֹמֵן לְמִשְׁכָּב זָכָר וְאוֹנְקָלוֹס תִּרְגָּם לֹא תִהְיֶה אֶתְתָּא
 מִבְּנוֹת יִשְׂרָאֵל, לְגַבְרָא עֶבֶדָּא שְׂאֵף זֶה מוֹפְקֶרֶת
 לְבַעֲלִית זָנוּת הִיא מֵאַחֵר שְׂאֵין קְדוּשִׁין תּוֹפְסִין לוֹ
 בָּהּ שְׁהֵרִי הוֹקְשׁוּ לְחִמּוֹר שְׁנֶאֱמַר שָׁבוּ לָכֵם פֶּה עַם

the Canaanite servant flees to the Land of Israel, [seeking refuge] from [a country] outside Israel (Gittin 45a). (18) There must not be a קְדֻשָּׁה — This term refers to one who is unbridled and lawless, who is reserved for and ever-ready for illicit relations. There must not be ... a קְדָשׁ — This term refers to a male who is ever-ready for homosexual relations. Onkelos, however, explains the verse to mean: "A Jewish woman must not become a wife to a slave." [Nevertheless, explains Rashi, Onkelos's explanation does not contradict that given above, because] such a woman is also lawlessly susceptible for illicit relations, since marriage between a Jewess and a slave is not legally binding. For slaves are compared to donkeys, as the verse says (Genesis 22:5), "Stay here with the donkey." [Avraham said this to his lads, when he left them to take Yitzhak to offer him as a sacrifice. Our Rabbis (Kiddushin

יִסַּב גִּבְרָא מִבְּנֵי יִשְׂרָאֵל אֶתְתָּא אֲמַא: יט לֹא־תִבְיֹא אֶתְנָן זִוְנָה וּמִחִיר כָּלֵב
בֵּית יְדוּהָ אֱלֹהֶיךָ לְכָל־גִּדְרֵךְ כִּי תִזְעַבְתָּ יְדוּהָ אֱלֹהֶיךָ גַּם־שְׁנֵיהֶם:
ס לֹא תַעַל אֲגַר זַנִּיתָא וְחֹלְפִין כָּלֵבָא לְבֵית מְקֻדָּשָׁא דִּי אֱלֹהֶךָ לְכָל גִּדְרָא אֲרִי מְרַחֵק קֳדָם
יִי אֱלֹהֶךָ אִף תִּרְוִיחוּן: כ לֹא־תִשְׁיַךְ לְאַחֶיךָ נִשְׁךְ כֶּסֶף נִשְׁךְ אֶכֶל נִשְׁךְ
כָּל־דְּבָר אֲשֶׁר יִשְׁךָ: לא תִרְבִּי לְאַחוּךָ רִבִּית כֶּסֶף רִבִּית עֲבוּר רִבִּית כָּל מִדָּעַם
דְּמִתְרַבִּי: כא לִנְכְרֵי תִשְׁיַךְ וּלְאַחֶיךָ לֹא תִשְׁיַךְ לְמַעַן יִבְרַכְךָ יְדוּהָ

(19) Do not bring a prostitute's fee or that which has been procured in exchange for a dog, to the House of the Lord your God for any vow, because both of these things are an abomination to the Lord your God. (20) Do not borrow with interest from your brother, [whether it be] interest on money, interest on food or interest on any [other] item for which interest is [normally] taken. (21) You may [however,] borrow with interest from a gentile; but from your brother you

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68a) explain that Avraham's comment alluded to his reference to Eliezer, his slave, as a donkey:] [Eliezer's] people, who are compared to a donkey. [Similarly, the second half of the verse is rendered by Onkelos as follows:] "And no Jewish man must take a maidservant as a wife," since he too, becomes a קדש ["one reserved for illicit relations"] through her, because every time he cohabits with her, it is considered

prostitution, since marriage between a Jew and a maidservant is not legally binding (see Pesachim 88b). (19) **A prostitute's fee** — [For example,] if one gave a lamb to the prostitute as her fee, then this lamb is unfit to be offered up as a sacrifice [in the Holy Temple] (Sifrei 23:127). **וּמַחִיר כֶּלֶב** — If one has exchanged a dog for a lamb, then this lamb is unfit to be offered up as a sacrifice [in the Holy Temple] (ibid., Temurah 29a). **Because both of these things [are an abomination to the Lord your God]** — [The extra word גם, meaning “also,”] comes to include [a prostitute's fee or a dog's exchange, which had been] converted to another form. For example, [if one exchanged a dog for] some wheat, and then he ground the wheat into fine flour [this flour, albeit a different form of the wheat, is nevertheless unfit to be offered up as a sacrifice [in the Holy Temple] (Temurah 30b). (20) **לֹא תִשָּׁךְ** — This admonition is addressed to a borrower: that he should not pay interest to the lender. The admonition addressing the lender is the verse (Leviticus 25:37), “Do not give him [i.e., lend him] your money, with interest.” (see Sifrei 23:128) (21) **You may [however,] borrow with interest from a gentile** — [The inference here being:] but not from your brother. Now, a

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הַחֲמֹר עִם הַדּוֹמָה לַחֲמֹר וְלֹא יִסֵּב גִּבְרָא מִגְבִּי
יִשְׂרָאֵל אֶתְתָּא אֶמְתָּא שְׂאֵף הוּא נַעֲשֶׂה קָדֵשׁ
יְיָהּ שְׂכַל בְּעִלּוּתֵּיו בְּעִלּוֹת זָנוֹת שְׂאִין קִדּוּשִׁין
תּוֹפְסִין לוֹ בָּהּ: (יט) **אֶתָּן זֹנֶה**. יֵתֵן טֵלָה בְּאַתְנָה
פְּסוּל לַהֲקָרְבָּה: **וּמַחִיר כָּלֵב**. הַחֲלִיף שֶׁהַכָּלֵב: **גַּם**
שְׁנֵיהֶם. לְרֹבוֹת שְׁנֵיהֶם כְּגוֹן חֲסִים וְעֶשְׂאָן סֵלִת:
(כ) **לֹא תִשִּׁיר**. אֲזַהְרָה לָלוֹה שְׂלֵא יֵתֵן רַבִּית לַמְלוּה.
וְאַחֵר כִּן אֲזַהְרָה לַמְלוּה אֶת כִּסְפֶּךָ לֹא תֵתֵן לוֹ
בְּנִשְׁךָ: (כא) **לִנְכִרִי תִשִּׁיר**. וְלֹא לֹאחִירֵךְ לֹאֹ הַבָּא

אֱלֹהֶיךָ בְּכָל מַשְׁלַח יָדְךָ עַל-הָאָרֶץ אֲשֶׁר-אַתָּה בָּא-שָׁמָּה
לְרִשְׁתָּהּ: ׀ לְבַר עַמּוּמִין תִּרְבִּי וְלֹא-חֹדֶף לֹא תִרְבִּי בְדִיל דִּיבְרַכְנָךְ יי אֱלֹהֶיךָ בְּכָל אוֹשְׁטוֹת
יָדְךָ עַל אֶרֶץ אֵת עָלִל לְתַמָּן לְמִירְתָּה: כב כִּי-תִדְּרֹךְ נִדְרֹךְ לִידוּתָה אֱלֹהֶיךָ לֹא
תֵּאָחֵר לְשִׁלְמוֹ כִּי-דָרַשׁ יִדְרָשְׁנוּ יְדוּתָה אֱלֹהֶיךָ מֵעַמְּךָ וְהִיא בְּךָ
חֲטָא: אֲרִי תִדְרֹךְ נִדְרֹךְ קָדָם יי אֱלֹהֶיךָ לֹא תֵּאָחֵר לְשִׁלְמוֹתָה אֲרִי מֵתַבַּע יִתְבַּעֲנָה יי אֱלֹהֶיךָ מִנֶּךָ
וְהִיא בְּךָ חוֹבָא: כג וְכִי תִחְדַּל לְנִדְרֹךְ לֹא-יְהִיָּה בְּךָ חֲטָא: וְאֲרִי תִתְמַנֵּעַ לְמִנֶּךָ
לֹא יְהִי בְּךָ חוֹבָא: כד מוֹצֵא שְׁפָתֶיךָ תִּשְׁמֹר וְעָשִׂיתָ כַּאֲשֶׁר נִדְרָתָ לִידוּתָה
אֱלֹהֶיךָ נִדְבָהָ אֲשֶׁר דִּבַּרְתָּ בְּפִיךָ: ׀ אִפְקוֹת סְפוּתָךְ תִּטַּר וְתַעֲבֹד כְּמֵא דִּי נִדְרָתָ
קָדָם יי אֱלֹהֶיךָ נִדְבָתָא דִּי מִלְּתָא בְּפוּמָךְ: חמישי כה כִּי תִבָּא בְּכֶרֶם רֵעֶךָ וְאָכַלְתָּ

must not borrow with interest, in order that the Lord your God will bless you in every one of your endeavors on the land to which you are coming to possess. (22) When you pledge a vow to the Lord your God, do not delay in paying it, for the Lord your God will surely demand it from you, and it will be [counted as] a sin for you. (23) But if you will refrain from pledging [vows altogether], then you will not have any sin. (24) Observe and do that which is emitted from your lips — just like you have pledged to the Lord your God as a donation, spoken with your mouth. (25) When you enter [to work in] the vineyard of your

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negative commandment which is derived by inference from a positive commandment [such as here,] is considered to represent a positive commandment. [Thus, in this passage, we have this positive commandment (born out of the inference here “from a gentile — but not from your brother,” plus two negative commandments: a) “Do not borrow with interest from your brother” (verse 20), and b) “but from your brother you must not borrow with interest.” (verse 21) Hence, one who borrows from a Jew with interest] transgresses two negative commandments and one positive commandment (Bava Metzia 70b). (22) **[When you pledge a vow ...] do not delay in paying it** — [The delay referred to here is when] three Foot-Festivals [have passed, since the time when the vow had been made]. Our Rabbis have learned this from a Scriptural verse [Deuteronomy 16:16] (Rosh Hashanah 4b). (24) **Observe [and do] that which is emitted from your lips** — This adds a positive commandment [to pay one’s vows in time,] to the [aforementioned] negative commandment [expressed in verse 22, namely, “do not delay in paying it”]. (25) **כי תבא בכרם רעך** — [Literally means, “when you enter the vineyard of your fellow. Under what circumstances is the verse describing someone entering his fellow’s

עֲנָבִים כִּנְפֹשֶׁךָ שִׁבְעָךָ וְאֶל־כֶּלֶיךָ לֹא תִתֵּן: ס אֲרִי תִתְּגֵר בְּכַרְמָא דְחִבְרָךְ
וְתִיכּוֹל עֲנָבִין כִּנְפֹשֶׁךָ שִׁבְעָךָ וְלִמְאֲנֶךָ לֹא תִתֵּן: כו כִּי תִבְאֵ בְקִמַּת רֵעֶךָ וְקִטְפַּת
מְלִילַת בִּידֶךָ וְחִרְמֹשׁ לֹא תִנִּיף עַל קִמַּת רֵעֶךָ: ס אֲרִי תִתְּגֵר
בְּקִמַּתָּא דְחִבְרָךְ וְתִקְטוֹף דְּמִלִּין בִּידֶךָ וּמִגְלָא לֹא תִרִים עַל קִמַּתָּא דְחִבְרָךְ: כד א כִּי־יִקַּח
אִישׁ אִשָּׁה וּבַעֲלָהּ וְהָיָה אִם־לֹא תִמְצָא־חֵן בְּעֵינָיו כִּי־מִצָּא בָּהּ
עֲרוֹת דְּבָר וְכָתַב לָהּ סֵפֶר כְּרִיתָתָא וְנָתַן בְּיָדָהּ וּשְׁלַחָהּ מִבֵּיתוֹ: אֲרִי
יִסֵּב גִּבֹּר אֶתְתָּא וּיְבַעֲלָנָהּ וְיִהְיֶה אִם לֹא תִשְׁכַּח רַחֲמִין בְּעֵינוֹהִי אֲרִי אֲשַׁכַּח בָּהּ עֲבֵרַת פְּתָגָם
וְיִכְתּוֹב לָהּ גִּט פְּטוּרִין וְיִהְיֶה בְּיָדָהּ וְיִפְטְרֶנָה מִבֵּיתָהּ: ב וַיֵּצֵאָה מִבֵּיתוֹ וְהָלַכָה וְהִיתָה

fellow, you may eat as many grapes as you desire, until you are sated. But you must not place [any] into your receptacle. (26) When you enter [to work in] the standing grain of your fellow, you may pick the ears with your hand. But you must not lift a sickle upon the standing grain of your fellow. 24 (1) When a man takes a woman [for a wife] and is intimate with her, and it will be that she does not find favor in his eyes because he discovers an unseemly [moral] matter in her — then he should write her a bill of divorce and place it in her hand, [thereby] sending her away from his household. (2) She will [thus] go out from

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vineyard?] The verse is speaking here of a worker [who enters his employer's vineyard, in order to work there] (Bava Metzia 87b).

כִּנְפֹשֶׁךָ — Means "as many as you wish."

Until you are sated — But not excessive eating. (ibid.)

