

Deuteronomy 20 (NRSV)

¹When you go out to war against your enemies, and see horses and chariots, an army larger than your own, you shall not be afraid of them; for the LORD your God is with you, who brought you up from the land of Egypt. ²Before you engage in battle, the priest shall come forward and speak to the troops, ³and shall say to them: ‘Hear, O Israel! Today you are drawing near to do battle against your enemies. Do not lose heart, or be afraid, or panic, or be in dread of them; ⁴for it is the LORD your God who goes with you, to fight for you against your enemies, to give you victory.’ ⁵Then the officials shall address the troops, saying, ‘Has anyone built a new house but not dedicated it? He should go back to his house, or he might die in the battle and another dedicate it. ⁶Has anyone planted a vineyard but not yet enjoyed its fruit? He should go back to his house, or he might die in the battle and another be first to enjoy its fruit. ⁷Has anyone become engaged to a woman but not yet married her? He should go back to his house, or he might die in the battle and another marry her.’ ⁸The officials shall continue to address the troops, saying, ‘Is anyone afraid or disheartened? He should go back to his house, or he might cause the heart of his comrades to fail like his own.’ ⁹When the officials have finished addressing the troops, then the commanders shall take charge of them.

¹⁰When you draw near to a town to fight against it, offer it terms of peace. ¹¹If it accepts your terms of peace and surrenders to you, then all the people in it shall serve you in forced labour. ¹²If it does not submit to you peacefully, but makes war against you, then you shall besiege it; ¹³and when the LORD your God gives it into your hand, you shall put all its males to the sword. ¹⁴You may, however, take as your booty the women, the children, livestock, and everything else in the town, all its spoil. You may enjoy the spoil of your enemies, which the LORD your God has given you. ¹⁵Thus you shall treat all the towns that are very far from you, which are not towns of the nations here. ¹⁶But as for the towns of these peoples that the LORD your God is giving you as an inheritance, you must not let anything that breathes remain alive. ¹⁷You shall annihilate them—the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—just as the LORD your God has commanded, ¹⁸so that they may not teach you to do all the abhorrent things that they do for their gods, and you thus sin against the LORD your God.

¹⁹If you besiege a town for a long time, making war against it in order to take it, you must not destroy its trees by wielding an axe against them. Although you may take food from them, you must not cut them down. Are trees in the field human beings that they should come under siege from you? ²⁰You may destroy only the trees that you know do not produce food; you may cut them down for use in building siege-works against the town that makes war with you, until it falls.

דברים כ'

כִּי־תֵצֵא לַמִּלְחָמָה עַל־אֹיְבֶיךָ וְרֹאִיתָ סוּס וְרֶכֶב עִם רַב מִמֶּךָ לֹא תִירָא מֵהֶם כִּי־יְהִנֶּה אֱלֹהֶיךָ

עִמָּךְ הַמַּעֲלֶה מֵאֶרֶץ מִצְרַיִם:

וְהָיָה כְּקִרְבְּכֶם אֶל־הַמִּלְחָמָה וְנִגַּשׁ הַכֹּהֵן וְדִבֶּר אֶל־הָעָם:

וְאָמַר אֲלֵהֶם שְׁמַע יִשְׂרָאֵל אַתֶּם קֳרָבִים הַיּוֹם לַמִּלְחָמָה עַל־אֹיְבֵיכֶם אֶל־יְהוָה לִבְכָּכֶם אֶל־

תִּירָאוֹ וְאֶל־תַּחֲפָנָיו וְאֶל־תַּעֲרָצוֹ מִפְּנֵיהֶם:

כִּי יְהִנֶּה אֱלֹהֵיכֶם הַחַלֵּף עִמָּכֶם לַהֲלָחֵם לָכֶם עִם־אֹיְבֵיכֶם לַהּוֹשִׁיעַ אֶתְכֶם:

וְדִבְרוּ הַשְּׁטָרִים אֶל־הָעָם לֵאמֹר מִי־הָאִישׁ אֲשֶׁר בָּנָה בֵּית־חֲדָשׁ וְלֹא חֲנָכוֹ יֵלֶךְ וַיָּשֶׁב לְבֵיתוֹ

פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אֲחֵר יִחְנַכֶּנּוּ:

וּמִי־הָאִישׁ אֲשֶׁר־נָטַע כָּרֶם וְלֹא חָלְלוֹ יֵלֶךְ וַיָּשֶׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אֲחֵר יִחְלֹלֵנּוּ:

וּמִי־הָאִישׁ אֲשֶׁר־אַרְשׁ אִשָּׁה וְלֹא לִקְחָהּ יֵלֶךְ וַיָּשֶׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אֲחֵר

יִקְחֶנָּה:

וַיִּסְכְּפוּ הַשְּׁטָרִים לְדַבֵּר אֶל־הָעָם וְאָמְרוּ מִי־הָאִישׁ הַיָּרֵא וְהָרַב הַלֵּב יֵלֶךְ וַיָּשֶׁב לְבֵיתוֹ וְלֹא יָמָס

אֶת־לֵבָב אֲחֵיו כְּלַבָּבוֹ:

וְהָיָה כִּכְלֹת הַשְּׁטָרִים לְדַבֵּר אֶל־הָעָם וַיִּקְרְעוּ שָׂרֵי צָבָאוֹת בְּרֹאשׁ הָעָם: {ס}

כִּי־תִקְרַב אֶל־עִיר לַהֲלָחֵם עָלֶיהָ וְקִרְאָתָהּ אֵלֶיהָ לְשָׁלוֹם:

וְהָיָה אִם־שָׁלוֹם תַּעֲנֶנּוּ וַתַּתְּחָהּ לָהּ וְהָיָה כָּל־הָעָם הַנִּמְצָא־בָּהּ יִהְיוּ לָךְ לָמָס וְעַבְדּוֹ:

וְאִם־לֹא תִשְׁלִים עִמָּךְ וַעֲשִׂתָהּ עִמָּךְ מִלְחָמָה וְצָרָתָ עָלֶיהָ:

וַתִּתְּנָה יְהִנֶּה אֱלֹהֶיךָ בְּיָגֶךָ וְהַפִּיתָ אֶת־כָּל־זְכוּרָהּ לַפִּי־חֶרֶב:

כִּי הַנָּשִׁים וְהַטָּף וְהַבְּהֵמָה וְכָל־אֲשֶׁר יִהְיֶה בְּעִיר כָּל־שָׁלָלָהּ תִּבְזוּ לָהּ וְאָכַלְתָּ אֶת־שָׁלָל אֹיְבֶיךָ

אֲשֶׁר נָתַן יְהִנֶּה אֱלֹהֶיךָ לָךְ:

כֵּן תַעֲשֶׂה לְכָל־הָעָרִים הָרַחֲקוֹת מִמֶּךָ מֵאֵד אֲשֶׁר לֹא־מַעֲרִי הַגּוֹיִם־הָאֵלֶּה הַנֶּה:

רַק מֵעַרִי הָעַמִּים הָאֵלֶּה אֲשֶׁר יִהְיֶה אֱלֹהֶיךָ נָתַן לָךְ נִחְלָה לֹא תִחַיֶּה כָּל־נִשְׁמָה:

כִּי־הִתְחַרְמָם מִחֻמֵּי הַחֵמִי וְהָאֱמֹרִי הַכּוֹנְעִי וְהַפְּרִזִּי הַחֲזִי וְהַיּוֹסִי כַּאֲשֶׁר צִוָּךְ יְהוָה אֱלֹהֶיךָ:

לִמְעַן אֲשֶׁר לֹא־יִלְמְדוּ אֶתְכֶם לַעֲשׂוֹת כָּכָל־תּוֹעֲבוֹתָם אֲשֶׁר עָשׂוּ לֵאלֹהֵיהֶם וְחִטְאתָם לַיהוָה

אֱלֹהֵיכֶם: {ס}

כִּי־תִצְוֶה אֶל־עִיר יָמִים רַבִּים לְהִלָּחֵם עָלֶיהָ לְתַפְשָׁהּ לֹא־תִשְׁחִית אֶת־עֲצָהּ לַנָּדָח עָלֶיהָ גֵּרֹן כִּי

מִמֶּנּוּ תֹאכַל וְאִתּוֹ לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשִּׁדָּה לֵבָא מִפְּגִיף בְּמִצּוֹר:

רַק עֵץ אֲשֶׁר־תִּדְּעַ כִּי־לֹא־עֵץ מֵאֲכָל־הוּא אִתּוֹ מִשְׁחִית וְכָרַת וּבְנִית מִצּוֹר עַל־הָעִיר אֲשֶׁר־הוּא

עֹשֶׂה עִמָּךְ מִלְחָמָה עַד רִדְתָּהּ: {פ}

מתני' משוח מלחמה בשעה שמדבר אל העם – בלשון הקודש היה מדבר, שנאמר: "והיה בקרבכם אל המלחמה ונגש הכהן" – זה כהן משוח מלחמה. "ודבר אל העם" – בלשון הקודש.

"ואמר אליהם שמע ישראל" וגו'. "על אויביכם" – ולא על אחיכם, לא יהודה על שמעון ולא שמעון על בנימין, שאם תפלו בידם ירחמו עליכם, כמה שנאמר: "ויקמו האנשים אשר נקבו בשמות ויחזיקו בשבניה וכל מערמיהם הלבשו מן השלל וילבשו וינעלו ויאכלו וישקו ויסכסכו וינהלו בחמרים לכל כושר ויביאו ירחו עיר התמרים אצל אחיהם וישבו שמו"ן וגו'. על אויביכם אתם הולכים, שאם תפלו בידם אין מרחמין עליכם.

"אל ירך לבבכם אל תיראו ואל תחפזו" וגו'. "אל ירך לבבכם" – מפני צהלת סוסים וצחצוח חרבות; "אל תיראו" – מפני הגפת תריסין ושפעת הקלסין; "אל תחפזו" – מקול קרנות; "אל תערצו" – מפני קול צווחות;

"כי ה' אלהיכם ההלך עמכם" – הם באין בנצחוננו של בשר ודם ואתם באים בנצחוננו של מקום. פלשתיים באו בנצחוננו של גלית. מה היה סופו? לסוף נפל בתרב ונפלו עמו. בני עמון באו בנצחוננו של שובך. מה היה סופו? לסוף נפל בתרב ונפלו עמו. ואתם אי אתם כן, כי ה' אלהיכם ההלך עמכם להלחם לכם" וגו' – זה מחנה הארון.

MISHNA With regard to the priest who was anointed for war, at the time that he would speak to the nation,^{NI} he would speak to them in the sacred tongue, Hebrew, as it is stated: "And it shall be, when you draw near to the battle, that the priest shall approach and speak to the people" (Deuteronomy 20:2). This priest identified in the verse is the priest anointed for war, the priest who is inaugurated specifically to serve this function. "And speak to the people"; he addresses them in the sacred tongue, Hebrew.

The Torah dictates the priest's address: "And he shall say to them: Hear Israel, you draw near today to battle against your enemies; let not your heart faint; fear not, nor be alarmed, and do not be terrified of them" (Deuteronomy 20:3). The priest expounds: "Against your enemies" and not against your brothers.^N This is not a war of the tribe of Judah against Simon and not Simon against Benjamin, such that if you fall into their hands your brothers will have mercy on you, as it is stated with regard to a war between Judah and Israel: "And the men that have been mentioned by name rose up, and took the captives, and with the spoil clothed all that were naked among them, and arrayed them, and shod them, and gave them to eat and to drink, and anointed them, and carried all the feeble of them upon donkeys, and brought them to Jericho, the city of palm trees, unto their brethren; then they returned to Samaria" (II Chronicles 28:15). Rather, you are marching to war against your enemies, and if you fall into their hands, they will not have mercy on you.

The priest continues: "Let not your heart faint; fear not, nor be alarmed, and do not be terrified of them" (Deuteronomy 20:3). "Let not your heart faint" due to the neighing of horses and the sharpening of the enemy's swords. "Fear not" due to the knocking of shields [*terisin*]¹ and the noise of their boots [*calgassin*].^{NL} "Nor be alarmed" by the sound of trumpets.^B "Do not be terrified" due to the sound of shouts.

The priest explains why the soldiers need not be terrified. "For the Lord your God is He that goes with you, to fight for you against your enemies, to save you" (Deuteronomy 20:4). Remember that they come to war championed by flesh and blood, and you are coming championed by the Omnipresent. The Philistines came championed by Goliath. What was his end? In the end, he fell by the sword, and they fell with him (see I Samuel, chapter 17). The Ammonites came championed by Shobach. What was his end? In the end, he fell by the sword, and they fell with him (see II Samuel, chapter 10). But as for you, you are not so, reliant upon the strength of mortals: "For the Lord your God is He that goes with you, to fight for you against your enemies, to save you"; this verse is referring to the camp of the Ark of the Covenant that accompanies them out to war.

