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| **Esnoga Bet Emunah****4544 Highline Dr. SE****Olympia, WA 98501****United States of America****© 2016**[**http://www.betemunah.org/**](http://www.betemunah.org/)**E-Mail:** **gkilli@aol.com** | **Menorah 5** | **Esnoga Bet El****102 Broken Arrow Dr.****Paris TN 38242****United States of America****© 2016**[**http://torahfocus.com/**](http://torahfocus.com/)**E-Mail:** **waltoakley@charter.net** |

**Triennial Cycle (Triennial Torah Cycle) / Septennial Cycle (Septennial Torah Cycle)**

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| **Three and 1/2 year Lectionary Readings** | **Second Year of the Triennial Reading Cycle** |
| **Kislev 24, 5777– Dec. 24/25, 2016** | **Second Year of the Shmita Cycle** |

**Candle Lighting and Habdalah Times:**

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| **Amarillo, TX, U.S.**Fri. Dec 16 2016 – Candles at 5:22 PMSat. Dec 17 2016 – Habdalah 6:23 PM | **Austin & Conroe, TX, U.S.**Fri. Dec 16 2016 – Candles at 5:18 PMSat. Dec 17 2016 – Habdalah 6:16 PM | **Brisbane, Australia**Fri. Dec 16 2016 – Candles at 6:25 PMSat. Dec 17 2016 – Habdalah 7:24 PM |
| **Chattanooga, & Cleveland, TN, U.S.**Fri. Dec 16 2016 – Candles at 5:17 PMSat. Dec 17 2016 – Habdalah 6:17 PM | **Manila & Cebu, Philippines**Fri. Dec 16 2016 – Candles at 5:15 PMSat. Dec 17 2016 – Habdalah 6:08 PM | **Miami, FL, U.S.**Fri. Dec 16 2016 – Candles at 5:18 PMSat. Dec 17 2016 – Habdalah 6:14 PM |
| **Murray, KY, & Paris, TN. U.S.**Fri. Dec 16 2016 – Candles at 4:25 PMSat. Dec 17 2016 – Habdalah 5:26 PM | **Olympia, WA, U.S.**Fri. Dec 16 2016 – Candles at 4:08 PMSat. Dec 17 2016 – Habdalah 5:19 PM | **Port Orange, FL, U.S.**Fri. Dec 16 2016 – Candles at 5:14 PMSat. Dec 17 2016 – Habdalah 6:11 PM |
| **San Antonio, TX, U.S.**Fri. Dec 16 2016 – Candles at 5:23 PMSat. Dec 17 2016 – Habdalah 6:20 PM | **Sheboygan & Manitowoc, WI, US**Fri. Dec 16 2016 – Candles at 4:00 PMSat. Dec 17 2016 – Habdalah 5:07 PM | **Singapore, Singapore** Fri. Dec 16 2016 – Candles at 6:47 PMSat. Dec 17 2016 – Habdalah 7:39 PM |
| **St. Louis, MO, U.S.**Fri. Dec 16 2016 – Candles at 4:27 PMSat. Dec 17 2016 – Habdalah 5:29 PM | **Tacoma, WA, U.S.**Fri. Dec 16 2016 – Candles at 4:06 PMSat. Dec 17 2016 – Habdalah 5:17 PM |  |
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**For other places see:** [**http://www.chabad.org/calendar/candlelighting.htm**](http://www.chabad.org/calendar/candlelighting.htm)

**Roll of Honor:**

His Eminence Rabbi Dr. Hillel ben David and beloved wife HH Giberet Batsheva bat Sarah

His Eminence Rabbi Dr. Eliyahu ben Abraham and beloved wife HH Giberet Dr. Elisheba bat Sarah

His Honor Paqid Adon David ben Abraham

His Honor Paqid Adon Ezra ben Abraham and beloved wife HH Giberet Karmela bat Sarah,

His Honor Paqid Adon Tsuriel ben Abraham and beloved wife HH Giberet Gibora bat Sarah

Her Excellency Giberet Sarai bat Sarah & beloved family

His Excellency Adon Barth Lindemann & beloved family

His Excellency Adon John Batchelor & beloved wife

Her Excellency Giberet Leah bat Sarah & beloved mother

Her Excellency Giberet Zahavah bat Sarah & beloved family

His Excellency Adon Gabriel ben Abraham and beloved wife HE Giberet Elisheba bat Sarah

His Excellency Adon Yehoshua ben Abraham and beloved wife HE Giberet Rut bat Sarah

His Excellency Adon Michael ben Yosef and beloved wife HE Giberet Sheba bat Sarah

Her Excellency Giberet Prof. Dr. Emunah bat Sarah & beloved family

His Excellency Adon Robert Dick & beloved wife HE Giberet Cobena Dick

His Excellency Adon Eliezer ben Abraham and beloved wife HE Giberet Chava bat Sarah

His Excellency Adon Aviner ben Abraham and beloved wife HE Giberet Chagit bat Sarah

His Excellency Adon Ovadya ben Abraham and beloved wife HE Giberet Mirit bat Sarah

His Excellency Adon Brad Gaskill and beloved wife Cynthia Gaskill

His Excellency Adon Marvin Hyde

His Excellency Adon Scott Allen

**For their regular and sacrificial giving, providing the best oil for the lamps, we pray that GOD’s richest blessings be upon their lives and those of their loved ones, together with all Yisrael and her Torah Scholars, amen ve amen!**

**Also a great thank you and great blessings be upon all who send comments to the list about the contents and commentary of the weekly Torah Seder and allied topics**. **If you want to subscribe to our list and ensure that you never loose any of our commentaries, or would like your friends also to receive this commentary, please do send me an E-Mail to** **benhaggai@GMail.com** **with your E-Mail or the E-Mail addresses of your friends. Toda Rabba!**

We pray for His Eminence Rabbi Dr. Eliyahu ben Abraham and his beloved Her Honor Giberet Elisheba bat Sarah, who are sick with the flu. We pray for a quick and speedy recovery to full health, and may the Creator, blessed be He, renew their energies and enthusiasm, together with all the afflicted of Israel, amen ve amen!

We pray for His Honor Paqid Adon Tsuriel ben Abraham and Her Honor Giberet Giborah bat Sarah, for traveling mercies as they visit HH Giberet Giborah’s mother Mrs. Pearl Stroppel. May their trip go well and may they return in safety to their home and congregation, and we say, amen ve amen!

We also pray for Giberet Sarai bat Sarah who is recovering at her home from an operation. **Mi Sheberach** – He Who blessed our holy and pure Matriarchs, Sarah, Ribkah, Rachel and Leah, bless Her Excellency Giberet Sarai bat Sarah and send her a complete recovery and strengthening of body and soul. Please G-d heal her, please. Please G-d heal her, please. Please G-d heal her, please. Cure her, strengthen her, make her healthy and return her to her original strength, together with all the sick of Yisrael. And may it be so willed, and we will say, Amen ve Amen!

We pray for the elderly mother of Her Honor Giberet Giborah bat Sarah, Mrs. Pearl Stroppel, who has terminal cancer. **Mi Sheberach** – He Who blessed our holy and pure Matriarchs, Sarah, Ribkah, Rachel and Leah, bless Her Excellency Giberet Mrs. Pearl Stroppel and send her a complete recovery and strengthening of body and soul. Please G-d heal her, please. Please G-d heal her, please. Please G-d heal her, please. Cure her, strengthen her, make her healthy and return her to her original strength, together with all the sick of Yisrael. And may it be so willed, and we will say, Amen ve Amen! Also, extend great mercy, shalom and healing to H.H. Giberet Gibora bat Sarah at this time of great sorrow for her, and we say, amen ve amen!

We also pray for the mother of H.E. Giberet Zahavah bat Sarah, Mrs. Peggy Johnston, who is very sick. **Mi Sheberach** – He Who blessed our holy and pure Matriarchs, Sarah, Ribkah, Rachel and Leah, bless Her Excellency Giberet Mrs. Pearl Stroppel and send her a complete recovery and strengthening of body and soul. Please G-d heal her, please. Please G-d heal her, please. Please G-d heal her, please. Cure her, strengthen her, make her healthy and return her to her original strength, together with all the sick of Yisrael. And may it be so willed, and we will say, Amen ve Amen!

We pray also for H.E. Giberet Rachel bat Batsheva who is afflicted with un-systemic mastocytosis. **Mi Sheberach –** He Who blessed our holy and pure Matriarchs, Sarah, Ribkah, Rachel and Leah, bless Her Excellency Giberet Rachel bat Batsheva and send her a complete recovery and strengthening of body and soul. Please G-d heal her, please. Please G-d heal her, please. Please G-d heal her, please. Cure her, strengthen her, make her healthy and return her to her original strength, together with all the sick of Yisrael. And may it be so willed, and we will say, Amen ve Amen!

We pray for a merciful healing of Her Excellency Giberet Shanique bat Sarah who is afflicted with Lymphoma cancer. We also pray for her daughter and family. **Mi Sheberach** – He Who blessed our holy and pure Matriarchs, Sarah, Ribkah, Rachel and Leah, bless Her Excellency Giberet Shanique bat Sarah and send her a complete recovery with her new experimental treatment. Please God heal her, please. Please God heal her, please. Please God heal her, please. Cure her, strengthen her, make her healthy and return her to her original strength, together with all the sick of Yisrael. And may it be so willed, and we will say, Amen ve Amen!

**Shabbat: “V’Eleh HaMishpatim” – “And these are the ordinances”**

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| **Shabbat** | **Torah Reading:** | **Weekday Torah Reading:** |
| **וְאֵלֶּה, הַמִּשְׁפָּטִים** |  |  |
| **“V’Eleh HaMishpatim”** | Reader 1 – Sh’mot 21:1-6 | Reader 1 – Sh’mot 22:24-26 |
| **“And** **these are the ordinances”** | Reader 2 – Sh’mot 21:7-17 | Reader 2 – Sh’mot 22:27-30 |
| **“Y estas son las ordenanzas”** | Reader 3 – Sh’mot 21:18-27 | Reader 3 – Sh’mot 22:24-30 |
| Sh’mot (Exodus) 21:1 – 22:23 | Reader 4 – Sh’mot 21:28-37 |   |
| Ashlamatah: Is 56:1-9 + 57:19 | Reader 5 – Sh’mot 22:1-12 |   |
|  | Reader 6 – Sh’mot 22:13-16 | Reader 1 – Sh’mot 22:24-26 |
| Psalms 58:1-12 | Reader 7 – Sh’mot 22:17-23 | Reader 2 – Sh’mot 22:27-30 |
|   |  Maftir – Sh’mot 22:17-23 | Reader 3 – Sh’mot 22:24-30 |
| N.C.: Mk 7:17-23; Acts 18:1-11 |   Is 56:1-9 + 57:19 |   |

**Blessings Before Torah Study**

**Blessed are You, Ha-Shem our God, King of the universe, Who has sanctified us through Your commandments, and commanded us to actively study Torah. Amen!**

**Please Ha-Shem, our God, sweeten the words of Your Torah in our mouths and in the mouths of all Your people Israel. May we and our offspring, and our offspring's offspring, and all the offspring of Your people, the House of Israel, may we all, together, know Your Name and study Your Torah for the sake of fulfilling Your delight. Blessed are You, Ha-Shem, Who teaches Torah to His people Israel. Amen!**

**Blessed are You, Ha-Shem our God, King of the universe, Who chose us from all the nations, and gave us the Torah. Blessed are You, Ha-Shem, Giver of the Torah. Amen!**

**Ha-Shem spoke to Moses, explaining a Commandment. "Speak to Aaron and his sons, and teach them the following Commandment: This is how you should bless the Children of Israel. Say to the Children of Israel:**

**May Ha-Shem bless you and keep watch over you; - Amen!**

**May Ha-Shem make His Presence enlighten you, and may He be kind to you; - Amen!**

**May Ha-Shem bestow favor on you, and grant you peace. – Amen!**

**This way, the priests will link My Name with the Israelites, and I will bless them."**

**These are the Laws for which the Torah did not mandate specific amounts: How much growing produce must be left in the corner of the field for the poor; how much of the first fruits must be offered at the Holy Temple; how much one must bring as an offering when one visits the Holy Temple three times a year; how much one must do when doing acts of kindness; and there is no maximum amount of Torah that a person must study.**

**These are the Laws whose benefits a person can often enjoy even in this world, even though the primary reward is in the Next World: They are: Honoring one's father and mother; doing acts of kindness; early attendance at the place of Torah study -- morning and night; showing hospitality to guests; visiting the sick; providing for the financial needs of a bride; escorting the dead; being very engrossed in prayer; bringing peace between two people, and between husband and wife; but the study of Torah is as great as all of them together. Amen!**

**Contents of the Torah Seder**

* The order of Judgments – Exodus 21:1

        The Hebrew Servant – Exodus 21:2-11

        Laws Concerning Murder – Exodus 21:12-14

        Crimes Against Parents & Kidnapping – Exodus 21:15-17

        Personal Injuries – Exodus 21:18-27

* Injury Caused by a Beast – Exodus 21:28-32

        Offences Against Propperty Through Neglect or an Animal – Exodus 21:33-36

        Theft – Exodus 21:37 – 22:14

        Seduction – Exodus 22:15-16

        Witchcraft – Exodus 22:17

        Bestiality – Exodus 22:18

        Polytheism – Exodus 22:19

        Oppression of the Weak – Exodus 22:20-23

 **Rashi & Targum Pseudo Jonathan**

**for: Shemot (Exod.) 21:1 – 22:23**

| **RASHI** | **TARGUM PSEUDO JONATHAN** |
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| 1. **And these are the ordinances** that you shall set before them. | 1. ¶ **AND these are the orders of judgments** which you will order before them. |
| 2. Should you buy a Hebrew slave, he shall work [for] six years, and in the seventh [year], he shall go out to freedom without charge. | 2. If you will have bought a son of Israel, on account of his theft, six years he will serve, and at the incoming of the seventh he will go out free without price. |
| 3. If he comes [in] alone, he shall go out alone; if he is a married man, his wife shall go out with him. | 3. If he came in alone, he will go out alone: but if (he be) the husband of a wife, a daughter of Israel, his wife will go out with him. |
| 4. If his master gives him a wife, and she bears him sons or daughters, the woman and her children shall belong to her master, and he shall go out alone. | 4. If his master give him a wife, an handmaid, and she bear him sons or daughters, the wife and her children will belong to his master, and he may go out alone. |
| 5, But if the slave says, "I love my master, my wife, and my children. I will not go free," | 5, But if the servant will affirm and say, I love my master, my wife, and my children, (and) I will not go out free, |
| 6. his master shall bring him to the judges, and he shall bring him to the door or to the doorpost, and his master shall bore his ear with an awl, and he shall serve him forever. | 6. then his master will bring him before the judges, and will receive from them the power, and bring him to the door that has posts; and his master will pierce his right ear with an awl; and he will be a servant to serve him until the Yobel. |
| 7. Now if a man sells his daughter as a maidservant, she shall not go free as the slaves go free. | 7. ¶ And if a man of Israel sell his daughter, a little handmaid, she will not go forth according to the going forth of the servants of the Kenaanaee, who are set at liberty on account of the tooth or the eye; but in the years of remission, and with tokens, and at the Yobel, and on the death of her master, and by redemption with money. |
| 8. If she is displeasing to her master, who did not designate her [for himself], then he shall enable her to be redeemed; he shall not rule over her to sell her to another person, when he betrays her. | 8. If she has not found favour before her master who bought her, then her father may redeem her; but to a foreigner he will not have power to sell her; for as a vessel of her Lord he has power over her. |
| 9. And if he designates her for his son, he shall deal with her according to the law of the daughters [of Israel]. | 9. And if he had intended her for the side of his son, he will do by her after the manner of the daughters of Israel. |
| 10. If he takes another [wife] for himself, he shall not diminish her sustenance, her clothing, or her marital relations. | 10. If he take another daughter of Israel to him beside her, her food, her adorning, and her conjugal rights, he will not withhold from her.JERUSALEM: And if he take another wife beside her, of her food, her adorning, and her going in and coming out with him, he shall not deprive her. |
| 11. And if he does not do these three things for her, she shall go free without charge, without [payment of] money. | 11. And if these three things he does not for her, to covenant her to himself, or to his son, or to release her into the hand of her father, she will go free without payment, and a writing of release he will give her. |
| 12. One who strikes a man so that he dies shall surely be put to death. | 12. ¶ Whosoever smites a son or a daughter of Israel, so as to cause death, will be put to death with the sword. |
| 13. But one who did not stalk [him], but God brought [it] about into his hand, I will make a place for you to which he shall flee. | 13. But he who did not attack him, but mischance from before the LORD befell him at his hand, I will appoint you a place where he may flee. |
| 14. But if a man plots deliberately against his friend to slay him with cunning, [even] from My altar you shall take him to die. | 14. But if a man come maliciously upon his neighbor to kill him with craft, though the priests are ministering at My altar, thence you will take him, and slay him with the sword.JERUSALEM: But if a man devises against his neighbor to kill him by guile, though the high priest were standing to minister before Me, from thence you will bring him, and put him to death. |
| 15. And one who strikes his father or his mother shall surely be put to death. | 15. ¶ And he who wounds his father or his mother will die by strangling. |
| 16. And whoever kidnaps a man, and he is found in his possession, shall surely be put to death. | 16. ¶ And he who steals a soul of the children of Israel, and sells him, or if he be found in his possession, will die by strangling. |
| 17. And one who curses his father or his mother shall surely be put to death. | 17. ¶ And he who curses his father or his mother by the Great Name, dying he will die by being stoned with stones. |
| 18. And if men quarrel, and one strikes the other with a stone or with a fist, and he does not die but is confined to [his] bed, | 18. ¶ And when men strive together, and one smite his neighbor with a stone, or with his fist, so that he die not, but fall ill, |
| 19. if he gets up and walks about outside on his support, the assailant shall be cleared; he shall give only [payment] for his [enforced] idleness, and he shall provide for his cure. | 19. if he rise again from his illness, and walk in the street upon his staff, he who smote him will be acquitted from the penalty of death; only for his cessation from labor, his affliction, his injury, his disgrace, and the hire of the physician, he will make good until he be cured. |
| 20. And should a man strike his manservant or his maidservant with a rod, and [that one] die under his hand, he shall surely be avenged. | 20. ¶ And when a man has smitten his Kenaanite man-servant or maid-servant with a staff, and he die the same day under his hand, he will be judged with the judgment of death by the sword. |
| 21. But if he survives for a day or for two days, he shall not be avenged, because he is his property. | 21. But if the wounded person continue one or two days from time to time, he will not be (so) judged; because with money he had bought him. |
| 22. And should men quarrel and hit a pregnant woman, and she miscarries but there is no fatality, he shall surely be punished, when the woman's husband makes demands of him, and he shall give [restitution] according to the judges' [orders]. | 22. ¶ If men when striving strike a woman with child, and cause her to miscarry, but not to lose her life, the fine on account of the infant which the husband of the woman will lay upon him, he will pay according to the sentence of the judges. |
| 23. But if there is a fatality, you shall give a life for a life, | 23. But if death befall her, then you will judge the life of the killer for the life of the woman. |
| 24. an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot, | 24. The value of an eye for an eye, the value of a tooth for a tooth, the value of a hand for a hand, the value of a foot for a foot, |
| 25. a burn for a burn, a wound for a wound, a bruise for a bruise. | 25. all equivalent of the pain of burning for burning, and of wounding for wounding, and of blow for blow. |
| 26. And if a man strikes the eye of his manservant or the eye of his maidservant and destroys it, he shall set him free in return for his eye, | 26. ¶ And when a man strikes the eye of his Kenaanite servant or handmaid, and causes blindness, he will let him go free, on account of the eye. |
| 27. and if he knocks out the tooth of his manservant or the tooth of his maidservant, he shall set him free in return for his tooth. | 27. And if he strike out the tooth of his Kenaanite man or maid-servant, he will make the servant free on account of the tooth. |
| 28. And if a bull gores a man or a woman and [that one] dies, the bull shall surely be stoned, and its flesh shall not be eaten, and the owner of the bull is clear. | 28. ¶ And if an ox gores a man or woman to cause death, the ox must be stoned, but will not be killed that his flesh may be eaten; and the owner of the ox will be exempt from the condemnation of death, and also from the price of the servant or handmaid. |
| 29. But if it is a [habitually] goring bull since yesterday and the day before yesterday, and its owner had been warned, and it puts to death a man or a woman, the bull shall be stoned, and also its owner shall be put to death, | 29. But if the ox (had been wont) to gore yesterday and before, and it had been attested before his owner three times, and he (had neglected) to restrain him, the ox, when he kills man or woman, will be stoned, and his master also will die with a death sent upon him from heaven. |
| 30. insofar as ransom shall be levied upon him, he shall give the redemption of his soul according to all that is levied upon him. | 30. Yet if a fine of money be laid upon him, he may give a ransom for his life, according to what will be imposed on him by the sanhedrin of Israel. |
| 31. Or if it gores a young boy or a young girl, according to this ordinance shall be done to him. | 31. Whether the ox has gored a son or a daughter of Israel, according to that judgment it will be done to him. |
| 32. **If the bull gores a manservant or a maidservant, he shall give silver [in the amount of] thirty shekels to his master, and the bull shall be stoned.** | 32. **If an ox gores a Kenaanite man-servant or handmaid, the master of the man or woman-servant will give thirty sileen of silver, and the ox will be stoned.** |
| 33. And if a person opens a pit, or if a person digs a pit and does not cover it, and a bull or a donkey falls into it, | 33. ¶ And if a man opens a pit in the street, and does not cover it, and an ox or an ass fall therein; |
| 34. the owner of the pit shall pay; he shall return money to its owner, and the dead body shall be his. | 34. the master of the pit will deliver silver to give to its owner the price of the ox or the ass, and the dead body will be his. |
| 35. And if a man's bull strikes his friend's bull and it dies, they shall sell the live bull and divide the money received for it, and they shall also divide the dead body. | 35. ¶ And when an ox wounds his neighbor's ox, and he die, they will sell the living ox, and divide the price, and the price of the dead one will they also divide. |
| 36. Or if it was known that it was a [habitually] goring bull since yesterday and the day before yesterday, and its owner does not watch it, he shall surely pay a bull for a bull, and the dead body shall be his. | 36. But if it has been known that the ox was wont to gore in time past, and his master did not restrain him, he will surely deliver ox for ox; but the carcase and the skin will be his. |
| 37. If a man steals a bull or a lamb and slaughters it or sells it, he shall pay five cattle for the bull or four sheep for the lamb. | 37. ¶ When a man steals an ox or a sheep, and kills or sells it, five oxen will he make good for one ox, because he has hindered him from his plowing; and four sheep for one, because he has impoverished him by his theft, and not done service by it. |
|   |   |
| 1. If, while breaking in, the thief is discovered, and he is struck and dies, [it is as if] he has no blood. | 1. 1 ¶ If a thief be found in a window of the wall, and be smitten and die, there will not be on his account the guilt of the shedding of innocent blood. |
| 2. If the sun shone upon him, [it is as if] he has blood; he shall surely pay. If he has no [money], he shall be sold for his theft. | 2. ¶ If the thing be as clear as the sun that he was not entering to destroy life, and one has killed him, the guilt of the shedding of innocent blood is upon him; and if spared from his hand, restoring he will restore. If he have not wherewith to restore, the Beth Din will sell him for his theft until the year of release. |
| 3. If the stolen article is found in his possession whether a bull, a donkey, or a lamb live ones he shall pay twofold. | 3. If before witnesses, the thing stolen was found in his possession, from an ox or an ass, unto a sheep alive, he will restore two for one. |
| 4. If a man leads his animals into a field or a vineyard, or lets his animal loose and it eats in another's field, the best of his field or the best of his vineyard he shall pay. | 4. If a man break in upon a field or a vineyard, and send in his beast to feed in another man's field, the best of his field and the best of his vineyard he will restore. |
| 5. If a fire goes forth and finds thorns, and a stack of grain or standing grain or the field be consumed, the one who ignited the fire shall surely pay. | 5. ¶ If fire break out, and catch thorns, and consume the sheaves, or whatever is standing, or the field, whoever kindled the fire will surely restore. |
| 6. If a man gives his neighbor money or articles for safekeeping, and it is stolen from the man's house, if the thief is found, he shall pay twofold. | 6. ¶ When a man confides to his neighbor silver, or vessels to keep, without recompense for the care, and they be stolen from the man's house, |
| 7. If the thief is not found, the homeowner shall approach the judges, [to swear] that he has not laid his hand upon his neighbor's property. | 7. if the thief be found, he will restore two for one. If the thief be not found, the master of the house will be brought before the judges, and will swear that he has not put forth his own hand upon the property of his neighbor. |
| 8. For any sinful word, for a bull, for a donkey, for a lamb, for a garment, for any lost article, concerning which he will say that this is it, the plea[s] of both parties shall come to the judges, [and] whoever the judges declare guilty shall pay twofold to his neighbor. | 8. ¶ And about whatever is injured covertly, whether ox, or ass, or sheep, or raiment, of whatever is (so) lost, he will make oath when he says that so it is; and when the thing stolen will be afterward found in the hand of the thief, the cause of both will be brought before the judges, the cause of the householder and the cause of the thief; and whom the judges will condemn, the thief will restore twofold to his neighbor. |
| 9. If a man gives his neighbor a donkey, a bull, a lamb, or any animal for safekeeping, and it dies, breaks a limb, or is captured, and no one sees [it], | 9. ¶ If a man deliver to his neighbor an ox, or a sheep, or any animal to keep, (if) he is to keep it without recompense, and it die, or be torn by wild beast, or be carried off, and no witness seeing who can testify it; |
| 10. the oath of the Lord shall be between the two of them provided that he did not lay his hand upon his neighbor's property, and its owner shall accept [it], and he shall not pay. | 10. an oath of the LORD will be between them both, that he has not put forth his hand upon the property of his neighbor; and the owner of the thing will accept his oath, and he will not (be required to) make it good. |
| 11. But if it is stolen from him, he shall pay its owner. | 11. But if it be stolen from him who was to receive recompense for the care, he will make it good to its owner. |
| 12. If it is torn apart, he shall bring witness for it; [for] the torn one he shall not pay. | 12. If it has been torn by a wild beast, let him bring witnesses, or bring him to the carcass: because for that which is (so) torn he will not make restitution. |
| 13. And if a person borrows [an animal] from his neighbor and it breaks a limb or dies, if its owner is not with him, he shall surely pay. | 13. ¶ And if a man borrow anything of his neighbor, and the vessel be broken, or the animal die, and the owner be not with it, he will certainly make it good. |
| 14. If its owner is with him, he shall not pay; if it is a hired [animal], it has come for its hire. | 14. If the owner be with it, he will not make it good: if it had been lent for profit, its loss came on account of its hire. |
| 15. If a man seduces a virgin who is not betrothed and lies with her, he shall provide her with a marriage contract as a wife. | 15. ¶ If a man seduce a virgin unbetrothed, and have criminal conduct with her, endowing, he will endow her to be his wife.JERUSALEM: If a man seduce a virgin, unbetrothed, and have criminal conduct with her, endowing, he will endow her to be a wife. |
| 16. If her father refuses to give her to him [in marriage], he shall weigh out money according to the dowry of the virgins. | 16. If this does not appear to him (to be desirable), or if her father be not willing to give her to him fifty sileen of silver will be laid upon him, according to the endowment of a virgin. |
| 17. You shall not allow a sorceress to live. | 17. ¶ Sons of My people Israel, whosoever practices witchcraft you will not suffer to live. Whosoever lies with a beast will be stoned to death. |
| 18. Whoever lies [carnally] with an animal shall surely be put to death. | 18. |
| 19. He who slaughters [a sacrifice] to the gods shall be destroyed, except to the Lord alone. | 19. ¶ Whosoever sacrifices to the idols of the Gentiles will be slain with the sword, and his goods be destroyed; for you will worship only the Name of the LORD. |
| 20. And you shall not mistreat a stranger, nor shall you oppress him, for you were strangers in the land of Egypt. | 20. ¶ And the stranger you will not vex with words, nor distress him by taking his goods: Remember, sons of Israel, My people, that you were strangers in the land of Mizraim. |
| 21. You shall not oppress any widow or orphan. | 21. You will not impoverish the widow or the orphan. |
| 22. If you oppress him, [beware,] for if he cries out to Me, I will surely hear his cry. | 22. If you impoverish her, beware; for if they rise up and cry against you in prayer before Me, I will hear the voice of their prayer, and will avenge them, |
| 23. My wrath will be kindled, and I will slay you with the sword, and your wives will be widows and your children orphans | 23. and My anger will be kindled, and I will slay you with the sword, and your wives will be widows, and your children be orphans. |
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**Reading Assignment:**

