

מתני' בופין אותו לבנות בית שער ודלת לחצר; רבן שמעון בן גמליאל אומר: לא כל החצרות ראויות לבית שער. בופין אותו לבנות לעיר חומה ודלתים ובָּרִיחַ; רבן שמעון בן גמליאל אומר: לא כל העיירות ראויות לחומה.

במה יהא בעיר ויהא פאנשי העיר? שנים עשר חדש. קנה בה בית דירה – הרי הוא פאנשי העיר מיד.

גמ' למימרא דבית שער מעליותא היא? והא ההוא חסידא דהוה רגיל אליהו דהוה משתעי בהדיה, עבד בית שער ותו לא משתעי בהדיה! לא קשיא: הא מגואי, הא מבראי.

ואי בעית אימא: הא והא מבראי, ולא קשיא: הא דאית ליה דלת, הא דלית ליה דלת. אי בעית אימא: הא והא דאית ליה דלת, ולא קשיא: הא דאית ליה פותחת, הא דלית ליה פותחת. אי בעית אימא: הא והא דאית ליה פותחת, ולא קשיא: הא דפותחת דידיה מגואי, הא דפותחת דידיה מבראי.

MISHNA The residents of a courtyard can compel each inhabitant of that courtyard to financially participate in the **building of a gatehouse^{NB} and a door to the jointly owned courtyard.**^H Rabban Shimon ben Gamliel disagrees and says: **Not all courtyards require a gatehouse**, and each courtyard must be considered on its own in accordance with its specific needs. Similarly, the residents of a city **can compel** each inhabitant of that city **to contribute to the building of a wall, double doors, and a crossbar for the city.**^H Rabban Shimon ben Gamliel disagrees and says: **Not all towns require a wall.**

With regard to this latter obligation, the mishna asks: **How long must one live in the city^H to be considered like one of the people of the city** and therefore obligated to contribute to these expenses? **Twelve months.** But if he **bought himself a residence in the city, he is immediately considered like one of the people of the city.**

GEMARA The Gemara asks: **Is this to say that making a gatehouse is beneficial? But wasn't there that pious man, with whom the prophet Elijah^P was accustomed to speak, who built a gatehouse, and afterward Elijah did not speak with him again?** The objection to the building of a gatehouse is that the guard who mans it prevents the poor from entering and asking for charity. The Gemara answers: This is **not difficult: This**, the case presented in the mishna, is referring to a gatehouse built **on the inside^N** of the courtyard, in which case the poor can at least reach the courtyard's entrance and be heard inside the courtyard; **that**, the story of the pious man and Elijah, involves a gatehouse that was built **on the outside** of the courtyard, completely blocking the poor's access to the courtyard's entrance.

And if you wish, say instead that in **both** cases the gatehouse was built **outside** the courtyard, **and yet this is not difficult:** In the one case, **there is a door** to the gatehouse, so that the poor cannot be heard inside the courtyard, while in the other case **there is no door. Or if you wish, say that in both cases there is a door, and still this is not difficult:** In the one case, **there is a key^B** needed to open the door, and the key is not available to the poor people, whereas in the other case, **there is no key needed. Or if you wish, say that in both cases there is a key needed, and even so this is not difficult:** In the one case **the key is on the inside**, so that the poor cannot reach it, while in the other case of the mishna, **the key is on the outside.**

HALAKHA
Building a gatehouse and a door to the courtyard – לבנות בית שער ודלת לחצר: The residents of a courtyard can compel each other to build a gatehouse for the courtyard and to build other items required for the courtyard or customarily found there. They cannot compel each other to pay for ornaments or other unnecessary items (Rambam *Sefer Kinyan, Hilkhot Shekhenim* 5:1; *Shulhan Arukh, Hoshen Mishpat* 161:1).

Building of a wall...for the city – לבנות לעיר חומה: The residents of a city can compel each to contribute to the building of a wall, double doors, and a crossbar for the city. Moreover, the minority can force the majority to do so (Rabbeinu Yeruham) even if the town is not on the border (*Sra*), in accordance with the opinion of the anonymous first *tanra* (Rambam *Sefer Kinyan, Hilkh Shekhenim* 6:1; *Shulhan Arukh, Hoshen Mishpat* 163:1).

How long must one live in the city – כמה יהא בעיר: If one lives in a city for twelve months or buys a house in a city, he is considered one of the residents of the city and can be compelled to contribute to all the municipal costs. The Rema adds that if one rents a house in a city and demonstrates that he wishes to live there permanently, or if he rents a house for twelve months in advance, he is immediately considered a resident. If he did not rent or buy a house in the city but received a dwelling as a gift or as an inheritance, he is not considered a resident until he demonstrates that he wishes to be one (Rambam *Sefer Kinyan, Hilkh Shekhenim* 5:6; *Shulhan Arukh, Hoshen Mishpat* 163:2 and *Sra* there).

NOTES

Gatehouse – בית שער: Rabbeinu Gershom, Rashi, and others explain that this structure houses a guard who prevents the public from entering the courtyard.

On the inside – מגואי: If the gatehouse is built outside the courtyard and the guard does not permit outsiders to enter, the cry of the poor will not be heard inside; but if the gatehouse is built inside, the poor can stand at the entrance and call out (Ri Migash; Ramah). Rabbeinu Gershom and Rashi understand this in the opposite manner: If the gatehouse is outside the courtyard, the poor person can pass through it to the entrance of the courtyard and call out; but if it is inside the courtyard, it muffles the sound of his voice. The Ra'avad proposes that if the gatehouse is outside, the poor person is not deterred from reaching the courtyard entrance since he knows it is only a gatehouse. If it is inside, it looks like a private house and he avoids going in.

BACKGROUND

Gatehouse – בית שער: A gatehouse is a small structure built at the entrance to a courtyard which forces people to stop before entering that area. It is generally open in front, with the gate to the courtyard forming the rear wall. If the courtyard has a guard, he often sits in the gatehouse.



Gatehouse of ancient palace in Amman, Jordan

Key – פותחת:



Key from the bar Kokheva period

PERSONALITIES

Elijah – אליהו: In many places in the Talmud and the midrash, Elijah the prophet appears to people, especially to the Sages, and resolves their dilemmas. As stated in II Kings 2:11, Elijah did not die, and he continues to serve as an emissary of God. On the one hand, he is the zealous angel of the covenant. On the other hand, he alleviates problems in the world.

NOTES

לפי נפשות – They collect based on the number of people – **גובין**: The question here is whether the main concern with potential assaulters is that they might harm people, in which case they collect based on the number of people; or that they might loot, in which case they collect based on wealth (Ritva).

They collect based on the proximity of the houses – **לפי קירוב בתים**: Most early commentaries explain that the invading troop that comes to loot stops first at the houses close to the wall. Consequently, the houses further away from the wall are less vulnerable. *Tosafot* explain that this does not mean that they collect based exclusively on proximity to the wall, as wealth is also taken into account. This is because an empty house near the wall will not be looted. The Ri Migash states that the collection is based primarily on wealth but that proximity is also a factor. The Ramah expresses an altogether different opinion. He concludes that those further away from the city center must pay more because their location demands the building of a longer wall to encompass their properties. Consequently, the residents who pay more are those who live further from the center and those with bigger homes.

HALAKHA

Based on what do they collect – **לפי מה גובין**: With regard to funds collected from the residents of a city for the building of a wall, some say that the collection is based on the proximity of the houses to the wall so that those people who live closer to the wall pay more, in accordance with the later version of Rabbi Yohanan's statement (Rif). The Ri Migash rules that the individual's worth is also taken into account. Consequently, if two homeowners are equally wealthy and live at equal distances from the wall, they pay the same amount of wall tax. If a poor person with no means lives near the wall and a wealthy person lives farther away, only the latter is required to pay. If two people are of equal means, but live at different distances from the wall, the one who lives closer pays more. This is in accordance with both versions of Rabbi Yohanan's statement (Rambam *Sefer Kinyan*, *Hilkhot Shekhenim* 5:4; *Shulhan Arukh*, *Hoshen Mishpat* 163:3).

”בופין אותו לבנות בית שער ודלת לחצר.” תנא, רבן שמעון בן גמליאל אומר: לא כל חצרות ראויות לבית שער, אלא, חצר הסמוכה לרשות הרבים – ראויה לבית שער, ושאניה סמוכה לרשות הרבים – אינה ראויה לבית שער. ורבנן? זימנן דדחקי בני רשות הרבים ועיילו ואתו.

”בופין אותו לבנות לעיר” כו'. תנו רבנן: בופין אותו לעשות לעיר דלתים ובריח. ורבן שמעון בן גמליאל אומר: לא כל העיירות ראויות לחומה, אלא, עיר הסמוכה לספר – ראויה לחומה, ושאניה סמוכה לספר – אינה ראויה לחומה. ורבנן? זימנן דמקרו ואתי גייסא.

בעא מיניה רבי אלעזר מרבי יוחנן: כשהן גובין, לפי נפשות גובין, או דילמא לפי שבח ממון גובין? אמר ליה: לפי ממון גובין, ואלעזר בני, קבע בה מסמרות.

איבא דאמרי, בעא מיניה רבי אלעזר מרבי יוחנן: כשהן גובין, לפי קירוב בתים הן גובין, או דילמא לפי ממון גובין? אמר ליה: לפי קירוב בתים הן גובין, ואלעזר בני, קבע בה מסמרות.

§ The mishna teaches that the residents of a courtyard can compel each inhabitant of that courtyard to financially participate in the building of a gatehouse and a door to the jointly owned courtyard. It is taught in a *baraita* that Rabban Shimon ben Gamliel says: Not all courtyards require a gatehouse. Rather, a courtyard that adjoins the public domain requires a gatehouse to prevent people from peering in. But a courtyard that does not adjoin the public domain does not require a gatehouse. The Gemara asks: And why don't the Rabbis make this distinction? The Gemara answers: Even if a courtyard does not adjoin the public domain, people in the public domain sometimes are forced toward the courtyard due to crowding in the public domain, and come and enter the courtyard.

§ The mishna teaches that the residents of a city can compel each inhabitant of that city to contribute to the building of a wall, double doors, and a crossbar for the city. The Sages taught in a *baraita*: The residents of a city can compel each inhabitant of that city to build double doors and a crossbar for the city. And Rabban Shimon ben Gamliel says: Not all cities require a wall. Rather, a city that adjoins the state border requires a wall, whereas a city that does not adjoin the state border does not require a wall. The Gemara asks: And why don't the Rabbis make this distinction? The Gemara answers: Even if a city does not adjoin the border, it sometimes happens that invading troops come into the area. Therefore, it is always good for a city to be protected by a wall.

With regard to this issue, Rabbi Elazar^p asked Rabbi Yohanan:^p When the residents of the city collect money to build a wall, do they collect based on the number of peopleⁿ living in each house, or perhaps they collect based on the net worth of each person?^h Rabbi Yohanan said to him: They collect based on the net worth of each person, and Elazar, my son, you shall fix nails in this, i.e., this is an established *halakha*, and you must not veer from it.

There are those who say that Rabbi Elazar asked Rabbi Yohanan: When they collect money to build a wall, do they collect based on the proximity of the housesⁿ to the wall, so that those people who live closer to the wall pay more? Or perhaps they collect based on the net worth of each person. Rabbi Yohanan said to him: They collect based on the proximity of the houses to the wall, and Elazar, my son, you shall fix nails in this.

PERSONALITIES

Rabbi Elazar – רבי אלעזר: In the Gemara, citations of Rabbi Elazar with no patronymic refer to Rabbi Elazar ben Pedat, a second-generation *amora* in Eretz Yisrael. In many cases in the Gemara, he is referred to as Rabbi Eliezer, but this is probably a textual corruption. He was born in Babylonia, where he was a student of both Rav and Shmuel. In his youth, he immigrated to Eretz Yisrael, where he married and became one of Rabbi Yohanan's most important students. The connection between them was so close that at times the Gemara raises a contradiction between the statement of one and the statement of the other, under the assumption that it was unlikely that they would hold different opinions in matters of *hdakha*. This relationship is reflected by Rabbi Yohanan's referring to Rabbi Elazar as: My son.

Rabbi Yohanan – רבי יוחנן: Rabbi Yohanan bar Nappaha was one of the greatest *amora'im*. His statements are fundamental components of both the Jerusalem Talmud and the Babylonian Talmud. He resided in Tiberias and lived to an advanced age. Almost nothing is known of his family background. He was orphaned at a young age, and although his family appar-

ently owned considerable property, he devoted virtually all of his resources to the study of Torah. He eventually became impoverished.

In Rabbi Yohanan's youth, he had the privilege of studying under Rabbi Yehuda HaNasi, the redactor of the Mishna, but most of his Torah study was accomplished under Rabbi Yehuda HaNasi's students: Hizkiyya ben Hiyya, Rabbi Oshaya, Rabbi Hanina, and Rabbi Yannai, who lavished praise upon him. In time, he became the head of the yeshiva in Tiberias, at which point his fame and influence increased greatly.

For a long time, Rabbi Yohanan was the leading rabbinic scholar in the Jewish world, in Eretz Yisrael as well as in Babylonia, where he was respected by the Babylonian Sages. Many of them came to Eretz Yisrael and became his outstanding students. He was a master of both *halakha* and *aggada*. In recognition of his intellectual and spiritual stature, the *hdakha* follows his opinion in almost every case, even when Rav or Shmuel, the preeminent *amora'im* of Babylonia, whom he treated deferentially, disagreed with him. Only in disputes with his teachers in Eretz Yisrael, such as Rabbi Yannai and Rabbi Yehoshua ben Levi, does the *hdakha* not follow his opinion.

Rabbi Yehuda Nesia – רבי יהודה נשיאה Based on the chronology of the generations, this name seems to refer to Rabbi Yehuda Nesia II, who was the grandson of Rabbi Yehuda Nesia I, the grandson of Rabbi Yehuda HaNasi, who redacted the Mishna. In the days of Rabbi Yehuda Nesia, the position of *Nasi* was merely a public office; the leading Torah authorities headed the academies and the courts. Rabbi Yehuda Nesia studied with Rabbi Yohanan and was subordinate to Rabbi Yohanan's students, Rabbi Abbahu and Rabbi Ami. Many anecdotes about Rabbi Yehuda Nesia are recorded in the Jerusalem and Babylonian Talmuds, including his meeting with the Roman emperor, Diocletian.

HALAKHA

The Sages do not require protection – רבנן לא צריכי Torah Sages are exempt from paying taxes to protect the city because their learning protects them (Rambam *Sefer Kirvan*, *Halakha Shettemim* 5:6; *Shulhan Arukh*, *Hoshen Mishpat* 163:4 and *Yoreh De'a* 243:2).

NOTES

These are Torah scholars – אלו תלמידי חכמים These people provide Torah to others as breasts nourish a baby (see Rabbeinu Gershom). The early commentaries disagree about the definition of a Torah scholar in this context: Does the term signify someone who occupies himself exclusively with Torah, or does it include somebody whose primary occupation is the study of Torah but who also devotes a minimal portion of his time to earning a living?

This is the Congregation of Israel – זו כנסת ישראל All of Israel are surrounded and protected, as it were, by a wall, and they do not assimilate among the nations (Rashi).

LANGUAGE

Tax [karga] – כרָגָא The origin of this term is the Persian *yarak* or *arak*, which also led to the Arabic *خراج*, *ḥarāj*. All these words mean a poll tax imposed on every resident of a country.

רבי יהודה נשיאה רמא דשורא אדרבנן, אמר ריש לקיש: רבנן לא צריכי נטירותא, דכתיב: "אספרם מחול ירבון", אספרם למאן? אילימא לצדיקים דנפשי מחלא, השתא בוליהו ישראל כתיב בהו: "בחול אשר על שפת הים", צדיקים עצמם מחול ירבון?!

אלא הכי קאמר: אספרם למעשיהם של צדיקים – מחול ירבון, וקל וחומר: ומה חול שמועט – מגין על הים, מעשיהם של צדיקים שהם מרובים – לא כל שכן שמוגנים עליהם.

כי אתא לקמיה דרבי יוחנן, אמר ליה, מאי טעמא לא תימא ליה מהא: "אני חומה ושדי במגדלות", "אני חומה" – זו תורה, "ושדי במגדלות"

It is related that Rabbi Yehuda Nesia^p once imposed payment of the tax for the wall even on the Sages. Reish Lakish said to him: The Sages do not require protection,^h as it is written: "How precious are your dear ones to me, O God... If I should count them, they are more in number than the sand" (Psalms 139:17–18). If I should count whom? If we say this is referring to the righteous, and the verse is saying that they are greater in number than the grains of sand, this is difficult. Now if it is written about all of Israel: "As the sand which is upon the seashore" (Genesis 22:17), can the righteous themselves, who are a part of Israel, be greater in number than the grains of sand? How can they possibly outnumber the grains of sand upon the seashore?

Rather, this is what the verse is saying: If I should count the deeds of the righteous, they are greater in number than the grains of sand. And it follows by an *a fortiori* inference: If the grains of sand, which are fewer in number, protect the shore from the sea, barring it from flowing inland (see Jeremiah 5:22), do not all the more so the deeds of the righteous, which are greater in number, protect them? Consequently the Sages do not need additional protection.

When Reish Lakish came before Rabbi Yohanan and reported the exchange to him, Rabbi Yohanan said to him: What is the reason that you did not quote this verse to him: "I am a wall and my breasts are like towers" (Song of Songs 8:10), which may be explained as follows: "I am a wall"; this is referring to the Torah. "And my breasts are like towers";

these are Torah scholars,ⁿ and towers do not require additional protection? The Gemara comments: And Reish Lakish, who did not cite this verse, holds in accordance with the way that Rava expounded the verse: "I am a wall"; this is referring to the Congregation of Israel.ⁿ "And my breasts are like towers"; these are the synagogues and study halls.

It is similarly related that Rav Nahman bar Rav Hisda once im-posed payment of the poll tax [*karga*]^l even on the Sages.^h Rav Nahman bar Yitzhak said to him: You have transgressed the words of the Torah, the Prophets, and the Writings.

You have transgressed the words of the Torah, as it is written: "Even when He loves the peoples, all His holy ones are in Your hand" (Deuteronomy 33:3), which is understood to mean that Moses said to the Holy One, Blessed be He: Master of the Universe, even when You hold the other nations dear and grant them dominion over Israel, let "all His holy ones," meaning the Torah scholars, be exclusively in Your hand and free from the authority of the nations, and therefore be exempt from paying taxes. The continuation of that verse can also be understood as referring to Torah scholars, as it states: "And they sit [*tukku*] at Your feet, receiving Your words" (Deuteronomy 33:3), and Rav Yosef teaches: These are Torah scholars who pound [*mekhatetim*] their feet from city to city and from country to country to study Torah; "receiving [*yissa*] Your words," to discuss [*lissa velitten*] the utterances of God.

HALAKHA

Tax on the Sages – כרָגָא אדרבנן Torah scholars are exempt from the taxes and duties imposed on the residents of a city. They pay neither their share of a tax levied on the city as a whole nor the head tax imposed on each individual. They are exempt from both ordinary taxes and extraordinary ones. There is no

difference between a wealthy Torah scholar and a poor Torah scholar (Rambam *Sefer HaMadda*, *Halakha Tardat* 6:10; *Shulhan Arukh*, *Hoshen Mishpat* 163:5 and *Yoreh De'a* 243:2, and in the comment of Rema).

Perek I

Daf 8 Amud a

אלו תלמידי חכמים? וריש לקיש סבר לה בדרוש רבא: "אני חומה" – זו כנסת ישראל, "ושדי במגדלות" – אלו בתי כנסיות ובתי מדרשות.

רב נחמן בר רב חסדא רמא כרָגָא ארבנן, אמר ליה רב נחמן בר יצחק: עברת אדאורייתא ואדנביאי ואדכתיבי.

אדאורייתא, דכתיב: "אף חבב עמים כל קדשיו בידיך", אמר משה לפני הקדוש ברוך הוא: רבוננו של עולם, אפילו בשעה שאתה מחבב עמים – כל קדושיו יהיו בידיך. "והם תבו לרגלך" – תני רב יוסף: אלו תלמידי חכמים, שמכתתים רגליהם מעיר לעיר וממדינה למדינה ללמוד תורה, "ישא מדברותיך" – לישא וליתן בדברותיו של מקום.

NOTES

זו פסוק גולגולתא – זו פסוק גולגולתא – This is referring to the head tax – Many early commentaries explain that this tax exemption applies only in a situation where a tax is imposed on the entire community based on the number of its members, but scholars are not exempt when the tax is imposed directly upon each individual. The Ramah does not accept this distinction, asserting that a tax imposed directly upon each individual is the very definition of a head tax.

The digging of cisterns [*karya patya*] – כריא פתיא: Rashi explains that *karya* refers to digging a cistern for drinking water, and *patya* means a clay utensil used for drinking water or for cooking. Others explain that this term describes the digging of an aqueduct (Rav Sherira Gaon), or even the paving of a town square (Rif; Ri Migash).

אדנביאי, דכתיב: "גם כי יתנו בגוים עתה אקבצם ויחלו מעט ממשא מלך ושרים", אמר עולא: פסוק זה בלשון ארמית נאמר; אי תנו בוליהו – עתה אקבצם, ואם מעט מהם – יחלו ממשא מלך ושרים.

אדכתובי, דכתיב: "מנדה בלו והלך לא שליט למרמא עליהם", ואמר רב יהודה: "מנדה" – זו מנת הפלך, "בלו" – זו פסוק גולגולתא, "והלך" – זו ארנונא.

רב פפא רמא כריא חדתא איתמי, אמר ליה רב שישא בריה דרב אידי לרב פפא: ודילמא לא מידויל! אמר ליה: מישקל שקילנא מניהו, אי מידויל – מידויל, ואי לא – מהדרנא לה ניהליהו.

אמר רב יהודה: הפל לאגלי גפא, אפילו מיתמי, אבל רבנן לא צריכי נטירותא; הפל לכריא פתיא, אפילו מרבנן. ולא אמרן אלא דלא נפקי באכלווא, אבל נפקי באכלווא, רבנן לאו בני מיפק באכלווא ניהו.

And you have transgressed the words of the Prophets, as it is written: "Though they have hired lovers [*yitnu*] among the nations, now I will gather them, and they will begin to be diminished by reason of the burden of kings and princes" (Hosea 8:10). With regard to this verse, Ulla says: Part of this verse is stated in the Aramaic language; the word *yitnu* should be understood here in its Aramaic sense: To learn. And the verse should be interpreted as follows: If all of Israel learns Torah, I will gather them already now; and if only a few of them learn Torah, they will be excused from the burden imposed by kings and princes. This indicates that those who study Torah should not be subject to paying taxes.