HALAKHA

משוח מלחמה – משוח מלחמה בשעה שמדבר אל העם: When the army is organizing and preparing to go to war, the priest anointed for war stands on a high place and says to them in Hebrew: "Hear Israel, you draw near today to battle... For the Lord your God is the one that goes with you, to fight for you against your enemies, to save you" (Deuteronomy 20:3-4). Thereafter, the priest anointed for war says: "What man is there that has built a new house, and has not dedicated it? Let him go and return to his house, lest he die in the battle, and another man dedicate it. And what man is there that has planted a vineyard, and has not used the fruit thereof? Let him go and return unto his house, lest he die in the battle and another man use the

fruit thereof. And what man is there that has betrothed a wife, and has not taken her? Let him go and return to his house, lest he die in the battle, and another man take her" (Deuteronomy 20:5-7).

One commentary wonders: Why does the priest anointed for war repeat those statements that he already said at the border? He answers that no one returns from the camp upon hearing of their release at the border until they hear it a second time, at the front (*Kesef Mishne*). An alternative opinion sides with Rashi's interpretation that the release is issued only one time, at the border, although the *Tosefta* seems to support the opinion of the Rambam (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:3).

NOTES

בשעה – בשעה: At the time that he would speak to the nation – בשעה: According to the Meiri, a priest anointed for war would be appointed for each war, whether for wars whose mandate is a mitzva or optional wars. However, in the case of wars whose mandate is a mitzva, the priest would say only the words of encouragement, and he would not mention the other matters that do not relate to this.

ולא על אחיכם – And not against your brothers: Some commentaries discuss whether or not the mishna is spelling out the content of the priest's speech. According to one opinion, the priest recites only the words written in the Torah, and the mishna is simply interpreting and explaining those verses for didactic purposes (*Be'er Sheva*). However, some understand that the priest would elaborate and interpret the verses.

שפעת הקלסין – The noise of [*shifat*] their boots: According to Rashi and the *Arukh*, based on the root *shin, peh, ayin*, meaning abundance, the menace identified here is the sheer volume of enemy soldiers. However, an alternative interpretation, based on the textual variant in which *shifat* is spelled *shin, yod, peh, tav*, argues it is the noise made by various weapons (Rambam's Commentary on the Mishna; Meiri).

LANGUAGE

Shields [*terisin*] – תריסין: From the Greek *θυρεός, thureos*, which means, among other things, an elongated shield.

Boots [*calgassin*] – קלסין: From the Latin *caliga*, which in its linguistic declension assumes the accusative form *caligas*, meaning shoe, specifically the combat boot of Roman soldiers. Apparently, the word was also used as a nickname for the soldiers themselves, both by the Sages and by the Romans; the nickname of the Emperor Caligula derives from this word. In this usage, the term implicitly refers to the men who wear combat boots.

BACKGROUND

Trumpets – קרנות: The trumpets used by the Roman army were called *cornua*, and the soldier blowing one of the *cornua* was called a *cornice*.



Roman cornice

NOTES

לֹא – It was not for nothing that Pinehas went, etc. – לֹא: If, as the Gemara states, Pinehas was the priest anointed for war, there need not be any other reason for him to be selected to participate in the war; he simply went out to war in this appointed role. The *Tosefot HaRash* offers two resolutions. First, it is possible that this statement contradicts the previous one, stating that Pinehas was sent for the personal reason described here and not as the anointed priest. Alternatively, Pinehas was in fact the anointed priest, and this statement is suggesting why he was singled out for this role.

The Maharal insists that the selection of Pinehas was not meant, as it would seem at first glance, to allow him to settle a personal grievance. After all, this war was waged hundreds of years after Joseph was sold into slavery, and all the relevant parties were long dead. Rather, the fact that the Midianites had sold Joseph was relevant to this war only insofar as that event demonstrated a natural opposition between Midian, a nation characterized by promiscuity, and Joseph, a man characterized by sexual self-control. Joseph's descendant, Pinehas, shared his forebear's strong personal resistance to promiscuity, and he was therefore chosen to lead this campaign, whose objective was to avenge the Midianites' luring the Jewish people into crimes of promiscuity and idolatry.

HALAKHA

One who builds – אֶחָד הַבּוֹנֶה: If one has built a home, a barn for cattle, a shed for wood, or a warehouse, if it has the potential to serve as a domicile, he returns from the military ranks. This applies not only to one who has built the house himself but also to one who has purchased or inherited a house, or was given a house as a gift.

However, if he has built a gateway, a veranda, a balcony, or a house that is smaller than four by four cubits, he does not return from the military ranks. The *Kesef Mishne* suggests that the omission of a storehouse for straw from this list may be due to a scribal error (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:5).

One who plants – אֶחָד הַנוֹטֵעַ: If one planted a vineyard or five fruit trees, even from five different species, he returns home from the military ranks. This applies equally whether he planted a tree, or bent a vine into the ground, or grafted different trees together. There is no difference whether one planted the trees himself or whether he bought them, or inherited them, or if a vineyard was given to him as a gift. However, one who planted four fruit trees or five non-fruit bearing trees does not return (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:6).

One who betroths – אֶחָד הַמְּאַרְס: If one betrothed a woman, whether she is a virgin or a widow, or if one is in line for a levirate marriage, he returns home from the military ranks (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:7).

תָּנא: לֹא לְחַנֵּם הֵלֵךְ פִּינְחָס לְמַלְחָמָה, אֲלָא לְיַפְרַע דִּין אָבִי אָמֹ, שְׁנֵאמַר: "וְהַמְדִּינִים מְכָרוּ אוֹתוֹ אֶל מִצְרַיִם" וְגו'. לְמִימָרָא, דְּפִינְחָס מִיּוֹסֵף אָתִי, וְהָא כְּתִיב: "וְאֶלְעָזָר בֶּן אֶהֱרֹן לָקַח לוֹ מִבְּנוֹת פּוּטִיאל לוֹ לְאִשָּׁה". מֵאִי לֹא דְאִתִּי מִיתָרוּ שְׁפִיטָם עַגְלִים לְעִבּוּדָה וְרַחֲ? לֹא, מִיּוֹסֵף שְׁפִיטָפֶט בִּיצְרוּ.

וְהֵלֵא שְׂבָטִים מִבּוֹיֵן אוֹתוֹ: רְאִיתֶם בֶּן פּוּטִי וְהָ, בֶּן שְׁפִיטָם אָבִי אָמֹ עַגְלִים לְעִבּוּדָה וְרַחֲ יִהְיֶה נָשִׂיא מִשְׁדָּרָא! אֲלָא, אִי אָבוּה דְאִימִיָּה מִיּוֹסֵף – אִימִיָּה דְאִימִיָּה מִיתָרוּ, וְאִי אִימִיָּה דְאִימִיָּה מִיּוֹסֵף – אָבוּה דְאִימִיָּה מִיתָרוּ. דִּיקָא נָמִי, כְּתִיב: "מִבְּנוֹת פּוּטִיאל", תִּרִי מִשְׁמַע. שְׂמַע מִינָהּ.

A tanna taught: It was not for nothing that specifically Pinehas went^N to war with Midian; rather, it was to exact the rightful judgment of his mother's father, Joseph, as it is stated: "And the Midianites sold him into Egypt to Potiphar, an officer of Pharaoh's" (Genesis 37:36). The Gemara asks: Is this to say that Pinehas came, on his mother's side, from the family of Joseph? But it is written: "And Elazar, Aaron's son, took himself a wife from the daughters of Putiel; and she bore him Pinehas" (Exodus 6:25). What, is it not that Pinehas came from the family of Yitro, who was also called Putiel because he fattened [*pittem*] calves for idol worship? They answer: No; he was descended from Joseph, who mocked [*pitpet*] his desire by resisting the advances of Potiphar's wife.

The Gemara asks: But is it not the case that, according to an oral tradition, the tribes were denigrating Pinehas after he killed Zimri, saying: Did you see this son of Puti, the son whose mother's father fattened cows for idol worship? Should this man kill a prince of Israel? Evidently, his grandfather Puti was Yitro, not Joseph. The Gemara answers: Rather, Pinehas was descended from both Joseph and Yitro. If his mother's father descended from Joseph, his mother's mother descended from Yitro. And if his mother's mother descended from Joseph, his mother's father descended from Yitro. The Gemara confirms this resolution: The language is also precise, as it is written: Elazar took a wife "from the daughters of Putiel," which implies that she came from two daughters of men named Putiel. The Gemara concludes: You may learn from the verse that this is so.

MISHNA The mishna continues its discussion of the speech given before battle. "And the officers shall speak to the people, saying: What man is there that has built a new house, and has not dedicated it? Let him go and return to his house, lest he die in the battle, and another man dedicate it" (Deuteronomy 20:5). He is sent home if he is one who builds^H a storehouse for straw, a barn for cattle, a shed for wood, or a warehouse. Similarly, it applies if he is one who builds, or if he is one who purchases, or if he is one who inherits, or if he is one to whom it is given as a gift. In all these instances, the man returns from the war encampment.

The next verse states: "And what man is there that has planted a vineyard, and has not used the fruit thereof? Let him go and return unto his house, lest he die in the battle and another man use the fruit thereof" (Deuteronomy 20:6). He is sent home if he is one who plants^H a whole vineyard of many vines, or if he is one who plants as few as five fruit trees of another variety, and even if these five are from the five species. The produce need not be all of one species. The same applies if he is one who plants, or if he is one who layers the vine, bending a branch into the ground so that it may take root and grow as a new vine, or if he is one who grafts different trees onto one another. And it applies if he is one who purchases a vineyard, or if he is one who inherits a vineyard, or if he is one to whom the vineyard is given as a gift.

The next verse states: "And what man is there that has betrothed a wife, and has not taken her? Let him go and return to his house, lest he die in the battle, and another man take her" (Deuteronomy 20:7). He is sent home if he is one who betroths^H a virgin, or if he is one who betroths a widow. This applies even if his *yevama*, his late brother's wife, is a widow waiting for him as her *yavam* to perform levirate marriage; and even if he heard that his brother died in the war and the widow begins to wait for him only then, he returns and goes home. Each of these men, although they are exempt, still hear the address of the priest and the regulations of war at the local camp, and thereafter they return to their respective homes. However, they still support the war effort, and they provide water and food for the soldiers and repair the roads.

מִתְנִי "וְדִבְרוּ הַשְּׂטָרִים אֶל הָעָם לֵאמֹר מִי הָאִישׁ אֲשֶׁר בָּנָה בַּיִת חָדָשׁ וְלֹא חֲנָכוּ יָלָךְ וְשָׁב לְבֵיתוֹ" וְגו' – אֶחָד הַבּוֹנֶה בַּיִת הַתֵּבָן, בַּיִת הַבֶּקֶר, בַּיִת הָעֵצִים, בַּיִת הָאוֹצְרוֹת, אֶחָד הַבּוֹנֶה וְאֶחָד הַלּוֹקֵחַ, וְאֶחָד הַיּוֹרֵשׁ וְאֶחָד שֶׁנָּתַן לוֹ מִתְּנָהּ.

"וּמִי הָאִישׁ אֲשֶׁר נָטַע כֶּרֶם וְלֹא חָלְלוֹ" וְגו' – אֶחָד הַנוֹטֵעַ כֶּרֶם, וְאֶחָד הַנוֹטֵעַ חֲמִשָּׁה אֵילָנִי מֵאֶכָל, וְאֶפִּילוּ מִחֲמִשַּׁת הַמִּינִין, אֶחָד הַנוֹטֵעַ וְאֶחָד הַמְּבָרִיךְ וְאֶחָד הַמְּרַכֵּב, וְאֶחָד הַלּוֹקֵחַ וְאֶחָד הַיּוֹרֵשׁ וְאֶחָד שֶׁנָּתַן לוֹ מִתְּנָהּ.

"וּמִי הָאִישׁ אֲשֶׁר אָרַשׁ אִשָּׁה" וְגו' – אֶחָד הַמְּאַרְס אֶת הַבְּתוּלָה וְאֶחָד הַמְּאַרְס אֶת הָאֵלְמָנָה, אֶפִּילוּ שׁוֹמֵרַת יָבָם, וְאֶפִּילוּ שְׂמַע שְׂמַת אֶחָד בְּמַלְחָמָה – חֹזֵר וְבָא לוֹ. כָּל אֵילוּ וְאֵילוּ שׁוֹמְעִין דְּבָרֵי כֵהֵן מִעֲרֵבֵי מַלְחָמָה וְחֹזְרִין, וּמִסְפָּקִין מִים וּמִזֶּן, וּמְתַקְּנִין אֶת הַדְּרָכִים.