**The Torah Anthology: Yalkut Me’Am Lo’Ez - Vol VII: The Law**

By: Rabbi Yaaqov Culi, Translated by: Rabbi Aryeh Kaplan

Published by: Moznaim Publishing Corp. (New York, 1979)

Vol. 7 – “The Law,” pp. 3-83

**Welcome to the World of P’shat Exegesis**

In order to understand the finished work of the P’shat mode of interpretation of the Torah, one needs to take into account that the P’shat is intended to produce a catechetical output, whereby a question/s is/are raised and an answer/s is/are given using the seven Hermeneutic Laws of R. Hillel and as well as the laws of Hebrew Grammar and Hebrew expression.

The Seven Hermeneutic Laws of R. Hillel are as follows [cf.

<http://www.jewishencyclopedia.com/view.jsp?artid=472&letter=R>]:

**1. Ḳal va-ḥomer:** "Argumentum a minori ad majus" or "a majori ad minus"; corresponding to the scholastic proof a fortiori.

**2. Gezerah shavah:** Argument from analogy. Biblical passages containing synonyms or homonyms are subject, however much they differ in other respects, to identical definitions and applications.

**3. Binyan ab mi-katub eḥad:** Application of a provision found in one passage only to passages which are related to the first in content but do not contain the provision in question.

**4. Binyan ab mi-shene ketubim:** The same as the preceding, except that the provision is generalized from two Biblical passages.

**5. Kelal u-Peraṭ and Peraṭ u-kelal:** Definition of the general by the particular, and of the particular by the general.

**6. Ka-yoẓe bo mi-maḳom aḥer:** Similarity in content to another Scriptural passage.

**7. Dabar ha-lamed me-'inyano:** Interpretation deduced from the context.

**Rashi’s Commentary for: Shemot (Exod.) 21:1 – 22:23**

**1** **And these are the ordinances**-Wherever it says, “these” [in the Torah,] it [(this word) is used to] separate from what has been stated previously. [Where it says,] “And these,” [it means that] it is adding to what has been previously stated (Tanchuma Mishpatim 3). [Thus] just as what has been previously stated [namely the Ten Commandments,] were from Sinai, these too were from Sinai. Now why was the section dealing with laws juxtaposed to the section dealing with the altar? To tell you that you shall place the Sanhedrin adjacent to the Beth Hamikdash (other editions: the altar).-[From Mechilta]

**that you shall set before them**-The Holy One, blessed is He, said to Moses: Do not think of saying, “I will teach them the chapter or the law [both terms seemingly refer to the Oral Torah] two or three times until they know it well, as it was taught, but I will not trouble myself to enable them to understand the reasons for the matter and its explanation.” Therefore, it is said: “you shall set before them,” like a table, set [with food] and prepared to eat from, [placed] before someone.-[From Mechilta, Eruvin 54b]

**before them** But not before gentiles. Even if you know that they [gentiles] judge a certain law similarly to the laws of Israel, do not bring it to their courts, for one who brings Jewish lawsuits before gentiles profanes the [Divine] Name and honors the name of idols to praise them (other editions: to give them importance), as it is said: “For not like our Rock [God] is their rock, but [yet] our enemies judge [us]” (Deut. 32:31). When [we let] our enemies judge [us], this is testimony to [our] esteem of their deity.-[From Tanchuma 3]

**2** **Should you buy a Hebrew slave** A slave who is himself a Hebrew. Or perhaps it means only a slave of a Hebrew, a Canaanite [servant] whom you bought from a Hebrew. And concerning him, he [the Torah] says, “he shall work [for] six years.” How [then] can I apply the [law in the following] verse, “and you shall bequeath them” (Lev. 25:46) ? [Does this verse apply] concerning one [a servant] purchased from a non-Jew, but one [a servant] purchased from an Israelite goes free after six years? Therefore, the Torah states: “Should your brother, a Hebrew man… be sold to you, [he shall serve you for six years]” (Deut. 15:12). [This is the clarification that] I [God] said this only regarding your brother.-[From Mechilta]

**Should you buy** from the hand of the court, who sold him [into servitude] because of his theft, as it is said: “If he has no [money], he shall be sold for his theft” (Exod. 22:2). Or perhaps it refers only to one who sold oneself [into servitude] because of poverty, but if the court sold him, he does not go free after six [years]? When he [the Torah] says: “And if your brother becomes impoverished beside you and is sold to you” (Lev. 25:39), one who sells oneself because of poverty is mentioned [here]. So [to avoid repetition,] how do I apply “Should you buy”? [By understanding that this is] concerning one sold by the court.

**to freedom** Heb. לַחָפְשִׁי, to freedom.

**3** **If he comes [in] alone** Heb. בְּגַפּוֹ, meaning that he was not married, as the Targum renders: אִם בִּלְחוֹדוֹהִי. The expression בְּגַפּוֹ means “with his skirt,” [i.e., the skirt of his cloak, meaning] that he came only as he was, alone within his clothing, in the skirt of his garment.

**he shall go out alone**-[This] tells [us] that if he was not married at first, his master may not give him a Canaanite maidservant from whom to beget slaves.-[From Kid. 20a]

[**if he is a married man**-[Lit., if he is someone’s husband, meaning] an Israelite [woman].-[From Mechilta]

**his wife shall go out with him** Now who brought her in that she should go out? Rather, the text informs us that whoever purchases a Hebrew slave is [also] responsible for supporting his wife and his children. [From Mechilta, Kid. 22a]

**4** **If his master gives him a wife** From here we deduce that his master has the option to give him [the slave] a Canaanite maidservant [in order] to beget slaves from her. Or, perhaps this means only an Israelite woman? Therefore, Scripture says: “The woman and her children shall belong to her master.” Thus, He is speaking only about a Canaanite woman, for a Hebrew woman she, too, goes free after six [years], and even before six [years], when she develops signs [of puberty], she goes free, as it is said: “your brother, a Hebrew man or a Hebrew woman [that one shall serve you for six years]” (Deut. 15:12). [This] teaches [us] that a Hebrew [maidservant] also goes free after six [years].- [From Mechilta, Kid. 14b]

**5** **my wife**-[This refers to] the maidservant.

**6** **to the judges** Heb. אֶל-הָאֱלֽהִים, to the court to consult his sellers, for they sold him [the slave] to him [to his master].-[From Mechilta]

**to the door or to the doorpost** I might think that the doorpost is [a] qualified [place] on which to bore [the servant’s ear]. Therefore, Scripture says: “and you shall thrust it into his ear and into the door” (Deut. 15:17), [meaning] “into the door,” but not “into the doorpost.” What then does or to the doorpost mean? [The text is] comparing the door to the doorpost. Just as the doorpost is upright [i.e., attached to the house; otherwise it is not called a doorpost], so is the door upright. [A detached door may not be used for the ritual of ear boring.]-[From Mechilta, Kid. 22b]

**and his master shall bore his ear**-[I.e.,] the right [ear]. Or perhaps it means the left one? Therefore, the Torah states אֽזֶן “ear,” here and אֽזֶן [elsewhere] for [the purpose of making] a גְזֵרָה שָׁוָה, [which means two places having similar wording, which indicates that the rulings pertaining to one situation also apply to the other]. It is stated here: “and his master shall bore his ear,” and it is stated regarding the mezora [person with the disease of zara’ath]: “the cartilage of the right ear of the one who is becoming pure” (Lev. 14:14). Just as there the right [ear] is specified, here too the right [ear] is meant. Now, why was the ear chosen to be bored out of all the organs of the body? Rabban Jochanan ben Zakkai said: The ear that heard on Mount Sinai, “You shall not steal” (Exod. 20:13) and [then] went and stole, shall be bored. And if [the text is referring to] one who sold himself [into servitude, the reason is that] the ear that heard, “For the children of Israel are slaves to Me” (Lev. 25:55) and [then] went and acquired a master for himself, [this ear] shall be bored. Rabbi Shimon used to interpret this verse [in a beautiful manner] like a bundle of pearls [or a great amount of perfume in this way:]-why were the door and the doorpost singled out from all the fixtures in the house? The Holy One, blessed is He, said: The door and the doorpost were witnesses in Egypt when I passed over the lintel and the two doorposts, and I said, “For the children of Israel are slaves to Me; they are My slaves,” but [they are] not slaves to slaves, and [yet] this one went and acquired for himself a master-[his ear] shall be bored before them [for everyone to see].-[From Kid. 22b]

**and he shall serve him forever**-Heb. לְעֽלָם, until the Jubilee year [the fiftieth year of the cycle]. Or perhaps it means literally forever, as its apparent meaning? Therefore, the Torah states [in reference to the Jubilee year]: “and each man to his family you shall return” (Lev. 25:10). [This] informs [us] that fifty years are called עֽלָם. But [this does] not [mean] that he must serve him [his master] the entire fifty years, but he must serve him until the Jubilee year, regardless of whether it is near or far off.-[From Mechilta, Kid. 15a]

**7** **Now if a man sells his daughter as a maidservant** Scripture is referring [here] to a minor girl. I might think that even if she develops signs [of initial puberty, the father may sell her]. [But] you must agree that a kal vachomer [the inference of a major rule from a minor rule] applies here namely if she who is already sold goes free with signs [that is, when she has signs of initial puberty], as it is written: “she shall go out for nothing, without money” (Exod. 21:11), which we interpret as referring to the signs of initial puberty, does it not make sense that she who is not sold [and has initial signs of puberty] should not be sold [at all]? -[From Mechilta, Arachin 29a] [At the moment when a female has two pubic hairs, usually when she is twelve years old, she is no longer considered a minor. She is then called נַעֲרָה. She is, however, still under her father’s jurisdiction until six months later, when her breasts have developed to a certain stage. Then she is called בּוֹגֶרֶת, a mature girl. In the case of a Hebrew maidservant, the father may sell her only when she is a minor, not after she has become a נַעֲרָה

**she shall not go free as the slaves go free** [I.e.,]-like the emancipation of Canaanite slaves, who go free because of [the loss of] a tooth or an eye. [See below, verses 26, 27.] This one [a Hebrew maidservant], however, will not go free because of [the loss of] a tooth or an eye, but she will work for [her complete] six years or until the Jubilee year or until she develops signs [of initial puberty]. Whichever comes first will be the first [event] to effect her emancipation, and [her master] will reimburse her for the value of her eye or the value of her tooth. Or perhaps this is not so [i.e., the intention of the verse], but “she shall not go free as the [male] slaves go free” [meaning] after six years or in the Jubilee year? Therefore, the Torah states: “Should your brother, a Hebrew man or a Hebrew woman, be sold to you…” (Deut. 15:12). This compares the Hebrew woman to the Hebrew man in regard to all the ways he can be emancipated: just as a Hebrew man goes free following six years [of service] or in the Jubilee year, so too does a Hebrew woman go free following six years [of service] or in the Jubilee year. What then is the meaning of “she shall not go free as the slaves go free”? [This means] she shall not go free with [the loss of] the tips of her limbs, as do the Canaanite slaves. I might think [then] that [only a Hebrew maidservant does not go free due to the loss of the tips of her limbs, but] a Hebrew man does go free with [the loss of] the tips of his limbs. [Therefore, the Torah] compares the Hebrew man to the Hebrew woman: just as the Hebrew woman does not go free with [the loss of] the tips of her limbs, neither does the Hebrew man go free with [the loss of] the tips of his limbs.-[From Mechilta]

**8** **If she is displeasing to her master**- [Meaning] that she does not please him to the extent that he would [want to] marry her.-[From Mechilta]

**who did not designate her** For he should have designated her and married her, and the money paid for her purchase is the money of her betrothal. Here Scripture hints that it is a mitzvah [for the master] to perform יִעוּד, designation for marriage, [with the maidservant] and it hints that she would not require any other betrothal. [I.e., neither money nor articles of value would have to be given to the girl’s father in order to marry her. The money the father originally received for selling his daughter now would become the money of betrothal from her master.]-[From Kid. 19b]

**he shall enable her to be redeemed**-[This means] he [the master] should give her the opportunity to be redeemed and go free, for he too assists in her redemption. Now what is this opportunity that he gives her? That he deducts from her redemption, according to the number of years that she worked for him, as if she had been hired by him [and was not a slave]. How so? Let us say that he bought her for a maneh [one hundred zuz], and she worked for him for two years. We say to him, “You knew that she would ultimately leave at the end of six years. This means that you bought each year’s work for one-sixth of a maneh, and she has worked for you for two years, which equals one-third of a maneh. Accept two-thirds of a maneh [from her, to pay for the remaining four years] and let her leave you.”-[from Kid. 14b] **to**

**another person** Heb. לְעַם נָכְרִי. [Meaning] that neither the master nor the father has the right to sell her to anyone else.- [from Kid. 18a]

**when he betrays her** If he [the master] comes to betray her and not fulfill the commandment of designation, and the father, too, since he betrayed her and sold her to this one.

**9** **And if he designates her for his son**-[I.e., if] the master [chooses her as a wife for his son]. [This] teaches [us] that his son also stands in his [the master’s] place to designate her if his father so desires, and he does not require another betrothal, but he [can] say to her, “Behold, you are designated to me with the money your father received [originally] for your value.”-[From Kid. 18b]

**according to the law of the daughters [of Israel]**-Meaning sustenance, clothing, and marital relations.-[From Mechilta]

**10** **If he takes another [wife] for himself** in addition to her.-[From Mechilta]

**he shall not diminish her sustenance, her clothing, or her marital relations** from the maidservant whom he had already designated.-[From Mechilta]

**her sustenance** Heb. שְׁאֵרָהּ, [referring to] food.-[From Mechilta, Keth. 47b]

**her clothing** Heb. כְּסוּתָה, lit., her covering As its apparent meaning [namely her clothing].

**her marital relations** Heb. עֽנָתָה, [meaning physical] intimacy.-[From Mechilta, Keth. 47b]

**11** **And if he does not do these three things for her** If he does not do any one of these three things for her. Now what are these three things? He should designate her for himself or for his son [as a wife], or he should deduct from the money of her redemption and allow her to go free. But this one [master] designated her neither for himself nor for his son, and she could not afford to redeem herself [even after the deduction].-[From Mechilta]

**she shall go free without charge**-[The text] adds [another means of] emancipation for this [maidservant] beyond what it provided for male slaves. Now what is this [means of] emancipation? וְיָצְאָה חִנָם informs you that she goes free when she shows [initial] signs [of puberty], and she must stay with him until she develops [these] signs. If six years pass before the appearance of these signs, we have already learned that she goes free, as it is said: “Should your brother, a Hebrew man or a Hebrew woman [be sold to you, that one] shall serve you for six years” (Deut. 15:12). What then is the meaning of “she shall go out without charge”? If the signs [of puberty] precede the [end of] six years, she shall go free because of them. Or perhaps it means only that she goes out when she reaches maturity [i.e., at twelve and a half years]? Therefore, Scripture says: “without [payment of] money,” to include her emancipation at maturity. If both of them [i.e., that she goes free “without charge” and “without money”] were not stated, [and “she shall go out without charge” was stated,] I would say that “she shall go out without charge” refers to [her being freed at] maturity. Therefore, both of them were stated, so that the disputant has no opportunity to differ. -[From Mechilta, Kid. 4a]

**12** **One who strikes a man so that he dies** Several verses have been written in the section dealing with murderers, and I will explain what I am able to explain [about] why they [these verses] are needed.

**One who strikes a man so that he dies** Why was this said? Because it says: “And if a man strikes down any human being, he shall surely be put to death” (Lev. 24:17), I understand [that even if he deals him] a blow without death. Therefore, the Torah says: “He who strikes a man and he dies,” meaning that he is liable only for a blow causing death. If it said: “He who strikes a man,” and it did not say, “And if a man strikes down any human being,” I would say that one is liable only if one strikes a man. If one strikes a woman or a minor, how do we know [that one is liable]? Therefore, the Torah says: “if [a man] strikes down any human being,” referring even to a minor or even a woman. Also, if it said: “He who strikes a man,” I would understand that even a minor who struck and killed [someone] would be liable. Therefore, the Torah [specifically] says: “if a man strikes down,” but not a minor who strikes [someone] down. Also, “if… strikes down any human being” implies even a nonviable infant. Therefore, the Torah [here] says: “He who strikes a man,” implying one is liable only if one strikes a viable infant, one [who is] capable of becoming a man [i.e., an adult]. -[From Mechilta]

**13** **But one who did not stalk [him]** He did not lie in wait for him, and he did not intend [to kill him]. -[From Sifrei, Num. 35:22]

**stalk** Heb. צָדָה, an expression meaning “lie in wait.” And so does Scripture say: “but you are stalking (צֽדֶה) my soul to take it” (I Sam. 24:12). It is, however, impossible to say that צָדָה is an expression [that is] related to [hunting animals as in the following verse:] “the one who hunted game (הַצָּד צַיִד) ” (Gen. 27:33) [and to render: he did not hunt him down], because in [the expression of] hunting beasts, there is no “hey” in its verb, and the noun related to it is צַיִד, whereas the noun in this case is צְדִיָּה (Num. 35:20), and its verb is צוֹדֶה, but the verb of this one [namely hunting] is צָּד. I say, [therefore,] that this is to be interpreted as the Targum [Onkelos] renders: But he who did not stalk [him]. Menachem, however, classified it (Machbereth Menachem, p. 148) in the grouping along with הַצָּד צַיִד, but I disagree with him. If it is at all possible to classify it in one of the groupings of צד [enumerated by Menachem], we may classify it in the grouping of “on the side (צַד) you shall be borne” (Isa. 66:12); “I shall shoot to the side (צִדָּה) ” (I Sam. 20:20); “And he will speak words against [lit., to the side of] (לְצַד) the Most High” (Dan. 7:25). Here, too, אֲשֶׁר א צָדָה means that he did not look sideways (צִדֵּד) to find for him some occasion [lit., side] to kill him. This [interpretation] too is questionable. In any case, it is an expression of stalking.