You must not place [any] into your receptacle — From here [we learn that] Scripture is referring only to the

period of the grape harvest, when you are placing [grapes] into the owner's receptacle [to gather them in] (ibid.). However, if the worker is entering [the vineyard] in order to do some weeding or hoeing [i.e., not to harvest], then he is not allowed to eat [any of the grapes] (Bava Metzia 89b). (26) בקמת רעך כי תבא — This too, is referring to a worker [who enters his employer's grain field, in order to work there] (Bava Metzia 87b). (1) [When a man takes a woman (for a wife) ... that she does not find favor in his eyes] because he discovers an unseemly [moral] matter in her — [Then in this case,] he indeed has an obligation to divorce her, to avoid her [eventually] finding favor in his eyes [when he consequently might wish to keep her, which he must not do, since she had committed an act

בְּפֹעֵל הַקְּתוּב מְדַבֵּר: כִּנְפֹשֶׁךָ. כִּמְהָ שֶׁתִּרְצֶה: שִׁבְעָךָ. וְלֹא אֲכִילָה גֹסֶה: וְאֶל כֶּלֶיךָ לֹא תִתֵּן. מִכָּאן שֶׁלֹּא דִבְרָה תּוֹרָה אֶלָּא בְּשַׁעַת הַבְּצִיר בְּזִמְנֵי שְׂאֵתָהּ נוֹתֵן לְכֻלּוֹ שֶׁל בַּעַל הַבֵּית אֲבָל אִם בָּא לַעֲדוֹר וּלְקַשְׁקֵשׁ אֵינוֹ אוֹכֵל: (כו) כִּי תִבְאֵ בְקִמַּת רֵעֶךָ. אִף זוֹ בְּפֹעֵל הַקְּתוּב מְדַבֵּר: (א) כִּי מִצָּא בָּהּ עֲרוֹת דְּבָר. מִצּוֹה עָלָיו לְגַרְשָׁהּ שֶׁלֹּא תִמְצָא חֵן

לְאִישׁ־אַחֵר: וְתִפּוֹק מִבֵּיתָהּ וְתִהְיֶה לְגִבֹּר אַחֵר: ג וּשְׂנֵאָהּ הָאִישׁ הָאֲחֵרוֹן
 וְכָתַב לָהּ סֵפֶר כְּרִיתוֹת וְנָתַן בְּיָדָהּ וּשְׁלָחָהּ מִבֵּיתוֹ אוֹ כִּי יָמוּת
 הָאִישׁ הָאֲחֵרוֹן אֲשֶׁר־לָקַחָהּ לוֹ לְאִשָּׁה: וַיִּסְנֶנָה גְבֵרָא בִּתְרָאָה וַיִּכְתּוּב לָהּ
 גִּט פְּטוּרִין וַיִּתֵּן בְּיָדָהּ וַיִּפְטְרֶנָה מִבֵּיתָהּ אוֹ אֲרִי יָמוּת גְּבֵרָא בִּתְרָאָה דְּנִסְבָּה לָהּ לְאַנְתּוֹ:
 ד לֹא־יִוָּכַל בַּעֲלָהּ הָרֵאשׁוֹן אֲשֶׁר־שְׁלָחָהּ לָשׁוּב לְקַחְתָּהּ לְהָיוֹת
 לוֹ לְאִשָּׁה אַחֲרֵי אֲשֶׁר הִטְמָאָה כִּי־תוֹעֵבָה הוּא לִפְנֵי יְדוּהָ וְלֹא
 תַחֲטִיא אֶת־הָאָרֶץ אֲשֶׁר יְדוּהָ אֱלֹהֶיךָ נָתַן לָךְ נַחֲלָה: ס לֵית לָהּ רִשׁוֹ
 לְבַעֲלָהּ קְדָמָא דִּי פְטָרָה לְמַתָּב לְמַסְבָּה לְמַחְוִי לָהּ לְאַנְתּוֹ בְּתַר דִּי אִסְתָּאבַת אֲרִי מְרַחֵקָא הִיא
 קָדָם יִי וְלֹא תַחֲיִיב יֵת אַרְעָא דִּי יִי אֱלֹהֶיךָ יִהְיֶה לָךְ אַחֲסָנָא: שִׁי ה כִּי־יִקַּח אִישׁ אִשָּׁה
 חֲדָשָׁה לֹא יֵצֵא בַצָּבָא וְלֹא־יַעֲבֹר עָלָיו לְכָל־דְּבָר נָקִי יִהְיֶה

his household, and may go and be [a wife] for another man. (3) And if the latter husband hates her and writes her a bill of divorce, and places it in her hand and sends her away from his household; or if the latter husband who took her as a wife, dies. (4) Then her first husband, who had sent her away, must not take her once again to be his wife, since she is defiled [to him]. For that is an abomination before the Lord, and you must not bring sin to the land which the Lord your God gives you for an inheritance. (5) When a man takes a new wife, he must not go to the army, nor must he be assigned to any [other] matter. He

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of impropriety] (Gittin 90b). (2) **[She ... may go and be (a wife)] for another man —** *[This second husband is truly “another man”.] He differs from her first husband, who sent out the evil woman from his home, while this man has taken her in [to his home].* (ibid.) (3) **If the latter husband hates her**

— *The verse is telling this man [who took the evil woman as a wife], that eventually he will [come to] despise her; and if not, she will bury him, for the verse continues, “or if the latter husband ... dies.”* (Sifrei 24:135) (4) **אֲשֶׁר הִטְמָאָה אַחֲרֵי** — *[This unusual expression] comes to include the case of a sotah [a wife, who is suspected of] being confined [with another man, being unfaithful to her husband. Until her trial ceremony takes place (see Numbers 5:11-31) and it is yet unknown whether she has been “defiled” to her husband i.e., forbidden to him because she committed adultery], he must not have relations with her until the verdict* (Sifrei 24:136). (5) **[When a man takes] a new wife —** *I.e., one that is new to him, although*

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בְּעִינְיוֹ (ס"א מְצוּהָ שֶׁלֹא תִמָּצֵא חֵן בְּעִינָיו) (ב) לְאִישׁ
 אַחֵר. אֵין זֶה בֶּן זִוגוֹ שֶׁל רֵאשׁוֹן הוּא הוֹצִיא רִשְׁעָה
 מִתּוֹךְ בֵּיתוֹ וְזֶה הַכְּנִיסָהּ: (ג) וּשְׂנֵאָהּ הָאִישׁ הָאֲחֵרוֹן.
 הַכְּתוּב מְבַשְּׂרוֹ שֶׁסּוֹפוֹ לְשִׁנּוֹאוֹתָהּ וְאִם לֹא קוֹבְרָתוֹ
 שְׂנֵאָמֶר אוֹ כִּי יָמוּת: (ד) אַחֲרֵי אֲשֶׁר הִטְמָאָה.
 לְרִבּוֹת סוּטָה שֶׁנִּסְתַּתְּרָה: (ה) אִשָּׁה חֲדָשָׁה. שְׁהִיא

לְבֵיתוֹ שָׁנָה אֶחָת וְשִׂמַּח אֶת-אִשְׁתּוֹ אֲשֶׁר-לָקַח: אֲרִי יִסַּב גִּבֹּר אֶתְּתָא
 חֲדַתָּא לָא יְפוּק בְּחִילָא וְלֹא יַעֲבֹר עֲלוּהִי לְכָל מַדְעָם פְּנִי יְהִי לְבֵיתָה שְׂתָא חֲדָא וַיַּחֲדִי יֵת אֶתְתָּה
 דִּי נִסְב: ו לֹא-יַחְבֵּל רַחִים וְרֹכֵב כִּי-נִפֵּשׁ הוּא חֲבֵל: ס לָא תִסַּב מִשְׁכּוֹנָא

must remain free for his household for one year, and he must make his wife happy, whom he has taken. (6) One must not give the lower or the upper

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she may even be a widow; but this does not include the case of a man who remarries his former wife, whom he had divorced (Sotah 44a). *Refers to any military duty. To any [other] matter — That is required by the army: [For instance] he must not supply water and food [to the army], nor must he repair the roads [for the army's purpose]. This is the case of a man who takes a new wife]. However, men whom the priest discharges from the battlefield because they either built a new house but not yet lived in it, or betrothed a woman but not yet taken*

her as a wife (etc., see Deuteronomy 20:5-7) — these men are permitted to supply water and food [to the army] and to repair the roads [for the army's purpose] (Sotah 43a). **He must remain [free] for his household** — [That is, as it is literally understood:] “free for his [actual] house.” [This refers] also to [the case of] a man who has built a new house and has just started to live in it [but it is still within the first year], or if he planted a vineyard (see Deuteronomy 20:6) and has just redeemed it [i.e., he has just begun to eat of its fruits in the fourth year, by redeeming them, and eating their value in Jerusalem — but it is still within that year], then this man does not have to not leave his home for the needs of war. **לְבֵיתוֹ** — This word refers to his actual house [as explained above]. **יְהִיה** — [This word implies an extra inclusion. In this case it] comes to include his vineyard [as explained above]. **וְשִׂמַּח** — [the word **את** in the phrase **וְשִׂמַּח את אִשְׁתּוֹ** can mean “with,” or it can simply introduce the direct object, namely, “his wife.” Thus, this phrase can either mean, “he must rejoice with his wife,” or it could mean, “he must make his wife happy.” Here, Rashi points our attention to the fact that the word **וְשִׂמַּח** is in the causitive conjunction, hence, the latter meaning is the correct one, as follows:] This means: “He must make his wife happy” [that is, the verb is in the piel (intensive causitive) conjugation]. Thus, the [correct] rendering is as it appears in the Targum: **וַיַּחֲדִי יֵת אֶתְתָּה**. “and he must make his wife happy.” If anyone translates this phrase as, **וְשִׂמַּח את אִשְׁתּוֹ**, “he must rejoice with his wife,” then he is mistaken, for this is not the translation of the piel (intensive causitive) conjugation of **וְשִׂמַּח**, but rather, is the translation of the kal (simple intransitive) conjugation of **וְשִׂמַּח**. (6) **One must not give ... as**

חֲדַשָּׁה לוֹ וְאַפְלוּ אֶלְמָנָה פִּרְט לְמַחְזִיר גְּרוּשָׁתוֹ: וְלֹא
 יַעֲבֹר עָלָיו. דָּבָר הַצָּבָא: לְכָל דָּבָר. שְׂהוּא צוֹרֵךְ
 הַצָּבָא לֹא לְסַפֵּק מִים וּמַזוֹן וְלֹא לְתַקֵּן דְּרָכִים אֲבָל
 הַחֲזִירִים מֵעוֹרְכֵי הַמִּלְחָמָה עַל פִּי כֹהֵן כְּגוֹן בְּנֵה בֵּית
 וְלֹא חָנֹכוֹ אוֹ אֶרֶשׁ אִשָּׁה וְלֹא לְקַחָהּ מִסְּפִיקִין מִים
 וּמַזוֹן וּמִתְקָנִין אֶת הַדְּרָכִים: יְהִיה לְבֵיתוֹ. אִף בְּשָׂבִיל
 בֵּיתוֹ אִם בְּנֵה בֵּית וְחָנֹכוֹ וְאִם נָטַע כָּרֶם וְחָלְלוֹ אִינוּ
 זָז מִבֵּיתוֹ בְּשָׂבִיל צָרְכֵי הַמִּלְחָמָה: לְבֵיתוֹ. זֶה בֵּיתוֹ:
 יְהִיה. לְרִבּוּת אֶת כְּרָמוֹ: וְשִׂמַּח. יְשִׂמַּח אֶת אִשְׁתּוֹ
 וְתִרְגְּמוּ וַיַּחֲדִי יֵת אֶתְתָּה וְהַמִּתְרַגֵּם וַיַּחֲדִי עִם
 אֶתְתָּה טוֹעָה הוּא שְׂאִין זֶה תִּרְגְּמוּ שֶׁל וְשִׂמַּח אֶלָּא
 שֶׁל וְשִׂמַּח: (ו) לֹא יַחְבֵּל. אִם בָּא לְמִשְׁכְּנוֹ עַל חוּבוֹ

רָחֵא וְרָכַב אֲרִי בְהוֹן מִתְעַבֵּד מְזוֹן לְכָל נֶפֶשׁ: ז כִּי־יִמָּצָא אִישׁ גִּנֵּב נֶפֶשׁ מֵאֶחָיו
 מִבְּנֵי יִשְׂרָאֵל וְהִתְעַמְר־בּוֹ וּמָכְרוֹ וּמָת גִּנְבֵּה הָיָה וּבִעֲרַת הָרַע
 מִקִּרְבּוֹ: ס אֲרִי יִשְׁתַּכַּח גִּבּוֹר גִּנֵּב נֶפֶשׁא מֵאֶחָיו מִבְּנֵי יִשְׂרָאֵל וְיִתְגַּר בָּהּ וַיִּזְבְּנָה וַיִּתְקַטֵּל
 גִּנְבָא הָיָה וְתַפְלִי עֶבֶד דְּבִישׁ מִבִּינָה: ח הַשְׁמֵר בְּנִגְע־הַצָּרַעַת לְשֹׁמֵר מֵאֵד
 וּלְעִשּׂוֹת כָּל־אֲשֶׁר־יֹרֶוּ אֶתְכֶם הַכֹּהֲנִים הַלְוִיִּם כֹּאֲשֶׁר צִוִּיתֶם
 תִּשְׁמְרוּ לַעֲשׂוֹת: אסתרמר במכתש סגירו למטר לחדא ולמעבד ככל די ילפון יתכון
 כהניא לואי כמא די פקדתנן תטרון למעבד: ט זְכוֹר אֶת־אֲשֶׁר־עָשָׂה יְדוּהָ

millstone as security [for a loan], because that is [tantamount to] giving a life as security. (7) If a man is discovered kidnapping any of his brothers from the Children of Israel, and treats him as a slave, and [then] sells him — then that thief must die. So will you exterminate the evil from among you. (8) Be cautious regarding the lesion of *tzara'at*, to observe meticulously and do according to all that the Levite priests will instruct you; as I have commanded them, [so must you] observe to do. (9) Remember what the Lord your God did to Miriam on

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security [for a loan] — *If a creditor comes to the court to demand security for a debt [for which no security had previously been required], then he cannot claim as security, articles which are used in the preparation of food (Bava Metzia 115a).* **רחים** — *This is the lower [millstone]; רכב* — *This the upper [millstone].* (7) **If [a man] is discovered** — *By witnesses, and after he was warned [not to kidnap] (Sifrei 24:139). The same applies to*

בבת דין לא ימשכנו בדברים שעושים בהן אוכל נפש: רחים. היא התחתונה: ורכב. היא העליונה: (ז) כִּי יִמָּצָא. בעדים והתראה וכן כל ימצא שבתורה: והתעמר בו. אינו חייב עד שישתמש בו: (ח) הַשְׁמֵר בְּנִגְע־הַצָּרַעַת. שלא תתלוש סימני טומאה ולא תקוץ את הבהרת: ככל אשר יורו אתכם. אם להסגיר אם להחליט אם לטהר: (ט) זְכוֹר אֶת־אֲשֶׁר עָשָׂה וְגו' לַמְּרִים. אם באת להזהר שלא תלקה בצרעת אל תספר לשון הרע

all cases where the Torah says, ימצא, "[If someone is] found" [that this discovery refers to witnesses beholding the transgression, and only after the perpetrator was warned not to commit that sin] (Mekhilta 21:63). **And treats him as a slave** — *The perpetrator is not liable [to the death penalty] until he uses his victim as a slave (Sifrei 24:139).* (8) **Be cautious regarding the lesion of *tzara'at*** — *This means that you must not remove any of the signs of impurity [e.g., by peeling off the skin], nor must you cut off a bright spot (Sifrei 24:140, Makkot 22a).* **According to all that [the Levite priests] will instruct you** — *Namely, whether to quarantine [the person with *tzara'at*], or whether to make a decisive diagnosis [of *tzara'at*], or whether to declare him pure.* (9) **Remember what the Lord your God did to Miriam** — *If you wish to take precautions against being stricken with *tzara'at*, then do not speak הרע לשון [i.e., speaking badly of someone]. Remember what was done to Miriam! She*