ואלו שאינן חוזרין: הבונה בית שער, אכסדרה ומרפסת; הנוטע ארבע אילני מאכל, וחמשה אילני סרק; המחזיר את גרושתו. אלמנה לכהן גדול, גרושה וחלוצה לכהן הדיוט, ממזרת ונתינה לישראל, בת ישראל לממזר ולנתין – לא יהיה חוזר. רבי יהודה אומר: אף הבונה בית על מכוננו לא היה חוזר. רבי אליעזר אומר: אף הבונה בית לבינים בשרון לא היה חוזר.

אלו שאינן זזין ממקומן: בנה בית וחנכו, נטע ברם וחללו, הנושא את ארוסתו, הבונה את יבמתו, שנאמר: "נקי יהיה לביתו שנה אחת." "לביתו" – זה ביתו; "יהיה" – זה ברמו; "ושמח את אשתו" – זו אשתו; "אשר לקח" – להביא את יבמתו. אין מספיקין להם מים ומזון ואין מתקנין את הדרכים.

גמ' תנו רבנן: "ודברו השטרים" – יכול דברים של עצמן? כשהוא אומר: "ויספו השטרים" – הרי דברים של עצמן אמור. הא מה אני מקיים "ודברו השטרים"? בדברי משוח מלחמה הכתוב מדבר. הא כיצד? בהן מדבר ושוטר משמיע.

And these are the men who do not return to their homes: One who builds a gateway,⁸ or an enclosed veranda [*akhsadra*],¹ or a balcony;⁸ or one who plants no more than four fruit trees or even five or more non-fruit bearing trees; or one who remarries his divorced wife.⁴ Nor is there an exemption for one who has betrothed a woman whom he is not permitted to marry: With regard to a widow betrothed to a High Priest^N (see Leviticus 21:7); a divorcée or a *yevama* who performed *halitza* [*halutza*], in lieu of entering into a levirate marriage, betrothed to a common priest (see Leviticus 21:13–15); a *mamzeret* or a Gibeonite woman betrothed to an Israelite; or an Israelite woman betrothed to a *mamzer* or a Gibeonite (see Deuteronomy 23:3); such a man does not return to his home. Rabbi Yehuda says: Even one who rebuilds a house as it stood originally would not return. Rabbi Eliezer says: Even one who builds a new brick house in the Sharon would not return because these houses are not stable and are expected to collapse periodically.

These are the men who do not even move from their places^H because they do not even report to the camp: One who built a house and dedicated it within the year; one who planted a vineyard and used its fruit for less than a year; one who marries his betrothed and one who marries his *yevama*, his brother's widow who must enter into a levirate marriage or perform *halitza*, as it is stated: "When a man takes a new wife, he shall not go out with the army... he shall be free for his house one year, and shall cheer his wife whom he has taken" (Deuteronomy 24:5). The mishna interprets the verse as follows: "For his house"; this means his house that he built. "He shall be"; this term includes his vineyard. "And shall cheer his wife"; this is his wife. "Whom he has taken"; this phrase comes to include his *yevama*, who is considered his wife with respect to this *halakha* although he has not yet married her. Those who are exempt for these reasons do not even provide water and food to the soldiers, and they do not repair the roads.

GEMARA The Sages taught: "And the officers shall speak... What man is there that has built a new house, and has not dedicated it? Let him go and return to his house, lest he die in the battle, and another man dedicate it" (Deuteronomy 20:5). One might have thought that they say their own words and that the priest does not issue these proclamations. However, when it says: "And the officers shall speak further" (Deuteronomy 20:8), their own words are mentioned only in this latter verse. Evidently, then, the priest is the speaker in the earlier verse. How then do I realize the meaning of: "And the officers shall speak" in the first verse? The verse is speaking of the words of the priest anointed for war. How so? The priest speaks^H in an undertone, and an officer calls out the priest's words so that they are audible to the assembled.

HALAKHA

המחזיר את גרושתו – One who remarries his divorced wife – If one remarried his ex-wife or married a woman who is forbidden to him, e.g., a High Priest who married a widow or an Israelite who married a *mamzeret*, he does not return home from the ranks (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:8).

These are the men who do not even move from their places – **אלו שאינן זזין ממקומן**: The following people do not go out to war at all and are not charged with any war-related tasks: One who built a house and dedicated it; one who married his betrothed; one who performed a levirate marriage; and one who redeemed the fruits of his vineyard. These people do not go out to war until one year after the enumerated events. Furthermore, not only do they not go out to war, but they also are not responsible for providing food and water to the soldiers, they do not guard the

walls, and they do not contribute to the fortification of the city or to the military provisions (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:10–11).

The priest speaks – **כהן מדבר**: The priest who has been anointed for war says, in Hebrew: "Hear Israel... let not your heart faint... to save you," and another priest calls out his address to all the assembled. Then the priest anointed for war says: "What man is there that has built a new house, and has not dedicated it? Let him go and return to his house, lest he die in the battle, and another man dedicate it," and an officer calls out his statement to all the assembled. Thereafter, an officer arises and says: "What man is there that is fearful and fainthearted" and another officer calls out his words to all the assembled (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:3).

BACKGROUND

Gateway – **בית שער**: The gateway mentioned here is a small structure built at the entryway of a courtyard. It is meant to delay people, so that they cannot enter suddenly and directly into the courtyard. Normally, it is a very small open structure whose back wall is the gate to the courtyard. If there was a guard, he would occasionally sit in the gateway. Nevertheless, it cannot be properly defined as a living space in any way because it is so small and open on one side.

Balcony [*mirpeset*] – **מרפסת**: The Hebrew root of this word is *reish, peh, samekh*, which means tread or trample. The term indicates a wooden board or a stone structure built as an extension at the top of a staircase to provide access to apartments located on the upper floor of a house. As such, the balcony serves as a type of open hallway alongside the house.

Some passageways of this type are roofed, and they generally have some sort of wall to prevent people from falling. Nevertheless, even when the passage is largely enclosed, it is built to be a passageway and is not truly habitable.

LANGUAGE

Veranda [*akhsadra*] – **אכסדרה**: From the Greek ἐξέδρα, *exedra*, denoting a roofed entrance in front of a home.



Veranda in front of an ancient Greek house in Delos, Greece

NOTES

אלמנה לכהן גדול – A widow betrothed to a High Priest: Some see this as proof that the priests were also commanded to participate in wars, although they do not have their own territory in Eretz Yisrael. However, some contend that the priests are merely permitted to volunteer, but they are not obligated to fight (*Birkei Yosef*, *Minha Hareva*).

So that he will violate two prohibitions – לעבור עליו
בשנת ראיון: A newly married man does not go to war during the first year of marriage; he need not aid the soldiers, and he is not charged with the various obligations and taxes of the city. If he does become involved in these matters he violates two prohibitions: “He shall not go out with the army,” and: “Neither shall he be charged” (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 7:11).

That is fearful and fainthearted – תַּיִשָּׁא וְיָרֵךְ הַלֵּב:
If one is deemed incapable of standing among the military ranks, he may be considered fearful and fainthearted, thereby allowing him to return from war. This is in accordance with the opinion of Rabbi Akiva, whose opinions are preferred over those of his contemporaries (Rambam *Sefer Shofetim*, *Hilkhot Melachim UMilhemoteihem* 7:15).

Station guards – מַעֲמִידִין וְקִיפִין: After all of the exempted men leave the military ranks, the leaders of the army stand at the head of the nation and position stout guards behind every platoon. These guards are armed with iron rods, and they are permitted to beat the thighs of anyone who attempts to leave the ranks from that point onward (Rambam *Sefer Shofetim*, *Hilkhot Melakhim* UMilhemoteihem 7:4).

Battle ranks [*kishrei*] – קשרי המלחמה: Following Rashi's lead, the commentaries explain that the phalanx, or knots [*kishrei*] of the war, denotes groups of soldiers bound and tied together in battle. For Rabbi Akiva, the fearful and fainthearted soldier is the one who sees this mass of enemy soldiers and becomes terrified. According to the alternative text in the Jerusalem Talmud, the soldier fears the difficulty [*kishui*] of war.

Guards in front of them – וְקִיפִין לְפָנֵיהֶם: Both Rashi and the Meiri explain that guards are stationed in the front to support the fighters and help the fighters back to their feet in the event that they fall. Another row of guards behind the fighters serves the purpose of preventing soldiers from fleeing. According to an alternate opinion, the two rows of guards are there to ensure that no one deserts (*Arukh*).

Guards [zekifin] – זקיפין: The root *zayin, kuf, peh* means erect or cause to stand. The job of these *zekifin* is to stand steadfast at the edge of the military ranks and keep the soldiers standing together in place so that they will not flee and cause the ranks to collapse.

Iron rods [*kashilin*] – כַּשִּׁילִין: This biblical word is also used in the Mishna, and it seems to refer to a type of heavy axe or pickaxe.

Beat [*lekape'ah*] – לִקְפֹּחַ: This verb seems to be borrowed from the Aramaic root whose primary meaning is hit and break.

MISHNA The mishna continues its discussion of the speech given before battle. **“And the officers shall speak further to the people, and they shall say: What man is there that is fearful and fainthearted? Let him go and return unto his house”** (Deuteronomy 20:8). **Rabbi Akiva says: “That is fearful and fainthearted”^h** is to be understood as it indicates, that the man is **unable to stand in the battle ranksⁿ** and to see a drawn sword because it will terrify him. **Rabbi Yosei HaGelili says: “That is fearful and fainthearted”;** this is one who is afraid because of the sins that he has; he, too, returns. **Therefore, the Torah provided him with all these** additional reasons for exemption from the army so he can ascribe **his leaving** to one of **them**. In this way, the sinner may leave the ranks without having to publicly acknowledge that he is a sinner.

Rabbi Yosei says: With regard to one who has betrothed a woman forbidden to him, including a widow betrothed to a High Priest; a divorcee or a *yevama* who performed *halitza* [*halutza*] betrothed to a common priest; a *mamzeret* or a Gibeonite woman betrothed to an Israelite; or a daughter of an Israelite betrothed to a *mamzer* or a Gibeonite; this man is he whom the verse calls “fearful and fainthearted.” He fears that his sin will jeopardize his safety in the war.

The mishna continues its discussion. The verse states: “**And it shall be, when the officers conclude speaking to the people, that captains of legions shall be appointed at the head of the people**” (Deuteronomy 20:9). The mishna adds: **As well as at the rear of the people. The officers station guards [zekifin]^{HL} in front of them,^N and other guards behind them, and they have iron rods [kashilin]^L in their hands. And with regard to anyone who attempts to turn back and flee from the war, the guard has license to beat [lekape’ah]^L his legs**

because the beginning of fleeing is a downfall on the battlefield, as it is stated: “Israel has fled before the Philistines, and there has been also a great slaughter among the people” (1 Samuel 4:17), and likewise it says further on: “And the men of Israel fled from before the Philistines, and fell down slain in Mount Gilboa” (1 Samuel 31:1).

שְׁתַּחֲלִית נִסָּה נְפִילָה, שְׁנֵאמַר: "כֹּס יִשְׂרָאֵל
לִפְנֵי פְלִשְׁתִּים וְגַם מִגֹּפֶה גְדוֹלָה הִיְתָה
בָּעַם", וְלֹהֵן הוּא אוֹמֵר: "וַיִּנְסוּ אֲנֹשִׁי
יִשְׂרָאֵל מִפְּנֵי פְלִשְׁתִּים וַיִּפְּלוּ חֲלָלִים" וְגו'.

HALAKHA

In wars whose mandate is a mitzva everyone goes – **בְּמִלְחָמוֹת מִצְוָה**: Whatever is said with regard to the men who return from the ranks applies only to elective wars. However, everyone goes out to wars whose mandate is a mitzva, even a groom from his room and a bride from her wedding canopy (Rambam *Sefer Shofetim, Hilkhot Melakhim UMilhemoteihem* 7:4).

If one spoke between donning the phylactery of the arm and the phylactery of the head – **שָׁח בֵּין תְּפִילָּה**: It is prohibited to speak between donning the phylactery of the arm and that of the head, and one who does so is required to recite the blessing: Blessed are You... about the mitzva of phylacteries. The custom of most Ashkenazim is to recite this blessing for the phylactery of the head *ab initio*, although they follow the blessing by saying: Blessed be the name of His glorious kingdom forever and all time. This utterance is commonly recited in order to avoid mentioning God's name in vain, and implicitly acknowledges that the blessing for the head phylactery may be superfluous. The Rema notes that according to this custom, if one spoke before donning the phylactery of the head, he must subsequently recite both of the blessings: Blessed are You... To don phylacteries, and: Blessed are You... about the mitzva of phylacteries (Rambam *Sefer Ahava, Hilkhot Tefillin* 4:6; *Shulhan Arukh, Orach Hayyim* 25:9).