[**but God brought [it] about into his hand** Heb. אִנָּה, made it ready for his hand, an expression similar to “No harm will be prepared (תְאוּנֶּה) for you” (Ps. 91:10); No wrong shall be prepared (יְאוּנֶּה) (Prov. 12:21); [and] “he is preparing himself (מִתְאַנֶה) against me” (II Kings 5:7), [meaning that] he is preparing himself to find a pretext against me..

**but God brought [it] about into his hand** Now why should this go out from before Him? That is what David said, “As the proverb of the Ancient One says, ‘From the wicked comes forth wickedness’”(I Sam. 24:14). The proverb of the Ancient One is the Torah, which is the proverb of the Holy One, blessed is He, Who is the Ancient One of the world. Now where did the Torah say, “From the wicked comes forth wickedness”? [This refers to:] “but God brought [it] about into his hand.” To what is the text referring? To two people, one who killed unintentionally and one who killed intentionally, but there were no witnesses who would testify to the matter. This one [who killed intentionally] was not executed, and that one [who killed unintentionally] was not exiled [to the refuge cities]. So the Holy One, blessed is He, brings them [both] to one inn. The one who killed intentionally sits under a ladder, and the one who killed unintentionally is ascending the ladder, and he falls on the one who had killed intentionally and kills him, and witnesses testify about him and sentence him to exile. The result is that the one who killed unintentionally is exiled, and the one who killed intentionally was killed. -[From Mechilta, Makkoth 10b]

**I will make a place for you** Even in the desert, where he [the man who has murdered] shall flee, and what place affords him asylum? This is the camp of the Levites. -[From Mechilta, Mak. 12b]

**14** **But if… plots deliberately** Why was this said? Because it said: “One who strikes [a man so that he dies shall surely be put to death]” (verse 12), I [may] understand [this to apply to] a physician [who killed a patient], the agent of the court who killed by [administering] forty lashes, the father who strikes his son, the teacher who disciplines his pupil, and the unintentional [killer]. Therefore, the Torah states: “But if [a man] plots deliberately,” but not the unintentional [killer]; “to slay him with cunning,” but not the agent of the court, the physician, or the one who disciplines his son or his pupil, for although they are intentional [in striking], they do not act with cunning. -[From Mechilta]

**[even] from My altar** if he were a kohen and wanted to perform the [sacrificial] service, you shall take him to die. [From Mechilta, Yoma 85a]

**15** **And one who strikes his father or his mother** Since we learned that one who strikes one’s fellow is liable to make monetary compensation (Exod. 21:18, 19, 24, 25), but he is not liable to death, the text had to state that one who strikes his father is liable to the death penalty, but he is not liable except for a blow that causes a wound. -[From Mechilta, Sanh. 84b]

**his father or his mother** Either this one or that one. -[From Mechilta, Sanh. 85b]

**shall surely be put to death**by strangulation. -[From Mechilta, Sanh. 85b]

**16** **And whoever kidnaps a man** Why was this said [here since the law of kidnapping is mentioned elsewhere (Ho’il Moshe)]? Since it says (Deut. 24:7): “Should a man be found stealing a person from among his brothers” [meaning from the children of Israel, and he has worked with him and sold him, that thief shall die, and you shall clear away the evil from your midst]. [From here] I know only [that] a man who kidnapped a person [is liable to death]. How do I know if a woman, one of indeterminate sex, or a hermaphrodite kidnap [a person, that they too are liable to death]? Therefore, the Torah states: “And whoever kidnaps a man and sells him…” And since it says here: “And whoever kidnaps a man,” I know only that one who kidnaps a man [is liable to death]. How do I know that if one kidnaps a woman [he is also liable… to death]? Therefore, the Torah states (Deut. 24:7): “stealing a person.” Therefore, both of them [both verses] were needed; what one [verse] left out the other [verse] filled in [lit., revealed]. -[From Mechilta, Sanh. 85b]

**and he is found in his possession** [I.e., this means] that witnesses saw him that he kidnapped him and sold him, and he [the kidnapped man] was found in his hand prior to the sale. -[From Mechilta]

**shall surely be put to death** By strangulation. Every death penalty mentioned in the Torah without qualification is strangulation (Mechilta, Sanh. 84b). [God] interrupts the subject [of discussing sins against parents] and writes, “and whoever kidnaps a man” between [the verses] “one who strikes his father or his mother” and “one who curses his father or his mother.” It appears to me that that is [the underlying reason for] the controversy [found in Sanh. 85], that one Tannaic master believes that we are comparing striking [someone] to cursing [i.e., just as one is liable only if one curses a person who keeps the commandments as befits a Jew (see Exod. 22:27), so too is one liable only for striking a person who keeps the commandments, but not for striking a Cuthite], and the other master believes that we do not compare cursing to striking [and thus one would be liable for striking a Cuthite even though he does not keep the commandments]. -[Rashi, referring to Sanh. 85b]

**17** **And one who curses his father or his mother** Why was this said? Since [Scripture] says: “any man, any man who curses his father [or his mother shall surely be put to death]” (Lev. 20:9). [From there] I know only that if a man curses his father [he is liable to death]. How do I know that if a woman curses her father [she too is liable to death]? Therefore, Scripture says [here]: “And one who curses his father or his mother….” It makes an unqualified statement, meaning whether it is a man or a woman. If so, why does it say, “any man who curses”? [In order] to exclude a minor. -[From Mechilta]

**shall surely be put to death** By stoning. Wherever it says: “his blood is upon him,” [it means that he is to be put to death] by stoning. The model for all of them is “with rocks they shall stone them; their blood is upon them” (Lev. 20:27). Regarding the one who curses his father, it says: “his blood is upon him” (Lev. 20:9). -[From Mechilta; Sanh. 66a; Sifra, end of Kedoshim]

**18** **And if men quarrel** Why was this said? Since it says: “An eye for an eye” (Exod. 21: 24), we learn only [that if one assaults his fellow, he must pay] the value of his limbs [which he amputated or rendered permanently useless], but [payment for] idleness and healing we have not [yet] learned. Therefore, this section, [which delineates those payments,] was stated. -[From Mechilta]

**but is confined to [his] bed** Heb. וְנָפַל לְמִשְׁכָּב, as the Targum [Onkelos] renders: לְבוּטְלָן, and he falls into idleness, [meaning] into an illness that prevents him from working.

**19** [with what he relies on, i.e.,] **on his support** Heb. עַל-מִשְׁעַנְתּוֹ, with his health and his strength. -[From Mechilta].

**the assailant shall be cleared** Now would it enter your mind that one who did not kill should be killed? But rather, [the Torah] teaches you here that they imprison him until it becomes apparent whether this one [the victim] will get well, and this is its meaning: When this one gets up and walks on his support, then the assailant shall be cleared, but before this one [the victim] gets up, the assailant shall not be cleared. -[From Keth. 33b]

**only [payment] for his [enforced] idleness** Heb. שִׁבְתּוֹ, the [enforced] idleness from his work due to the illness. If he cut off his hand or his foot, we assess [payment for] the idleness as if he were a watchman of a cucumber field, because even after [recovery from] the illness, he is not fit for work that requires a hand or foot, and he [the assailant] already gave him as payment for his damage the value of his hand and his foot, as it is said: “a hand for a hand, a foot for a foot” (Exod. 21:24). -[From B.K. 83b, 85b, Tosefta B.K. 9:1]

**and he shall provide for his cure** As the Targum [Onkelos] renders: and he shall pay the physician’s fee.

**20** **And should a man strike his manservant or his maidservant** The text is referring to a Canaanite slave, or perhaps it is referring only to a Hebrew [slave]? To clarify this, the Torah says: “because he is his property” (verse 21). Just as his property is his permanent acquisition, so is the slave [in question] one who is his permanent acquisition. Now, was he [the one who kills his slave] not included in “He who strikes a man and he dies” (above, verse 12) ? This verse was written [lit., came] to exclude him [the owner of the slave] from the general rule [concerning murder], to be judged with the law of “a day or two days” (verse 21), that if he did not die under his hand but lingered an entire twenty-four-hour period, he is exempt. -[From Mechilta]

**with a rod** The verse refers to [a rod] that has sufficient [weight and strength] to kill [someone]. Or perhaps that is not so, but [the master is liable] even if it [the rod] does not have sufficient [weight and strength] to kill? Therefore, the Torah says concerning an Israelite: “Or if he strikes him with a stone that can be held in the hand, from which he may die” (Num. 35:17). (“Or if he strikes him with a wooden instrument that can be held in the hand, from which he may die”) (Num. 35:18). -[Mizrachi version] Now could the matter not be understood by a kal vachomer [an inference from a major to a minor case], that if [in the case of] an Israelite [victim], [a case] which is treated more stringently, one is not liable unless he struck him [the victim] with an article that has sufficient [weight and strength] to kill and the blow is on an organ which could cause death, how much more should it be so [in the case of] a slave, [a case] which is treated more leniently? -[From Mechilta]

**he shall surely be avenged** [with] death by the sword [decapitation], and so does the Torah say: “a sword avenging the vengeance of the covenant” (Lev. 26:25). -[From Mechilta, Sanh. 52b] **21** **But if he survives**

**for a day or two he shall not be avenged** If one day[’s survival] exempts him [from punishment], then would not [survival of] two days be even more obvious? [Why then, is the word יומים written?] Rather [it must be that we are speaking of] one day which is as two days, and what [kind of day] is that? A full, twenty-four hour period.

**he shall not be avenged, because he is his property** But if someone else struck him, even if he lingered for twenty-four hours before he died, he [the other person] is liable [to incur the death penalty].

**22** **And should men quarrel** with one another, and [one] intended to strike his fellow, and [instead] struck a woman. [From Sanh. 79a]

**and hit a pregnant woman** Heb. נְגִיפָה .וְנָגְפוּ is only an expression of pushing and striking, as [in the following phrases:] “lest you strike תִּגֽף your foot with a stone” (Ps. 91:12); “and before your feet are bruised (יִתְנְַָפוּ) ” (Jer. 13:16); “and a stone upon which to dash oneself (נֶגֶף) ” (Isa. 8:14).

**but there is no fatality** with the woman. -[From Sanh. 79a, Jonathan]

**he shall surely be punished** to pay the value of the fetuses to the husband. They assess her [for] how much she was valued to be sold in the market, increasing her value because of her pregnancy. -[From B.K. 49a] I.e., the court figures how much she would be worth if sold as a pregnant slave when customers would take into account the prospect of the slaves she would bear, and her value as a slave without the pregnancy. The assailant must pay the difference between these two amounts. -[B.K. 48b, 49a]

**he shall surely be punished** Heb. עָנוֹשׁ יֵעָנֵשׁ. They shall collect monetary payment from him, like וְעָנְשׁוּ [in the verse] “And they shall fine (וְעָנְשׁוּ) him one hundred [shekels of] silver” (Deut. 22:19). [From Mechilta]

**when the woman’s husband makes demands of him** When the husband sues him [the assailant] in court to levy upon him punishment for that.

**and he shall give [restitution]** The assailant [shall give] the value of the fetuses.

**according to the judges** Heb. בִּפְלִלִים, according to the verdict of the judges. - [From Mechilta]

**23** **But if there is a fatality** with the woman.

**you shall give a life for a life** Our Rabbis differ on this matter. Some say [that he must] actually [give up his] life, and some say [that he must pay] money, but not actually a life, and if one intends to kill one person and kills another, he is exempt from the death penalty and must pay his [the victim’s] heirs his value, as [it would be if] he were sold in the marketplace. - [From Mechilta, Sanh. 79]

**24** **an eye for an eye** If [a person] blinds his neighbor’s eye, he must give him the value of his eye, [which is] how much his price to be sold in the marketplace has decreased [without the eye]. So is the meaning of all of them [i.e., all the injuries enumerated in the following verses], but not the actual amputation of a limb, as our Rabbis interpreted it in the chapter entitled הַחוֹבֵל, he who assaults. -[From B.K. 83b, 84a]

**25** **a burn for a burn** Heb. כְּוִיָּה, a burn caused by fire. [Rashi probably alludes to מִכְוַת-אֵשׁ in Lev. 13:24.] Until now [the Torah] spoke of an injury that decreases the value [of the victim], and now of [an injury] that does not decrease the [victim’s] value [as a slave] but causes pain, for instance if he [the assailant] burned him [the victim] on his nails with a spit, they [the judges] compute how much [money] a person like him would be willing to take to endure such pain. -[From B.K. 84a, Mechilta]

**a wound** Heb. פֶּצַע, a wound that bleeds, where he wounded his [victim’s] flesh, navredure in Old French, all according to what it [the wound] is. If it decreases his value, he [the assailant must] pay [for the] damage; if he falls into idleness, he [must] pay for idleness, and for healing, shame, and pain. This verse is superfluous [because there is no difference between a wound and a burn. Whatever damage he inflicts he must pay]. In [the chapter] הַחוֹבֵל (B.K. 84a), our Rabbis interpreted it as making one liable for [the victim’s] pain even where there is [permanent] damage [which he must pay for], because although he pays him [the victim] the value of his hand, we do not exempt him from the [payment compensating for the victim’s] pain, reasoning that since he [the assailant] purchased his [the victim’s] hand [by giving the victim payment for its value], he may amputate it with whatever he wants. We say, however, that he should amputate it with a medication that lessens the pain. However, [if] he cut it off with [an] iron [implement] and caused him pain [he must give the victim compensation]. -[From B.K. 85a]

**a bruise** Heb. חַבּוּרָה. This is a blow in which blood collects but does not come out. It only reddens the flesh on that spot. The term חַבּוּרָה is equivalent to tache in Old French [meaning] a spot, like “or a leopard its spots (חֲבַרְבֻּרֽתָיו) ” (Jer. 13:23). Its Aramaic translation is מַשְׁקוֹפֵי, an expression of beating, batedure in Old French, [meaning] beating, knocking, and so, שְׁדֻפוֹת קָדִּים (Gen. 41:23) [is translated by Onkelos as:] שְׁקִיפָן קִדּוּם, [which means] “beaten by the [east] wind,” and similarly, “on the lintel (עַל הַמַשְׁקוֹף)” (Exod. 12:7), [is given this appellation] because the door bangs against it [the lintel]. [See commentary on Exod. 12:7.]

**26** **the eye of his manservant** [This refers to] a Canaanite, but a Hebrew [slave] does not go out with [the loss of his] tooth or [his] eye as we have stated on “she shall not go out as the slaves go out” (Exod. 21:7).

**in return for his eye** And so it [the law] is with the twenty-four tips of limbs: [i.e.,] the fingers and toes, the two ears and the nose, and the רֽאֽש הַגְּוִיָה, which is the male organ. Why were [both] a tooth and an eye mentioned [when the Torah could have mentioned only one]? Because if it had mentioned an eye and did not mention a tooth, I would say that just as an eye was created with him [at birth], so [does this apply to] everything that is created with him, but a tooth was not created with him [at birth]. [Therefore, I would say that if the master knocked out his slave’s tooth, the slave would not be freed.] If it mentioned a tooth and did not mention an eye, I would say [that] even [if the master knocked out] a baby tooth, which would be replaced [by the natural growth of another tooth, the slave would be freed]. Therefore, it mentions the eye [which cannot be replaced, to teach us that if the master knocks out a baby tooth, the slave is not freed]. -[From Kid. 24a].

**28** **And if a bull gores** [This law refers to] either a bull or any domestic animal, beast, or bird, but the text spoke of what usually occurs [i.e., bulls usually gore]. -[From Mechilta, B.K. 54b]

**and its flesh shall not be eaten** From the implication of what was stated: “the bull shall surely be stoned,” do I not know that it will become carrion [i.e., meaning not killed according to halachah], and carrion is forbidden to be eaten. For what purpose, then, does the Torah state: “and its flesh shall not be eaten”? [To inform us] that even if one slaughtered it [according to halachah] after it was sentenced, it is forbidden to be eaten. How do we know that no benefit may be derived from it [this animal sentenced to death]? Therefore, the Torah says: “and the owner of the bull is clean  (נָקִי)”, as one says to his friend, “So-and-so lost his property [lit., was cleaned out (נָקִי) of his property], and he has no benefit at all from it” (B.K. 41a). This is its midrashic meaning. Its simple meaning is as its apparent meaning. Since it says concerning a habitual gorer: “and also its owner shall be put to death,” it had to say that in the case of a tame [bull]: “and the owner of the bull is clean [i.e., clear of any charges].” [The tame bull (תָּם) is the bull that did not gore habitually, but only once or twice. In the case of the bull that killed a person, this bull is put to death, but the owner is clear; i. e., he does not have to pay ransom. Should the bull gore three people and kill all of them, it is called מוּעָד, warned. The fourth time it gores someone it is liable to death, and its owner is also liable to death by the hands of Heaven. In order to clear himself of this punishment he must pay ransom, as is delineated in verses 29 and 30.]

**29** **since yesterday and the day before yesterday** This implies [a total of] three gorings. [From Mechilta, B.K. 23b]

**and its owner has been warned** Heb. וְהוּעַד, a word denoting a warning in front of witnesses (Mechilta, B.K. 24a), like “The man warned us repeatedly (הָעֵד הֵעִד) ” (Gen. 43:3).

**and it puts to death a man, etc.** Since it stated: “if [a bull] gores,” I know only that [the bull is liable to death] if it kills him [its victim] by goring [with its horns]. If it killed him through biting, shoving, or kicking, how do we know [that it must be killed]? Therefore, the Torah states: “and it puts to death,” [implying that in whatever way it kills its victim, the bull is liable to death]. -[based on Mechilta]

**and also its owner shall be put to death** By the hands of Heaven [and not through a court]. I might think that it [this verse] means [that he is liable to death] by the hands of man [i.e., through the court]. Therefore, the Torah states: “The assailant shall surely be put to death; he is a murderer” (Num. 35:21), [implying that] for his [act of] murder you [must] kill him, but you do not kill him [i.e., anyone] for his bull’s [act of] murder. -[From Sanh. 15b] **30**

**insofar as ransom shall be levied upon him** Heb. (אִם). This (אִם) is not [meant as a] conditional, but it is like “When (אִם) you lend money” (Exod. 22:24), a word meaning “that.” His sentence is that the court levy ransom upon him.

**he shall give the redemption of his soul** [This means] the value of the victim [as a slave]. This is the view of Rabbi Ishmael. Rabbi Akiva says: The value of the damager, [i.e., the owner of the goring bull]. -[From Mechilta]

**31** **Or if it gores a young boy** Heb. בֵן, lit., a son A son who is a minor.

**or a young girl** Heb. בַת, lit., a daughter who is a minor. Since it says (verse 29): “and it puts to death a man or a woman,” I may think that he (the bull) is liable only for [killing] adults. Therefore, the Torah states: “Or if it gores a young boy, etc.” to make one liable for minors as [for] adults. -[From Mechilta, Mechilta d’Rabbi Shimon ben Yochai, B.K. 43b, 44a]

**32** **…a manservant or a maidservant -** Canaanites. -[From Mechilta]

**thirty shekels** This is a decree of the Scriptures [that the bull’s owner pay thirty shekels] whether he [the dead slave] was worth a thousand zuz or whether he was worth no more than a dinar. The weight of the shekel is four pieces of gold, which equal half an ounce according to the official weight of Cologne.

**33** **And if a person opens a pit** which was covered, and he uncovered it.

**or if… digs** Why was this stated? If he is liable for opening [a pit that had already been dug], is it not [true that he would be] even more [guilty] for digging [a new pit]? But this is to include a digger [who digs deeper] after a digger, that he is liable. [I.e., if one digs a pit nine handbreadths deep, which is capable of injuring an animal but not killing it, and another digs one handbreadth more, making the open pit capable of killing an animal, the second digger is liable in all cases.] -[From B.K. 51a]

**and does not cover it** intimating that if he covered it, he is exempt [from paying for any damages that could occur], and the text speaks of one who digs in a public domain. -[From B.K. 55b]

**and a bull or a donkey** The same applies to all domestic animals and beasts, for wherever it says: “a bull and a donkey,” we [can] derive [that it applies to all domestic animals] through a גְּזֵרָה שָׁוָה, similar wording of שׂוֹר שׁוֹר, [which is] from [the law concerning the] Sabbath, as it is stated: “In order that your bull and your donkey rest” (Exod. 23:12). Just as there [referring to the Sabbath] every domestic animal and beast is like the bull [in reference to the law], for it says elsewhere [regarding the Sabbath] (Deut. 5:14) “[…you shall not perform any kind of work, neither you, nor your son…] and all your animals,” here, too, all animals and beasts are like the bull [in reference to the law]. The bull and the donkey are mentioned only [for us to understand that] for a bull [that falls into a pit the owner is liable] but not for a man [who falls into a pit], and [he is liable for] a donkey but not for utensils. -[From B.K. 10b]

**34** **the owner of the pit** [This refers to] the creator of the obstacle [i.e., the pit], although the pit is not his, for he made it in a public domain, Scripture made him its owner, insofar as he is liable for its damages. -[From B.K. 29b]

**he shall return money to its owner** Heb. יָשִׁיב. [The word] יָשִׁיב [is written] to include [anything] worth money, even bran. -[From B.K. 7a] (See Exod. 22:4: “the best of his field or the best of his vineyard he shall pay,” which Rashi explains to mean that damages are paid from the best land. Rav Huna the son of Rav Yehoshua in the Talmud (B.K. 7b) solves this apparent discrepancy by concluding that it applies only if the defendant prefers to pay the damages with land, but if he prefers to pay with movable objects, everything is deemed the best, because if it cannot be sold here, it can be sold elsewhere.) [Addendum to Rashi] [It can therefore be easily converted to cash.]

**and the dead body shall be his -**[The dead animal will belong to] the one [owner] who sustained the damage. They assess the carcass, and he [the owner] takes it for its value, and the damager pays him in addition to it [the carcass] payment for his damage. -[From Mechilta, B.K. 10b]

**35** **And if… strikes** Heb. יִגּֽף, shove, either with its horns, or with its feet, or whether he bit him with his teeth All are included in נְגִיפָה, for נְגִיפָה is only an expression of striking. -[From Mechilta]

**a man’s bull** Heb. שׁוֹר-אִישׁ, a bull [belonging to] a man.

**they shall sell the live bull, etc.** Scripture speaks of [two bulls] of equal value a bull worth two hundred [zuz] that killed a bull worth two hundred [zuz]. Whether the carcass is worth much or worth little, when this one takes half [the value of] the live [bull] and half [the value of] the dead one, the result is that each one sustains half the damage that death inflicted upon him. We learn that the tame [bull] pays half the damage, for from the equal ones [the bulls of equal value] you learn [how it is with] the unequal ones [bulls of unequal value], for the law of the tame bull is to pay half the damage, not more or less. Or perhaps, even if they were unequal when they were alive, Scripture mandates that they sell them both [and divide the proceeds of the sale between them]? [This cannot be true since] if you say that sometimes the damager would gain very much, or sometimes the victim would receive much more than the amount of the complete damage, for half the value of the damaging bull [may] exceed the entire value of the bull that was damaged. If you say that, the [law regarding the] tame bull is more stringent than the [law regarding the] habitual gorer [which is illogical]. You are compelled to say that Scripture is referring only to the ones [bulls] of equal value. It teaches you that the tame bull pays half the damage, and from the [law concerning] equal ones, you learn about the unequal ones, that for the one who is awarded half the damage they [the court] assess the carcass, and the decrease of its value due to the death, [and] he receives half the depreciation and leaves (B.K. 34a). Now why did Scripture state it in this language? To teach [us] that the tame bull pays only with its body, and if it gored and subsequently died, the one [owner] who sustained the damage receives only the carcass, and if it does not equal half his damage, he has a loss. Or if a bull worth a maneh [one hundred zuz] gored a bull worth five hundred zuz, he [the owner] receives only the bull, for the tame bull did not become obligated to obligate its owner to pay from the best of his property (B.K. 16b).