אֱלֹהֶיךָ לְמִרְיָם בְּדֶרֶךְ בְּצֵאתְכֶם מִמִּצְרַיִם: ס הָיִי דְכִיר יְתִי עֶבֶד יְיָ אֱלֹהֶיךָ
 לְמִרְיָם בְּאַרְחָא בְּמִפְקָכוֹן מִמִּצְרַיִם: י כִּי־תֵשֶׁה בְּרַעַךְ מִשְׁאֵת מְאוֹמָה
 לֹא־תָבֹא אֶל־בֵּיתוֹ לַעֲבֹט עֲבָטוֹ: אֲרִי תִרְשִׁי בְּחִבְרֶךָ רְשׁוֹ מִדַּעַם לֹא תַעֲוֹל
 לְבֵיתָהּ לְמִסֵּב מִשְׁכּוֹנָהּ: יא בַּחוּץ תַּעֲמֹד וְהָאִישׁ אֲשֶׁר אֶתָּה נִשֶּׂה בּוֹ
 יוֹצִיא אֵלֶיךָ אֶת־הָעֲבוֹט הַחוּצָה: בְּבֹרָא תִקּוּם וּגְבֵרָא דִּי אֶת רְשִׁי בֵּה יִפֵּק לוֹתֶךָ
 ית מִשְׁכּוֹנָא לְבֹרָא: יב וְאִם־אִישׁ עָנִי הוּא לֹא תִשְׁכַּב בְּעֲבָטוֹ: וְאִם מִסְכֵּן
 הוּא לֹא תִשְׁכּוּב בְּמִשְׁכּוֹנָהּ: יג הָשִׁב תִּשְׁיֵב לוֹ אֶת־הָעֲבוֹט כְּבֹוא הַשֶּׁמֶשׁ
 וְשָׁכַב בְּשַׁלְמָתוֹ וּבִרְכֶּךָ וּלְךָ תִּהְיֶה צְדָקָה לְפָנֶי יְדוּהָ אֱלֹהֶיךָ: ס

the way, when you went out from Egypt. (10) When you lend your fellow [Jew] any item, do not enter his home to take something as security. (11) [Rather,] you should stand outside, and the man to whom you are extending the loan will bring the security to you outside. (12) And if he is a poor man, you must not lie down [to sleep] with his security. (13) You must surely return the security to him by sunset, so that he may lie down [to sleep] in his garment, and he will bless you, and it will be counted for you as charitable merit before the Lord

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spoke against her brother [Moshe] and was stricken with lesions [of tzara'at] (see Numbers 12:1-16) (Sifrei 24:141). (10) כי תשה ברעך — Means, "when you make a loan to your friend." משאת מאומה — Means, "a loan of anything." (12) You must not lie down [to sleep] with his security — This means that you must not lie down to sleep

while you still have [the article which is used as] his security in your possession (Sifrei 24:144, Bava Metzia 114b). (13) [You must surely return the security to him] by sunset — If it is garment [that he must wear] during the night. And if the security is a garment [that he must wear] during the day, then you must return it to him in the morning [so that he can wear it throughout the day]. This [matter of returning a security of a daytime garment in the morning,] has already been written in parshat Mishpatim, when the verse says (Exodus 22:25), "you must return it to him until sunset," which means that you must return [this daytime garment] to him [in the morning so that he can use it] throughout the entire day, and when the sun sets, you may take it [back from him] (Bava Metzia 114b). And he will bless you [and it will be counted for you as charitable merit] — But if he does not bless you, it

זכור העשוי למרים שדברה באחיה ולקחה בנגעים:
 (י) כי תשה ברעך. תחוב בחבירך: משאת מאומה.
 חוב של כלום: (יב) לא תשכב בעבטו. לא תשכב
 ועבטו אצלה: (יג) כבוא השמש. אם כסות לילה
 הוא ואם כסות יום החזירה בבקר וכבר כתוב
 בואלה המשפטים עד בא השמש תשיבנו לו כל
 היום תשיבנו לו וכבא השמש תקחנו: וברכך ואם

אֲתָבָא תִּתֵּב לֵהּ יֵת מִשְׁכּוֹנָא כְּמַעַל שְׁמָשָׁא וְיִשְׁכּוּב בְּכִסּוּתָהּ וְיִבְרַכְנָהּ וְלֶךְ תְּהִי זְכוּתָא
 קָדָם יי אֱלֹהֶיךָ: שביעי יד **לֹא־תַעֲשֶׂק שָׂכִיר עֲנִי וְאֲבִיוֹן מֵאַחֶיךָ אוֹ מִגֵּרְךָ**
אֲשֶׁר בְּאַרְצְךָ בְּשַׁעְרֶיךָ: לֹא תַעֲשׂוּק אֲגִירָא עֲנִיא וּמִסְכָּנָא מֵאַחֶיךָ אוֹ מִגֵּיּוֹרְךָ דִּי
 בְּאַרְעָךָ בְּקִרְוֶיךָ: טו **בְּיוֹמוֹ תִּתֵּן שְׂכָרוֹ וְלֹא־תִבּוֹא עָלָיו הַשֶּׁמֶשׁ כִּי עֲנִי**
הוּא וְאֵלָיו הוּא נִשָּׂא אֶת־נַפְשׁוֹ וְלֹא־יִקְרָא עָלֶיךָ אֶל־יְדוּהָ

your God. (14) Do not withhold the wages of a poor or destitute hired worker, whether he is one of your brothers or one of the converts who are in your land within your gates. (15) [Rather,] you must give him his wage on the day it is due to him, and not let the sun set [with him waiting] for it. For he is poor, and he risks his life for it. Do not let him cry out to the Lord against you, thereby

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will nevertheless “be counted for you as charitable merit.” (Sifrei 24:144) (14) **Do not withhold the wages of [a poor or destitute] hired worker** — But has this not already been written [in the verse (Leviticus 19:13), “Do not unjustly withhold that which is due to your fellow Jew ... do not let a worker’s wages remain with you overnight until morning”]??

However, this [negative commandment] is [repeated here], in order to [make the one who withholds the wages of a poor worker] transgress two negative commandments: Firstly [here,] the negative commandment not to withhold the wages of a worker who is poor or destitute, and secondly, [transgressing] the admonition against withholding the wages of the well-to-do worker [that is, one who is not necessarily poor, in the verse in Leviticus (cited above)], “Do not [unjustly] withhold that which is due to your fellow [Jew ... do not let a worker’s wages remain with you overnight until morning]” (Bava Metzia 61a). **וְאֲבִיוֹן** — Refers to one who longs for everything [because he lacks everything. Here, the word for longing (תַּאֲבָ) resembles the word for destitute (אֲבִיוֹן)]. **מִגֵּרְךָ** — This refers to a righteous proselyte [who converts to Judaism out of genuine conviction and pure motives] (Sifrei 24:145). **Within your gates** — This expression refers to a convert who [has only undertaken not to engage in idolatry, but who] eats animals which have not been ritually slaughtered. (ibid.) **Who are in your land** — This expression comes to include [the prohibition of withholding fees charged for] the hire of someone’s animals or utensils (ibid., Bava Metzia 111b). (15) **וְאֵלָיו הוּא נִשָּׂא אֶת נַפְשׁוֹ** — Means: He risks his very life [in order to earn] this wage. [For instance, to do his work and earn his wage, the worker may have to] climb up a [dangerous] ramp, or [he may

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אינו מְבַרְכְךָ מִכָּל מְקוֹם וְלֶךְ תְּהִיָּה צְדָקָה: (יד) **לֹא תַעֲשֶׂק שָׂכִיר**. וְהֵלֵךְ כְּבָר כְּתוּב אֵלָּא לַעֲבוֹר עַל הָאֲבִיוֹן בְּב' לֵאמֹין לֹא תַעֲשׂוּק שָׂכִיר שֶׁהוּא עֲנִי וְאֲבִיוֹן וְעַל הָעֲשִׂיר כְּבָר הוֹדָהּ לֹא תַעֲשֶׂק אֶת רַעְיָךְ: **וְאֲבִיוֹן**. הַתָּאֵב לְכָל דָּבָר: **מִגֵּרְךָ**. זֶה גֵּר צִדִּיק: **בְּשַׁעְרֶיךָ**. זֶה גֵּר תּוֹשֵׁב הָאוֹכֵל בְּבֵלוֹת: **אֲשֶׁר בְּאַרְצְךָ**. לְרֵבּוֹת שָׂכִיר בְּהֵמָה וְכִלִּים: (טו) **וְאֵלָיו הוּא נִשָּׂא אֶת נַפְשׁוֹ**. אֵל הַשָּׂכֵר הַזֶּה הוּא נוֹשֵׂא אֶת

וְהָיָה בְךָ חֵטָא: ס בְּיוֹמָהּ תִּתֵּן אֲגֵרָה וְלֹא תַעֲוִל עֲלוֹהֵי שְׁמִשָּׂא אָרִי עֲנִיָּא הוּא וְלֵהּ הוּא
מִסֵּר יֵת נִפְשָׁה וְלֹא יִקְרִי עָלֶיךָ קֶדֶם יְיָ וְיִהְיֶה בְךָ חוֹבָא: טו **לֹא יוֹמְתוּ אָבוֹת עַל-בָּנִים**
וּבָנִים לֹא יוֹמְתוּ עַל-אָבוֹת אִישׁ בְּחֵטְאוֹ יוֹמְתוֹ: ס לֹא יָמוּתוּן אֲבָהֶן
 עַל פֹּהם בָּנִין וּבָנִין לֹא יָמוּתוּן עַל פֹּהם אֲבָהֶן אֲנִשׁ בְּחוֹבָהּ יָמוּתוּן: יז **לֹא תִטֶּה מִשְׁפָּט**

causing you to have a sin. (16) Fathers will not die through their children, nor will children die through their fathers: each man will die for his own transgression. (17) Do not divert the judgment of a convert or an orphan

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have to] suspend himself from a [tall] tree [and so on] (Bava Metzia 112a). [Do not let him cry out to the Lord against you,] thereby causing you to have a sin — [Although] in any case, [even if he does not cry out to the Lord against you, withholding this man's wages will nevertheless be counted as a sin for you]. However, [if he does cry out,] your punishment will be meted out much faster, by virtue of that man who cries out [to the Lord against you] (Sifrei 24:146).

נִפְשׁוֹ לָמוּת עָלָה בְּכַבֵּשׁ וְנִתְּלָה בְּאֵילָן: וְהָיָה בְךָ חֵטָא. מְכַל מְקוֹם אֵלָּא שְׁמִמְהֵרִין לִפְרַע עַל יְדֵי הַקּוֹרָא: (טו) **לֹא יוֹמְתוּ אָבוֹת עַל בָּנִים**. בְּעֵדוּת בָּנִים וְאִם תֹּאמַר בְּעוֹן בָּנִים כְּכֹר נֹאמַר אִישׁ בְּחֵטְאוֹ יוֹמְתוֹ אֲבָל מִי שֶׁאִינוֹ אִישׁ מֵת בְּעוֹן אָבִיו וְהַקֹּטְנִים מֵתִים בְּעוֹן אָבוֹתָם בִּידֵי שְׁמַיִם: (יז) **לֹא תִטֶּה מִשְׁפָּט גֵּר יְתוֹם**. וְעַל הָעֲשִׂיר כְּכֹר הוֹזָהָר לֹא תִטֶּה מִשְׁפָּט וְשָׁנָה בְּעֵנִי לַעֲבוֹר עָלָיו בְּשָׁנִי לְאוֹיֵן לְפִי שֶׁנִּקְלָה לְהַטּוֹת מִשְׁפָּט עָנִי יוֹתֵר מִשָּׁל עֲשִׂיר לְכָה הַזֶּהִיר

children — That is, [they will not be put to death] by the testimony of their children. Now, if you suggest [that this verse means: Fathers will not die] because of the sins of their children, [this cannot be the meaning here,] since this has already been stated [in the continuation of this verse:] “Each man will die for his own transgression” [and not because of the transgressions of his children. Thus, the meaning here is that fathers will not be put to death by the testimony of their children]. [The verse says here, “each man will die for his own transgression.” This is true then, in the case of a “man” (אִישׁ).] However, one who is not yet an אִישׁ [i.e., one who is not an adult male, namely, a young child,] may die on account of his father's transgressions. [Hence, we learn that] at the hands of Heaven, minors may die on account of their parents' sins (Sifrei 24:147). (17) **Do not divert the judgment of a convert or an orphan [unjustifiably in their favor] —** And with reference to a wealthy person [that is, one who is not necessarily poor], the admonition [to prohibit diversion of judgment unjustifiably in his favor] has already been made, when the verse says (Deuteronomy 16:19), “Do not divert judgment.” However, Scripture repeats this prohibition here in reference to the poor man, in order to [make the one who diverts the judgment of the poor man unjustifiably in his favor] transgress two negative commandments, since it is easier to [transgress and] divert the judgment of a poor man, than to do so with that of a rich man [because one has sympathy for the defendant who is poor, and is therefore predisposed to sway the judgment in his favor, out of pity, albeit an unjustifiable diversion of justice]. So for this reason, Scripture

גַּר יְתוֹם וְלֹא תַחְבֵּל בְּגֵד אֱלֻמָּנָה: לֹא תִצְלִי דִין גִּיּוֹרָא וְיִתְמָא וְלֹא תִסַּב מִשְׁכּוֹנָא לְבוּשׁ אֲרַמְלָא: יח וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּמִצְרַיִם וַיַּפְדֶּךָ יְדוֹהָ אֱלֹהֶיךָ מִשָּׁם עַל־כֵּן אֲנֹכִי מִצְוֶיךָ לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה: ס וְתִדְכַּר אֲרִי עֲבָדָא הָיִיתָ בְּמִצְרַיִם וּפְרָקְךָ יי אֱלֹהֶיךָ מִתַּמָּן עַל כֵּן אֲנָא מִפְקָדְךָ לְמַעַבְדָּא יְת פִּתְגָמָא הָדִין: יט כִּי תִקְצַר קְצִירְךָ בְּשָׂדֶךָ וּשְׂכַחְתָּ עֹמֶר בַּשָּׂדֶה לֹא תָשׁוּב לְקַחְתּוֹ לַגֵּר לִיתוֹם וְלֹא־לְמִנָּה יִהְיֶה לְמַעַן יִבְרַכְךָ יְדוֹהָ

[unjustifiably in their favor], and do not take a widow's garment as security [for a loan]. (18) You must remember that you were a slave in Egypt, and the Lord your God redeemed you from there: therefore, I command you to do this thing. (19) When you reap your harvest in your field and forget a sheaf in the field, you must not go back to get it: it must be [left] for the stranger, the orphan and

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admonishes [us regarding this prohibition], and then repeats [the admonition here, in reference to the defendant who is poor]. Do not take [a widow's garment] as security [for a loan] — Here, the verse is not referring to the time when the actual loan is being made [but rather, when the debtor has defaulted on the loan] (18) You must

וְשִׁנָּה עָלָיו: לֹא תַחְבֵּל. שְׁלֹא בַשָּׁעַת הַלּוֹאָה: (יח) וְזָכַרְתָּ. עַל מִנַּת כֵּן פְּדִיתִיךָ לְשִׁמּוֹר חֻקוֹתַי אֲפִלּוּ יֵשׁ חֶסֶר וְכִּסּ בַּדָּבָר: (יט) וּשְׂכַחְתָּ עֹמֶר. וְלֹא גָדִישׁ מִכָּאן אֲמָרוּ עֹמֶר שֵׁשׁ בּו סֵאתִים וּשְׂכַחוּ אִינוּ שְׂכָחָה: בַּשָּׂדֶה. לְרִבּוֹת שְׂכַחְתָּ קָמָה שְׂשֻׁכָּחָה מִקְצֶתָהּ מִלְקָצוֹר: לֹא תָשׁוּב לְקַחְתּוֹ. מִכָּאן אֲמָרוּ שְׁלֹא־חֲדָיו שְׂכָחָה שְׁלִפְפָּיו אִינוּ שְׂכָחָה שְׁאִינוּ בָּבֵל

remember [that you were a slave in Egypt, and the Lord your God redeemed you from there] — [God says: “You must remember that] I redeemed you from Egypt on the condition that you observe My statutes, even though you may lose money on the matter.”