BACKGROUND

Urine was trickling down his knees – **מִים שֹׁתְתִין לוֹ עַל**: People may experience any of a number of common physiological responses when they enter a state of extreme fear. Aside from trembling or shaking, a common response is the loss of control over certain muscles. This may lead to the loss of control over the excretory system, causing either urination or defecation.

בְּמָה דְּבָרִים אֲמוּרִים – **בְּמִלְחָמוֹת הָרְשׁוֹת**, אֲבָל בְּמִלְחָמוֹת מִצְוָה – **הַכֹּל יוֹצֵאִין**, אֲפִילוּ חָתָן מִחֲדָרוֹ וְכֹלָה מִחוּפָּתָהּ; אָמַר רַבִּי יְהוּדָה: בְּמָה דְּבָרִים אֲמוּרִים – **בְּמִלְחָמוֹת מִצְוָה**, אֲבָל בְּמִלְחָמוֹת חֻבָּה – **הַכֹּל יוֹצֵאִין**, אֲפִילוּ חָתָן מִחֲדָרוֹ וְכֹלָה מִחוּפָּתָהּ.

גַּמ' מֵאֵי אֵיכָא בֵּין רַבִּי יוֹסִי לְרַבִּי יוֹסִי הַגִּלְיָלִי? אֵיכָא בִּינְיָהוּ עֲבִירָה דְּרַבָּנָן.

כְּמָאן אֲזֵלָא הָא דִּתְנָא: שָׁח בֵּין תְּפִילָּה לְתְּפִילָּה – עֲבִירָה הִיא בִּידוֹ וְחוּזָר עָלֶיהָ מְעוּרָבִי הַמִּלְחָמָה, כְּמָאן? כְּרַבִּי יוֹסִי הַגִּלְיָלִי.

מֵאֵן תְּנָא לְהָא דִּתְנִי רַבָּנָן: שָׁמַע קוֹל קַרְנוֹת וְהִרְתִּיעַ, הִגְפַת תְּרִיסִין וְהִרְתִּיעַ, צָחָצְחוּ חֲבָבוֹת וּמִים שֹׁתְתִין לוֹ עַל בְּרָכָיו – חוּזָר. כְּמָאן? לֵימָא, רַבִּי עֲקִיבָא הִיא וְלֹא רַבִּי יוֹסִי הַגִּלְיָלִי! בְּהָא אֲפִילוּ רַבִּי יוֹסִי הַגִּלְיָלִי מוֹדָה, מִשּׁוֹם דְּכִתְיִב: "וְלֹא יִמָּס אֶת לִבָּב אֶחָיו בְּלִבָּבוֹ".

The mishna adds: In what case are all of these statements, with regard to the various exemptions from war, said? They are said with regard to elective wars. But in wars whose mandate is a mitzva, everyone goes,^H even a groom from his room and a bride from her wedding canopy.^N Rabbi Yehuda said: In what case are all of these statements, with regard to the various exemptions from war, said? They are said with regard to wars whose mandate is a mitzva. But in obligatory wars, everyone goes, even a groom from his room and a bride from her wedding canopy.

GEMARA The Gemara asks: With regard to their understanding that the “fearful and faint-hearted” is referring to one harboring sins, what difference is there between the opinion of Rabbi Yosei and the opinion of Rabbi Yosei HaGelili? The Gemara answers: There is a practical difference between them with regard to a sin which violates a prohibition by rabbinic law. According to Rabbi Yosei HaGelili, one who has violated a rabbinic law returns home, whereas Rabbi Yosei maintains that one returns home only if he has violated a Torah law, as in the case of a priest who has married a divorcée.

The Gemara asks: In accordance with whose opinion is that which is taught in a *baraita*: If one spoke between donning the phylactery of the arm and the phylactery of the head,^{HN} he has a sin on his hands, and due to that sin he returns from the ranks of soldiers waging war. In accordance with whose opinion does this man return? It is in accordance with the opinion of Rabbi Yosei HaGelili, who maintains that one returns even due to a minor transgression.

The Gemara asks: Who is the *tanna* who taught this *halakha* that the Sages taught in a *baraita*: If one heard the sound of trumpets and trembled; or he heard the knocking of shields and he trembled; or he heard the sharpening of swords, and urine was trickling down his knees^B in fear, he returns from the battle-front. In accordance with whose opinion is this? Shall we say that it is the opinion of Rabbi Akiva, who interprets “fearful and fainthearted” literally, and it is not the opinion of Rabbi Yosei HaGelili? The Gemara answers: In this case even Rabbi Yosei HaGelili would concede that he should return, because it is written: “What man is there that is fearful and fainthearted? Let him go and return... lest his brethren’s heart melt as his heart” (Deuteronomy 20:8). Someone so clearly frightened invariably spreads his fear to those around him.

NOTES

A bride from her wedding canopy – בְּלָה מִחוּפָּתָהּ: Some commentaries find the mishna’s statement surprising: Are we to understand from this singular, passing reference that women are supposed to go to war? They explain that the mishna does not say that the bride goes out to fight, but rather, that women are obligated to provide non-combat assistance in the war effort (Rashash; *Tiferet Yisrael*). Others write that the mishna does not mean to require women to participate in the war at all, asserting that the *tanna* is simply employing a turn of phrase from the Bible (see Joel 2:16).

If one spoke between donning the phylactery of the arm and the phylactery of the head – **שָׁח בֵּין תְּפִילָּה לְתְּפִילָּה**: According to Rashi, this is a case of one who spoke between donning the phylactery of the arm and that of the head; his sin was that he did not subsequently recite a blessing for the phylactery of the head. However, many commentaries challenge Rashi’s interpretation. One commentary contends that the omission of a blessing on the phylactery of the head cannot be the sin, as the mere act of speaking is a sin in that it forces one to recite an extra blessing unnecessarily (*Tosefot HaRosh*).

Early commentaries discuss this fundamental issue of whether the blessing for the phylactery of the head is always mandated. Sephardic authorities presume that the blessing is mandated only in the instance of an interruption between donning the phylactery of the arm and that of the head. By contrast, Rabbeinu Tam marshals a number of proofs to demonstrate that the blessing for the phylactery of the head is to be recited as a matter of course, even without any interruptions. Accordingly, this practice is accepted in most Ashkenazi communities. Significantly, according to this opinion, in the event of an interruption one is then required to recite two blessings over the phylactery of the head. Therefore, according to both opinions, an interruption requires an additional blessing to be said unnecessarily.

It seems that the Rambam understands, in contrast to Rashi’s opinion, that the mere act of speaking between the donning of the two phylacteries is itself a sin. This is in accordance with the explanation of the Ran, which is as follows: Since the verse connects the two phylacteries: “And it shall be for a sign upon your hand, and for frontlets between your eyes” (Exodus 13:16), apparently the phylactery of the head must be donned immediately after that of the hand (*Keren Ora*).

“וְהָיָה כְּכֹלֵת הַשְּׂטָרִים” כו'. הַי “מִפְּנֵי שְׂתַחֲיִלַת נִסָּה נְפִילָה”, “מִפְּנֵי שְׂתַחֲיִלַת נְפִילָה נִסָּה” מִבְּעֵי לִיָּה! אִימָא: “מִפְּנֵי שְׂתַחֲיִלַת נְפִילָה נִסָּה”.

“בְּמָה דְּבָרִים אֲמֹרִים – בְּמִלְחָמוֹת הָרְשׁוֹת” כו'. אָמַר רַבִּי יוֹחָנָן: רְשׁוֹת דְּרַבָּנִן זֶה הֵיא מִצְוָה דְּרַבִּי יְהוּדָה; מִצְוָה דְּרַבָּנִן זֶה הֵיא חֻבָּה דְּרַבִּי יְהוּדָה.

אָמַר רַבָּא: מִלְחָמוֹת יְהוֹשֻׁעַ לְכַבֵּשׁ – דְּבָרֵי הַכָּל חֻבָּה; מִלְחָמוֹת בֵּית דָּוִד לְרוֹחוּתָה – דְּבָרֵי הַכָּל רְשׁוֹת. כִּי פְלִיגִי – לְמַעוּטֵי נְכָרִים דְּלֹא לִיתִי עֲלֵיהֶן: מֶר קָרִי לָהּ מִצְוָה, וּמֶר קָרִי רְשׁוֹת; נִפְקָא מִינָּה לְעוֹסֵק בְּמִצְוָה שְׁפָטוֹר מִן הַמִּצְוָה.

הדרן עלך משוח מלחמה

§ The mishna teaches: “And it shall be, when the officers conclude speaking to the people, that captains of legions shall be appointed at the head of the people” (Deuteronomy 20:9), and that the guards have the license to beat the legs of anyone who attempts to turn back and flee from the war, because the beginning of fleeing is a downfall. The Gemara is puzzled by the language of the mishna: **This phrase: Because the beginning of fleeing is a downfall, appears to be backward.** The mishna **should have said the opposite: Because the beginning of the downfall is the act of fleeing.** The Gemara concedes: Indeed, say that the mishna means: **Because the beginning of the downfall is the act of fleeing.**

The mishna teaches: **In what case are these statements said?** They are said **with regard to elective wars**, as opposed to obligatory wars or wars whose mandate is a mitzva. **Rabbi Yoḥanan says** concerning the various categories of war: **The elective war referenced by the Rabbis is the same as a war whose mandate is a mitzva referenced by Rabbi Yehuda**, and the war that is a mitzva mentioned by the Rabbis is the same as the obligatory war mentioned by Rabbi Yehuda. Therefore, Rabbi Yehuda is merely stating that the wars which the Rabbis call elective are to be seen as mandated by a mitzva.

Rava said: With respect to the wars that Joshua waged⁴ to conquer Eretz Yisrael, all agree that they were **obligatory**. With respect to the wars waged by the House of King David for the sake of territorial expansion, all agree that they were **elective** wars. **When they disagree**, it is with regard to preventative wars that are waged to reduce the gentiles so that they will not come and wage war against them. One Sage, Rabbi Yehuda, called this type of war a mitzva, and one Sage, the Rabbis, called it an elective war. There is a practical difference between these opinions with respect to the principle: **One who is engaged in a mitzva is exempt from performing another mitzva.**⁸ According to Rabbi Yehuda, one fighting in this kind of war is exempt from performing another mitzva.

HALAKHA

מִלְחָמוֹת יְהוֹשֻׁעַ – מִלְחָמוֹת יְהוֹשֻׁעַ: At first a king is permitted to wage only those wars that are in fulfillment of a mitzva, e.g., a war against the seven Canaanite nations, against Amalek, or to save the Jewish people from an enemy who is attacking them. Thereafter, a king may wage wars that are elective, e.g., a war against other nations with the intention of expanding the boundaries of Eretz Yisrael (Rambam *Sefer Shofetim*, *Hilkhot Melakhim UMilhemoteihem* 5:1 and *Lehem Mishne* there).

BACKGROUND

One who is engaged in a mitzva is exempt from performing another mitzva – **הָעוֹסֵק בְּמִצְוָה פָּטוֹר מִן – הַמִּצְוָה:** According to the Gemara (*Sukka* 25a), one who is actively engaged in a mitzva is exempt from performing another mitzva. For example, one who is traveling to study Torah or to greet his teacher is exempt from the obligation to dwell in a *sukka*. The principle derives from the obligation to study Torah, which applies “when you sit in your house, and when you walk by the way” (Deuteronomy 6:7). The Sages understand that the mitzva is limited to times that one is involved in personal activities, and it does not apply when one is involved in performing a mitzva. The Rambam suggests that the underlying reason for this principle is that since one cannot distinguish between the respective weight of different mitzvot (see *Avot* 2:1), an individual is obligated to complete the mitzva in which he is involved before turning his attention to another.

שור הנסקל בעשרים ושלשה, שנאמר: "השור יסקל וגם בעליו יומת". במיתת בעלים כך מיתת השור. הזאב והארי הדוב והנמר והברדלס והנחש – מיתתן בעשרים ושלשה. רבי אליעזר אומר: כל הקודם להורגו זכה. רבי עקיבא אומר: מיתתן בעשרים ושלשה.

אין דנין לא את השבט, ולא את נביא השקר, ולא את בהן גדול, אלא על פי בית דין של שבעים ואחד. ואין מוציאין למלחמת הרשות אלא על פי בית דין של שבעים ואחד. אין מוספין על העיר ועל העורות אלא על פי בית דין של שבעים ואחד. אין עושין סנהדריות לשבטים אלא על פי בית דין של שבעים ואחד.

אין עושין עיר הנדחת אלא על פי בית דין של שבעים ואחד. אין עושין עיר הנדחת בספר, ולא שלש. אבל עושין אחת או שתיים.