**36** **Or if it was known** Or if it was not tame, but it was known that it was a [habitually] goring bull today and from yesterday and the day before yesterday, totaling three gorings. -[From Mechilta, B. K. 23b]

**he shall surely pay a bull** The complete damage. [Midrash Hagadol from Mechilta d’Rabbi Shimon ben Yochai]

**and the dead body shall be his** [I.e.,] the victim’s, and in addition to that, the damager must complete it until the victim is paid his entire damage [due to him]. -[From B.K. 10b. 53b]

**37** **five cattle, etc.** Rabban Yochanan ben Zakkai said: The Omnipresent was considerate of people’s honor. [For] a bull, which walks with its [own] feet, and the thief was not disgraced by carrying it on his shoulder, he pays fivefold. [For] a lamb, which he [the thief] carries on his shoulder, he pays [only] fourfold because he was disgraced by it. Rabbi Meir said: Come and see how great the power of work is. [For the theft of] a bull, which caused [the owner] to stop working, he [the thief] pays five. [For the theft of] a lamb, which did not cause [the owner] to stop working, [the thief pays] four. -[From Mechilta, B.K. 79b, Tosefta B.K. 7:3]

**for the bull…for the lamb** Scripture repeated them [i.e., the mentioning of the bull and the lamb] to tell [you] that the rule of fourfold and fivefold payments applies only to a bull and a lamb. [From B.K. 67b]

**Chapter 22**

**1** **If, while breaking in** [I.e.,] when he was breaking into the house.

**he has no blood** [This signifies that] this is not [considered] murder. It is as though he [the thief] was [considered] dead from the start. Here the Torah teaches you [the lesson]: If someone comes to kill you, kill him first. And this one [the thief] has come to kill you, because he knows that no one [can] hold himself back and remain silent when he sees people taking his money. Therefore, he [the thief] has come with the acknowledgement that if the owner of the property were to stand up against him, he [the owner] would kill him [the thief]. -[From Sanh. 72a]

**2** **If the sun shone upon him** This is nothing but a metaphor [meaning] if the matter is clear to you that he [the thief] is peaceably disposed toward you—similar to the sun, which represents peace in the world—so it is obvious to you that he has not come to kill [you]. Even if the owner of the money rises against him, for instance, if a father breaks in to steal his son’s property, it is known that the father has mercy on his son, and he has not come with the idea of murdering [him]. -[From Sanh. 72a, Mechilta]

**he has blood** He [the thief] is considered as a live person, and it is [considered] murder if the property owner kills him.

**he shall surely pay** The thief [shall pay] the money he stole, and he is not liable to death. [The thief is considered to have been sentenced to death in cases where the property owner is allowed kill him. In these cases the thief is exempt from any monetary obligation incurred when he dug into the house. In cases where the property owner may not kill him, however, the thief is not considered liable to death, and thus must pay for what he stole.] Onkelos, who rendered: “If the eye of witnesses fell upon him,” adopted another view, saying that if witnesses discovered him [the thief] before the property owner came, and when the property owner came against him, they warned him not to kill him, [the thief is considered as if] he has blood; i.e., he [the owner] is liable for him [the thief] if he kills him, because since [he has committed his crime when] people can see him, this thief has not come with the intention to murder, and he would not kill the property owner.

**3** **If the stolen article is found in his possession** Heb. בְיָדוֹ, lit., in his hand, [meaning] in his possession, [meaning] that he neither slaughtered nor sold [it]. -[From Mechilta]

**whether a bull, a donkey** Everything is included in the [obligation to make a] twofold payment, whether it is a living thing or something that is not alive, for it says elsewhere (verse 8): “for a lamb, for a garment, for any lost article,… [he] shall pay twofold to his neighbor.” -[From B.K. 62b]

**live ones he shall pay twofold** And he shall not pay him dead ones, but either live ones or the value of live ones. -[From Mechilta]

**4** **If… leads his animals**(יַבְעֶר)… his animal (בְּעִירֽה) loose and it eats (וּבִעֵר) They are all terms signifying an animal, like “we and our animals (וּבְעִירֵנוּ) (Num. 20:4).

**If leads his animals** Heb. יַבְעֶר, [i.e.,] leads his animals into his neighbor’s field or vineyard, and it damages it [the property] in one of these two [ways]: either by sending (שִׁלּוּחַ) his animal or by eating (בִּעוּר). Our Sages explained [that] וְשִׁלַח refers to the damages [made by] the treading of the foot, and וּבִעֵר refers to the damages of the tooth, which eats and destroys [someone’s property]. -[From B.K. 2b]

**in another’s field** Heb. בִּשְׂדֵה אַחֵר, in another person’s field. The vowelization of בִּשְׂדֵה with the sheva under the “sin” denotes the construct state. Hence, it means “in the field of another,” rather than “in another field.” Since the noun is missing, Rashi explains that it means “another person’s field.” -[Mizrachi]

**the best of his field… he shall pay** They [judges] assess the damage, and if he [the owner of this animal] comes to pay him [the owner of the land] the amount of his damage with land, he must pay him from the best of his fields. If his damage was [worth] a sela, he must give him the value of a sela from the best [land] that he has. Scripture teaches you that for the injured party, they assess [the damage] with the best land. -[From Mechilta, B.K. 6b]

**5** **If a fire goes forth** Even by itself. [From B.K. 22b]

**and finds thorns** Heb. קֽצִים, chardons in French, [meaning] thistles.

**and a stack of grain… be consumed** That it [the fire] caught onto the thorns until it reached a stack of grain or standing grain still attached to the ground.

**or the field** That it [the fire] scorched the furrow that he had plowed, and he had to plow it a second time. -[From B.K. 60a]

**the one who ignited the fire shall surely pay** Although he ignited it within his own property, and it spread by itself through thorns that it found, he is liable to pay because he did not guard his burning coal so that it would not go forth and inflict damage.

**6** **and it is stolen from the man’s house** According to his words.

**if the thief is found, he shall pay twofold** The thief shall pay twofold [the value of the object] to its [original] owners. -[From B.K. 63b]

**7** **If the thief is not found** And this custodian, who is the owner of the house, comes.

**approaches -** the judges to litigate with this one [the owner] and to swear to him that he did not lay his hand upon his [property]. -[From B.K. 63b]

**8** **For any sinful word** [i.e.,] that he is found to be lying in his oath, for witnesses testify that he himself stole it, and the judges declare him guilty because of [the testimony of] the witnesses.

**shall pay twofold to his neighbor** The text teaches you that if one puts forth a claim concerning an item entrusted to him, saying that it was stolen from him, and it is discovered that he himself stole it, he must make twofold restitution. When [is this so]? Only if he swore [that he did not take it] and afterwards witnesses came [and testified that he had taken it for himself,] for so have our Rabbis, of blessed memory, interpreted: “and the homeowner approaches the judges” (verse 7). This approaching means [to make] an oath [that the custodian swore that the article was stolen]. You say [that he approaches] for an oath, or perhaps it means [he approaches] only for litigation. [In this case, if] he comes to litigate and he denies [any responsibility] by saying that it [the object] was stolen, then is he immediately liable for twofold restitution if witnesses come [and testify] that it is in his possession? [The answer is that since the expression] laying a hand is mentioned here (in verse 7), and below, laying a hand is [also] mentioned: “the oath of the Lord shall be between the two of them provided that he did not lay his hand upon his neighbor’s property.” (verse 10). Just as [“lay his hand” written] further denotes an oath, so does [“laid his hand” written] here denote an oath. -[From Mechilta, B.K. 63b]

**concerning which he will say that this is it** According to its [the verse’s] simple meaning, concerning which the witness will say that this is it, [i.e., the article] about which you swore [was stolen but really] is in your possession. The pleas of both parties must be brought to the judges and they [the judges] will interrogate the witnesses, and if they [the witnesses] are acceptable and they [the judges] declare this custodian guilty, he must pay twofold [to the owner]. If they declare the witnesses guilty, namely that they were found collusive, they must pay twofold to the custodian. Our Rabbis, of blessed memory, however, interpreted כִּי הוּא זֶה, that this is it, to mean that [the judges] do not demand an oath of him [the custodian] unless he admitted part [of the claim against him], saying, “I owe you this much, but the rest was stolen from me.” - [From B.K. 106b]

**9** **If a man gives his neighbor a donkey, a bull** The first section was stated concerning an unpaid custodian. Therefore, [the Torah] exempted him [the custodian] from theft, as it is written: “and it is stolen from the man’s house… If the thief is not found, the homeowner approaches the judges” (verses 6-7) for an oath. [Thus] you learn that he exempts himself with this oath. This section, [however,] is stated concerning a paid custodian. Therefore, he is not exempt if it [the deposit] was stolen, as it is written: “But if it is stolen from him, he shall pay” (verse 10). But in the case of an accident beyond his control, such as if it [the animal] died by itself or if it broke a limb, or if it was forcibly captured by bandits, and no one [was there to] see it [and] to testify concerning the matter [if he swears that this is the case, then he is exempt].- [From B.M. 94b]

**10** **the oath of the Lord shall be** He must swear that it is so, as he says [that it was beyond his control] and that he did not lay his hand upon it to use it for himself. Because if he laid his hand upon it, and afterwards, something beyond his control happens to it, he is liable for [any damage resulting from] accidents.

**and its owner shall accept** the oath. [from B.K. 106a]

**and he shall not pay** The custodian [shall not pay] him anything.

**12** **If it is torn** By a ferocious beast.

**he shall bring witness for it** He shall bring witnesses [to testify] that it [the animal] was torn [apart] in a way that was beyond his control, and he is exempt. -[From B.K. 10b, 11a]

**[for] the torn one he shall not pay** [The Torah] does not say, “[for] a torn one he shall not pay,” but, “[for]

**the** torn one.” For one type of torn animal he pays, and for another type of torn animal he does not pay. For an animal torn [apart] by a cat, a fox, or a marten, he must pay, but for an animal torn by a wolf, a lion, a bear, or a snake, he does not pay. Now who whispered to you to reason that way? [The proof is] that it is written: “and it dies, breaks a limb, or is captured” (verse 9). Just as with death, he cannot save it, so it is with breaking a limb and captivity, that he cannot save [it. But in the case of less ferocious beasts, like a fox, since the shepherd could have saved his charge, he is liable]. -[From Mechilta]

**13** **And if a person borrows** This [verse] comes to teach you concerning a borrower, that he is liable for incidents beyond his control.

**if its owner is not with him** If the owner of the bull is not with the borrower doing his work. -[From B.M. 95b]

**14** **If its owner is with him** Whether he [the animal’s owner] is with him [the borrower] doing the same work, or if he was with him doing a different work. If he [the animal’s owner] was with him [the borrower] at the time of the loan, he [the owner] need not be with him at the time the limb was broken or the animal died [to make him exempt from payment]. -[From B.M. 95b]

**if it is a hired [animal]** If the bull was not borrowed but hired, [and] it came to be hired into the hands of this hirer [for a fee] not through lending And he [the hirer] does not have complete benefit [of the animal] for he used it through its hire, and he does not have the status of a borrower to be liable for accidents beyond his control. [The Torah, however,] did not specify what his status is, whether he is judged like an unpaid custodian or like a paid custodian. Therefore, the Sages of Israel differed concerning him: How does a hirer pay [in the case of an accident]? Rabbi Meir says: Like an unpaid custodian. Rabbi Judah says: Like a paid custodian. -[From B.M. 90b]

**15** **If a man seduces** Heb. יְפַתֶּה, he speaks to her heart until she yields to him. And so is its Aramaic translation: וַאֲרֵי יְשַׁדֵּל. שִׁדּוּל in Aramaic is the equivalent of פִּתּוּי in Hebrew [and both signify persuasion].

**he shall provide her with a marriage contract** He shall stipulate for her a dowry, as is the custom of a man to his wife, that he writes for her a kethubah, and he shall marry her. -[From Mechilta]

**16** **according to the dowry of the virgins** which is fixed at fifty silver shekels in the case of one who seizes a virgin and forcibly lies with her, as it is said: “The man who lay with her shall give the maiden’s father fifty silver shekels” (Deut. 22:29). -[From Keth. 10a]

**17** **You shall not allow a sorceress to live** But she shall be executed by the court. [This law applies equally to] both males and females, but the text speaks of the usual, and those who practice sorcery are usually women. -[From Mechilta, Sanh. 67a]

**18** (Some editions: **Whoever lies [carnally] with an animal shall surely be put to death** by stoning. A male who has carnal relations with an animal [is just as liable] as a female who has carnal relations with an animal, concerning whom it is written: “their blood is upon them [meaning they will be killed]” (Lev. 20:16). -[From Sanh. 53, 54]) See Rashi on Exod. 21:17.

**19** **to the gods** Heb. לָאֱלֽהִים, to pagan deities. If it were vowelized לֵאלֽהִים [the “lammed” with a “tzeirei”], it would have to specify [which deities] and [it would need to be explained and] written אֲחֵרִים, other [gods]. Now that it says לָאֱלֽהִים, it does not have to specify [which gods are meant] because every “lammed,” “beth,” and “hey” prefixed to a word, if it is vowelized with a “chataf” (meaning a “sheva”), such as לְמֶלֶךְ, to a king, לְמִדְבָּר, to a desert, לְעִיר, to a city, one must specify to which king, to which desert, to which city. Similarly, [with a “beth” or “lammed”] לִמְלָכִים, to kings, and לִרְגָלִים, to festivals, punctuated with a “chirik,” must be specified to which ones. If it is not specified all kings are meant. So too, לֵאלֽהִים means all gods, even the divine, but when it is vowelized with a “pattach,” like לַמֶּלֶךְ, to the king, לַמִּדְבָּר, to the desert, לָעִיר, to the city, [The “pattach” and the “kamatz” are in one category in this context. There is also another way to explain this, as is written in Dikdukei Rashi. See that source.] it is known about which king he is speaking, and so לָאֱלֽהִים, to the gods, to those concerning which you were warned elsewhere. Similarly, “There is none like You among the gods” (Ps. 86:8). Since it is not specified, it had to be vowelized with a “pattach”.

**shall be destroyed** Shall be put to death. Now why does it say “shall be destroyed”? Is the death penalty not mentioned elsewhere: “And you shall take that man or that woman [and you shall stone them… so that they will die], etc.” (Deut. 17:5) ? Since [there the Torah] did not specify for which type of worship he is liable to death, so that you do not say that for all types of worship one is liable to death, [the Torah] came and specified to you here: “He who slaughters [a sacrifice] to the gods shall be destroyed,” to inform you that just as slaughtering is a type of worship performed inside [the Temple] to Heaven, I also include one who burns [incense or parts of an animal] or performs libations, which are types of worship performed inside [the Temple], and [people] are liable for performing them for idolatry whether or not it is customary to worship that particular deity in that manner. However, [for] other types of worship—for example, if one sweeps, sprinkles water on the sand floor before it [the idol], embraces it or kisses it—he is not liable to death, but he is warned against it [i.e., he is liable to receive lashes]. -[From Mechilta, Sanh. 60b]

**20** **And you shall not mistreat** By taunting with words, contralier in Old French, [meaning] to vex, like “And those who taunt you (מוֹנַיִךְ), I will feed their flesh” (Isa. 49:26). -[From Mechilta, Jonathan]

**nor shall you oppress him** by robbing [him of his] money. -[From Mechilta, Jonathan]

**for you were strangers in the land of Egypt** If you taunt him, he can also taunt you and say to you, “You too emanate from strangers.” Do not reproach your neighbor with a fault that is also yours (Mechilta, B.M. 59b). Every expression of a stranger (גֵּר) means a person who was not born in that country but has come from another country to sojourn there.

**21** **You shall not oppress any widow or orphan** The same applies to all people, but the Scripture speaks of the usual situation, since they [widows and orphans] are weak and [they] are frequently oppressed. - [From Mechilta]

**22** **If you oppress him** This is an elliptical verse. It threatens [punishment], but does not delineate his punishment. [This is] similar to “Therefore, whoever kills Cain…!” (Gen. 4:15). It threatens, but does not delineate his punishment. Here too, “If you oppress him” is an expression of a threat: If you oppress him [the orphan], you will ultimately receive what is coming to you. Why? “For if he cries out to Me, etc.”

**23** **and your wives will be widows** From the implication of what is said—“and I will slay you”—do I not know that your wives will be widows and your children orphans? Rather, this is another curse, namely that the wives will be bound in living widowhood -there will be no witnesses to their husbands’ deaths, and [thus] they will be forbidden to remarry. The children will be orphans because the court will not allow them to have their fathers’ property, since they do not know whether they died or were captured. -[From Mechilta, B.M. 38b]

**Ketubim: Tehillim (Psams) 58:1-12**

| **Rashi** | **Targum** |
| --- | --- |
| 1. For the conductor, al tashcheth; of David a michtam. | 1. For praise; concerning the distress in the time when David said, "Do no harm"; composed by David, humble and innocent. |
| 2. Is it true that You were silent about the righteousness that You should have spoken, the equities [with which] You should have judged the children of men? | 2. In very truth are you silent, O righteous/generous ones, in the time of strife? It is fitting that you speak righteousness/generosity, that you judge uprightly the sons of men. |
| 3. Even in your heart, you plot injustice; in the earth, you weigh down the violence of your hands. | 3. But, O wicked, wherefore do you commit iniquity in the heart, wherefore do your hands establish crime on the earth? |
| 4. The wicked become estranged [even] from the womb; those who speak lies go astray from birth. | 4. The wicked have become strangers from birth; those who utter falsehood have gone astray from the womb. |
| 5. They have venom like the venom of a serpent, like a deaf cobra that closes its ear, | 5. Poison is theirs like the poison of the serpent; like the deaf adder that stops up his ears. |
| 6. Which will not hear the voice of charmers, the most cunning caster of spells. | 6. Lest it should accept the words of the wizards, the charmers of snakes; he is wiser than those who cast spells. |
| 7. O God, smash their teeth in their mouth; break the molars of lions, O Lord. | 7. O God, smash their teeth in their mouth; and shatter the fangs of the lions' offspring, O LORD. |
| 8. Let them be rejected; let them walk as [through] water; He will aim His arrows as though they are cut down. | 8. Let them dissolve in their sins; like water, let them flow away; and He draws arrows at them, and they will be cut in pieces. |
| 9. Like a snail, which continuously melts, a mole [and a] stillbirth, which did not see the sun. | 9. Like the crawling snail whose path is disgusting, like the abortion and the mole who are blind and have not seen the sun; |
| 10. Before your tender briars develop into hardened thorns, with vigor, with wrath, He will drive them away as a storm wind. | 10. Before the soft wicked become as hard as thorns, while they are moist, while they are like unripe fruit, may He destroy them by the storm wind. |
| 11. The righteous man will rejoice because he saw revenge; he will bathe his feet in the blood of the wicked. | 11. The righteous/generous will rejoice, for he has seen retribution on them; he will wash his feet in the blood of the wicked man. |
| 12. And man will say, "Truly, the righteous man has reward; truly there is a God Who judges on earth." | 12. And the sons of men will say, "Truly there is a good reward for the righteous/generous, truly there is a God whose judgments extend to the earth." |
|   |   |

**Rashi’s Commentary for: Psalms 58:1-12**

**1** **michtam** The name of the melody of a song.

**2** **Is it true** Heb. האמנם. This is an expression of truth.

**Is it true that you were silent about the righteousness that you should have spoken, etc.** He recited this psalm concerning [the incident] when he entered the barricade where Saul was lying, took the spear and the jug, went away, and called, “Will you not answer, Abner?” (I Sam. 26:14). That is to say, “Shouldn’t you now prove to Saul and show him that he pursues me for no reason? For had I wished, I would have killed him.” And so did he say in his song: Is it true that the righteousness that you should have said and the equities with which you should have judged have been silenced from your mouth? The righteousness that you should have spoken.

**3** **Even in your heart, you plot injustice** And not only that, but in your heart you plot evil, to do injustice.

**injustice** lit. wrongs, like עַוָלוֹת as one says from שוֹר, שורים, and from עיר, עירים (Jud. 10:4): “and they had thirty cities (עירים),” which is an expression of עיר, a city.

**in the earth, you weigh down the violence of your hands** Inside the earth, you weigh down the violence of your hands until it is very heavy. תְפַלֵּסוּן is contrepesez or contrepezeres in Old French, you outweigh. (See Isa. 26:7.)

**4** **The wicked become estranged [even] from the womb** From their mother’s womb they become strange to the Holy One, blessed be He, in the way that Esau did (Gen. 25:22): “And the children moved violently against each other in her womb.”

**become estranged**Heb. זֽרו, like נזורוּ, the same construction as (Jer. 2:12): “O heavens (שֽֽֽמו), be astonished”; (Gen. 49:23), “they heaped bitter abuse upon him and became [his] opponents (ורֽבו) ”; (Job 24:24), “They are taken away (רוֹמוּ) in a second.” All these are in the passive voice.

**5** **They have venom** They have venom to kill people, like the venom of a serpent.

**like a deaf cobra that closes its ear** When the snake ages, it becomes deaf in one ear, and closes the other ear with dust so that it should not hear the incantation of the charmer, adjuring it not to cause injury.

**6** **Which will not hear, etc.** This is connected to the preceding verse: “and it closes its ear in order not to hear the voice of charmers.”

**caster of spells** who knows how to charm snakes.

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**7** **molars** The inner teeth, called messelers in Old French, molars, grinders.

**8** **Let them be rejected** by themselves, that they will be rejected in their own eyes from worry, and as [if] in water let them walk. Similar to this is (Ezek. 7:17): “and all knees will go [as in] water,” from tears.

**He will aim His arrows** i.e., the Holy One, blessed be He, so that they will be cut off. יתמֽללוּ is soyent preciz, let them be cut off.

**9** **a snail** Heb. שבלול. Some interpret it as limace in Old French, a snail (as in Lev. 11:30). Others interpret it as שבּֽלת, a current of water (below 69:16). The “lammed” is doubled, as from (Job 18: 16): “his branch will be cut off (ימל) ; (below 90:6), “will be cut off (ימולל) and will dry up.” **melts** it continuously melts. תֶּמֶס is a noun, the “mem” being the fundamental radical and the “tav” a defective radical, like the “tav” of (Lev. 20:12): “they committed a disgraceful act  (תבל).”

**a mole** Heb. נפל אשת, talpe in Old French, which has no eyes. It is identified as תִּנְשֶׁמֶת (in Lev. 11:30), translated [by Onkelos] as אשותא. So did our Sages explain it (M.K. 6b). Others explain it as a stillbirth of a woman. אשת is like (Ezek. 23:44): “women of (אשת) lewdness.” There is a “tav” without the construct state, as (Prov. 4:9): “she will transmit to you, a crown of glory (עטרת תפארת),” like “a stillbirth of a woman  (אשה),” for the stillbirths born did not see the sun. According to the former explanation, it is like נפל ואשת, a stillbirth and a mole, as (Jer. 11:19): “And I was like a lamb a bull (ככבש אלוף),” which Menachem explained: like a lamb and a bull (ככבש ואלוף). That is, a bull; here too, a stillbirth and a mole נפל ואשת. It is proper to emend.