(19) **And forget a sheaf — [For this refers to you forgetting a sheaf] but [the law does] not [apply if you forget] a whole stack of produce. [That is, if someone forgot a whole stack of produce, he is permitted to go back to retrieve it.] (Sifrei 24:149) [But what constitutes a “stack” as opposed to the amount that must not be retrieved?] Hence, our Rabbis taught (Pe’ah 6:6) that [the definition of a “stack” is as follows:] Any forgotten sheaf which contains in it produce amounting to סאתים [a volume twice the size of a “se’ah,” is defined as a “stack,” and] is not considered שְׂכָחָה [that is, the harvester is permitted to go back and retrieve it].**

[When you reap your harvest in your field and forget a sheaf] in the field — [Why the repetition of the word field? Up till now, the verse had been referring to already harvested sheaves of produce which had been forgotten. But now, the second mention of the word “field”] comes to include produce which is still standing, yet unharvested, which the harvester had forgotten to reap (Sifrei 24:149). You must not go back to get it — From here, our Rabbis have taught (Pe’ah 6:4): Any sheaf behind the harvester is considered שְׂכָחָה, “forgotten” [and must not be retrieved], whereas a sheaf which is in front of the harvester, is

אֱלֹהֶיךָ בְּכָל מַעֲשֶׂה יָדֶיךָ: ׀ אֲרִי תַחְצוֹד תַּחְצוֹד בַּחֲקֹלְךָ וְתִנְשִׂי עֲמֶרָא בַּחֲקֹלְךָ
 לֹא תִתּוֹב לְמִסְבָּה לְגִיּוֹרָא לִיתְמָא וְלֹאֲרִמָּלָא יְהִי בְדִיל דִּיבְרַכְנָךְ יי אֱלֹהֶיךָ בְּכָל עוֹבְדֵי יָדְךָ:
 כ כִּי תַחֲבֹט זֵיתְךָ לֹא תִפָּאֵר אַחֲרֶיךָ לִגְר לִיתוֹם וְלֹאֲלִמְנָה יְהִיָּה:
 אֲרִי תַחֲבֹט זֵיתְךָ לֹא תִפְלִי בְתֶרֶךְ לְגִיּוֹרָא לִיתְמָא וְלֹאֲרִמָּלָא יְהִי: כא כִּי תִבְצֹר פְּרִמְךָ
 לֹא תַעֲזוֹלֵל אַחֲרֶיךָ לִגְר לִיתוֹם וְלֹאֲלִמְנָה יְהִיָּה: אֲרִי תִקְטוֹף פְּרִמְךָ לֹא

the widow, so that the Lord your God will bless you in all that you do. (20) When you beat [the olives from] your olive tree, do not pick off all of its fruit [which remain] behind you: it must be [left] for the stranger, the orphan and the widow. (21) When you harvest the grapes of your vineyard, do not take off the small clusters [which remain] behind you: it must be [left] for the

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not considered “forgotten” [and may still be retrieved], since the latter does not fall inside the law of “You must not go back.” [So that the Lord your God] will bless you — And even though the forgotten sheaf came into the poor person's hand without the owner even knowing about it yet [nevertheless, the owner still gets credit for it, and God blesses him]. Thus, how much

more so [will one receive a blessing] if he does this deliberately! From here, we learn that if someone dropped a coin, and a poor man found it and bought provisions with it, then the one [who lost the coin] will [surely] be blessed on its account (Sifrei 24:149). (20) **לֹא תִפָּאֵר** — [This word is derived from the word **פָּאֵר** and **תִּפְאָרַת**, meaning “glory.” The “glory” of an olive tree is its bounty of fruit. Thus,] the meaning here is: “Do not take away its glory” (**תִּפְאָרַת**) [that is, do not remove all of its fruit]. Hence, our Rabbis teach the law that [in addition to the harvest of grain and produce, also when it comes to fruit-bearing trees], one must leave behind **פָּאֵה** [a quantity of fruit] (Hullin 131b). **Behind you** — This refers to **שִׁכְחָה**, forgotten fruit [in the case of a fruit-bearing tree. That is, this verse teaches us that just like with produce in the field, so too, with the fruit of a tree, one must leave the forgotten fruit for the poor to collect]. (ibid.) (21) **[When you harvest the grapes of your vineyard,] do not take off the small clusters** — I.e., if you find **עוֹלָלוֹת**, small clusters in the vineyard, you must not take them. And when are clusters considered to be **עוֹלָלוֹת** [thus necessitating them to be left for the poor]? Any cluster of grapes which has neither a **כְּתֵף** — “shoulder” or a **נֶטֶף** — “drippings,” But if the cluster contains either one of them, then that cluster belongs to the owner [of the vineyard, and need not be left for the poor] (Pe’ah 7:4). And I have seen the following in the Talmud Yerushalmi (Pe’ah 7:3): “What is a **כְּתֵף** — “shoulder?” It is [that

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תשוב: **למען יברכה**. ואף על פי שבאת לידו שלא במתכונן קל וחומר לעושה במתכונן אמור מעתה נפלה סלע מידו ומצאה עני ונתפרנס בה הרי הוא מתברר עליה: (כ) **לֹא תִפָּאֵר**. לא תטול תפארתו ממנו מכאן שמניחין פאה לאילן: **אַחֲרֶיךָ**. זו שכחה: (כא) **לֹא תַעֲזוֹלֵל**. אם מצאת בו עוללות לא תקחנה ואילו היא עוללות כל שאין לה לא כתף ולא נטף יש לה אחד מהם הרי היא לבעל הבית וראיתי בגמרא

תִּעֲלֵל בְּתֶרֶד לְגִיּוֹרָא לִיתְמָא וּלְאַרְמָלָא יְהִי: כב וְזָכַרְתָּ כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ
 מִצְרַיִם עַל־כֵּן אֲנֹכִי מִצְוֶה לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה: ס וְתִדְבֹּר אִרִי
 עֲבָדָא הָיִיתָ בְּאַרְעָא דְּמִצְרַיִם עַל כֵּן אֲנָא מִפְּקֻדָּה לְמַעַבְדַּד ית פְּתִגְמָא הָרִין: כה א כִּי־יִהְיֶה
 רִיב בֵּין אַנְשִׁים וְנִגְשׁוּ אֶל־הַמִּשְׁפָּט וּשְׁפָטוּם וְהִצְדִּיקוּ אֶת־
 הַצַּדִּיק וְהִרְשִׁיעוּ אֶת־הָרָשָׁע: אִרִי יְהִי דִין בֵּין גְּבֻרָא וְיִתְקַרְבוּן לְדִינָא וִידוּנְגוּן

stranger, the orphan and the widow. (22) You must remember that you were a slave in the land of Egypt: therefore, I command you to do this thing. 25 (1) If there is a contention between men, and they will come forward for judgment, and they [the judges] will judge them. And they will acquit the righteous one,

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part of the cluster of grapes] where the lobules of grapes pile one on top of the other [at the top of the cluster, together taking on the shape of a shoulder. And what is] a נִטְף — "drippings?" These are the grapes which are suspended downwards from the central stalk [of the cluster, as though dripping down]. (1) **If there is a contention [between men, and they will come**

forward for judgment] — [The verse is teaching us that if men come to contend with each other] they will eventually have to go to court. We learn from this, that peace cannot result from contention. [For instance,] what caused Lot to part from the righteous man [Avraham]? Clearly, it was contention [which was the real cause (see Genesis 13:7-12)] (Sifrei 25:152). **And they will ... condemn the guilty one** — [Because the next verse continues, "the judge ... will flog him,"] one might think that all who are condemned guilty in court, must be punished with lashes. Therefore, Scripture teaches us (verse 2), "And it will be, if the guilty man has incurred [the penalty] of lashes" [From here, we see that] sometimes a condemned party is given lashes, and sometimes he is not [but rather, he incurs another punishment]. So which people are given lashes as a punishment? This too, can be learnt from the context of these very verses, as follows: [Some negative commandments are attached to a positive commandment which relates to the same matter. An example of this is to be found earlier in this parshah, when Scripture describes the law if someone comes across a bird's nest (see Deuteronomy 22:6-7). The verse (22:6) states the negative commandment: "You must not take the mother (bird) from upon the young." But immediately following this negative commandment, the verse (22:7) continues on to state the positive commandment of: "You must surely cast off the mother." Here, the negative commandment is said to be "attached" to the positive commandment. How so? If someone transgressed the negative commandment and took the mother bird from upon her young, then he may exonerate himself from the punishment he

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ירושלמית איזו היא כְּתִיף פְּסִיגִין זֶה עַל גֵּב זֶה. נִטְף אֵלּוּ הַתְּלִיּוֹת בְּשֶׁדֶרָה וְיִרְדּוּת: (א) כִּי יִהְיֶה רִיב. סוּפָם לִהְיוֹת נִגְשִׁים אֶל הַמִּשְׁפָּט אָמור מַעֲתָה אִין שְׁלוֹם יוֹצֵא מִתּוֹךְ מְרִיבָה מִי גֶרֶם לָלוֹט לְפָרוֹשׁ מִן הַצַּדִּיק הֵּיוֹ אומר זו מְרִיבָה: וְהִרְשִׁיעוּ אֶת הָרָשָׁע. יָכוֹל כָּל הַמִּתְחַבֵּין בְּדִין לֹקִין תִּלְמִיד לומר וְהִיָּה אִם בֵּן הַכּוֹת הָרָשָׁע פְּעָמִים לֹקָה וּפְעָמִים אִינוּ לֹקָה וְיָמִי הוּא הַלּוֹקָה לְמוֹד מִן הָעֶנְיָן. לֹא תַחֲסוּם

וַיִּזְכֹּן יֵת וַכָּאָה וַיַּחֲבֹן יֵת חֵיבָא: ב וְהָיָה אִם־בֶּן הַכּוֹת הָרָשָׁע וְהִפִּילוֹ הַשֹּׁפֵט
וְהִכָּהוּ לִפְנֵיו כְּדִי רִשְׁעָתוֹ בַּמִּסְפָּר: וְהָיָה אִם בֶּן חֵיבָא לְאַלְקָאָה חֵיבָא וִירְמִיָּה
דִּינָא וְיִלְקָנָה קְדָמוּהִי כְּמִסַּת חוּבָתָהּ בְּמִנִּין: ג אַרְבַּעַיִם יִכְנוּ לֹא יִסִּיף פֶּן־יִסִּיף

and condemn the guilty one. (2) And it will be, if the guilty man has incurred [the penalty of] lashes, that the judge will make him lean over and flog him in front of him, with the fixed number of lashes suitable for his crime. (3) He should flog him with forty [lashes] but must not exceed [this number], lest he

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has just earned, by fulfilling the positive commandment attached, that is, he can cast off the mother bird away from the nest. Thus, this is an example of “a negative commandment which is attached to a positive commandment.” (see Mishnah Makkot 3:4) Now, in our context, immediately after describing the whole matter of flogging in court, the next verse (4) continues, by stating

the negative commandment of:] “Do not muzzle an ox when it is treading [the grain].” [But there is no positive commandment attached to this negative one, as the following verse (5) goes on to speak of a new, unrelated matter. Thus,] this is an example of a negative commandment which is not attached to a positive one. [Therefore, from the very context of these verses here, we learn the law that anyone who transgresses a “negative commandment which is not attached to a positive commandment,” is punished by lashes] (see Makkot 13a).

(2) The judge will make him lean over — *This teaches us that a person [who has incurred the penalty of lashes] is not flogged while standing or sitting, but rather, when he is leaning over (Makkot 22b). [The judge will ... flog him] in front of him, כְּדִי רִשְׁעָתוֹ* [Singular — a measure i.e., a part of the number lashes suitable for his crime —] *and he must flog also behind him twice that number. Hence, we find that our Rabbis teach (Makkot 22b): “The court must give him two thirds of his lashes behind him [that is, on his back], and one third in front of him [that is, on his chest].” בַּמִּסְפָּר* — *This word is not vocalized “bamispar” [that is, with a patah under the letter ב, but rather, with a sh'va under the ב]. This teaches us that the word בַּמִּסְפָּר is in the construct state, qualifying the word that follows it [which is the first word of the next verse, namely, אַרְבַּעַיִם], to read: בַּמִּסְפָּר אַרְבַּעַיִם, that is, “[and flog him ...] within the number forty,” but not quite a full quota of forty [namely, thirty-nine. That number leads up to the full total of forty, i.e., “forty-minus-one.” (Makkot 22b) (3) He ... must not exceed* — *From this verse, we derive the admonition that one must not hit his fellow man. [the judge, who is flogging permissibly, is admonished not to exceed the prescribed number of lashes. If he does, even by one lash, he is considered to be flogging in a forbidden manner, and is held accountable for this. How much more so someone who*

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שור בדישו. לא שלא נתק לעשה: (ב) והפילו השפט. למלמד שאין מלקין אותו לא עומד ולא יושב אלא מטה: לפניו כדי רשעתו. ולאחריו כדי שתיים מכאן אמרו מלקין אותו שתי ידות מלאחריו ושליש מלפניו: במספר. ואינו נקוד במספר למד שהוא דבוק לומר במספר מ' ולא מ' שלמים אלא מנין שהוא סוכם ומשלים לארבעים והם מ' חסר אחת: (ג) לא יסיף. מכאן אזהרה למכה את חברו:

לְהַכְתּוֹ עַל-אַלֶּה מַכָּה רַבָּה וְנִקְלָה אַחֲרָיָהּ לְעֵינֶיךָ: אַרְבָּעִין יִלְקָנָהּ לֹא יוֹסֵף דִּילְמָא יוֹסֵף לְאַלְקִיּוּתָהּ עַל אֲלִין מַחָא רַבָּא וְיִקְל אַחוּדָּהּ לְעֵינֶיךָ: ד' לֹא-תַחֲסֹם שׁוֹר בְּדִישׁוֹ: ס לֹא תַחֲדוּ פֹהַם תּוֹרָא בְּדִישָׁה: ה' כִּי-יֵשְׁבוּ אֲחִים יַחְדָּו וּמֵת אֶחָד

gives him a much more severe flogging than these [forty lashes], and thereby your brother will be degraded before you. (4) Do not muzzle an ox when it is treading [the grain]. (5) If brothers reside together, and one of them dies

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starts off hitting his fellow in a forbidden manner!] (Ketuvot 33a, Sanhedrin 85a).