And furthermore, you have transgressed the words of the Writings, as it is written: "It shall not be lawful to impose tribute, impost or toll upon them" (Ezra 7:24), i.e., upon the priests and Levites who serve in the Temple. This *halakha* would apply to Torah scholars as well. And Rav Yehuda says: "Tribute"; this is referring to the king's portion, a tax given to the king. "Impost"; this is referring to the head tax.^N "Toll"; this is referring to a tax [*arnona*]^L paid with property that was imposed from time to time.

It is related that Rav Pappa once imposed a tax for the digging of a new cistern even on orphans.^H Rav Sheisha, son of Rav Idi, said to Rav Pappa: Perhaps they will dig, but in the end they will not draw any water from there, and it will turn out that the money will have been spent for nothing. The rest of the townspeople can relinquish their rights to their money, but orphans who are minors cannot do so. Rav Pappa said to him: I shall collect money from the orphans; if they draw water, they will draw water, and if not, I will return the money to the orphans.

Rav Yehuda says: All of the city's residents must contribute to the building and upkeep of the city gates [*le'aglei gappa*],^{LH} and for this purpose money is collected even from orphans. But the Sages do not require protection and are therefore exempt from this payment. All of the city's residents must contribute to the digging of cisterns [*lekarya patya*],^{NLH} and for this purpose money is collected even from the Sages, since they too need water. The Gemara comments: And we said this only when the people are not required to go out en masse [*be'akhluza*]^L and do the actual digging, but are obligated merely to contribute money for that purpose. But if the people are required to go out en masse and actually dig, the Sages are not expected to go out with them en masse, but rather they are exempt from such labor.

LANGUAGE

Tax [*arnona*] – ארנונא: From the Latin annona, which was a forced labor tax imposed by governments for public works or the army. Work animals were also seized, temporarily or permanently, for this purpose. A sizable portion of this tax was collected when troops passed from place to place, and the local residents had to provide them with food and assist them with their animals.

The city gates [*aglei gappa*] – אגלי גפא: *Aglei* is related to the word *gdi*, which is derived from the Aramaic root *gmd*, *lad*,

lad, and means gate. *Gappa*, or *gfa*, means wall; another version reads *afa*, meaning enclosure.

The digging of wells [*karya patya*] – כריא פתיא: Some understand that the term *patya* derives from the Assyrian *pattu*, meaning a water channel. Consequently, this refers to the digging of a water channel to the city.

En masse [*akhluza*] – אכלווא: Some commentaries read this as *okhlosa*, which comes from the Greek *ὄχλος*, *okhlos*, meaning the masses.

HALAKHA

A tax for the digging of a new cistern on orphans – כריא חדתא איתמי: Money may be collected from orphans for the digging of cisterns or the channeling of rivers for the good of the town. If water is not discovered, their money is refunded (Rambam *Seder Kinyan*, *Hilkat Shekharim* 6:7; *Shulhan Arukh*, *Hoshen Mishpat* 163:4).

All contribute to the city gates – הפל לאגלי גפא: Everyone, including orphans, is required to contribute funds for building walls and paying guards. Torah scholars, by contrast, are exempt, since their Torah study protects them (Rambam *Seder Kinyan*,

Hilkat Shekharim 6:6; *Shulhan Arukh*, *Hoshen Mishpat* 163:4 and *YachDe'a* 243:2).

All contribute to the digging of cisterns – הפל לכריא פתיא: Everyone, including Torah scholars and orphans, is required to contribute funds for repairing roads or water sources. But if the work is to be carried out by the residents themselves, Torah scholars are not obligated to participate in the efforts and are not required to pay others to do the work on their behalf (Rambam *Seder Kinyan*, *Hilkat Shekharim* 6:6; *Shulhan Arukh*, *Hoshen Mishpat* 163:4 and *YachDe'a* 243:2).

רבי פתח אוצרות בשמי בצורת, אמר: יבנסו בעלי מקרא, בעלי משנה, בעלי תלמוד, בעלי הלכה, בעלי הגדה, אבל עמי הארץ אל יבנסו. דחק רבי יונתן בן עמרם ונכנס, אמר לו: רבי, פרנסני! אמר לו: בני, קרית? אמר לו: לאו. שנית? אמר לו: לאו. אם בן, במה אפרנסך? [אמר לו:] פרנסני בכלב וכעורב. פרנסיה.

בתר דנפק, יתיב רבי וקא מצטער ואמר: אוי לי שנתתי פתי לעם הארץ! אמר לפניו רבי שמעון בר רבי: שמה יונתן בן עמרם תלמידך הוא, שאינו רוצה ליהנות מבוד תורה מימיו? בדקו ואשבת, אמר רבי: יבנסו הכל.

רבי לטעמיה, דאמר רבי: אין פורענות בא לעולם אלא בשביל עמי הארץ. כההוא דמי בליא דשדו אטבריא, אתו לקמיה דרבי ואמרו ליה: ליתבו רבנן בהדן, אמר להו: לא. אמרו ליה: ערוקינו, [אמר להו:] ערוקו. ערוקו פלגיהו, דליוה פלגא.

אתו הנהו פלגא קמי דרבי, אמרו ליה: ליתבו רבנן בהדן, אמר להו: לא. ערוקינו, ערוקו. ערוקו פולחו, פש הוא בובס, שדיוה אבובס. ערק בובס, פקע בליא. אמר רבי: ראיתם, שאין פורענות בא לעולם אלא בשביל עמי הארץ.

It is related that Rabbi Yehuda HaNasi^p once opened his storehouses to distribute food during years of drought. He said: Masters of Bible, masters of Mishna, masters of Talmud, masters of *halakha*, masters of *aggada* may enter and receive food from me, but ignoramuses should not enter.ⁿ Rabbi Yonatan ben Amram,^p whom Rabbi Yehuda HaNasi did not know, pushed his way in, and entered, and said to him: Rabbi Yehuda HaNasi, sustain me. Rabbi Yehuda HaNasi said to him: My son, have you read the Bible? Rabbi Yonatan ben Amram said to him, out of modesty: No. Rabbi Yehuda HaNasi continued: Have you studied Mishna? Once again, Rabbi Yonatan ben Amram said to him: No. Rabbi Yehuda HaNasi then asked him: If so, by what merit should I sustain you? Rabbi Yonatan ben Amram said to him: Sustain me like a dog and like a raven, who are given food even though they have not learned anything. Rabbi Yehuda HaNasi was moved by his words and fed him.

After Rabbi Yonatan left, Rabbi Yehuda HaNasi sat, and was distressed, and said: Woe is me, that I have given my bread to an ignoramus.ⁿ His son, Rabbi Shimon bar Rabbi Yehuda HaNasi, said to him: Perhaps he was your disciple Yonatan ben Amram, who never in his life wanted to materially benefit from the honor shown to the Torah? They investigated the matter and found that such was the case. Rabbi Yehuda HaNasi then said: Let everyone enter,ⁿ as there may also be others who hide the fact that they are true Torah scholars.

Commenting on Rabbi Yehuda HaNasi's opinion, the Gemara notes that Rabbi Yehuda HaNasi conformed to his standard line of reasoning, as Rabbi Yehuda HaNasi says: Suffering comes to the world only due to ignoramuses. This is like the incident of the crown tax [*kelila*]^t that was imposed on the residents of the city of Tiberias. The heads of the city came before Rabbi Yehuda HaNasi and said to him: The Sages should contribute along with us. Rabbi Yehuda HaNasi said to them: No, the Sages are exempt. They said to him: Then we will run away and the entire burden will fall on the Torah scholars. Rabbi Yehuda HaNasi said to them: Run away as you please. Half of the city's residents ran away. The authorities then waived half the sum that they had initially imposed on the city.

The half of the population that remained in the city then came before Rabbi Yehuda HaNasi, and said to him: The Sages should contribute along with us. Rabbi Yehuda HaNasi said to them: No, the Sages are exempt. They said to him: Then we too will run away. Rabbi Yehuda HaNasi said to them: Run away as you please. They all ran away, so that only one launderer was left in the city. The authorities imposed the entire tax on the launderer. The launderer then ran away as well. The crown tax was then canceled in its entirety. Rabbi Yehuda HaNasi said: You see from this that suffering comes to the world only due to ignoramuses, for as soon as they all fled from the city, the crown tax was completely canceled.

PERSONALITIES

רבי יהודה הנשיא – Rabbi Yehuda HaNasi: The period of *tardim* concluded with Rabbi Yehuda HaNasi's redaction of the Mishna. The son of Rabbi Shimon ben Gamliel II, Rabbi Yehuda HaNasi lived from 135 to 220 CE. When he was thirty years old, he was appointed *Nasi*, or prince, but due to his great scholarship the Talmud refers to him simply as Rabbi. Rabbi Yehuda HaNasi spoke Greek, which was the language of the elite in Eretz Yisrael, and he was friendly with the Roman emperor, Antoninus. Rabbi Yehuda HaNasi's knowledge of Hebrew was legendary, to the extent that the Sages learned the meaning of difficult words from servants who worked in his house. According to the Gemara (*Gittir* 59a) Rabbi Yehuda HaNasi combined the qualities of Torah scholarship and prominent leadership more than any other individual since the time

of Moses. Rabbi Yehuda HaNasi's lifework was the collection of oral traditions and opinions that he wove into the Mishna, which serves as the basis for the Talmud that is studied to this day. Rabbi Yehuda HaNasi's students were the Sages of the first generation of *amdim*, including Rabbi Yoḥanan, Rabbi Ḥiyya, bar Kappara, and Rav.

רבי יונתן בן עמרם – Rabbi Yonatan ben Amram: Rabbi Yonatan ben Amram belonged to the last generation of *tardim*. This episode describes his great modesty and refusal to derive any benefit from the honor of the Torah. A different source indicates that he was a student of Rabbi Yehuda HaNasi and was close to Rabbi Ḥiyya. The Talmud cites only one *tdkta* in the name of Rabbi Yonatan ben Amram.

NOTES

עמי הארץ אל יבנסו – Ignoramuses should not enter: The Ritva writes that this phrase does not refer to people who were starving, as in such a case it is obvious that all Jews would be provided for. In this case, the rest of the people could have found other ways to sustain themselves, and Rabbi Yehuda HaNasi wished to give an extra gift to the Torah scholars. The Ramah distinguishes between different levels of ignoramuses.

יבנסו הכל – Let everyone enter: This expression teaches that one should provide for poor people without checking their backgrounds (Ramah).

HALAKHA

Woe is me that I have given my bread to an ignoramus – **אוי לי שנתתי פתי לעם הארץ**: Rabbi Yehuda HaNasi was distressed that he gave money to a poor ignoramus in a drought year because he might have deprived scholars of charity. When there is enough for everybody, ignoramuses must certainly be sustained as well. Similarly, if a poor person is dying of hunger, he is given food even if it means that a scholar might not receive what he needs (*Shulḥan Arukh, YorehDe'a* 251:11).

LANGUAGE

כְּלִילָא – *kelila*: Crown tax [*kelila*]: *kelila* means a crown. The term signifies a special tax referred to in Latin as aurum coronarium, gold of the crown. At first people of different cities or districts donated crowns of gold to the monarch. Over time this became an obligatory tax in every sense, even though it continued to be called crown tax.

NOTES

A donkey caravan or a camel caravan – **הַחֲמֹרֹת** – **וְהַגְּמָלוֹת**: The *hd ktra* of an idolatrous city is described in Deuteronomy 13:13–19. If all the inhabitants of a city worship idolatry, they are put to death by the sword and their property is destroyed. The Gemara here considers people not included among the city’s inhabitants, but who participated in the idol worship. If they are considered inhabitants of the city, they suffer the same fate as the other people of the city, but if not, they are treated as individuals who worshipped idolatry. The latter are liable to the more severe punishment of stoning, but their property is not destroyed. With regard to this matter, the Torah emphasizes “the residents of that city,” which teaches that residency is the critical factor.

LANGUAGE

Columns of the city [*passei ha’ir*] – **פְּסֵי הָעִיר**: The commentaries explain this term in various ways, each of which presents a certain difficulty. The term *pissin* refers to a specific tax. In the passage in the Gemara, it might signify the municipal taxes a resident would owe only after living in a city for twelve months.

”וְכַמָּה יִהְיֶה בָּעִיר וַיְהִי כְּאִנְשֵׁי הָעִיר” וכו’.
וּרְמִינָהּ: הַחֲמֹרֹת וְהַגְּמָלוֹת הָעוֹבְרוֹת מִמָּקוֹם
לְמָקוֹם, וְלִנְהָ בְּתוֹכָהּ וְהוֹדְחָה עִמָּהֶן – הֵן
בְּסֻקִּילָהּ וּמְמוֹנָן פְּלִט,

וְאִם נִשְׁתַּהוּ שָׁם שְׁלֹשִׁים יוֹם – הֵן בְּסִיף
וּמְמוֹנָן אָבִד!

אָמַר רַבָּא, לֹא קָשִׁיָּא: הָא לְבִי מֵתָא,
הָא לִיתוּבֵי מֵתָא; בְּדִתְנִיָּא: הַמּוֹדֵר הֵנָּה
מֵאֲנָשֵׁי הָעִיר, כָּל שְׁנֵי שָׁנִים עֹשֶׂר
חֹדֶשׁ – אָסוּר לִיהְנוֹת מִמֶּנּוּ, פְּחוֹת מִכָּאן –
מוֹתֵר; מִיּוֹשְׁבֵי הָעִיר, כָּל שְׁנֵי שָׁנִים עֹשֶׂר
שְׁלֹשִׁים יוֹם – אָסוּר לִיהְנוֹת מִמֶּנּוּ, פְּחוֹת
מִכָּאן – מוֹתֵר לִיהְנוֹת מִמֶּנּוּ.

וְלָכֵל מִלֵּי מִי בְּעֵינֵן שְׁנַיִם עֹשֶׂר חֹדֶשׁ?
וְהִתְנִיָּא: שְׁלֹשִׁים יוֹם – לְתַמְחֹי, שְׁלֹשָׁה
חֹדָשִׁים – לְקוּפָּה, שָׁשָׁה – לְכִסּוֹת, תְּשַׁעָּה –
לְקַבּוּרָה, שְׁנַיִם עֹשֶׂר – לְפָסֵי הָעִיר! אָמַר רַבִּי
אֲסִי אָמַר רַבִּי יוֹחָנָן: כִּי תֵּנּוּ נִמִּי מִתְּנִיתִין
שְׁנַיִם עֹשֶׂר חֹדֶשׁ – לְפָסֵי הָעִיר תֵּנּוּ.

§ The mishna teaches: **And how long must one live in the city to be considered like one of the people of the city?** Twelve months. **And we raise a contradiction** from what is taught in a *baraita*: In the case of a donkey caravan or a camel caravan^{NH} that was journeying from place to place, and it lodged inside an idolatrous city, and its members were led astray along with the other residents of the city, and they too engaged in idol worship, **they**, the members of the caravan, are liable to death **by stoning** like ordinary individual idolaters, **and their property escapes** destruction, i.e., they are not treated like the residents of an idolatrous city, who are liable to death by the sword and whose property is destroyed.

The *baraita* continues: **And if the caravan members had remained in that city for thirty days, they are liable to death by the sword and their property is destroyed**, just as it is for the rest of the residents of the city. This seems to indicate that once an individual has lived in a city for thirty days, he is already considered one of its residents.

Rava said: This is **not difficult**. This period, i.e., twelve months, is required in order to be considered one of the **members of the city**; and that period, i.e., thirty days, suffices in order to be considered one of the **residents of the city**. As it is taught in a *baraita*: **One who is prohibited by a vow from deriving benefit from the people of a particular city^H is prohibited from deriving benefit from anyone who has stayed there for twelve months**, but it is permitted for him to derive benefit from anyone who has stayed there for **less time than that**. By contrast, if he prohibited himself by way of a vow from deriving benefit from the residents of a particular city, he is **prohibited from deriving benefit from anyone who has stayed there for thirty days**, but it is permitted for him to derive benefit from anyone who has stayed there for **less time than that**.

The Gemara asks: **And do we require that one live in a city for twelve months for all matters?** But isn’t it taught in a *baraita*: If one lives in city for **thirty days**, he must contribute to the **charity platter^H** from which food is distributed to the poor. If he lives there for **three months**, he must contribute to the **charity box**. If he lives there for **six months**, he must contribute to the **clothing fund**. If he lives there for **nine months**, he must contribute to the **burial fund**. If he lives there for **twelve months**, he must contribute to the **columns of the city** [*lepassei ha’ir*],^L i.e., for the construction of a security fence. Rabbi Asi said that Rabbi Yohanan said: **When we learned twelve months in the mishna, we learned that with regard to contributing to the columns of the city, money used for protecting and strengthening the city, but not for other matters.**

HALAKHA

A donkey caravan or a camel caravan – **הַחֲמֹרֹת וְהַגְּמָלוֹת**: Members of a traveling caravan who were led astray and worshipped idolatry along with the other residents of a city are considered residents of an idolatrous city if they had resided in the city for thirty days before the inhabitants were enticed into idol worship. If they had not been there that long, they are considered individual idolaters. If the majority of the city had been led astray, but the members of the caravan who had been there for thirty days had not been, they join the minority to form a majority and save the city (Rambam *Sefer HaMadda*, *Hilkhot Avoda Zara* 4:9, and *Kesef Mishne* and *Lehem Mishne* there).

One who is prohibited by a vow from deriving benefit from the people of a city – **הַמּוֹדֵר הֵנָּה מֵאֲנָשֵׁי הָעִיר**: If one is prohibited by a vow from deriving benefit from the people of a city, it is prohibited for him to derive benefit from anybody who has lived there for twelve months. If he is prohibited by a vow from deriving benefit from the residents, rather than people, of a city, he may not derive benefit from anybody who had been there for thirty days. If he prohibited himself from deriving benefit from people who live in the city, he may not benefit from somebody who is living there

temporarily with his family even less than thirty days (Rambam *Sefer Hafla’a*, *Hilkhot Nedrim* 9:17; *Shulhan Arukh*, *YarahDe’a* 217:32, and in the comment of Rema).

Thirty days to the charity platter – **שְׁלֹשִׁים יוֹם לְתַמְחֹי**: Whoever lives in a city for thirty days is obligated to contribute to the communal charity box. If he lives there for three months, he must also contribute to the charity platter. If he lives there for six months, he must donate money to the clothing fund. If he lives there for nine months, he must provide funds for burying the poor. After twelve months, he is considered a resident of the town with regard to all taxes and obligations. This is in accordance with the version of the Gemara found before the Rif and the Rambam. These *hd ktra* apply to an individual who upon his arrival in the city announces that he does not intend to stay there. But if he does intend to settle there, he is obligated at once. The Rema, citing the Maharik, writes that residents of a new city are obligated at once. He adds that according to some (*Stak*), in our times thirty days marks the start of all obligations to a city (Rambam *Sefer Zedim* , *Hilkhot Mattenot Aniyyim* 9:12; *Shulhan Arukh*, *YarahDe’a* 256:5).

וְאָמַר רַבִּי אָסִי אָמַר רַבִּי יוֹחָנָן: הַכֵּל לְפָסִי הָעִיר וְאֶפִּילוֹ מִיתָמִי, אָבֵל רֶבֶן לֹא דִרְבַּנְּךָ לֹא צָרִיכִי נְטִירוֹתָא. אָמַר רַב פָּפָא: לְשׁוּרָא וּלְפָרָשָׁא וּלְטָרְזִינָא – אֶפִּילוֹ מִיתָמִי, אָבֵל רֶבֶן לֹא צָרִיכִי נְטִירוֹתָא. כָּלֵלָא דְמִילְתָּא: כָּל מִילְתָּא דְאִית לָהּ הִנָּאָה מִינָּה – אֶפִּילוֹ מִיתָמִי.

רַבָּה רְמָא צָדָקָה אִיתָמִי דְּבִי בַר מַרְיוֹן, אָמַר לִיה אַבְיִי, וְהָתֵנִי רַב שְׁמוּאֵל בַּר יְהוּדָה: אֵין פּוֹסְקִין צָדָקָה עַל הִיתּוּמִּים אֶפִּילוֹ לְפָדְיוֹן שְׁבוּיִם! אָמַר לִיה: אָנָּה לְאַחֲשׁוּבִינָהוּ קָא עֲבִידְנָא.

אִיפְרָא הוּרְמִיז, אִימִיָּה דְּשָׁבוּר מִלְכָּא, שְׁדָּדָה אֲרֻנְקָא דְּדִינְרֵי לְקַמִּיָּה דְּרַב יוֹסֵף, אָמְרָה: לִיְהִי לְמַצָּה רַבָּה. יְתִיב רַב יוֹסֵף וְקָא מַעֲיִין בָּהּ: מַאי מַצָּה רַבָּה? אָמַר לִיה אַבְיִי, מִדְּתַנִּי רַב שְׁמוּאֵל בַּר יְהוּדָה: אֵין פּוֹסְקִין צָדָקָה עַל הִיתּוּמִּים אֶפִּילוֹ לְפָדְיוֹן שְׁבוּיִם, שְׁמַע מִינָּה.

Perek I

Daf 8 Amud b

פְּדִיּוֹן שְׁבוּיִם מַצָּה רַבָּה הִיא.

אָמַר לִיה רַבָּא לְרַבָּה בַּר מַרִּי: מִנָּה הָא מִילְתָּא דְּאָמַר רֶבֶן דְּפָדְיוֹן שְׁבוּיִם מַצָּה רַבָּה הִיא? אָמַר לִיה, דְּכָתִיב: "וְהָיָה כִּי יֹאמְרוּ אֵלֶיךָ אָנָּה נֵצַח וְאָמַרְתָּ אֲלֵיהֶם כֹּה אָמַר ה' אֲשֶׁר לָמוֹת לָמוֹת וְאֲשֶׁר לַחֲרֹב לַחֲרֹב וְאֲשֶׁר לָרָעַב לָרָעַב וְאֲשֶׁר לִשְׁבִי לִשְׁבִי", וְאָמַר רַבִּי יוֹחָנָן: כָּל הַמְּאוּחָר בְּפֶסֶק זֶה קֶשֶׁה מִחֲבִירוֹ.

חָרֵב קֶשֶׁה מִמּוֹת – אִי בָּעִית אִימָא קָרָא, וְאִי בָּעִית אִימָא סְבָרָא; אִי בָּעִית אִימָא סְבָרָא: הָאִי קָא מִינּוּל וְהָאִי לֹא קָא מִינּוּל; וְאִיבָּעִית אִימָא קָרָא: "קָרָא בְּעֵינֵי ה' הַמּוֹתָה לְחַסִּידָיו".