**10** **Before your tender briars develop into hardened thorns** lit. before your tender briars know hardened thorns. That before your tender briars know to be hardened thorns, i.e., before the children of the wicked grow up.

**with vigor, with wrath** i.e., with might, with strength, and with wrath will the Holy One, blessed be He, drive them away as [with] a storm wind.

**with vigor** חי is an expression of might.

**12** **And man will say, “Truly, the righteous man has reward”** **Then people will say, “Surely there is reward and recompense in the deeds of the righteous, since the Holy One, blessed be He, avenged their wrongs.”**

**there is a God** **A Judge, Who judges the wicked on the earth**.

**Meditation from the Psalms**

**Psalms ‎‎58:1-12**

**By: H.Em. Rabbi Dr. Hillel ben David**

This psalm, Psalms chapter 58, is the second in the Al Tashcheit (do not destroy) trilogy. It describes the abrupt end of Saul’s short-lived benignity toward David.

Psalm 57[[1]](#footnote-1) told how David restrained his men from killing Saul. Instead, David cut off a corner of Saul’s robe which he later showed the king as proof of his loyalty. Saul was convinced that he had misjudged David and his warm feelings of old returned.

But Saul’s underlings conspired to destroy this good will. They came to Saul and argued: ‘Is David to be esteemed as a righteous man simply because he did not slay you in the cave? He knew that if he dared harm you, we would have torn him limb from limb. He was afraid to do you harm!’[[2]](#footnote-2)

Abner, Saul’s leading general, scorned David’s claim, saying that Saul’s garment had been torn by a thorn and that David found the severed piece of cloth and fabricated the claim that he had had Saul at his mercy.[[3]](#footnote-3)

Abner’s charge rekindled Saul’s fury against David. The king resolved to hunt down his younger rival: And he [Saul] arose and went down to the Wilderness of Ziph with three thousand chosen men of Israel to seek David in the Wilderness of Ziph.[[4]](#footnote-4)

***Shmuel alef (I Samuel) 26:3*** *And he [Saul] arose and went down to the Wilderness of Ziph with three thousand chosen men of Israel to seek David in the Wilderness of Ziph.*

The superscription of our psalm attributes authorship to David. Our psalm is the second of three psalms (57-59) which refer to Saul’s pur­suit of David; all begin with the plea ‘Al Tashcheit’ - ‘Do not destroy’!

Our psalm uses a couple of descriptive words that refer to serpents. It is well known that THE serpent in the garden of Eden was responsible for a significant amount of destruction. If we are to understand the serpent of our psalm we will need to understand THE serpent.

***Tehillim (Psalms) 58:5****Their venom is like the venom of a serpent* (nachash)*; they are like the deaf asp that stoppeth her ear;* ***6****Which hearkeneth not to the voice of charmers, or of the most cunning binder of spells.*

Lets examine this word, *serpent* (nachash), and try to understand why Chazal teach that there is a significant connection between the serpent (nachash)[[5]](#footnote-5) in Gan Eden and the Mashiach.[[6]](#footnote-6) On the face of it, this seems so contradictory and outrageous[[7]](#footnote-7) that it boggles the mind. Never the less, if Chazal tell us this, then we know it is true and our understanding needs to be corrected.

The first use of a word in the Torah is the place where that ‘thing’ was created and, as such, teaches us the ‘meaning’ of that word and that thing. The first use of the word *the serpent*, HaNachash, is found in:

***Bereshit (Genesis) 3:1*** *Now the serpent was more subtle than any beast of the field which HaShem G-d had made. And he said unto the woman: ‘Yea, hath G-d said: Ye shall not eat of any tree of the garden?’*

One serpent that stands out historically is the first one, THE serpent, the one that convinced Chava to eat from the Tree of the Knowledge of Good and Evil, against G-d’s will. Thanks to his ruse and advice, Mankind was sent into the longest exile to date, the one that won’t conclude until Mashiach ends it. Let’s look at this serpent first, then let’s examine his ‘cousins’ that are found elsewhere in the Tanach.

The Serpent Was a Beast of the Field

Although we tend to imagine the “Serpent” as a “serpent”, we should keep in mind that the creature who seduced Eve assumed its lowly, legless, slithering form only as a result of its sin.[[8]](#footnote-8) At the point at which the Serpent presents himself and his seductive arguments to Eve, this “proto-serpent” had far more in common with Adam and Eve than we might care to imagine.[[9]](#footnote-9) Perhaps this walking, talking Serpent is best described as a soul-less humanoid. Because he, too, was created in the image of the Almighty, the Serpent possessed great capabilities of speech and reasoning, but he uses these gifts as weapons of destruction in order to satisfy his own desire.

Until the serpent committed the crime of persuading the Adam and Chava to eat from the forbidden fruit of the Tree of the Knowledge of Good and Evil, in the Garden of Eden, he walked about on two feet like man.[[10]](#footnote-10) As punishment for bringing man low, he was condemned to crawl upon his belly and to be in eternal mortal conflict with man.

The Targum Pseudo-Jonathan adds to Genesis 3 the removal of the serpent’s feet. Note the addition by the Meturgeman: The Lord G-d “said to the serpent, ‘Because you did this, cursed are you. . . Upon your belly you shall go about, and your feet shall be cut off”.[[11]](#footnote-11) According to R. Simeon b. Lakish, in Midrash Rabbah, Ecclesiastes, when G-d had cursed the serpent,[[12]](#footnote-12) “the ministering angels descended and cut off its hands and legs, and its cry went from one end of the world to the other.”[[13]](#footnote-13)

Biblical scholars have assumed the Nachash, נחש, is a reptile.204 Everyone can defend such a translation by simply citing a lexicon. But the narrative is definitive in ascertaining the meaning of the Nachash.

R. Hoshaya the Elder said that Genesis 1:25 *And G-d made the beast of the earth*… This means the serpent.[[14]](#footnote-14)

***Bereshit (Genesis) 1:25****And G-d made the beast of the earth after its kind, and the cattle after their kind, and every thing that creepeth upon the ground after its kind; and G-d saw that it was good.*

Genesis 3 begins with the words that the Nachash (נחש) was the cleverest “beast of the field that the Lord G-d had made”. The Nachash is thus one of the beasts of the field, not one of the cattle or reptiles.

***Bereshit (Genesis) 3:14-15*** *And HaShem G-d said unto the serpent, Because thou hast done this, thou [art] cursed above all cattle, and above every beast of the field; upon thy belly shalt thou go, and dust shalt thou eat all the days of thy life:[[15]](#footnote-15) And I will put enmity between thee and the woman, and between thy seed and her seed; it shall bruise thy head, and thou shalt bruise his heel* (eikev - **עקב**)*.[[16]](#footnote-16)*

Thus we understand that a serpent is now a reptile, but when it was created it was a beast of the field, according to a simple reading of the text.

Now, the Torah tells us about man crushing the serpent’s head and the serpent biting man’s heel. This something that the Peshat makes clear. But a look at the sod level reveals something much deeper.

***Midrash HaNe’elam*** *Rav Yose asked: On the view that the serpent is man’s Evil Inclination, how can one explain this verse?*

*He answered: It teaches that the only way to destroy the serpent is to crush him with the head; and who is the head? — The head of the Yeshiva; [that is, only with Torah can the Evil Inclination, personified by the serpent, be crushed.] Conversely, the ‘serpent’ can slay a man only through the heel, when one transgresses and tramples G-d’s commandments under his heel. That is the meaning of the verse: ‘and you will bite his heel’, the Evil Inclination slays man by inducing him to trample the commandments.*

Gematria

The serpent, from Gan Eden, has a direct connection to the Mashiach. We can see this in the gematria for the two Hebrew words for *serpent* and *Mashiach*.[[17]](#footnote-17)

The gematria of:

“Messiah - Mashiach - משׁיח” (40+300+10+8) = **358**

and

“Serpent - Nachash - נָּחָשׁ” (50+300+8) = **358**

The gematria equivalence relation can give deeper insight into the spiritual connection between the words whose gematria is the same. The use of gematria can expand our awareness of the relatedness of different ideas or concepts as they are spelled out in Hebrew. Gematria can help us understand meanings which are hidden.

The gematria for *serpent* and *Mashiach* are the same since they represent two opposite sides of the same coin.[[18]](#footnote-18) The serpent, from Gan Eden, caused us to go into exile and Mashiach will come to take us out of exile for good. Whereas the snake imparted impurity to mankind, Mashiach will usher in the period that conquers it.

Just as the evil snake represents the epitome of evil, so does the positive snake represent the epitome of good. The Mashiach[[19]](#footnote-19) himself is referred to in the Zohar[[20]](#footnote-20) as “the holy snake”. This association is alluded to by the numerical equivalence of the Hebrew words Mashiach (358) and nachash, “serpent.” The Zohar further states that the Mashiach, the holy snake, will kill the evil snake by overcoming the fear of insanity, thereby overcoming insanity itself, and filling human consciousness solely with the knowledge of G-d. His reward will be to marry the Divine princess, the “congregation of Israel,” to unite with the point of origin of the souls of Israel, thus bringing redemption to the world.[[21]](#footnote-21)

If this association seems strange, then it is worth noting that the Nazarean Codicil explicitly relates *Mashiach* to *HaNachash* when it compares the incident of:

***Bamidbar (Numbers) 21:5-9*** *And the people spoke against G-d, and against Moses: ‘Wherefore have ye brought us up out of Egypt to die in the wilderness? for there is no bread, and there is no water; and our soul loatheth this light bread.’* ***6****And HaShem sent fiery serpents among the people, and they bit the people; and much people of Israel died.* ***7****And the people came to Moses, and said: ‘We have sinned, because we have spoken against HaShem, and against thee; pray unto HaShem, that He take away the serpents from us.’ And Moses prayed for the people.* ***8****And HaShem said unto Moses: ‘Make thee a fiery serpent, and set it upon a pole; and it shall come to pass, that every one that is bitten, when he seeth it, shall live.’* ***9****And Moses made a serpent of brass, and set it upon the pole; and it came to pass, that if a serpent had bitten any man, when he looked unto the serpent of brass, he lived.*

Now compare the above incident with Mashiach in:

***Yochanan (John) 3:14*** *And as Moses lifted up the serpent in the wilderness, even so must the Son of man be lifted up:*

Thus the sod level writer makes an explicitly connection between the brass serpent and the Mashiach.

As an aside, Yosef HaTzadiq called himself a *nachash*. I believe that this was an allusion to his role as a picture of Mashiach ben Yosef. He used this term in:

***Bereshit (Genesis) 44:15*** *is there a diviner* (nachash) *who can divine as I?*

Middle letter

If we want to connect to the Torah, then we need to connect with Vayikra (Leviticus) 11:42. In this verse we can connect with Mashiach and with HaShem by NOT connecting with the serpent! This pasuk is the place of connection. The Talmud comes to teach us about several “middles”:

***Kiddushin 30a*** *The early [scholars] were called Soferim[[22]](#footnote-22) because they used to count all the letters of the Torah.[[23]](#footnote-23) Thus, they said, the waw in gahon[[24]](#footnote-24) marks half the letters of the Torah; darosh darash,[[25]](#footnote-25) half the words; we-hithggalah,[[26]](#footnote-26) half the verses. The boar out of the wood [mi-ya’ar] doth ravage it:[[27]](#footnote-27) the ‘ayin of ya’ar marks half of the Psalms.[[28]](#footnote-28) But he, being full of compassion, forgiveth their iniquity,[[29]](#footnote-29) half of the verses.*

As an aside, gachon is a peculiar word which uniquely suggests the middle of the body. Gachon is only used twice in all of the Torah. Once, here in Leviticus, and yet only one other time aside from that, and that’s in:

***Bereshit (Genesis) 3:14*** *And HaShem God said unto the serpent, Because thou hast done this, thou art cursed above all cattle, and above every beast of the field; upon thy belly (gachon) shalt thou go, and dust shalt thou eat all the days of thy life: 15 And I will put enmity between thee and the woman, and between thy seed and her seed; it shall bruise thy head, and thou shalt bruise his heel.*

So far we have Rashi telling us that *the serpent*, in Vayikra 11:42, is like *the serpent* of Bereshit 3.

The midrash on Song of Songs makes much of the fact that Vayikra (Leviticus) is the central book of the Torah. It is “centered” in the Torah.

The middle letter[[30]](#footnote-30) of the Torah[[31]](#footnote-31) is in the book of Vayikra, Leviticus, in the middle of the halachic laws of kosher animals! In the beginning of chapter 11 of the section of Shemini, it is written:

***Vayikra (Leviticus) 11:1ff*** *HaShem spoke to Moshe and to Aaron, saying to them. Speak to the Children of Israel, saying: These are the creatures that you may eat from among all the animals that are upon the earth. Everything among the animals that has a split hoof… that one you may eat of.*

Forty-one verses later it is stated,

***Vayikra (Leviticus) 11:42*** *Whatsoever goeth upon the belly, and whatsoever goeth upon [all] four, or whatsoever hath more feet among all creeping things that creep upon the earth, them ye shall not eat; for they [are] an abomination.*

Note that the subject of this pasuk is to “*not eat*”. Please recall that *eating* is a form of connecting. Thus we understand that we are *not* to connect with the evil serpent.

Rashi tells us a bit about this word “gachon”:

**that goes on its belly**: This is the snake (Torat Kohanim[[32]](#footnote-32) 11:163). The word גָּחוֹן denotes “bending low” [and it is used to describe the snake] because it moves while bent, a prostrated posture, prostrated on its belly.

Rashi says that the reptile referred to is the serpent, the *nachash*, the type of creature which enticed Adam and Chava to eat from the forbidden fruit. In Midrashic literature this creature is often equated with the evil inclination.

Why is this creature given the distinction of being placed in the exact center of the Torah? The following thoughts came to mind.

First, there have been (non-Jewish) beliefs which viewed evil as being something outside HaShem’s direct sphere of influence or management. Judaism, on the other hand, views evil as being one of the many tools that HaShem uses to manage His world. Evil is the servant of HaShem and this is reflected by positioning this servant in the exact center of the Torah.

Second, Chazal[[33]](#footnote-33) teach that a person can not escape evil by merely avoiding physicality. We must deal with evil, not run away from it.

HaShem gave us a powerful weapon against the powers of evil. This weapon is also a shield and an antidote. It is the Torah, itself.

***Sukkah 52b*** *The school of R. Ishmael taught, If this repulsive wretch[[34]](#footnote-34) meets thee, drag him to the Beth Hamidrash. If he is of stone, he will dissolve, if of iron he will shiver into fragments. ‘If he is of stone he will dissolve’, for it is written, Ho, every one that thirsteth come ye to the water[[35]](#footnote-35) and it is written, The waters wear the stones.[[36]](#footnote-36) ‘If he is of iron, he will shiver into fragments’, for it is written, Is not my word like as fire? Saith the Lord, and like a hammer that breaketh the rock in pieces?[[37]](#footnote-37)*

Perhaps this advice for mankind is reflected here, where we find the *nachash* completely surrounded by the Torah.

The word in Hebrew for “belly” is *gachon* – גחון, spelled *gimal, chet, vav, and nun.* “Everything that crawls on its belly” is referring to a serpent. It is this *vav* (ו) of *gachon* that is the middle letter of the Torah. We have journeyed to the center of the world and landed in the belly of a serpent![[38]](#footnote-38)

The u “vav” in the word “gachon”, belly, must be raised because it is the middle central letter of the Torah. It is one of the eleven majuscules in the Torah.

 … על־ארבע הולך / וכל על־גחון לולך כל

If you look into the Sefer Torah, the actual scroll of the Torah written by a scribe, you will see that this middle *vav* stands out from all the other letters and words because it is written larger than the other letters. Its elongated form is not due to a scribal embellishment. Rather, the Torah scroll *must* have this elongated *vav* in order for it to be halachically kosher to be read in the synagogue.

Wise as Serpents

Serpents were understood, by the Nazarean Codicil, to be wise:

***Matityahu (Matthew) 10:16*** *Behold, I send you forth as sheep in the midst of wolves: be ye therefore wise as serpents, and harmless as doves.*

So also is a Hakham, a Rabbi, a “wise one”.

***Abot 2:10*** *They [each] said three things. R. Eliezer says, “Let the respect owing to your fellow be as precious to you as the respect owing to you yourself. “And don’t be easy to anger. “And repent one day before you die. “And warm yourself by the fire of the sages (Hakhamim), but be careful of their coals, so you don’t get burned. “For their bite is the bite of a fox, and their sting is the sting of a scorpion, and their hiss is like the hiss of a snake. “And everything they say is like fiery coals.”[[39]](#footnote-39)*

Pole Serpent

Serpents can heal[[40]](#footnote-40) or kill with their poison. The caduceus shows the serpent on the pole, as we see in the Torah, which was used for healing. The Hakham should exude confidence that he knows what he is doing because this often provides the cure by itself. We need to be wise and as persuasive as serpents.

The pole serpent[[41]](#footnote-41) is mentioned in:

***Bamidbar (Numbers) 21:5–9*** *And the people spoke against G-d, and against Moses: ‘Wherefore have ye brought us up out of Egypt to die in the wilderness? for there is no bread, and there is no water; and our soul loatheth this light bread.’* ***6*** *And HaShem sent fiery serpents among the people, and they bit the people; and much people of Israel died.* ***7*** *And the people came to Moses, and said: ‘We have sinned, because we have spoken against HaShem, and against thee; pray unto HaShem, that He take away the serpents from us.’ And Moses prayed for the people.* ***8*** *And HaShem said unto Moses: ‘Make thee a fiery serpent, and set it upon a pole; and it shall come to pass, that every one that is bitten, when he seeth it, shall live.’* ***9*** *And Moses made a serpent of brass, and set it upon the pole; and it came to pass, that if a serpent had bitten any man, when he looked unto the serpent of brass, he lived.*

Targum Pseudo Jonathanputs v.6 with an interesting connotation that explicitly tells us why a serpent was used to heal:

*And the bath-kol fell from the high heaven, and thus spoke: Come, all men, and see all the benefits which I have done to the people whom I brought up free out of Mitzrayim. I made manna come down for them from heaven, yet now turn they and murmur against Me. Yet, behold, the serpent, whom, in the days of the beginning of the world, I doomed to have dust for his food, has not murmured against me: but My people are murmuring about their food. Now will the serpents who have not complained of their food come and bite the people who complain. Therefore did the Word of HaShem send the basilisk serpents, and they bit the people, and a great multitude of the people of Israel died.*

Then Rashi provides us the reason why the people were bitten by serpents for this particular sin. The punishment was mida keneged mida, measure for measure for their sin:

**and they bit the people** Let the serpent, which was smitten for speaking evil [to Eve] come and punish those who spread slander [about the manna]. Let the serpent, for which all types of food taste the same, come and punish those ingrates, for whom one thing [the manna] changes into various tastes.[[42]](#footnote-42)

***Yochanan (John) 3:14*** *And as Moses lifted up the serpent in the wilderness, even so must the Son of man[[43]](#footnote-43) be lifted up:*

What does “the fiery serpent set upon a pole” represent according to Numbers 21:8? It represents the healing power of HaShem. This serpent represents the Bne Israel, who must work towards their own healing. We are the body of Mashiach, we are the ones on the pole.

At the end of Parashat Chukat,[[44]](#footnote-44) the Torah tells us once again of the rebellious behavior of Klal Israel during their travels through the wilderness. The pasuk relates, “And the people spoke against HaShem and against Moshe”,[[45]](#footnote-45) complaining that they were tired of the manna and of the lack of water in the desert. The Torah tells us that HaShem got angry and sent as punishment a horde of poisonous serpents, “ha-nechashim ha-serafim”, to bite the complainers. Many Jews died. The survivors came to beg Moshe Rabbenu for forgiveness and beseeched him to pray to HaShem to get rid of the serpents. Moshe did so, and HaShem told him to make an image of a “saraf,” a serpent, and to place it on top of a high pole. Any Jew who got bitten was to look at the image of the serpent on top of the pole and would survive. The Torah tells us that Moshe then fashioned a “nechash nechoshet,” a brass[[46]](#footnote-46) serpent, and placed it atop a pole, and the rest of the Jews were saved.[[47]](#footnote-47)

The distinction between the word nachash, serpent, and the word seraf, serpent, is worth a second look. When HaShem punished Klal Israel, He unleashed “hanechashim haserafim.” The Torah uses both terms, HaShem unleashed serpents that behaved like serpents. Then, when HaShem told Moshe how to stem the plague, He commanded him to create a saraf, but Moshe created a nachash instead. Why? What is the difference between these two terms? And why does the Torah use both in this story? Furthermore, why did Moshe make the nachash out of copper when HaShem did not instruct him to do so, and why is that detail important enough for the Torah to mention?

In the English language the word serpent is a synonym for serpent. In lashon ha-kodesh also, the words nachash and saraf are more or less synonymous. Nonetheless, being different words they still convey somewhat different meanings. The word nachash has at its root nichush, as in the command “lo tinachashu”,[[48]](#footnote-48) the prohibition of magic acts and fortune telling, seemingly supernatural pursuits. Likewise, a serpent can kill a large human or even a tremendous beast with a tiny dose of poison, a seemingly supernatural faculty. This is an important connection. Those who believe they have supernatural powers no longer feel compelled to rely on HaShem for their needs. This is why the Torah considers magic and fortune telling to be forms of idolatry.

The term nachash represents the challenge of maintaining faith in HaShem, the challenge of adherence to His commandments. It is not a coincidence that the very first individual to challenge HaShem’s commandments was the nachash ha-kadmoni in Gan Eden. His behavior was classic nachash.

The word saraf, on the other hand, emphasizes the method through which the serpent kills. Serefah means burning in lashon ha-kodesh. The saraf injects a tiny dose of venom which burns its way throughout the body of the victim, eventually killing him. The venom is like a small spark that can spread to become a large conflagration. The word saraf is used by Chazal[[49]](#footnote-49) to refer to the punishment of one who rejects the commandments and direction of the Hakhamim. This hints to the insidiousness of transgressing the Hakhamim. Once one lights a spark by violating one rabbinic principle, one is liable to create an entire conflagration by continuing to violate other rabbinic rules and guidelines. Once someone loses respect for the Hakhamim, the poison can spread throughout his body. Hence Chazal refer to the retribution against such an individual in terms of the saraf.

With this background, we can understand what was happening in this parasha. When Klal Israel rebelled, they committed two sins, one against HaShem and one against Moshe Rabbenu, who represents the Hakhamim. Thus, HaShem sent hanechashim haserafim to kill them, demonstrating that they deserved two punishments, the nachash, for rebelling against HaShem, and the saraf, for rebelling against the Hakhamim, i.e., Moshe.

When Klal Israel came to Moshe Rabbenu to repent and beg forgiveness, HaShem agreed to forgive Klal Israel for the violation of His own honor, but insisted that Moshe Rabbenu’s honor be upheld by a public display of the image of the saraf. Moshe Rabbenu, on the other hand, was quick to forgive the violation of his honor, but was very concerned about the honor of HaShem. Therefore, he created a nachash rather than a saraf, to focus Klal Israel on that violation.

Ibn Ezra asks why the brass[[50]](#footnote-50) snake had to be placed on a pole. His answer is: “to be high so that all could see it.”

Did the copper serpent kill or make alive? No! What it indicates is that when the Israelites, in gazing at the serpent, turned their thoughts on high and subjected their hearts to their father in heaven, they were healed; otherwise they perished.[[51]](#footnote-51)

Ibn Ezra also points out that many Israelites erred and treated the brazen serpent like a divine object, worshipping it like a G-d. Because the Jews preserved it as an object of veneration, it was eventually destroyed by King Hezekiah.[[52]](#footnote-52) The sages highly praised him for this act.[[53]](#footnote-53)

Livayatan

There is another serpent that will become a feast for the Jewish people[[54]](#footnote-54) who will dwell in a succah made from its skin.[[55]](#footnote-55) The Navi writes about this giant:

***Yeshayahu (Isaiah) 27:1*** *On that day, the Lord shall visit with His hard and great and strong sword on Livayatan the barlike serpent,[[56]](#footnote-56) and upon Livayatan the crooked serpent, and He shall slay the dragon that is in the sea.*

Rashi provides some insights on the above pasuk:

**1** **on livayatan the barlike serpent** (AKA Pole Serpent) Jonathan renders: On the king who aggrandized himself like Pharaoh the first king, and upon a king who was as haughty as Sennacherib the second king. בָּרִיחַ is an expression of ‘straight’ like a bar, since he is the first. (The matter of simplicity is related to oneness. Since Pharaoh was the first great king, he is referred to as ‘the barlike serpent’, a straight, penetrating serpent, that does not coil.)

**crooked** An expression of ‘double’, since he is the second one. (I.e. the bend in the serpent indicates duality, thus the number two.) And I say that these are three important nations: Egypt, Assyria, and Edom. He, therefore, stated concerning these as he said at the end of the section (v. 13), “And those lost in the land of Assyria shall come, as well as those lost in the land of Egypt”, and since the nations are likened to serpents that bite.

**Livayatan the barlike serpent** – That is Egypt.

**Livayatan the crooked serpent** - That is Assyria.

**Dragon that is in the sea**: This is Esau. (The Roman Church, which includes all the Christian churches. Things like communion, trinity, etc. have the dogmas created by the Catholic church.)

To Rashi’s list, I would add one more:

**The Revelation serpent** is the Dragon that is in the sea.

There is a lot more to this Livayatan. Enough to deserve its own study.

Conclusion

Destroy and don’t destroy form the numerous commands of our Torah seder. Thus it is fitting that David should write a psalm based on ‘do not destroy’ with a verbal tally, with our Torah seder, of ‘woman[[57]](#footnote-57)’, the one who was first tempted and first succumbed to the deceit of the serpent.

**Ashlamatah: Yeshayahu (Isaiah) 56:1-9 + 57:19**

| **Rashi** | **Targum** |
| --- | --- |
| 1. ¶ So says the Lord, "Keep justice (Heb. **מִשְׁפָּט שִׁמְרוּ** – **Shim’ru** **Mishpat**) and practice righteousness (Heb. **צְדָקָה וַעֲשׂוּ** – **Va’Asu Ts’daqah**), for My salvation is near to come, and My benevolence to be revealed." | 1. ¶ Thus says the LORD: "Keep judgment (Heb. **מִשְׁפָּט שִׁמְרוּ** – **Shim’ru** **Mishpat**) and do righteousness/ generosity, for My salvation is near to come, and My virtue to be revealed. |
| 2. Fortunate is the man who will do this and the person who will hold fast to it, **he who keeps the Sabbath from profaning it and guards his hand from doing any evil.**   | 2. Blessed is the man who will do this, and a son of man who will hold it fast, **who will keep the sabbath from profaning it, and will keep his hands from doing any evil."**     |
| 3. **Now let not the foreigner who joined the Lord, say, "The Lord will surely separate me from His people,"**and let not the eunuch say, "Behold, I am a dry tree." **{P}** | 3. **Let not a son of Gentiles who has been added to the people of the LORD say, "The LORD will surely separate me from His people"**; and let not the eunuch say, "Behold, I am like a dry tree." **{P}** |
| 4. ¶ For so says the Lord to the eunuchs who will keep My Sabbaths and will choose what I desire and hold fast to My covenant, | 4. ¶ For thus says the LORD: "To the eunuchs who keep the days of the Sabbaths that are Mine, who are pleased with the things I wish and hold fast My covenants, |
| 5. **"I will give them in My house and in My walls a place and a name, better than sons and daughters; an everlasting name I will give him, which will not be discontinued.** **{S}** | 5. **I will give them in My sanctuary and within the land of My Shekhinah’s house a place and a name better than sons and daughters; I will give them an everlasting name which will not cease.** **{S}** |
| 6. **And the foreigners who join with the Lord to serve Him and to love the name of the Lord, to be His servants, everyone who observes the Sabbath from profaning it and who holds fast to My covenant.** | 6. **And the sons of the Gentiles who have been added to the people of the LORD, to minister to Him, to love the name of the LORD, and to be His servants, everyone who will keep the Sabbath from profaning it, and hold fast My covenants-** |
| 7. I will bring them to My holy mount, and I will cause them to rejoice in My house of prayer, their burnt offerings and their sacrifices shall be acceptable upon My altar, **for My house shall be called a house of prayer for all peoples.** | 7. these I wil1 bring to the holy mountain, and make them joyful in My house of prayer; their burnt offerings and their holy sacrifices will even go up for [My] pleasure on my altar; **for My sanctuary will be a house of prayer for all the peoples.** |
| 8. So says the Lord God, Who gathers in the dispersed of Israel, **I will yet gather others to him, together with his gathered ones.** | 8. Thus says the LORD God who is about to gather the outcasts of Israel, **I will yet bring near their exiles, to gather them."** |
| 9. All the beasts of the field, come to devour all the beasts in the forest. **{P}** | 9. All the kings of the peoples who were gathered to distress you, Jerusalem, will be cast in your midst; they will be food for the beasts of the field - every beast of the forest will eat to satiety from them. **{P}** |
| 10. ¶ His lookouts are all blind, they do not know, dumb dogs who cannot bark; they lie slumbering, loving to slumber. | 10. ¶ All their watchmen are blind, they are all without any knowledge; dumb dogs, they cannot bark; slumbering, laying down, loving to sleep. |
| 11. And the dogs are of greedy disposition, they know not satiety; and they are shepherds who know not to understand; they all turned to their way, each one to his gain, every last one. | 11. The dogs have a strong appetite; they do not know satiety. And they who do evil do not know [how] to understand; they have all gone into exile, each his own way, each to plunder the mammon of Israel. |
| 12. "Come, I will take wine, and let us guzzle old wine, and tomorrow shall be like this, [but] greater [and] much more." | 12. They say, "Come, and let us guzzle wine, let us be drunk with old wine; and our feast of tomorrow will be better than this day’s, very great." |
|   |   |
| 1. The righteous man has perished, but no one takes it to heart, and men of kindness are taken away, with no one understanding that because of the evil the righteous man has been taken away. | 1. The righteous/generous die, and no one lays My fear to heart; and men of recompenses of mercy are gathered, while they do not understand. For from before the evil which is about to come the righteous/ generous are gathered, |
| 2. He shall come in peace; **they shall rest in their resting- place, whoever walks in his uprightness.** **{S}** | 2. they will enter into peace; **they will rest in the place of their bedroom who perform His Law.** **{S}** |
| 3. And you, draw near hither, children of sorcery; children who commit adultery, and played the whore. | 3. But you, draw near hither, people of the generation whose deeds are evil, whose plant was from a holy plant, and they are adulterers and harlots. |
| 4. On whom will you [rely to] enjoy yourselves; against whom do you open your mouth wide; against whom do you stick out your tongue? Are you not children of transgression, seed of falsehood? | 4. Of whom are you making sport? And before whom will you open your mouth and continue speaking great things? Are you not children of a rebel. the offspring of deceit, |
| 5. You who inflame yourselves among the terebinths, under every green tree, who slaughter the children in the valleys, under the clefts of the rocks. | 5. you who serve idols under every green tree and sacrifice children in the valleys, under the clefts of the rocks? |
| 6. Of the smooth [stones] of the valley is your portion; they, they are your lot; to them too you have poured out libations, offered up sacrifices; in the face of these shall I relent? | 6. Among the smooth rock of the valley is your portion; even there they are your lot; to them you have poured out drink offerings, you have brought offerings. Will My Memra repent for these things? |
| 7. On a high and lofty mountain you placed your couch; there too you went to slaughter sacrifices. | 7. Upon a high and lofty mountain you have set the place of your camping, and thither you went up to offer sacrifice. |
| 8. And behind the door and the doorpost you have directed your thoughts, for while with Me, you uncovered [us] and went up, you widened your couch and made for yourself [a covenant] with them; you loved their couch, you chose a place. | 8. Behind the door and the doorpost you have set the symbol of your idols; you resembled a woman who was beloved by her husband and strayed after strangers, you have made wide the place of your camping; and you have made a covenant for yourself with them, you have loved the place of their bedroom, you have chosen a place. |
| 9. And you brought a gift to the king with oil, and you increased your perfumes; and you sent your ambassadors far off, and you humbled them to the grave. | 9. When you performed the Law for yourself. you prospered in the kingdom, and when you multiplied for yourself deeds, your armies were many; you sent your messengers far off, and humbled the strong ones of the peoples to Sheol. |
| 10. With the length of your way you became wearied; you did not say, "Despair." The power of your hand you found; therefore, you were not stricken ill. | 10. In the length of your ways you promised to repent; you increased many possessions, and so you did not hope to repent. |
| 11. And whom did you dread and fear, that you failed, and you did not remember Me; you did not lay [Me] to your heart. Indeed, I am silent and from everlasting, but you do not fear Me. | 11. Whom did you dread and before whom fear, so that you continued to speak lies, and did not remember My service, did not lay My fear upon your heart? Have I not given you respite for a long time, that if you repented-and before Me you did not repent? |
| 12. **I tell your righteousness and your deeds**, and they shall not avail you. | 12. **I have told you that good deeds are virtues for you**, but you increased for yourself evil deeds which will not profit you. |
| 13. When you cry out, let your collections save you; wind shall carry all of them off, a breath shall take them, **but he who trusts in Me shall inherit the land and shall inherit My holy mount.** | 13. Cry out, if now the deeds of your deceit with which you were labouring from your childhood will deliver you! The wind will carry them all off, they will be for nothing. **But he who trusts in My Memra will possess the land, and will inherit My holy mountain.** |
| 14. **And he shall say, "Pave, pave, clear the way; remove the obstacles from the way of My people."** **{S}** | 14. **And he will say, "Teach, and exhort, turn the heart of the people to a correct way, remove the obstruction of the wicked from the way of the congregation of My people."**  **{S}** |
| 15. For so said the High and Exalted One, Who dwells to eternity, and His name is Holy, "With the lofty and the holy ones I dwell, and with the crushed and humble in spirit, to revive the spirit of the humble and to revive the heart of the crushed. | 15. For thus says the high and lofty One who dwells in the heavens, whose name is Holy; in the height He dwells, and His Shekhinah is holy. He promises to deliver the broken in heart and the humble of spirit, to establish the spirit of the humble, and to help the heart of the broken. |
| 16. For I will not contend forever, neither will I be wroth to eternity, when a spirit from before Me humbles itself, and souls [which] I have made. | 16. "For I will not so avenge forever, nor will my anger always be (so); for I am about to restore the spirits of the dead, and the breathing beings I have made. |
| 17. For the iniquity of his thievery I became wroth, and I smote him, I hid Myself and became wroth, for he went rebelliously in the way of his heart. | 17. Because of the sins of their mammon, which they robbed, My anger was upon them, I smote them, removed My Shekhinah from them and cast them out; I scattered their exiles because they went astray after the fantasy of their heart. |
| 18. **I saw his ways and I will heal him, and I will lead him and requite with consolations him and his mourners.** | 18. **The way of their repentance is disclosed before Me, and I will forgive them; I will have compassion on them and requite them with consolations, and those who mourn them.** |
| 19. **[I] create the speech of the lips; peace, peace to the far and to the near," says the Lord, "and I will heal him."** | 19. **The one who creates speech of lips in the mouth of every man says, Peace will be done for the righteous/ generous, who have kept My Law from the beginning, and peace will be done for the penitent, who have repented to My Law recently, says the LORD; and I will forgive them.** |
| 20. But the wicked are like the turbulent sea, for it cannot rest, and its waters cast up mud and dirt. | 20. But the wicked are like the tossing sea which seeks to rest and it cannot, and its waters disturb mire and dirt. |
| 21. "There is no peace," says my God, "for the wicked." **{P}** | 21. There is no peace, says my God, for the wicked."    **{P}** |
|   |   |

**Rashi’s Commentary on Yeshayahu (Isaiah) 56:1-9 + 57:19**

**Chapter 56**

**2** **who will do this** who observes the Sabbath, etc.

**3** **“The Lord will surely separate me from His people,”** Why should I become converted? Will not the Holy One, blessed be He, separate me from His people when He pays their reward.

**Let not the eunnuch say** Why should I better my ways and my deeds? I am like a withered tree, for lack of remembrance.

**4** **and hold fast** Heb. וּמַחֲזִיקִים, and hold fast.

**7** **for all peoples** **Not only for Israel, but also for the proselytes.**

**8** **I will yet gather** **of the heathens ([Mss. and K’li Paz:] of the nations) who will convert and join them.**

**together with his gathered ones** **In addition to the gathered ones of Israel.)**

**9** **All the beasts of the field** All the proselytes of the heathens ([Mss. and K’li Paz:] All the nations) come and draw near to Me, and you shall devour all the beasts in the forest, the mighty of the heathens ([Mss. and K’li Paz:] the mighty of the nations) who hardened their heart and refrained from converting.

**the beasts of the field** [The beast of the field is not as strong as the beast of the forest.] The beast of the field is weaker and of weaker strength than the beast of the forest. Since he stated, “I will yet gather others to him,” he stated this verse.

**10** **His lookouts are all blind** Since he said, “Seek the Lord,” and the entire section, and they do not heed, he returns and says, Behold the prophets cry out to them ([Mss.:] to you) and announce concerning repentance, so that it will be good for them. Yet their leaders are all like blind men, and they do not see the results, like a lookout appointed to see the approaching army, to warn the people, but he is blind, unable to see whether the army is coming, and dumb, unable to warn the people, like a dog that was appointed to guard the house, but he is dumb, unable to bark. Similarly, the leaders of Israel do not warn them to repent to do good.

**they lie slumbering** Heb. הֽזִים. Dunash (Teshuvoth Dunash p. 24) explained: lying sound asleep, and Jonathan rendered: lying slumbering, and there is no comparable word in Scripture.

**11** **And the dogs are of greedy disposition** wanting to fill their stomachs [engrote talent in O.F.], sick with hunger.

**and they are shepherds** Just as the dogs know no satiety, neither do the shepherds know to understand what will occur at the end of days.

**they all** turned to the way of their benefit, each one to his gain, to rob the rest of the people over whom they are appointed.

**every last one** Heb. מִקָּצֵהוּ, [lit. from its end.] Comp. (Gen. 19:4) “all the people from the end (מִקָּצֶה),” from one end of their number until its other end, they all behave in this manner.

**12** **Come, I will take wine** So would they say to one another.

**and tomorrow shall be like this** with feasting and drinking.

**Chapter 57**

**1** **The righteous man** such as Josiah.

**but no one takes it to heart** why he departed.

**with no one understanding** what the Holy One, blessed be He, saw to take him away.

**that because of the evil** destined to befall the generation, the righteous man perished.

**2** **He shall come in peace** for so says the Holy One, blessed be He, Let this righteous man come to his forefathers in peace, and let him not see the evil.

**they shall rest in their resting place** when the evil occurs, he who was walking נְכֽחוֹ, in his uprightness. Comp. (Amos 3:10) “To act rightly (נְכֽחָה).”

**3** **And you, draw near hither** The survivors after the righteous have departed, and receive your sentences.

**children of sorcery** Heb. בְּנֵי עֽנְנָה, children of sorcery.

**children who commit adultery** That the male commits adultery.

**and played the whore** the female.

**4** **On whom will you [rely to] enjoy yourselves** Since you have turned away from following Me, on whom will you rely to enjoy yourselves with good. Had you merited, you would then enjoy yourselves with the Lord, but now, on whom will you rely to enjoy yourselves?

**against whom do you open your mouth wide** when you scorned and mocked His prophets.

**5** **You who inflame yourselves among the terebinths** Who stimulate themselves with semen under the אֵלִים, they are the terebinth and the oak.

**who slaughter the children** for a sacrifice to the idols.

**clefts** Heb. סְעִפֵי, the clefts of the rocks. Comp. (Jud. 15:11) “to the cleft  (סְעִיף)of the rock.”

**6** **Of the smooth [stones] of the valley** [Lit. of the smooth ones of the valley, i.e.,] among the smooth stones that are in the valley.

**your portion** With them they will stone you.

**they, they are your lot** to be saddened with them. Why? For to them too you have poured out libations.

**in the face of these shall I relent** from doing harm to you?

**7** **you placed your couch** The couch of your adultery to idolatry on the high mountains.

**8** **And behind the door and the doorpost you have directed your thoughts** Since he compares her to an adulterous woman, for whom her paramours look and wait before the door of her house, while she, lying beside her husband, directs her heart and her thoughts to the door and the doorpost, how she will open the door and come out to them.

**for while with Me, you uncovered [us] and went up** You were lying beside Me, and you removed the cover with which we were covered together, and you went up from beside Me.

**you widened your couch** to accommodate many adulterers.

**and made for yourself** a covenant with them.

**you loved their couch** when you chose for yourself יָד, a place, to demonstrate to them your love.

**a place** Heb. יָד, aise or ajjse in O.F., a side. Comp. (II Sam. 14:30) “See Joab’s field is near mine (עַל יָדִי).”

**9** **And you brought a gift to the king with oil** Heb. וַתָּשֻׁרִי. Originally, I aggrandized you, and you would greet your king with all sorts of delights. וַתָּשֻׁרִי is an expression of an audience. Comp. (Num. 24:17) “I see him (אֲשׁוּרֶנוּ) but he is not near.” [Also] (I Sam. 9:7), “And there is no present (תְּשׁוּרָה) to bring,” [i.e.,] a gift for an audience.

**and you sent your ambassadors** Your messenger afar to collect tribute from the heathen kings. ([Manuscripts and K’li Paz read:] the kings of the nations.)

**and you humbled** the laws of the heathens (of the nations [Mss. and K’li Paz]) to the grave. Jonathan rendered it in this manner.

**10** **With the length of your way you became wearied** You engaged in your necessities, in the filling of your lust, to increase your wealth.

**you did not say, “Despair.”** I will despair of these and I will no longer care to engage in them, but I will pay my attention to Torah and precepts.

**The power of your hand you found** Heb. חַיַּת, the necessity of your hand you have found; you have succeeded in your deeds.

**therefore, you were not stricken ill** Your heart was not stricken ill to worry about My service, to engage in the Torah. חַיַּת is an Arabic word, meaning necessity.

**11** **And whom did you dread** Of whom were you afraid?

**that you failed** Heb. תְּכַזֵּבִי, that you ceased to worship Me and you betrayed Me. Comp. (infra 58: 11) “Whose water shall not fail (יְכַזְּבוּ).” Comp. also (Psalms 116:11) “Every man is a traitor (כּֽזֵב).” Falajjnc in O.F., to fail. Likewise, every expression of כָּזָב means one upon whom people rely, and he fails and betrays them.

**Indeed, I am silent** I kept silent in the face of many transgressions that you transgressed against Me.

**12** **I tell your righteousness** Constantly, I tell you things to do, so that you will be righteous.

**and your deeds** that you do against My will shall not avail you at the time of your distress.

**13** **When you cry out, let your collections save you** Let the collection of your idols and your graven images [and those who deny the Torah] that you collected, rise and save you when you cry out from your distress. Indeed, wind will carry all of them off, and they will not rise, neither will they be able to save.

**14** **And he shall say, “Pave, pave”** So will the prophet say in My name to My people, “Pave, pave a paved highway, clear away the evil inclination from your ways.”

**remove the obstacle**Remove the stones upon which your feet stumble; they are wicked thoughts.

**15** **“With the lofty and the holy ones”** I dwell, and thence I am with the crushed and the humble in spirit, upon whom I lower My Presence.

**humble...crushed** Suffering from poverty and illnesses.

**16** **For I will not contend forever** If I bring afflictions upon a person, My contention with him is not for a long time, neither is My anger forever.

**when a spirit from before Me humbles itself** Heb. יַעֲטוֹף. **When the spirit of man, which is from before Me, humbles itself, confesses and humbles itself because of its betrayal.** Comp. (Lam. 2:19) “humbled (הָעֲטוּפִים) with hunger,” “when the small child and the suckling are humbled (בֵּעָטֵף).” And the souls which I made.

**when a spirit from before Me** Heb. כִּי. This instance of the word כִּי is used as an expression of “when.” Comp. (infra 58:7) “When you see (כִּי תִרְאֶה) ”; (Deut. 26:1) “When you come (כִּי תָבוֹא).” That is to say, when his spirit is humbled, and he is humbled, I terminate My quarrel and My anger from upon him.

**17** **For the iniquity of his thievery** Heb. בִּצְעוֹ, his thievery.

**I became wroth** at the beginning and I smote him, always hiding My face from his distress and I was wroth for he went rebelliously in the way of his heart. Transpose the verse and explain it thus: For the iniquity of his thievery and the fact that he went rebelliously in the way of his heart, I became wroth and smote him.

**18** **I saw his ways** when he humbled himself before Me, when troubles befell him.

**and I will heal him, and I will lead him** Heb. וְאַנְחֵהוּ. I will lead him in the way of healing. Alternatively, וְאַנְחֵהוּ is an expression of rest and tranquility.

**him and his mourners** to those who are troubled over him.

**19** **[I] create the speech of the lips** **I create for him a new manner of speech. In contrast to the trouble that befell him, and everyone was degrading him, they will call, “Peace, peace.”**

**to the far and to the near** Both are equal; he who aged and was accustomed to My Torah and My worship from his youth, and he who drew near now, just recently to repent of his evil way. Said the Lord, “I will heal him of his malady and of his sins.”

**20** **But the wicked** who do not give a thought to repent.

**like the turbulent sea** This seaits waves raise themselves high and strive to go out of the boundary of sand that I made as a boundary for the sea, and when it reaches there, against its will it breaks. The next wave sees all this, yet does not turn back. Similarly, the wicked man sees his friend being punished for his wickedness; yet he does not turn back. Also, just as the sea has its mud and its offensive matter on its mouth, [i.e., on its surface,] so do the wicked have their offensive matter in their mouth; e.g., Pharaoh said, (Exodus 5:2) “Who is the Lord?” Sennacherib said (supra 36:20), “Who are they among all the Gods of the lands...?” Nebuchadnezzar said, (supra 14:14) “I will liken myself to the Most High.”

**like the turbulent sea** Like the sea, which is turbulent, that casts up all day mud and dirt.

**21** **There is no peace** In contrast to what he said to the righteous and the repentant, “Peace, peace to the far, etc.,” he returned and said, “There is no peace for the wicked.”

**Correlations**

**By: H.Em. Rabbi Dr. Hillel ben David**

**& H.H. Giberet Dr. Elisheba bat Sarah**

**Shemot (Exodus) 21:1 – 22:23**

**Yeshayahu (Isaiah) 56:1-9 + 57:19**

**Tehillim (Psalms) 58**

**Mk. 7:17-23, Acts 18:1-11**

 **The verbal tallies between the Torah and the Psalm are:**

Wife / Woman - אשה, Strong’s number 0802.

**The verbal tallies between the Torah and the Ashlamata are:**

Judgments - משׁפט, Strong’s number 04941.

Servent - עבד, Strong’s number 05650.

**Shemot (Exodus) 21:1** Now these are the **judgments <04941>** which thou shalt set before them.

2 If thou buy an Hebrew **servant <05650>**, six years he shall serve: and in the seventh he shall go out free for nothing.

3 If he came in by himself, he shall go out by himself: if he were married, then his **wife <0802>** shall go out with him.

**Tehillim (Psalms) 58:8** As a snail which melteth, let every one of them pass away: like the untimely birth of a **woman <0802>**, that they may not see the sun.

**Yeshayahu (Isaiah) 56:1** Thus saith the LORD, Keep ye **judgment <04941>**, and do justice: for my salvation is near to come, and my righteousness to be revealed.

**Yeshayahu (Isaiah) 56:6** Also the sons of the stranger, that join themselves to the LORD, to serve him, and to love the name of the LORD, to be his **servants <05650>**, every one that keepeth the sabbath from polluting it, and taketh hold of my covenant;

**Hebrew:**

| **Hebrew** | **English** | **Torah Reading****Ex. 21:1 – 22:23** | **Psalms****58:1-12** | **Ashlamatah****Is 56:1-9 + 57:19** |
| --- | --- | --- | --- | --- |
| **~d'a'** | men |  | Ps. 58:1Ps. 58:11 | Isa. 56:2 |
| **bhea'** | love | Exod. 21:5 |  | Isa. 56:6 |
| **!z<ao** | ear | Exod. 21:6 | Ps. 58:4 |  |
| **%a;** | however, surely | Exo 21:21 | Ps. 58:11 |  |
| **lk;a'** | eaten, consumed | Exod. 21:28Exod. 22:6 |  | Isa. 56:9 |
| **~yhil{a/** | God | Exod. 21:6Exod. 21:13Exod. 22:8Exod. 22:9Exod. 22:20 | Ps. 58:6Ps. 58:11 |  |
| **rm;a'** | says, said | Exod. 21:5Exod. 22:9 | Ps. 58:11 | Isa. 56:1Isa. 56:3Isa. 56:4Isa. 57:19 |
| **#r,a,** | land, earth, ground, country | Exod. 22:21 | Ps. 58:2Ps. 58:11 |  |
| **hV'ai** | woman, wife | Exod. 21:3Exod. 21:4Exod. 21:5Exod. 21:22Exod. 21:28Exod. 21:29Exod. 22:16 | Ps. 58:8 |  |
| **rv,a]** | which, who, that, whom | Exod. 21:1Exod. 21:8Exod. 21:13Exod. 21:30Exod. 22:9Exod. 22:16 | Ps. 58:5 | Isa. 56:4Isa. 56:5 |
| **aAB** | come, go | Exod. 21:3Exod. 22:9Exod. 22:13Exod. 22:15 |  | Isa. 56:1Isa. 56:7 |
| **tyIB;** | house | Exod. 22:7Exod. 22:8 |  | Isa. 56:5Isa. 56:7 |
| **!Be** | sons | Exod. 21:4Exod. 21:5Exod. 21:9Exod. 21:31 | Ps. 58:1 | Isa. 56:2Isa. 56:3Isa. 56:5Isa. 56:6 |
| **tB;** | daughters | Exod. 21:4Exod. 21:7Exod. 21:9Exod. 21:31 |  | Isa. 56:5 |
| **~D'** | Blood-guiltiness, blood | Exod. 22:2Exod. 22:3 | Ps. 58:10 |  |
| **%l;h'** | around, run off, goes | Exod. 21:19 | Ps. 58:7Ps. 58:8 |  |
| **dy"** | hand | Exod. 21:13Exod. 21:16Exod. 21:20Exod. 21:24Exod. 22:4Exod. 22:8Exod. 22:11 | Ps. 58:2 | Isa. 56:2Isa. 56:5 |
| **hwhy** | LORD | Exod. 22:11Exod. 22:20 | Ps. 58:6 | Isa. 56:1Isa. 56:3Isa. 56:4Isa. 56:6Isa. 56:8Isa. 57:19 |
| **yKi** | if, that, for, when | Exod. 21:2Exod. 21:7Exod. 21:14Exod. 21:18Exod. 21:20Exod. 21:22Exod. 21:26Exod. 21:28Exod. 21:33Exod. 21:35Exod. 22:1Exod. 22:5Exod. 22:6Exod. 22:7Exod. 22:10Exod. 22:14Exod. 22:16 | Ps. 58:10 |  |
| **lKo** | whatever, any, whoever, | Exod. 21:30Exod. 22:9Exod. 22:10Exod. 22:19Exod. 22:22 |  | Isa. 56:2Isa. 56:6Isa. 56:7Isa. 56:9 |
| **x;Bez>mi** | altar | Exod. 21:14 |  | Isa. 56:7 |
| **!mi** | whether, than | Exod. 22:4 |  | Isa. 56:5 |
| **jP'v.mi** | ordinances, judgments | Exod. 21:1Exod. 21:9Exod. 21:31 |  | Isa. 56:1 |
| **!t;n"** | gives, given, set | Exod. 21:4Exod. 21:19Exod. 21:22Exod. 21:23Exod. 21:30Exod. 21:32Exod. 22:7Exod. 22:10Exod. 22:17 |  | Isa. 56:5 |
| **db,[,** | slave, servant | Exod. 21:2Exod. 21:5Exod. 21:7Exod. 21:20Exod. 21:26Exod. 21:27Exod. 21:32 |  | Isa. 56:6 |
| **~l'A[** | permanently, everlasting | Exod. 21:6 |  | Isa. 56:5 |
| **ap'r'** | take care, heal | Exod. 21:19 |  | Isa. 57:19 |
| **xm;f'** | rejoice, be glad |  | Ps. 58:10 | Isa. 56:7 |
| **[m;v'** | hear | Exod. 22:23 | Ps. 58:5 |  |
| **rm;v'** | confine, keep, preserve | Exod. 21:29Exod. 21:36Exod. 22:7Exod. 22:10 |  | Isa. 56:1Isa. 56:2Isa. 56:4Isa. 56:6 |
| **vm,v,** | sun | Exod. 22:3 | Ps. 58:8 |  |
| **!ve** | tooth | Exod. 21:24Exod. 21:27 | Ps. 58:6 |  |
| **yx;** | live, alive, the green | Exod. 21:35Exod. 22:4 | Ps. 58:9 |  |
| **~[;** | people | Exod. 21:8 |  | Isa. 56:3Isa. 56:7 |
| **hf'['** | deal, do, did, make | Exod. 21:9Exod. 21:11Exod. 21:31 |  | Isa. 56:1Isa. 56:2 |
| **[r'** | displeasing, evil | Exod. 21:8 |  | Isa. 56:2 |

**Greek:**

| **GREEK** | **ENGLISH** | **Torah Reading****Ex. 21:1 – 22:23** | **Psalms****58:1-12** | **Ashlamatah****Is 56:1-9 + 57:19** | **Peshat****Mishnah of Mark,****1-2 Peter, & Jude****Mk 7:17-23** | **Remes/Gemara of****Acts/Romans****and James****Acts 18:1-11** |
| --- | --- | --- | --- | --- | --- | --- |
| αἷμα | blood |  | Psa 58:10 |  |  | Acts 18:6 |
| ἀκούω | listen, heard |  |  |  |  | Acts 18:8 |
| ἄνθρωπος | man, men | Exo 21:19Exo 22:7 | Psa 58:1Psa 58:11 | Isa 56:2 | Mk. 7:18Mk. 7:20Mk. 7:21Mk. 7:23 |  |
| γυνή | woman, wife,women | Exo 21:3Exo 21:4Exo 21:5Exo 21:22Exo 21:28Exo 21:29Exo 22:16Exo 22:17 |  |  |  | Acts 18:2 |
| διαμαρτύρομαι | testify | Exo 21:29Exo 21:36 |  |  |  | Acts 18:5 |
| δίδωμι | give, given | Exod. 21:4Exod. 21:19Exod. 21:22Exod. 21:23Exod. 21:30Exod. 21:32Exod. 22:7Exod. 22:10Exod. 22:17 |  | Isa. 56:5 |  |  |
| δόλος | treachery,deceit | Exo 21:14 |  |  | Mk. 7:22 |  |
| ἔθνος | nations | Exo 21:8 |  | Isa 56:7 |  | Acts 18:6 |
| εἰσέρχομαι | enter | Exo 20:21Exo 21:3 |  |  | Mk. 7:17 |  |
| ἕξ | six | Exo 21:2 |  |  |  | Acts 18:11 |
| ἐπιτίθημι | set against,attack | Exo 21:14 |  |  |  | Acts 18:10 |
| ἔπω | said,say | Exo 21:5 |  | Isa 56:8 |  | Act 18:6Act 18:9 |
| ἐργάζομαι | worked, work |  | Psa 58:2 |  |  | Act 18:3 |
| ἔρχομαι | came, come | Exo 22:9 |  |  |  | Acts 18:1Acts 18:2Acts 18:7 |
| εὑρίσκω | find, found | Exo 21:17Exo 22:2Exo 22:4Exo 22:6Exo 22:7Exo 22:8 |  |  |  | Acts 18:2 |
| θεός | God | Exod. 21:6Exod. 21:13Exod. 22:8Exod. 22:9Exod. 22:20 | Ps. 58:6Ps. 58:11 |  |  | Acts 18:7Acts 18:11 |
| ἱμάτιον | cloaks, garments | Exo 22:9 |  |  |  | Acts 18:6 |
| κακόω | maltreat, harm | Exo 22:21Exo 22:22Exo 22:23 |  |  |  | Acts 18:10 |
| καρδία | heart |  | Psa 58:2 |  | Mk. 7:19Mk. 7:21 |  |
| κατά | according to | Exo 21:9Exo 21:31Exo 22:5Exo 22:9Exo 22:17 | Psa 58:4 |  |  | Act 18:4 |
| κύριος | LORD | Exod. 22:11Exod. 22:20 | Ps. 58:6 | Isa. 56:1Isa. 56:3Isa. 56:4Isa. 56:6Isa. 56:8Isa. 57:19 |  | Acts 18:8Acts 18:9 |
| λαλέω | speak, say |  | Psa 58:1Psa 58:3 |  |  | Acts 18:9 |
| λαός | people |  |  | Isa 56:3 |  | Acts 18:10 |
| λέγω | says, say |  |  | Isa 56:1Isa 56:3 | Mk. 7:18Mk. 7:20 | Acts 18:6Acts 18:9 |
| οἰκία | house | Exo 22:7Exo 22:8 |  |  |  | Acts 18:7 |
| οἶκος | houses |  |  | Isa 56:5Isa 56:7 | Mk. 7:17 | Acts 18:8 |
| ὅλος | all | Exo 22:8 |  |  |  | Acts 18:8 |
| ὄνομα | name |  |  | Isa 56:5Isa 56:7 |  | Acts 18:2Acts 18:7 |
| ὅς / ἥ / ὅ | who, whichwhom | Exod. 21:1Exod. 21:8Exod. 21:13Exod. 21:30Exod. 22:9Exod. 22:16 | Ps. 58:5 | Isa. 56:4Isa. 56:5 |  | Acts 18:7 |
| ὀφθαλμός | eye | Exo 21:24Exo 21:26 |  |  | Mk. 7:22 |  |
| πᾶς | all, whole,entire, every | Exod. 21:30Exod. 22:9Exod. 22:10Exod. 22:19Exod. 22:22 |  | Isa. 56:2Isa. 56:6Isa. 56:7Isa. 56:9 | Mk. 7:18Mk. 7:19Mk. 7:23 | Acts 18:2Acts 18:4 |
| πατήρ | father | Exo 21:15 Exo 21:16 Exo 22:17 |  |  |  |  |
| προσέρχομαι | forward, came | Exo 22:8 |  |  |  | Acts 18:2 |
| σάββατον | Sabbath |  |  | Isa 56:2Isa 56:4 Isa 56:6 |  | Acts 18:4 |
| συναγωγή | congregation,synagogue |  |  | Isa 56:8 |  | Acts 18:4Acts 18:7 |
| υἱός | sons | Exod. 21:4Exod. 21:5Exod. 21:9Exod. 21:31 | Ps. 58:1 | Isa. 56:2Isa. 56:3Isa. 56:5Isa. 56:6 |  |  |
| φόνος | murder | Exo 22:2 |  |  | Mk. 7:21 |  |

**Nazarean Talmud**

**Sidra of Shmot (Ex.) Ex 21:1–27**

**“V’Eleh HaMishpatim” “And these are the judgments”**

**By: H. Em Rabbi Dr. Eliyahu ben Abraham &**

**H. Em.Hakham Dr. Yosef ben Haggai**

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| **Hakham Tsefet’s School of Peshat****Mordechai (Mk) 7:17-23****Mishnah א:א**  |
| **And when he entered the house away from the congregation, his talmidim asked him about the riddle. And he said to them, “So are you having trouble accepting[[58]](#footnote-58) what I said? Do you not accept that not everything that is outside that goes into a person can defile him? For it does not enter his heart[[59]](#footnote-59) but into his stomach, and is expelled.” And he said, “What comes out of a person, that defiles a person. For from within, from the heart of people, come evil plans, sexual immoralities, thefts, murders, adulteries***,* acts of**greed, malicious** deeds**, deceit, licentiousness,** envy**, Lashon HaRa** (abusive speech)**, pride,** and **foolishness. All these evil** *things***come from within and defile a person.”**  |

|  |
| --- |
| **Hakham Shaul’s School of Remes****2 Luqas (Acts) 18:1 - 11**Mishnah **א:א** |
| **After this he (**Hakham Shaul) **departed from Athens[[60]](#footnote-60)** and **went to Corinth.[[61]](#footnote-61) And he found a certain Jew named Aquila,[[62]](#footnote-62) a native of Pontus[[63]](#footnote-63) who had come recently from Italy along with Priscilla[[64]](#footnote-64) his wife, because Claudius had ordered all the Jews to depart from Rome,** and **he** Hakham Shaul **went** to see **them. And because** he **was practicing the same trade, he stayed with them and worked, for they were making tallits by trade. And he engaged in dialogue with both Jews and Hellenists in the Synagogue every Sabbath, attempting to persuade** them to be faithfully obedient to Master’s Mesorah**.[[65]](#footnote-65) Now when both Hillel** (Luke/Silas) **and Timothy came down from Macedonia, Hakham Shaul began to** work on **assembling the Mesorah** of the Master**,** and he  **proclaimed to the Jews** that **Yeshua was the Messiah. And** when **some of them resisted and opposed** him**, he shook out** his **clothes** and **said to them, “You are responsible for your decision![[66]](#footnote-66) I** am **innocent! From now on I will go to the Gentiles!”** **And leaving there, he entered into the house of someone named Titius Justus, a worshiper of God whose house was next door to the Synagogue. And Crispus,[[67]](#footnote-67) the ruler of the Synagogue, believed in the Master** to be the Messiah **together with his whole household. And many of the Corinthians,** when they **heard about** it, **believed and were immersed** with the immersion of conversion**. And the Master said to Hakham Shaul by a vision, “Do not be afraid, but speak and do not keep silent, because I am with you and no one will lay** a hand on **you to harm you, because many people are mine in this city.” So he stayed a year and six months, teaching the word** (Torah/Mesorah) **of God among them.** |

**Nazarean Codicil to be read in conjunction with the following Torah Seder**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **\*Ex 21:1-27 – 22:23** | **Psa. 57:1-6** | **Is 56:1-9 + 57:19** | **Mk 7:17-23** | **Acts 18:1-23** |

**Commentary to Hakham Tsefet’s School of Peshat**

**not everything that is outside that goes into a person can defile him**

Rashi’s comments on the first verse of the Torah Seder read…

**that you shall set before them** - The Holy One, blessed is He, said to Moses: Do not think of saying, “I will teach them the chapter or the law [both terms seemingly refer to the Oral Torah] two or three times until they know it well, as it was taught, but I will not trouble myself to enable them to understand the reasons for the matter and its explanation.” Therefore, it is said: “**you will set before them,” like a table,** set [with food] **and prepared to eat from,** [placed] **before someone**. - [From Mechilta, Eruvin 54b]

Understanding the eternality of the Oral and Written Torah we realize that certain ideas are parallel and eternal. Thus, when a Rabbi approaches a Torah Seder and or a Sidrah he will often think like other Rabbis. Here we are suggesting that Yeshua and Hakham Tsefet see the verses as Rashi has reported, “**you will set before them,” like a table**.” Consequently, Yeshua relates the present Torah Seder with food in a non-literal way.

However, Yeshua also knows what the Ramban has purported in that he must “set the orders of judgments which you will order before them” means the Judges and Hakhamim.[[68]](#footnote-68) Therefore, he sets the “judgments” before his talmidim as a “**prepared table**.”

“An eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot.” (Sh’mot 21:24)

The “riddle” of the Master is superficially hard to see if we do not pay close attention to what and how the Master relates his teachings by means of the Torah Seder.

We have cited a text from the Torah that **cannot** be taken literally (“An eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot.”) (Sh’mot 21:24). G-d is by no means asking for someone to have their eye put out because an accident happened. The Targum makes the point very clear.

The **value** of an eye for an eye, the **value** of a tooth for a tooth, the **value** of a hand for a hand, the **value** of a foot for a foot…[[69]](#footnote-69)

Unfortunately, most scholars want to make this Marqan pericope about “food” literally rather than finding that the what the Master is speaking about is weighing a literal matter against spiritual truth. “**Do you not accept that not everything that is outside that goes into a person can defile him? For it does not enter his heart**… **All these evil** *things***come from within and render a person unfit** (unclean)**.”[[70]](#footnote-70)** It is not food that makes a man’s **soul** “unfit.” False doctrines, teachings and legal rulings render souls unfit for spiritual service. Thus, the idea of food is not relevant. Yeshua is relating the passages of Ezekiel and the prophets to his congregation. "**Moreover, I will give you a new heart** (mind) **and put a new spirit within you**; and I will remove the heart of stone from your flesh and give you a heart of flesh. And I will put my spirit within you, and cause you to walk in my statutes, and ye will keep my judgments, and do *them*.”[[71]](#footnote-71) “**But this will be the covenant that I will make with the house of Israel; After those days, says the Lord, I will put** (give) **my Torah in their inward parts, and write it on their hearts; and will be their God, and they will be My people.”** [[72]](#footnote-72)

Yisrael will follow G-d’s decrees, judgments and guard His Social Laws when their heart is a heart of flesh not a heart of stone. Consequently, we can see that the “Kingdom” (governance of G-d through the Bate Din and Hakhamim) and the Torah/Nomos are so intertwined that they are inseparable. One of the primary purposes of (Torah) halakhah is to produce a specific social order. Neusner understands that G-d has called Yisrael “Adam” as taught by Yechezkel HaNavi (The Prophet Ezekiel). Adam HaRishon (the First Adam) is the first creature to communicate the words of the Divine by capturing the spiritual essence of the creatures and calling them by name. This process is that of marrying the temporal world to the eternal dimension of the “ever coming” world. This process is captured in the Greek word “Nomos” and the Hebrew word “Dabar.” The world of Adam and Chava, Eden was not only supposed to be strictly a “garden paradise.” Eden was supposed to be a “social paradise.” The nomos – Torah of the universe was built to support a specific social order. The agents of G-d – the intermediaries are situated and empowered to maintain this type of societal structure. Therefore, when society runs contrary to the predetermined social order of the nomos – Torah, the intermediaries work to reestablish that environ.

Adam’s sin finds its antidote in the Torah, which, the sages maintain, is given to purify the heart of humanity. By keeping the Torah, humanity learns to accept God’s will, so to overcome the natural propensity to rebel. When humanity, in full freedom of will, accepts God’s commandments, beginning with “You will love the Lord your God with all your heart, with all your soul, and with all your might” (Deut. 6:5), then humanity regains Eden.[[73]](#footnote-73)

Eden was designed to be a societal structure where humanity freely accepted and delighted in the will of G-d as the normative way of life. Because Eden was designed to be a societal structure as well as a paradise we are able, through the Oral Torah to recreate that communal organization and paradise. Not only are we able to recreate this state of being, this is our "mission" in life. Therefore, regardless of ethnicity the Oral Torah must be accepted to be a part of the Perfected Community.

Yermi'yahu 31:33 I will put My law (Torah) **in their minds**, and **write it on their hearts**; and I will be their God, and they will be My people. 34 "No more will every man teach his neighbor, and every man his brother, saying, Know the LORD, **for they all will know Me**, from the least of them to the greatest of them, says the LORD. For I will forgive their iniquity, and their sin I will remember no more."

How does the "heart of stone" become a heart of flesh? The answer is found in the cited Biblical verses. "I will put My law in their minds, and write it on their hearts," "I will give you a new heart and put a new spirit within you; I will take the heart of stone out of your flesh and give you a heart of flesh. "I will put My spirit within you and cause you to walk in My statutes, and you will keep My judgments and do them."

The placement of the Torah/Nomos within the heart makes us consciously aware of G-d's will. Application of Hillel's 4th hermeneutic rule brings us to a powerful truth. **Binyan ab mi-shene ketubim:** The same as the preceding, (**Binyan ab mi-katub eḥad:** Application of a provision found in one passage only to passages which are related to the first in content but do not contain the provision in question) except that the provision is generalized from two Biblical passages. From these two sets of passages we determine that the "Torah" is what is placed in the heart. However, Yechezkel does not say that the Torah is placed in the heart. What Yechezkel's words tell us that G-d places the "spirit" **within our hearts**. Furthermore, Yechezkel shows that the "spirit" causes us to keep the statutes and the judgments. So, what is it that G-d places in the heart or within the Jewish people to cause them to keep the Torah? Is it the Torah or the spirit? For the answer, we again turn to hermeneutics. Rabbi Ishmael b. Elisha's 13th hermeneutic rule is "**When two Biblical passages contradict each other** the contradiction in question must be solved by reference to a third passage.

Job 27:3 If my breath (Ruach) is in me, And the breath (Ruach) of God in my nostrils,

This third passage, solves the problem of "Ruach/Spirit." Therefore, we deduce from the hermeneutic principles that the "Spirit" is the Oral "breathed" Torah. The Oral Torah (Spirit Torah/Breathed Torah) is also Prophecy.

**Commentary to Hakham Shaul’s School of Remes**

We have stated on so many occasions that the genius of Hakham Tsefet and his Talmid Hakham Shaul is that of masterful and sly rhetoric that it is certain to make the readers become tired of reading it. Yet, it stands that in each pericope these two Hakhamim have used great skill and wisdom to shape their materials. It is therefore, the work of the true talmid to thresh out the text until he finds those gems left behind by these two Torah giants.

Reading the present pericope of Hakham Shaul we see that G-d in His great providence uses pawns like Claudius to make decrees spreading the Jewish population further into diaspora for the sake of the Mesorah. As we settle into complacency, G-d gracefully shakes things up so that we will not grow lackadaisical.

**Prayer and Hakham Shaul**

Why does Hakham Shaul make the statement to the Thessalonians “**pray without ceasing**?” Perhaps Hakham Shaul was making a personal commercial for his craft. While we realize in all honesty that Hakham Shaul would have not practiced such depraved methods to find work, we will look at that statement to better understand the present pericope.

The subtle reference to prayer in the Remes portion is found in the craft of Hakham Shaul along with his new acquaintances Aquila, along with Priscilla his wife. They were tent makers. What possible use could the Corinthians in their grand city of marble have for “small portable tents, of leather or cloth of goat’s hair or linen, for the use of travelers?”[[74]](#footnote-74) However, we are amazed at the wisdom of Hakham Shaul in making this statement concerning his craft causing us to think of the Sukkot season. As we have mentioned in the footnotes above, Hakham Shaul, Aquila, along with his wife Priscilla made tallits. Why would there be need for this craft everywhere Hakham Shaul went? Perhaps it had something to do with the fact that he was rescuing the Jewish souls of those lost in the diaspora. When they would embrace the Mesorah, they most certainly would have need of a tallit.

**Remes and the σκηνοποιός – *skenopoios***

 **Σκηνόω** – *skenoo* means “tent” but is seldom used of real tents: it is used in a cultic sense usually in the plural. The normal use is the transfer from one body dead or alive to another state. It is also used as a Remes term for the human body.[[75]](#footnote-75) However Koine Greek is a Hebraic bastardization of the Greek language of the time, and **Σκηνόω** – *skenoo* must be allied to the Hebrew word SHAKAN (to dwell/tabernacle), from where words such as Mishkan (Tabernacle) and Shekhinah (G-d’s tabernacling Presence) are derived.

The Remes application for these thoughts concerning tallits then becomes very interesting. As noted above Hakham Shaul was in the business of hunting lost Jewish souls. We cannot remark further on the So’od application that can be drawn from this point. Yet the Remes is able to show what Hakham Shaul’s true occupation was. While we believe that he most literally made tallits, we must look beyond Peshat to see the beauty of his craft. Hakham Yochanan, who ascended Har Tz’fat with Hakham Tsefet and Hakham Ya’aqob tells us that the Torah came and **σκηνόω** – *skenoo* (Hebrew: Shakan) dwelt with us.[[76]](#footnote-76) In Remes terms, this means that the body is viewed as a “tent” or “tabernacle.” This is a subtle reference to our Torah Seder and the construction of the Mishkan (Tabernacle). Hakham Shaul was a “mighty hunter before the Lord” [[77]](#footnote-77) as was Abraham. In Peshat terms, Hakham Shaul was making tallits for those whom he had rescued as mentioned above. Placing a fresh Jewish Soul (Nefesh Yehudi) into a **σκηνόω** – *skenoo,* “tabernacle” and in the words of Hakham Tsefet making them “**stand**.”

How is the idea of making tallits associated with the idea of “making the talmidim stand”?

B’midbar (Num.) **15:38-39 Speak unto the B’ne Yisrael, and teach them to make them fringes in the borders of their garments throughout all their generations, and teach them to put a fringe on the borders a thread of blue: 39 And it will be to you for a fringe, so that you will look on it, and remember all the commandments of the Lord, and do them; and that you will not seek after your own heart and your own eyes.**

Teach them to place a fringe of blue on the corner of their garments i.e. tallitot. The Tallit represents education in the mitzvoth and prayer. The combined thought is that those who learn to wear the tallit understand that the purpose for wearing the garment is a means of talmud Torah (study of Torah). Again, we understand that the tallit is like the Keri’at Shema in that it represents the organic whole of Torah education and life. In other words, learning to wear the tallit is to learn All the mitzvoth and All the Prayers. Following the lead of Hakham Tsefet, we understand that the lackadaisical practices of not wearing the tallit are equated with not learning All the prayers and or the mitzvoth. The Nefesh Yehudi must have a **σκηνόω** – *skenoo* tent/tabernacle.

This follows the Remes pursuit of talmud Torah (the Mesorah). Tucked away stealthily in the Remes pericope is a profound statement.

**“Now when both Hillel** (Luke/Silas) **and Timothy came down from Macedonia, Hakham Shaul began to** work on **assembling the Mesorah** of the Master**,** and he **proclaimed to the Jews** that **Yeshua was the Messiah.”**

What “tent” is Hakham Shaul making for his talmidim to wear? It is a simple “tallit”? Or, does the Remes statement allude (hint) to something other than a Peshat tallit? The preoccupation of Hakham Shaul with the “assembly” of the Mesorah unravels the enigma. Hillel and Titus finally join Hakham Shaul. They find him “preoccupied” with the Mesorah (Oral Torah).

Hakham Shaul clearly believed in the words of the Mesorah.

**m. Sanherdin 10:1** All Israel has a share in the world to come, as it is written, *Your people also will be all righteous/generous, they will inherit the land forever; the branch of My planting, the work of My hands, that I may be glorified* (Is. 60:21).

He believed this so much that he cites this Mesorah.

**Rom. 11:26 And so all Israel will be saved** (have their share in the world to come): **as it is written, There will come a Branch the Deliverer from Tz’ion, and will turn away ungodliness from Ya’aqob:**

Hakham Shaul’s occupation with the Mesorah was the craft of covering souls (Nefesh Yehudi) with the **σκηνόω** – *skenoo* tent/tabernacle of the Mesorah. Hakham Shaul was preoccupied with covering, clothing souls in the Oral Torah. By using the **Yad HaChazaqáh** – the Mighty hand [of G-d] (i.e. Maimonides’ Mishneh Torah) he elevated those souls and “made them stand!”

**Questions for Reflection**

1. From all the readings for this Shabbat which statement touched your heart and fired your imagination?
2. In your opinion, and taking into consideration all the above readings for this Shabbat, what is the prophetic message (the idea that encapsulates all the Scripture passages read) for this week?

**Blessing After Torah Study**

**Barúch Atáh Adonai, Elohénu Meléch HaOlám,**

**Ashér Natán Lánu Torát Emét, V'Chayéi Olám Natá B'Tochénu.**

**Barúch Atáh Adonái, Notén HaToráh. Amen!**

**Blessed is Ha-Shem our God, King of the universe,**

**Who has given us a teaching of truth, implanting within us eternal life.**

**Blessed is Ha-Shem, Giver of the Torah. Amen!**

**“Now unto Him who is able to preserve you faultless, and spotless, and to establish you without a blemish, before His majesty, with joy, [namely,] the only one God, our Deliverer, by means of Yeshua the Messiah our Master, be praise, and dominion, and honor, and majesty, both now and in all ages. Amen!”**

**Next Shabbat:**

**Intermediate Shabbat of Chanukah**

**Coming Festival: Chanukah**

**Saturday Evening 24th of December – Sunday Evening January the 1st**

**For further information please see:**

<http://www.betemunah.org/connection.html> ; <http://www.betemunah.org/chanukah.html> ;

<http://www.betemunah.org/lights.html>



Hakham Dr. Yosef ben Haggai

Rabbi Dr. Hillel ben David

Rabbi Dr. Eliyahu ben Abraham

1. based on the narrative of Shmuel alef (I Samuel) 24. [↑](#footnote-ref-1)
2. Midrash Shocher Tov [↑](#footnote-ref-2)
3. Yerushalmi Sotah 1:8 [↑](#footnote-ref-3)
4. Shmuel alef (I Samuel) 26:3 [↑](#footnote-ref-4)
5. Nachash stems from the root that means “shining whisperer”, “shining enchanter.” In Shemot (Exodus) 7:9-15 the nachash is parallel to the tanin, the sea creature of Bereshit (Genesis) 1:21 and also related to the Livayatan of Yeshayahu 27:1. [↑](#footnote-ref-5)
6. It is well known that the Hebrew word nachash is related to every other occurance of that same word. [↑](#footnote-ref-6)
7. No serpent, no animal of any kind, is called Satan, or Beelzebub, or Devil, in the Torah. [↑](#footnote-ref-7)
8. The serpent was cursed that it would need to crawl on its belly, Bereshit (Genesis) 3:14. Rashi infers that it had legs which were amputated. The higher the position the greater is the fall, and this applies to the serpent, who not only was the chief of all animals, but walked upright like man, and when it fell it sank into the reptile species. - Bereshit Rabbah pg 54 [↑](#footnote-ref-8)
9. See Yalkut Shimoni Yeshayahu chapter 65 *remez*509, where G-d is cited as saying to the serpent, “I created you to stand on two feet like man…but you wanted to kill him in order to marry Eve. See Bereshit Rabbah 19:1: NOW THE SERPENT WAS MORE SUBTLE THAN ANY BEAST OF THE FIELD. R. Hoshaya the Elder said: He stood out distinguished [erect] like a reed, and he had feet. R. Jeremiah b. Eleazar said: He was an unbeliever. [↑](#footnote-ref-9)
10. Pirkei Rabbi Eliezer; Zohar 1:35 [↑](#footnote-ref-10)
11. It was taught in R. Meir’s name : According to the greatness of the serpent so was his downfall : because he was More subtle than all, he was More cursed than all – Bereshit Rabbah Genesis 14. [↑](#footnote-ref-11)
12. Bereshit (Genesis) 3:14 [↑](#footnote-ref-12)
13. The same interpretative expansion of Genesis 3:14 appears in Midrash Bereshit Rabbah 19:1. [↑](#footnote-ref-13)
14. Bereshit Rabbah 7:5 [↑](#footnote-ref-14)
15. All the days of your life, i.e. as long as the species of serpents will remain on earth (Radak). Including the days of the Messiah. This curse will never be removed. Even in Messianic times [when *‘the wolf and the lamb shall eat together, and the lion shall eat straw like the ox’*] ‘the serpent’s food shall be dust’ [Isaiah 65:25] (Malbim). [↑](#footnote-ref-15)
16. In this heel generation we are susceptible to being bitten by the serpent. We are the generation that is most at risk from the serpent. There is a danger of “you shall bruise the heel.” In the final generations of the exile the Jewish nation resembles Adam HaRishon, and the culmination of the exile is his heel. The danger exists that the serpent will bite Adam’s heel. [↑](#footnote-ref-16)
17. Ramchal - Moshe Chaim Luzzatto (1707 in Padua – 16 May 1746 in Acre (26 Iyar 5506)), also known by the Hebrew acronym RaMCHaL (or RaMHaL, רמח”ל), was a prominent Italian Jewish rabbi, kabbalist, and philosopher. [↑](#footnote-ref-17)
18. At times, the equivalence denotes that the two sides of the equality are like arch-enemies or arch-rivals. The positive and holy side of the equality is responsible and has the power to rectify the negative side. [↑](#footnote-ref-18)
19. Mashiach ben David [↑](#footnote-ref-19)
20. *Zohar Vaera,* Tikkun 21-9: When the evil Snake will be removed from the world, the Holy snake, which is the Vav and Zeir Anpin, will rule. [↑](#footnote-ref-20)
21. By Rabbi Yitzchak Ginsburgh [↑](#footnote-ref-21)
22. Rashi quotes, and the families of scribes — Soferim — which dwelt at Jabez; I Chron. II, 55. The term is generally applied to the band of Scholars from the Babylonian exile, who propagated the knowledge of the Torah and interpreted it. [↑](#footnote-ref-22)
23. To safeguard the correctness of the text. Soferim is taken in the original sense of its root safar, ‘to count’. [↑](#footnote-ref-23)
24. Whatsoever goeth upon the belly — Leviticus 11:42. [↑](#footnote-ref-24)
25. Leviticus 10:16: And Moses diligently enquired after — darosh darash — the goat of the sin-offering. [↑](#footnote-ref-25)
26. Leviticus 13:33: we-hithggalah, then he shall be shaven. [In M.T. the words ‘he placed on him’ (Lev. VIII, 8) is given as the middle verse.] [↑](#footnote-ref-26)
27. Psalm 80:14. [↑](#footnote-ref-27)
28. It is not stated whether letters or words are meant: S. Strashun observes that he counted the words, and found that the first half exceeds the second by nearly 2,000; hence the reference is to letters, and there is such a reading too. [↑](#footnote-ref-28)
29. Psalm 78:38. [↑](#footnote-ref-29)
30. The letter *vav* of the word *gachon* represents the midpoint *of the letters* of the Torah scroll. While most of the letters of the Torah are written in the standard script, he says, there are certain letters that are different. Some are written in an unusual fashion, while others are bigger or smaller than the standard letters of the Torah. If one were to count all the small and large letters in a standard Torah scroll, one would find that there are 16 or 17 of these letters (depending on whether we count the truncated *vav* in Numbers 25:12.) Of these, the ninth, i.e., the middle one, is the *vav* of *gachon*. In other words, the Talmud was not referring to the *vav* of *gachon* as the middle of all the letters of the Torah scroll; rather, it was referring to it as the middle of all the unusually large and small letters in the Torah scroll. [↑](#footnote-ref-30)
31. The middle letter of the book of Psalms is: Tehillim (Psalms) 80:14: The boar out of the forest doth ravage it, that which moveth in the field feedeth on it. - . The suspended vav has had all kinds of meanings attached to it by the Rabbinical writers: the seventy years of the Babylonian captivity, the hanging of the Messiah on a tree; or, according to the Talmud, the middle letter of the Psalms, as similarly a large letter denotes the middle letter of the Pentateuch. [↑](#footnote-ref-31)
32. “The Teaching of the Priests,” the old Rabbinic name for Leviticus [↑](#footnote-ref-32)
33. Our Sages [↑](#footnote-ref-33)
34. The Evil Inclination. [↑](#footnote-ref-34)
35. Isaiah 55:1; sc. the Torah. [↑](#footnote-ref-35)
36. Job 14:19. [↑](#footnote-ref-36)
37. Jer. 23:29. [This can also be rendered: ‘like the hammer which the (granite) rock (against which it is struck) breaketh; the Evil Inclination being compared to an iron hammer and the Beth Hamidrash to a granite rock, v. Totafot]. [↑](#footnote-ref-37)
38. Rabbi Joel David Bakst [↑](#footnote-ref-38)
39. Neusner, J. (1988). *The Mishnah : A new translation* (677). New Haven, CT: Yale University Press. [↑](#footnote-ref-39)
40. Snake anti-venom is made from the venom of the snake. [↑](#footnote-ref-40)
41. See also Yeshayahu (Isaiah) 27: where Livayatan is also called a pole serpent. [↑](#footnote-ref-41)
42. Midrash Tanchuma Chukkath 19, Num. Rabbah 19:22 [↑](#footnote-ref-42)
43. It must be clearly understood that this pasuk is connecting Mashiach ben Yoseph to the serpent, not Mashiach ben David. [↑](#footnote-ref-43)
44. Bamidbar (Numbers) 21:5–9 [↑](#footnote-ref-44)
45. Bamidbar (Numbers) 21:5 [↑](#footnote-ref-45)
46. “If I make it of gold [zahaf or of silver [kessef], these words do not correspond to the other [viz., nachash, meaning serpent]. Hence, I will make it of nechoshet [brass] since this word corresponds to the other, viz., nahash nehoshet—a. serpent of brass [i.e., a play on words].” [Gen. Rabbah 31:8] [↑](#footnote-ref-46)
47. This section is Excerpted from Dr. Mandell Ganchow*Coming of Age: An Anthology of Divrei Torah for Bar and Bat Mitzvah.* [↑](#footnote-ref-47)
48. Vayikra (Leviticus) 19:26 [↑](#footnote-ref-48)
49. Pirkei Avot 2:10 [↑](#footnote-ref-49)
50. It is worth noting in: Daniel 2:31-35 “Thou, O king, sawest, and behold a great image. This image, which was mighty, and whose brightness was surpassing, stood before thee; and the appearance thereof was terrible. As for that image, its head (Nebuchadnezzar) was of fine gold, its breast and its arms (Medea & Persia) of silver, its belly and its thighs (Greek Empire) of brass (NACHASH), its legs of iron (Aram, Edom-Rome), *its feet part of iron (Aram-Edom-Rome-Christianity) and part of clay (Ishmael-Islam).”* Thus we see the serpent in the brass legs of this terrible image. [↑](#footnote-ref-50)
51. Rosh Hashanah 3:8 [↑](#footnote-ref-51)
52. Melachim bet (2 Kings) 18:4 [↑](#footnote-ref-52)
53. Pesachim 4:9, 56a: Berachot 10b; Avodah Zarah 44a [↑](#footnote-ref-53)
54. Bava Batra 75a [↑](#footnote-ref-54)
55. In the Machzor this is found in the farewell to the succah. [↑](#footnote-ref-55)
56. Iyov (Job) 27:13 also speaks of this pole serpent. [↑](#footnote-ref-56)
57. Wife / Woman - אשה, Strong’s number 0802, in v.8 of our psalm and in Shemot (Exodus) 21:3. [↑](#footnote-ref-57)
58. ἀσύνετοί, from ἀσύνετος - to bring together. The talmidim are unable to put the “riddle” together or think in terms that are more abstract. [↑](#footnote-ref-58)
59. If the reader misses the analogy here, he will destroy the context in which the riddle is given. [↑](#footnote-ref-59)
60. Athens = “uncertainty” [↑](#footnote-ref-60)
61. Corinth = “satiated” [↑](#footnote-ref-61)
62. Aquila = “an eagle” [↑](#footnote-ref-62)
63. Pontius = “of the sea” [↑](#footnote-ref-63)
64. Priscilla = “ancient” [↑](#footnote-ref-64)
65. Here Hakham Shaul is trying to “convince” or persuade them to follow the Master’s Mesorah. We can easily see that Hakham Shaul is trying to “convince” or “persuade” his audience to be faithfully obedient to something. However, we are not told exactly what he is saying. The reasoning we have applied is due to the fact that this was the mission placed in Hakham Shaul’s trust. Therefore, we can deduce through logic that he was teaching the Mesorah. [↑](#footnote-ref-65)
66. The literal translation reads “your blood be on your own heads.” However, the idea being purported is that they are responsible for their own decisions. [↑](#footnote-ref-66)
67. Crispus = “curled” [↑](#footnote-ref-67)
68. The reason [why this whole section dealing with ***mishpatim*** – civil laws – is placed here, rather than being placed after the ***chukim*** – statutes – as is the order in the commandments given at Marah], is that G-d wanted to explain to them first the civil laws. Thus we find that the first of the Ten Commandments dealt with the obligation of knowing of the existence of G-d, and the second one with the prohibition against idolatry, after which [following the giving of the Ten Commandments] He again instructed Moses, saying, ***Thus will you say unto the children of Israel: You yourselves have seen that I have talked with you from heaven***, meaning that you, [Moses] should warn them again to take to heart that which they have seen, so that they will be careful to keep these precepts which I have commanded them. ***For You yourselves have seen*** corresponds to the commandment, ***I am the Eternal your G-d***; ***You will not make with Me - gods of silver etc***. - corresponds with ***You will have no other gods***, thereby completing the subject of idolatry; likewise, ***And these are the ordinances*** corresponds to ***You will not covet***, for if a man does not know the laws of house and field or other possessions, he might think that they belong to him and thus covet them and take them for himself. This is why He said, ***you will set before them*** just ordinances, which they should establish amongst themselves, so that they will not covet that which does not legally belong to them. And thus did the Rabbis say in Midrash Rabbah: **"The whole Torah depends on justice; that is why the Holy One, blessed be He, gave the civil laws directly after the Ten Commandments."** Similarly, G-d explains in this section of ***These are the ordinances*** additional laws about idolatry, the honor of parents, murder, and adultery - which are all mentioned in the Ten Commandments.

The Rabbis have explained: "Before them, but not before the Canaanites." This interpretation is based on the observation that it should have said, "***which tasim lahem" ("you will set for them ")*** just as He said, ***there 'sam lo' (He set for them)*** ***a statute and an ordinance***; thus since He said, ***which you will set 'liphneihem.' (before them)***, **we interpret this to mean that they should be the judges**, for it is with reference to a judge that this term [***liphnei (before)***] appears in Scripture: ***And both the men, between whom the controversy is, will stand before the Eternal, 'liphnei' (before) the priests and the judges***; ***Until he stand 'liphnei' (before] the congregation for judgment***; ***'liphnei' (before) all who know law and judgment***. The Rabbis further explained: ***"Before them,* but not before laymen*."*** They interpreted [the verse in this way] because with reference to the ordinances it is written: ***Then his master will bring him unto 'ha'elohim***;' ***the cause of both parties will come before 'ha'elohim;’*** and it is also written, ***and he will give 'biphlilim' (as the judges determine)*** - **these terms referring to judges who are experts in the law, and who had received ordination [in an unbroken chain from the time of those who had been duly ordained] by Moses our Teacher.** This is why He said here that these ordinances are to be ***set before them***, **meaning before the elohim [expert, ordained judges] that He will mention further on, but not before Canaanites, and not before one who is not a judge by the standard of the Torah, such as a layman in this respect. It is forbidden to appear before such a person to act as a judge, just as it is forbidden to bring it before the Canaanites, even if he knows that this layman knows the correct law and will render him a proper decision. Even so it is forbidden for the litigant to set him up as a judge and complain before him so that he orders the other party to come to court before him, and the layman himself is also forbidden to act as their judge. Now even though the Sages have mentioned these two groups [the layman and the Canaanite] together, there is a difference between them, in that if the two litigants are willing to come before an Israelite who is a layman, and accept him upon themselves, it is permissible for them to do so, and they must abide by his decision, but to come before the Canaanites to act as judges between them, is forbidden under all circumstances, even if the Canaanite laws are in that particular case the same as our laws.**

**received ordination** - The process of investiture with judicial rights and functions. Ordination was conferred by three Sages, only one of whom himself had to be duly ordained. Ordination was valid only if both the ordainers and the ordained were in the Land of Israel. Once received in the Land of Israel, however, the authority of ordination became effective outside the Land as well. [↑](#footnote-ref-68)
69. Sh’mot 21:24 – Targum Pseudo Yonatan [↑](#footnote-ref-69)
70. Here we are speaking in “spiritual” terms as is the Master. [↑](#footnote-ref-70)
71. Cf. Ezek. 36:26-27 [↑](#footnote-ref-71)
72. Cf. Jer 31:33 [↑](#footnote-ref-72)
73. Neusner, J., Neusner, J., Avery-Peck, A. J., Green, W. S., & Museum of Jewish Heritage (New York, N. Y. (2000). *The encyclopedia of Judaism*. "Published in collaboration with the Museum of Jewish Heritage, New York." Brill May 2001. 3:1505 [↑](#footnote-ref-73)
74. Strong, J. (1996). *The exhaustive concordance of the Bible: Showing every word of the text of the common English version of the canonical books, and every occurrence of each word in regular order.* Ontario: Woodside Bible Fellowship. G4635. [↑](#footnote-ref-74)
75. *Theological dictionary of the New Testament*. 1964-c1976. Vols. 5-9 edited by Gerhard Friedrich. Vol. 10 compiled by Ronald Pitkin. (G. Kittel, G. W. Bromiley & G. Friedrich, Ed.). Grand Rapids, MI: Eerdmans. 7:381 [↑](#footnote-ref-75)
76. Cf. Yochanan (Jn) 1:14 [↑](#footnote-ref-76)
77. Paraphrase of B’resheet 10:9 [↑](#footnote-ref-77)