Your brother will be degraded — “All the day” [that is, throughout the whole process], Scripture has termed the condemned man רשע, “evil.” However, once his [punishment of] lashes [has been completed], then Scripture terms him “your brother.” [Since he has attained atonement for his sin, he returns to the fold of Israel, as it were, to become “your brother” once again.] (Sifrei 25:153) (4) **Do not muzzle an**

ox [when it is treading the grain] — Scripture is speaking here in terms of that which usually occurs [that is, one usually uses an ox for treading grain]. However, the law applies equally to any species of livestock, non-domesticated animal, or bird, and in any area of work in the process of preparing food. But if so, why does the verse specify an ox? To exclude man [from this law. That is, if it is a human who is performing the work, his employer is permitted to “muzzle” him, that is, to prevent the worker from eating from the produce. Nevertheless, it is a mitzvah to allow him to eat from the employer's produce.] (Sifrei 25:154). **When it is treading [the grain]** — One might have thought that it is permissible to muzzle the animal when it is outside [the work area, i.e., prior to when it begins working]. However, the verse says, “Do not muzzle an ox!” — i.e., at any time [even before the actual treading] (see Bava Metzia 90b). So then, what is the meaning of “when it is treading [the grain]?” This teaches us the following. Treading has two specific features: a) Treading the grain does not represent the completion of the whole process [rendering the product liable for tithing and hallah], and b) it deals with something that grows from the ground [namely, grain]. Hence, any work process which resembles treading grain [in that it has one of these two features, is included in this law]. Thus, excluded from this prohibition is the labor of milking, cheese-making, or in churning [milk, to produce buttermilk], all of which deal with an item that does not grow from the ground. Also excluded is the labor of kneading [dough], or in cutting the dough to shape, for these procedures do in fact complete the process, rendering the product liable for hallah to be taken. A further exclusion to this prohibition is the labor of separating dates and

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וְנִקְלָה אַחֲרָיָהּ. כָּל הַיּוֹם קוֹרְאוֹ רָשָׁע וּמִשְׁלָקָה קָרָא אַחֲרָיָהּ: (ד) לֹא תַחֲסֹם שׁוֹר בְּדִישׁוֹ. דָּבָר הַכְּתוּב בַּהוֹנָה וְהוּא הַדִּין לָקַל בְּהֵמָה חַיָּה וְעוֹף הָעוֹשִׁים בְּמִלְאָכָה שֶׁהֵיא בְּדָבָר מֵאֵל אִם כֵּן לָמָּה נֶאֱמַר שׁוֹר לְהוֹצִיא אֶת הָאָדָם: בְּדִישׁוֹ. יָכוֹל יַחֲסִמְנוּ מִבְּחוּץ תִּלְמוּד לומר לֹא תַחֲסֹם שׁוֹר מִכָּל מְקוֹם. וְלָמָּה נֶאֱמַר דִּישׁ לומר לָךְ מֵה דִישׁ מִיּוֹחַד דָּבָר שְׁלֹא נִגְמְרָה מִלְאָכָתוֹ (לְמַעַשְׂר וּלְחֵלָה) וְגָדְלוֹ מִן הָאָרֶץ אִף כָּל כִּיּוֹצֵא בּוֹ יֵצֵא הַחוּלֵב וְהַמְגֻבֵּן וְהַמְחֻבָּץ שְׁאִין גָּדְלוֹ מִן הָאָרֶץ יֵצֵא הַלֵּשׁ וְהַמְקַטֵּף שְׁנִיגְמָרָה מִלְאָכָתוֹ לְחֵלָה יֵצֵא הַבּוֹדֵל בְּתַמְרִים

מֵהֶם וּבֶן אֵין-לּוֹ לֹא-תִהְיֶה אֶת-הַמֵּת הַחוּצָה לְאִישׁ זָר יִבְמָה
 יָבֵא עָלֶיהָ וּלְקַחְתָּהּ לוֹ לְאִשָּׁה וַיִּבְמָה: אֲרִי יִתְבוֹן אַחִין כַּחֲדָא וַיָּמוּת חַד מִגְּוֹן
 וְכֵן לִית לָהּ לֹא תִהְיֶה אֶתָּה מִתְנָא לְבָרָא לְגִבְרַת חִלוּנִי יִבְמָה יַעוּל עָלָה וַיִּסְבֶּה לָּהּ לְאַנְתּוֹ וַיִּבְמָה:
 וְהִיא הַבְּכוֹרָה אֲשֶׁר תֵּלֵד יִקְוֶה עַל-שֵׁם אָחִיו הַמֵּת וּלֹא-יִמָּחַהּ

childless, the dead man's wife must not marry an outsider. [Rather,] her husband's brother must be intimate with her, making her a wife for himself, thus performing the obligation of the brother of a deceased, childless man, with her. (6) And it will be, that the eldest brother [who performs the levirate

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figs [that is, when spreading out dates and figs on a roof or the like, so that they dry, the fruit can become conglomerated into one mass. Here, the procedure is to separate individual dates or figs from the mass, a procedure] which completes the preparation process, rendering the fruit liable for tithing (Bava Metzia 89a). (5) **If brothers reside**

ובגרוגרות שנגמרה מלאכתן למעשר: (ה) כי ישבו אחים יחדו. שהיתה להם ישיבה אחת בעולם פרט לאשת אחיו שלא היה בעולמו: יחדו. המיוחדים בנחלה פרט לאחיו מן האם: ובן אין לו. עין עליו בן או בת או בן הבן או בת הבן (או בן הבת) או בת הבת: (ו) והיה הבכור. גדול האחים הוא מיבם אותה: אשר תלד. פרט לאילונית שאינה יולדת:

together — [This law applies only in the case of two brothers who] are both alive at the same time. However, it does not apply to the wife of his brother who was not [yet] in the world [at the time]. [This means as follows: If a man dies, and his brother (to be) has not yet been born, then his widow is not permitted to marry the brother of her deceased husband, when this brother is eventually born. That is to say, since the two brothers were not “residing together” when the first brother died, then this whole law of **יבום** does not apply.] (Sifrei 25:155, Yevamot 17b). **Together** — [This law applies only to brothers] who share in the inheritance “together” [namely, brothers from the same father]. Therefore, excluded from this whole law of **יבום** is a brother from the same mother [but from different fathers]. (ibid.) **וּבֶן אֵין לוֹ** — [Literally, “and he has no child.” Here, the word **אֵין** can be read also as **עֵיין**, meaning to “investigate,” because an א is interchangeable with an ע (see Yevamot 22b). Thus, the verse also teaches us:] Investigate the deceased brother [if he has progeny of any sort] — whether he has a son or a daughter; or a son's son or a son's daughter; or a daughter's son or a daughter's daughter. [And if he has any of these, the whole law of **יבום** does not apply, for he is not considered “childless” in this context.] (6) **וְהִיא הַבְּכוֹרָה** — [literally “the firstborn.” However, here it actually] refers to the eldest brother of the deceased [because he is the eldest brother within his family, thus the “firstborn.” The meaning of the verse then is that it is the eldest brother of the deceased] who must assume responsibility of the levirate marriage with the widow (Sifrei 25:156, Yevamot 24a). **אֲשֶׁר תֵּלֵד** — [literally, “that she will give birth.” This teaches us that the obligation of the brother-in-law to perform the levirate marriage only applies in the case of a woman who can bear children. Thus, the expression **אֲשֶׁר תֵּלֵד** excludes

שְׁמוֹ מִיִּשְׂרָאֵל: וַיְהִי בּוֹכְרָא דִּי תְלִיד יָקוֹם עַל שְׁמָא דְאַחוּהִי מִתְנָא וְלֹא יִתְמַחִי שְׁמָהּ מִיִּשְׂרָאֵל: ^ז וְאִם-לֹא יִחְפֹּץ הָאִישׁ לְקַחַת אֶת-יְבִמְתּוֹ וְעַלְתָּהּ יְבִמְתּוֹ הַשְׁעָרָה אֶל-הַזִּקְנִים וְאָמְרָהּ מֵאֵן יְבָמִי לְהָקִים לְאָחִיו שֵׁם בִּישְׂרָאֵל לֹא אָבָה יְבָמִי: וְאִם לֹא יֵצְבִי גְבֵרָא לְמִסָּב יֵת יְבִמְתָּהּ וְתִסַּק יְבִמְתָּהּ לְתַרְע בֵּית דִּינָא לְקַדָּם סְבִיא וְתִימַר לֹא צָבִי יְבָמִי לְאַקְמָא לְאַחוּהִי שְׁמָא בִּישְׂרָאֵל לֹא אָבִי לְיְבִמְתּוֹתִי: ^ח וְקָרְאוּ-לוֹ זִקְנֵי-עִירוֹ וְדַבְּרוּ אֵלָיו וְעָמַד וְאָמַר לֹא חָפְצָתִי לְקַחְתָּהּ: וְיִקְרוּן לָהּ סְבִי קָרְתָּה וַיִּמְלִלּוּן עִמָּה וַיָּקוֹם וַיִּימַר לֹא רָעָנָא לְמִסָּבָה: ^ט וְנִגְשָׁה יְבִמְתּוֹ אֵלָיו לְעֵינֵי הַזִּקְנִים וְחָלְצָה נַעְלָו מֵעַל רַגְלָו וַיִּרְקָה

marriage, if] she [can] bear — will succeed in the name of his deceased brother, so that his [the deceased brother's] name will not be erased from Israel. (7) But if the man does not wish to take his brother's wife, then the brother's wife should go up to the elders at the gate of the court, and say, My husband's brother refuses to perpetuate his brother's name in Israel — he does not wish to perform the obligation incumbent upon my husband's brother, with me. (8) Then the elders of his city will call him and speak to him. And he must stand and say, I do not wish to take her. (9) Then his brother's wife should approach him before the elders and remove his shoe from his foot. And she

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the case of a woman who cannot bear children (Sifrei 25:156). **יָקוֹם עַל שֵׁם אָחִיו** — [Literally, “will rise up in the name of his brother.” This does not mean that the brother of the deceased who marries his brother's widow will actually be named with the same

יָקוֹם עַל שֵׁם אָחִיו. זֶה שֵׁיבָם אֶת אִשְׁתּוֹ יִטוּל נִחְלַת הַמֵּת בְּנִכְסֵי אָבִיו: וְלֹא יִמְחָה שְׁמוֹ. פָּרֻט לְאִשְׁתּוֹ סָרִיס שֶׁשְׁמוֹ מְחִוִּי: (ז) הַשְׁעָרָה. כְּתַרְגוּמוֹ לְתַרְע בֵּית דִּינָא: (ח) וְעָמַד. בְּעִמְדָּהּ: וְאָמַר. בְּלִשׁוֹן הַקּוּדֶשׁ וְאָף הִיא דְּבָרֶיהָ בְּלִשׁוֹן הַקּוּדֶשׁ: (ט) וַיִּרְקָה בְּפָנָיו. עַל גְּבִי

(first) name of the deceased (e.g., Reuvein, Shimeon, etc.) Rather, it means that:] The brother of the deceased, who marries his brother's widow, is entitled to take the share of his deceased brother's inheritance of their father's property [in addition to his own share]. **So that his ... name will not be erased** — This comes to exclude [from the obligation of **יָבוּם**] the wife of a castrate whose name is erased. [That is to say, since the deceased was anyway not able to have children, no obligation falls upon his brother to perform the levirate marriage]. (7) **הַשְׁעָרָה** — [This does not refer to the gate of the city, but rather,] this should be translated as the Targum renders it: “To the gate of the court.” (8) **וְעָמַד** — [When he makes this statement, he must be] in a standing position. **וְאָמַר** — [Our Rabbis have taught that when making this statement, the man must do so] in the Holy Language. The woman also must make her statement here in the Holy Language (Yevamot 106b). (9) **And she will spit before his face** — [The expression used here, literally means, “and she will spit in his face.” However,

בפניו וענתה ואמרה ככה יעשה לאיש אשר לא יבנה את-
 בית אחיו: ותתקרב יבמתה לוֹתָהּ לְקֶדֶם סְבִיא וְתִשְׂרִי סִינָה מֵעַל רִגְלָהּ וְתִרְוֹק בְּאַנְפוּהִי
 וְתִתֵּב וְתִימֵר כְּדִין יִתְעַבֵּד לְגִבֹּר דִּי לֹא יִבְנֶי יֵת בֵּיתָא דְאַחֵיהּ: • וְנִקְרָא שְׁמוֹ בִּישְׂרָאֵל
 בֵּית חֲלוּץ הַנֶּעֱלָ: ס וְיִתְקַרֵּי שְׁמָהּ בִּישְׂרָאֵל בֵּית שְׂרִי סִינָא: יא כִּי־יִנְצוּ אֲנָשִׁים
 יִחַדּוּ אִישׁ וְאָחִיו וְקָרְבָּה אִשְׁתּוֹ הָאֶחָד לְהַצִּיל אֶת־אִשְׁתּוֹ מִיַּד
 מִכּוֹהוּ וּשְׁלַחָהּ יָדָהּ וְהִחֲזִיקָהּ בְּמַבְשָׁיו: אֲרִי יִנְצוּן גְּבָרִין כְּחָדָא גְּבָר וְאַחֵיהּ
 וְתִתְקַרֵּב אֶתָּת חַד לְשׁוּבָא יֵת בְּעִלָּה מִיַּד מַחוּהִי וְתוֹשֵׁט יָדָהּ וְתִתְקַף בְּבֵית בְּהִתְתָּה: יב וְקִצְתָּהּ

will spit before his face and answer [him] and say, Thus will be done to the man who will not build up his brother's household! (10) And that family will be called in Israel, The family of the one whose shoe was removed. (11) If [two] men, a man and his brother, are fighting together, and the wife of one of them approaches to rescue her husband from the one who is beating him, and she casts out her hand and grabs hold of his private parts. (12) You must [financially

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the meaning here is that she should spit in the direction of his face,] on the ground [in front of him] (Yevamot 106b). [Thus will be done to that man] who will not build up [his brother's household] — From here, we learn that one who has [refused to perform levirate marriage with his deceased brother's wife, and subsequently has]

undergone the ceremony of halitzah [described in these verses], will not be able to change his mind and marry her. This is because the verse here does not say, "[Thus will be done to that man] who did not build up [his brother's household]," but rather, it says, "[Thus will be done to that man] who will not build up [his brother's household]." [The verse tells us that he "will not" build it up: since he neglected to build it up [when he was obliged to do so], he will never [be allowed to do so afterwards] (Yevamot 10b). (10) And that family will be called [in Israel] — It is the duty of all those standing there [at the time of this ceremony] to exclaim: חֲלוּץ הַנֶּעֱלָ — "you, who have had your shoe removed!" (Yevamot 106b) (11) If ... men ... are fighting together — They will eventually come to beat each other up [seriously], for this verse continues: "[to rescue her husband] from the one who is beating him." [The moral here is:] Peace cannot result from strife (Sifrei 25:160). (12) You must cut off her hand [This verse is not to be understood literally, but rather, it means:] She must pay monetary damages to recompense the victim for the embarrassment he suffered [through her action. And the specific amount of money she must pay, is calculated by the court,] all