סנהדרין גדולה היתה של שבעים ואחד, וקטנה של עשרים ושלשה. מנין לגדולה שהיא של שבעים ואחד? שנאמר: "אספה לי שבעים איש מקני ישראל", ומשה על גביהן. רבי יהודה אומר: שבעים.

Similarly, an ox that is to be stoned because it killed a person is judged by twenty-three judges, as it is stated: "But if the ox was wont to gore in time past, and warning has been given to its owner, but he did not guard it and it kills a man or a woman the ox shall be stoned and also its owner shall be put to death" (Exodus 21:29). From this verse it is derived that just as the manner of the death of the owner, so is the manner of the death of the ox. The same halakha applies in the case of a wolf or a lion, a bear or a leopard, or a cheetah,^{LB} or a snake that killed a person: Their death is decreed by twenty-three judges. Rabbi Eliezer says these dangerous animals do not need to be brought to court; rather, anyone who kills them first merits the performance of a mitzva. Rabbi Akiva says: Their death is decreed by twenty-three judges.

§ The court judges cases involving an entire tribe that sinned, or a false prophet (see Deuteronomy 18:20–22), or a High Priest^H who transgressed a prohibition that carries a possible death sentence, only on the basis of a court of seventy-one judges, i.e., the Great Sanhedrin. And the king may bring the nation out to an optional war,^H i.e., a war that was not mandated by the Torah and is not a war of defense, only on the basis of a court of seventy-one judges. They may extend the city of Jerusalem or the courtyards of the Temple^H only on the basis of a court of seventy-one judges. And they may appoint a lesser Sanhedrin^L of twenty-three judges for the tribes^H only on the basis of a court of seventy-one judges.

A city may be designated as an idolatrous city, i.e., a city whose residents all practice idolatry, and therefore according to Torah law all the residents must be killed and the city must be destroyed (see Deuteronomy 13:13–19), only in accordance with the ruling of a court^H of seventy-one judges. Additionally, the court may not designate a city as an idolatrous city if it is on the frontier,^H close to the borders of Eretz Yisrael, and three adjoining cities may not be designated as idolatrous cities. But the court may designate one city, or two adjoining cities, as idolatrous cities.

§ With regard to the number of judges in the different courts the mishna presents a halakhic midrash: The Great Sanhedrin was composed of seventy-one judges, and a lesser Sanhedrin was composed of twenty-three.^H From where is it derived that the Great Sanhedrin was composed of seventy-one judges? As it is stated: "Gather Me seventy men of the Elders of Israel, whom you know to be the Elders of the people and officers over them, and bring them into the Tent of Meeting, and they shall stand there with you" (Numbers 11:16), and together with Moses at the head of this body, there are a total of seventy-one. Rabbi Yehuda says: Moses was indeed at the head of the body, but he is not counted as part of the group. Consequently, a future Great Sanhedrin modeled after these Elders is to be composed of seventy judges.

HALAKHA

השבט... An entire tribe or a false prophet or a High Priest – נביא השקר...בהן גדול: An entire tribe that sinned by idolatry, or a false prophet, or the High Priest who transgressed a prohibition that carries a possible death sentence are judged only by a court of seventy-one judges (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 5:1).

An optional war – מלחמת הרשות: The king may bring the nation out to an optional war only in accordance with the ruling of a court of seventy-one judges (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 5:1).

Extending the city of Jerusalem or the courtyards of the Temple – הוספה לעיר ולעורות: Extensions to the city of Jerusalem or the courtyards of the Temple can be accomplished only by a court of seventy-one judges (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 5:1).

A lesser Sanhedrin for the tribes – סנהדריות לשבטים: A lesser Sanhedrin may be appointed for each tribe and each city only

on the basis of the ruling of the Great Sanhedrin of seventy-one judges (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 5:1).

A city may be designated as an idolatrous city only in accordance with the ruling of a court, etc. – אין עושין עיר הנדחת: A city can be designated as an idolatrous city only in accordance with the ruling of the Great Sanhedrin, composed of seventy-one judges (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 5:1).

An idolatrous city on the frontier, etc. – עיר הנדחת בספר וכו': A city on the frontier cannot be deemed an idolatrous city, nor can two adjoining cities be deemed idolatrous cities (Rambam *Sefer HaMadda*, *Hilkhot Avoda Zara* 4:4).

Number of judges in the Sanhedrin – מנין חברי הסנהדרין: The Great Sanhedrin is composed of seventy-one judges and a lesser Sanhedrin is composed of twenty-three, as explained in the mishna (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 1:3, 5:3).

LANGUAGE

Cheetah [bardelas] – ברדלס: This word derives from the Greek *πάρδαλις*, *pardalis*, meaning a panther, and was then expanded to refer to any creature or item that is spotted like a leopard.

Sanhedrin – סנהדרין: From the Greek *συνέδριον*, *sunedrion*, meaning council, in particular an important council of judges or rulers.

Rabbi Ovadya Bartenura and others homiletically interpret the term *Sanhedrin* as an acronym for the words *sonet hadrat panim*, which means: Hates impressive appearances, considering the term a way of praising the Sanhedrin as a judicial body that shows no favoritism in judgment.

BACKGROUND

Cheetah [bardelas] – ברדלס: In the Talmud, the word *bardelas* is used to refer to at least three distinct species of animals.

There is a small *bardelas* that is likely a polecat (see Rashi and *Tosafot* on 15b). In other instances *bardelas* refers to the hyena, and some identify it in this way here. Others identify it here with the cheetah, *Acinonyx jubatus*, a spotted animal from the cat family found in Asia and Africa.

The cheetah can reach a length of up to 180 cm including the tail, and is colored yellowish-brown with dark spots. As the cheetah is regarded as the fastest land animal and is also easy to train, it has been used in many places to help hunt various animals, usually by army units. Although the cheetah is usually reluctant to attack humans, it is still large and dangerous enough to cause serious injury to people or even to kill them.



Polecat



Hyena



Two cheetahs hunting

The ox of a High Priest – שורו של כהן גדול – The Rambam's ruling with regard to an ox belonging to the High Priest that killed a person is unclear. The Radbaz maintains that such an ox is sentenced by twenty-three judges, whereas the *Lehem Mishne* holds that the case is adjudicated by the Great Sanhedrin consisting of seventy-one judges (Rambam *Sefer Shofetim, Hilkhot Sanhedrin* 5:1).

NOTES

An optional war – מלחמת רשות – An optional war is one that is waged in order to settle a dispute with another nation, to demonstrate power to other nations as a deterrent, or in order to conquer territory and gain economic benefits. A war that is fought in order to conquer Eretz Yisrael, to destroy the progeny of Amalek, or in order to defend the nation from its enemies is an obligatory war. In the case of an obligatory war, all people must participate, and there is no need for the king to receive authorization from the Sanhedrin (Meiri).

הוא דאמר כי האי תנא. דתנא: "דבר גדל" – דבריו של גדול. אתה אומר דבריו של גדול, או אינו אלא דבר הקשה? כשהוא אומר: "הדבר הקשה" – הרי דבר קשה אומר, הא מה אני מקיים "דבר גדל" דבריו של גדול.

והאי תנא. תרי קראי למה לי? חד לצוה בעלמא. וחד לעשייה. ואידך? אם כן, לכתוב או "גדול" "גדול" או "קשה" "קשה". מאי "גדול" ומאי "קשה" – שמע מינה תרתי.

בעי רבי אלעזר: שורו של כהן גדול בכמה? למיתת בעלים ידיה מדמינן ליה, או דילמא למיתת בעלים דעלמא מדמינן ליה? אומר אביי: מדקא מבעיא ליה שורו, מבבל דמונו פשיטא ליה.

פשיטא! מהו דתימא? הואיל וכתב: "כל הדבר הגדל" – כל דבריו של גדול, קא משמע לן.

"אין מוציאין" וכו'. מנהגי מילי? אומר רבי אבהו: דאמר קרא "ולפני אלעזר הכהן יעמד".

"הוא" – זה מלך, וכל בני ישראל אתו – זה משוח מלחמה. "וכל העדה" – זה סנהדרין.

ודילמא לסנהדרין הוא דקאמר להו רחמנא דלישילוי באורים ותומים?

The Gemara answers: Rav Adda bar Ahava states his opinion in accordance with the opinion of that other *tanna*, as it is taught in a different *baraita*: The meaning of "great matter" in the verse is matters relating to a great one. The *baraita* asks: Do you say that it is referring to matters relating to a great one, or is it only referring to a difficult matter? The *baraita* explains: When it says further on: "They brought the difficult matter to Moses," a difficult matter is stated, so how do I realize the meaning of "great matter"? It is referring to matters relating to a great one.

The Gemara asks: And as for this *tanna* in the first *baraita* who maintains that "great matter" and "difficult matter" are referring to the same *halakha*, why do I need two verses to express the same idea? The Gemara answers: One is for the command in general, and one is to state that the execution of the matter was carried out correctly. And why does the other *tanna* not accept this explanation? The Gemara explains: He would claim that if so, if both verses were actually referring to the same thing, let it write either "great" in one verse and great in the other, or difficult in one verse and "difficult" in the other. What is the significance of writing "great" in one verse and what is the significance of writing "difficult" in the other? Conclude two conclusions from it; one verse is referring to difficult matters and the other to matters relating to a great one.

Rabbi Elazar asked: If the ox of a High Priest⁴¹ killed a person, by how many judges is it sentenced? Do we compare it to a trial that could result in the death of its owner, the High Priest, which would have to be judged by seventy-one judges, or perhaps we compare it to a trial that could result in the death of owners in general, which could be judged by twenty-three judges? Abaye said: Since he asked the question only with regard to the High Priest's ox, where there is a specific reason to say that its judicial proceedings should have the same *halakhot* as those concerning its owner, by inference it can be derived that it was obvious to him that court hearings related to the High Priest's other property may be deliberated by an ordinary court.

The Gemara asks: Isn't that obvious? Why should it not be so? The Gemara answers: Abaye needed to clarify this, lest you say that since it writes: "Every great matter," one might have thought that the verse is referring to all matters relating to a great one, meaning that any case involving the High Priest is adjudicated by the Great Sanhedrin. Therefore, Abaye teaches us that this is not the *halakha*.

The mishna teaches that the king may bring the nation out to an optional war⁴² only on the basis of a court of seventy-one judges, i.e., the Great Sanhedrin. The Gemara asks: From where is this matter derived? Rabbi Abbahu says: It is as the verse states with regard to the appointment of Joshua: "And he shall stand before Elazar the priest, and he shall ask counsel of the Urim before the Lord; by his word they shall go out, and by his word they shall come in, he and all of the children of Israel with him and all of the congregation" (Numbers 27:21).

Rabbi Abbahu analyzes the end of the verse. With regard to the word "he," this is the king, referring to Joshua and to any other leader who brings the nation out to war. With regard to the word "him" in the verse "And all of the children of Israel with him," this is the priest anointed for war, who was anointed specially to stand and instruct the people before the war (see Deuteronomy 20:2). "And all of the congregation"; this is the Sanhedrin. Consequently, the king can embark on an optional war only if the Great Sanhedrin is present and grants authority to him.

The Gemara challenges: But perhaps this mention of the Sanhedrin simply means that the Merciful One says that the Sanhedrin may ask a question of the *Urim VeTummim*, as may the king or the priest anointed for war, as opposed to an ordinary person; but with regard to the decision to go to war, perhaps the king may do so without the agreement of the Sanhedrin.

Handful [*kometz*] – קומץ: Some interpret *kometz* here as the Aramaic word for locust, as if to say that one locust is not enough to satisfy a lion.

אָלס, בִּי הָא דאָמַר רַב אַחָא בַר בִּיזְנָא
אָמַר רַבִּי שִׁמְעוֹן חֲסִידָא: כְּנֹר הָיָה תְּלוּי
לְמַעַלָּה מִמַּטָּתוֹ שֶׁל דָּוִד. בֵּינָן שֶׁהָיְתָה חֲצוֹת
לַיְלָה רוּחַ צְפוֹנִית מְנַשֶּׁבֶת בּוֹ, וְהָיָה מְנַגֵּן
מֵאֲלֵיו. מִיָּד הָיָה דָּוִד עוֹמֵד וְעוֹסֵק בַּתּוֹרָה
עַד שֶׁעָלָה עֲמוּד הַשָּׁחַר. בֵּינָן שֶׁעָלָה עֲמוּד
הַשָּׁחַר, נִכְנְסוּ חֲכָמֵי יִשְׂרָאֵל אֵצֶל,

אָמְרוּ לוֹ: "אֲדוֹנֵינוּ הַמֶּלֶךְ, עֲמֵךְ יִשְׂרָאֵל
צָרִיכִין לְפָרֶנְסָה!" אָמַר לָהֶן: "לָכוּ, וְהִתְפָּרְנְסוּ
זֶה מִזֶּה." אָמְרוּ לוֹ: "אֵין הַקּוֹמֵץ מְשַׁבֵּיעַ אֶת
הָאֵרֶץ, וְאֵין הַבּוֹר מִתְמַלֵּא מִחוּלָּיתוֹ." אָמַר
לָהֶם: "לָכוּ פִּשְׁטוּ יְדֵיכֶם בְּגִדְדוֹ."