רָעַב קֶשֶׁה מִחָרֵב – אִיבָּעִית אִימָא סְבָרָא: הָאִי קָא מַצְטָעַר וְהָאִי לֹא קָא מַצְטָעַר; אִיבָּעִית אִימָא קָרָא: "טוֹבִים הֵיוּ חֲלָלֵי חָרֵב מִחֲלָלֵי רָעַב". שְׁבִי [קֶשֶׁה מְכּוּלָם], דְּכוּלָּהוּ אִיתְנָהוּ בֵּיהּ.

And Rabbi Asi says that Rabbi Yohanan says: All are required to contribute to the columns of the city, and money is collected for that purpose even from orphans. But the Sages are not required to contribute, since the Sages do not need protection. Rav Pappa said: Money is collected even from orphans for the city wall, for the city horseman, and for the guard [uletarzina]¹ of the city armory, but the Sages do not require protection. The principle of the matter is: Money is collected even from orphans for anything from which they derive benefit.

It is reported that Rabba imposed a contribution to a certain charity on the orphans of the house of bar Maryon. Abaye said to him: But didn't Rav Shmuel bar Yehuda teach: One does not impose a charity obligation on orphans^H even for the sake of redeeming captives, since they are minors and are not obligated in the mitzvot? Rabba said to him: I did this to elevate them in standing, i.e., so that people should honor them as generous benefactors; not in order that the poor should benefit.

Incidental to this story, the Gemara relates that Ifera Hurmiz,^P the mother of King Shapur, king of Persia, sent a purse [arneka]^L full of dinars to Rav Yosef. She said to him: Let the money be used for a great mitzva. Rav Yosef sat and considered the question: What did Ifera Hurmiz mean when she attached a condition to the gift, saying that it should be used for a great mitzva? Abaye said to him: From what Rav Shmuel bar Yehuda taught, that one does not impose a charity obligation on orphans even for the sake of redeeming captives, learn from this

that redeeming captives is a great mitzva.^H

Rava said to Rabba bar Mari: Concerning this matter that the Sages stated, that redeeming captives is a great mitzva, from where is it derived? Rabba bar Mari said to him: As it is written: "And it shall come to pass, when they say to you: To where shall we depart? Then you shall tell them: So says the Lord: Such as are for death, to death; and such as are for the sword, to the sword; and such as are for famine, to famine; and such as are for captivity, to captivity" (Jeremiah 15:2). And Rabbi Yohanan says: Whichever punishment is written later in this verse is more severe than the one before it.

Rabbi Yohanan explains: The sword is worse than death. If you wish, say that this is learned from a verse; if you wish, say instead that it is derived by way of logical reasoning. If you wish, say that this is derived by way of logical reasoning: This punishment, i.e., death by sword, mutilates the body, but that punishment, i.e., natural death, does not mutilate it. And if you wish, say that the fact that the sword is worse than death is learned from a verse: "Precious in the sight of the Lord^N is the death of His pious ones" (Psalms 116:15).

Famine is worse than the sword. If you wish, say that this is derived by way of logical reasoning: This one, who dies of famine, suffers greatly before departing from this world, but that one, who dies by the sword, does not suffer. If you wish, say instead that the fact that famine is worse than the sword is learned from a verse: "More fortunate were the victims of the sword than the victims of famine" (Lamentations 4:9). And captivity is worse than all of them, as it includes all of them, i.e., famine, the sword, and death.

LANGUAGE

Guard [tarzina] – טָרְזִינָא: This has been explained as a contraction of *neter zina*, meaning he who guards the weapons of a city.

Purse [arneka] – אֲרֻנְקָא: From the Greek ἀρνάκις, *arnakis*, which is a box or wallet for coins.

HALAKHA

One does not impose a charity obligation on orphans – אין פּוֹסְקִים צָדָקָה עַל הִיתּוּמִּים: The court does not impose the obligation of charity on minor orphans even for the important mitzva of redeeming captives and even if the orphans are wealthy. But if the orphans do not have a good reputation and the judge wishes to improve their image, he may impose the obligation of charity upon them. This only applies if their steward does not object (Rambam *Sfē Zedim*, *Hilkhot Matenot Aniyyim* 7:12; *Shulḥan Arukh, Yoreh Déa* 248:3).

PERSONALITIES

Ifera Hurmiz – אִיפְרָא הוּרְמִיז: Ifera Hurmiz was the mother of Shapur II, king of Persia, who ruled between 309 and 379 CE. Because Shapur was crowned at birth, his mother had great influence over him for many years. Ifera Hurmiz is mentioned several times in the Talmud as an admirer of Judaism and the Sages of Israel.

HALAKHA

Redeeming captives is a great mitzva – פְּדִיּוֹן שְׁבוּיִם מַצָּה רַבָּה הִיא: Redeeming captives is a great mitzva, which takes precedence over sustaining the poor and providing them with clothing. Therefore, if the community has collected money for any particular cause, they may use that money to redeem captives (Rambam *Sfē Zedim*, *Hilkhot Matenot Aniyyim* 8:10; *Shulḥan Arukh, Yoreh Déa* 252:1).

NOTES

Precious in the sight of the Lord – יָקָר בְּעֵינֵי ה': In other words, God wants the righteous to die in an honorable fashion, rather than suffer a disgraceful death by the sword or famine (Ritva).

Charity fund – קופה: Money for the charity fund is collected by two people and distributed by three people. Food for the charity platter is collected by three people and distributed by three people (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 9:5; *Shulḥan Arukh*, *YorehDe'a* 256:3).

Charity platter – תמחוי: Food for the charity platter is collected every day and distributed every day, while money for the charity fund is collected only once a week, on Shabbat eve. Food is distributed to all people, but money from the charity fund is given only to the poor of that city. It is permitted for the residents of a city to change the purpose toward which the charity will be used to whatever they want, in accordance with the needs of the community. This is so even if no condition had been stipulated from the outset to allow the change (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 9:6–7; *Shulḥan Arukh*, *YorehDe'a* 256:4).

To set the measures – להתנות על המדות: It is permitted for the residents of a city to set the measures and prices of all commodities, even food staples. It is permitted for the craftsmen in a city to establish regulations with regard to their work. Similarly, a city can institute fines for those who do not follow the municipal ordinances. If only a small number of artisans wish to establish regulations, they are ignored (Rambam *Seder Kinyan*, *Hilkhot Mekhira* 14:9–10; *Shulḥan Arukh*, *Hoshen Mishpat* 231:27–28, and in the comment of Rema).

תנו רבנן: קופה של צדקה נגבית בשנים ומתחלקת בשלשה, נגבית בשנים – שאין עושים שירות על הצבור פחות משנים, ומתחלקת בשלשה – כדיני ממונות;

תמחוי נגבית בשלשה ומתחלקת בשלשה, שגבויה וחלוקה שנים; תמחוי – בכל יום, קופה – מערב שבת לערב שבת,

תמחוי – לעניי עולם, קופה – לעניי העיר; ורשאים בני העיר לעשות קופה תמחוי ותמחוי קופה, ולשנותה לכל מה שיירצו;

ורשאים בני העיר להתנות על המדות ועל השערים, ועל שכר פועלים, ולהסיע על קיצתן.

אמר רב: אין עושים שירות על הצבור פחות משנים. מנא הני מילי? אמר רב נחמן, אמר קרא: "והם יקחו את הזהב" וגו'.

S In connection with the previous discussion concerning charity distribution, the Gemara cites a *baraita* in which the Sages taught: Money for the charity fund^H is collected by two people and distributed by three people. It is collected by two people because one does not appoint an authority over the community composed of fewer than two people. And it is distributed by three people, like the number of judges needed in cases of monetary law,^N since the distributors determine who receives money and who does not, as well as how much each person receives.

Food for the charity platter^H is collected by three people and distributed by three people because its collection and its distribution take place on the same day.^N Food for the charity platter is collected and distributed every day, and therefore a third individual must participate in the collection so that he will be available to take part in the distribution without delay; whereas the money of the charity fund is distributed only once a week, on each Shabbat eve.

There are additional differences between these two types of charity operations: The food from the charity platter is distributed to the poor of the world, meaning, to any poor individual arriving in the city; the money of the charity fund is allocated exclusively to the poor of the city. But it is permitted for the residents of the city to use money that has been collected for the charity fund to purchase food for the charity platter to feed the poor; and similarly they may use food that had been collected for the charity platter for the charity fund. In general, it is permitted for them to change the purpose toward which charity will be used to whatever they want,^N in accordance with the needs of the community.

Similarly, it is permitted for the residents of the city to set the measures^H used in that city, the prices set for products sold there, and the wages paid to its workers, and to fine people for violating their specifications,^N in order to enforce observance of these *halakhot*. This marks the end of the *baraita*, the details of which the Gemara proceeds to analyze.

The Master said in the *baraita*: One does not appoint an authority over the community composed of fewer than two people. The Gemara asks: From where are these matters derived? Rav Nahman says that this is derived from a verse referring to those engaged in building the Tabernacle and weaving the priestly vestments, who received the community's donations. The verse states: "And they shall take the gold, and the sky-blue wool, and the purple wool" (Exodus 28:5). The plural "they" indicates that the collection must be performed by two people.

NOTES

And it is distributed by three people like in cases of monetary law – ומתחלקת בשלשה כדיני ממונות: Three people are required for the distribution of charity because the distributors must examine each case and determine how much money the recipient is entitled to receive (Rashi). But three people are not required for the collection of charity because the amount that each person must give is fixed (Rabbeinu Gershom; Rabbeinu Hananel; *Tosafot*).

Its collection and its distribution on the same day – שגבויה: Rashi explains that both the collection and the distribution are performed on the same day, as is stated later in the *ba'ata*, as once food is collected it cannot be kept until Friday. And since the food is distributed every day, it is difficult to find a third person to participate in that distribution of the food platter. Some commentaries understand that there was no fixed amount collected for the charity platter, just as there was no fixed amount distributed from it, and therefore three people were required for the collection to determine how much each person should contribute (Rabbeinu Gershom; Rif).

To change to whatever they want – ולשנותה לכל מה שיירצו: The early commentaries disagree about this point. Some explain that the charity collectors can change as they please the purpose toward which the charity will be used, as long as it remains as charity for the poor. They have the discretion to use the funds for any pressing needs of the poor (Rabbeinu Hananel; Ri Migash; Ramah). The Ramban and Rabbeinu Yona maintain that money collected for the poor can serve as emergency funds for the community for any communal need, as long as that money is replaced. *Tosafot* seem to say that the money does not even need to be replaced.

To fine [leḥassia] people for violating their specifications – ולהסיע על קיצתן: While everyone agrees that the residents of a city can force its members to abide by the principles that they created using any means at their disposal, there is a dispute with regard to the meaning of this phrase. Rashi says it means that somebody can be fined for violating what has been fixed and established. The *Arukh* writes that *leḥassia* means that principles can be altered occasionally. The Ri Migash and Ramah explain that the term is connected to assistance, meaning that they can support their enactments by force.

שְׁרוּתוֹ הוּא דִּלָּא עֲבָדִי, הָא הֵימוּנִי מְהִימָן; מִסִּייע לִיה לְרַבִּי חֲנִינָא, דָּאֻמְר רַבִּי חֲנִינָא: מַעֲשֶׂה וּמִינָה רַבִּי שְׁנֵי אַחֲנִי עַל הַקּוֹפָה.

מֵאִי שְׁרוּתָא? דָּאֻמְר רַב נַחֲמָן אָמַר רַבָּה בְּרַ אֲבוּה: לְפִי שְׁמַמְשֻׁכְּנִין עַל הַצִּדָּקָה וְאִפִּילוּ בְּעֶרֶב שַׁבָּת. אֵינִי? וְהָא בְּתִיב: “וּפְקַדְתִּי עַל כָּל לִחְצִיר”, וְאָמַר רַבִּי יִצְחָק בְּרַ שְׁמוּאֵל בְּרַ מַרְתָּא מְשֻׁמִּיָּה דְּרַב: וְאִפִּילוּ עַל גְּבָאֵי צִדָּקָה!

לֹא קִשְׁיָא: הָא דָּאֻמִּיד, הָא דִּלָּא אָמִיד. כִּי הָא דְּרַבָּא אֲכַפִּיָּה לְרַב נָתַן בְּרַ אָמִי, וּשְׁקִיל מִינָה אַרְבַּע מָאָה זָוִי לְצִדָּקָה.

”וְהַמְשֻׁכְּלִים יִזְהָרוּ כְּזֹהֵר הַרְקִיעַ” וגו’. “הַמְשֻׁכְּלִים יִזְהָרוּ כְּזֹהֵר הַרְקִיעַ” – זֶה דִּין שְׁדָן דִּין אֶמֶת לְאֶמֶתוֹ, “וּמַצְדִּיקֵי הָרַבִּים כְּכּוֹכְבִּים לְעוֹלָם וָעֶד” – אֵלּוּ גְּבָאֵי צִדָּקָה.

בְּמִתְנִיטָא תֵּנָא: “וְהַמְשֻׁכְּלִים יִזְהָרוּ כְּזֹהֵר הַרְקִיעַ” – זֶה דִּין שְׁדָן דִּין אֶמֶת לְאֶמֶתוֹ וְגַבָּאֵי צִדָּקָה, “וּמַצְדִּיקֵי הָרַבִּים כְּכּוֹכְבִּים לְעוֹלָם וָעֶד” – אֵלּוּ מְלַמְדֵי הַיְנוּקוֹת. כְּגוֹן מֵאֵן? אָמַר רַב: כְּגוֹן רַב שְׁמוּאֵל בְּרַ שִׁילַת. דְּרַב אֲשַׁכְּחִיה לְרַב שְׁמוּאֵל בְּרַ שִׁילַת דְּהוּה קָאִי בְּגִינָתָא, אָמַר לִיה: שְׁבַקְתִּיָּה לְהִימְנוּתְךָ? אָמַר לִיה: הָא תְּלִיסָר שָׁנִין דִּלָּא חֲזִיא לִי, וְהִשְׁתָּא נָמִי דַּעֲתָאִי עָלְוִיהָ.

The Gemara comments: The *baraita* indicates that **authority may not be exercised** by less than two people, **but even a single individual is trusted^h** to be a treasurer. That is, money for the charity fund is collected by two people, not because a single individual is not trusted not to misappropriate the money, but rather because a single individual should not be given authority over the community. **This supports the opinion of Rabbi Ḥanina, as Rabbi Ḥanina says: There was an incident where Rabbi Yehuda HaNasi appointed two brothers to administer the charity fund.** Even though the brothers were relatives who are not trusted to testify against each other, Rabbi Yehuda HaNasi was not concerned and he appointed them.

The Gemara asks: **What authority** is associated with collecting charity? The Gemara answers: **As Rav Naḥman says that Rabba bar Avuh says: Because they can seize collateral for the charity;^h** i.e., they can collect charity by force, **and even on Shabbat eve**, when people are busy and might claim that they have no time or money. The Gemara objects: **Is that so? But isn’t it written: “I will punish all that oppress them”** (Jeremiah 30:20),^h **and Rabbi Yitzḥak bar Shmuel bar Marta says in the name of Rav: And punishment will be meted out even to charity collectors?** If charity collectors are permitted to force people to contribute charity, why are they counted among Israel’s oppressors?

The Gemara answers: This is **not difficult**. **This**, Rabbi Naḥman’s statement, applies **when** the contributor is **rich**, in which case the collectors may seize money from him even by force. **That**, Rabbi Yitzḥak’s statement, applies **when** he is **not rich**, in which case the collectors who take money from him by force are termed oppressors of Israel. **This** right to force contributions from the rich is like what occurred in the incident in which **Rava compelled Rav Natan bar Ami and took four hundred dinars^b from him for charity.**

Having raised the issue of charity collection, the Gemara cites various rabbinic expositions with regard to the matter. The verse states: “**And they who are wise shall shine like the brightness of the firmament; and they who turn many to righteousness like the stars for ever and ever**” (Daniel 12:3). “**And they who are wise shall shine like the brightness of the firmament**”; **this is a judge who judges an absolutely true judgment**, as his wisdom and understanding lead him to a correct judgment. “**And they who turn many to righteousness^h like the stars for ever and ever**”; **these are the charity collectors**, who facilitate the giving of charity.

It was taught in a *baraita*: “**And they who are wise shall shine like the brightness of the firmament**”; **this is a judge who judges an absolutely true judgment and also charity collectors.**ⁿ “**And they who turn many to righteousness like the stars for ever and ever**”; **these are schoolteachers.** The Gemara asks: **Like whom?** Certainly not every schoolteacher is worthy of such accolades. **Rav said: For example, Rav Shmuel bar Sheilat.**^p As it is told that **Rav once found Rav Shmuel bar Sheilat standing in a garden. Rav said to him: Have you abandoned your trust and neglected your students? Rav Shmuel bar Sheilat said to him: It has been thirteen years now that I have not seen my garden, and even now my thoughts are on the children.**

PERSONALITIES

Rav Shmuel bar Sheilat – רַב שְׁמוּאֵל בְּרַ שִׁילַת: Rav Shmuel bar Sheilat was an *amra* of the second generation in Babylonia. He was a teacher of children who was greatly respected by Rav for his teaching methods. Rav also advised him on how to handle children. Rav Shmuel bar Sheilat was apparently wealthy despite the fact that he involved himself only in education and

not in business. It seems that he was also a preacher in the city of Sura, and it is possible that he eulogized Rav after his death. The few statements cited in his name indicate that he was a leading disciple of Rav even though he also quotes statements of Rav’s students. Rav Shmuel bar Sheilat’s son, Rav Yehuda, was an important Sage of the next generation.

HALAKHA

But he is trusted – הָא הֵימוּנִי מְהִימָן – Even though authority may not be exercised by fewer than two people, this is not due to a lack of trust of one person. Therefore, after the money is collected a single individual may be appointed to serve as treasurer. Similarly, two brothers may be appointed to administer the charity fund (Rambam *Sēfer Zēdim* , *Hilkhot Mattenot Aniyyim* 9:5; *Shulḥan Arukh, YacḥDéa* 256:3).

They can seize collateral for the charity – מְשֻׁכְּנִין – על הַצִּדָּקָה: The residents of a city can compel people to donate money for charity in accordance with their means. The residents can seize their property and impose physical punishment. They can seize collateral at any time, including on Shabbat eve (Rambam *Sēfer Zēdim* , *Hilkhot Mattenot Aniyyim* 7:10; *Shulḥan Arukh, YacḥDéa* 248:2).

I will punish all that oppress them – וּפְקַדְתִּי עַל כָּל לִחְצִיר – It is prohibited to demand charity from a generous person who gives more than he can afford, or from one who causes himself difficulty and gives charity in order to avoid embarrassment. Charity collectors who make such demands will suffer punishment in the future (Rambam *Sēfer Zēdim* , *Hilkhot Mattenot Aniyyim* 7:11; *Shulḥan Arukh, YacḥDéa* 248:7).

And they who turn many to righteousness – וּמַצְדִּיקֵי – הִרְבִּים: One who causes others to donate charity receives a greater reward than the one who actually gives the charity (Rambam *Sēfer Zēdim* , *Hilkhot Mattenot Aniyyim* 10:6).

BACKGROUND

Four hundred dinars – אַרְבַּע מָאָה זָוִי – The easiest way to appreciate the value of this sum is by quantifying its buying power: Four hundred dinars was approximately four months’ salary.

NOTES

מְשֻׁכְּלִים... – They who are wise...and charity collectors – וְגַבָּאֵי צִדָּקָה: Charity collectors must be wise so that they can determine what the poor person needs and how to supply it (Rashi).

They exchange [*poretin*] – פורטין: This term is used in mishnaic Hebrew in opposite senses: Both for exchanging large coins for smaller ones, and for exchanging small coins for larger ones.

ורבנן מאי? אמר רבינא: "ואהבי
בציאת השמש בגברתו".

תנו רבנן: גבאי צדקה אינן רשאין
לפרוש זה מזה, אבל פורש זה לשער
וזה לחנות; מצא מעות בשוק – לא
יתנם בתוך ביסו, אלא נותנן לתוך
ארנקי של צדקה, ולכשיבא לביתו
יטלם; פוצצא בו, היה נושה בחבירו
מנה ופרעו בשוק – לא יתננו לתוך
ביסו, אלא נותנן לתוך ארנקי של
צדקה, ולכשיבא לביתו יטלם.

תנו רבנן: גבאי צדקה שאין להם עניים
לחלק – פורטין לאחרים, ואין פורטין
לעצמן; גבאי תמחוי שאין להם עניים
לחלק – מוכרין לאחרים, ואין מוכרין
לעצמן; מעות של צדקה אין מונין אותן
שתיים, אלא אחת אחת.

אמר אביי: מריש לא היה יתיב מר
אציפי דבי כנישתא, בין דשמעה להא
דתניא: ולשנותה לכל מה שירצו, היה
יתיב. אמר אביי: מריש היה עביד מר
תרי ביסי, חד לעניי דעלמא וחד לעניי
דמתא, בין דשמעה להא דאמר ליה
שמואל לרב תחליפא בר אבדימי:
עביד חד ביסא

In light of the praises heaped upon judges, tax collectors, and schoolteachers, the Gemara asks: **And what was said about the Sages?** Ravina said that about them it is stated: “**But let them that love Him be as the sun when it comes out in its might**” (Judges 5:31).

The Gemara resumes its discussion of the *halakhot* of charity collection: **The Sages taught in a *baraita*: Charity collectors may not separate from each other,**^h each one collecting in a different place; **but in a place where the two can see each other, one collector may separate from the other, e.g., this one going to the gate of a house and that one going to a store. If a charity collector found coins in the market,**^h **he may not put them into his own pocket, but rather he must put them into the charity purse, and then later when he comes home, he may take them from there.** This is necessary so that people should not suspect him of taking charity money for himself. **Similarly, if the charity collector was owed one hundred dinars by another, and the latter repaid his debt in the market, the collector may not put the money he received into his own pocket, but rather he must put it into the charity purse, and then later when he comes home, he may take it.**

The Sages taught in a *baraita*: **Charity collectors who have no poor people to whom they can distribute the money, may exchange [*poretin*]**^l **the money, i.e., exchange the copper coins, which tend to rust, for silver dinars, with other people,**^h **but they should not change it by themselves, i.e., with their own coins, to avoid any suspicion of wrongdoing. Likewise, collectors of food for the charity platter who do not have poor people to whom to distribute the food may sell the food to others, but they should not sell it to themselves, for a similar reason. Coins of charity are not counted two by two,**^h **but rather one by one, to avoid errors in tallying.**

Abaye said: **At first, my Master, Rabba, would not sit on the mats in the synagogueⁿ because they had been purchased with charity funds. Once he heard that which is taught in a *baraita*, that it is permitted for the residents of a city to change the purpose toward which charity will be used to whatever they want, he did sit on them.** Abaye said: **At first, my Master, Rabba, would make two purses, one for the poor of the rest of the world, and one for the poor of his city. Once he heard what Shmuel said to Rav Taḥalifa bar Avdimi: Make only one purse,**

HALAKHA

גבאי – Charity collectors may not separate from each other – צדקה אינן רשאין לפרוש זה מזה: Charity collectors may not separate from each other while they are collecting funds unless they can still see each other. Consequently, one person may go to the gate of a courtyard while the other goes to an adjacent store. *Pithei Teshuva*, citing *Beit Yddor*, states that they may separate if the amount they are collecting is small (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 9:8; *Shulḥan Arukh*, *YorehDe'a* 257:1).

מצא מעות בשוק – If he found coins in the market: If a charity collector finds coins in the market or if somebody repays a debt to the charity collector in the market, the charity collector must not put the money into his own pocket, so that he not place himself under suspicion. Instead, he must put the money into his charity purse and take back the sum in question only after

he gets home (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 9:9; *Shulḥan Arukh*, *YorehDe'a* 257:1).

פורטין – They may change the money with other people – לאתרים: When a charity collector has no poor people to whom to give the money, he may exchange the coins for dinars, but only with the coins of another person and not with his own coins. Similarly, people who collect food for the charity platter may not buy leftover food for themselves, but must sell it to others (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 9:11; *Shulḥan Arukh*, *YorehDe'a* 257:2).

אין מונין אותן שתיים – Are not counted two by two – אין מונין אותן שתיים: Charity collectors should not count the coins two by two, but rather one by one, to avoid suspicion (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 9:10; *Shulḥan Arukh*, *YorehDe'a* 257:1).

NOTES

Mats in the synagogue – אציפי דבי כנישתא: Some early commentaries maintain that the mats were bought with money collected for the charity fund, or specifically for the poor people to sleep on. Once Rabba heard that it was permitted for him to exchange charity funds for communal needs, he was prepared to sit on them (Rabbeinu Gershom; Rashi). Others write that these

mats were provided for prayer, based on the *ba'ita* that permits exchanges. Rabba expounds that since the mats were given for communal needs, one is not obligated to be particular about which requirements are satisfied. Consequently, even though they were designated for prayer, one can still sit or learn on them (Rabbeinu Yona, citing Ri Migash; see Meiri).

וְאֶתְנִי עֲלֶיהָ, אִיהוּ נָמִי עֶבֶד חֵד בִּיסָא
וְאֶתְנִי עֲלֶיהָ. רַב אֲשִׁי אָמַר: אֲנָא אֶתְנִי
נָמִי לֹא צְרִיכָנָא, דְּכָל דְּקָא אֶתִּי אֲדַעְתָּא
דִּידִי אֶתִּי, וְלִמָּאן דְּבַעֲיָנָא יְהִיבָנָא לִיהָ.

הָנָהוּ בִּי תְרֵי טַבְחֵי דְּעֶבְדֵי עֲנִינָא בְּהָדִי
הָדָרִי, דְּכָל מָאן דְּעֶבֶד בְּיוֹמָא דְּחִבְרִיָּה
נִקְרְעוּהָ לְמִשְׁכִּיָּה. אֲזִל חֵד מִנֵּיהּוּ עֶבֶד
בְּיוֹמָא דְּחִבְרִיָּה, קָרְעוּ לְמִשְׁכִּיָּה; אֶתּוּ
לְקַמֵּיהּ דְּרַבָּא. חִיבִינְהוּ רַבָּא לְשִׁלּוּמֵי.

אִיתִיבִיָּה רַב יִימָר בַּר שְׁלִמְיָא לְרַבָּא:
וְלִהְסִיעַ עַל קִיעָתָם! לֹא אֶהְדֵּר לִיהָ רַבָּא.
אָמַר רַב פֶּפֶא: שְׁפִיר עֶבֶד דְּלֹא אֶהְדֵּר
לִיהָ מִיָּדִי; הֵנִי מִיָּלִי הֵיכָא דְּלִיכָא אָדָם
חָשׁוּב, אֲבָל הֵיכָא דְּאִיכָא אָדָם חָשׁוּב –
לֹא כָּל כְּמִינֵיהּוּ דְּמִתְנָא.

תִּנּוּ רַבָּנִי: אִין מַחְשְׁבִין בְּצִדְקָה עִם גִּבְאֵי
צִדְקָה, וְלֹא בְּהִקְדָּשׁ עִם הַגּוֹבְרִין, וְאִין
עַל פִּי שְׂאִין רִאִיָּה לְדָבָר – זָכָר לְדָבָר,
שְׁנֵאמַר: “וְלֹא יַחֲשָׁבוּ אֶת הָאֲנָשִׁים
אֲשֶׁר יִתְּנוּ אֶת הַכֶּסֶף עַל יָדָם לְתֵת לַעֲשֵׂי
הַמְּלָאכָה בִּי בְּאֵמֶנָה הֵם עֹשִׂים.”

אָמַר רַבִּי אֶלְעָזָר: אִין עַל פִּי שְׂאִין לֹא
לְאָדָם גּוֹבֵר נֶאֱמָן בְּתוֹךְ בֵּיתוֹ – יָצוּר
וְיִמְנָה, שְׁנֵאמַר: “וַיֵּצְרוּ וַיִּמְנוּ.”

and stipulate about it with the people of your city that the money collected will be given to whomever needs it, **he too made only one purse and stipulated** with the people of his city about it. Rav Ashi said: I do not even need to make a stipulation, as whoever comes to donate to this charity fund comes relying on my discretion and understanding that I will give the funds to whomever I want.

The Gemara relates: There were **these two butchers who made an agreement^N with each other that whichever one of them worked on the day assigned to the other** according to their mutually agreed-upon schedule **would tear up the hide** of the animal that he slaughtered that day. **One of them went and worked on the other’s day, and the other butcher tore up the hide** of the animal that he slaughtered. **They came before Rava** for judgment, and **Rava obligated him to pay** the butcher who slaughtered that animal.

Rav Yeimar bar Shelamya raised an objection to Rava: Isn’t it stated among actions that the residents of a city may take: **And to fine people for violating their specifications**, i.e., those ordinances that the residents passed? **Rava did not respond to him.** Rav Pappa said: **He did well that he did not respond to him**, as **this matter applies only where there is no important person^H** in the city, in which case it is permitted for the residents of the city to draw up ordinances on their own. **But where there is an important person,^N it is not in the residents’ power to make stipulations**, i.e., regulations; rather, they are required to obtain the approval of the city’s leading authority to give force to their regulations.

S The Sages taught: One does not calculate sums with charity collectors^H concerning the money they collected for charity, to verify how much they received and how much they distributed, **nor does one calculate sums with the Temple treasurers concerning the property consecrated to the Temple. And even though there is no explicit proof of the matter^N from the Bible,** there is nevertheless an allusion to the matter, as it is stated: **“And they did not reckon with the men into whose hand they delivered the money to pay out to the workmen; for they dealt in good faith”** (II Kings 12:16).

Rabbi Elazar says: **Even though a person has a trusted treasurer in his house** like the aforementioned Temple treasurers, who were fully trusted, **he should nevertheless tie up his money and count it,^N as it is stated:** “And the king’s scribe and the High Priest came up, **and they tied it in bags and counted the money...** And they gave the money that was counted into the hands of them that did the work, that had the oversight of the House of the Lord” (II Kings 12:11–12).

NOTES

הָנָהוּ – These two butchers who made an agreement, etc. According to the standard version of the text, this agreement was made between two specific butchers. One of the two of them violated the terms of the agreement, whereupon the other tore the hide of the slaughtered animal. Many commentaries note that restrictions on trade can be instituted only by all of the tradesman of a locale (see Ramban). These commentaries would prefer the version of the text presented by the Bah, also found in the Rif, which reads: These butchers who made an agreement. According to this version, all of the butchers of the town agreed to these restrictions, and when one of them violated the restrictions, the others tore the hide of the animal he slaughtered.

הֵיכָא דְּאִיכָא אָדָם – Where there is an important person – **חָשׁוּב**: The Ri Migash and the Ramah write that this term refers specifically to a case where the important personage is both a Torah scholar and a communal leader. If he lacks either of these criteria, the lack of his approval does not nullify the stipulation. The reason for the restriction of the ability of people to make these regulations is that it would be disrespectful to establish regulations without the approval of the local scholar. Additionally, this leader will ensure that the regulations are appropriate (Ritva).

There is no proof of the matter – אִין רִאִיָּה לְדָבָר: This verse does not provide an absolute proof, because the Temple treasurers referred to were in charge of the complex task of Temple repairs. In such a situation it is difficult to keep track of the accounts (Rashi). *Tosafot* explain that this verse is no proof because the Temple treasurers were thoroughly righteous individuals, which is not necessarily the case with charity collectors.

Tie up and count it – יָצוּר וַיִּמְנָה: Some commentaries maintain that this teaches that although one does not calculate sums with charity collectors or the Temple treasurers concerning the money that they distribute, one does keep track of the amounts that they receive (Ramah).

HALAKHA

הֵיכָא דְּלִיכָא אָדָם חָשׁוּב – Where there is no important person – If the craftsmen or the residents of a city pass local ordinances, they have the authority to enforce them. But if they pass these ordinances in a place where there is a local Sage without consulting with that Sage, they cannot force them upon those who did not accept them. The Rema, citing the Ran, writes that if the ordinances do not cause anybody a financial loss, they may be established even without consulting with the Sage (Rambam *Sfot Kinyan*, *Hilkhot Mekhira* 14:9–11; *Shulhan Arukh*, *Hoshen Mishpat* 231:27–28).

אִין – One does not calculate sums with charity collectors – **מַחְשְׁבִין בְּצִדְקָה עִם גִּבְאֵי צִדְקָה**: One does not calculate sums with the charity collectors or with the Temple treasurers. The Rema, citing the *Tur*, writes that it is nevertheless appropriate for the charity collectors to provide the community with a financial report. This applies to responsible charity collectors, but if they are irresponsible, even if they were appointed by the community (*Siddh*), or if they were appointed through violence and are suspected of having made inappropriate use of the funds, the community leaders are obligated to calculate sums with them (Rambam *Sfot Zedim*, *Hilkhot Mattenot Aniyyim* 9:11; *Shulhan Arukh*, *YorehDea* 257:2).

Charity collectors examine for food – בודקין למזונות ואין בודקין לבסות; אי בעית אימא קרא, ואי בעית אימא סברא;
If a poor person declares that he is hungry, he is given food without any examination. But if he asks for clothing, he must first be investigated to make sure he is in fact in need. If he is familiar to the community, he is immediately provided with clothing in accordance with his stature. This is in accordance with the opinion of Rav Yehuda (Rambam *Sfē Zēdim*, *Hilkhot Mattenot Aniyyim* 7:6; *Shulḥan Arukh, YarahDēa* 251:10).

One does not give a poor person... less – אין פותחין – ללעני: A poor person traveling from place to place begging for charity is given at least a loaf of bread worth a *pundeyon* when a *sela* buys four *se'a* of grain. If he stays overnight he is given a bed and a pillow. If he spends Shabbat in the town, he is given food for three meals, including lentils, fish, and vegetables. This is the way an unknown poor person is treated, but if the community is familiar with him he is given provisions in accordance with his stature (Rambam *Sfē Zēdim*, *Hilkhot Mattenot Aniyyim* 7:8; *Shulḥan Arukh, YarahDēa* 250:4).

One is not required to attend to him and give him a large gift – אין נקקין לו למתנה מרובה: If a poor person who goes door to door collecting money requests money from the charity fund, the charity collector is not obligated to give him a large donation from the fund. Rather, he gives him a small donation and does not turn him away empty-handed (Rambam *Sfē Zēdim*, *Hilkhot Mattenot Aniyyim* 7:7; *Shulḥan Arukh, YarahDēa* 250:3).

NOTES

It is written with a *shin* – כתב פֿרשׁ: In the standard versions of the Bible the verse is not written this way. The Ramah apparently omits this sentence from the Gemara. This is cited as one of the instances where the talmudic Sages had a version that differs slightly from the Masoretic text.

Than a loaf worth a *pundeyon* – מכבד בפונדיון: Rashi maintains that this refers to a loaf that weighs a quarter-*ka*, which suffices for two meals.

A pillow [*bei sadya*] – בי סדיא: Rashi explains that *bei sadya* signifies pillow, whereas Rabbeinu Hananel writes that the term includes all bedding.

LANGUAGE

Pundeyon – פונדיון: From the Latin dupondium. A *pundeyon* is a coin equal in value to two *issar*.

Pillow [*bei sadya*] – בי סדיא: Possibly related to *isdohi*, the Aramaic translation of the Hebrew *merashotav* (*Targum Onkelos* on Genesis 28:11), generally understood to mean: Under his head.

אמר רב הונא: בודקין למזונות ואין בודקין לבסות; אי בעית אימא קרא, ואי בעית אימא סברא;

אי בעית אימא סברא: האי קא מבאי והאי לא קא מבאי; אי בעית אימא קרא: "הללא פרש לרעב לחמך" בשי"ן פתיב – פרש והדר הב ליה, והתם פתיב: "בי תראה ערם וכסיתו", "בי תראה" – לאלתר.

ורב יהודה אמר: בודקין לבסות ואין בודקין למזונות; אי בעית אימא סברא, ואי בעית אימא קרא;

אי בעית אימא סברא: האי קמצערא ליה והאי לא קמצערא ליה; אי בעית אימא קרא: הקא פתיב: "הללא פרס לרעב לחמך" – פרוס לאלתר, וכדקרינן, והתם פתיב: "בי תראה ערם וכסיתו" – בשירא לא. תניא בוותיה, דרב יהודה: אמר "פסוני" – בודקין אחריו, "פרנסוני" – אין בודקין.

תנן התם: אין פותחין לעני העובר ממקום למקום מכבד בפונדיון, מארבע סאין בסלע; לן – נותנין לו פרנסת לינה. מאי פרנסת לינה? אמר רב פפא: פוריא ובי סדיא. שבת – נותנין לו מזון שלש סעודות. תנא: אם היה מחזיר על הפתחים – אין נקקין לו.

ההוא עניא דהוה מחזיר על הפתחים דאתא לקמיה דרב פפא, לא מנדקיק ליה. אמר ליה רב סמא בריה דרב ייבא לרב פפא: אי מר לא מנדקיק ליה, אינש אחרינא לא מנדקיק ליה, לימות ליה? והא תנא: אם היה עני המחזיר על הפתחים – אין נקקין לו! אמר ליה: אין נקקין לו למתנה מרובה, אבל נקקין לו למתנה מועטת.

Rav Huna says: Charity collectors **examine** the level of poverty of one who asks **for food**,^h **but they do not examine** the level of poverty of one who asks **for clothing**. If a person comes before the charity collectors in tattered clothes, he is given clothing without any questions being asked. **If you wish, say** that this distinction is derived from **a verse**; **if you wish, say** instead that it is derived via **logical reasoning**.

If you wish, say that this distinction is derived via **logical reasoning**: **This one** who stands before us in rags is **exposed to contempt**, whereas that one who is hungry is **not exposed to contempt**. **If you wish, say** instead that this distinction is derived from **a verse**, as it is written: “**Is it not to share** [*paros*] **your bread with the hungry?**” (Isaiah 58:7). The word *paros* is written with a *shin*,ⁿ alluding to the word *parosh*, meaning **examine** and **investigate**, and **only then** should you **give him**. **And there** in the same verse **it is written** with regard to clothing: “**When you see the naked, that you cover him,**” indicating that “**when you see**” him you should **immediately** cover him.

And Rav Yehuda says just the opposite: Charity collectors **examine** the level of poverty of one who asks **for clothing**, **but they do not examine** the level of poverty of one who asks **for food**. He too adduces supports for his opinion. **If you wish, say** that this distinction is derived via **logical reasoning**; **if you wish, say** instead that it is derived from **a verse**.

If you wish, say that this distinction is derived via **logical reasoning**: **This one** who is hungry **suffers**, whereas that one who is in tattered clothing **does not suffer** in the same way. **And if you wish, say** instead that this distinction is derived from **a verse**. **Here, it is written**: “**Is it not to share** [*paros*] **your bread with the hungry?**” meaning, **share it immediately, just as the word is read**. Since the word is read with a *samekh*, Rav Yehuda does not understand it as alluding to examining the recipient. **And there, it is written**: “**When you see the naked, that you cover him,**” meaning, **when it will be** clearly **apparent to you**, after you have investigated the matter and found that the suppliant is deserving, then you shall cover him. The Gemara comments: **It is taught** in a *baraita* **in accordance with** the opinion of Rav Yehuda: If a poor person **said**: **Cover me** with clothing, the charity collectors **examine him**; but if he **said**: **Sustain me** with food, **they do not examine him**.

We learned in a mishna there (*Pe'a* 8:7): **One does not give a poor person who is traveling from place to place** requesting charity **less^h than a loaf worth a *pundeyon***,^{nl} one forty-eighth of a *sela*, when the standard price of grain is **four *se'a* for a *sela***. If the poor person **sleeps** in that place, **one gives him provisions for lodging**. The Gemara asks: **What is meant by provisions for lodging?** Rav Pappa **said**: A bed and a pillow [*bei sadya*].^{nl} **And if he spends Shabbat** in that place, **one gives him food for three meals**. A Sage **taught** in a *baraita*: If a poor person was going **door to door** asking for charity, one is **not required to attend to him** and give him money from the charity fund.

It is related that a **certain poor person who was going door to door** requesting charity **came before Rav Pappa**, the local charity collector, but Rav Pappa **did not attend to him**. Rav Sama, son of Rav Yeiva, **said to Rav Pappa**: If the Master does not attend to him, **nobody else will attend to him** either; **should he** be left to **die of hunger**? Rav Pappa **said to him**: **But isn't it taught** in a *baraita*: If a poor person was going **door to door** asking for charity, one is **not required to attend to him**? Rav Sama **said to him**: That *baraita* means to say that one is **not required to attend to him** and give him a **large gift**,^h since he is already collecting money as he goes door to door, **but one does attend to him** and give him a **small gift**.

מִלְתָּת – From giving one-third of a shekel a year – **שְׁלִישִׁית הַשֶּׁקֶל בְּשָׁנָה**: Every person must give charity in accordance with his financial capability and the needs of the poor. This applies even to the poor themselves, who survive on charity. One may give up to 20 percent of his assets. Even when there are none in great need of support, he must give at least one-third of a shekel a year in order to fulfill the mitzva of charity (Rambam *Sēf Zēdīm*, *Hilkhot Mattenot Aniyyim* 7:5, and see Radbaz there; *Shulḥan Arukh, YarahDēa* 249:1–2).

גָּדוֹל – One who causes others to perform is greater – **הַמַּעֲשֶׂה**: One who causes others to give charity receives a greater reward than the person who actually gives the charity. The *Tur* states that both receive the same reward (Rambam *Sēf Zēdīm*, *Hilkhot Mattenot Aniyyim* 10:6; *Shulḥan Arukh, YarahDēa* 249:5, and see *Taz* there).

BACKGROUND

שִׁוְקֵל שִׁקְלוֹ – **Contributes his shekel**: This is a reference to the obligation incumbent upon every Jewish male who is at least twenty years old to donate one-half of a biblical shekel to the Temple each year (Exodus 30:11–16). The money was used primarily for the purchase of communal sacrifices and was also used for maintenance of the Temple. This obligation is in force only when the Temple is standing. The details of this mitzva are enumerated in tractate *Sēdim*.

אָמַר רַב אֲסִי: לְעוֹלָם אֵל יִמְנַע אָדָם עֲצֻמוֹ [מִלְתָּת] שְׁלִישִׁית הַשֶּׁקֶל בְּשָׁנָה, שְׁנֵאָמַר: “וְהָעֲמַדְנוּ עָלֵינוּ מִצְוֹת לָתֵת עָלֵינוּ שְׁלִישִׁית הַשֶּׁקֶל בְּשָׁנָה לַעֲבֹדֶת בֵּית אֱלֹהֵינוּ.” וְאָמַר רַב אֲסִי: שְׁקוּלָה צְדָקָה כְּנֶגֶד כָּל הַמִּצְוֹת, שְׁנֵאָמַר: “וְהָעֲמַדְנוּ עָלֵינוּ מִצְוֹת” וְגו’, “מִצְוָה” אֵין כְּתִיב כָּאן, אֲלָא “מִצְוֹת”.

(סִימָן: גָּדוֹל, מִקְדָּשׁ מֹשֶׁה) אָמַר רַבִּי אֶלְעָזָר: גָּדוֹל הַמַּעֲשֶׂה יוֹתֵר מִן הָעוֹשֶׂה, שְׁנֵאָמַר: “וְהָיָה מַעֲשֶׂה הַצְדָּקָה שְׁלוֹם וְעֲבֹדַת הַצְדָּקָה הַשָּׁקֵט וּבִטָּח עַד עוֹלָם,” זָכָה – “הֲלֹא פָּרַשׁ לָרֹעֵב לַחֲמֹךְ,” לֹא זָכָה – “וְעֲנִיִּים מְרֻדִים תִּבְרִיא בֵּית”.

אָמַר לְהוּ רַבָּא לְבָנֵי מַחוּזָא: בְּמִטּוֹתָא מַפְיִיכוּ, עוֹשֵׂי בְּהֵדִי הֲדָדִי, בִּי הֵיכִי דְלִיהוּ לְכוּ שְׁלָמָא בְּמַלְכוּתָא. וְאָמַר רַבִּי אֶלְעָזָר: בְּזִמְן שְׁבִית הַמִּקְדָּשׁ קָיִים, אָדָם שׁוֹקֵל שִׁקְלוֹ וּמִתְכַּפֵּר לוֹ, עֲכָשִׂי שְׂאִין בֵּית הַמִּקְדָּשׁ קָיִים, אִם עוֹשִׂין צְדָקָה – מוֹטָב, וְאִם לֹא – בָּאִין אוֹמוֹת הָעוֹלָם וְנוֹטְלִין בְּזוּזָא. וְאִף עַל פִּי כֵן נִחְשָׁב לְהֵן לַצְדָּקָה, שְׁנֵאָמַר: “וְנִגְשִׁיד צְדָקָה”.

אָמַר רַבָּא: הָאֵי מִלְתָּא אִישְׁתַּעֵי לִי עוֹלָא

Rav Asi says: A person should never prevent himself from giving at least one-third of a shekel^N a year^H in charity, as it is stated: “And we also established mitzvot upon ourselves,^N to charge ourselves yearly with the third part of a shekel for the service of the House of our God” (Nehemiah 10:33). And Rav Asi says: Charity is equivalent to all the other mitzvot combined, as it is stated in that verse: “We also established mitzvot upon ourselves.” A mitzva is not written here, but rather mitzvot, in the plural, thereby teaching that this mitzva is equivalent to all the other mitzvot.

The Gemara offers a mnemonic device for the following statements extolling the mitzva of charity: **Greater; Temple; Moses. Rabbi Elazar says: One who causes others to perform** [*me’aseh*] a meritorious act is greater^{NH} than one who performs that act himself, as it is stated: “And the causing [*ma’aseh*] of righteousness^N shall be peace, and the work of righteousness, quietness, and assurance forever” (Isaiah 32:17). If one merits, the following verse is applied to him: “Is it not to share your bread with the hungry?” (Isaiah 58:7), i.e., he will wholeheartedly give charity to the poor. If he **does not merit**, the latter clause of that verse is applied to him: “You shall bring the poor that are cast out^N to your house,” i.e., he will be compelled by the government to billet soldiers in his house and sustain them against his will.

Rava said to the people of Meḥoza: I beg of you, strive with each other to perform acts of charity and righteousness, so that you will live in peace with the government, since if you do not act charitably toward each other, you will end up paying fines to the government. And Rabbi Elazar says: When the Temple is standing, a person contributes his shekel^B for the Temple service and achieves atonement for his sins. Now that the Temple no longer stands, if people act charitably, it will be well for them; but if not, the nations of the world will come and take their money by force. The Gemara comments: And even so, the money taken from them by force is credited to them as if they had freely given charity,^N as it is stated: “And I will make your oppressors charity” (Isaiah 60:17).

Rava said: This following matter was told to me by the infant

NOTES

From giving one-third of a shekel – **מִלְתָּת שְׁלִישִׁית הַשֶּׁקֶל**: It is written in the *She’iltā d’Rav Aḥai Gan* that this is the minimum amount a person can give to fulfill the mitzva of charity. Even one who is sustained by charity must give this amount to fulfill this positive mitzva.

And we also established mitzvot upon ourselves – **וְהָעֲמַדְנוּ**: Even though this text refers to donations to the Temple, giving charity is a greater mitzva; therefore, the matter can be derived through an *afatiai* inference (*Tosafot*).

One who causes others to perform is greater – **גָּדוֹל הַמַּעֲשֶׂה**: The Sages explain that such a person brings benefit to both the donor and the recipient. Furthermore, collecting charity from others often brings insult and embarrassment upon the collector, which can be more painful than the actual giving of money.

And the causing of righteousness – **וְהָיָה מַעֲשֶׂה הַצְדָּקָה**: Rashi and the *She’iltā d’Rav Aḥai Gan* understand *ma’aseh* in the sense of *me’aseh*, causing others to act. The Ritva writes that Rabbi Elazar maintains that one who causes others to act righ-

teously is greater because the verse uses the word peace, which denotes permanent tranquillity, about such a person, whereas in connection with righteousness itself the verse speaks of quietness, and assurance, which denote fleeting rest.

The poor that are cast out [*merudim*] – **עֲנִיִּים מְרֻדִים**: This is a reference to the gentile authorities, who are referred to as the poor because they constantly claim they have no money and are in need of funds, and therefore they scream and demand this money (Rashi). The Ramah explains that government officials are called poor because they have a paucity of mitzvot, and they are termed *merudm* because they rebel [*merdm*] against God.

It is credited to them as charity – **נִחְשָׁב לְהֵן לַצְדָּקָה**: Some commentaries write that charity given under duress is still considered charity. Others explain that when money is given to the government faithfully, it leads the authorities to sympathize with the poor and not to collect taxes from them. Alternatively, because a person suffers at the hands of the government due to the fact that he is a Jew, the act of giving is meritorious for him (Meiri).

BACKGROUND

Every scale – כָּל קְלִיפָּה: The coat of mail referred to here is apparently one made by attaching scales of metal or some other hard material to leather. The leather foundation made the armor flexible and permitted movement, while the scales prevented penetration of arrows or swords. This type of armor was used even in antiquity and was common in Rome and Persia during the talmudic period. The Gemara may also be referring to chain mail, which was made by linking many small rings of metal to form one large piece of armor.



Armor scales found at Masada

Leper – מְצֹרֵעַ: The *ḥd kṭa* of *tzara'at*, traditionally rendered as leprosy but not necessarily identified medically with that illness, are recorded in the Torah in the book of Leviticus (chapters 13–14). They are detailed in tractate *Neg'im*, which examines exclusively the different types of leprosy. The *ḥd kṭa* distinguishes between the impurity of a quarantined leper, i.e., a suspected leper, who is isolated for a period of up to two weeks until the matter is clarified, and that of a confirmed leper. A leper must let his hair grow, rend his garments, and cover his head in a particular way. He constitutes a particularly severe source of ritual impurity in that he, similar to a corpse, imparts ritual impurity to items found under the same roof as him.

HALAKHA

A leper...during his days of counting – מְצֹרֵעַ בְּיָמָיו: After a leper has recovered and has brought the two birds, cedar wood, hyssop, and crimson thread, and shaved all his hair, he counts a further seven days. During this period an item or another person can contract impurity through contact with him (Rambam *Sefer Tdara*, *Hilkhot Tumat Tzara'at* 11:2).

Moving an animal carcass – הֶסֶט נְבִילָה: One who moves a piece of an animal carcass the volume of an olive-bulk renders his garments impure (Rambam *Sefer Tdara*, *Hilkhot She'ar Avot HaTumot* 1:5, 6:12–13).

מְשַׁגֵּשׁ אֶרְחֻתֶּיהָ דְּאִימִיָּה, מְשַׁמִּיָּה דְּרַבִּי אֶלְעָזָר, מֵאִי דְּכִתִּיב: "וַיִּלְבֹּשׁ צִדְקָה כְּשֶׁרִיזָן"? לֹמַר לָהּ, מִה שֶׁרִיזָן זֶה – כָּל קְלִיפָּה וְקְלִיפָּה מְצַטְרֶפֶת לְשֶׁרִיזָן גָּדוֹל, אִף צִדְקָה – כָּל פְּרוּטָה וּפְרוּטָה מְצַטְרֶפֶת לְחֶשְׁבוֹן גָּדוֹל. רַבִּי חֲנִינָא אָמַר, מִהָכָּא: "וַיִּבְכְּגֹד עֲדִים כָּל צִדְקֵינֵנוּ", מִה בְּגֹד זֶה – כָּל נִמְאָה וְנִמְאָה מְצַטְרֶפֶת לְבְּגֵד גָּדוֹל, אִף צִדְקָה – כָּל פְּרוּטָה וּפְרוּטָה מְצַטְרֶפֶת לְחֶשְׁבוֹן גָּדוֹל.

אֲמַאי קָרוּ לִיהָ עוֹלָא מְשַׁגֵּשׁ אֶרְחֻתֶּיהָ דְּאִימִיָּה? דְּבִעָא מִינֵיהּ רַב אַחֲדָבוּי בַּר אֲמִי מִרַב שִׁשֶּׁת: מִנֵּין לְמַצֹּרֵעַ בְּיָמָיו סְפוּרוֹ שְׁמֻטָּמָא אָדָם? אָמַר לוֹ: הוּאִיל וּמֻטָּמָא בְּגָדִים מְטָמָא אָדָם.

אָמַר לִיהָ: דִּילְמָא טוּמְאָה בְּחִבּוּרִים שְׂאֵנִי, דְּהָא הֶסֶט נְבִילָה דְּמֻטָּמָא בְּגָדִים וְאִינוּ מְטָמָא אָדָם!

who perverted^N the ways of his mother. He said in the name of Rabbi Elazar: What is the meaning of that which is written: “And He donned charity like a coat of mail” (Isaiah 59:17)? This verse serves to tell you that just as with regard to this coat of mail, each and every scale^B of which it is fashioned combines to form one large coat of mail, so too with regard to charity,^N each and every *peruta* that one gives combines to form a great sum. Rabbi Ḥanina says: The same idea is derived from here, as it is stated: “And all our charity is as a polluted garment” (Isaiah 64:5). Just as with regard to this garment, each and every thread in it combines to form one large garment, so too with regard to charity, each and every *peruta* combines to form a great sum.

The Gemara comments: Why was this Sage called the infant who perverted the ways of his mother? It was because of the following incident: Rav Aḥadvoi bar Ami asked Rav Sheshet: From where is it derived that a leper^B renders a person impure through contact during his days of counting,^{HN} i.e., during the seven days that the leper must count from the start of his purification process, when he brings his birds, until he completes that process with the bringing of his sacrifices? Rav Sheshet said to him: Since he renders his garments impure, as it states that on the seventh day of his purification he must wash his clothes (see Leviticus 14:9), he also renders people impure.

Rav Aḥadvoi said to him: Perhaps connected impurity is different,^N meaning perhaps he renders his garments impure because they are connected to the source of the impurity, but this does not mean that he renders impure a person whom he touches. A proof for this distinction may be brought from the fact that if one moves an animal carcass,^H an action that renders him impure even if there was no actual contact with the carcass, he renders the garments that he is wearing impure but does not render another person impure.

NOTES

The infant who perverted – עוֹלָא מְשַׁגֵּשׁ: Rashi explains that Rava called Rav Sheshet by this sobriquet, as he understands the incident described later to be one where Rav Sheshet’s mother debased herself for what her son did to Rav Aḥadvoi. Nevertheless, most commentaries, starting with Rabbeinu Ḥananel and Rabbeinu Gershom, state that the designation refers to Rav Aḥadvoi bar Ami and that he caused his mother to debase herself before Rav Sheshet.

So too charity – אִף צִדְקָה: Although one who gives another a larger sum of money all at once provides more assistance, giving charity little by little also helps. The money accumulates and increases the reward of the donor (*Torat Hayyim*; Maharal). Some commentaries write that Rabbi Elazar is saying that multiple donations of small amounts are preferable to one large donation, just as armor is more effective when it is made of scales rather than from a single piece (*Ḥatam Sofer*).

A leper...during his days of counting – מְצֹרֵעַ בְּיָמָיו סְפוּרוֹ: The fact that a leper imparts impurity to a person through contact is stated in the mishna, but not in the biblical text. This is why Rav Aḥadvoi seeks the source in the Torah for this *ḥd kṭa* (*Tosafot*). The leper’s days of counting begin after his first purification ritual, which involves the bringing of two birds (see Leviticus 14:4). He counts seven days and is then completely purified with the bringing of his sacrifices. As long as the leper is impure, it is clear that he imparts impurity to another person. Although this is not stated explicitly in the Torah, there are many proofs to this point, e.g., that he is removed from the camp, that he must proclaim about himself that he is impure, and that he is compared in the text to a corpse. Even so, it might have been reasoned that during his

days of counting, when he seems to be cured from the leprosy, his status is similar to one who lacks atonement.

Connected impurity is different – טוּמְאָה בְּחִבּוּרִין שְׂאֵנִי: Rashi expounds that since the clothing he is wearing clings to him, it is connected to his body and therefore becomes impure. In similar fashion, he explains that one who carries an animal carcass or causes it to move transfers impurity to his garments because he is wearing them, but he does not transfer impurity to other clothes with which he comes into contact.

Many early commentaries (*Tosafot*) challenge Rashi’s understanding, since the ensuing discussion with regard to the impurity of the carcass of a creeping animal is completely unrelated to this issue. *Tosafot* therefore comment that the impurity of garments is different. They explain that this leper renders garments and other items impure, because they can be rendered impure even by something that is not a primary source of impurity. But only a primary source of impurity can render a person impure.

Other early commentaries (Ramah; Ramban) explain the term: Connected impurity, differently. It does not refer specifically to the garments the individual is wearing but to those which he touches when he is connected to impurity, e.g., where he is holding a primary source of impurity in one hand and touching garments with the other. It is only in such circumstances that he renders garments, but not a person, impure. This is why the leper renders impure the clothes he is wearing during his days of counting when he himself is the source of impurity, but he does not render a person impure. This is like the *ḥd kṭa* that one who moves an animal carcass renders garments impure, even those that he is not wearing, if he touches them while he is in contact with the carcass, but he does not render a person impure.

שָׂרָץ – A creeping animal renders a person impure – **דְּמִטְמָא אָדָם**: The carcass of a creeping animal is a primary source of ritual impurity, and renders impure people and items with which it comes into contact. This *ḥd dka* applies to a carcass that is at least a lentil-bulk in volume (Rambam *Sēf Tdara*, *Hilkot She'ar Avot HaTumot* 4:2).

שִׁכְבַּת זֶרַע דְּמִטְמָא – Semen renders a person impure – **אָדָם**: Semen is a primary source of ritual impurity and renders impure people and items with which it comes into contact (Rambam *Sēf Tdara*, *Hilkhot She'ar Avot HaTumot* 5:1).

וְהַמְפִּיִּסוֹ – And whoever consoles him with words – **בְּדִבְרִים**: When one gives charity to a poor person, he should give it pleasantly and exhibit empathy. If one gives charity angrily and unpleasantly, he loses the merit he gained from his gift, even if he gives a large sum (*Stak*). One who has no money to give should console the poor person with words (Rambam *Sēf Zerdim*, *Hilkhot Mattenot Aniyyim* 10:4–5; *Shulḥan Arukh*, *YarahDe'a* 249:3–4).

NOTES

וְהַמְפִּיִּסוֹ – *Tosafot* and Rambam maintain that this phrase does not mean that words of consolation and an act of charity are offered together, in which case one's reward would certainly be great. Rather, it teaches that even a person who cannot give money should encourage the poor person and console him, and his reward will still be great.

אָמַר לִיה: וְאֵלֶּא שָׂרָץ דְּמִטְמָא אָדָם מְנָלָן, לָאוּ מְשׁוּם דְּמִטְמָא בְּגָדִים? אָמַר לִיה: שָׂרָץ בְּהִדְיָא כְּתִיב בֵּיה: "אוֹ אִישׁ אֲשֶׁר יַעֲבֹד בְּכָל שָׂרָץ". אֵלֶּא שִׁכְבַּת זֶרַע דְּמִטְמָא אָדָם מְנָלָן, לָאוּ מְשׁוּם דְּהוֹאִיל וּמִטְמָא בְּגָדִים מְטְמָא אָדָם? אָמַר לִיה: שִׁכְבַּת זֶרַע נָמִי בְּהִדְיָא כְּתִיב בֵּיה: "אוֹ אִישׁ" – לְרִבּוֹת אֶת הַנּוֹגֵעַ.

אֶהְדֵּר לִיה בְּבִדְחוֹתָא. חָלַשׁ דַּעֲתִיה דְּרַב שִׁשֶּׁת, אִישְׁתִּיק רַב אַחַדְבּוֹי בַּר אַמִּי וְאַתִּיקָר תַּלְמוּדִיה. אֶתִּיא אִימִיה וְקָא בְּכִיא קַמִּיה, צְוֹחָה צְוֹחָה וְלֹא אֲשַׁנָּח בָּהּ. אָמְרָה לִיה: חַזִּי לְהִנִּי חֲדָי דְּמִצִּית מִינִיָּהּ! בְּעָא רַחֲמֵי עָלֶיהָ וְאִיתְסִי.

וְדַאֲתָאן עָלֶיהָ מָנָא לָן? כְּדַתְנִיא, רַבִּי שְׁמַעוֹן בֶּן יוֹחִי אָמַר: נֶאֱמַר כְּבוֹס בְּגָדִים בִּימֵי סְפוּרוֹ, וְנֶאֱמַר כְּבוֹס בְּגָדִים בִּימֵי חִלוּטוֹ – מַה לְּהִלָּן מְטְמָא אָדָם, אֵף כָּאן מְטְמָא אָדָם.

אָמַר רַבִּי אֶלְעָזָר: גָּדוֹל הָעוֹשֶׂה צְדָקָה בְּסֵתֶר יוֹתֵר מִמֶּשֶׁה רַבִּינוּ, דְּאִילוּ בְּמִשְׁה רַבִּינוּ כְּתִיב: "כִּי יִגְדַּלְתִּי מִפְּנֵי הָאֵף וְהַחֲמָה", וְאִילוּ בְּעוֹשֶׂה צְדָקָה כְּתִיב: "מִתֵּן בְּסֵתֶר יִכְפֶּה אֵף [וְשִׁחַד בְּחֵק חֲמָה עֲזָה]". וְכַלִּיגָא דְּרַבִּי יִצְחָק, דְּאָמַר רַבִּי יִצְחָק: אֵף בּוֹפָה, חֲמָה אֵינוּ בּוֹפָה, שְׁנֵאֲמַר: "וְשִׁחַד בְּחֵק חֲמָה עֲזָה", אֵף עַל פִּי שְׁשׁוּחַד בְּחֵק – חֲמָה עֲזָה, אֵיכָא דְּאָמְרִי, אָמַר רַבִּי יִצְחָק: כָּל דִּיִּין שְׁנוּטֵל שִׁחַד – מִבִּיא חֲמָה עֲזָה לְעוֹלָם. [שְׁנֵאֲמַר: "וְשִׁחַד בְּחֵק" וְגו'].

וְאָמַר רַבִּי יִצְחָק: כָּל הַנוֹתֵן פְּרוּטָה לְעָנִי מִתְבָּרֵךְ בִּשְׁשׁ בְּרָכוֹת, וְהַמְפִּיִּסוֹ בְּדִבְרִים – מִתְבָּרֵךְ בְּאַחַת עֶשְׂרֵה בְּרָכוֹת. הַנוֹתֵן פְּרוּטָה לְעָנִי מִתְבָּרֵךְ בִּשְׁשׁ בְּרָכוֹת, דְּכְתִיב: "הֲלֹא פָּרַשׁ וְגו' וְעֲנִיִּים מְרוּדִים תִּבְיֵא בֵּית (וְגו') כִּי תִרְאֶה עָרִים" וְגו';

Rav Sheshet said to him: But from where do we derive that the carcass of a creeping animal renders a person impure?^H Is it not because we know that it renders his garments impure? Rav Aḥadvoi said to him: It is written explicitly with regard to the carcass of a creeping animal: "Or a man who touches any creeping animal, whereby he may be made unclean" (Leviticus 22:5). Rav Sheshet said to him: But from where do we derive that semen renders a person impure?^H Is it not because we say that since it renders his garments impure (see Leviticus 15:17) it also renders a person impure? Rav Aḥadvoi said to him: It is also written explicitly with regard to semen: "Or a man from whom semen is expelled" (Leviticus 22:4), and the Sages expound the superfluous word "or" as serving to include as impure one who touches semen.

The Gemara relates that with each of his answers Rav Aḥadvoi responded to Rav Sheshet in a mocking tone, intimating that he doubted Rav Sheshet's grasp of Torah verses. Rav Sheshet was deeply offended, and as punishment, Rav Aḥadvoi bar Ami became mute and forgot his learning. Rav Aḥadvoi's mother came and wept before Rav Sheshet. She cried and cried but he ignored her. As she had once been Rav Sheshet's nursemaid, she said to him: Look at these breasts of mine from which you suckled. Upon hearing that, Rav Sheshet prayed for mercy for Rav Aḥadvoi, and he was healed. And since it was Rav Aḥadvoi whose behavior led to his mother's acting in this manner, he was referred to as the infant who perverted his mother's ways.

The Gemara comments: With regard to that which we arrived at, i.e., this particular subject, let us clarify the matter: From where do we derive that a leper renders impure a person with whom he comes into contact during his days of counting? As it is taught in a *baraita*: Rabbi Shimon bar Yoḥai says: Washing garments is stated with respect to his days of counting, and washing garments is stated with respect to his days of confirmed leprosy, after he has been declared conclusively impure by a priest. Just as there, when he is a confirmed leper he renders a person impure, as is explicitly stated in the Torah, so too here, during his days of counting he renders a person impure.

S The Gemara resumes its discussion of the virtues of giving charity. Rabbi Elazar said: One who performs acts of charity in secret is greater than Moses, our teacher. Whereas with regard to Moses, our teacher, it is written: "For I was afraid of the anger and the wrath" (Deuteronomy 9:19), with regard to one who performs acts of charity it is written: "A gift in secret pacifies anger, and a present in the bosom fierce wrath" (Proverbs 21:14). The Gemara comments: And this statement disagrees with a statement of Rabbi Yitzḥak, as Rabbi Yitzḥak says: A secret gift pacifies anger, but it does not pacify wrath, as it is stated: "And a present in the bosom fierce wrath," meaning that although a present is in the bosom, i.e., even if one gives charity in secret, nevertheless fierce wrath can still harm him. There are those who say that Rabbi Yitzḥak says as follows: Any judge who accepts a bribe brings fierce wrath upon the world, as it is stated: "And a present in the bosom fierce wrath."

And Rabbi Yitzḥak says: Anyone who gives a *peruta* to a poor person receives six blessings, and whoever consoles him^N with words^H of comfort and encouragement receives eleven blessings. The Gemara explains: One who gives a *peruta* to a poor person receives six blessings, as it is written: "Is it not to share your bread with the hungry, and that you shall bring the poor that are cast out to your house? When you see the naked, that you cover him" (Isaiah 58:7). And the next verses list six blessings: "Then shall your light break forth like the dawn, and your health shall spring forth speedily, and your righteousness shall go before you, the glory of the Lord shall be your rearguard. Then, shall you call, and the Lord shall answer; you shall cry, and He shall say: Here I am" (Isaiah 58:8–9).

וְהַמְפִּיִּסוּ בְּדִבְרֵים מִתְּבָרֵךְ בְּאַחַת
עֲשָׂרָה בְּרָכוֹת, שְׁנָאֵמַר: "וְתִפְקַח לְרֵעִי
נַפְשְׁךָ וְנִפְשִׁי נִעְנָה תִשְׁבֵּיעַ וְזֶרַח בְּחֹשֶׁךְ
אוֹרְךָ וְאִפְלֹתְךָ בְּצִהָרִים. וְנִחַךְ ה' תָּמִיד
וְהַשְׁבִּיעַ בְּצִחְצֻחוֹת נַפְשְׁךָ וְגו', וּבְנוּ מִמֶּךָ
חֲרוֹבוֹת עוֹלָם מוֹסְדֵי דוֹר וָדוֹר תִּקְוָמָם"
וְגו'.

וְאָמַר רַבִּי יִצְחָק, מֵאִי דְכָתִיב: "רוֹדֵף
צְדָקָה וְחֶסֶד יִמְצָא חַיִּים צְדָקָה וְכְבוֹד?"
מִשּׁוּם דְּרוֹדֵף צְדָקָה יִמְצָא צְדָקָה? אֲלֵא
לֹאמַר לָךְ: כָּל הַרוֹדֵף אַחֵר צְדָקָה –
הַקָּדוֹשׁ בָּרוּךְ הוּא מִמְצֵא לוֹ מַעוֹת
וְעוֹשֶׂה בָּהֶן צְדָקָה.

רַב נַחֲמָן בַּר יִצְחָק אָמַר: הַקָּדוֹשׁ בָּרוּךְ
הוּא מִמְצֵא לוֹ בְּנֵי אָדָם הַמְּהוּנִים
לַעֲשׂוֹת לָהֶן צְדָקָה, כְּדֵי לְקַבֵּל עֲלֵיהֶם
שְׂכָרוֹ. לְאַפּוֹקֵי מֵאִי? לְאַפּוֹקֵי מִדֶּרֶשׁ
רַבָּה; דֶּרֶשׁ רַבָּה, מֵאִי דְכָתִיב: "וַיְהִי
מִכְשָׁלִים לִפְנֵיךָ בַּעַת אַפְּךָ עֹשֶׂה בָּהֶם?"
אָמַר יְרֵמְיָה לִפְנֵי הַקָּדוֹשׁ בָּרוּךְ הוּא:
רְבוּנוּ שֶׁל עוֹלָם, [אֲפִילוֹ] בְּשַׁעָה שְׂבוּפִין
אֶת יִצְרוֹן וּמִבְקָשִׁין לַעֲשׂוֹת צְדָקָה לִפְנֵיךָ,
הַכְשִׁילִם בְּבְנֵי אָדָם שְׂאִינָן מְהוּנִין, כְּדֵי
שֶׁלֹא יִקְבְּלוּ עֲלֵיהֶן שְׂכָר.

רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי אָמַר: כָּל הַרְגִיל
לַעֲשׂוֹת צְדָקָה – זֻכָּה, הָיוּ לֹא בָנִים
בְּעָלֵי חֲכָמָה, בְּעָלֵי עוֹשֶׁר, בְּעָלֵי אַגְדָּה.
בְּעָלֵי חֲכָמָה – דְּכָתִיב:

And whoever consoles a poor person with words of comfort and encouragement receives eleven blessings, as it is stated: "And if you draw out your soul to the hungry and satisfy the afflicted soul, then shall your light shine in darkness, and your gloom shall be as the noonday. And the Lord shall guide you continually, and satisfy your thirst in drought... And they that shall be of you shall build the old waste places, you shall raise up the foundations of many generations" (Isaiah 58:10–12).

And Rabbi Yitzhak says: What is the meaning of that which is written: "He who pursues charity and mercy finds life, charity, and honor" (Proverbs 21:21)? Is this to say that because one has pursued charity, he himself shall find charity? That is, shall the reward of one who has always given charity be that he will eventually become poor and other people will act charitably toward him? Rather, the verse serves to tell you that with regard to anyone who pursues charity, giving to the poor and leading others to do so, the Holy One, Blessed be He, furnishes him with money with which to perform his acts of charity.

Rav Nahman bar Yitzhak says: The Holy One, Blessed be He, sends him people who are deserving of charity, so that he will reap his just reward for helping them. The Gemara comments: What does this statement serve to exclude? It serves to exclude Rabba's homiletical interpretation of a different verse, as Rabba taught: What is the meaning of that which is written: "Let them be made to stumble before You; deal thus with them in the time of Your anger" (Jeremiah 18:23)? The prophet Jeremiah said before the Holy One, Blessed be He: Master of the Universe, even when those wicked men who pursued me subdue their inclinations and seek to perform acts of charity before You, cause them to stumble upon dishonest people who are not deserving of charity, so that they will not receive reward for coming to their assistance.

Rabbi Yehoshua ben Levi says: Anyone who is accustomed to performing acts of charity merits blessing; he will have sons who are masters of wisdom, masters of wealth, and masters of *aggada*. The Gemara explains: Masters of wisdom, as it is written:

"יִמְצָא חַיִּים; בְּעָלֵי עוֹשֶׁר – דְּכָתִיב
"צְדָקָה"; בְּעָלֵי אַגְדָּה – דְּכָתִיב "וְכְבוֹד",
כְּתִיב הָכָא "וְכְבוֹד", וְכָתִיב הָתָם:
"כְּבוֹד חֲכָמִים יִנְחִלוּ".

"He who pursues charity and mercy, finds life" (Proverbs 21:21), and with regard to wisdom it is written: "He who finds Me, finds life" (Proverbs 8:35). Masters of wealth, as it is written: "He who pursues charity and mercy finds charity," meaning he will be able to give charity. Masters of *aggada*, as it is written: "He who pursues charity and mercy, finds honor."ⁿ And how do we know that this refers to masters of *aggada*? It is written here "honor," and it is written there: "The wise shall inherit honor" (Proverbs 3:35).

NOTES

בְּעָלֵי אַגְדָּה דְּכָתִיב – Masters of *aggada*, as it is written honor – Masters of *aggada* lecture in public to the masses who

appreciate and enjoy their words; therefore, they are shown more honor than other Torah scholars.

תניא: היה רבי מאיר אומר: יש לו לבעל הדין להשיבך ולומר לך: אם אלהיכם אוהב עניים הוא, מפני מה אינו מפרנסן? אמר לו: כדי שניצול אנו בהן מדינה של גיהנם. וזו שאלה שאל טורנוסרופוס הרשע את רבי עקיבא: אם אלהיכם אוהב עניים הוא, מפני מה אינו מפרנסם? אמר לו: כדי שניצול אנו בהן מדינה של גיהנם.

אמר לו: [אדרבה], זו שמחייבת לגיהנם! אמשול לך משל, למה הדבר דומה? למלך בשר ודם שבסע על עבדו וחבשו בבית האסורין, וצוה עליו שלא להאכילו ושלל להשקותו, והלך אדם אחד והאכילו והשקהו, בששמע המלך לא בועס עליו? ואתם קרוין עבדים, שנאמר: "כי לי בני ישראל עבדים!"

אמר לו רבי עקיבא: אמשול לך משל, למה הדבר דומה? למלך בשר ודם שבסע על בנו וחבשו בבית האסורין, וצוה עליו שלא להאכילו ושלל להשקותו, והלך אדם אחד והאכילו והשקהו, בששמע המלך לא דורון משגר לו? ואנן קרוין בנים, דכתיב: "בנים אתם לה' אלהיכם!"

אמר לו: אתם קרוים בנים וקרוין עבדים, בזמן שאתם עושין רצונו של מקום אתם קרוין בנים, ובזמן שאין אתם עושין רצונו של מקום אתם קרוין עבדים, ועבשיו אין אתם עושים רצונו של מקום! אמר לו, הרי הוא אומר: "הלא פרס לרעב לחמך ועניים מרודים תביא בית", אימתי "עניים מרודים תביא בית" – האידנא, וקאמר: "הלא פרס לרעב לחמך".

§ It is taught in a *baraita*: Rabbi Meir would say: An opponent may bring an argument against you and say to you: If your God loves the poor, for what reason does He not support them Himself? In such a case, say to him: He commands us to act as His agents in sustaining the poor, so that through them we will be credited with the performance of mitzvot and therefore be saved from the judgment of Gehenna. And this is the question that Turnus Rufus^p the wicked asked Rabbi Akiva:^p If your God loves the poor, for what reason does He not support them Himself? Rabbi Akiva said to him: He commands us to sustain the poor, so that through them and the charity we give them we will be saved from the judgment of Gehenna.

Turnus Rufus said to Rabbi Akiva: On the contrary, it is this charity which condemns you, the Jewish people, to Gehenna because you give it. I will illustrate this to you with a parable. To what is this matter comparable? It is comparable to a king of flesh and blood who was angry with his slave and put him in prison and ordered that he should not be fed or given to drink. And one person went ahead and fed him and gave him to drink. If the king heard about this, would he not be angry with that person? And you, after all, are called slaves, as it is stated: "For the children of Israel are slaves to Me" (Leviticus 25:55). If God decreed that a certain person should be impoverished, one who gives him charity defies the will of God.

Rabbi Akiva said to Turnus Rufus: I will illustrate the opposite to you with a different parable. To what is this matter comparable? It is comparable to a king of flesh and blood who was angry with his son and put him in prison and ordered that he should not be fed or given to drink. And one person went ahead and fed him and gave him to drink. If the king heard about this once his anger abated, would he not react by sending that person a gift? And we are called sons, as it is written: "You are sons of the Lord your God" (Deuteronomy 14:1).

Turnus Rufus said to him: You are called sons and you are called slaves. When you fulfill the will of the Omnipresent, you are called sons; when you do not fulfill the will of the Omnipresent, you are called slaves. And since now you do not fulfill the will of the Omnipresent, the parable that I offered is more apt. Rabbi Akiva said to him: The verse states: "Is it not to share your bread with the hungry, and that you shall bring the poor that are cast out to your house?" (Isaiah 58:7). When do we bring the poor that are cast out into our houses? Now, when we have to billet the Roman soldiers in our homes; and about that very time, the verse states: "Is it not to share your bread with the hungry?"

PERSONALITIES

Turnus Rufus – טורנוסרופוס: This is the appellation assigned to the Roman consul Quintus Tineius Rufus, who ruled Judea during the bar Kokheva revolt. He suppressed the revolt with great cruelty. For this reason, he was dubbed Turnus Rufus, a deliberate distortion of his name alluding to the phonetically similar Greek word for tyrant, *τύραννος*, *turannos*. The midrash recounts his debates with Rabbi Akiva, whom he later commanded to be tortured and killed (*Midrash Tanhuma*, *Tazria* 8). Tractate *Tdait* reports that Turnus Rufus ordered that the Temple Mount be plowed over to show its complete destruction.

Rabbi Akiva – רבי עקיבא: Rabbi Akiva, who lived just after the destruction of the Second Temple, was one of the greatest of the *tardim*. Unlettered until the age of forty, Akiva was encouraged by his wife, Rachel, to devote himself to the study of Torah. After years of study under the tutelage of Rabbi Eliezer ben Hyrcanus,

Yehoshua ben Hananya, and others, he acquired thousands of students and established his own academy in Bnei Brak. Rabbi Akiva arranged many oral traditions, and it was the tradition of Rabbi Akiva as received by his disciple, Rabbi Meir, that ultimately became the basis of the six orders of the Mishna.

Rabbi Akiva was the spiritual leader of the bar Kokheva revolt. Although he even proclaimed bar Kokheva the Messiah early in the struggle, he later retracted this opinion. Despite Roman decrees against disseminating Torah, the aged Rabbi Akiva continued to teach. Rabbi Akiva was arrested by the Romans, imprisoned, tried, and sentenced to death. He suffered a martyr's death at the hands of the Romans, and is listed as one of the ten martyrs whose execution by the Romans is described in liturgy. As the Romans were torturing him to death, he explained to his students that he now had the opportunity to fulfill the true meaning of loving God with all of one's soul (*Berakhot* 61b).

NOTES

Just as a person's livelihood – כִּשְׁם שְׁמוֹנוֹתָיו – It is stated in tractate *Beitza* (16a) that on Rosh HaShana God apportions food and livelihood to all people for the year. Rabbi Yehuda, son of Rabbi Shalom, expounds that just as God determines how much income a person will earn during the year, so does He decree how much money a person will lose during the year.

Like Shabbat desecrators – כְּמַחֲלֵי שַׁבָּתוֹת – Violation of a Shabbat prohibition is punishable by stoning. As described in tractate *Sotah* 47a, a convicted criminal who is liable to be stoned is first hurled to the ground from a high place. Rashi explains this passage based on what is stated in tractate *Ketuba* 30b, that even though capital punishment is no longer administered by the courts, God still punishes those deserving of death in a way similar to the type of execution they would have received. This is how Rav Pappa understood his near-fatal fall from the ladder; he was being shown the death that he deserved.

I have taken away My peace – אֶסְפְּתִי אֶת שְׁלוֹמִי – Rashi writes that peace is identified with kindness and mercy. Rabbeinu Gershom explains that God withdrew his peace from the people because they were not treating each other with kindness and mercy.

דַּרְשׁ רַבִּי יְהוּדָה בְּרַבִּי שְׁלום: כִּשְׁם שְׁמוֹנוֹתָיו שֶׁל אָדָם קְצוּבִין לוֹ מֵרֹאשׁ הַשָּׁנָה, כִּךְ חֲסוֹנוֹתָיו שֶׁל אָדָם קְצוּבִין לוֹ מֵרֹאשׁ הַשָּׁנָה, וְכֵן – "הֲלֹא פֶּרֶס לָרֵעִב לַחֲמֹךְ", לֹא וְכֵן – "וַעֲנִיִּים מְרֻדִים תִּבְיֵא בֵּית".

כִּי הָא דְבַנֵּי אַחֲתֵיהּ דְּרַבִּין יוֹחָנָן בֶּן זַכַּאי חִזָּא לְהוּ בְּחִילָמָא דְּבָעוּ לְמַיְסָר שִׁבְעָ מֵאָה דִּינָרִי, עֲשִׂינְהוּ, שְׁקֵל מִיַּמֶּיהוּ לְצִדְקָה, פּוּשׁ גְּבִייהוּ שִׁיבְסָר דִּינָרִי. כִּי מְטָא מַעְלֵי יוֹמָא דְּכִיפּוּרִי, שְׂדוּר דְּבִי קִיסָר נִקְטִינְהוּ.

אָמַר לְהוּ רַבִּין יוֹחָנָן בֶּן זַכַּאי: לֹא תִדְחִלוּן, שִׁיבְסָר דִּינָרִי גְּבִיִּיכוּ שְׁקֵלֶינְהוּ מִיַּמֶּיכוּ. אָמְרִי לִיה: מָנָא יָדַעְתָּ? אָמַר לְהוּ: חֲלָמָא חִזָּאי לְכוּ. אָמְרוּ לִיה: וְאַמַּאי לֹא אָמַרְתָּ לָן [דִּנְיָתְבִּינְהוּ]? אָמַר לְהוּ: אָמִינָא, כִּי הֵיכִי דְּתַעֲבָדוּ מִצְוָה לְשִׁמְיָהּ.

רַב פַּפָּא הָוָה סָלִיק בְּדִרְגָּא, אִישְׁתַּמֵּיט בְּרַעֲיָה בָּעִי לְמִיפֹל, אָמַר: הֲשֵׁתָא בֶּן אִיחֲיָיב מֵאֵן דָּסְנִי לָן כְּמַחֲלֵי שַׁבָּתוֹת וּכְעוּבְדֵי עֲבוּדָה זָרָה? אָמַר לִיה חֲתִיָּא בֶּר רַב מְדַפְתִּי לְרַב פַּפָּא: שָׁמָּא עָנִי בָּא לִידָךְ וְלֹא פְּרִינְסָתוּ.

דִּתְנִיָּא, רַבִּי יְהוֹשֻׁעַ בֶּן קֶרְחָה אָמַר: כָּל הַמַּעֲלִים עֵינָיו מִן הַצִּדְקָה – בְּאִילוֹ עוֹבֵד עֲבוּדָה זָרָה; כְּתִיב הָכָּא: "הֲשֹׁמֵר לֶךְ פֶּן יִהְיֶה דָּבָר עִם לְבָבְךָ בְּלִיעֵל", וּכְתִיב הָתָם: "וַיָּצְאוּ אֲנָשִׁים בְּנֵי בְלִיעֵל", מִה לְהֵלֶן עֲבוּדָה זָרָה, אֵף כָּאֵן עֲבוּדָה זָרָה.

תִּנָּא, אָמַר רַבִּי אֶלְעָזָר בְּרַבִּי יוֹסִי: כָּל צִדְקָה וְחֶסֶד שֶׁיִּשְׂרָאֵל עוֹשִׂין בְּעוֹלָם הַזֶּה, שְׁלוֹם גָּדוֹל וּפְרִקְלִיטִין גָּדוֹלִין בֵּין יִשְׂרָאֵל לְאַבְיָהֶן שְׁבַשְׁמִים, שְׁנָאֵמַר: "כֹּה אָמַר ה' אֵל תְּבֹא בֵּית מְרוֹחַ וְאֵל תֵּלַךְ לְסָפוּד וְאֵל תִּגְדֹּל לָהֶם כִּי אֶסְפְּתִי אֶת שְׁלוֹמִי מֵאֵת הָעָם הַזֶּה וְגו' [אֵת] הַחֶסֶד וְאֵת הָרַחֲמִים", "חֶסֶד" – זֶה גְּמִילוּת חֶסֶדִים, "רַחֲמִים" – זֶה צִדְקָה.

Rabbi Yehuda, son of Rabbi Shalom taught: Just as a person's entire livelihoodⁿ is allocated to him from Rosh HaShana, when God issues His judgments for the entire year, so too are a person's monetary losses allocated to him from Rosh HaShana. If one merits, the following verse is applied to him: "You shall share your bread with the hungry," i.e., he will spend the sum allocated to him on gifts of charity; and if he does not merit, the following verse is applied to him: "You shall bring the poor that are cast out to your house, i.e., he will be compelled by the government to billet soldiers in his house and feed them against his will.

It is like this incident involving the nephews of Rabban Yohanan ben Zakkai, who once saw in a dream that his nephews were destined to lose seven hundred dinars over the course of the year. He encouraged them and took money from them for charity, and they were left with seventeen dinars out of the seven hundred. When Yom Kippur eve arrived, the government sent messengers who came and took the remaining seventeen dinars.

Rabban Yohanan ben Zakkai said to them: Do not fear that they will take even more from you; they took from you the seventeen dinars that were still with you. The nephews said to him: How did you know? Rabban Yohanan ben Zakkai said to them: I saw a dream about you, and he related his dream to them. They said to him: And why did you not tell us about the dream? Rabban Yohanan ben Zakkai said to them: I said, It is better that they perform a mitzva for its own sake. Had you known from the start that you were fated to lose that amount of money, the mitzva would not have been performed purely for its own sake.

The Gemara relates: Rav Pappa was once climbing up a ladder when his foot slipped and he almost fell. He said: Now, is the one who hates us, a euphemism for himself, liable like Shabbat desecratorsⁿ and idol worshippers, who are subject to death by stoning, which is similar to death by falling, the punishment that Rav Pappa narrowly escaped? Hiyya bar Rav of Difti said to Rav Pappa: Perhaps a poor person once approached you and you did not sustain him, and therefore you were given a glimpse of the punishment that you actually deserve.

As it is taught in a *baraita*: Rabbi Yehoshua ben Korḥa says: Anyone who turns his eyes away from one seeking charityⁿ is considered as if he worships idols. From where is this derived? It is written here: "Beware that there be not a base thought in your heart... and your eye be evil against your poor brother, and you give him nothing" (Deuteronomy 15:9). And it is written there: "Certain base men have gone out... and have drawn away the inhabitants of their city, saying, Let us go and serve other gods" (Deuteronomy 13:14). Just as there, the base men sin with idolatry, so too here, the base thought is treated like idolatry.

It is taught in a *baraita* that Rabbi Elazar, son of Rabbi Yosei, said: All acts of charity and kindness that Jews perform in this world make great peace and are great intercessors between the Jewish people and their Father in Heaven, as it is stated: "So said the Lord, enter not into a house of mourning, neither go to lament nor bemoan them, for I have taken away My peaceⁿ from this people, says the Lord, both kindness and mercy" (Jeremiah 16:5). "Kindness"; this is referring to acts of kindness. "Mercy"; this is referring to acts of charity. This indicates that when there is kindness and mercy, God is at peace with His people.

HALAKHA

כָּל הַמַּעֲלִים – Anyone who turns his eyes away from charity – עֵינָיו מִן הַצִּדְקָה: It is a great mitzva for a person to give charity in accordance with his means, and one who turns his eyes from needy people transgresses several prohibitions and positive mitzvot. He is called a sinner and a wicked and base person, and

he is likened to idolaters. One must be very careful not to avoid giving charity, lest the poor person be in great need and die if he is not sustained, rendering the person who ignored him like a murderer (Rambam *Sefer Zedim*, *Hilkhot Mattenot Aniyyim* 10:3; *Shulḥan Arukh*, *YorehDe'a* 247:1).

It advances the redemption – **שְׁמִיּוֹת אֶת הַגְּאֻלָּה** – The Jewish people will be redeemed only due to the merit of giving charity (Rambam *Sefer Zerdim*, *Hilkhot Mattenot Aniyyim* 10:1).

He would give a *peruta* to a poor person and then... pray – **יְהִיב פְּרוּטָה לְעָנִי וְהָדָר מְצִלִּי**: It is proper to give charity before praying, so that one's prayers will be accepted. This was the practice of Rabbi Elazar (Rambam *Sefer Zerdim*, *Hilkhot Mattenot Aniyyim* 10:15; *Shulḥan Arukh*, *YorehDe'a* 249:14 and *Orah Hayyim* 92:10).

They banish sleep from their eyes – **שִׁנְיָה**: One who wishes to merit the crown of Torah should be careful not to squander his nights in emptiness but to spend his time engaged in the study of Torah and words of wisdom. This is because most of one's knowledge is attained at night (Rambam *Sefer HaMadda*, *Hilkhot Talmud Torah* 3:13; *Shulḥan Arukh*, *YorehDe'a* 246:23).

That it delivers from an unnatural death – **שְׁמִיּוֹתָם מִשְׁוֵנָה**: The mitzva of charity delivers a person from all types of decrees and deaths (*Shulḥan Arukh*, *YorehDe'a* 247:4 and see *Sukh* there).

NOTES

And death is stronger than them all – **וּמִיתָה קָשָׁה**: Because sleep is considered one-sixtieth of death, death is more severe than all of the matters listed here (Maharsha).

תַּנְיָא, רַבִּי יְהוּדָה אָמַר: גְּדוּלָּה צְדָקָה שְׁמִיּוֹתָהּ אֶת הַגְּאֻלָּה, שְׁנַאֲמַר: "כֹּה אָמַר ה' שְׁמִיּוֹת מִשְׁפָּט וְעֵשׂוּ צְדָקָה כִּי קְרוֹבָה יְשׁוּעָתִי לָבֹא וְצְדִקְתִּי לְהִגָּלוֹת". הוּא הֵיכָא אָמַר, עֲשֵׂרָה דְּבָרִים קָשִׁים נִבְרָאוּ בְּעוֹלָם: הָר קָשָׁה – בְּרִזְל מַחֲתָבוּ, בְּרִזְל קָשָׁה – אוֹר מְפַעֲפֵעוּ, אוֹר קָשָׁה – מִיָּם מְכַבִּין אוֹתוֹ, מִיָּם קָשִׁים – עָבִים סוֹבְלִים אוֹתָן, עָבִים קָשִׁים – רוּחַ מְפוֹרֶתֶן, רוּחַ קָשָׁה – גּוֹף סוֹבְלוֹ, גּוֹף קָשָׁה – פֶּחַד שׁוֹבְרוֹ, פֶּחַד קָשָׁה – יַיִן מְפִיגוֹ, יַיִן קָשָׁה – שִׁנְיָה מְפַכֶּחֶתָּהּ, וּמִיתָה – קָשָׁה מְפוֹלֶם, [וְצְדָקָה – מַצִּילָה מִן הַמִּיתָה], דְּכַתִּיב: "וְצְדָקָה תַּצִּיל מָמוֹת".

דַּרְשׁ רַבִּי דוֹסֵתַי בְּרַבִּי יִנְאִי: בּוֹא וְרֵא, שְׁלֹא כְּמִדַּת הַקֹּדֶשׁ בְּרוּךְ הוּא מִדַּת בֶּשֶׁר וְדָם; מִדַּת בֶּשֶׁר וְדָם, אָדָם מִבֵּיא דוֹרוֹן גְּדוּלָּה לְמֶלֶךְ – סָפֵק מְקַבְּלִין אוֹתוֹ הֵימְנוּ, סָפֵק אֵין מְקַבְּלִין אוֹתוֹ הֵימְנוּ; [אִם תִּמְצָא לֵאמֹר מְקַבְּלִים אוֹתוֹ מִמֶּנּוּ] סָפֵק רוֹאֶה פְּנֵי הַמֶּלֶךְ, סָפֵק אֵינוֹ רוֹאֶה פְּנֵי הַמֶּלֶךְ. וְהַקֹּדֶשׁ בְּרוּךְ הוּא אֵינוֹ כֵּן, אָדָם נוֹתֵן פְּרוּטָה לְעָנִי – זֹכָה וּמְקַבֵּל פְּנֵי שְׂכִינָה, שְׁנַאֲמַר: "אֲנִי בֹצֵדֶךָ אַחֲוָה פִּנְיֶךָ אֲשַׁבֵּעָה בְּהִקִּיץ תִּמּוֹנְתֶךָ".

רַבִּי אֶלְעָזָר יְהִיב פְּרוּטָה לְעָנִי וְהָדָר מְצִלִּי, אָמַר, דְּכַתִּיב: "אֲנִי בֹצֵדֶךָ אַחֲוָה פִּנְיֶךָ". מֵאֵי "אֲשַׁבֵּעָה בְּהִקִּיץ תִּמּוֹנְתֶךָ"? אָמַר רַב נַחֲמָן בַּר יִצְחָק: אֵילוּ תִּלְמִידֵי חֲכָמִים שְׁמַנְדִּין שִׁנְיָה מִשְׁעִינֵיהֶם בְּעוֹלָם הַזֶּה, וְהַקֹּדֶשׁ בְּרוּךְ הוּא מְשַׁבֵּיעֵן מִזֵּי הַשְׂכִּינָה לְעוֹלָם הַבָּא.

אָמַר רַבִּי יוֹחָנָן, מֵאֵי דְכַתִּיב: "מִלּוֹה ה' חוֹנֵן דָּל"? אֶלְמָלָא מְקָרָא כְּתוּב אִי אֶפְשָׁר לְאוּמְרוֹ, כְּבִיכּוֹל "עֶבֶד לֹה לְאִישׁ מִלּוֹה".

אָמַר רַבִּי חִיָּא בַּר אֲבָא, רַבִּי יוֹחָנָן רָמִי, כְּתִיב: "לֹא יוֹעִיל הוֹן בְּיוֹם עֲבָרָה וְצְדָקָה תַּצִּיל מָמוֹת", וְכַתִּיב: "לֹא יוֹעִילוּ אוֹצְרוֹת רָשָׁע וְצְדָקָה תַּצִּיל מָמוֹת", שְׁתֵּי צְדָקוֹת הִלְלוּ לָמָּה? אַחַת שְׁמִיּוֹתָהּ מִמִּיתָה מְשׁוֹנָה, וְאַחַת שְׁמִיּוֹתָהּ מִדִּינָה שֶׁל גִּיהֶנֶם; וְאִי זֶה הֵיא שְׁמִיּוֹתָהּ מִדִּינָה שֶׁל גִּיהֶנֶם – הֵהוּא דְּכַתִּיב בֵּיהּ "עֲבָרָה", דְּכַתִּיב: "יוֹם עֲבָרָה הַיּוֹם הַהוּא"; וְאִי זֶה הֵיא שְׁמִיּוֹתָהּ מִמִּיתָה מְשׁוֹנָה

It is taught in a *baraita* that Rabbi Yehuda says: Great is charity in that it advances the redemption,^h as it is stated: "So said the Lord, uphold justice and do charity, for My salvation is near to come, and My righteousness to be revealed" (Isaiah 56:1). He would say: Ten strong entities were created in the world, one stronger than the other. A mountain is strong, but iron, which is stronger, cleaves it. Iron is strong, but fire melts it. Fire is strong, but water extinguishes it. Water is strong, but clouds bear it. Clouds are strong, but wind disperses them. Wind is strong, but the human body withstands it. The human body is strong, but fear breaks it. Fear is strong, but wine dispels it. Wine is strong, but sleep drives it off. And death is stronger than them all,ⁿ but charity saves a person from death, as it is written: "And charity delivers from death" (Proverbs 10:2, 11:4).

Rabbi Dostai, son of Rabbi Yannai, taught: Come and see that the attribute of the Holy One, Blessed be He, is not like the attribute of flesh and blood. An illustration of the attribute of flesh and blood is that when a person brings a great gift to the king, it is uncertain whether the king will accept it from him or will not accept it from him. And if you say that the king will accept it from him, it is uncertain whether the person who brought the gift will eventually see the face of the king, or will not see the face of the king. But the Holy One, Blessed be He, does not act in this way. Even when a person gives a mere *peruta* to a poor person, he merits to receive the Divine Presence, as it is stated: "As for me, I will behold Your face through charity; I will be satisfied, when I awake, with Your likeness" (Psalms 17:15).

It is related that Rabbi Elazar would first give a *peruta* to a poor person and only then would he pray.^h He said: As it is written in the same verse: "I will behold Your face through charity." The Gemara asks: What is the meaning of that which is written: "I will be satisfied, when I awake, with your likeness"? Rav Nahman bar Yitzhak says: These are Torah scholars, who in pursuit of their studies banish sleep from their eyes^h in this world, and the Holy One, Blessed be He, satiates them with the radiance of the Divine Presence in the World-to-Come.

Rabbi Yohanan says: What is the meaning of that which is written: "He that graciously gives to the poor makes a loan to the Lord, and that which he has given, He will pay him back" (Proverbs 19:17)? How can it be that one is considered to have granted a loan to God? Were it not explicitly written in the verse, it would be impossible to say this, that somebody who is gracious to a poor person is seen as lending to God. It would be impertinent, since "the borrower is servant to the lender" (Proverbs 22:7), as it were.

Rabbi Hiyya bar Abba says: Rabbi Yohanan raises a contradiction between two texts. In one place it is written: "Riches profit not on the day of wrath, but charity delivers from death" (Proverbs 11:4), and elsewhere it is written: "Treasures of wickedness profit nothing, but charity delivers from death" (Proverbs 10:2). Why is it necessary to have these two verses about charity, that it delivers from death? Rabbi Hiyya bar Abba continues: One verse serves to teach that charity delivers from an unnatural death^h in this world, and one verse serves to teach that charity delivers from the judgment of Gehenna in the World-to-Come. And in which of the verses is that charity which delivers from the judgment of Gehenna mentioned? It is in that verse in which "wrath" is written, as with regard to the day of judgment it is written: "That day is a day of wrath" (Zephaniah 1:15). And which type of charity is that which delivers from an unnatural death?

HALAKHA

One gives it without knowing – נותנה ואינו יודע: A high, though not the highest, level of giving charity is to give to the poor without knowing to whom one gave and without the poor person knowing from whom he received. A level slightly lower than this is to donate to a charity fund. A person should contribute to such a fund only if he is confident that its custodian is trustworthy. A still lower level of charity is achieved when the donor knows the identity of the recipient, but the poor person does not know the identity of the donor (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 10:8–10; *Shulḥan Arukh*, *YorehDe'a* 249:7–9).

NOTES

Into the charity purse – לארנקי של צדקה: Although one is ashamed when he feels indebted to a donor, when a poor person receives money from the charity collector he knows that the money does not come from him but from other people, and he therefore does not feel shame in taking it.

To have male offspring – ויהיו לו בנים וזכרים: The connection between the mitzva of charity and male children is not explained. The Maharsha suggests that the association is perhaps based on: “His seed shall be mighty upon earth; the generation of the upright shall be blessed” (Psalms 112:2), and later in that same psalm: “He has distributed freely, he has given to the poor” (Psalms 112:9).

נותנה ואינו יודע למי נותנה, נותנה ואינו יודע ממי נותנה. נותנה ואינו יודע למי נותנה – לאפוקי מדמר עוקבא; נותנה ואינו יודע ממי נותנה – לאפוקי מדרבי אבא. ואלא היכי ליעביד? ליתבי לארנקי של צדקה.

מיתבי: מה יעשה אדם ויהיו לו בנים וזכרים? רבי אליעזר אומר: יפור מעותיו לעניים; רבי יהושע אומר: ישמח אשתו לדבר מצוה; רבי אליעזר בן יעקב אומר: לא יתן אדם פרוטה לארנקי של צדקה אלא אם כן ממונה עליה ברבי חנניא בן תרדיון! כי קא אמרינן – דממני עלה ברבי חנניא בן תרדיון.

אמר רבי אבהו, אמר משה לפני הקדוש ברוך הוא: רבוננו של עולם, במה תרום קרן ישראל? אמר לו: ב”כי תשא”.

ואמר רבי אבהו, שאלו את שלמה בן דוד: עד היכן בוחה של צדקה? אמר להן, צאו וראו מה פירש דוד אבא: “פור נתן לאביונים צדקתו עומדת לעד קרנו תרום בכבוד”. רבי אבא אמר, מהכא: “הוא מרומים ישבן מצדות סלעים משגבו לחמו נתן מימיו נאמנים”, מה טעם “מרומים ישבן מצדות סלעים משגבו”? משום ד”לחמו נתן” ו”מימיו נאמנים”.

It is the type in which **one gives** the charity **without knowing**^H to whom he gave it, and the other **one takes it without knowing** from whom he took it. The Gemara explains: **One gives it without knowing to whom he gave it**, this serves to exclude the practice of Mar Ukva, who would personally give charity to poor people without their knowing he was the donor. The other one **takes it without knowing from whom he took it**; this serves to exclude the practice of Rabbi Abba, who would render his money ownerless, so that poor people would come and take it without his knowing whom he helped, although they would know from whom the money came. The Gemara asks: **Rather, how then should one act** to conceal his own identity and also remain ignorant of the identities of the recipients? The Gemara answers: The best method is to **put the money into the charity purse**.^N

The Gemara raises an objection from what is taught in a *baraita*: **What should a person do to have male offspring?**^N Rabbi Eliezer says: **He should distribute his money liberally among the poor**. Rabbi Yehoshua says: **He should gladden his wife before engaging in the mitzva of conjugal relations**. Rabbi Eliezer ben Ya’akov says: **A person should not donate a peruta to the charity purse unless a great and trusted individual like Rabbi Hananya ben Teradyon^P is appointed as supervisor over it**. This seems to indicate that putting money into the charity box is not always preferred. The Gemara answers: **When we say that putting money into the charity box is the preferred way to give charity**, this is referring to **when a man like Rabbi Hananya ben Teradyon is appointed as supervisor over it**.

The Gemara discusses other matters concerning charity. Rabbi Abbahu says: **Moses said before the Holy One, Blessed be He: Master of the Universe, with what shall the horn of Israel be exalted? God said to him: With the passage of “When you raise,” i.e., Israel will be exalted by way of the donations and charity that they will give, as it is stated: “When you raise the heads of the children of Israel ... then shall they give” (Exodus 30:12).**

And Rabbi Abbahu says: **They asked King Solomon, son of David: How far does the power of charity extend? King Solomon said to them: Go out and see what my father David explained: “He has distributed freely, he has given to the poor, his righteousness endures forever, his horn shall be exalted with honor” (Psalms 112:9). Rabbi Abba said: It is derived from here how far the power of charity extends: “He shall dwell on high, his place of defense shall be the fortress of rocks; his bread shall be given, his water shall be sure” (Isaiah 33:16). What is the reason that “He shall dwell on high, his place of defense shall be the fortress of rocks”? Because “his bread shall be given” to the poor, and “his water shall be sure,” i.e., it shall be given faithfully and he can be trusted in the matter.**

PERSONALITIES

Rabbi Hananya ben Teradyon – רבי חנניא בן תרדיון: A fourth- and fifth-generation *tana*, Rabbi Hananya lived in Sikhni in the Upper Galilee, where he apparently presided over a large yeshiva. Although few of his statements are preserved in the Mishna and other sources, it is clear from several sources that he was a charity collector and that he also gave charity liberally. Following the bar Kokheva revolt, he defied the decrees against teaching Torah in public despite the mortal danger of such activity. Rabbi Hananya was caught by the authorities and sentenced to death. The Romans wrapped him in a Torah and burned him along with

it. He is listed in the midrash and liturgical poetry as one of the ten martyrs, the rabbis who were executed by the Romans in the period after the destruction of the Second Temple.

Rabbi Hananya’s wife was executed as well. Of his children, one son was killed by the Roman authorities, and one daughter was sent to a brothel, though she was eventually rescued by her brother-in-law. Rabbi Hananya’s daughter Berurya was a famous Torah scholar on par with the *tandim*, and she married the *tana* Rabbi Meir.

שְׁכֵנֵיךְ יִקְנִי כְבוֹד – And before His Elders will be His glory – These words in the verse refer to one who merits honor due to his wisdom rather than his wealth or power (Rashi). The Meiri explains this in accordance with the statement that God is pleased with those individuals with whom other people are pleased (see *Avot* 3:13); one who is honored by his local elders in this world finds favor in the eyes of God as well.

Those above were below – עֲלִיּוֹנִים לְמַטָּה – That is, those who were important in this world because of their wealth or power appear in a low position in the upper world. But those who were important here due to their wisdom are important there as well.

Here with regard to a Jew – כָּאֵן בְּיִשְׂרָאֵל – Jews do not donate money on condition; when they decide to contribute, they do so even if the desired benefit, e.g., that a son will live, is likely not to materialize. Gentiles, by contrast, make their donations conditional and regret their generosity if their reward is not forthcoming, as the verse states: “And it shall come to pass, that when they shall be hungry, they shall fret themselves, and curse their king and their god, and look upward” (Isaiah 8:21).

וְאָמַר רַבִּי אֲבָהוּ, שְׂאֵלוּ אֶת שְׁלֹמֹה: אֵיזוֹהוּ בֶן הָעוֹלָם הַבֶּא? אָמַר לָהֶם: כָּל שׁ”כֵּן כִּנְגֵד יִקְנִי כְבוֹד.” כִּי הָא דְיוֹסֵף בְּרִיָּה דְרַבִּי יְהוֹשֻׁעַ חִלָּשׁ, אֵינְגִיד. אָמַר לִיה אֲבוּה: מַאי חֲזִית? אָמַר לִיה: עוֹלָם הַפֶּנִּיךְ רָאִיתִי, עֲלִיּוֹנִים לְמַטָּה וְתַתְּחוֹנִים לְמַעְלָה. אָמַר לִיה: עוֹלָם בְּרוּר רָאִיתִי. וְאַנֵּן הֵיכִי חֲזִיתִינָּה? [אָמַר לִיה:] כִּי הֵיכִי דַחְשְׁבִּינָה הָכָא חֲשְׁבִּינָה הֵתָם.

וְשִׁמְעֵתִי שְׁהִיוּ אוֹמְרִים: אֲשֶׁרִי מִי שְׂבָא לְכָאן וְתִלְמוּדוֹ בְּיָדוֹ. וְשִׁמְעֵתִי שְׁהִיוּ אוֹמְרִים: הָרוּגֵי מַלְכוּת – אֵין כָּל בְּרִיָּה יְכוּלָה לַעֲמוֹד בְּמַחֲצֵתָן. מֵאֵן נִינְהוּ? אֵילִימָא רַבִּי עֲקִיבָא וְחִבְרִי – מְשׁוּם הָרוּגֵי מַלְכוּת וְתוֹ לֹא? פְּשִׁיטָא, בְּלֹא הֵכִי נִמְי! אֶלָּא הָרוּגֵי לֹד.

תַּנְיָא, אָמַר לָהֵן רַבִּין יוֹחָנָן בֶּן זִכְאִי לְתַלְמִידָיו: בְּנִי, מַהוּ שְׂאֵמַר הַכְּתוּב “צִדְקָה תְרוּמָם גּוֹי וְחֶסֶד לְאֻמִּים חֲטָאת?” נִעְנֶה רַבִּי אֶלְיעֶזֶר וְאָמַר: “צִדְקָה תְרוּמָם גּוֹי” – אֵילוּ יִשְׂרָאֵל, דְּכַתְּבִי: “וּמִי בְעַמְּךָ יִשְׂרָאֵל גּוֹי אֶחָד בְּאַרְצָךְ”, “וְחֶסֶד לְאֻמִּים חֲטָאת” – כָּל צִדְקָה וְחֶסֶד שְׂאוּמוֹת הָעוֹלָם עוֹשִׂין, חֲטָא הוּא לָהֵן, שְׂאֵינֶם עוֹשִׂין אֶלָּא לְהַתְגַּדֵּל בּוֹ, כְּמוֹ שְׁנַאֲמַר: “דִּי לָהֵן מְהֻקְרְבִין נִיחוּחִין לְאַלְהָ שְׁמִיָּא וּמְצֻלִין לְחַיִּי מַלְכָא וּבְנוּהִי.”

וְדַעְבִּיד הֵכִי לֹא צִדְקָה גְמוּרָה הִיא? וְהַתַּנְיָא: הָאֹמַר “סָלַע זֶה לְצִדְקָה בְּשִׁבְלִי שִׁיחִיו בְּנִי, וּבְשִׁבְלִי שְׂאוּזָה לְעוֹלָם הַבָּא” – הֲרִי זֶה צְדִיק גְמוּר! לֹא קִשְׂיָא: כָּאֵן בְּיִשְׂרָאֵל, כָּאֵן בְּגוֹי.

And Rabbi Abbahu says: They asked King Solomon: Who is one who is destined for the World-to-Come? King Solomon said to them: All those about whom it is stated: “And before His Elders will be His glory” (Isaiah 24:23),ⁿ referring to those who are honored in this world due to their wisdom. This is like the incident involving Yosef, son of Rabbi Yehoshua, who became ill and fainted. When he returned to good health, his father said to him: What did you see when you were not conscious? Yosef said to him: I saw an inverted world. Those above, i.e., those who are considered important in this world, were below,ⁿ insignificant, while those below, i.e., those who are insignificant in this world, were above. Rabbi Yehoshua said to him: You have seen a clear world. The world you have seen is the true world, one in which one’s spiritual and moral standing determines his true importance. Rabbi Yehoshua further asked him: And how did you see us, the Torah scholars, there? Yosef said to him: Just as we are important here, we are important there.

Yosef added: And I heard that they were saying in that world: Happy is the one who arrives with his studies in hand. And I also heard that they were saying: Those executed by the government enjoy such exalted status that no one can stand in their section. The Gemara asks: Who are these martyrs to whom Yosef was referring? If we say that he was referring to Rabbi Akiva and his colleagues, who were killed by the Romans, this cannot be: Is their elevated status due only to the fact that they were martyred by the Roman government and nothing more? These men were exceptional in their piety and sanctity during their lives as well. Therefore it is obvious that even without their martyrdom they would be greater than other people. Rather, it is referring to those like the martyrs of Lod,^b who died for the sanctification of God’s name but were not Torah scholars.

It is taught in a *baraita*: Rabban Yohanan ben Zakkai said to his students: My sons, what is the meaning of that which the verse states: “Righteousness exalts a nation, but the kindness of the peoples is sin” (Proverbs 14:34)? Rabbi Eliezer answered and said: “Righteousness exalts a nation”; these are the people of Israel, as it is written: “And who is like your people Israel, one nation on the earth?” (1 Chronicles 17:21). “But the kindness of the peoples is sin,” meaning that all the acts of charity and kindness that the nations of the world perform is counted as a sin for them, since they perform them only to elevate themselves in prestige, as it is stated: “That they may sacrifice offerings of pleasing aroma to the God of heaven, and pray for the life of the king and of his sons” (Ezra 6:10). Even though they donated offerings, they did so only for their own benefit.

The Gemara asks: And if one acts this way, is it not full-fledged charity? But isn’t it taught in a *baraita* that one who says: I am contributing this *sela* to charity so that my sons will live, or if he says: I am performing the mitzva so that I will merit a share in the World-to-Come, this person is a full-fledged righteous person, as far as that mitzva is concerned, even though he has his own welfare in mind? The Gemara answers: This is not difficult. Here, the statement that he is considered absolutely righteous is with regard to a Jew;ⁿ while there, the statement that such benefaction is not credited as charity is with regard to a gentile.

BACKGROUND

The martyrs of Lod – הָרוּגֵי לֹד – There are conflicting traditions with regard to the meritorious act of those who were martyred in Lod and the circumstances surrounding their execution. Some (Rabbeinu Hananel) identify the martyrs with Shemaya and his brother. Another tradition identifies these martyrs as Pappos and Luliyanos, two wealthy leaders of Israel who were killed in Ludkiya, also known as Lod. It is related that when the

daughter of the Caesar was killed the Jews were blamed. In order to save the Jews Pappos and Luliyanos claimed responsibility for her death. They were subsequently executed for their confession. Due to their willingness to sacrifice their lives for the sake of the community their merits are so great that nobody can stand before them.

PERSONALITIES

רבֵּי אֱלִיעֶזֶר הַמּוֹדַעִי – Rabbi Eliezer HaModa'i was a Sage who lived after the destruction of the Temple and was apparently a young student of Rabban Yohanan ben Zakkai. Most of the quotations cited in his name are explications of verses. Rabban Gamliel often remarked: We still need the Moda'i. As his name indicates, this Sage was from the city of Modi'in. Rabbi Eliezer HaModa'i was bar Kokheva's maternal uncle, and he died during the siege of Beitar.

NOTES

But he did not accept them – וְלֹא קִבְּלֵיהֶּוּ: This is because it is a disgrace to Jews when they are unable to take care of their own and are forced to accept charity from gentiles. An individual Jew who openly accepts charity from a gentile is despicable and even disqualified from serving as a witness.

HALAKHA

And he accepted them for the sake of peace with the kingdom – וְקִבְּלֵיהֶּוּ מִשּׁוּם שְׁלוֹם מַלְכוּת – A Jew should not accept charity from a gentile in public. If he is unable to survive without such charity, he should receive the money in private. Nevertheless, if a gentile king or officer donates money to the Jews for the poor, the money is accepted for the sake of peace with the kingdom. These funds are then given in secret to poor gentiles, as in the case involving Rava. The Rema writes that if the money was earmarked for distribution among the Jewish poor, it should be given to them and the donor should not be deceived. The money should be given to poor gentiles only if the official did not specify how it was to be used (Rambam *Seder Zedim*, *Hilkhot Mattenot Aniyyim* 8:9; *Shulhan Arukh*, *YorehDe'a* 254:1–2 and *Shkhh* there).

נַעֲנֶה רַבִּי יְהוֹשֻׁעַ וְאָמַר: “צִדְקָה תְרוּמָם גּוֹי” – אֵלֹו יִשְׂרָאֵל, דְּכָתִיב: “וּמִי בְעַמְּךָ יִשְׂרָאֵל גּוֹי אֶחָד,” “וְחֶסֶד לְאֻמִּים חֲטָאת” – כָּל צִדְקָה וְחֶסֶד שְׂאוּמוֹת הָעוֹלָם עוֹשִׂין, חֲטָא הוּא לָהֶן, שְׂאִין עוֹשִׂין אֶלָּא כְּדִי שְׂתַמְשַׁךְ מַלְכוּתָן, שְׂנַאֲמַר: “לָהֶן מַלְכָּא מַלְכִּי יִשְׁפֹּר עַלְךָ וְחֲטִיךְ בְּצִדְקָה פֶּרֶק וְעוֹיְתֶךָ בְּמַחַן עֲנִין הֵן תִּהְיֶה אֲרֻכָּא לְשָׁלוֹתְךָ” וְגו’.

נַעֲנֶה רַבִּין גַּמְלִיאֵל וְאָמַר: “צִדְקָה תְרוּמָם גּוֹי” – אֵלֹו יִשְׂרָאֵל, דְּכָתִיב: “וּמִי בְעַמְּךָ יִשְׂרָאֵל” [וְגו’], “וְחֶסֶד לְאֻמִּים חֲטָאת” – כָּל צִדְקָה וְחֶסֶד שְׂגוּיִים עוֹשִׂין, חֲטָא הוּא לָהֶן, שְׂאִין עוֹשִׂין אֶלָּא לְהַתִּיָּהֵר בּוֹ, וְכָל הַמִּתְיָהֵר נּוֹפֵל בְּגִיָּהֶנָּם, שְׂנַאֲמַר: “זֶד יִהְיֶה לְךָ שְׂמוֹ עוֹשֶׂה בַעֲבַרְתָּ זָדוֹן,” וְאִין עֲבָרָה אֶלָּא זִיָּהֶנָּם, שְׂנַאֲמַר: “יוֹם עֲבָרָה הַיּוֹם הַהוּא”.

אָמַר רַבִּין גַּמְלִיאֵל: עֲדִין אָנוּ צְרִיכִין לְמוֹדַעִי. רַבִּי אֱלִיעֶזֶר הַמּוֹדַעִי אָמַר: “צִדְקָה תְרוּמָם גּוֹי” – אֵלֹו יִשְׂרָאֵל, דְּכָתִיב: “וּמִי בְעַמְּךָ יִשְׂרָאֵל גּוֹי אֶחָד,” “וְחֶסֶד לְאֻמִּים חֲטָאת” – כָּל צִדְקָה וְחֶסֶד שְׂאוּמוֹת הָעוֹלָם עוֹשִׂין, חֲטָא הוּא לָהֶן, שְׂאִין עוֹשִׂין אֶלָּא לְחַרְף אוֹתָנוּ בּוֹ, שְׂנַאֲמַר: “וַיָּבֹא וַיַּעַשׂ ה’ בְּאִשּׁוֹ דְּבַר כִּי חֲטָאתָם לָהּ” וְלֹא שְׂמַעְתָּם בְּקוֹלוֹ וְהָיָה לָכֶם הַדָּבָר הַזֶּה”.

נַעֲנֶה רַבִּי נְחוּנְיָא בֶּן הֶקְנָה וְאָמַר: “צִדְקָה תְרוּמָם גּוֹי וְחֶסֶד” – לְיִשְׂרָאֵל, וְלְאֻמִּים – חֲטָאת. אָמַר לָהֶם רַבִּין יוֹחָנָן בֶּן זַבְדִּי וְכַאֲשֵׁר לְתַלְמִידָיו: נִרְאִין דְּבָרֵי רַבִּי נְחוּנְיָא בֶּן הֶקְנָה מְדַבְּרִי וּמְדַבְּרִיכֶם, לְפִי שְׁהוּא נּוֹתֵן צִדְקָה וְחֶסֶד לְיִשְׂרָאֵל, וְלְאֻמִּים חֲטָאת. מְבַלְל דְּהוּא נִמְי אָמַר, מַאי הִיא? דְּתַנָּיָא, אָמַר לָהֶם רַבִּין יוֹחָנָן בֶּן זַבְדִּי: בְּשֵׁם שְׁהַחֲטָאת מְכַפֶּרֶת עַל יִשְׂרָאֵל, כִּךְ צִדְקָה מְכַפֶּרֶת עַל אוּמוֹת הָעוֹלָם.

אִיפְרָא הוֹרְמִיז, אִימִיָּה דְּשִׁבּוֹר מַלְכָּא, שְׂדֵרָה אַרְבַּע מָאָה דִּינָרֵי לְקַמִּיָּה דְּרַבִּי אָמִי וְלֹא קִבְּלֵיהֶּוּ: שְׂדֵרִינְהוּ קַמִּיָּה דְּרַבָּא, וְקִבְּלֵיהֶּוּ מִשּׁוּם שְׁלוֹם מַלְכוּת. שְׁמַע רַבִּי אָמִי אִיקְפַּד, אָמַר: לִית לִיָּה “בִּיבֵשׁ קִצְיָה תִשְׁבַּרְנָה נָשִׁים בְּאוֹת מְאִירוֹת אוֹתָהּ”? וְרַבָּא, מִשּׁוּם שְׁלוֹם מַלְכוּת.

Rabbi Yehoshua answered Rabban Yohanan ben Zakkai’s challenge to interpret the verse and said: “Righteousness exalts a nation”; these are the people of Israel, as it is written: “And who is like your people Israel, one nation on the earth.” “But the kindness of the peoples is sin” means that all the acts of charity and kindness that the nations of the world perform is counted as a sin for them, since they perform them only to perpetuate their dominion, as it is stated by Daniel to Nebuchadnezzar: “Therefore, O king, let my counsel be acceptable to you, and break off your sins by charity, and your iniquities by showing mercy to the poor; that there may be an extension of your serenity” (Daniel 4:24). Since this is the argument that persuaded Nebuchadnezzar, it would appear that his actual motive was his own benefit.

Rabban Gamliel answered and said: “Righteousness exalts a nation”; these are the people of Israel, as it is written: “And who is like your people Israel, one nation on the earth.” “But the kindness of the peoples is sin” means that all the acts of charity and kindness that the nations of the world perform is counted as a sin for them, since they perform them only in order to act haughtily through them, and whoever acts haughtily falls into Gehenna, as it is stated: “The proud and haughty one, scorner is his name, acts in arrogant wrath” (Proverbs 21:24). And wrath means nothing other than Gehenna, as it is stated: “That day is a day of wrath” (Zephaniah 1:15).

Rabban Gamliel said: We still need to hear what the Moda’i has to say, as Rabbi Eliezer HaModa’i says: “Righteousness exalts a nation”; these are the people of Israel, as it is written: “And who is like your people Israel, one nation on the earth.” “But the kindness of the peoples is sin” means that all the acts of charity and kindness that the nations of the world perform is counted as a sin for them, since they perform them only to taunt us with them, as it is stated that the Babylonian officer Nebuzaradan said: “The Lord has brought it, and done according as He has said; because you have sinned against the Lord and have not obeyed His voice, therefore this matter is come upon you” (Jeremiah 40:3).

Rabbi Nehunya ben HaKana answered and said: “Righteousness exalts a nation and kindness” is referring to Israel; and in addition, “of the peoples is sin.” Rabban Yohanan ben Zakkai said to his students: The statement of Rabbi Nehunya ben HaKana appears to be more precise than both my statement and your statements, because he assigns both righteousness and kindness to Israel, and sin to the peoples of the world. The Gemara asks: By inference, it appears that he, Rabban Yohanan ben Zakkai, also offered an interpretation of this verse. What is it? As it is taught in a *baraita*: Rabban Yohanan ben Zakkai said to them that the verse should be understood as follows: Just as a sin-offering atones for Israel, so charity atones for the nations of the world.

It is related that Ifera Hurmiz, the mother of King Shapur, king of Persia, sent four hundred dinars to Rabbi Ami, but he did not accept them.^N She then sent them to Rava, and he accepted them for the sake of peace with the kingdom.^H Rabbi Ami heard what Rava had done and was angry. He said: Does Rava not accept the lesson of the verse: “When the boughs are withered, they shall be broken off; the women shall come and set them on fire” (Isaiah 27:11), meaning that when righteousness has ceased from a particular nation, it is time for its citizens to be punished, and therefore we should not help them perform any meritorious deeds, which would delay their punishment? The Gemara asks: And why did Rava accept the money? The Gemara answers: He did so for the sake of peace with the kingdom.

ורבי אמי נמי, משום שלום מלכות – דאיבעי ליה למפלגינהו לעניי גוים. ורבא נמי, לעניי גוים ידבינהו. ורבי אמי דאיכפד הוא

The Gemara asks: But did Rabbi Ami not also see the importance of accepting the money for the sake of peace with the kingdom? The Gemara answers: Rabbi Ami maintains that Rava should have distributed the money to the gentile poor rather than to the Jewish poor, as it is a disgrace to the Jews to require the kindness of the nations of the world in order to support their poor. The Gemara comments: In fact, Rava also gave the money to the gentile poor and not to the Jewish poor. And Rabbi Ami got angry because

Perek I
Daf 11 Amud a

דלא סיימוה קמיה.

תנא: אמרו עליו על בנימין הצדיק שהיה ממונה על קופה של צדקה, פעם אחת באתה אשה לפניו בשני בצורת, אמרה לו: רבי, פרנסני! אמר לה: העבודה, שאין בקופה של צדקה כלום! אמרה לו: רבי, אם אין אתה מפרנסני, הרי אשה ושבעה בניה מתים! עמד ופרנסה משלו. לימים חלה ונטה למות, אמרו מלאכי השרת לפני הקדוש ברוך הוא: רבוננו של עולם, אתה אמרת: כל המקיים נפש אחת מישראל כאילו קיים עולם מלא, ובנימין הצדיק שהחיה אשה ושבעה בניה ימות בשנים מועטות הללו? מיד קרעו לו גזר דינו. תנא: הוסיפו לו עשרים ושתים שנה על שנותיו.

תנו רבנן: מעשה במונבז המלך שבבז אוצרותיו ואוצרות אבותיו בשני בצורת, וחברו עליו אחיו ובית אביו ואמרו לו: אבותיך גזנו והוסיפו על של אבותם, ואתה מבזבז! אמר להם: אבותי גזנו למטה, ואני גנותי למעלה, שנאמר: "אמת מארץ תצמח וצדק משמים נשקף", אבותי גזנו במקום שהיד שולטת בו, ואני גנותי במקום שאין היד שולטת בו, שנאמר: "צדק ומשפט מכון כסאך",

אבותי גזנו דבר שאין עושה פירות, ואני גנותי דבר שעושה פירות, שנאמר: "אמרו צדיק כי טוב כי פרי מעלליהם יאכלו"; אבותי גזנו [אוצרות] ממון ואני גנותי אוצרות נפשות, שנאמר: "פרי צדיק עץ חיים ולוקח נפשות חכם"; אבותי גזנו לאחרים, ואני גנותי לעצמי, שנאמר: "ולך תהיה צדקה"; אבותי גזנו לעולם הזה, ואני גנותי לעולם הבא, שנאמר: "יהלך לפניך צדקך כבוד ה' יאספקך".

those who reported the story to him did not conclude it before him; consequently, Rav Ami was not informed that Rava had indeed given the money to the gentile poor.

It is taught in a *baraita*: The following was said about Binyamin the righteous,^p who was appointed supervisor over the charity fund. Once, a woman came before him during years of drought and said to him: My master, sustain me. He said to her: I swear by the Temple service that there is nothing left in the charity fund. She said to him: My master, if you do not sustain me, a woman and her seven sons will die. He arose and sustained her with his own funds. After some time, he fell deathly ill. The ministering angels said to the Holy One, Blessed be He: Master of the Universe, You said that anyone who preserves^h a single life in Israel is regarded as if he has preserved an entire world. Should then Binyamin the righteous, who saved a woman and her seven sons, die after these few years, still in his youth? They immediately tore up his sentence. A Sage taught: They added twenty-two years to his life.

The Sages taught: There was an incident involving King Munbaz,^p who liberally gave away his treasures and the treasures of his ancestors in the years of drought, distributing the money to the poor. His brothers and his father's household joined together against him to protest against his actions, and they said to him: Your ancestors stored up money in their treasuries and added to the treasures of their ancestors, and you are liberally distributing it all to the poor. King Munbaz said to them: Not so, my ancestors stored up below, whereas I am storing above, as it is stated: "Truth will spring out of the earth and righteousness will look down from heaven" (Psalms 85:12), meaning that the righteous deeds that one has performed are stored up in heaven. My ancestors stored up treasures in a place where the human hand can reach, and so their treasures could have been robbed, whereas I am storing up treasures in a place where the human hand cannot reach, and so they are secure, as it is stated: "Righteousness and justice are the foundation of Your throne" (Psalms 89:15).

My ancestors stored up something that does not generate profit, as money sitting in a treasury does not increase, whereas I am storing up something that generates profit, as it is stated: "Say of the righteous, that it shall be well with them, for they shall eat the fruit of their doings" (Isaiah 3:10). My ancestors stored up treasures of money, whereas I am storing up treasures of souls, as it is stated: "The fruit of the righteous is a tree of life, and he that wins souls is wise" (Proverbs 11:30). My ancestors stored up for others, for their sons and heirs, when they themselves would pass from this world, whereas I am storing up for myself, as it is stated: "And it shall be as righteousness to you" (Deuteronomy 24:13). My ancestors stored up for this world, whereas I am storing up for the World-to-Come, as it is stated: "And your righteousness shall go before you, the glory of the Lord shall be your rearguard" (Isaiah 58:8).

PERSONALITIES

Binyamin the righteous – בנימין הצדיק – This Binyamin appears to have lived during the amoraic period. Alternatively, he might be the *tana* Rabbi Binyamin, student of Rabbi Akiva, or the *tana* Abba Binyamin.

Munbaz – מוניבז – Munbaz was the king of Adiabene at the end of the Second Temple period. This tiny principality was an independent kingdom in the Parthian empire located in northern Aram Naharaim in the area that today includes Kirkuk and Mosul. Members of the royal family of Adiabene and some of the military joined the rebels against Rome during the great rebellion before the destruction of the Temple. Munbaz's mother, Queen Helene, and his brother, Izats, called Zutus in the talmudic sources, converted to Judaism and scrupulously kept the mitzvot (see *Bereshit Rabba*, chapter 46, and *Nidda* 17a). Initially, Munbaz abdicated the throne for the sake of his brother but subsequently accepted the throne upon the latter's death. Josephus describes the history and conversion of this family in detail. Like the rest of his family, Munbaz appears to have been buried in the Tombs of the Kings in Jerusalem.



Sarcophagus of Queen Helene, mother of Munbaz

HALAKHA

Anyone who preserves – כל המקיים – Whoever preserves the life of single Jew is regarded as if he has saved the entire world (Rambam *Sefer Nezikin*, *Hilkhot Rotze'ah UShmirat Nefesh* 1:16 and *Sefer Seder* – *tim*, *Hilkha Sederin* 12:3).

HALAKHA

The court does not divide – אין חולקין: A jointly owned courtyard, field, or garden is divided only if each party will receive a portion that is large enough to be called by its original designation. Therefore, a courtyard is not divided unless each partner will receive an area of four by four cubits, in addition to the four cubits required for the entrances. A field is divided only if each party will receive a plot large enough to plant nine *kav* of seed in it. A garden is divided only if each party will receive a plot large enough to plant a half-*kav* of seed in it (Rambam *Sfot Kinyan*, *Hilktat Shetrim* 1:4, 2:1; *Shulhan Arukh*, *Hoshen Mishpat* 171:3).

Hall, etc. – טרקלין וכו': One should not divide a hall, a drawing room, a dovecote, a bathhouse, or a garment unless each of the recipients will receive a portion that can be used in the same manner as the item was used when it was whole (Rambam *Sfot Kinyan*, *Hilktat Shetrim* 1:5).

When both of them wish – בזמן ששניהם רוצים: If partners agree to divide a jointly owned item that is otherwise not fit to be divided, they may divide it, even though the discrete portions will lack their original designation. The twenty-four books of the Bible may not be divided if bound together in a single scroll, even if the partners agree to do so (Rambam *Sfot Kinyan*, *Hilktat Shetrim* 2:9; *Shulhan Arukh*, *Hoshen Mishpat* 173:1).

LANGUAGE

Hall [teraklin] – טרקלין: From the Greek τρικλινιον, *triklinion*, which was a room with three couches. The term later came to refer to any large space for entertaining guests.



Roman triclinium

NOTES

Irrigated field – בית השלחין: Some versions of the text omit these words since this is included under a field. By contrast, Rashi explains that an irrigated field is different; owing to its irrigation system, it is worthwhile to cultivate the field even if it is an area that requires less than nine *kav* of seed.

”ואם קנה בה בית דירה – הרי הוא כאנשי העיר.” מתניתין דלא פרבן שמעון בן גמליאל; דתנא, רבן שמעון בן גמליאל אומר: אם קנה בה קרקע כל שהוא – הרי הוא כאנשי העיר.

והא תנא, רבן שמעון בן גמליאל אומר: אם קנה שם קרקע הראויה לבית דירה – הרי הוא כאנשי העיר! תרי תנאי ואליבא דרבן שמעון בן גמליאל.

מתני' אין חולקין את החצר – עד שיהא ארבע אמות לזה וארבע אמות לזה. ולא את השדה – עד שיהא בה תשעה קבין לזה ותשעה קבין לזה; רבי יהודה אומר: עד שיהא בה תשעת חציי קבין לזה ותשעת חציי קבין לזה. ולא את הגינה – עד שיהא בה חצי קב לזה וחצי קב לזה; רבי עקיבא אומר: בית רובע.

ולא את הטרקלין, ולא את המורן, ולא את השוכך, ולא את הטלית, ולא את המרחץ, ולא את בית הבד, ולא את בית השלחין – עד שיהא בהן פדי לזה וכדי לזה. זה הפלל: כל שיחלק ושמו עליו – חולקין, ואם לא – אין חולקין.

אימתי? בזמן שאין שניהם רוצים, אבל בזמן ששניהם רוצים – אפילו פחות מכאן יחלוקו. וכתבי הקדש, אף על פי ששניהם רוצים – לא יחלוקו.

§ The Gemara resumes its analysis of the mishna, which taught that one must reside in a place for twelve months in order to be considered a resident for the purposes of issues such as paying taxes. But if he bought himself a residence in the city, he is immediately considered like one of the people of the city. The Gemara comments: The mishna is not in accordance with the opinion of Rabban Shimon ben Gamliel, as it is taught in a *baraita* that Rabban Shimon ben Gamliel says: If he bought any amount of land in the city, and not necessarily a residence, he is immediately considered like one of the people of the city.

The Gemara asks: But isn't it taught otherwise in a different *baraita*: Rabban Shimon ben Gamliel says: If one bought land that is suitable for a residence, he is immediately considered like one of the people of the city. This contradicts the first *baraita*. The Gemara answers: This is a dispute between two *tanna'im* and they disagree with regard to the opinion of Rabban Shimon ben Gamliel.

MISHNA The court does not divide^a a courtyard at the request of one of the joint owners unless there will be in it four by four cubits for this one and four by four cubits for that one, i.e., this minimum area for each of the joint owners. And the court does not divide a jointly owned field unless there is space in it to plant nine *kav*^b of seed for this one and nine *kav* of seed for that one. Rabbi Yehuda says: The court does not divide a field unless there is space in it to plant nine half-*kav* of seed for this one and nine half-*kav* of seed for that one. And the court does not divide a jointly owned garden unless there is space in it to plant a half-*kav* of seed for this one and a half-*kav* of seed for that one. Rabbi Akiva says that half that amount is sufficient, i.e., the area required for sowing a quarter-*kav* of seed [*beit rova*].

Similarly, the court does not divide a hall [*hateraklin*],^{HL} a drawing room, a dovecote,^B a cloak, a bathhouse, an olive press, and an irrigated field^N unless there is enough for this one to use the property in the usual manner and enough for that one to use the property in the usual manner. This is the principle: Anything for which when it is divided, each of the parts is large enough to retain the name of the original item, the court divides it. But if the parts will not retain the original name, the court does not divide it.

When does this rule apply? It applies when the joint owners do not both wish to divide the item; when only one of the owners wishes to divide the property, he cannot force the other to do so. But when both of them wish^H to divide the item, they may divide it, even if each of the owners will receive less than the amounts specified above. But in the case of sacred writings, i.e., a scroll of any of the twenty-four books of the Bible, that were inherited by two people, they may not divide them, even if both of them wish to do so, because it would be a show of disrespect to cut the scroll in half.

BACKGROUND

Nine kav – תשעה קבין: Measurements of area in the Talmud are based on the amount of space required for the sowing of certain quantities of seed. A *beit se'a* is the space required in order to sow one *se'a* of seed and is equivalent to 2,500 square cubits. Accordingly, and in keeping with the different opinions as to the length of a cubit, the area of nine *kav* equals between 950 and 1,400 sq m. The area of a half-*kav* equals 50 to 80 sq m, and the area of a quarter-*kav* equals half of this.

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