קֶרַע: אֲשֶׁר לֹא יִבְנֶה. מִכָּאן לְמִי שֶׁחָלַץ שְׁלֹא יִחְזוֹר וַיִּבֶם דְּלֹא כְּתִיב אֲשֶׁר לֹא בָנָה אֶלָּא אֲשֶׁר לֹא יִבְנֶה כִּיּוֹן שְׁלֹא בָנָה שׁוּב לֹא יִבְנֶה: (י) וְנִקְרָא שְׁמוֹ וְגו'. מִצָּוָה עַל כָּל הָעוֹמְדִים שֶׁם לוֹמֵר חֲלוּץ הַנֶּעֱלָ: (יא) כִּי יִנְצוּ אֲנָשִׁים. סוּפֵן לְבֹא לְיָדֵי מְכוֹת כְּמוֹ שֶׁנֶּאֱמַר מִיַּד מִכּוֹהוּ אֵין שְׁלוֹם יוֹצֵא מִתּוֹךְ יָדֵי מִצּוֹתָא: (יב) וְקִצְתָּהּ אֶת כֹּפֶה. מִמּוֹן דְּמִי בְּשִׁתּוֹ הִכֵּל

אֶת־כַּפֶּה לֹא תַחֹס עֵינֶךָ: ׀ וּתְקוֹץ יָת יָדָהּ לֹא תַחֹס עֵינֶךָ: יג לֹא־יִהְיֶה
 לְךָ בְּכִיסֶּךָ אֶבֶן וְאֶבֶן גְּדוֹלָה וְקֹטָנָה: לֹא יִהְיֶה לְךָ בְּכִיסֶּךָ מִתְקָל וּמִתְקָל רַבְתָּא
 וְזַעֲרָתָא: יד לֹא־יִהְיֶה לְךָ בְּבֵיתְךָ אִיפָה וְאִיפָה גְּדוֹלָה וְקֹטָנָה: לֹא יִהְיֶה
 לְךָ בְּבֵיתְךָ מִכִּילָא וּמִכִּילָא רַבְתָּא וְזַעֲרָתָא: טו אֶבֶן שְׁלֵמָה וְצֶדֶק יִהְיֶה־לְךָ אִיפָה
 שְׁלֵמָה וְצֶדֶק יִהְיֶה־לְךָ לְמַעַן יֵאָרִיכוּ יְמֶיךָ עַל הָאָדָמָה אֲשֶׁר־
 יִהְיֶה אֱלֹהֶיךָ נָתַן לְךָ: מִתְקָלִין שְׁלֵמִין דְּקָשׁוּט יְהוֹן לְךָ מִכִּילָן שְׁלֵמִין דְּקָשׁוּט יְהוֹן

speaking] cut off her hand — do not have pity. (13) Do not keep in your pouch two different weights, one large and one small. (14) Do not keep in your house two different measures, one large and one small. (15) [Rather,] you must have a full and honest weight, [and] a full and honest measure, in order that your days will be prolonged on the land which the Lord your God gives you.

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according to the [individual circumstances] of the culprit and the victim (see Bava Kama 83b). But maybe it means that we must actually cut off her very hand? [The answer is born out from a transmission handed down to our Rabbis, as follows:] Here, it says לֹא תַחֹס, “do not have pity,” and later, in the case of conspiring witnesses (Deuteronomy

לפי המביש והמתביש או אינו אלא ידה ממשי נאמר כאן לא תחוס ונאמר להלן בעדים זוממין לא תחוס מה להלן ממון אף כאן ממון: (יג) גדולה וקטנה. גדולה כשמכחשת את הקטנה שלא יהא נוטל בגדולה ומחזיר בקטנה: (יד) לא יהיה לך. אם עשית כן לא יהיה לך כלום: אבן ואבן. משקלות: (טו) אבן שלמה וצדק יהיה לך. אם עשית כן יהיה

19:21), the same expression, לֹא תַחֹס, is used. [And our Rabbis have taught that these verses have a contextual connection:] Just as there, in the case of the conspiring witnesses, [the literal expressions in the verse refer to] financial compensation (see Rashi's commentary on that verse), so too, here, [the expression “You must cut off her hand” refers to] financial compensation (Sifrei 25:161). (13) אֶבֶן וְאֶבֶן — [This term is not to be understood literally as “stones,” but rather, it refers to specific stones, namely:] weights [used to weigh merchandise in business]. גְּדוֹלָה וְקֹטָנָה — [literally, “big and small.” This means:] the big stone “contradicts” [i.e., is inconsistent with] the small one. [That is to say, one must not have two weights which appear to be the same, but in truth, one is heavier than the other, allowing you] to purchase goods with the larger weight [giving you more goods than you should receive], and sell with the smaller one [so that you give the buyer less than he should receive, all of which is forbidden] (Sifrei 25:162). (14) לֹא יִהְיֶה לְךָ — [Literally, “You will not have.” That is, the verse literally reads: “If you keep ... two different weights, you will not have.” This teaches us that] if you do [keep such fraudulent weights], then “You will not have” anything! (ibid.) [However,] (15) אֶבֶן שְׁלֵמָה וְצֶדֶק יִהְיֶה לְךָ — [Literally, “If you keep a full and honest weight, then you will have.” That is to say,] if you do [keep proper weights], then “You will have”

לְךָ בְּדִיל דְּיִזְכְּנוּ יוֹמִיךָ עַל אֶרֶץ דִּי אֱלֹהֶיךָ יִהְיֶה לְךָ: טז כִּי תוֹעֲבַת יְדוּתְךָ אֱלֹהֶיךָ
כָּל-עֲשֵׂה אֱלֹהֶיךָ כָּל עֲשֵׂה עוֹל: פ אֲרִי מִרְחַק קָדָם יי אֱלֹהֶיךָ כָּל עֶבֶד אֲלֵינוּ כָּל
עֶבֶד שְׁקָר: מִפִּסְטִיר יז זְכוֹר אֶת אֲשֶׁר-עֲשֵׂה לְךָ עֲמֶלְק בְּדֶרֶךְ בְּצֵאתְכֶם
מִמִּצְרַיִם: הוּי דְכִיר ית די עֶבֶד לְךָ עֲמֶלְק בְּאַרְחָא בְּמִפְקֹכוֹן מִמִּצְרַיִם: יח אֲשֶׁר קָרַךְ
בְּדֶרֶךְ וַיִּזְנֵב בְּךָ כָּל-הַנַּחֲשִׁלִים אַחֲרֶיךָ וְאַתָּה עֵינְךָ וַיִּגַע וְלֹא יָרָא

(16) For anyone who does these things, and anyone who perpetrates such evil, is an abomination to the Lord your God. (17) You must remember what Amaleik did to you on the way, when you went out from Egypt: (18) How he happened upon you on the way and cut off all of those who were lagging at your rear. You were exhausted and weary, while he did not fear God.

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much. (ibid.) (17) **You must remember what [Amaleik] did to you** — *[The juxtaposition of these passages teaches us that] if you use fraudulent measures and weights, then you should be worried about provocation from the enemy. For the verse says (Proverbs 11:1): “Fraudulent weights are an abomination to the Lord,” after which the [next] verse continues, “After sinning with intent, comes disgrace.” [That is, these two verses in Proverbs teach us that after you intentionally sin by using fraudulent weights,*

the enemy will come to provoke you into war, and this will be a disgraceful matter to you] (Tanhuma 8). (18) **אשר קרך בדרך** — *[The word קרך] denotes מקרה, a chance occurrence. Alternatively, קרך denotes קרי — defilement and impurity, because Amaleik defiled the Jews by [committing] homosexual violation (Tanhuma 9). Yet another explanation: קרך denotes קור, cold, as in “hot and cold.” The meaning here is that Amaleik cooled you off and made you [appear] tepid, after you were boiling hot. [That is, the nations feared to touch you, just like people are fearful of touching something boiling hot — but Amaleik made you appear cool and lukewarm in the eyes of the nations:] For all the nations were fearful of waging war against you, yet this one [i.e., Amaleik] came forward and started up, thereby showing the way to others. This can be compared to a bath of boiling water into which no living creature would descend. Along came an irresponsible man, and jumped headlong into it! And even though he scalded himself, nevertheless he [succeeded to] make others think that it was cooler [than it really was]* (Tanhuma 9). **ויזנב בך** — *[The word ויזנב is derived from the word זנב, meaning “tail.” Thus, the verse means: Amaleik] “cut off the tail.” This refers to the fact that*

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לך הרבה: (יז) זכור את אשר עשה לך. אם שקרית במדות ובמשקלות הוי דואג מגרי האויב שנאמר מאזני מרמה תועבת ה' וכתוב בתריה בא דודן ויבא קלון: (יח) אשר קרך בדרך. לשון מקרה. דבר אחר לשון קרי וטומאה. שהיה מטמאן במשכב זכור. דבר אחר לשון קור וחום צננך והפשיך מרתיחתך שהיו העובדי כוכבים יראים להלחם בכם ובא זה והתחיל והראה מקום לאחרים משל לאמבטי רותחת שאין כל בריה יכולה לירד בתוכה בא בן בליעל אחד קפץ וירד לתוכה אף על פי שנכנה הקרה אותה בפני אחרים: ויזנב בך. מכת זיב חותך

אֱלֹהִים: דִּי עֲרַעְדָּ בְּאַרְחָא וְקָטַל בְּךָ כָּל דְּהוּוּ מִתְאַחֲרִין בְּתַרְךָ וְאֵת מְשִׁלְהֵי וּלְאִי וְלֹא דְחַל מִן קָדָם יִי: יִט וְהָיָה בְּהֵנִיחַ יְדוּתָא אֱלֹהֵיךָ וְלֹךְ מִכָּל-אֵיבֵיךָ מִסְכִּיב בְּאַרְץ אֲשֶׁר יְדוּתָא-אֱלֹהֵיךָ נָתַן לֹךְ נַחֲלָה לְרִשְׁתָּהּ תִּמְחָה אֶת-זִכְרָ עֲמֻלָּק מִתַּחַת הַשָּׁמַיִם לֹא תִשְׁכַּח: פ פ פ וַיְהִי כִּד יֵנִיחַ יִי אֱלֹהֵיךָ לֹךְ מִכָּל בְּעֻלֵּי דְבִבְךָ מִסְחֹר סְחֹר בְּאַרְעָא דִּי יִי אֱלֹהֵיךָ יִהְיֵב לֹךְ אַחֲסָנָא לְמִירְתָּהּ תִּמְחֵי יֵת דּוּכְרָנָא דְעֲמֻלָּק מִתַּחַת שָׁמַיָא לֹא תִתְנָשִׁי:

(19) [Therefore,] it will be, when the Lord your God grants you respite from all your enemies around [you] in the land which the Lord your God gives to you as an inheritance to possess, that you must erase the memory of Amaleik from under the heavens: Do not forget!

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Amaleik cut off the members [of the male Jews, where they had been circumcised], and cast them up [provocatively] towards Heaven [exclaiming to God: "You see! What good has Your commandment of circumcision done for them ?!"] (Tanhuma 10). כל הנחשלים אחריו — refers to those who lacked strength, exhausted on account of their transgression. [And because these Jews sinned,] the cloud

מילות וזורק כלפי מעלה: כל הנחשלים אחריו. חסרי כח מחמת חטאם שהיה הענן פולטן; ואתה עוף ויגע. עוף בצמא דכתיב ויצמא שם העם למים וכתיב אחריו ויבא עמלק: ויגע. בדרך: ולא ירא. עמלק: אלהים. מלרע לך: (יט) תמחה את זכר עמלק. מאיש ועד אשה מעולל ועד יונק משור ועד שׁה שלא יהא שם עמלק נזכר אפלו על הבמה לומר בהמה זו משל עמלק היתה:

[of glory] expelled them [thereby leaving them vulnerable to Amaleik's further attack] (ibid.). You were exhausted and weary — "Exhausted" from thirst, for it is written (Exodus 17:3), "And there, the people were thirsty for water," and [immediately] afterwards it states (verse 17:8) "Then Amaleik came [and fought with Israel];" and "weary" from the journey (ibid.). He did not fear [God] — I.e., Amaleik did not fear God [and since he did not fear God, he was therefore not fearful] of doing you harm (Sifrei 25:167). (19) You must erase the memory of Amaleik — Both man and woman, infant and suckling, ox and sheep [camel and donkey] (God's commandment to King Saul: see I Samuel 15:3). So that the name of Amaleik should never again be mentioned (נזכר, from the word זכר), even regarding an animal. [That is, destroy the memory of Amaleik,] so that no one can even say: "This animal used to belong to Amaleik." (Pesikta Zuta)

הפסרת כי תצא

בישעיה פרק נד

א רָנִי עֲקֹרָה לֹא יִלְדָּה פִצְחִי רִנָּה וְצִהְלִי לֹא-חֲלָה כִּי-רַבִּים בְּנֵי-שׁוֹמֵמָה מִבְּנֵי בְעוּלָה אָמַר יְדוּתָא: ב הִרְתִּיבִי | מְקוֹם אֶהְיֶה וְיִרְיעוֹת מִשְׁכְּנוֹתַי: יטוּ אֶל-תַּחֲשֻׁכִּי הָאֲרִיכִי מִיִּתְרֹי וּיִתְדוֹתַי: חֲזִקִי: ג כִּי-יִמִּין וּשְׂמֹאל תִּפְרָצִי וְזָרְעֲךָ גּוֹיִם יִרְשׁוּ וְעָרִים נְשֻׁמוֹת יוֹשִׁיבוּ: ד אֶל-תִּירְאִי כִּי-לֹא תִבּוֹשִׁי וְאֶל-תִּתְּלַמֵּי כִּי לֹא

תִּחְפְּרִי כִּי בִשֶׁת עֲלֹמֶיךָ תִּשְׁלָחִי וְחִרְפַת אֱלֹמֶינוּתִיךָ לֹא תִזְכְּרִי עוֹד: ה כִּי בְעֲלִיךָ עֲשִׂיךָ יְדוּהָ צְבָאוֹת שְׁמוֹ וְגֹאֲלֶךָ קְדוֹשׁ יִשְׂרָאֵל אֱלֹהֵי כָל־הָאָרֶץ יִקְרָא: ו כִּי־כֹאשָׁה עֲזוּבָה וְעֶצְבֹּת רוּחַ קָרָאךָ יְדוּהָ וְאִשֶּׁת נְעוּרִים כִּי תִמָּאֵס אִמֶּר אֱלֹהֶיךָ: ז בְּרַגַע קָטָן עֲזַבְתִּיךָ וּבְרַחֲמִים גְּדֹלִים אֶקְבָּצֶךָ: ח בְּשִׁצֵּף קָצָף הִסְתֵּרְתִּי פָנַי רָגַע מִמֶּךָ וּבְחִסֵּד עוֹלָם רַחֲמֶיךָ אִמֶּר גֹּאֲלֶךָ יְדוּהָ: ט כִּי־יָמִי נָח זֹאת לִי אֲשֶׁר נִשְׁבַּעְתִּי מֵעַכְרָ מִי־נַח עוֹד עַל־הָאָרֶץ כֹּן נִשְׁבַּעְתִּי מִקֶּצֶף עָלֶיךָ וּמִגָּעַר־בָּךְ: י כִּי הָהָרִים יִמְּשׁוּ וְהַגְּבָעוֹת תִּמְוִטֶינָה וְחִסְדִּי מֵאֲתֶךָ לֹא־יִמְּשׁוּ וּבְרִית שְׁלוֹמִי לֹא תִמּוֹט אִמֶּר מִרְחֶמֶךָ יְהוָה:

אחר קריאת פרשת השבוע שנים מקרא ואחד תרגום והפטרה, ומזמור ה' מלך גאות לבש או מזמור שיר ליום השבת וה' מלך יצל"ח דברו משנה והלכה מסדר טהרות שהוא נגד היסוד בחינת היום

Mishnah Nega'im, chapter 5

משנה נגעים פרק ה

א כָּל סֶפֶק נִגְעִים טְהוֹר, חוּץ מִזֶּה, וְעוֹד אַחֵר. וְאִי־זֶה מִי שֶׁהִיְתָה בּוֹ בְהֵרֵת כְּגָרִים וְהִסְגִּירָה, בְּסוֹף שָׁבוֹעַ וְהָרִי הָיָא כְּסָלַע, סֶפֶק שֶׁהָיָא (הָיָא) סֶפֶק שֶׁאַחֲרֵת בָּאָה תַּחְתֶּיהָ, טִמָּא: **ב** הִחְלִיטוּ בְּשַׁעַר לֶבֶן, הֵלֶךְ שַׁעַר לֶבֶן וְחֹזַר שַׁעַר לֶבֶן, וְכֵן בְּמַחֲיָה וּבִפְשִׁיּוֹן, בְּתַחֲלָה בְּסוֹף שָׁבוֹעַ רִאשׁוֹן, בְּסוֹף שָׁבוֹעַ שֵׁנִי, לְאַחֵר הַפֶּטוּר, הָרִי הָיָא כְּמוֹ שֶׁהִיְתָה. הִחְלִיטוּ בְּמַחֲיָה וְהֵלֶכָה הַמַּחֲיָה

(1) Any condition of doubt regarding leprosy signs is [regarded as] pure, except this case [if there is a doubt whether the spot preceded the white hair, see Mishnah 4:11, in the portion of *Shoftim*, Friday] and one other. What is that? If a person had a bright spot the size of a split bean and it was quarantined, and by the end of the week it was as big as a *sela*, and it is doubtful whether it is the original one [that had spread] or whether another had arisen in its place, the person must be regarded as defiled. (2) If a person had been declared defiled on account of white hair, and the white hair disappeared and another white hair appeared, and similarly in the case of renewed flesh and a spreading [each of which appeared in the place of the white hair], whether this [the declaration of impurity] occurred in the beginning [at the time of the first inspection], at the end of the first week, at the end of the second week, or after the person had been released from the impurity, he is regarded as being in the same position as before [i.e., defiled, and there is no need for him to be declared "defiled" by the priest once again, even though he is impure because of a different sign now than the sign he had when originally declared defiled]. If he had been declared defiled on account of renewed flesh, and the renewed flesh disappeared and other renewed flesh appeared,

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א כל ספק נגעים חוץ מזה. דספק בהרת קדמה, ספק שער לבן קדם: הרי היא כסלע. נעשית רחבה וגדולה כסלע: ספק שהיא היא. וראויה להחליט שהרי פשה: ספק שאחרת באה תחתיה. והראשונה הלכה וראויה להסגיר, דאין פשיון מטמא בתחלה: טמא. ומחליטו: **ב** הלך שער לבן. שהוחלט בעבורו: וחזר שער לבן. אחר תחתיו: וכן במחיה וכן בפשיון. או שלא חזר שער לבן, אלא שנולדה בו מחיה שהיא גם כן סימן טומאה, או שפשה הנגע: בתחילה בסוף שבוע ראשון. כלומר, בין שההחלט היה בתחלה היה בתחילה כשהובא אל הכהן, בין בסוף שבוע ראשון, בין בסוף שבוע שני, בין לאחר הפטור כגון שעמד בעיניו שני שבועות ופטרו ואחר הפטור בא שער לבן והחליטו, בכל הני גווני אם הלך לו שער לבן וחזר שער לבן, או מחיה או פשיון: הרי היא כמות שהיתה. כלומר, נשאר

and similarly in the case of white hair and a spreading [either, appearing in place of the renewed flesh], whether this occurred in the beginning, at the end of the first week, at the end of the second week, or after the person had been released from the impurity, he is regarded as being in the same position as before [i.e., defiled, and there is no need for him to be declared defiled once again]. If he had been declared defiled on account of a spreading, and the spreading disappeared and another spreading appeared, and similarly in the case of white hair [which appeared instead of the spreading], whether this occurred at the end of the first week, at the end of the second week, or after the person had been released from the impurity, he is regarded as being in the same position as before [i.e., defiled].

(3) Deposited hair, Rabbi Akaviah ben

Mehalalel holds to be defiled; but the Sages hold it to be pure. What is “deposited hair?” If a person had a bright spot with white hair in it, and the bright spot disappeared, leaving the white hair in position and then it reappeared, Akaviah ben Mehalalel holds him to be defiled [since the bright spot reappeared where it was originally, it is regarded as the original white spot, which was declared defiled], but the Sages hold him to be pure. Rabbi Akiva said, In this case I admit that the person is pure, but what is “deposited hair” [which would be impure]? If a person had a bright spot the size of a split bean with two hairs in it, and a part, the size of a half split bean disappeared, leaving the white hair in the place of the white spot, and then it reappeared [only in such a case do we say the original spot reappeared and he is defiled]. They [his colleagues] said to him, As they [the Sages] rejected the ruling of Akaviah, so too, is there no validity to your ruling. (4) Any condition of doubt regarding leprosy signs in the beginning before the impurity has been established, is [regarded as] pure, but after the impurity has been established, a condition of doubt is regarded as defiled. How so? If two people came to the priest, one having a bright spot the size of a split bean and the other having one the size of a *sela*, and at the end of the week, that of each was the size of a *sela*, and it is not known on which of them the spreading occurred, [and on which one it had remained the

וְחִזְרָה הַמַּחֲיָה. וְכֵן בְּשַׁעַר לֶבֶן וּבְפִשְׁיוֹן, בְּתַחֲלָה, בְּסוֹף שְׁבוּעַ רִאשׁוֹן, בְּסוֹף שְׁבוּעַ שְׁנִי, לְאַחַר הַפֶּטוּר, הָרִי הָיָא כְּמוֹ שֶׁהִיָּתָה. הִחְלִיטוּ בְּפִשְׁיוֹן, הִלֵּךְ הַפִּשְׁיוֹן וְחִזְרָה הַפִּשְׁיוֹן. וְכֵן בְּשַׁעַר לֶבֶן, בְּסוֹף שְׁבוּעַ רִאשׁוֹן, בְּסוֹף שְׁבוּעַ שְׁנִי, לְאַחַר הַפֶּטוּר, הָרִי הָיָא כְּמוֹת שֶׁהִיָּתָה: ג' שַׁעַר פְּקוּדָה, עֲקִבְיָא בֶן מֵהַלְלָאֵל מְטַמֵּא, וְחֻכְמִים מְטַהֲרִין. אֵיזָה הוּא שַׁעַר פְּקוּדָה, מִי שֶׁהִיָּתְהֻבוּ בְּהֶרֶת וּבָה שַׁעַר לֶבֶן, הִלְכָה הַבְּהֶרֶת וְהִנִּיחָהּ לְשַׁעַר לֶבֶן בְּמִקְוָמוֹ וְחִזְרָה, עֲקִבְיָא בֶן מֵהַלְלָאֵל מְטַמֵּא, וְחֻכְמִים מְטַהֲרִין. אָמַר רַבִּי עֲקִיבָא, מוֹדָה אֲנִי בָּזָה שֶׁהוּא טָהוֹר. אֵיזָה הוּא שַׁעַר פְּקוּדָה, מִי שֶׁהִיָּתָה בּוֹ בְּהֶרֶת כְּגָרִיס וּבָה שְׁתֵּי שַׁעֲרוֹת, וְהִלֵּךְ הִימָנָה כְּחֻצֵי גָרִיס וְהִנִּיחוֹ לְשַׁעַר לֶבֶן בְּמִקְוָם הַבְּהֶרֶת וְחִזְרָה. אָמְרוּ לוֹ, כִּשְׁם שֶׁבִטְלוּ אֶת דְּבָרֵי עֲקִיבָא, אַף דְּבָרֵי אֵינָן מְקִימִין: ד' כָּל סֶפֶק נִגְעִים בְּתַחֲלָה טָהוֹר, עַד שֶׁלֹּא נִזְקַק לְטָמְאָה. מִשְׁנֻזְקַק לְטָמְאָה, סֶפֶקוֹ טָמֵא. כִּיצַד, שְׁנַיִם שְׁבָאוֹ אֶצֶל כֹּהֵן, בָּזָה בְּהֶרֶת כְּגָרִיס וּבָזָה כְּסָלַע, בְּסוֹף שְׁבוּעַ בָּזָה כְּסָלַע וּבָזָה כְּסָלַע, וְאֵינּוּ יָדוּעַ בְּאֵיזָה

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בטומאה כמו שהיה, הואיל ויש בו סימן טומאה, אע"פ שאין זה אותו סימן שהיה בשעת החלט: **וחזר הפשיון וכן בשער לבן.** הא דלא קתני הכא וכן במחיה, לפי שכשהלך הפשיון ובאת המחיה, פעמים שיהיה טהור, כגון שהמחיה מיעטה הנגע מכגריס: **ג' שער פקודה.** לשון פקדון, שהפקידה הבהרת את השער בעור הבשר והלכה לה: **וחכמים מטהרים.** וטעמיהו, דכתיב והיא הפכה, שהפכתו היא ולא הפכתו חברתה: **אף דברין אין מקוימין.** דהאי נמי

same size], whether this occurred on one person [with two spots] or with two different people each one is pure. Rabbi Akiva says, If a single person is involved, he is defiled [since at least one of the spots is impure], but if two people are involved, each is pure. (5) “But after the impurity has been established, a condition of doubt is regarded as defiled.” How so? If two people came to

the priest, one having a bright spot the size of a split bean and the other having one the size of a *sela*, and at the end of the week, that of each was the size of a *sela* and something more, both are defiled; and even though both resumed the size of a *sela* [thereby, the one who had the bright spot as a *sela*, had a definite reduction in the size of the sign that had caused his impurity, which would, ordinarily, make him subject to a pronouncement of being pure,] both are defiled, and remain so unless both resume the size of a split bean. It is this that was meant when it was taught, “But after the impurity has been established, a condition of doubt is regarded as defiled.”

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טהור. והלכה כחכמים: **ד' בין באיש אחד.** אע"ג דמה נפשך יש בו בהרת אחת שפשתה, אותה שתחילתה כגריס ועכשיו כסלע, והיה ראוי להחליטו, אפילו הכי הואיל ואינו יודע על איזה נגע מחליט. **טהור:** מגזירת הכתוב דכתיב (ויקרא יג) ואם פשה תפשה בעור וטימא הכהן אותו, את הנגע הודאי הוא מטמא, ואינו מטמא את הנגע שיש בו ספק: **בין בשני אנשים.** אע"פ שאחד מהם טעון הסגר שבעת ימים שנית בסוף שבוע ראשון, והאחר מוחלט, הואיל ואינו יודע איזה להסגר ואיזה להחליט, שניהם טהורים מגזרת הכתוב: **ר' עקיבא אומר כו'.** ואין הלכה כר' עקיבא: **ה' שניהן טמאין.** דבשניהם פשה: **אע"פ שחזרו להיות כסלע.** דהשתא אחד מהם טהור. הואיל והוזקקו לטומאה, שניהם טמאים, דכתיב (שם) וטיהרו הכהן, את הודאי הוא מטהר, ואינו מטהר את הספק: **עד שיחזרו להיות כגריס.** דהשתא ודאי שניהם טהורים, שהפשינו שבעבורו הוחלט הלך משניהם:

Gemara Niddah 25b

גמרא נדה דף כה:

[On the Mishnah:] “If she aborted a *sandal*” Our Rabbis taught: A *sandal* is like a sea-fish [of the same name]. At first it is a normal fetus but later it is crushed. Rabban Shimon ben Gamliel said: A *sandal* resembles the tongue of a big ox. In the name of our Masters it was testified: A *sandal* [if it is to be regarded as a valid birth] must have facial features. Rav Yehudah, citing Shmuel, stated: The law is that a *sandal* must have facial features. Rabbi Adda, citing Rabbi Yosef, who cited Rabbi Yitzhak, ruled: A *sandal* must have facial features, even if only at the back, this being a case similar to that of a man who slapped

המפלת סנדל. תנו רבנן סנדל דומה לדג של ים מתחלתו ולד הוא אלא שנגרף. רבן שמעון בן גמליאל אומר: סנדל דומה ללשון של שור הגדול. משום רבותינו העידו סנדל צריך צורת פנים. אמר רב יהודה אמר שמואל: הלכה סנדל צריך צורת פנים. אמר רבי אדא אמר רבי יוסף אמר רבי יצחק: סנדל צריך צורת פנים ואפלו מאחוריו. משל לאדם

his fellow and caused his face to turn backwards. In the days of Rabbi Yannai, they sought to declare [the mother of] a *sandal* that had no facial features as clean [i.e., the birth was not regarded as a valid one]. Rabbi Yannai said to them: You would declare [the mother of newly born] children [regarding the *sandal* as a valid birth] as clean [contrary to Torah law]! [In response:] But was it not taught, “In the name of our Masters it was testified: A *sandal* must have facial features [if it is to be regarded as a valid birth]?” Rav Bivi bar Abbaye, citing Rabbi Yohanan, replied: It was on the evidence of Rabbi Nehunya that this ruling [validity of birth of a *sandal* depending on the presence of facial

features] was learned. Rabbi Zera observed: Rav Bivi was fortunate [to be the first] with his reported traditions, for both he and I were sitting in the presence of Rabbi Yohanan when he discoursed upon this tradition, but he [Rav Bivi] reported it first, and gained the advantage [to be quoted in his name]. Why was a *sandal* [i.e., the law that it causes a woman's defilement] mentioned at all, since there can be no birth of a *sandal* without that of an embryo with it [thereby causing the woman to be defiled in any case]? [The answer:] If a female child were to be born with it, this would indeed be so [the *sandal* could cause no greater defilement, no matter what its gender: since, if female, it would cause the same defilement as the female with which it was born, and if male, its defilement is less than that of the female with which it was born], but here, we are dealing with one that has a male born with it [and if the *sandal* were female, it would cause a greater period of defilement]. Since it might have been presumed as a result of Rav Yitzhak bar Ammi having stated; “If the woman is first to emit the semen she bears a male child, and if the male is first, she bears a female child,” then the one [the *sandal*] is a male as well as the other is a male, therefore, we were informed, [that no such assumption is made, for] it might equally be assumed that both emitted their semen simultaneously, so that one might be a male while the other [the *sandal*] is a female [thereby imposing a longer period of defilement].