מִיָּד יוֹעֲצִין בְּאַחִיתּוֹפֶל, וְנִמְלְכִין בְּסַנְהֶדְרִין,
וְשׂוֹאֲלִין בְּאוּרִים וְתוֹמִים. אָמַר רַב יוֹסֵף:
מֵאִי קָרָא?

Rather, the proof is like that which Rav Aḥa bar Bizna says that Rabbi Shimon Ḥasida says: A lyre⁸ hung above David's bed, and once midnight arrived, the northern midnight wind⁸ would blow on it and cause the lyre to play on its own. David would immediately rise from his bed and study Torah until the dawn arrived. Once dawn arrived, the Sages of Israel would enter to advise him with regard to the various concerns of the nation and the economy.

One time they said to him: Our master the king, your nation, Israel, requires sustenance. King David said to them: Go and sustain one another, i.e., provide each other with whatever is lacking. The Sages said to him in response, citing a parable: A single handful [*hakometz*]¹ of food does not satisfy a lion, and a cistern will not be filled merely from the rain that falls directly into its mouth,⁸ but other water must be channeled in. So too, the nation cannot sustain itself using its own resources. King David then told them: Go and take up arms with the troops in battle in order to expand our borders and provide our people with the opportunity to earn a livelihood.

The Sages immediately sought advice from Ahithophel⁸ to determine whether or not it was appropriate to go to war at that time and how they should conduct themselves; and they consulted the Sanhedrin in order to receive the requisite permission to wage a war under those circumstances; and they asked the *Urim VeTummim* whether or not they should go to war, and whether or not they would be successful. Rav Yosef says: What is the verse from which this *aggada* is derived?

BACKGROUND

David's lyre – כְּנֹר שֶׁל דָּוִד: The *ge'onim* explain that David's lyre was a special musical instrument operated by the wind, also known as an Aeolian harp. It is made from an echo box or a sound board onto which strings are attached. The wind causes the strings to vibrate and the box to sound.



Aeolian harp

Northern wind – רוּחַ צְפוֹנִית: A true northern wind is extremely rare in Jerusalem. Apparently, the Talmud here refers to the wind that blows in the Kidron valley, adjacent to the city of David. Due to the topography of the area, wind coming from the east or west is diverted southward through the valley, which runs from north to south, giving the impression of a northern wind. Indeed, this wind is generally significantly stronger after midnight.



Kidron valley, facing south

The mouth of the cistern – חֲלִית הַבּוֹר: The mouth of a cistern is a small mound made surrounding its opening. The rainwater that would fall directly into the opening and inside the mouth of the cistern was not ordinarily enough to fill it, as the cistern itself was much wider than its opening. Therefore, a system of channels was employed to bring water to the cistern from a much larger area.



Mouth of a cistern in Hurbat Yatir, Israel

Ahithophel – אַחִיתּוֹפֶל: Ahithophel began his career as an advisor to King David but switched allegiances to David's son Absalom during the latter's rebellion. Ahithophel was from the village of Gilo, south of ancient Jerusalem, and was well known as an infallible advisor; the text says that asking advice of Ahithophel was tantamount to asking God (II Samuel 16:23). Ironically, in modern Hebrew, the phrase: Advice of Ahithophel, means poor advice, which is the direct opposite of the original biblical term.

NOTES

And after Ahithophel was Benaiah the son of Jehoiada – **וְאַחֲרֵי אֲחִיתּוֹפֶל בְּנֵיהוּ בֶן יְהוֹיָדָע** – This verse, as quoted in the Gemara, does not accord with the actual text of the verse. The *geonim* explain that the text should be corrected in accordance with the actual biblical verse: “And after Ahithophel was Jehoiada, son of Benaiah” (I Chronicles 27:34), and later in the Gemara the text should be emended to read: And so it says with regard to his father: “And Benaiah, son of Jehoiada, was over the *Kereti* and over the *Peleti*,” as he apparently filled his father’s position, in accordance with the *halakha* that a son takes precedence over anyone else to fill his father’s position if he is qualified for it.

They may extend the city – מוסיפין על העיר – The Jerusalem Talmud cites several sources for the details of the ceremony necessary for extending the city and the Temple courtyards. According to those sources, the sanctification requires a king, a prophet, the *Urim VeTummim*, and the Sanhedrin.

HALAKHA

They may extend the city – מוסיפין על העיר – The city of Jerusalem and the Temple courtyards may be extended only in accordance with the ruling of a court of seventy-one judges. In addition to the Sanhedrin, the king and the *Urim VeTummim* are also required (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 5:1 and *Sefer Avoda*, *Hilkhot Beit HaBehira* 6:11).

Their anointment with sacred oil consecrates them – משיחתן מקדשן – The sacred vessels made by Moses our teacher were consecrated by anointment with sacred oil. In future generations, these vessels are consecrated by service (Rambam *Sefer Avoda*, *Hilkhot Kelei HaMikdash* 1:12).

וְאַחֲרֵי אֲחִיתּוֹפֶל בְּנֵיהוּ בֶן יְהוֹיָדָע וְאַחֲרֵי
וְשֶׁר צָבָא לְמֶלֶךְ יוֹאָב. “אֲחִיתּוֹפֶל” – וְהָ
יֹעֵץ. וְכֵן הוּא אוֹמֵר: “וְעֵצַת אֲחִיתּוֹפֶל
אֲשֶׁר יַעַץ” וְגו’, “וּבְנֵיהוּ בֶן יְהוֹיָדָע” – וְ
סִנְהֶדְרִין. “אֲבִיתָר” – אֱלֹהִים וְתוֹנִיִּים.

וְכֵן הוּא אוֹמֵר: “וּבְנֵיהוּ בֶן יְהוֹיָדָע עַל
הַכֶּרֶתִי וְעַל הַפֶּלֶתִי”. וְלָמָּה נִקְרָא שְׁמֵן
כֶּרֶתִי וּפֶלֶתִי? כֶּרֶתִי – שְׁבוֹרֵתִין דְּבִרְיָהּ,
וּפֶלֶתִי – שְׁמוּפְלָאִין מַעֲשִׂיהֶן. וְאַחֲרֵי כֵן –
“שֶׁר הִצָּבָא לְמֶלֶךְ יוֹאָב”.

אָמַר רַבִּי יִצְחָק בְּרִיה דְּרַב אַדָּא וְאַמְרִי לָהּ
אָמַר רַבִּי יִצְחָק בַּר אַבּוּדִימִי: מַאי קָרָא?
“עוֹרָה כְּבוֹדִי עוֹרָה הַגָּבֹל וְכִנּוֹר אַעֲרֹה
שָׁחַר”.

וְאִין מוֹסִיפִין עַל הָעִיר. מִנְהֵי מִילֵּי? אָמַר
רַב שִׁימִי בַר חִיָּיא: אָמַר קָרָא: “כָּל אֲשֶׁר
אֲנִי מֵרְאֶה אוֹתָךְ אֶת תְּבֻנַּת הַמִּשְׁכָּן... וְכֵן
תַּעֲשֶׂה” – לְדוֹרוֹת הַבָּאִין.

מֵתִיב רַבָּא: “כָּל הַכֵּלִים שֶׁעָשָׂה מֹשֶׁה,
מִשִּׁיחָתָן מִקְדָּשָׁן. מִיָּכֵן וְאֵילָךְ – עֲבוּדָתָן
מְחַנְכֵתָן”. וְאַמַּאי? נִימָא: “וְכֵן תַּעֲשֶׂה” –
לְדוֹרוֹת הַבָּאִין!

שָׂאֵנִי הֵתָם, דְּאָמַר קָרָא: “וַיִּמְשַׁח וַיְקַדֵּשׁ
אֹתָם” – אֹתָם בְּמִשְׁחָה, וְלֹא לְדוֹרוֹת –
בְּמִשְׁחָה.

It is: And after Ahithophel was Benaiah, son of Jehoiada;^N and Ebiathar; and the general of the king’s army, Yoav (see I Chronicles 27:34). The individuals named in this verse correspond to the roles in the *aggada* as follows: Ahithophel is the advisor whose counsel they sought first with regard to going to war, and so it says: “Now the advice of Ahithophel, which he counseled in those days, was like that of a man who inquires of the word of God; so was the counsel of Ahithophel both with David and with Absalom” (II Samuel 16:23). And Benaiah, son of Jehoiada corresponds to the Sanhedrin, since he was the head of the Sanhedrin, and Ebiathar corresponds to the *Urim VeTummim*, as Ebiathar, son of Ahimelech the priest would oversee inquiries directed to the *Urim VeTummim* (see I Samuel 23:9).

And so it says with regard to the position of Benaiah, son of Jehoiada, as head of the Sanhedrin: “And Benaiah, son of Jehoiada, was over the *Kereti* and over the *Peleti*” (II Samuel 20:23). And why was the Sanhedrin called *Kereti* and *Peleti*? It was called *Kereti* because they were decisive [*shekoretin*] in their pronouncements. It was called *Peleti* because their actions and wisdom were wondrous [*shemufla’in*], as *Peleti* and *mufla’in* share the same root. According to the order of the verse, upon being instructed by King David to go to war, the Sages first consulted with Ahithophel, then with the Sanhedrin, and then they would ask the *Urim VeTummim*; and only thereafter was the general of the king’s army, Yoav, given the command to ready the army for battle.

Rabbi Yitzhak, son of Rav Adda, and some say Rabbi Yitzhak bar Avudimi, said: What is the verse from which it is derived that David’s lyre would awaken him at midnight? “Awake, my glory; awake, harp and lyre; I will awaken the dawn” (Psalms 57:9). This means that the self-playing lyre has already awoken, and now I must engage in Torah study until dawn.

§ The mishna teaches: **They may extend the city^{NH}** of Jerusalem or the courtyards of the Temple only on the basis of a court of seventy-one judges. The Gemara asks: **From where is this matter derived?** Rav Shimi bar Hiyya says: The verse states: “According to all that I show you, the pattern of the Tabernacle and the pattern of all its vessels, and so shall you do” (Exodus 25:9). “And so shall you do” means for future generations; just as the Tabernacle was fashioned in all of its details according to Moses’ instructions, so too later, the Temple is fashioned according to the instructions of the Great Sanhedrin, whose members stand in place of Moses.

Rava raises an objection from a *baraita*: With regard to all of the utensils that Moses fashioned, their anointment with the sacred oil is what consecrates them,^H rendering them fit for service in the Tabernacle. From that point forward, i.e., in future generations, there is no need for anointment, but rather their service in and of itself dedicates them, meaning that when they are used for the first time in sacred service they become consecrated. Rava explains the objection: And why is this so? Let us say instead that since the verse states: “And so shall you do,” this teaches that it must be done for future generations as in the Tabernacle, and therefore anointment with sacred oil should be required in the Temple as in the Tabernacle.

The Gemara answers: It is different there, as the verse states: “And it came to pass on the day that Moses completed erecting the Tabernacle that he anointed it and sanctified it and all its vessels, and the altar and all its vessels, and he anointed them and he sanctified them” (Numbers 7:1). The verse emphasizes that he sanctified “them,” and from this it is inferred that only those utensils need sanctification by anointment, but for future generations there is not a requirement of sanctification by anointment.

Sifrei Devarim

Paragraph 199

(Devarim 20:10) "If you draw near to a city": Scripture here speaks of an optional war.

"to a *city*": and not to a metropolis;

"to a *city*": and not to a village.

"to do battle with it": and not to reduce it by hunger, thirst, or plague.

"then you shall call out to it for peace": Great is peace, for even in war peace is needed. Great is peace, for even the dead need peace. Great is peace, for even the dwellers on high need peace, as it is written (Iyyov 25:1) "He makes peace among His exalted ones." Great is peace, for the priestly blessing ends with "peace." And even Moses was a lover of peace, as it is written (Devarim 2:26) "And I sent messengers from the desert of Kedemoth ... with words of peace."

Paragraph 200

(Devarim 20:11) "And it shall be, if it answers you for peace": I might think, even (if) some (do so); it is, therefore, written "and it opens itself to you" — all of it and not part of it.

"then all the people found in it": including Canaanites within it.

(Even Canaanites, whom you are otherwise commanded to destroy) "shall be tribute to you and they shall serve you": If they said: We accept tribute but not servitude; servitude, but not tribute, they are not heeded — They must accept both.

"But if it does not make peace with you, and it makes war with you": Scripture apprises you that if it does not make peace with you (and you let it be), in the end it will make war with you.

"then you shall lay siege to it" — even to reduce it by famine, thirst, or plague.

(*Ibid.* 20:13) "Then the L-rd your G-d will deliver it into your hands": If you do all that has been stated, in the end, the L-rd your G-d will deliver it into your hands.

"then you shall smite all of its males by the sword": I might think, even the children; it is, therefore, written (*Ibid.* 14) "but the women and the little ones ... you shall take for yourself": — But perhaps the little ones of the females are meant! — Can you say this? Now if (in the war with) Midian, where the adult women were put to death, the little ones were spared, then here, where the adult women were spared, how much more so would the little ones be spared (and no verse would be needed to tell us that). It must be, then, that "little ones" here refers to the little ones of the males.

"all of its spoil shall you take for yourself": I might think that their spoil should be forbidden; it is, therefore, written "its spoil shall you take for yourself, and you shall eat the spoil of your foes."

Paragraph 201

(Devarim 20:15) "Thus shall you do to all the cities that are distant": The distant ones (i.e., those not of the seven nations) are subsumed in this law (to spare the women and children), but those that are near (i.e., the seven nations) are not subsumed in this law. (*Ibid.* 16) "But from the cities of these people (the seven nations) ... you shall not allow any soul to live": (But you shall slay them) by the sword. (*Ibid.* 17) "But you shall utterly destroy them": I might think that their spoil were forbidden to you; it is, therefore, written (*Ibid.* 6:11) "and houses full of all good." "the Chitti, the Emori, the Canaani, etc." "as the L-rd your G-d commanded you": to include the Girgashi.

Paragraph 202

(Devarim 20:18) "So that they not teach you to do according to all their abominations": whereby we are taught if they repented, they are not killed. "and you sin to the L-rd your G-d": If you do not act in accordance with all that is said here you are called "sinners to the L-rd."

Paragraph 203

(Devarim 20:19) "If you besiege a city many days": Scripture here speaks of an optional war.
"a city": and not a metropolis;
"a city": and not a village.
"many days": "days" — two; "many" — three. We are hereby taught that peace is offered for two days, and a third day for the battle. And even though there is no proof for this, there is an intimation of it in (I Samuel 30:1) "And David and his men came to Tziklag on the third day." Variantly: From here it is derived that gentile cities are not besieged fewer than three days before the Sabbath, (so that the siege not extend into the Sabbath); but if the siege began, it is not interrupted. And a sea voyage is not begun fewer than three days before the Sabbath. When is this so? For a long voyage, but for a short one, it is permissible.
"to war upon it, *to capture it*": and not to destroy it.
"You shall not cut down its tree by wielding an axe against it": This tells me only of iron (i.e., an axe blade). Whence do I derive (the same for destroying it by) diverting a water course from it? From "You shall not destroy its tree" — in any manner.
(We are hereby taught that peace is offered for two days, and a third day before the battle. And so it states: (I Samuel 30:1) "And David Remained in Tziklag for two days." And gentile cities are not besieged fewer than three days before the Sabbath, (so that the siege not extend into the Sabbath); but if the siege began, it is not interrupted. This is one of three lessons taught by Shammai the Elder: A sea voyage is not begun fewer than three days before the Sabbath. When is this so? For a long voyage, but for a short one, it is permissible.)

"For from it you shall eat": a positive commandment;
"but it you shall not cut down": a negative commandment.

Variantly: "for from it shall you eat": a tree providing life for a man. R. Yishmael reasoned hence: If the L-rd is so solicitous of the *fruits* of a tree, how much more so of the tree itself! And if Scripture exhorts against (cutting down) a tree, which only *produces* fruit, how much more so (does it exhort against destroying) fruit itself!

Paragraph 204

(Devarim 20:20) "Only a tree that you know": This is a fruitful tree. (*Ibid.* 19) "to come before you into the siege": Cut it down.

(*Ibid.* 20) "that it is not a fruitful tree": This is a barren tree. If in the end we include (to be cut down for the siege even) a fruitful tree, what is the intent of "that it is not a fruitful tree"? We are hereby taught that a barren tree takes precedence (to being cut down) to a fruitful tree (if only one is needed for the siege). I might think that this holds true even if the barren tree is worth more, as per the words of R. Elazar b. R. Shimon; it is, therefore, written "Only" (to exclude such an instance).

"and you shall cut": Make of it barriers and siegeworks.

"and build the siege": Make siege engines for it.

"against the city": Bring up catapults against it.

"until it is subdued": even on the Sabbath. This is one of the things expounded by Shammai the elder.

(י) כי תקרב אל עיר, במלחמת הרשות הכתוב מדבר.
אל עיר, ולא לכרך.
אל עיר, ולא לכפר.
להלחם עליה, ולא להרעיבה ולא להצמיאה ולא להמיתה מיתת תחלואים.
וקראת אליה לשלום, גדול שלום שאפילו מתים צריכים שלום גדול שלום שאפילו במלחמתם של ישראל צריכים שלום גדול שלום שדרי רום צריכים שלום שנאמר (איוב כה ב) עושה שלום במרומיו גדול שלום שחותרים בו ברכת כהנים ואף משה היה אוהב שלום שנאמר (דברים ב כו) ואשלח מלאכים ממדבר קדמות אל סיחון מלך חשבון דברי שלום.

ר'

(יא) והיה אם שלום תענך, יכול אף מקצתה תלמוד לומר ופתחה לך כולה ולא מקצתה.
והיה כל העם הנמצא בה, לרבות כנענים שבתוכה.
יהיו לך למס ועבדוך, אמרו מקבלים אנו עלינו מסים ולא שיעבוד שיעבוד ולא מסים אין שומעים להם עד שיקבלו עליהם זו וזו.
(יב) ואם לא תשלים עמך ועשתה עמך מלחמה, הכתוב מבשרך שאם אינה משלמת עמך לסוף שהיא עושה עמך מלחמה.
וצרת עליה, אף להרעיבה אף להצמיאה אף להמיתה במיתת תחלואים.
ונתנה ה' אלהיך בידך, אם עשית את כל האמור בענין לסוף שה' אלהיך נותנה בידך.
והכית את כל זכורה לפי חרב, שומע אני אף הקטנים שבתוכה תלמוד לומר רק הנשים והטף והבהמה או אינו אלא טף של נקיבות אמרת ומה מדין שהמית את הגדולות החיה את הקטנות כאן שהחיה את הגדולות אינו דין שיחיה את הקטנות הא אינו אומר כאן טף אלא טף של זכרים מנין שעושה עמך מלחמה תלמוד לומר רק הנשים והטף והבהמה.
וכל אשר יהיה בעיר כל שללה תבזז לך, יכול תהא ביזתם אסורה לך תלמוד לומר תבזז לך ואכלת את שלל אויביך סליק פיסקא

ר"א

(טו) כן תעשה לכל הערים הרחוקות, הרחוקות בתורה הזאת ואין הקרובות בתורה הזאת.
אשר לא מערי העמים המה, אין ערי הגוים האלה בתורה הזאת. (טז) רק מערי העמים האלה לא תחיה כל נשמה, בסייף.
(יז) כי החרם תחרימם, יכול תהא ביזתם אסורה לך תלמוד לומר (דברים ו יא) ובתים מלאים כל טוב. החתי והאמורי הכנעני והפריזי והחוי והיבוסני, כשהוא אומר כאשר צוך ה' אלהיך לרבות את הגרגשי.

ר"ב

(יח) למען אשר לא ילמדו אתכם לעשות, מלמד שאם עושים תשובה אין נהרגים.
וחטאתם לה' אלהיכם, אם לא עשיתם כל האמור בענין נקראים אתם חטאים לה' אלהיכם סליק פיסקא

ר"ג

(יט) כי תצור אל עיר, במלחמת הרשות הכתוב מדבר.

אל עיר, ולא לכרך

אל עיר ולא לכפר.

ימים רבים, ימים שנים רבים שלשה, מיכן אמרו אין צרים על עיר של גוים פחות משלשה ימים קודם לשבת.

להלחם עליה לתפשה, ולא לשבותה.

לא תשחית את עצה לנדוח עליו גרזן, אין לי אלא גרזן מנין אף למשוך הימנה אמת המים תלמוד לומר לא תשחית את עצה בכל דבר.

דבר אחר כי תצור אל עיר מגיד שתובע שלום שנים שלשה ימים עד שלא נלחם בה וכן הוא אומר (ש"ב א א) וישב דוד בצקלג ימים שנים ואין צרים על עיר בתחילה בשבת אלא קודם לשבת שלשה ימים ואם הקיפוה ואירעה שבת להיות אין השבת מפסקת מלחמתה זה אחד משלשה דברים שדרש שמי הזקן אין מפליגים את הספינה לים הגדול אלא קודם לשבת שלשה ימים במה דברים אמורים בדרך רחוקה אבל בדרך קרובה מפליגים אותה.

כי ממנו תאכל, מצות עשה ואותו לא תכרת, מצות לא תעשה.

כי האדם עץ השדה, מלמד שחיויו של אדם אינם אלא מן האילן. רבי ישמעאל אומר מיכן חס המקום על פירות האילן קל וחומר מאילן ומה אילן שעושה פירות הזהירך הכתוב עליו פירות עצמם על אחת כמה וכמה.

לבוא מפניך במצור, הא אם מעכבך לבוא מפניך במצור קצצהו סליק פיסקא

ר"ד

(כ) רק עץ אשר תדע, זה אילן מאכל.

כי לא עץ מאכל הוא, זה אילן סרק אם סופנו לרבות את אילן מאכל מה תלמוד לומר עץ מאכל מלמד שאילן סרק קודם לאילן מאכל יכול אפילו מעולה בדמים וכדברי רבי אלעזר ברבי שמעון תלמוד לומר אותו תשחית וכרתה,

עושה אתה ממנו תיקים ונדביאות.

ובנית מצור על העיר, עושה אתה לה מיני מטריאות,

מביא אתה לה מיני בלסטריאות.

עד רדתה, ואפילו בשבת סליק פיסקא

HALAKHA

A man may neither go out on Shabbat with a sword, etc. – **לֹא יֵצֵא הָאִישׁ לֹא בְּסִיף וְכוּ'**: It is prohibited to go out into the public domain carrying a weapon. One who does so is liable to bring a sin-offering, in accordance with the opinion of the Rabbis (Rambam *Sefer Zemanim*, *Hilkhot Shabbat* 19:1; *Shulḥan Arukh*, *Orah Hayyim* 301:7).

The only difference between this world and the messianic era – **אֵין בֵּין הָעוֹלָם הַזֶּה לַיְמֵי מְשִׁיחַ** – The Rambam adopted the opinion of Shmuel that there will be no change in the natural order of the world in the messianic era (Rambam *Sefer Shofetim*, *Hilkhot Melakhim* 12:2).

All of the prophets only prophesied, etc. – **כָּל – הַנְּבִיאִים לֹא נִתְּנָבְאוּ אֶלָּא וְכוּ'**: All prophecies that the prophets prophesied with regard to the reward that the Jewish people will merit, refer exclusively to the physical benefits that Israel will enjoy during the messianic era, when their sovereignty in Eretz Yisrael will be restored. Since the reward of the World-to-Come is neither quantifiable nor imaginable, the prophets did not describe it in their prophecies to avoid devaluing it in the minds of the people (Rambam *Sefer HaMadda*, *Hilkhot Teshuva* 8:7).

LANGUAGE

Shield [teris] – **תָּרִיס**: From the Greek *θυρεός*, *thyreos*, meaning a large shield.

Club [kulpa] – **קוּלְפָּא**: Apparently, the correct reading is *kupla* from the Persian *kūpāl*, meaning club or lance. The *geonim* describe the *kulpa* as a rod with a thickened end on which there are nails or projections.

BACKGROUND

Shield and spear – **תָּרִיס וְרֹמֶחַ**:



Roman-style armor, shield and spear

מִתְּנִי לֹא יֵצֵא הָאִישׁ לֹא בְּסִיף וְלֹא בִּקְשֶׁת, וְלֹא בְּתַרְסִים, וְלֹא בְּאַלְהָ, וְלֹא בְּרֹמְחַ, וְאִם יֵצֵא – חַיִּיב חֹטֵאת.

רַבִּי אֱלִיעֶזֶר אוֹמֵר: תִּבְשִׁיטִין הֵן לוֹ.

וְחֻכָּמִים אוֹמְרִים אֵינָן אֶלָּא לְגִנְאִי, שְׁנֵאמַר: "וְכִתְּתוּ חֲרֻבוֹתַם לְאֵתִים וְחִנְתִּיתֵיהֶם לְמוֹמְרוֹת וְלֹא יִשָּׂא גּוֹי אֶל גּוֹי חֶרֶב וְלֹא יִלְמְדוּ עוֹד מִלְחָמָה".

בִּרְיָת – טְהוֹרָה, וְיוֹצֵאִין בָּהּ בִּשְׁבָּת.

כַּבָּלִים – טְמֵאִים, וְאֵין יוֹצֵאִין בָּהֶן בִּשְׁבָּת.

גַּמְ' מַאי בְּאַלְהָ קוּלְפָּא.

רַבִּי אֱלִיעֶזֶר אוֹמֵר תִּבְשִׁיטִין הֵן לוֹ. תֵּנָא, אָמְרוּ לוֹ לְרַבִּי אֱלִיעֶזֶר: וְכִי מֵאַחַר דְּתִבְשִׁיטִין הֵן לוֹ, מִפְּנֵי מָה הֵן בְּטָלִין לַיְמֵי מְשִׁיחַ? אָמַר לָהֶן: לְפִי שְׂאִינָן צְרִיכִין, שְׁנֵאמַר: "לֹא יִשָּׂא גּוֹי אֶל גּוֹי חֶרֶב" – וְתִהְיוּ לְנוֹי בְּעֵלְמָא! אָמַר אַבְיִי: מִיָּדִי דְּהָדָה אֲשָׁרְגָא בְּטִיהָרָא,

וּפְלִיגָא דְּשִׁמוּאֵל, דְּאָמַר שְׁמוּאֵל: אֵין בֵּין הָעוֹלָם הַזֶּה לַיְמֵי מְשִׁיחַ אֶלָּא שִׁיעֲבוֹד גְּלוּיָת בְּלָבָד, שְׁנֵאמַר: "כִּי לֹא יִחַדֵּל אֲבִיוֹן מִקְרֹב הָאָרֶץ".

מְסִיעֵה לִיהּ לְרַבִּי חִיָּיא בַר אֲבָא, דְּאָמַר רַבִּי חִיָּיא בַר אֲבָא: כָּל הַנְּבִיאִים לֹא נִתְּנָבְאוּ אֶלָּא לַיְמֵי מְשִׁיחַ, אֲבָל לְעוֹלָם הָבָא – "עֵינִן לֹא רִאֲתָה אֱלֹהִים וְלֹא תִּרְאֶה".

MISHNA Just as it is prohibited for a woman to carry out certain items unique to a woman into the public domain, the Sages said that **a man may neither go out on Shabbat with a sword,¹ nor with a bow, nor with a shield [teris],¹ nor with an alla, nor with a spear.⁸ And if he unwittingly went out with one of these weapons to the public domain he is liable to bring a sin-offering.**

Rabbi Eliezer says: These weapons are ornaments for him; just as a man is permitted to go out into the public domain with other ornaments, he is permitted to go out with weapons.

And the Rabbis say: They are nothing other than reprehensible and in the future they will be eliminated, as it is written: "And they shall beat their swords into plowshares and their spears into pruning hooks; nation will not raise sword against nation, neither will they learn war anymore" (Isaiah 2:4).

With regard to women's ornaments, they added that **a garter placed on her leg to hold up stockings is pure and cannot become ritually impure as a utensil, and she may even go out with it on Shabbat.**

However, ankle chains, which were also women's ornaments, can become ritually impure, and she may not go out with them on Shabbat.

GEMARA The Gemara asks: **What is the meaning of the term alla? It means club [kulpa].¹**

We learned in the mishna that **Rabbi Eliezer says: These weapons are ornaments for him. It was taught in a baraita that elaborates on this subject: The Rabbis said to Rabbi Eliezer: And since, in your opinion, they are ornaments for him, why are they to be eliminated in the messianic era? He said to them: They will not be needed anymore, as it is stated: "Nation will not raise sword against nation" (Isaiah 2:4). The Gemara asks: And let the weapons be merely for ornamental purposes, even though they will not be needed for war. Abaye said: It is just as in the case of a candle in the afternoon. Since its light is not needed, it serves no ornamental purpose. Weapons, too; when not needed for war, they serve no ornamental purpose either.**

And this *baraita* disagrees with the opinion of Shmuel,⁸ as Shmuel said: **The only difference between this world and the messianic era⁹ is subjugation of the exiles to other kingdoms, from which the Jewish people will be released. However, in other respects, the world will remain as it is, as it is written: "Because the poor will not cease from within the land" (Deuteronomy 15:11). Society will not change, and wars will continue to be waged.**

However, this *baraita* supports the opinion of Rabbi Hiyya bar Abba who disagrees with Shmuel. **As Rabbi Hiyya bar Abba said: All of the prophets only prophesied¹⁰ with regard to the messianic era; however, with regard to the World-to-Come¹¹ it was stated: "No eye sees, God, except You, that which He will do for he that waits for Him" (Isaiah 64:3). What will be in the World-to-Come cannot be depicted even by means of prophecy.**

NOTES

And this *baraita* disagrees with the opinion of Shmuel – **וּפְלִיגָא דְּשִׁמוּאֵל**: In general, when the opinion of an *amora* is inconsistent with the contents of a *baraita*, it is presented as a challenge to that *amora*. Yet, here the Gemara merely notes that the *baraita* disagrees with Shmuel. There are several possible explanations. First, the Gemara does not raise objections with regard to aggadic material. Second, perhaps the Sages

deemed this *baraita* insufficiently authoritative or its language insufficiently precise because it had not been reviewed in the study hall of Rabbi Hiyya and Rabbi Oshaya (Rashash).

יְמֵי מְשִׁיחַ – יְמֵי הָעוֹלָם הָבָא: The disagreement with regard to the messianic era is not strictly aggadic. This dispute has practical halakhic ramifications as well. The Rambam's halakhic ruling, based on

the opinion of Shmuel that the transition to the messianic era will be natural, precludes the necessity for one who proclaims himself as the Messiah to display any supernatural powers. Although the Rambam expresses his opinion differently in his Epistle to Yemen, fundamentally he stands by his opinion that the natural order of the world will not change in the messianic era, and no such changes should be anticipated.

NOTES

A verse does not depart from its literal meaning – אין מקרא יוצא מידי פשוטו – Even when the Bible is interpreted metaphorically, and even when halakhic conclusions are reached by means of a homiletic interpretation of a verse, these conclusions do not negate the literal meaning of the text. Even when verses are interpreted entirely as a parable and a lesson is learned from the parable, the literal meaning continues to resonate (*Alfei Menashe*).

Those who relate to it with the skilled right hand...those who relate to it with the unskilled left hand – למימינן בה...למשמאילים בה – One interpretation of these expressions is that relating to the Torah from the right hand refers to those who study it on a regular basis, just as they use their right hand on a regular basis. They dedicate all their efforts to Torah. Therefore, their reward is long life. Those who relate to it from the left are people who study Torah on a less regular basis. They merit wealth and honor for their involvement (Rav Yoshiya Pinto). The incredulous question with regard to the statement that the reward for those who relate to it with the right is only long life, implying that they do not merit wealth and honor, comes to negate that implication, since certainly that is not the case (*Sama DeHayyei*).

ואיכא דאמרי, אמרו לו רבי אליעזר: וכי מאחר דתכשטיין הן לו, מפני מה הן בטלין לימות המשיח? אמר להן: אף לימות המשיח אינן בטלין. היינו דשמואל, ופליגא דרבי חייה בר אבא.

And some say the disagreement between Rabbi Eliezer and the Rab-
bis was different. They said to Rabbi Eliezer: Since in your opinion
they are ornaments for him, why will they be eliminated in the
messianic era? He said to them: Even in the messianic era they will
not be eliminated. And that is in accordance with that which Shmu-
el stated that the world will remain fundamentally the same, and he
disagrees with Rabbi Hiyya bar Abba.

אמר ליה אביי לרב דימי, ואמרי לה לרב
אויא, ואמרי לה רב יוסף לרב דימי, ואמרי
לה לרב אויא, ואמרי לה אביי לרב יוסף:
מאי טעמא דרבי אליעזר דאמר תכשטיין
הן לו? דכתיב: "חגור חרבך על ירך גבור
הודך והדרך".

Abaye said to Rav Dimi, and some say it was to Rav Avya, and some
say Rav Yosef said to Rav Dimi, and some say it was to Rav Avya,
and some say Abaye said to Rav Yosef: What is the reason for the
opinion of Rabbi Eliezer who said: These weapons are ornaments
for him? As it is written: "Gird your sword upon your thigh, mighty
one, your glory and your splendor" (Psalms 45:4), indicating that a
sword is considered an ornament.

אמר ליה רב כהנא לר' בריה דרב הונא:
האי בדברי תורה כתיב! אמר ליה: אין
מקרא יוצא מידי פשוטו.

The Gemara relates that some time later Rav Kahana said to Mar, son
of Rav Huna: Is that really a proof? This verse is written in reference
to matters of Torah and should be interpreted as a metaphor. He said
to him: Nevertheless, a verse does not depart from its literal
meaning,ⁿ although there may be additional homiletical
interpretations.

אמר רב כהנא כד הווינא בר תמני סרי שני
והוה גמירנא ליה לכוליה התלמודא, ולא
הוה ידענא דאין מקרא יוצא מידי פשוטו
עד השתא. מאי קא משמע לן – דליגמר
איניש, והדר ליסבר.

Rav Kahana said about this: When I was eighteen years old and had
already learned the entire Talmud, and yet I did not know that a
verse does not depart from its literal meaning until now. The Ge-
mara asks: What is Rav Kahana teaching us with that statement? The
Gemara answers: He comes to teach that a person should first learn
and then understand the rationale.

סימן זרות.

Zarot is a mnemonic acronym for Elazar [zayin], Reish Lakish [reish],
and their students [vav, tav], the amora'im who interpreted the verse
in Psalms cited above

אמר רבי ירמיה אמר רבי אליעזר: שני
תלמידי חכמים המתדיין זה לזה בהלכה –
הקדוש ברוך הוא מצליח להם. שנאמר:
"והדרך צלח" אל תקרי "והדרך" אלא
"וחדך". ולא עוד אלא שעולין לגדולה,
שנאמר: "צלח רכב". יכול אפילו שלא
לשמה – תלמוד לומר: "על דבר אמת".
יכול אם הגים דעתו – תלמוד לומר "וענה
צדק". ואם עושין בן – זוכין לתורה שניתנה
בימין, שנאמר: "ותורך נוראות ימינך".

Rabbi Yirmeya said that Rabbi Elazar said: Two Torah scholars
who sharpen one another in *halakha*; the Holy One, Blessed be He,
ensures success for them, as it is written: "And in your majesty
[vihadarkha] prosper, ride on, in behalf of truth and meekness and
righteousness; and let your right hand teach you tremendous things"
(Psalms 45:5). The Sages said:

Do not read "and your majesty [vihadarkha]," rather, by changing
some of the vocalization and the letters, read it as and He will
sharpen you [vehidedkha], and ultimately you will be successful.
Moreover, they who act in that manner will rise to prominence, as
it is written: "Prosper, ride on."

I might have thought even if one engages in the study of Torah not
for its own sake; therefore, the verse states: "On behalf of truth."

I might have thought that one would be rewarded with prosperity
even if he became arrogant; therefore, the verse states: "Meek-
ness and righteousness."

And if they do so in the proper manner they merit the Torah that
was given with the right hand of the Holy One, Blessed be He,
as it is written: "And let your right hand teach you tremendous
things" (Psalms 45:5).

רב נחמן בר יצחק אמר: זוכין לדברים
שנאמרו בימינה של תורה, דאמר רבא
בר רב שילא, ואמרי לה אמר רב יוסף בר
חמא אמר רב ששת, מאי דכתיב: "אורך
ימים בימינה בשמאלה עשר וכבוד". אלא
בימינה ארך ימים איכא, עשר וכבוד ליכא?
אלא: למימינן בה – ארך ימים איכא, וכל
שכן עשר וכבוד. למשמאילים בה – עשר
וכבוד איכא, אורך ימים ליכא.

Rav Nahman bar Yitzhak said: They are rewarded with the matters
stated with regard to the right hand of the Torah. As Rava bar Rav
Sheila said and some say Rav Yosef bar Hama said that Rav Shesh-
et said: What is the meaning of that which is written, "Length of
days is in her right hand and in her left hand are riches and honor"
(Proverbs 3:16)? Is that to say, however, that in her right there is
length of days, but there are not riches and honor? Rather, it means:
Those who relate to it with the skilled right hand, i.e., who study
Torah for its own sake and with proper intentions, there is length of
days and all the more so riches and honor for them. Whereas, those
who relate to it with the unskilled left hand,ⁿ there are riches and
honor; there is not length of days.