שֶׁסָטַר אֶת חֲבֵרוֹ וְהִחְזִיר פָּנָיו לְאַחֲרָיו. בִּימֵי רַבִּי יֵנָאי בִּקְשׁוּ לְטַהֵר אֶת הַסַּנְדָּל שֶׁאֵין לוֹ צוּרַת פָּנִים. אָמַר לָהֶם רַבִּי יֵנָאי: טִיִּהְרַתְּם אֶת הַיִּלְדוֹת וְהַתְּנִיָּא מִשּׁוּם רְבוּתֵינוּ הַעֲדִירוֹ סַנְדָּל צָרִיךְ צוּרַת פָּנִים. אָמַר רַב בִּיבִי בַר אֲבִי אָמַר רַבִּי יוֹחָנָן: מַעֲדוֹתוֹ שֶׁל רַבִּי נְחוּנְיָא נִשְׁנִית מִשְׁנָה זֹאת. אָמַר רַבִּי זְעִירָא: זָכָה בָּהּ רַב בִּיבִי בְּשִׁמְעָתָה דְּאָנָא וְהוּא הוֹיָא יִתְבִּין קָמִיה דְּרַבִּי יוֹחָנָן כִּי אָמְרָה לָהּ שְׁמַעְתָּא. וְקָדָם אִיהוּ וְאָמַר וְזָכָה בָּהּ לָמָּה הִזְכִּירוֹ סַנְדָּל וְהָלֹא אֵין סַנְדָּל שֶׁאֵין עֲמוּ וְלֹד. אִי דְאִיתִּילִידָא נִקְבָּה בְּהֵרָה הִכִּי נָמִי. הֵכָא בְּמֵאֵי עֲסָקִין דְּאִתְּלִיד זָכָר בְּהֵרָה. מְהוּ דְּתִמָּא הוּאִיל וְאָמַר רַב יִצְחָק בַּר אָמִי: אִשָּׁה מְזוּרַעַת תְּחִלָּה יוֹלֶדֶת זָכָר. אִישׁ מְזוּרִיעַ תְּחִלָּה יוֹלֶדֶת נִקְבָּה. מִדְּהָא זָכָר הָא נָמִי זָכָר. קָא מִשְׁמַע לָן אִימָא שְׁנִיָּהֶם הוֹרִיעּוּ בְּבֵית אֶחָד הָאִי זָכָר וְהָאִי נִקְבָּה:

תרגום הווהר

ווהר ויקהל דף ר"ח ע"א

יום השבת, הוא שמחה לכל, והכל נשמר למעלה ולמטה. והאור (נ"א והנקה) התחתונה, מאירה לעלות למעלה ביפי של שבעים עשרות חלקים יתרים והזמן מכל

יומא דשבתא חדוה איהו לכלא וכלא אתנטר לעילא ותתא. ונהורא (נ"א ונקודה) תתאה נהרא לסלקא לעילא בשפירו דעטרין שבעין חולקין יתיר וסבא דכל סבין אתער. כדון כד

הַזְקִינִים נִתְעוֹרָר, אִז כְּשֶׁעוֹלָה הָאוֹר, הָעַם
הַקָּדוֹשׁ מְקַדִּימִים לְבֵית הַנִּסְתָּ בִּלְבוּשׁ יָקָר,
בְּשִׁמְחָה, וּמִתְעַטְרִים בַּעֲטָרָה הַקְּדוּשָׁה
שְׁלֹמֶעֱלָה, וּבְרוּחַ הַזֶּה, הַעוֹמֵד עֲלֵיהֶם
לְמַטָּה, מְשַׁבְּחִים בְּשִׁירוֹת וְתִשְׁבּוּחוֹת,
וְהַתִּשְׁבּוּחוֹת עוֹלוֹת לְמַעְלָה, וְעֲלִיּוֹנִים
וְתַחְתּוֹנִים כָּלֵם בְּשִׁמְחָה, וּמִתְעַטְרִים כָּלֵם
יַחַד. פּוֹתְחִים הָעֲלִיּוֹנִים וְאוֹמְרִים, אֲשֶׁרִיכֶם
עִם קָדוֹשׁ בְּאַרְצְךָ, שְׂאֻדּוֹנִיכֶם מִתְעַטֵּר עֲלֵיכֶם,
וְכָל הַצָּבָאוֹת הַקְּדוּשִׁים מִתְעַטְרִים
בְּשִׁבְלֵיכֶם. כִּי־זֶה הוּא הַיּוֹם שֶׁל

הַנִּשְׁמוֹת, וְאִינוּ יוֹם הַגּוֹף, מִשּׁוּם שֶׁהוּא שְׁלִיטָת צָרוֹר הַנִּשְׁמוֹת, וְעוֹמְדִים עֲלִיּוֹנִים וְתַחְתּוֹנִים כָּלֵם בְּזוּג אֶחָד, בַּעֲטָרָה שֶׁל
הַרוּחַ הַיִּתְרָה, הָעֲלִיּוֹנָה הַקְּדוּשָׁה.

סָלִיק נְהוֹרָא עֲמָא קְדִישָׁא מְקַדְמִי לְבִי כְּנִשְׁתָּא בִּלְבוּשׁ יָקָר
בְּחֻדָּה מִתְעַטְרָן בַּעֲטָרָא קְדִישָׁא דְלַעֲלָא בְּהוּא רֹחָא
דְקִיָּמָא עֲלֵיהּ לְתַתָּא מְשַׁבְּחָן בְּשִׁירִין וְתִשְׁבּוּחוֹן וְסֻלְקִין
וְתִשְׁבּוּחוֹן לְעִילָא וְעֲלִיָּין וְתַתָּאִין כָּלֵהּ בְּחֻדָּה וּמִתְעַטְרָן
כָּלֵהּ כְּחֻדָּא. פְּתַחֵי עֲלָי וְאִמַר זְכָאִין אֲתָנן עֲמָא קְדִישָׁא
בְּאַרְעָא דְמֵאֲרִיכוֹן אֲתַעֲטֵר עֲלֵיכוֹ וְכָל חִילִין קְדִישִׁין
מִתְעַטְרִין בְּגִבְיָכוֹן. הָאִי יוֹמָא יוֹמָא דְנִשְׁמָתִין אִיהוּ וְלָאוּ יוֹמָא
דְגּוּפָא בְּגִין דְשׁוֹלְטָנוּ דְצָרוֹרָא דְנִשְׁמָתִין אִיהוּ וְקִיָּמָן עֲלִיָּין
וְתַתָּאִין כָּלֵהּ בְּזוּגָא חֻדָּא בַּעֲטָרָא דְרוּחָא יִתְרָה עֲלָהּ
קְדִישָׁא:

Yosef le-Hok

יוסף לחוק

Ethical Teaching:

Sefer Hasidim, Chapter 224

מוסר

ספר חסידים סימן רכד

“He upholds the word of His servant, and completes the counsel of His messengers.” (Isaiah 44:26) Those above consent to the opinion of those below. When those above say, “They are deserving of such and such,” the Holy One, blessed be He, says to them, “Wait until the righteous say so.” This is why He would not quote a piece of learning from Rabbi Meir [who had studied under Aher] until the speaker [who would repeat the teacher's words aloud for the assembled students] had said it. “Rabbi Meir found a pomegranate; he ate the inside and threw away the peel,” [pleaded Rabbah the son of Shila to Eliyahu on behalf of Rabbi Meir, i.e., he took only the good of Aher.] And [only then] He said, “Now I will say it [in Rabbi Meir's name].” Is not everything revealed and known before Him? But He wishes that those above and those below agree to the measure of His judgments [and He therefore accepted the plea of Rabbah]. As it says, “so that You will be proven righteous in Your words and correct in Your judgments.” (Psalms 51:6) “Truth sprouts from the earth, and righteousness looks down from heaven.” (Psalms 85:12) When a person is righteous, judges truthfully, and seeks some good trait, it is proper to fulfill his will, measure

מִקָּדִים דְּבַר עֲבָדוֹ וַעֲצָת מַלְאָכָיו יִשְׁלִים
עֲלִיּוֹנִים מְסֻכִּימִים לְדַעַת תַּחְתּוֹנִים
כְּשֶׁעֲלִיּוֹנִים אוֹמְרִים לָכֵן וְכֵן רְאוּיִים.
אוֹמֵר לָהֶם הַקָּדוֹשׁ בְּרוּךְ הוּא הַמְתִּינוּ עַד
שֶׁהַצְדִּיקִים אוֹמְרִים כֹּכָה וְלָכֵן לֹא הָיָה
אוֹמֵר שְׂמוּעָה מִפִּי רַבִּי מֵאִיר עַד שֶׁאֲמָרָא
אָמַר רַבִּי מֵאִיר רְמוֹן מֵצָא תוֹכוֹ אָכַל
קִלְפּוֹתוֹ זֶרֶק. וְאָמַר הַשֹּׁתָא קָאֲמַר וְהֵלֵא
הַכֹּל גָּלִי וְיָדוּעַ לְפָנָיו, אֲלָא חִפֵּץ שְׂיִסְכִּימוּ
עֲלִיּוֹנִים וְתַחְתּוֹנִים לְמַדַּת מִשְׁפָּטֵי שְׁנֵאֲמַר
(תְּהִלִּים נֹא) לְמַעַן תִּצְדַּק בְּדַבְרְךָ תִּזְכָּה
בְּשִׁפְטְךָ אֶמֶת מֵאַרְץ תִּצְמַח וְצִדִּיק מִשְׁמַיִם
נִשְׁקָף. כְּשֶׁאֲדָם צָדִיק וְדִין דִּין אֶמֶת
לְאֶמְתוֹ וּמִחִפֵּשׁ אֵיזָה מִדָּה טוֹבָה רְאוּי
לַעֲשׂוֹת רְצוֹנוֹ מִדָּה בְּמִדָּה שְׂמֻכְנָן לְדַעַת

for measure, because he is in agreement with the opinion of those above. "Kindness and truth have met; righteousness and peace have kissed." (ibid., verse 11) Concerning the attribute of punishment, the Accuser says, "Master of the Universe! Even those below agree with my opinion." And it is written, "Give them a miscarrying womb and withered breasts." (Hosea 9:14) Was it because the prophet felt no mercy for Israel that He should give this to them? But such is the nature of decrees from above: when the righteous decree it, those above fulfill it, and the Accuser says, "Even those below say so to them." And [so too,] concerning the attribute of goodness, which the righteous see [fit] with their own eyes, and about which they tell with their own mouths, as it says, "so that You will be proven righteous in Your words and correct in Your judgments." Eliyahu said, "Master of the Universe! Do not the righteous agree with our opinion?" And when he departs for his eternal world, the angels tell him, for he is in agreement with their opinion. When they learn from their mouths, they pray for him to be forgiven. When Israel does the will of the Omnipresent, the angels praise Him. But if they do not, the angels of peace cry bitul.

(Isaiah 54:17)

הַעֲלִיּוֹנִים חֹסֵד וְאַמֶּת נִפְגְּשׁוּ צֶדֶק וְשָׁלוֹם
נִשְׁקָו עַל מִדַּת פְּרָעוֹת אוֹמֵר הַשֵּׁטֶן: רְבוּנוֹ
שֶׁל עוֹלָם, אִפְלוּ תַּחְתּוֹנִים מַסְכִּימִים
לְדַעְתִּי. וְכִתִּיב (הוֹשֵׁעַ ט) תֵּן לָהֶם רַחֵם
מִשְׁכִּיל וְשִׁדִּים צוֹמְקִים. וְכִי לֹא בַעֲבוּר
שֶׁהָיָה הַנְּבִיא מְרַחֵם עַל יִשְׂרָאֵל יִתֵּן לָהֶם.
אֲלֹא כֹּה מִדַּת גְּזֵרָה שֶׁל מַעֲלָה
כִּשְׁהַצְדִּיקִים גּוֹזְרִים עוֹשִׂים הַעֲלִיּוֹנִים
וְאוֹמֵר הַשֵּׁטֶן אִף הַתַּחְתּוֹנִים אוֹמְרִים לָהֶם
כֵּן וְעַל מַדָּה טוֹבָה שֶׁנֶּאֱרָא בְּעֵינֵי הַצְדִּיקִים
וְאוֹמְרִים בִּפְיָהֶם שֶׁנֶּאֱמַר לְמַעַן תִּצְדֵּק
בַּדְּבָרָה אֲמַר אֵלֵיהֶם: רְבוּנוֹ שֶׁל עוֹלָם,
וְהֵלֵא הַצְדִּיקִים מַסְכִּימִים לְדַעְתָּנוּ
וְכִשְׁנִפְטַר לְעוֹלָמוֹ בָּאת מִדַּת הַדִּין שֶׁל
מַעֲלָה וּמִנִּשְׁקָיו אוֹתָן שִׁפְנוֹ לְדַעְתָּן וְכֹל
הָאוֹמֵר דְּבַר שְׂמוּעָה מִפִּיהֶם הֵם מִתְפַּלְלִים
עָלָיו שֶׁם וּמְלִיצִים טוֹבָה עָלָיו כִּשְׁיִשְׂרָאֵל
עוֹשִׂין רְצוֹנוֹ שֶׁל מָקוֹם גּוֹרֵם שֶׁבְּעֵלֵי דִינִים
שֶׁל מַעֲלָה מְנַשְּׁקִים זֶה אֶת זֶה וְאֵם לֹאוּ
מִלֵּאכִי שְׁלוֹם מֵר יִבְכְּיוּ וְזֶהוּ שֶׁנֶּאֱמַר
(יִשְׁעִיָּה כז) יַעֲשֶׂה שְׁלוֹם:

Practical Law:

Rambam, Laws of Sabbath, Chapter 10

(1) One who tears an amount sufficient for sewing two stitches, in order to sew two stitches, is liable [to punishment]. But one who tears in order to destroy is exempt, because he is [in the *halachic* category of] spoiling. One who tears in anger, or [in mourning for] the dead for whom he is obligated to tear, settles his mind by doing this, so that his feelings are satisfied. By doing so, he is considered as one who performs a mitzvah.

הלכה
הרמב"ם הלכות שבת פרק י

א הקורע כדי לתפר שתי תפירות חיב. אכל
הקורע להפסיד פטור מפני שהוא מקלקל.
הקורע בחמתו או על מת שהוא חיב לקרע
עליו חיב מפני שמישב דעתו בדבר זה ויניח
יצרו והואיל וחמתו שוככת בדבר זה הרי הוא

ted to tear [his clothing] is liable, because he
gs will be at rest. And since his anger subsides
ms constructive act and is liable. And one who

opens a hole [in a shirt] for the neck, on the Sabbath is liable. (2) If one glues together papers or pieces of leather with scribe's glue or the like, this is a subcategory of sewing, and he is liable. Similarly, if one takes apart papers or pieces of leather that were stuck together, not intending merely to destroy

them, this is a subcategory of tearing, for which he is liable.

כְּמַתִּיקוֹ וְחִיב וְהַפּוֹתֵחַ בֵּית הַצֹּאֵר בְּשַׁבָּת חִיב:
ב הַמַּדְבֵּק נִירוֹת אוֹ עוֹרוֹת בְּקוֹלֵן שֶׁל סוֹפְרִים
וְכִיּוֹצֵא בּוֹ הָרִי זֶה תוֹלְדֵת תּוֹפֵר וְחִיב. וְכֵן
הַמִּפְרֵק נִירוֹת דְּבוּקִין אוֹ עוֹרוֹת דְּבוּקִין וְלֹא
נִתְּכָן לְקַלְקֵל בְּלִבְד הָרִי זֶה תוֹלְדֵת קוֹרֵעַ
וְחִיב: