

DE GRUYTER

Heinrich W. Guggenheimer (Ed.)

THE JERUSALEM TALMUD

FIRST ORDER: ZERAIM

TRACTATE BERAKHOT

STUDIA JUDAICA

THE JERUSALEM TALMUD
FIRST ORDER: ZERAÏM
TRACTATE *BERAKHOT*



STUDIA JUDAICA

FORSCHUNGEN ZUR WISSENSCHAFT
DES JUDENTUMS

HERAUSGEGEBEN VON
E. L. EHRlich

BAND XVIII

WALTER DE GRUYTER · BERLIN · NEW YORK

2000

THE JERUSALEM TALMUD

תלמוד ירושלמי

FIRST ORDER: ZERAĪM

סדר זרעים

TRACTATE *BERAKHOT*

מסכת ברכות

EDITION, TRANSLATION, AND COMMENTARY

BY

HEINRICH W. GUGGENHEIMER

WALTER DE GRUYTER · BERLIN · NEW YORK

2000

∞ Printed on acid-free paper which falls within the guidelines of the ANSI to ensure permanence and durability.

Die Deutsche Bibliothek – CIP-Einheitsaufnahme

The Jerusalem Talmud: first order Zeraïm ; tractate Berakhot /
ed., transl., and commentary by Heinrich W. Guggenheimer. – Berlin ;
New York : de Gruyter, 2000
(Studia Judaica ; Bd. 18)
Einheitssacht.: Talmûd bavli'î <engl.>
ISBN 3-11-016591-0

ISSN 0934-2575

© Copyright 1999 by Walter de Gruyter GmbH & Co. KG, D-10785 Berlin

All rights reserved, including those of translation into foreign languages. No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording or any information storage and retrieval system, without permission in writing from the publisher.

Printed in Germany
Printing: Werner Hildebrand, Berlin
Binding: Lüderitz & Bauer, Berlin

Preface

The Jerusalem Talmud is the precursor and basis of the Babylonian Talmud, the Midrash literature, and much of synagogal poetry. It is no exaggeration to say that a genuine understanding of all of rabbinic literature from the first millennium C. E. requires knowledge and understanding of the Jerusalem Talmud.

The present edition is based on the *editio princeps* and manuscripts, without any emendations. A close examination of the text shows that it is in good condition and the places where an emendation would be desirable are few, even for a Tractate as large as the first one, *Berakhot*. For ease of study, the text in the present edition has been subdivided into paragraphs and vocalized following the rules of rabbinic Hebrew. An extensive commentary is given. Since most of the existing commentaries rely heavily on emendations, the commentary is based on an independent new study, using the oldest available sources. The relation of the Jerusalem to the Babylonian Talmud is discussed in the Introduction.

I wish to thank my wife, Dr. Eva Guggenheimer, who acted as critic, style editor, proof reader, and expert on the Latin and Greek vocabulary. Her own notes on some possible Latin and Greek etymologies are identified by (E. G.).

Contents

Introductions

Introduction to Talmudic Literature

Historical Background	1
Talmud, Midrash and Synagogal Poetry	11
Survey of Times of Tannaïm and Amoraïm	15
Babylonian and Jerusalem Talmud	16

Introduction to the Talmud Yerushalmi

Text of the Jerusalem Talmud	28
Order <i>Zeraïm</i>	32
This Edition of the Talmud Yerushalmi	33
Tractate Berakhot	38

Chapter 1, מאימחי

Halakhah 1	39
Halakhah 2	86
Halakhah 3	92
Halakhah 4	95
Halakhah 5	97
Halakhah 6	109
Halakhah 7	111
Halakhah 8	117
Halakhah 9	146

Chapter 2, היה קורא

Halakhah 1	156
Halakhah 2	174
Halakhah 3	175
Halakhah 4	196
Halakhah 5	217
Halakhah 6	224
Halakhah 7	231
Halakhah 8	238
Halakhah 9	251
Chapter 3, מי שמתו	
Halakhah 1	256
Halakhah 2	283
Halakhah 3	288
Halakhah 4	295
Halakhah 5	308
Halakhah 6	324
Chapter 4, תפילה השחר	
Halakhah 1	327
Halakhah 2	361
Halakhah 3	366
Halakhah 4	382
Halakhah 5	389
Halakhah 6	396
Chapter 5, אין עומדין	
Halakhah 1	403
Halakhah 2	423
Halakhah 3	438
Halakhah 4	440
Halakhah 5	445
Halakhah 6	453

Chapter 6, כיצד מברכין

Halakhah 1	455
Halakhah 2	481
Halakhah 3	485
Halakhah 4	486
Halakhah 5	490
Halakhah 6	495
Halakhah 7	502
Halakhah 8	503

Chapter 7, שלשה שאכלו

Halakhah 1	507
Halakhah 2	521
Halakhah 3	529
Halakhah 4	536
Halakhah 5	539
Halakhah 6	542

Chapter 8, אלו דברים

Halakhah 1	550
Halakhah 2	559
Halakhah 3	571
Halakhah 4	572
Halakhah 5	576
Halakhah 6	579
Halakhah 7	583
Halakhah 8	592
Halakhah 9	594

Chapter 9, הרואה

Halakhah 1	599
Halakhah 2	620

Halakhah 3	629
Halakhah 4	661
Halakhah 5	663
Halakhah 6	667
Halakhah 7	675

INDICES

Index of Biographical Notes	689
Index of Biblical Quotations	692
Index of Greek and Latin Words	695
General Index	697

INTRODUCTIONS

Introduction to Talmudic Literature

Historical Background

We have very little detailed information on the religious life of the Jewish people between the conquest of the Land under Joshua and the Babylonian exile. From the complaints of the prophets, we see that Baal rituals were widely followed. These rituals were of a magical nature and their object was the prevention of crop failures that would imperil survival of individuals and communities. Since the prophets do not in general complain about neglect of Jewish ceremonial law, it is very likely that Jewish ritual was scrupulously followed even by Baal worshippers. The complete elimination of polytheistic tendencies from the body of Jewish practices after the Babylonian exile may be attributed to the experience of the disaster of the destruction of Jerusalem but also to the fact that, both in Babylonia and in the resettled Persian province of Yehud (after 515 B.C.E.), the Jews were part of a great empire with government roads where in case of crop failure in one province, relief could be brought in from the outside, so crop failure was no longer a matter of life and death.

The reports in the books of Ezra and Nehemiah on the organization of the new Jewish commonwealth stress the reestablishment of religious rituals, and the basic features of what today is called "rabbinic Judaism"

stem from this period. For the first three hundred years of this development, our sources are very scanty. At that period also, the majority of Jews were still living in Babylonia and of their history extremely little is known, nothing at all of their intellectual history besides the fact that a thriving Jewish community persisted there in the middle of a sea of Gentiles. The persecutions that preceded the Maccabean revolt were of relatively short duration and, since they had a happy outcome, did not create a need to record religious practices for future generations. Even in the times of the First Temple, there seems to have been a division between popular-prophetic religion, depending on the traditions of the Oral Law, and the organized established Temple cult, lead by King and High Priest who insisted that only the priests were the genuine authorities for teaching the Written Law. This division becomes explicit and deep at the Return from Babylonia¹. It will be seen from the Talmud text (9:7), that the split was already in evidence at the time of the Return. In books on Jewish history, the high-priestly party of the later Sadducees who rejected the Oral Law, is usually described as being more worldly than the representatives of the Oral Law, the later Pharisees. But the development of ultra-observant Sadducee sects, who avoided all contacts with Gentiles and the unobservant, is now known to precede the Hasmonean revolt². Pharisee sects of the latter kind are known only from the last generation preceding the destruction of the Second Temple. The *Pěrushim* or

1 Cf. H. Mantel, *The Secession of the Samaritans*. *Bar Ilan Annual* vii-viii (5729-5730) 162-177.

2 Detailed arguments are given by BenZion Wacholder and Martin G. Abegg in the Introduction to Fascicle 3 of *A Preliminary Edition of the Unpublished Dead Sea Scrolls*, Biblical Archeological Society, Washington D.C., 1995.

Pharisees, the later rabbinic Jews, whose main tenet was the use of rules of interpretation of the Oral Law to adapt the commands of the Torah to changing circumstances, always represented the religious majority. (Another difference was that Sadducees only believed in the survival of the soul but not in bodily resurrection, as against the Pharisees.)

In the more than 500 years of the existence of the Second Temple, a body of religious practice evolved in the implementation and extension of Torah commandments. It seems that a need for exact formulation and promulgation of accepted rules arose first in the times just preceding the Hasmonean revolt; in any case, the first such proclamation (Mishnah *Idiut* 8:4) dates from that time. In the century preceding the destruction of the Second Temple, the emerging necessity of codifying religious law put an end to the prior practice of promulgating only those rules that could be adopted unanimously. Of the emerging two schools, the one headed by the Babylonian Hillel and his descendents kept strictly to the old Pharisaic principles while the one headed by the Judean Shammai tended more towards sectarian interpretations and, in particular, stricter interpretation of rules of intercourse with Gentiles [as shown in the "eighteen rules" (Mishnah *Šabbat* 1:4), promulgated during the ascendancy of the House of Shammai, many of which were designed to make intercourse with Gentiles almost impossible.]

The catastrophe of the first war with the Romans and the destruction of the Temple (in 71 C.E.) led, shortly thereafter, to the disappearance of sects. The only permanently surviving school was that of Hillel, whose head at that time, Rabban Yoḥanan ben Zakkai, escaped from Jerusalem during the siege and requested permission from Vespasian, the commanding general of the Roman armies, to organize a Jewish place of study at Jabneh, in the plain. Jabneh had been the personal property of

Miriam, the last Hasmonean and wife of Herod. In her will, she gave Jabneh to Livia, wife of Augustus. Herod, after murdering his wife, had no choice but to execute her will. Consequently, Jabneh became the personal property of the Emperor and not part of the province of Judea; hence, it was not under martial law. [Probably, Vespasian had no direct authority to dispose of Jabneh; Rabban Yoḥanan ben Zakkai chose Jabneh because it was an oasis of peace in a country at war, and he asked for it since he considered Vespasian to be the next emperor.] Rabban Yoḥanan seems to have survived the war only for a few years. One of his great innovations was the introduction of the title "Rebbi" for a person authorized to render religious decisions. No titles are found earlier, except that for two or three generations the title "Rabban" was used for the head of the Synhedrion. In the next two generations his students, mainly R. Eliezer ben Hyrkanos and R. Joshua ben Ḥananiah and their students, were busy adapting Judaism to a permanent existence without a Temple and collecting all statements of interpretation of Biblical verses and proclamations of religious practice they could obtain. The bulk of this work must be credited to Rabbis Eliezer and Joshua. It is probable also that the opinions of the school of Shammai came to posterity through R. Eliezer.

Hillel's great-grandson, Rabban Simeon ben Gamliel I, was president of the revolutionary government in the war with the Romans. His son, Gamliel II, could become president of the Synhedrion only after a change in the Roman government (probably accession of Nerva in 96 C.E.). Rabban Gamliel died before the revolt of Bar Kokhba, but he cannot have died too long before that revolt since his son, Rabban Simeon ben Gamliel II, notes that he himself was still a child at the time of the siege of Betar. After the death of Rabban Gamliel, the leadership of the Synhedrion was

in the hands of Rabbi Aqiba. Rabbi Aqiba and his older contemporary Rabbi Ismael are credited with introducing systematic and coherent methods of derivation of practical implications from Biblical verses.

Rabbi Joshua was a strong supporter of submission to Rome under all circumstances. After his death and that of Rabban Gamliel, Rabbi Aqiba became a supporter of the messianic movement of Bar Kokhba. As a consequence, Rabbi Joshua's nephew, Hananiah, left Judea and founded a House of Study at Nahardea, modelled after that of Jabneh. This town in Babylonia, near the lower Euphrates, was the traditional place of exile of king Joiachin, and capital of the Jews of Babylonia. Two generations later, Hananiah's descendant Samuel (bar Abba) was the first to make his Babylonian academy a leading institution in world Jewry. When Hananiah left, R. Ismael took his House of Study out of harm's way and established it at Kefar Darom, near Gaza in Philistia.

The catastrophe of the war of Bar Kokhba, culminating in the fall of Betar in 138 C.E., destroyed all Jewish learning and most of the Jewish presence in Judea. Public Jewish learning was forbidden in all of the land of Israel, now renamed Palestine, for a period of unknown length, possibly until the accession of Septimius Severus in 193 C.E. (or, at the least, until Marcus Aurelius after 161 C.E.). All we know of the intellectual activity of Jews between the canonization of the Hebrew Bible and 138 C.E. comes to us from the reconstruction of the ancient material by the leaders of the generation following Bar Kokhba (with the exception of a few Sadducee materials from the Geniza and Qumran, and from books in Greek written by Jews, also mostly of Sadducee tendencies, preserved by Gentiles, such as Sirah and the writings of Philo and Josephus.)

The circumstances of the transmission of all this material to the next generation are unclear. The Babylonian Talmud (*Yebamot* 62b) reports

that all students of R. Aqiba, who numbered in the thousands, died and that "the world was empty of learning until R. Aqiba came to our teachers in the South: R. Meir, R. Yehudah, R. Yose, R. Simeon, and R. Eleazar ben Shamua, and transmitted his knowledge to them." In one version of *Seder Tanna'im and Amoraim* ascribed to R. Joseph Tov 'Elem, these teachers and R. Nehemiah are called "students of R. Aqiba who after the latter's death disagreed about the meaning of his sayings," but in another version preserved in *Mahzor Vitry* they are "students of R. Aqiba who never saw R. Aqiba and did not live in his generation."³ Since R. Aqiba was first imprisoned and then executed towards the end of the war of Bar Kokhba, it is unlikely that he ever went South⁴, outside of Judea proper, to the House of Study of R. Ismael. Also, the chronology noted above gives support in the main to the second version of *Seder Tanna'im and Amoraim*, which is the reading of the school of Rashi.

R. Meir is the author of a collection of rules that one generation later became the foundation of the *Mishnah*, the authoritative source of statements proclaimed as valid by the Patriarch R. Yehudah the Prince (ben Rabban Simeon ben Gamliel II) and the basis of rabbinic Judaism to this very day. It is attested both in the Babylonian and the Jerusalem Talmudim (*Yebamot*, 121a, 12d) that R. Meir was a personal student of R. Aqiba. Nothing is known of his ancestors.

R. Yehudah (bar Ilai) is the author of a collection of laws derived from the verses of the book of Leviticus that in the following generations was

3 See *Mahzor Vitry*, ed. S. Horovitz, Nürnberg 1923, p. 486, note 1.

4 In the Talmud Yerushalmi composed in Galilee, "South" usually means Judea, or better the only part of Judea still inhabited by Jews, the region around Lod. But since R. Aqiba lived in that region, he cannot be said to have gone there.

edited as *Sifra* (or *Torat Cohanim*). This book, while reputed to contain the teachings of R. Aqiba, follows the method of R. Ismael. This fact gives credence to the second version of *Seder Tanna'im and Amora'im*, to the effect that the other five sages were graduates of the school of R. Ismael versed in the teachings of R. Aqiba.

R. Yose (bar Ḥalaphta) is the author of a collection that became *Seder 'Olam*, a chronology of the world starting from Creation, which is the basis of our count of "years after Creation." He did not collect statements of law but his opinion is always considered the most authoritative one in this group.

R. Simeon (bar Iohai) is the author of a collection that later became *Sifry*, the collection of laws derived from the books of Numbers and Deuteronomy. *Sifry* on Numbers follows the method of R. Ismael, that on Deuteronomy also the method of R. Aqiba. It is not impossible, given the preceding, that both books go back to collections of R. Simeon.

R. Neḥemiah is the reputed author of a collection of laws which later became the (or one) *Tosephta*. (The current *Tosephta* may be a much later collection.) It is known that R. Neḥemia's father was a scholar but his name is unknown. His family is said to be that of the Biblical Neḥemiah.

R. Eleazar ben Shamma' did not survive the persecutions following the war of Bar Kokhba. With R. Aqiba, and R. Yehudah ben Bava who ordained the six sages when ordination was a capital crime, he is counted among the Ten Martyrs.

The Tannaïtic corpus, the collection of works having their roots in the works of the scholars between the destruction of the Temple and the edition of the Mishnah, also contains a few minor works and the *Mekhilta*, the collection of laws (and homilies) attached to verses of

Exodus, attributed to R. Ismael (ben Elisha) of the preceding generation. (A second *Mekhilta*, falsely attributed to R. Simeon, was edited in the first post-tannaïtic period in Galilee⁵. The other collections mentioned were probably edited for posterity in Babylonia.) This is almost all we have from earlier periods. Some scholars of the last generation of Tannaïm are reported to have made collections similar to R. Meir's; none of these have survived.

It is clear from the preceding that statements attributed to any one of these sages do not usually originate with them but are earlier traditions accepted and transmitted by these teachers. For example, the opinion ascribed by the Tosephta (*Terumot* 2:12, *Hallah* 2:11) to Rabbi Yehudah regarding the boundaries of the Land of Israel is already found in Josephus's *Jewish Antiquities* in his description of the boundaries of the land of Canaan⁶. [A different subject are mystical themes that in later Amoraic sources are adapted from earlier Sadducee Jewish sources. The sources of Philo and their influence on the development of Amoraic mysticism have not yet been sufficiently studied.]

When the public study of Torah was again permitted through the influence of R. Yehudah bar Ilai with the Roman government, the Academies and Houses of Study were all in Galilee, with the exception of a small circle of students at Lod, in the plain East of Jerusalem. The population of Galilee took almost no part in either war and so came through almost unscathed, except for the severe economic circumstances.

5 *Mekhilta* edited by H. S. Horovitz, I. A. Rabin, Berlin 1931 (reprint Jerusalem 1960.) *Mekhilta deR. Simeon bar Yoḥai*, edited by J. N. Epstein, E. Z. Melamed, Jerusalem 1955.

6 *Jewish Antiquities* I.130. The editor of the Loeb edition erroneously identified *Okeanos* not with the sea beyond the Straits of Gibraltar but with the Indian Ocean.

Historically and chronologically we are on safer ground starting with the edition of the Mishnah, since the history of Talmudic Babylonia was compiled, on the basis of documents, by the 10th Century C.E. Gaon, Sherira, in his famous "Letter". The first edition of the Mishnah was complete in 218 C.E. when Rav (Rav Abba bar Ayvo) left the Academy of R. Yehudah the Prince to return to his native Babylonia and to start his own Academy at Sura (Mata Mehassia) in friendly competition with Samuel's Academy at Nahardea. It seems that the entire time of the Severan (Pseudo-Antoninan) dynasty (193-235 C.E.) was a very good one for Jews in general and those of the Land of Israel in particular. The title "Rav" was coined expressly for Rav by Rebbi Yehudah the Prince (who usually is just called "Rebbi") to indicate an ordination that does not include authorization to judge matters pertaining to the laws of the Land of Israel. It became the title of all ordained rabbis outside the Land.

As explained above, the Mishnah is a collection of religious traditions based on the prior collection of R. Meir. It is authoritative but very short. Immediately after publication of the Mishnah, an intensive effort started to connect the rest of traditional rules to those of the Mishnah and to elucidate its elliptic, often cryptic, statements. That effort took place both in Galilee and in Babylonia and resulted in the "Jerusalem" (really, the Galilean) and the Babylonian Talmudim.

Rebbi must have survived several years after 218, since the Jerusalem Talmud is based on a later version of the Mishnah (although the differences between the Jerusalem and the Babylonian texts are small.) He may well have seen the start of the reign of Alexander Severus in 222 C. E. (The latter might be the emperor Antoninus, friend of Rebbi, in Jewish tradition. All emperors of the Severan dynasty and most later ones in the third century called themselves Antoninus.)

Rebbi is counted as the last of the *Tannaïm*, the "proclaimers", who formulated Jewish law in the period starting with the establishment of the Synhedrion at Jabneh. A new period starts in Jewish intellectual history with the death of Rebbi. In his will, Rebbi had appointed his son Gamliel (III) as patriarch but the presidency of his Court of Law and the House of Study was given to the Babylonian-born R. Hanina (bar Hama). From that moment on, the house of Hillel retained the political patriarchate but never regained leadership in spiritual and intellectual matters. The Academy soon moved to Tiberias while the patriarch resided in Sepphoris; other centers of study sprang up, generating a great flowering of intellectual activity under very adverse economic circumstances. A parallel activity appeared at the same time in Babylonia. The great and varied activity of the time is all based on the Mishnah edited by Rebbi; the sages of the period are called *Amoraïm*, "leaders of discussion."

The exterior circumstances of the period in Palestine were not auspicious. Alexander Severus was murdered in Germany in 235 C.E. After his death there followed a period known as the Military Anarchy, characterized by a quick succession of mostly unsuccessful pretenders to the throne who debased the currency and thereby caused rapid inflation and general decline of commerce and wealth. At that time, the oasis state of Palmyra gained a measure of independence; Odenathus, its ruler, attempted to occupy Babylonia and destroyed Nahardea, the Jewish center. When Palmyra was subdued by Aurelianus, the only Roman emperor of the period who managed to have a stable reign, the Yeshivah of Samuel relocated from the destroyed Nahardea to Pumbeditha, where it stayed until after the Arab conquest, when it removed to the newly created capital of Baghdad. The Military Anarchy came to an end with the accession of Diocletian in 284 C.E. He reorganized the Roman state in

the manner of despotic absolutism and introduced a new, stable currency based on honest gold coins. The rapid improvement of the economy was followed by the victory of the Christian church in Constantine's edict of 313 C.E.; under Constantine's sons and successors the church started an unceasing war against Jewish doctrine that became vicious under Theodosius I (from 379 C.E.) and led to the end of the patriarchate around 425 C.E. and the emigration of the last House of Study to Damascus at about that time.

The rulers of Babylonia after the destruction of the Seleucid empire by the Romans in the first century B.C.E. were the Parthians, an Afghan tribe not much interested in administration. The Parthians gave the peoples under their dominion great autonomy; Jewish courts in Parthia had full criminal jurisdiction and the Davidic Head of the Diaspora was recognized as local ruler. The Parthians were overthrown by the Persian Ardashir in 226 C.E. The Persians kings were Zoroastrians. Many were friendly to the Jews; others were Zoroastrian zealots. Troubles for the Jews were intermittent in the Talmudic period, but became permanent in the century preceding the Arab conquest in 642 C.E.

Talmud, Midrash, and Synagogal Poetry

The Galilean sages of the third century C.E., living under the difficult economic conditions described above, invented three literary forms that dominated the intellectual life of Jewry for over 1500 years: Talmud, Midrash, and synagogal poetry. [Archeological evidence shows at the same time an extraordinary growth of Jewish activity in Galilee, best represented by the building of synagogues.]

Synagogal poetry goes back at least to the last generations of Tannaïm; both Talmudim quote fragments of poetry from that time. Also, Rav, returning to Babylonia from his studies in Galilee, introduced the use of poetic inserts (*piyyuṭim*) into the liturgy of his academy of Surah. The autochthonous academy of Pumbeditha never accepted any poetic inserts, not even on the high holidays, as reported in Geonic responsa. Ashkenazic prayer traditions were originally modelled after those of Southern Italy, which in turn were patterned on Galilean usage. Southern Italy belonged to the Byzantine empire of Justinian. That emperor forbade the study of Jewish law but permitted Jewish prayer; hence, Byzantine authors used the vehicle of poetry to teach much of Talmudic and Midrashic information to the people. But the origin of this poetry goes back to Mishnaic times. [Ashkenazic liturgies were filled with poetry both of Palestinian/Syrian and Ashkenazic origin. Sephardic prayers were always patterned on the Babylonian model; while Spain produced great liturgical poets it never really accepted poetry as the body of prayer (except for penitential compositions admitted and composed also in Babylonia.) Most synagogal poetry was eliminated starting around 1800 C.E. from Ashkenazic orthodox prayers by the combined influence of Hasidim, who tried to follow the Sephardic pattern, the Gaon of Wilna who did not tolerate any deviation from Babylonian patterns, and Mendelssohnian reform.]

The history of the Midrash covers more than 1000 years. The Midrash in most of its forms contains outlines of homilies on Biblical verses and is the main repository of Jewish ethical teachings. The oldest Midrashim, *Bereshit Rabba* and the old *Tanḥuma*, refer mainly to Amoraïm of the last Galilean generations, R. Berekhiah and R. Tanḥuma. However, both contain examples of people who spend hundreds of thousands of sesterces

for a garment, which illustrates the hyperinflation of the Military Anarchy. Rebbis Berekhiah and Tanḥuma seem to have been the first systematic collectors of homilies that have come down to us; rabbis from the time of the Military Anarchy are reported to have had their own books of sermons. The greatest flowering of Midrashic literature occurred in the Byzantine empire, after the conclusion of the Talmud, but it would not exist without the collections of the Amoraïm.

The Talmud is the main creation of the last three quarters of the third century C.E. As reported earlier, after the promulgation of the Mishnah as official rule book of Jewish practice, an intense effort of clarification of its meaning began simultaneously in Galilee and Babylonia. In the first century of this development, the two countries moved together, influenced by frequent travels of Galilean sages to Babylonia and the influx of Babylonian students to Galilean academies. The man who turned this effort into the creation of the Talmud was Rebbi Yoḥanan (bar Nappaḥa), the head of the academy of Tiberias, who died in 279 C.E. His method was to elucidate the Mishnah by referring it to related statements from other collections of tannaïtic statements, so-called *baraitot*, "external" pronouncements (i. e., external to the Mishnah) and to analyze the underlying principles. This naturally made it necessary to try to attach carefully to each statement the name of its author, to avoid comparing apples and oranges. A natural consequence was that also in amoraïc reasonings it is necessary to record the name of the person who makes the statement and the chain of transmission. It is assumed that a student follows the reasoning of his teacher unless he explicitly disclaims it; this rule is valid for both tannaïtic and amoraïc statements in both Talmudim. That gives the Talmudim the possibility to explore different chains of reasoning simultaneously without getting self-contradictory. The basic

method and the basic scope are identical in both Talmudim. However, the formalized, condensed language in which the discussions are conducted is much more developed in the Babli than in the Yerushalmi; this again shows the priority in time of the Yerushalmi. Not all technical terms of the formalized language retain their exact meaning in the migration from Galilee to Babylonia; the Yerushalmi cannot be read in terms of Babylonian practice.

In addition, both Talmudim contain much extra-legal and extra-logical material, called *aggadic*, included mostly to make some point of practice that depends more on a moral than on a legal/scriptural basis.

The first written version of the Jerusalem Talmud that has come down to us is the compilation of civil law contained in the first three tractates of the order *Neziqin*, "torts". This is a short manual for lawyers and judges rather than a reasoned derivation of anything. It was probably collected in Caesarea (Philippi) at the end of the third century C.E. It is not characteristic for the other parts of the Talmud and has come to us only because the compilers of the Talmud, under pressure by a hostile government turned into an agent of the Christian church, did not have time to go over the material a second time. (R. Saul Lieberman, in *תלמודה דקיסריין*, Complement to *Tarbiz* 4, 1931, gives a detailed analysis of the differences between the redaction of *Neziqin* and the rest of the Yerushalmi in methodology, tradition, and language. He concludes that the tradition there is that of Caesarea because of the overwhelming number of quotes from sages known to have lived, taught, or studied, at Caesarea. Almost certainly, the remainder of the Yerushalmi was composed in Tiberias. The residence of R. Abbahu, and place of compilation of the oldest parts of the Yerushalmi, is usually placed at Caesarea-on-Sea. The reason for identifying Caesarea as Caesarea Philippi

(Banias) are given in the commentary to the Talmud.) We do not know when the Jerusalem Talmud was compiled in its present form. The work seems to have started at the same time that the rules of computation of the Jewish calendar were published by the Academy led by R. Yose of the Fourth Generation of Galilean Amoraïm⁷, sometime between 325-350 C.E. The last Amoraïm mentioned in that Talmud lived in the third quarter of the fourth century; they probably were the final editors of the text before us. The Babylonian Talmud was compiled first in the Academy of Rav Ashi, shortly after the work on the Yerushalmi had stopped. Its final edition was prepared by Rabina III and his school, almost a century later⁸.

Survey of the Times of Tannaïm and Amoraïm

All dates given are of the Common Era.

Tannaïtic Era

Dates C.E.	Generation	
60-80	First	Rabban Yoḥanan ben Zakkai Destruction of the Temple in 71
80-110	Second	Rebbis Eliezer and Joshua, Rabban Gamliel
110-138	Third	Rebbis Aqiba and Ismael Bar Kokhba revolt crushed in 138, persecution of Jewish faith
(138-)200	Fourth	Rebbis Meir and Yehudah, Rabban Simeon ben Gamliel
200-220	Fifth	Rebbi (Yehudah the Prince)
218-225		Transition from Tannaïm to Amoraïm Parthian rule in Babylonia overthrown by Persians

⁷ Yerushalmi 'Eruvin 3:11 (fol. 21c).

⁸ This does not exclude that some notes in that Talmud were inserted later, in Gaonic times.

Amoraïtic Era

<u>Dates C.E.</u>	<u>Generation</u>	<u>Babylon</u>	<u>Israel</u>
220-250	First	Rav and Samuel	R. Ḥanina, R. Oshaya, R. Yannai
250-290	Second	Rav Huna, Rav Yehudah	R. Yoḥanan, R. Simeon ben Laqish
Military Anarchy in Roman Empire			
290-320	Third	Rabba and Rav Joseph	R. Zeïra, R. Ḥiyya bar Abba
Roman Empire becomes Christian			
320-350	Fourth	Abbaïe and Rava	R. Yose and R. Jonah
350-375	Fifth	Rav Papa	R. Mana, R. Yose bar Abun
End of Patriarchate, exile of the Galilean Yeshivah to Damascus			
375-425	Sixth	Rav Ashi	
425-460	Seventh	Mar bar Rav Ashi	
460-500	Eighth	Ravina III and Rav Yose, editors of the Babli	

Babylonian and Jerusalem Talmud

The Babylonian Talmud shows two distinct phases in its development. The first one, spanning the Amoraïc period in the third century, is strictly parallel to the activities in the Land of Israel: intensive research for collections of *baraitot* and systematization based on the Mishnah. The second period was started by the heads of the academy of Pumbeditha in the first quarter of the fourth century, Rabba (Rav Abba bar Naḥmani) and Rav Joseph (bar Ḥiyya), who introduced the method of dialectical analysis to elucidate the underlying principles of chains of laws and whose goal was a unified understanding of all the vast branches of talmudic rules. This second phase is almost totally lacking in the Jerusalem Talmud. At the time of its compilation, the Galilean Amoraïm acted under enormous pressure from the Christian church and had no time to assimilate new methods. Dialectics is the distinctly Babylonian contribution to Jewish thought and is the feature that brought the Babylonian Talmud to be studied exclusively in Northern, and almost exclusively in Southern, Europe. Dialectical hairsplitting, considered the trade-mark of talmudic

argument, is characteristic of Babylonian talmudics. As a consequence also, the Jerusalem Talmud is lacking the long arguments that extend over several pages, so characteristic of the Babylonian Talmud. The method of presentation in the present edition of the Jerusalem Talmud, to split the text into its natural paragraphs and to give the translation following the text, would lead to unwieldy, long sections in the Babylonian Talmud.

The relationship between the Babylonian (Babli) and Jerusalem (Yerushalmi) Talmudim is a complicated one. While there is a visible influence of Babylonian teaching on the teachings in the Land of Israel, there is no influence of the Babylonian *Talmud* on the Yerushalmi since the first edition of the Babli, under Rav Ashi, only started when the work on the Yerushalmi was forcibly ended. The Babli we have today, apart from distortions introduced by Gentile censors and generations upon generations of Jewish learned emendators, is the result of a second and third going over by the later Ravina and the group of editors known as *Maranan Savoraë* (about 475-550 C.E.). Any investigation of the influence of the Yerushalmi on the editorial process of the Babli must concentrate on those parts that are recognizable as the first level of Talmudic activity or on actual decisions, not on the dialectical part. It must also be noted that the two Talmudim are not completely parallel. The tractates on agricultural laws peculiar to the Land of Israel, including the laws of giving and receiving charity, are developed only in the Yerushalmi. The tractates on laws of sacrificing, including ritual slaughtering, are developed only in the Babli.

The influences of the Yerushalmi on the Babli have many aspects. We give examples of some of these aspects.

Babli 'Avodah Zarah 38b:

Statement of law: *Shetitaäh* (a cereal made from roasted flour), Rav permits (to buy from unsupervised Gentile vendors) but Samuel's father⁹ and Levi forbid it.

Preliminary discussion: Everybody agrees that it is permitted if made from wheat or barley and that it is forbidden if it is made from peas in vinegar. (Since roasted pea meal is very sweet, it may be necessary to unsweeten it by vinegar and Gentile vinegar is forbidden if made from grapes.) The difference of opinion refers only to cereal made from pea meal with water; one party is of the opinion that one must forbid peas in water so that people would not buy peas in vinegar but the other party does not think it necessary.

Another opinion: Everybody agrees that cereal made from peas is forbidden (for the reason just stated); the disagreement is over wheat or barley. One party thinks one must forbid one because of the other, the other party does not think so.

Side remark: Rav said: Barzilai the Gileadite sent both kinds of *shetitaäh* to David, as it is written (*2Sam. 17::27-28*): "a couch, basins, pottery, wheat, barley, flour, roasted; as well as beans, peas, and roasted¹⁰."

Conclusion: Today, *shetitaäh* is brought in barrels to the markets of Nahardea and nobody cares for the opinion of Samuel's father and Levi, although Samuel's father was the head of the academy of Nahardea and

9 His name is Abba bar Abba; this shows that he was a posthumous child. Since this is a very unfortunate circumstance, such persons are usually described by circumlocutions; cf. E. Guggenheimer and H. Guggenheimer, *Etymologisches Lexikon der jüdischen Familiennamen*, München 1996, p. xviii.

10 The two mentions of "roasted" refer to the two kinds of *shetitaäh*.

his rulings should be followed in his home town. (It is clear that "today" does not mean the time of the edition of the Talmud, since Nahardea was destroyed in the middle of the third century; it refers to Rav's lifetime.)

It seems difficult to understand why Rav's side remark could take the place of a reasoned discussion on the merits of the positions of the parties. Also, the Talmud seems to approve of the actions of the populace of Nahardea even though Rav himself was known to insist that wrong actions of the unlearned should never be condoned. It follows that the side remark is no side remark at all but is Rav's proof of his position and that, in the opinion of the editors, the opposing party had no counter argument. The reason seems to be that the Yerushalmi was known to all students of the Babli. There, *Qiddushin* 2:1, fol. 45b, we find a discussion of the verses *Neh.* 7:63-65, dealing with priestly families returning from Babylonia: "The descendants of Barzilai; they married of the daughters of Barzilai and were called after them. These tried to find the documents of their [priestly] status but without success, so they were excluded from the priesthood. The governor told them not to eat most holy things until there would be a priest for Urim and Tummin¹¹." The Talmud comments: "These daughters of Barzilai, did they convert honestly or with ulterior motives¹²? If they (the daughters of Barzilai) converted honestly, they (their male descendants) should eat most holy things; if they converted with ulterior motives, they should not eat any holy things¹³! Even if you

11 The divine oracle carried by the High Priest that could be asked to decide their case. But there was no oracle in the Second Temple.

12 In order to be able to marry a Jewish husband without really accepting all teachings of Judaism.

13 Since their sons would not be Jews, much less priests.

say that they converted honestly, is a convert not like a prostitute as far as marrying a Cohen goes¹⁴? Explain that they were not daughters but daughters of daughters¹⁵." The entire discussion makes sense only if we assume that Barzilai, who appears as partner of Shovi ben Naḥash the Ammonite from Rabbat Ammon, was not a Jew. Hence, the problem of Rav and the father of Samuel was decided 1200 years earlier by David, who accepted both kinds of *shetitaäh* from Gentiles. It follows that, although in general the second opinion given in the Talmud is the authoritative one, here we follow the first opinion of the preliminary discussion, and the people of Nahardea were completely right to follow the ruling of King David against that of their own rabbi, Abba bar Abba.

Both Talmudim are written in very condensed form and, in large parts, are intelligible only on the basis of orally transmitted explanations. Such an oral tradition is missing for the Yerushalmi; hence, today it is impossible to understand the Yerushalmi without first having acquired a thorough understanding of the thought processes underlying the stereotyped language of the Babli. Even so it is wrong to assume that the Yerushalmi must be understood in the sense of the Babli; quite the contrary: since the Babli assumes that one knows the Yerushalmi, it is incumbent upon the student of the Yerushalmi to analyze the formulations and to understand the modifications introduced by the editors of the Babli. Any subject discussed in the Yerushalmi and not taken up by the Babli may be considered as having been accepted in

14 As Ezechiel said (*Ez.* 44:22), they should only marry "virgins from the seed of the house of Israel;" i. e., born to two Jewish parents.

15 Their mothers had converted and married Jewish husbands. Then the daughters were "from the seed of the house of Israel."

practice by the editors of the Babli and represents current practice. [This is the explicit attitude of Alfassi (end of *'Eruvin*, § 687). Maimonides, who is reported to have compiled a list of the laws contained in the Yerushalmi, admits not only the Yerushalmi, but also the halakhic Midrashim as independent sources of Halakhah¹⁶.] It must be noted that for those parts of the Mishnah for which there is only a Yerushalmi, the quotes in the Babli often are just quotes and not a reworking of the Yerushalmi. [Since Ashkenazic prayer texts are basically of Yerushalmi origin, their adaptation to Babylonian patterns was a very slow process extending over the last 1000 years; in many prayer practices we still follow Yerushalmi opinions against explicit Babylonian rules to the contrary as noted by Tosaphot, *'Arakhin* 3a, s. v. לְאִתּוּי.]

The oral tradition of the Babli, as transmitted in the Babylonian academies during the 500 years following the edition of the Talmud, has come to us in a very fragmentary state in responsa of the Babylonian Geonim and their books, in a more complete way in the commentary of R. Ḥananel of Kairawan in Tunisia, the commentary ascribed to R. Gershom of Mayence, and, above all, in the commentary of Rashi (R. Shelomo ben Isaac of Troyes, 1040-1105). Rashi was a student of R. Jacob ben Yaqar, a student of R. Gershom ben Yehudah, who was a student of Rav Hai Gaon. Hence, he was continuing the living Babylonian tradition, just as R. Ḥananel was both through his father R. Ḥushiel who had studied

16 In the introduction to *Mishneh Torah*, he writes: "From the two Talmudim, Tosephta, Sifra, and Sifri, from all of these is made clear what is forbidden and what is permitted . . ." For example, in *Mishneh Torah*, *Hilkhot Isurē Bi'ah* 21:8 he follows *Sifra Aḥarē Parashah* 9:8 [and its parallel Yerushalmi *Gittin* 8:10 (fol. 49c)], with an incongruous attempt to accommodate the contrary decision of the Babli,

in Babylonia and through extensive correspondence with Rav Hai Gaon. Since Rashi always notes when his explanation deviates from that of his teachers, we may assume that his commentaries represent the historic interpretation of the Babylonian Talmud. Rabbenu Ḥananel quotes the Yerushalmi very frequently; his student R. Isaac Alfassi brought the Kairawan tradition to Spain and with it the study of the Yerushalmi as a tool for the understanding of the Babli. On the other hand, it seems that Rashi never saw a copy of the Yerushalmi except the section *Zera'im* dealing with the laws of the Land of Israel; his quotes of Yerushalmi material in matters of *halakhah* are from sources originating in the Babylonian academies.

The commentary to the Babli tractate *Nazir*, which goes under the name of Rashi, is not by Rashi himself but by his son-in-law, Yehudah bar Natan. It may be assumed that everything R. Yehudah bar Natan knew, he learned from Rashi. At the end of chapter 3 (20b), commenting on the words of the Talmud: "Can you say that Rav formulated a stringent rule and would not agree to a simple consequence?" R. Yehudah bar Natan explained that "the stringent rule" referred to here is not found in the Babli at all, but in Yerushalmi *Sanhedrin* 5:2 (fol. 22d). Since the study of the commentary of Rabbenu Ḥananel, and with it knowledge of the Yerushalmi, came to Northern France only in the generation of Rashi's grandsons, we see not only that the Babli takes a statement in the Yerushalmi for granted but also that the corresponding tradition was preserved in the Babylonian academies.

In Babli *Sabbath* 85a, on Rebbi Ḥiyya bar Abba's discussion of the verse (*Deut.* 19:14): "Do not move the boundary of your neighbor which

the early ones designated," the Talmud explains that the 'early ones' were the Sons of Seir called Horites in *Gen.* 36:20, but a man of their tribe is called a Hiwwite in 36:2; otherwise Hiwwites appear in Genesis as inhabitants of Sichem, and neither of these groups has any connection with Amorites. Rashi explains "the early ones" as "Amorites and Hiwwites." The Amorites belong to the Canaanites that the same R. Hiyya bar Abba declares as authors of the boundaries in *Yerushalmi Kil'aim* 4:6; Rashi's explanation is based on a *Yerushalmi* tradition.

Aggadic parts of the Babylonian Talmud frequently are shortened versions of *Yerushalmi* sermons; the reader will find several examples in the present volume, *Berakhot*, e. g., in *Halakhot* 4:3, 5:7. In general, as explained above, Midrashim and midrashic material are from the Land of Israel. Many medieval authors, in particular Ashkenazic ones, have a tendency to call all midrashic sources "Yerushalmi."

The current text of the Babli has undergone many changes in the course of centuries, either through Christian censors [mainly the Jesuit censor of the Basel print (1578-1581) and the Russian censor of the Wilna print (1859-1866)] and 17th century Jewish emendators (those of Solomon Lurie, *Maharshal*, and Samuel Eliezer Halevi Idels, *Maharsha*, have been absorbed into the text and are now unrecognizable as such¹⁷). The early manuscript tradition of the Talmud is unknown; most early copies of the Talmud have been burned by the Church. In the case of reading differences between the untampered-with first Venice prints (after 1520, mainly based on Sephardic or Byzantine manuscripts) and the only

17 The process has been documented in detail by R. Raphael Rabinovicz in the introduction to the first volume of his *Diqduqe Sopherim*, Munich 1867 (Reprint New York 1960), and in a separate volume on the printing of the Talmud.

completely preserved Talmud of the Ashkenazic tradition (Munich manuscript, written 1343), it is often difficult to decide which version is preferable. The manuscript tradition of the Yerushalmi is still poorer; there is only one reasonably complete manuscript (Leyden) that is the main *Vorlage* of the Venice print, one not very good manuscript of the first part (*Zeraïm*, agricultural laws) and *Sotah*, and a few Genizah fragments. But the text of the Yerushalmi, not being studied very much, has escaped the hands of emendators, and, having been published before the time of the Council of Trent, also those of the Christian censors. Hence, in parallel passages, the Yerushalmi can be a valuable tool in selecting the uncorrupted reading in the Babli.

The printed editions of the Babli read in *Bava Qama* 112b: "Rav Ashi said in the name of Rebbi Sabbatai." The reading of the Munich manuscript and an Alfassi manuscript is: "Rav Joseph in the name of R. Sabbatai." Some manuscripts, as well as the printed versions of Alfassi and R. Asher ben Yehiel (*Rosh*) read: "Rebbi Assi in the name of R. Sabbatai." R. Raphael Rabinovicz, the author of *Diqduqe Soferim*, already noted that the last reading is the only correct one. The parallel in the Yerushalmi (*Sanhedrin* 2:10, fol. 25d) reads: "R. Yose in the name of R. Sabbatai." R. Z. Frankel in his *Mavo Hayerushalmi* (Breslau 1870) and R. Arie Leib Yellin in *Yefe Enaim ad loc.* (in the Wilna Talmud) note that the Babylonian Rebbi Assi, who became head of academy and famous authority in Galilee, is called R. Yose or R. Yasa in the Yerushalmi. Hence, the third reading is the only correct one and the second one resulted from a misguided "correct" writing of the shortened name Yose as Biblical Joseph (and does not refer to Rav Joseph bar Ḥiyya.)

In Babli *Sanhedrin* 51a: "Ravin (Rebbi Avin) sent in the name of R. Yose ben R. Ḥanina." In the parallel in the Yerushalmi (*Sanhedrin* 7:1, fol.

24b): "Rebbi Abbahu in the name of R. Yose ben R. Ḥanina." The Yerushalmi version is the correct one since Ravin emigrated to Babylonia and taught in the Yeshivot there; he had no need to send anything by mail.

A frequently vexing question in the Babli is the distinction to be made between sayings of רבא Rabba, Rav Abba bar Naḥmani, and those of his student רבא Rava, Rav Abba bar Rav Joseph bar Ḥama. However, many times the author of the statement in question is neither Rabba nor Rava, but rather one of the many Palestinian Amoraim named Rebbi Abba (רבי אבא). For example, in *Yebamot* 102a, the prints read: "Rabba said in the name of Rav Cahana who said in the name of Rav," but Alfassi and Rosh read: "Rava." In the parallel in the Yerushalmi, *Yebamot* 12:1 (fol. 12c), the statement is by "Rebbi Abba in the name of Rav Yehudah in the name of Rav." This Rebbi Abba was a Babylonian, student of Rav Huna as was Rabba, who emigrated to Galilee and there became an important teacher. Even though we cannot distinguish in the Babli between Rabba and Rebbi Abba, we can exclude the reading "Rava" with confidence.

In *Yebamot* 49a there is a question whether to read "R. Joshua" or "R. Yehudah" in the Mishnah. A parallel discussion in Yerushalmi *Qiddushin* 3:14 (fol. 64d) decides the matter clearly in favor of the first reading.

The Yerushalmi often is useful in rejecting emendations of or detecting insertions into the text of the Babli. For example, in *Avodah Zarah* 14a, a statement introduced by רחניא "for it was proclaimed in a *baraita*," is emended by the editors to רחנן "for it was proclaimed in a Mishnah," referring to the Mishnah on p. 8a. However, the Yerushalmi and the Mishnah manuscripts of the Palestinian tradition (and Alfassi manuscripts) do not have the clause in question; one must conclude that it was introduced into the Mishnah of the Babli from the later *baraita*, after the

final edition of the Babli but long before any of the surviving manuscripts of the Babli were written.

In *Berakhot* 48a, in a discussion of the relationship between king Yannai and Simeon ben Shetaḥ, the printed Talmud text has: "Rebbi Abba, son of R. Ḥiyya bar Abba, said in the name of R. Yoḥanan." The last clause is missing in the Munich manuscript and this is the preferred reading of R. Rabbinovicz, and, for reasons of talmudic style, of R. Isaiah Berlin. However, the parallel in the Yerushalmi (6:2, fol. 11b), clearly designates R. Yoḥanan as author of the statement. Hence, unevenness of style is no argument in judging the text of the Talmud.

Similarly, the usual style of the Babli is to call הלכה למשה מסיני "practice going back to Moses on Sinai" any rule that is part of the establishment of Jewish practice by Ezra and Neḥemiah, and simply הלכה "practice," any decision inserted by the last editors. In the Yerushalmi there are no decisions inserted by the editors and "practice" there has the same meaning as "practice going back to Moses on Sinai" in the Babli. However, "practice" in Babli *Gittin* 18a is the same as "practice" in Yerushalmi *Yebamot* 4:11 (fol. 6b). Hence, this is not an insertion of the last editors and, here also, stylistic uniformity is not a necessity in the Babli. [However, as mentioned earlier, R. Eliahu Raḥamim Ziani considers all or most insertions of the last editors as taken from the Yerushalmi.]

Another example of the importance of the Yerushalmi for the simple understanding of the Babli is the statement of Rava in *Berakhot* 15b: "In reading the *Shema*, one has to be careful in the reading, among other words, of עשב בשודך 'ēsev bēśādēkhā." It is known that the alternative pronunciations of בגדנפה, while their existence in ancient Hebrew speech is corroborated by Phoenician sources, were not observed in daily speech in the Talmudic period. So the fear is that one will say either ēsev

vēsādēkhā or *ēseb bēsādēkhā* and pronounce the two words as one. Which of these possibilities is the background of the saying? Rava's statement appears as an anonymous statement in Yerushalmi *Berakhot* 2:4 (fol. 4d). It is known that during the Talmudic period in Galilee, under the influence of spoken Greek, every כב was pronounced β = /v/. (In later times, many Jewish communities in Arabic speaking countries lost the soft "b".) The statement of Rava does not give information about the phonetics of Babylonian Jewish speech.

The intricate relationship between Yerushalmi and Babli is another indication of the true historical character of the Talmudim and it shows that the thesis, that the Babli was written, not edited, by the Savoraë, has no basis in fact. The last Babylonian teacher mentioned in the Yerushalmi is Rava; this shows that the editing of the Yerushalmi came to an end long before Rav Ashi and the first collection of the Babli.

R. Eliahu Raḥamim Ziani¹⁸ has argued recently that the *Maranan Savaṛaë* inserted many of the decisions of the Yerushalmi into the Babli.

There exists an extensive literature¹⁹ but as yet no exhaustive investigation on all these problems.

18 רבנן סבוראי וכללי הלכה, Haifa 1992.

19 Numerous Journal articles and, among others, the books

H. Albeck, מחקרים בברייתא ותוספתא ויחסן לחלמוד, Mossad Harav Kook, Jerusalem 1969.

Zwi Moshe Dor, חרות ארץ-ישראל כבבל, Dvir, Tel Aviv 1971.

J. N. Epstein, מבואות לספרות האמוראים, Magnes-Dvir 1949.

J. N. Epstein, מבוא לנוסח המשנה, Magnes-Dvir 1964.

Z. Frankel, מבוא הירושלמי, Breslau 1870.

E. Shechter, המשנה כבבלי וירושלמי, Mossad Harav Kook, Jerusalem 1959.

Introduction to the Talmud Yerushalmi

Text of the Jerusalem Talmud

As mentioned earlier, there exists only one reasonably complete manuscript of the Yerushalmi and its text is mostly identical with that of the Venice print, 1522-23. Both in the manuscript and in the printed edition, several chapters at the end of tractates are missing; these probably were lost during the centuries. There exists one other manuscript, in Rome, containing the entire first order and tractate *Sotah* of the third order, and some remnants of manuscripts from the Cairo Genizah. The scribe of the Rome manuscript was neither careful nor educated; nevertheless, the manuscript is useful in many places. A manuscript of the Fourth Order of the Yerushalmi is in the Escorial library in Madrid. In establishing a correct text it is useful that parallel discussions in different tractates are copied word by word from one another; hence, the text at one place can be used to check the text at another place. This is not true for the Babil; there, no two parallel discussions are identical.

In addition, quotes of the Yerushalmi in Gaonic literature can be considered verbally correct. The quotes in later medieval authors have to be used with caution. First, they often are paraphrases and not exact quotes and, second, Ashkenazic authors call "Yerushalmi" anything of Palestinian origin, including (or even, mainly) midrashic sources. Some modern authors even postulate the existence of a separate Ashkenazic "Yerushalmi book," containing practical rules from Yerushalmi and Midrashim. (Fragments that might be viewed as such a text have lately

been identified by J. Sussman.) In any case, the uncertainty is so great that quotes by medieval authors may be used for meaning but not as sources of the text.

The Venice text was reprinted, with a few additional typographical errors and a very rudimentary commentary, at Cracow in 1620. This edition was later reproduced (Krotoschin 1866, New York 1948). The edition mostly in use today is the Wilna edition from the 1920's, which is indispensable because of the many commentaries added to the text. However, the text in many places has been emended, mostly following the Babli, and the division into Halakhot in many places does not follow the manuscript evidence. This is true also for an earlier Zhitomir edition. It will be seen in our text that the Yerushalmi needs no emendations.

Since there is no Babylonian Talmud on the first order of the Mishnah, *Zeraïm*, except for the first tractate, *Berakhot*, the two medieval standard commentaries on that Mishnah, those of Maimonides and of R. Simson of Sens, are based largely on the Yerushalmi and the corresponding Tosephta. In many places, R. Simson directly comments on the Yerushalmi; his readings have the weight of a minor manuscript. The present edition is intended to cover all of *Zeraïm*, complementing the Babylonian Talmud.

Two of the early modern commentators of the Yerushalmi, R. Shelomo Cirillo in Safed in the 16th century and R. Eliahu Fulda around 1700, produced their own texts of the first order of the Yerushalmi. The sources of R. Cirillo are unknown; since his text is contemporary with but independent of the Venice print, he must have had manuscripts at his disposal. It is not clear whether his deviations from the Venice text are based on manuscript evidence or are conjectural smoothings of the text and adaptations to the Babli. His spelling definitely shows a copyist used to Babylonian texts. Hence, his readings cannot be used as substitutes of

the Venice text without corroborating evidence. His text in manuscript is in the British Museum; it has been partially published only in this century (the first few tractates were added to the last Wilna print.) The deviations in the text of R. Eliahu Fulda almost certainly are his own changes.

The oldest surviving commentary on the Yerushalmi after R. Cirillo, for tractate *Berakhot* only, is by R. Eleazar Ascari of Safed. This is also one of the best commentaries available and the present editor is much indebted to him. At the same time, R. Samuel Yafeh Ashkenazi in Constantinople (Istanbul) wrote a commentary on the midrashic parts of the Yerushalmi. His readings, as well as those of the seventeenth century Constantinople halakhic commentary *Sedeh Yehoshua* by R. Joshua Benvenist, seem to be based on manuscripts of the Sephardic community there; but these manuscripts have not come down to us.

In the eighteenth century, there appeared two comprehensive commentaries on the Yerushalmi. R. David Fraenkel wrote a commentary and notes on those parts not dealt with by R. Eliahu Fulda (1743-1762). R. Moses Margalit wrote a commentary on the entire Yerushalmi, published between 1750 and 1770. R. Margalit is unsurpassed in explaining the difficulties of the text; for the resolutions of the difficulties, R. David Fraenkel is a much better guide. R. Margalit is an extreme emender of the text. Somewhat later, the Gaon Eliahu of Wilna rekindled interest in the Yerushalmi among his students; he himself also wrote short commentaries on the first order of the Yerushalmi and gave many emendations of the text, practically all of them inspired by the Babli.

The most important work of the nineteenth century on the Yerushalmi is that of R. Zacharias Frankel, founder of the Rabbinical Seminary of Breslau. His "Introduction to the Yerushalmi" (Breslau 1870) is still most valuable, as are his commentaries of the first tractates of the Yerushalmi.

His successor, R. Israel Lewy, wrote the standard commentary on tractate *Bava Qama*, which was published in the annual reports of the Breslau seminary from 1895-1914. For most tractates of the Babli, the commentary *Yefe Enayim* by R. Arie Leib Yelin (Wilna, 1880-1886, based on earlier work by Joshua Heshel, Wilna 1869) is a safe and almost complete guide to parallels found in the Yerushalmi and midrashic literature. For certain tractates, the commentaries and notes of R. Jacob David of Stuck (published 1900) are also valuable. A French translation by M. Schwab (published 1872 ff.) of the entire Jerusalem Talmud, with minimal notes and based on a text distorted by numerous emendations, is now available on a CD-ROM (*Le Talmud de Jérusalem*, Editions Les temps Qui Coulent, Paris 1998).

The quotations from the Yerushalmi in the medieval sources then known were collected by Dov Baer Ratner in the twelve volumes of his work *Ahavat Zion viYerushalaim*, Wilna 1901-1917. However, as noted before, these quotations have to be used with caution. Earlier, two brothers-in-law, R. Mordecai Zeëv Ettinger and R. Joseph Saul Nathanson of Lviv (Lemberg), used these quotations in a reasoned approach, to try to establish the text of the Yerushalmi. Their notes were published in the Zhitomir edition, 1860-1867. A much larger work, based on their approach and the work of Ratner, was produced by Samuel Shraga Feigensohn for the Wilna edition of the Yerushalmi. Feigensohn also produced an introduction to the Yerushalmi, taken, with acknowledgement, mainly from R. Z. Frankel's work.

Of twentieth century works, the most useful, if used with proper care, are the commentary *Tevunah* by R. Isaac Eizik Krasilshchikov of Poltava, the works of R. Saul Lieberman (*Talmuda deKesarin*, Jerusalem 1931, *Tosephta kifshutah*, New York 1956-1988), L. Ginzburg (*A commentary*

on the *Palestinian Talmud*, New York 1941-1961), the comparison of the Mishnah in both Talmudim by R. Dr. Elimelech Shechter (Jerusalem 1959), and the commentary on the first chapters of *Berakhot* by R. Shelomo Goren (Jerusalem 1961).

Order *Zeraïm*

The tractates of order *Zeraïm*, "Agricultural Laws", treat the following topics:

1. *Berakhot*, "Benedictions," 9 chapters. The laws of prayer, benedictions before and after meals, and sundry benedictions. It is placed at the start of the Mishnah because of the first topic and is part of the discussion of agricultural laws because of the second one.

2. *Peah*, "Corner (of the field)," 8 chapters. The obligation to leave a corner of every field for the poor to harvest, and all similar laws that favor the poor, including the general rules for giving charity and its communal organization.

3. *Demai*, "Deficient Produce," 7 chapters. Laws about produce bought from a Jew who cannot be trusted to have given the prescribed tithes and their heave as described in the following tractates. Discussion of the relations between observant and ignorant Jews.

4. *Kilaim*, "Mixed (produce; textiles)", 9 chapters. The Biblical prohibitions to plant or sow different species on the same field, cross-breed different species of animals and plants, and to weave wool and linen together.

5. *Sheviit*, "Seventh Year," 10 chapters. The laws of the Sabbatical Year, when all planting and sowing is prohibited, and the laws on the remission of debts in that year.

6. *Terumot*, "Heaves," 11 chapters. The heaves, the obligatory gifts to the priest from any harvest, both from the farmer and from the Levite who receives the tithe, and the laws of ritual purity applying to heaves.

7. *Ma'serot*, "Tithes", 5 chapters. The tithe to be given to the Levite, the "second tithe" that in the years 1,2,4,5 of any sabbatical cycle is eaten by the farmer and his family in Jerusalem, and the "tithe of the poor" to be given in years 3,6 of that cycle.

8. *Ma'ser sheni*, "Second Tithe," 5 chapters. The rules applying in Jerusalem to all food that must be consumed there, be it the second tithe or any similar obligation such as the fruits of the fourth year of a newly planted tree or vineyard, and the redemption of such food by money.

9. *Hallah*, 4 chapters. The rules for taking the priest's share from any dough in ritual purity.

10. *Orlah*, 3 chapters. The rules for treating a fruit tree the first three years after its planting when its fruit may not be eaten.

11. *Bikkurim*, "First Fruits", 3 chapters. The rules of designating first fruits for dedication to the Temple and the ceremonies of their presentation in the Temple.

This Edition of the Talmud Yerushalmi

The text of the Talmud given in this edition is that of the Venice print except that in cases of obvious misprints or scribal errors a manuscript text (from the Rome manuscript or Genizah fragments) or a text from an exact parallel in another tractate has been substituted, all with due acknowledgement. The reading of the Venice print is given in a note attached to the substituted word in the text. At several places (e. g. *Peah* 1:2), it can be seen from manuscripts that the "obvious" correction of

scribal errors accepted by the commentators is incorrect and that the correct term is not one the Babli would have used. Since all editors and commentators are trained in the Babli, conjectural emendations are always inadmissible in the Yerushalmi. In addition, abbreviations have been expanded into full words. Nowhere has the Venice text been changed without manuscript evidence, except in the resolution of abbreviations; in a few places where there was no manuscript evidence but readings in medieval authors, the text has been left unchanged, but the translation, as fully explained in the notes, follows the medieval interpretation.

Spelling is remarkably uniform in the several manuscript sources of the Yerushalmi. The rules of this spelling are quite different from those of the Babli. The Aramaic of the Yerushalmi is Galilean and is consistent with other Galilean sources; the Aramaic in the Babli is Babylonian. Spelling in the Babli is historical; the vowel letters (*matres lectionis*) ו, י serve to indicate long vowels \bar{o} , \bar{u} ; \bar{i} , \bar{e} . In the Yerushalmi, spelling is phonetic with silent א, ה, ח, ע often elided; ו, י stand for long and short o , u ; i . One also finds י consistently used as a sign for $\bar{z}\bar{e}\bar{r}\bar{e}$ זֵרֵי, but since this vowel is identical with Greek η, which is \bar{i} in modern Greek, it is possible that זֵרֵי was pronounced as if it were זֵרֵי. The influence of Greek is also seen in the phonetic equivalence of כּ, בּ, וּ, corresponding to β (*weta*), and often in the equivalence of שׁ, שׂ, ש׃.

Biblical quotes in the Talmud text were usually written by the scribe from memory and, hence, do not follow the masoretic rules of *plene* and defective spelling and, sometimes, not even the exact wording. These quotes have been left as they appear in the manuscript and have not been "corrected" to the official biblical spelling.

In the Venice print, the Mishnah for each chapter is given at the start of the chapter; this is also usual in manuscripts of the Babli. In the present

edition, the Mishnah is given immediately before the relevant Halakhah. Inconsistent numbering of Halakhot has been made consistent wherever possible without changing the text. The text has been subdivided into logical units. Since Yerushalmi manuscripts and prints insert frequent periods, this division is easy to make and is quite natural. The logical sequence of these units is usually obvious; if not, it has been commented upon.

The English translation is the result of an independent new study of the text; the notes are addressed to a reader with a rudimentary knowledge of rabbinic literature in general and the Babli in particular. For the understanding of the text of tractate Berakhot, I found the commentary by R. Eleazar Ascari to be the most useful, but naturally I also consulted the other standard commentaries as well as the works of R. Zacharias Frankel, Levi Ginzburg, and R. Saul Lieberman. I have tried to give a consistent account of the meaning of the text; I did not try to write an encyclopedia of all proposed interpretations. Technical terms as abbreviations for long explanations have been retained as essential elements of Talmudic style. The interpretation of these terms, as well as the identification of botanical and zoological names, follows the oldest sources available.

The text has been vocalized. In the vocalization of the Aramaic portions, I have followed the language of the Jerusalem *Targumim* to the Hebrew Bible. Aramaic in the Yerushalmi is used only in the description of the speech of the unlearned and in a few aggadic inserts describing sermons. Discussions between scholars are always reported in rabbinic Hebrew. The Aramaisms (and Grecisms and Latinisms) of that language have to be considered as part of the Hebrew used, not as Aramaic or Greek, and are assumed to follow Hebrew vocalization rules.

Any attempt to vocalize rabbinic Hebrew texts raises difficult questions. As S. Morag has pointed out, vocalization of rabbinic Hebrew has never been standardized. It is inappropriate to use the rules of Biblical Hebrew for Talmudic and Medieval texts since in all dialects rabbinic Hebrew was stressed on the penultimate syllable. The traditions of Oriental communities (Yemen, Baghdad, Persia) derive from Babylonian sources as exemplified by the Babylonian supralinear punctuation. A vocalization of the Yerushalmi should be based on Occidental sources but the remnants of Palestinian supralinear punctuation in Mishnaic texts are too few to serve as guidance. Since the study of the Yerushalmi was introduced to Northern and Southern Europe by the scholars of Kairawan in Tunisia, it is appropriate that the vocalization should follow Sephardic rules.

In the present text, I did not try to reconstruct Mishnaic and Amoraic Hebrew based on one of the theories proposed on that subject, but I have followed rabbinic Sephardic tradition as expressed by eighteenth century vocalized texts from Livorno. The Livorno standard recognizes *dagesh forte*, uses *meteg* (ֿ) only to indicate wide *qamaz* (\bar{a}) before *shewa*, and *maqfef* to indicate short *qamaz* (\ddot{o}). *Shewa* after a long vowel is silent, otherwise the rules of Biblical Hebrew apply. In order not to change the text, the *dagesh* has been eliminated in cases where double consonants ם, ן take the place of a single Hebrew consonant with a *dagesh*. Vocalization is always added disregarding *matres lectionis*.

Ashkenazic rabbinic Hebrew had lost *meteg*, *maqfef*, and *dagesh forte* long before any surviving vocalized text was written. It pronounces *shewa* only if absolutely necessary for the formation of the word. The appearance of *meteg*, *maqfef*, and *dagesh forte* in modern Ashkenazic prayer books is a result of the return to biblical patterns demanded by

Eliahu Wilna and Moses Mendelsohn in the second half of the Eighteenth Century. An argument can be made that the pronunciation of the Yerushalmi was close to Medieval Ashkenazic rabbinic Hebrew, i. e., Ashkenazic with "Sephardic" vowels. A good sourcebook for the problems of vocalization of rabbinic texts is קובץ מאמרים בלשון חז"ל, הביא לרפוס משה בר-אשר, ירושלים תשל"ב.

All abbreviations in the text have been expanded. Where needed, the titles Rabbi, Rav have been corrected without comment. Biographical notes, as far as such details are known, have been given for all persons quoted in the Talmud with special emphasis on the time of their activity. This is important for the understanding of the sequence of statements on any topic treated.

Words of Greek and Latin origin have been identified as such; the original words are given in footnotes. Since Greek was the spoken language of most of the Gentile population in Galilee, it is the custom in "scholarly" treatment of Talmudic topics to refer Latinate words to their Byzantine Greek equivalents. But since the Eastern Roman empire (i. e., Byzantium) was administered in Latin until its destruction by the Western crusaders, there is no reason not to derive these words directly from the Latin. While the Hebrew and Aramaic spelling of the Yerushalmi often seems to defy all rules, Greek and Latin words are transcribed with astonishing fidelity.

The detailed grammar of the Yerushalmi is mostly unexplored. R. Z. Frankel, in his Introduction to the Yerushalmi (Breslau 1870), declares the Yerushalmi to be unmindful of grammatical rules. However, the most striking deviation of the Yerushalmi from normative Hebrew and Aramaic grammars, the occasional use of the third person singular form of a verb for all persons, genders, and numbers, is also found at a few

places in the Jerusalem Targum and, therefore, has to be considered a characteristic feature of the speech of the times. Spelling, morphology, and syntax of the Yerushalmi should be recognized as following their own rules.

Tractate Berakhot

Tractate *Berakhot*, "benedictions," deals roughly with four different topics. i) The first three chapters deal with the rules of recitation of *Shema'*. The third chapter contains general rules of prayer for people with certain disabilities; most of these rules apply equally to the recitation of *Shema'*, prayer proper (the '*Amidah*'), and reciting Grace after meals. ii) Chapters four and five deal with laws of the '*Amidah*, the eighteen benedictions on weekdays and seven on Sabbath and holidays. iii) Chapter six treats the benedictions to be recited before eating; chapter seven treats Grace after meals. These chapters justify the position of the tractate at the head of the order *Zera'im* of the Mishnah dealing with agricultural laws in all their ritual aspects. Chapter eight treats several other subjects connected with festive dinners. iv) Chapter nine finally treats all other kinds of benedictions that appear in the Jewish prayer book.

מאימתי פרק ראשון

(fol. 2a) **משנה א:** מאימתי קורין את שמע בערבין. משעה שהכהנים נכנסין לוכל בתרימתן עד סוף האשמורה הראשונה דברי רבי אליעזר. וחכמים אומרים עד חצות. רבן גמליאל אומר עד שיעלה עמוד השחר.

Mishnah 1: When does one start to read the *Shema* in the evening¹? From the time that the priests enter to eat² their *Terumah*³, until the end of the first night watch⁴ are the words of Rabbi Eliezer⁵. But the Sages say until midnight. Rabban Gamliel says until the first sign of dawn⁶.

1 The Mishnah presupposes that everybody knows that there is an obligation to recite the verses *Deut. 6:4-9* since it is written (v. 7) "You shall teach them to your children and speak about them when you sit in your house, when you go on the road, and when you are lying down and when you are getting up." Since it says "when you are lying down" before "when you are getting up", the obligation of the evening is discussed before that of the morning.

2 The spelling of the Yerushalmi is largely phonetic, in contrast to the Babli whose Hebrew spelling is historical. Since the \aleph was silent in Galilean speech of the time and had

lost its role as glottal stop, the Mishnah in the Yerushalmi has לויכל for classical לֹאֲכֹל in the Babylonian Mishnah.

3 *Terumah*, the heave, is the gift to the Cohen from agricultural produce (*Num. 18:12*) and also the Cohen's part of the tithes given to the Levites from produce (*Num. 18:26*). These gifts must be eaten in ritual purity (*Num. 18:13*: "every pure person in your family may eat it.") There are several stages in the cleansing from ritual impurity. Serious impurities (defilement by a corpse, a leper, or a sufferer from gonorrhoea) need special rituals. More common defilements, such as touching a dead animal or coming in contact with a more severely impure person, need

immersion in the ritual bath (*miqweh*). This immersion removes impurity but does not yet allow a person to touch sanctified food or to enter the Temple before nightfall, as it is said (*Lev. 22:6-7*): "He may not eat of sanctified food unless he immersed himself in water. When the sun leaves he shall be purified and after that he may eat of the sanctified food." [For the more severe kinds of impurity, a sacrifice is needed before the Cohen may eat sacred food in the Temple; this does not concern us here.] The Halakhah will discuss the exact meaning of "the sun leaving" and its relation to sunset and nightfall.

Today, no Cohen may eat any *Terumah* and the minimal amount set apart for *Terumah* must be burned; it is ritually unclean from the start since nowadays everybody is defiled by the impurity of dead bodies. That impurity can be removed only by sprinkling with water treated with the ashes of the Red Heifer (*Num. 19*). The Mishnah was edited approximately between 200 and 220 C. E. It must be assumed that the rules of the Mishnah are intended to be practical. It follows that 130 years after the destruction of the

Temple there were still places in Israel where the Cohanim could purify themselves by the ashes of the Red Heifer (in Galilee which was only minimally damaged by the two wars with the Romans.)

4 The night is divided either into three (Babylonian) or four (Roman) watches.

5 The name of R. Eliezer is attached only to the statement about the night watch. The start of the time of the evening *Shema* is accepted by everybody. Rebbi Eliezer ben Hyrcanus was one of the foremost students of Rabban Yohanan ben Zakkai, the founder of the Synhedrion of Jabneh after the destruction of the Temple. He was the most conservative of all teachers of his time and reputed to transmit old traditions most reliably.

6 It will be seen that the difference between Rabban Gamliel and the other sages is practical rather than theoretical. They agree that "when you are lying down" means "all the time that you are lying on your bed" and not "when you are ready to go to bed". The latter interpretation is that of R. Eliezer.

הלכה א. מאימתי קורין את שמע בערבין. און תנינן משעה שהכהנים נכנסין לכול בתרומתן. תני רבי חייא משעה שדרך בני אדם נכנסין לאכול פיתן

בְּלִילֵי שַׁבָּת. וְתַנִּי עֲלֶה קְרוֹבִין דְּבִרְיֵהוּן לְהִיּוֹת שְׁוִין. אֵיתָא חֲמֵי מִשְׁעָה שְׁהַפְּהֵינָם נִכְנָסִין לֹכֵל בְּתֵרוּמָתוֹן יִמְמָא הוּא וְעַם כּוֹכְבֵינָא הוּא. מִשְׁעָה שְׁדָרְדָּר בְּנֵי אָדָם נִכְנָסִין לֶאֱכֹל פִּתּוֹן בְּלִילֵי שַׁבָּת שְׁעָה וְתִרְתִּי לִילֵינָא הוּא. וְאֵת אָמַר קְרוֹבִין דְּבִרְיֵהוּן לְהִיּוֹת שְׁוִין. אָמַר רַבִּי יוֹסִי תַפְתֵּר בְּאַלְיִן כּוּפְרִנְיָא דְקִיקְיָא דְאוֹרְחֵיהוֹן מִסְתַּלְקָא עַד דְּהוּא יִמְמָא דְצָדִי לֹון מִקְמֵי חֵיוֹתָא.

Halakhah 1. When does one start to read the *Shema* in the evening?.

We have stated⁷: "From the time that the priests enter to eat their *Terumah*". Rebbi Hiyya stated⁸: "From the time that people enter their houses Friday evening to eat their meal." We have stated: "Their opinions are almost identical." Come and see: "From the time that the priests enter to eat their *Terumah*" is still daylight and the stars start to appear⁹, "from the time that people enter their houses Friday evening to eat their meal" is one or two hours into the night. You want to say that the two opinions are almost identical? Rebbi Yose¹⁰ said: Explain it by people in hamlets who usually leave the roads when there still is some daylight because they are afraid of wild beasts.

7 תני is the translation of *Targum Yerushalmi* for Hebrew הגר "to tell formally". It is a technical term that implies a statement of Tanna'im, the teachers of the oral law who were active from Maccabean times to the death of Rebbi Yehudah the Prince, the compiler of the Mishnah. The insistence on this being taught, or formulated, repeatedly, shows that a statement introduced by תני is a formal statement, carefully formulated for oral repetition, and not just an *ad hoc* statement in a discussion. The

vocalization תני is the prevalent one in the Yerushalmi *Targumim*.

8 Rebbi Hiyya is R. Hiyya bar Abba bar Aḥa Karsala from Kufra in Babylonia, the greatest of the students and colleagues of Rebbi (Yehuda, the editor of the Mishnah). Rebbi Hiyya is credited with collecting the tannaitic material that Rebbi left out of the Mishnah. The collection known as the *Tosephta* is probably based on his material even though in the current form it is a Babylonian rearrangement. Now the *Tosephta* (*Berakhot* I,1) is

quoted in the Babli (*Berakhot* 2b): מאימחי מחחילין לקרוח קריח שמע בערבניה משעה שבני אדם נכנסין לאכול פתן בערבני שבתוח דברי רבי מאיר וחכמים אומרים משעה . "When may one start to read the *Shema* in the evening? From the time that people enter to eat their meals on Friday Evening, says Rabbi Meir, but the Sages say from the moment that the Cohanim are allowed to eat their *Terumah*." It seems that the Talmud does not indicate that R. Hiyya is reported here to quote the Tosephta but that there was a difference of opinion between Rabbi and Rabbi Hiyya about which opinion of those mentioned in the Tosephta should be accepted in the Mishnah as authoritative.

There is a fundamental disagreement between the two Talmudim in the interpretation of R. Meir's opinion. The Babli quotes a second version of R. Meir, "from the time that the Cohanim immerse themselves in order to eat *Terumah*." Since the Cohanim have to concentrate on their status of purity between immersion and eating, in order not to touch unclean matter inadvertently, it is clear that they will immerse themselves at or shortly after sunset, when it is still clearly day and no stars are visible, and start to eat at

the earliest moment which can be declared to be night. Hence, the other version of R. Meir, that people start to eat Friday nights, must also mean an early time. Since people return from work early on Fridays, being notified of the approaching Sabbath by the sounding of trumpets (Babli *Šabbat* 35b), they will eat early. In particular in Babylonia, where synagogues were out in the fields, Friday evening services were held so that people could return to town before the unlit roads became completely dark. In Israel, on the other hand, synagogues were in towns and often the sermon was held on Friday evening. It is told in *Lev. rabba* 9(9) that R. Meir was preaching Friday evenings and even women came to hear the sermon at that time. Hence, the Sabbath meal was late. In Israel, R. Meir's pronouncement was taken to indicate a very late time.

9 As noted in the preceding comment, the Cohanim start to eat when it is no longer day, but before it is completely dark. The exact definition of "day," "twilight," "night" will be given later in the present section.

10 This R. Yose is the late Galilean Amora R. Yose (probably, ben Zabida), not the Tanna R. Yose ben Ḥalaphta.

תני הקורא קודם לכן לא יצא ידי חובתו. אם כן למה קורין אותה בבית הכנסת. אמר רבי יוסי אין קורין אותה בבית הכנסת בשביל לצאת ידי חובתו אלא כדי לעמוד בתפלה מתוך דבר של תורה:

It was stated: "He who recites (the *Shema'*) before that time did not fulfill his duty." If that is so, why does one recite (the *Shema'*) in the synagogue? Rabbi Yose said: one does not recite it to fulfill one's duty but only to stand in prayer after the study of Torah¹¹.

11 This section is quoted by Rashi in his commentary of the Mishnah in the Babylonian Talmud. The old Ashkenazic ritual that has preserved the Israeli usages, in contrast to the Sephardic rituals coming from Babylon, requires that afternoon and evening prayers be said consecutively in the synagogue any time after מנחה קטנה, ⁵/₄ hours before sundown (the hour computed as ¹/₁₂th of daylight

hours.) Hence, evening prayers with *Shema'* are recited in full daylight. R. Yose declares that after nightfall everybody has to recite the *Shema'* for himself (without benedictions) to fulfill the duty of reciting the *Shema'* at its proper time. In contrast to *Shema'*, the daily prayers are not bound rigidly to their times, as will be explained later in the Talmud.

רבי זעירא בשם רב ירמיה ספק ברוך על מזונו ספק לא ברוך צריך לברך דכתיב ואכלת ושבעת וברכת. ספק התפלל ספק לא התפלל אל יתפלל ודלא כרבי יוחנן דאמר רבי יוחנן (fol. 2b) ולנאי שיתפלל אדם כל-היום כלו. למה שאין תפלה מפסדת. ספק קרא ספק לא קרא נישמעניה מהדא הקורא קודם לכן לא יצא ידי חובתו. וקודם לכן לאו ספק הוא ואת אמר צריך לקרות. הוה אמרה ספק קרא ספק לא קרא צריך לקרות.

Rebbi Zeira¹² in the name of Rav Jeremiah¹³: One who is in doubt whether he said Grace after his meal or not, must say Grace, since it is written (*Deut.* 8:10): "You will eat and be satiated, then you must praise the Eternal¹⁴, your God¹⁵". One who who is in doubt whether he prayed or not, may not pray, against the opinion of Rebbi Yoḥanan¹⁶ who said: If

only one would pray the whole day long, why? Because prayer is never in vain¹⁷! About one who is in doubt whether he recited (the *Shema'*) or not we may hear from this: He who recites (the *Shema'*) before that time did not fulfill his duty. And before that time is it not doubtful¹⁸? This means that one who is in doubt whether he recited (the *Shema*) or not must recite again¹⁹.

12 Rebbi Ze'ira was a Babylonian who appears in the Babylonian Talmud as Rebbi Zera; he rose to be head of the Yeshivah of Tiberias after Rebbi Yoḥanan.

13 Rav Jeremiah appears in the Babylonian Talmud as Rav Jeremiah bar Abba, one of the outstanding students of Rav. He should not be identified with Rebbi Jeremiah, a Babylonian and student of Rebbi Ze'ira in Galilee.

14 There is a problem how the Divine Name YHWH should be translated. The traditional "Lord", taken from the Septuagint, is a translation not of the Name but of its substitute *ādōnāi*. The vocalization of the Name is unknown. The root is certainly יהוה "to exist". The form of the name indicates either *qal* or *pi'el*, with a meaning "Eternal" or a *hif'il*, meaning "Creator". Probably it means both but for purposes of translation it is convenient to follow Mendelssohn and use the first meaning. [The so-called

"scholarly" *hif'il* vocalization, *yahweh* "Creator," is certainly false since theophorous names show that the first syllable is vocalized either *yā*, *yō*, or *yē*, never *yah*, and, hence, as is to be expected, the Name does not follow any normative grammatical rule.]

15 The verse quoted shows that saying Grace is a Biblical obligation (at least for people who ate to be satiated). For Biblical obligations, we always follow the rule that in doubt one has to follow the most stringent alternative.

16 Rebbi Yoḥanan is the greatest authority among the Galilean Amoraim of the second generation. It is rare to have a decision of later generations going against him.

17 Everybody agrees that praying the *Amidah* three times a day is a rabbinic obligation. The majority opinion, reported here by R. Ze'ira and anonymously in *Babli Berakhot* 21a, is that one may not recite this prayer more than three times a day (at least on weekdays) and that, therefore, when

in doubt one may not pray since rabbinic ordinances are interpreted leniently in case of doubt. The contrary opinion of Rabbi Yohanan is also reported in the Babylonian Talmud (*loc. cit.*) but without the argument that prayer is never in vain. Rav Hai Gaon (*Otzar HaGeonim Berakhot*, Responsa p. 50, Commentaries p. 26) explains that Rabbi Yohanan thinks that prayer, as a supplication for Divine grace and in imitation of sacrifices, can be offered as fulfillment of a vow. It follows that, in his opinion, anyone who is in doubt whether he prayed already, should declare that his prayer should be counted as obligatory if he did not pray but as a voluntary offering if he already had fulfilled his obligation. This opinion is not acceptable to the Yerushalmi; since prayer is never in vain it does not need a prior declaration. There is a practical difference between the two Talmudim since according to Rav Hai's interpretation, someone who started praying and remembered in the middle

that he already had prayed, must stop in the middle even according to Rabbi Yohanan, but in the Jerusalem Talmud R. Yohanan is explicitly on record (*Halakhah* 4:3) that he goes on praying since prayer is never in vain.

18 Later it will be discussed that sometime between sundown and nightfall there is a time of twilight when it is doubtful whether it belongs to day or night. Hence, someone who recites the *Shema'* during twilight cannot be said to certainly have violated the rule that the evening *Shema'* must be recited in the night and his case is equivalent to the one where the person is not sure whether he had recited the *Shema'* already during the current evening.

19 Since the Talmud has to prove indirectly that in reading the *Shema'* one is stringent in case of doubt it seems that it is implied that the reading of *Shema'* is a rabbinic institution (though it might leave in doubt the status of the first sentence or the first section.)

סימן לדבר צאת הכוכבים. ואף על פי שאין ראיה לדבר זכר לדבר ואנחנו עושים במלאכה וחצים מחזיקים ברמחים מעלות השחר עד צאת הכוכבים. וכתוב והיה לנו הלילה משמר והיום מלאכה.

A sign for it (nightfall) is after stars have become visible²⁰. And though there is no proof, at least there is a hint²¹ in (*Neh.* 4:15): "We were

working; half of them were holding spears, from the beginning of dawn to the visibility of stars." And it is written (v. 16): "The night was for us for watch duty and daytime for work.²²"

20 This is an extended quote from a parallel to the Tosephta (1:1) quoted in note 8. It is not from our Tosephta since the last sentence is missing there and the first sentence reads in the Tosephta, and in the Babylonian Talmud (2b), סימן לרבר צאח הכוכבים . Levi Ginzberg already has pointed out that the Biblical noun construction צאח הכוכבים "the emergence of stars" is never used in the Yerushalmi which prefers the verbal form. "It" referred to in this quote must be nightfall, the common time both for the criterion of R. Meir and that of the Sages (Note 8).

21 This expression is found also in

Yerushalmi *Sheviit* 9:2 (38d), *Pesahim* 1:1 (27a), *Mo'ed Qatan* 1:4 (80c), *Yebamot* 4:11 (6a), *Niddah* 1:4 (49a).

22 The argument goes as follows: Nehemiah's people worked from dawn to dusk (in contrast to hired workers who labor from sunrise to sunset; *Baba mezia'* 7:1). The second verse, missing in the Tosephta, contains the proof: Nehemiah declares that "day was for work" and, since he had defined his working day as dawn to dusk in the preceding verse, his definition at least for "day" is "dawn to dusk". This is only a "hint", not a proof, since his working day was irregular.

כמה כוכבים יצאו ויהא לילה. רבי פינחס בשם רבי אבא בר פפא כוכב אחד ונדאי יום. שנים ספק לילה. שלשה ונדאי לילה. שנים ספק והקתיב עד צאת הכוכבים. אלא מיעוט כוכבים שנים. קדמיה לא מתחשב.

How many stars have to appear that it should be night? Rebbi Phineas²³ in the name of Rebbi Abba bar Pappus: one star (visible) is certainly daylight. Two are doubtful as night. Three is certainly night. Are two doubtful? Is it not written (*Neh.* 4:15): "To the visibility of stars?²⁴" The minimum of "stars" are two! The first one does not count²⁵.

23 R. Pinhas Hacoheh bar Hama, an Israeli Amora of the fourth generation.

His source R. Abba bar Pappus was a Babylonian of the second Amora

generation immigrating into Galilee. In the Babli (*Šabbat* 35b), the criterion of three stars is attributed to Samuel, one of the two foremost Babylonian authorities of the first generation. This criterion is originally Babylonian since the criterion of Cohanim eating their *Terumah* was never applicable in Babylonia.

24 The argument here is that Nehemiah uses a plural in his definition of nightfall. So he talks about at least two stars. Now Talmudic interpretation of Scripture follows a principle that I have discussed repeatedly ("Logical Problems in Jewish Tradition" in: *Confrontations with Judaism*, ed. P. Longworth, London 1967, pp. 171-196; *Seder Olam*, Northvale NJ 1998, p. 6) that every Biblical statement must have a definite mean-

ing. Since numbers do not have an upper bound, the only definite number indicated by a plural is 2. Hence, the plural must mean two unless it is accompanied by a description like "many", etc. The description in the Babli is: חספה מינט חספה חספה מריבה לא חספה חספה "If you grab the minimum you have something in your hand; if you grab more you have nothing in your hand." It follows that Nehemiah can talk only about two stars in his description of night.

25 Since Venus often is visible in daylight, it cannot count in the determination of nightfall. Later it is stated that no star visible during daytime hours can be counted for the determination of nightfall. This naturally seems to eliminate the count of stars as a practical procedure.

בְּעֶרְבַּ שְׁבַת רָאָה כּוֹכָב אֶחָד וְעָשָׂה מְלָאכָה פְּטוּר. שְׁנַיִם מְבִיא אָשָׁם תְּלוּי.
שְׁלֹשָׁה מְבִיא חֲטָאת. בְּמוֹצָאֵי שְׁבַת רָאָה כּוֹכָב אֶחָד וְעָשָׂה מְלָאכָה מְבִיא
חֲטָאת. שְׁנַיִם מְבִיא אָשָׁם תְּלוּי. שְׁלֹשָׁה פְּטוּר.

Friday night, if someone saw one star and did work (forbidden on the Sabbath), he is free from punishment. Two, he brings a trespass offering for a sin in doubt²⁶. Three, he brings a sin offering. Saturday night, if someone saw one star and did (forbidden) work, he brings a sin offering. Two, he brings a trespass offering for a sin in doubt. Three, he is free from punishment.

26 The trespass offering described in *Lev. 5:17-19* for somebody who without premeditation commits an act of which he later has doubts whether it was sinful or not. By the preceding

statement, at the time when exactly two stars are visible it is impossible to know whether it is day or not. The sin offering for sins committed in error is described *Lev. 4:27-35*.

רבי יוסי בר בון בעי אין תימר שני ספק. ראה שני כוכבים בערב שבת והתרו בו ועשה מלאכה. ראה שני כוכבים במוצאי שבת והתרו בו ועשה מלאכה. מה נפשך אם הראשונים יום הן אף האחרונים יום הן ויהא חייב על האחרונים. אם האחרונים לילה אף הראשונים לילה ויהא חייב על הראשונים. ראה ב כוכבים בערב שבת וקצר כחצי גרונרת. בשחרית וקצר כחצי גרונרת. ראה שני כוכבים במוצאי שבת וקצר כחצי גרונרת. מה נפשך אם הראשונים יום הן אף האחרונים יום הן ויצטרף של שחרית עם של מוצאי שבת ויהא חייב על האחרונים. אם האחרונים לילה אף הראשונים לילה ויצטרף של שחרית עם של לילי שבת ויהא חייב על הראשונים.

Rebbi Yose bar Abun²⁷ investigated: If you say that two (stars) present a doubt, if someone saw two stars on Friday night, was warned, and did forbidden work, he also saw two stars on Saturday night, was warned, and did forbidden work, then it is logical to assert that if the first period was daytime the last period was also daytime and he would be guilty for the later work; if the last period was nighttime then the first period was also nighttime and he would be guilty for the first work²⁸. If someone saw two stars on Friday night and harvested about (the volume of) half a fig, in the morning he harvested about half a fig, and he saw two stars on Saturday night and harvested about half a fig, then it is logical to assert that if the first period was daytime the last period was also daytime and one would combine daytime with Saturday night and he would be guilty for his last work; if the last period was nighttime then the first period was

also nighttime and one would combine daytime with Friday night and he would be guilty for his first work²⁹.

27 R. Yose bar Abun was the colleague of R. Yose bar Zabida and one of the last editors of the Yerushalmi. The first conclusion of R. Yose bar Abun is reported in the Babli (*Šabbat* 35b) by R. Yose bar Zabida. The names Abun, Abba are often contracted to Bun, Ba in the Yerushalmi.

28 As Rashi points out in *Šabbat* 35b, one has to assume that the person did work the entire period during which exactly two stars were visible. Since it is not determined when exactly the changeover from Sabbath to workday occurs during this period, one has to exclude the possibility that he did the work during daytime the first time and during nighttime the second time.

The first case discussed by R. Yose bar Abun deals with a criminal trial. In Jewish law, the Biblical penalties cannot be imposed unless the accused was duly warned by witnesses not to commit the crime that he was seen to start. However, such a warning must be given unconditionally. Since nobody can assert categorically that work in twilight is a Biblical prohibition on Friday night and Saturday night, R. Yose seems to assert that two

conditional warnings, given in mutually exclusive circumstances which together make a certainty of the transgression, can be counted as an unconditional warning.

29 Harvesting is forbidden on the Sabbath. Like all such work, the minimal amount of work that is punishable depends on the intention of the person acting. If the harvest is to clear the field for a new crop then the most minute amount of work is punishable. If the harvest is for human consumption then the minimal harvest punishable is the volume of a dried fig. If the harvest is for animal feed then the minimal amount is to fill the mouth of a lamb (*Tosephta Šabbat* 10:15). Here it is understood that one uses the example of one who harvests for human consumption. Any forbidden work on the Sabbath is sinful even in the tiniest of amounts; the minimal amounts determine only whether there is a criminal liability or not. If the work was done inadvertently or the person forgot that it was Sabbath, he may bring a sin offering in the Temple as soon as the Temple will be rebuilt. However, a sin offering can only be brought if the same action, done

intentionally, would have been a criminal act. Hence, no sin offering can be brought as atonement for doing less than a minimal amount of work which would qualify as criminal act. For such an action there can be no warning and the formulation of the problem also leaves out mention of due warning; one may speak here only about the obligation (or possibility) of bringing a sin-offering.

It is spelled out in *Leviticus* (5:2-4) in respect to sin offerings for transgressions by speech (by oath, or non-speech, be refusing to be a witness) that the sin offering is brought if "(he did,) and it was forgotten by him, and he remembered and was guilty." It is taken from here that in all cases there is one sin offering for all transgressions done in one forgetting; that any realization of the forbidden action in

the time in between will cause a separate sin with a separate sin offering. Hence, it is assumed here that the person in question either was not aware that the day was a Sabbath or that harvesting on the Sabbath is forbidden, without any intermediate awareness of either Sabbath or the prohibition of harvesting. It is then asserted by R. Yose bar Abun that all acts committed during one forgetting do combine, since they will all be covered by one sin-offering.

The certainty of guilt on the Sabbath is then established by the same argument as in the first case under the same conditions, viz., that in both cases the action was performed exactly during the entire time that exactly two stars were visible. The practical determination of such an action is made questionable by the next action.

הָדָא דְתִימְרַ בְּאֵילִין דְּלִית אֲוֹרְחָתְהוֹן מִתְחַמֵּיא בִּימְמָא. בְּרַם בְּאֵילִין
דְּאֲוֹרְחָתְהוֹן מִתְחַמֵּיא בִּימְמָא לֹא מְשַׁעְרִין בְּהוֹן. אָמַר רַבִּי יוֹסִי בְּרַבִּי בּוֹן
וּבְלַחוּד דִּיתְחַמּוֹן תִּלְתָּא כּוֹכְבִין בְּרַ מִן הָדָא כּוֹכְבַתָּא.

That means (we judge) by those stars that are not usually seen during the day. But by those stars that are usually seen during the day we do not estimate. Rabbi Yose ben Rabbi Abun said: There must be three stars not counting Venus³⁰.

30 Here we take up the discussion from the penultimate section. The

interpretation and the text are a matter of some controversy. Rabbenu Ḥananel

(of Kairawan, 11th Century) in his commentary to *Šabbat* 35b reads in the statement of R. Yose bar Abun: ובלחוד, this is close to our text. R. Eliezer ben Joel (Ravia, Rhineland, 12th-13th Cent., § 199) reads ובלחוד דיתחמו חלחא כוכבין and explains in the name of Rabbi Yehuda (either the Pious of Regensburg or Sir Leon of Paris) that three stars have to appear in a group like feet of a tripod. The same text is quoted by the 14th cent. R. Nissim Gerondi (Ran) as רדמיין לחדא "which are similar to one star" and his contemporary *Hagahot Maimuniot* (*Hilkhot Šabbat*, 5:4 Note 3) that three stars should be seen חר כמין חר כוכבא "in the manner of one star", to which reading the explanation of Ravia

applies well. In fact, R. Zachariah Frankel in his commentary on the Yerushalmi points out that the feminine כוכבא makes sense only if it refers to Venus. A "star" in general is כוכבא, masculine, and it seems that the text of *Hagahot Maimuniot* has been corrected by German Jewish attention to grammatical correctness. However, if we accept the reading כוכבא the statement of R. Yose bar Abun is a duplication of the earlier remark that "the first star does not count." Ran explains that the earlier statement determines the moment of nightfall from Biblical sources but that the requirement that three stars should be seen close together is a rabbinic ordinance "to add from weekday to the holy day" and, therefore, has a different status and is a legitimate addition.

רבי יעקב דרומאָה בשם רבי יהודה בן פזי כוכב אחד נדאי יום. שנים לילה.
ולית ליה ספק. אית ליה ספק בין כוכב לכוכב.

Rebbi Jacob the Southerner³¹ in the name of R. Yehudah ben Pazi: One star (visible) certainly daytime. Two are night. Does he not allow for a period of doubt? He has a doubt between star and star³².

31 Amora of the fourth generation, from the region of Lod, contemporary of R. Phineas, who transmits a conflicting Babylonian statement. His source, R. Yehudah ben Simon, of the

family Ben Pazi, is a Galilean source from the school of R. Yohanan.

32 The interval between the moment when only one star is clearly visible and when two stars are clearly visible

is his time of dusk, of which it is not night.
known whether it belongs to day or to

תני כל-זמן שפני מזרח מאדימות זהו יום. הכסיפו זהו בין השמשות. השחירו
נעשה העליון שזה לתחתון זהו לילה.

It was stated: All the time that the Eastern sky is red it is certainly daylight. If it became silver colored then it is dusk. If it became black, equally from zenith to horizon, then it is night³³.

33 The Babli (*Sabbat* 34b) has a tannaitic statement: "What is dusk? From sundown all the time that the Eastern sky is red. If the lower part turns silver colored (pale grey) but the zenith is not yet silver colored, that is dusk. If the zenith is silver colored equal to the horizon then it is night; these are the words of R. Yehudah (bar Ilai)." This statement looks somewhat garbled and it is explained in the name of Samuel as: "From sundown all the time that the Eastern sky is red it is

daytime. If the lower part turns silver colored (pale grey) but the zenith is not yet silver colored, that is dusk. If the zenith is silver colored equal to the horizon, then it is night." The text of the Yerushalmi is from a tannaitic source and supports Samuel's reading. However, the Yerushalmi version is clearer since when the color of the sky at the horizon is equal to that at the zenith and is darker than pale grey, it is close to being dark.

רבי אומר הלבנה בתקופתה התחיל לגל חמה לשקע ותחלת לגל לבנה לעלות זהו בין השמשות. אמר רבי חנינא סוף לגל חמה לשקע ותחלת לגל לבנה לעלות. ותני שמואל כן אין הלבנה זורחת בשעה שהחמה שוקעת ולא שוקעת בשעה שהחמה זורחת.

Rebbi says: (When) the moon is at its turning point, and the sphere of the sun has started to disappear and the sphere of the moon to rise, that is dusk. Rebbi Hanina said: When the solar sphere finishes disappearing and the lunar sphere starts to rise. Samuel has a tannaitic statement: The

moon does not shine at the moment of the disappearance of the sun nor does it go down at the moment that the sun shines³⁴.

34 Rebbi is Rebbi Yehudah the Prince, the editor of the Mishnah. R. Hanina probably is the Amora R. Hanina, the student of Rebbi.

The explanation of this section depends on whether one accepts that Rebbi and R. Hanina speak of the same tradition, only that R. Hanina insists that the correct tradition of Rebbi's statement is that dusk starts only at the moment of the final disappearance of the sun and not at the moment of the disappearance of the lower rim of the solar disk as in the first tradition. This is the opinion of most commentators of the Yerushalmi; in the language of the Babli it means that two tradents, the first one anonymous and the second R. Hanina, give their versions of what Rebbi really said. [Nachmanides (*Writings of Rabbenu Moshe ben Nahman*, ed. Chavel, Jerusalem 1964, *Torat Haadam*, p. 154-251) insists that R. Hanina only explains Rebbi's statement in popular terms. Since the Talmud quotes a teaching accepted by Samuel the astronomer as confirmation of R. Hanina's position, it is difficult to accept that the first tradent and R. Hanina should have completely parallel statements.]

A reasonable explanation of this section must start with a discussion of "the turning point of the moon." Usually this is taken as the moment of the full moon, when the moon changes from increasing to decreasing. However, this interpretation is impossible since the orbit of the moon usually deviates from the ecliptic and only about every 223 months the full moon is in the ecliptic in opposition to the sun. Hence, the "turning point of the moon" is the only time when there is a possibility of a lunar eclipse and the full moon is directly opposite to the sun. R. Hanina and Samuel express the view of geometric astronomy, i.e., that the full moon cannot rise as long as the sun is still visible. The anonymous first tradent notes that in rare cases the refraction of the earth's atmosphere can lead to a situation where the full moon starts to rise while the sun, geometrically below the horizon, is still visible. [In science, this phenomenon was first studied by Ibn al Haytham in the tenth Cent.; cf. R. Rashed, *Optique et mathématiques*, Variorum: Ashgate Publ. Co., Brookfield Vt, 1992] For practical purposes, both teachers seem to agree that in the consideration of

"sundown" for Sabbath observance, the influence of refraction in the atmosphere should be disregarded.

רבי שמואל בר חינא בר יהודה בשם רבי חנינא התחיל לגלגל חמה לשקע אדם עומד בראש הר הכרמל ויורד וטובל בים הגדול ועולה ואוכל בתרומתו חזקה ביום טוב. הך דתימר בההוא דאזיל ליה בקפונדרא. ברם ההוא דאזיל ליה באיסקרסא לא בךא.

Rebbi Samuel bar Hiyya bar Yehudah in the name of Rebbi Hanina: When the solar disk starts to sink and a man is standing on top of Mount Carmel, he descends and immerses himself in the ocean, ascends and eats his *Terumah*, one may assume that he immersed himself during daytime³⁵. Than is, if he used a shortcut³⁶ but when he went on the road³⁷ this does not apply.

35 Therefore, he was cleansed from impurity at nightfall and is justified in eating *Terumah*.

36 Latin *compendiarium* (scil. *iter*) "short cut". The text cannot really mean "the top of mount Carmel" since even running down in a straight line from today's Haifa University to the shore would take about an hour. The "top of Mount Carmel" here is more likely to be at today's "Elijah's cave".

In the Babylonian Talmud (*Sabbat* 35a) the statement of R. Hanina is given as illustration of the notion of dusk of R. Nehemiah mentioned here in the next section. In the interpretation of Tosaphot (*l. c.*, *s. v.* וירר), the statement means that just when the Cohen emerges from the sea then dusk starts.

37 Latin *strata* (scil. *via*), "paved road, pavement".

איזהוא בין השמשות. אמר רבי תנחומא לטיפה של דם שהיא נתונה על גבי חודה של סיני נחלקה הטיפה לכאן ולכאן זהו בין השמשות. איזהוא בין השמשות. משתשקע החמה כדי שיהלך אדם חצי מיל דברי רבי נחמיה. רבי יוסי אומר בין השמשות כהרף עין ולא יכלו לעמוד עליו חכמים.

What is dusk? Rebbi Tanḥuma³⁸ said (it is comparable) to a drop of blood on the tip of a sword. The drop splits here and there, that is dusk. What is dusk?³⁹ From after sundown the time a man needs to walk half a *mil*, the words of Rebbi Neḥemiah. Rebbi Yose said: dusk is a moment and the sages could not determine it.

38 One of the latest authorities mentioned in the Yerushalmi, renowned as a preacher, and author of the basic *Yelammedenu* Midrash. His simile here is also of the nature of a sermon, illustrating the opinion of R. Yose that there is no real extended dusk but only day and night with a fleeting moment in between, the blinking of an eye in the terminology of R. Yose and the splitting of a drop of blood on the tip of a sword for R. Tanḥuma.

39 While the first statement here was a homily by a late Amora, now we are dealing with a legal statement by two of the outstanding students of Rebbi Akiba, of the fourth generation of Tannaim. Rebbi Yose here is Rebbi Yose bar Ḥalaphta, the highest authority in his generation.

In the Babli (*Šabbat* 34b), the previous statement describing dusk as the time between the end of a reddish glow in the East to uniform dark greyness from Eastern horizon to zenith is attributed to Rebbi Yehudah (bar

Ilai), followed by the statements of R. Neḥemiah and R. Yose here, making the definition of dusk a triple disagreement. By contrast, it seems that the Yerushalmi accepts the criterion of the color of the Eastern sky as universally valid, only that Rebbi Neḥemiah qualifies it in time. The relationship between the statements of R. Neḥemiah and R. Yose is discussed in the next section. Since the standard for a normal person is to walk 10 *parasangs* [= 40 miles (*mil*)] in a day of 12 hours, the time allocated to a *mil* is $\frac{12}{40}$ hours or $(12 \times 60) / 40 = 18$ minutes. [Maimonides counts the 10 *parasangs* from beginning of dawn to the end of dusk; his time for walking a *mil* is 24 minutes.] This refers to a day of 12 hours between sunrise and sunset, i.e., for the equinoxes if constant hours are used. In addition, the determination of time is valid only for the Land of Israel or other countries of the same latitude. For other latitudes, the length of dusk has to be determined by the angle of depression

of the sun at the end of 9 or 12 minutes after sunset in Israel on March 21. The Babylonian Talmud (*Šabbat* 34b) replaces the time of $1/2$ (Roman?) *mil* in Galilee by $2/3$ (Babylonian?) *mil* in Babylonia on the lower Euphrates.

רבי יוסי ורבי אחא הוּו יתבין. אמר רבי יוסי לרבי אחא לא מסתברא סוף חצי מיל דרבי נחמיה כהרף עין אמר ליה אוף אָנא סבר כן. רבי חזקיה לא אמר כן אלא כַל־הֶרֶף עין וְהֶרֶף עין שְׂבַחְצִי מיל דרבי (fol. 2c) נחמיה ספק הוא. אמר רבי מנא קשיתיה קומי רבי חזקיה כד תנינן תמן ראה אחת ביום ואחת בין השמשות. אחת בין השמשות ואחת למחר אם יודע הראייה מהיום ומקצתה למחר ודאי לטומאה ולקרבו ואם ספק שמקצת הראייה מהיום ומקצתה למחר ודאי לטומאה וספק לקרבו. רבי חייא בר יוסף בעא קומי רבי יוחנן מאן תנא ראייה נחלקת לשנים רבי יוסי. אמר ליה קשתה על דעתך דאת אמר כַל־הֶרֶף עין וְהֶרֶף עין שְׂבַחְצִי מיל דרבי נחמיה ספק הוא. למה אמר לי קשיתיה לכשיבוא אליהו ויאמר זהו בין השמשות.

Rebbi Yose and Rebbi Aḥa⁴⁰ were sitting together. Rebbi Yose said to Rebbi Aḥa: Is it not reasonable that the end of the half a *mil* of Rebbi Neḥemiah is the moment (of Rebbi Yose)⁴¹? He answered: I also am of that opinion. Rebbi Hizqiah⁴² does not say so but every single moment in the half a *mil* of Rebbi Neḥemiah is in doubt. Rebbi Mana said: I pointed out the difficulty before Rebbi Hizqiah from what we have taught (*Zabim* I,6): "He saw one emission during daytime and one at dusk or one at dusk and the next one the next day; if he knows that the emission at dusk was partially during daytime and partially during nighttime, he certainly is impure and needs a sacrifice but if it is questionable whether the emission occurred partially during daytime and partially during nighttime he certainly is impure but it is questionable whether he owes a sacrifice."⁴³ Rebbi Hiyya bar Josef⁴⁴ asked before Rebbi Yoḥanan: Who is the Tanna who will split an emission into two? Rebbi Yose!⁴⁵ I said to him: Here is

your problem since you say that every single moment in the half a *mil* of Rebbi Neḥemiah is in doubt.⁴⁶ What is his question good for? For the time when Elijah will come and say: that is dusk⁴⁷.

40 Rebbi Aḥa was an Amora of the fourth generation, older than the Amora Rebbi Yose.

41 R. Yose considers all of Rebbi Neḥemiah's "dusk" as being part of daytime and that the change-over to night comes instantly at an undefined time shortly after the end of R. Neḥemiah's "dusk". With Rebbi Yehudah instead of Rebbi Neḥemiah, this is the opinion of Samuel, the astronomical authority of the first Amoraic generation in Babylonia, in the Babylonian Talmud (*Šabbat* 35a).

42 Amora of the fourth generation in Galilee. R. Mana (II) is his only known student.

43 Tractate *Zabim* deals with men suffering from gonorrhea or any other sexually related effluent (*Lev.* 15:1-15). In the interpretation of the school of Hillel there are three stages in the uncleanness of a *zab*. If he had one episode, he is unclean but may cleanse himself by immersion in water as with any other defilement. If he had two episodes not separated by a full day, he can cleanse himself only by immersion in running water after being free of symptoms for a full seven days. If he

had three episodes (again, not separated by a full day from dusk to dusk without incident) then he not only has to immerse himself in running water after seven days but he also has to bring a purifying sacrifice (if there is a Temple.) There is a standard duration that is counted as an episode and a continuous emission during a longer period is counted as two (or more, depending on length) emissions. The Mishnah here states that an episode during dusk will be counted as two even if it is relatively short if part of the episode happened during the previous day and part during the following night. Hence, the exact determination of the boundary between day and night is essential.

44 A Babylonian, student of Rab and Samuel at the start of the Amoraic period, who at an advanced age emigrated to Israel and became a member of the Academy of R. Yoḥanan.

45 Rebbi Yose mentioned here is the Tanna, ben Ḥalaphta. His opinion is given based on an explicit *Tosefta Zabim* I,12-13: "If he had one long emission such that he would have had

time to immerse himself in a ritual bath and dry himself then it is counted as two episodes; shorter than that it is only counted as one. Rabbi Yose says it is always counted as only one episode. However, Rabbi Yose agrees that if he had an emission during dusk, even though its duration was not long enough for immersion and drying himself, it is counted for two since it happened on different days. In this sense did R. Yose say: If he had an emission during twilight he is possibly defiled (unclean for seven days) but not obliged to bring a sacrifice. If he had two emissions during twilight he is possibly defiled and possibly obligated to a sacrifice. If he had one emission at another (certain) time and one during twilight or one during twilight and one at another time he is certainly defiled (for seven days) and questionable for a sacrifice. If he had two emissions at other times and one at twilight or two at twilight and one at another time he is certainly defiled and certainly must bring a sacrifice."

46 Up to here, everything is R. Mana's question to R. Hizqiah: Since the

Tosephta clearly states that the Mishnah quoted is R. Yose's opinion, if every moment of R. Neḥemiah's twilight is questionable for R. Yose then the statement of the Mishnah: "if he knows that the emission at dusk was partially during daytime and partially during nighttime" is meaningless since it is never knowable by anybody whether anything occurred partially during daytime and partially during nighttime.

47 While the prophet Elijah has no authority to change religious rulings he has transcendental knowledge of the true state of things. Hence, for someone instructed by Elijah the doubt of R. Yose does not apply and the Mishnah, while unlikely to be practical, is neither impossible nor void.

This is the end of the discussion in the Yerushalmi, seemingly accepting R. Hizqiah's position. In the Babylonian Talmud the decision is left explicitly open so that in any case one has to go with the more stringent rule (earlier start of Sabbath, later nightfall for *Terumah* and end of Sabbath.)

מאן פליג. רבי חנינה חברהון דרבנן בעי כמה דאת אמר בערבית נראו
 שלשה כוכבים אף על פי שהחמה נתונה באמצע הרקיע לילה הוא. ומר אף
 בשחרית כן. אמר רבי אבא כתיב השמש יצא על הארץ ולוט בא צוערה.

וְכַתִּיב וּבֹא הַשָּׁמֶשׁ וְטָהַר. מְקִיֵּשׁ יִצְיָאָתוּ לְבִיָּאָתוּ. מֵה בִּיָּאָתוּ מִשְׁיַתְּכֶסֶה מִן הַבְּרִיאוֹת. אִף יִצְיָאָתוּ לְכִשְׁיַתְּנֻדַּע לְבְרִיּוֹת. אָמַר רַבִּי אֲבָא כְּתִיב הַבּוֹקֵר אֹר. הַתּוֹרָה קְרָאָה לְאֹר בּוֹקֵר. תִּנִּי רַבִּי יִשְׁמַעְאֵל בְּבוֹקֵר בְּבוֹקֵר כְּדֵי לִיתֵן תַּחוּם לְבוֹקֵרוֹ שֶׁל בּוֹקֵר.

Who disagrees?⁴⁸ Rabbi Hanina the Colleague of the Rabbis⁴⁹ asked: Just as you say in the evening that it is night if three stars are visible even though the sun is in the middle of the sky it is night, so you must say the same thing in the morning. Rabbi Abba⁵⁰ said: It is written (*Gen. 19:23*): "The sun *went out* over the earth and Lot came to Zoar." And it is written (*Lev. 22:7*): "The sun will *come* and he shall be pure." He brackets going out and coming. Since coming means that it is hidden from the creatures so also its coming out when it will be ascertained by the creatures. Rabbi Abba⁵¹ said, it is written (*Gen. 43:3*): "In the morning it was light." The Torah called the light morning.⁵² Rabbi Ismael⁵³ stated: (*Ex. 12:10*) "In the morning, in the morning," to give a domain to the very early morning.

48 With the criterion of three stars for the start of night.

49 He usually goes by the name of R. Hananiah the Colleague of the Rabbis, a Babylonian who was an important teacher of the leaders of the fourth generation of Amoraim but who never headed a talmudic academy. He insists that it is logical to assert that as long as three stars can still be seen at dawn it is night even though it is relatively light and (Mishnah 5) one may well distinguish between dark blue and white, or between dark blue and dark green. Hence, since the theory of the

three stars contradicts the Mishnah it must be invalid.

50 R. Abba also was a Babylonian, a student of Rav Huna and Rav Yehudah in Babylonia, who went to Israel and became a rich silk merchant and talmudic authority of the third generation of Amoraim, a contemporary of R. Hanina the Colleague of the Rabbis. His argument parallels the previous one but, since it is based on Biblical verses, it seems to be an attack on the Mishnah which gives different treatments to dawn and dusk.

The first verse asserts that Lot came

to Zoar at sunrise. The second verse asserts that the Cohen who had cleansed himself from impurity is purified at nightfall as explained earlier. The argument seems to center on the ambiguous statement "the sun will come and he will be pure." Everywhere, the "coming" of the sun is its going, sundown or nightfall. In the first verse, the coming of Lot to Zoar is real coming, parallel to the going out of the sun. Hence, in the first verse coming and going out are the same. It would follow that, in the second verse also, coming must have the same status as going out since it is one of the principles of Rabbinic interpretation that Biblical expressions have the same meaning at every occurrence (a principle known as *gēzērāh šāwāh*.) Hence, the different treatment of dawn and dusk in the Mishnah seems to contradict the principles of Rabbinic Bible interpretation.

51 It is not known if this Rebbi Abba, solving the puzzle, is the same as the author of the preceding question or another sage of the same name. The editorial principle of the Babli, to quote an authority the first time as פלוני אמר and the following times as אמר פלוני or ואמר פלוני does not apply to the Yerushalmi.

52 The Biblical text tells of Joseph's

brothers leaving Egypt to return to Canaan. Hence, it means the first dawn which was the first possible time for their leaving, and the Biblical verse connects the technical meaning of "morning" with the first light of dawn. Hence, the asymmetry of treating dawn and dusk is Biblical and Rebbi Ḥanina's and Rebbi Abba's arguments are unjustified.

53 He is a Tanna, an older contemporary of Rebbi Akiba and head of his own school. The sentence is a quote from an anonymous statement in *Mekhilta dēRebbi Ishmael, Bo, 6*): "They shall eat the meat during that night"; from here I understand during the entire night. The verse says 'do not leave any leftovers until morning; but anything left over until morning you shall burn in fire.' Why does the verse repeat 'until morning'? To give a domain to the earliest part of morning. From here they said (*Mishnah* 3-4): 'The consumption of the Passover sacrifice and all other sacrifices, the burning of their parts on the altar can be done until the start of dawn and all sacrifices that must be eaten within one day can be eaten until the start of dawn.' Why did the Sages decree (that all must be done) until midnight? To remove people from transgression and to make a fence around the Torah."

This is an additional indication that the earliest possible sign of dawn is the Biblical start of a new day.

אמר רבי יוסי בי רבי בון אם אומר ליתן עוביו של רקיע ללילה בין בערבין בין בשחרית נמצאת אומר שאין היום והלילה שוין. ותני באחד בתקופת ניסן ובאחד בתקופת תשרי היום והלילה שוין. אמר רבי הונא נלפינן מדרה הארץ שרי מלכא נפק אף על גב דלא נפק אמרין דנפק. שרי עליל לא אמרין דעל עד שעתא דיעול.

Rebbi Yose bar Abun said: If you say to give the thickness of the sky⁵⁴ to the night both in the evening and in the morning then you must say that day and night are not of equal length; but we have stated: On the days of the vernal and autumnal equinoxes, day and night have equal length. Rebbi Huna⁵⁵ said: We may learn from the ways of the world since if the king leaves [his palace] one already states that he left before he left but when he returns one does not say that he did return until he actually entered [the palace].

54 The "thickness of the sky" is twilight, the time that the sun is no longer seen over the earth before it has disappeared behind the gates of heaven that are closed for the night.

R. Yose bar Abun argues that if twilight is treated the same way for dawn and dusk then at the equinox the days are not evenly split between day and night. Since it is accepted that at the equinox day and night are equal it follows that any part of twilight given to the night at dusk must be given to the day at dawn.

55 A Babylonian who in most other tractates of the Yerushalmi appears as Rebbi Huna (רבי חונא, חונה), a student of Rav Yosef in Babylonia, who emigrated to Israel. His argument is from popular usage, that as the king is said to be leaving before he left, so the sun is said to be setting although three stars can still be seen; but the king is not reported to have returned until he actually did. Hence, day cannot end before the sun has disappeared beyond the heavenly gates and three stars are visible. [The Babylonian Talmud

(*Pesahim* 53b) is strictly of the opinion of equal length.]

that the twilights of dawn and dusk are

זֶה שְׁעוֹמֵד לְהַתְפַּלֵּל צְרִיךְ לְהִשְׁווֹת אֶת רַגְלָיו. תְּרִין אַמּוּרֵינן ר' לְוֵי וְר' סִימּוֹן
 חָד אָמַר כְּמַלְאָכִים וְחָד אָמַר כְּכֹהֲנִים. מֵאֵן דְּאָמַר כְּכֹהֲנִים לֹא תַעֲלֶה
 בְּמַעְלוֹת עַל מִזְבֵּחַי. שְׁהִיוּ מְהַלְכִין עֶקֶב בְּצַד גּוֹדֵל וְגוֹדֵל בְּצַד עֶקֶב. וּמֵאֵן
 דְּאָמַר כְּמַלְאָכִים וְרַגְלֵיהֶם רַגְלֵי יִשְׂרָאֵל. ר' חֲנִינְיָא בַר אֲנָדְרֵי בְּשֵׁם ר' שְׁמוּאֵל בַּר
 סוֹטָר הַמַּלְאָכִים אֵין לְהוֹן קַפִּיצִין וּמָה טַעְמָא קַרְבַּת אֵל חָד מִן קַמִּינָא קְוִימִנָא.

He who prepares to pray must equalize his feet⁵⁶. Two Amoraim, Rebbi Levi⁵⁷ and Rebbi Simon⁵⁸; one of them says like angels⁵⁹ and one of them says like priests. He who says like priests, (*Ex.* 20:26): "You shall not ascend my alter by stairs;" that means that they were walking with their heel next to the great toe and great toe next to the heel. He who says like angels (*Ez.* 1:7) "Their feet were a straight foot." Rebbi Ḥanina bar Andrei in the name of R. Samuel ben Soṭar⁶⁰: angels have no moving joints. What is the reason? (*Dan.* 7:16) "I approached one of those standing," the fixed ones⁶¹.

56 The Babli (*Berakhot* 10b) brings only the opinion that in praying the 'Amidah prayer one has to equalize one's feet like the angels; and this is the name of R. Yose bar Ḥanina in the name of R. Eliezer ben Jacob.

57 A preacher in the Academy of R. Yoḥanan.

58 An older preacher, R. Simon ben Pazi, student of R. Joshua ben Levi.

59 It is usually explained that this means that both legs have to be parallel and together so that they

would look like one foot, from the verse quoted: "their feet were one straight foot." However, *Sefer Ha'eshkol* (part 1, p. 17) quotes an opinion, possibly of Rav Hai Gaon, that the heels should be together but the toes separated to form a semicircle since the verse quoted from Ezechiel continues "the sole of their feet was like the foot sole of a calf."

60 Rebbi Ḥanina bar Andrei seems to have been a contemporary of R. Levi and R. Yose bar Ḥanina; he is

mentioned only two times in Talmudic literature. R. Samuel bar Sotar seems to be identical with R. Samuel bar Sosarta, another contemporary of the preceding. The entire discussion in the Yerushalmi is between sages of the same generation.

61 In *Midrash Bereshit rabba* 65(17), the lexical note is attributed to the slightly older authority R. Reuben: Rabbi Reuben said: It is written (*Ez.* 1:25) "When they were standing their wings became limp." Is there any sitting in heaven (that standing should be remarkable)? Does not R. Samuel say: there is no sitting in heaven since it says (*Ez.* 1:7) "their feet were a straight foot." They have no moving joints: (*Dan.* 7:16) "I approached one of

those standing קאמיה," the fixed ones קיימא. It also says (*Is.* 6:2): "Seraphim are standing over Him;" (*2Chr.* 18:18): "All the hosts of Heaven were standing," and here it says "when they are standing"; this is astonishing. What really means "when they are standing" (כעמדם), it means "the people come, silence" (כא עם דם), i.e., when Israel are saying "Hear o Israel" the angels are silent and then their wings drop.

Midrash Bereshit rabba is an old Yerushalmi source and one may speculate that the Midrash precedes the editing of the Talmud; otherwise it would be incomprehensible why a statement on the Amidah prayer intrudes on the discussion of the rules of *Shema*'.

אמר רבי הונא זה שרואה את הכהנים בבית הכנסת בברכה ראשונה צריך לומר ברכו את יי מלאכיו. בשניה ברכו את יי כל-צבאיו. בשלישית ברכו את יי כל-מעשיו. במוסף בברכה ראשונה צריך לומר שיר המעלות הנה ברכו את יי כל-עבדי יי העומדים בבית יי בגילות. בשניה שאו ידיכם קדש. בשלישית בברכה יי מציון. אם היו ארבע חוזר תליאתא בקדמיתא ורביעתא בתניאתא.

Rebbi Huna said: He who sees the priests in the synagogue, at the first blessing he must say (*Ps.* 103:20) "praise the Lord, His messengers." At the second blessing (v. 21) "praise the Lord all His hosts." At the third blessing (v. 22) "praise the Lord all His creatures." At *Musaf* at the first blessing he must say (*Ps.* 134:1) "A song of ascent. Praise the Lord all servants of the Lord, who are standing in the Lord's House in the nights."

At the second blessing (v. 2) "lift your hands in holiness." At the third blessing (v. 3) "May the Lord bless you from Zion." When there are four blessings then for the third he repeats the first, for the fourth the second⁶².

62 Since the priestly blessing is regular part of the morning *Amidah*, the instruction on how to behave during the blessing is added here. The Babli (*Soṭa* 39b) gives separate verses also for days of three and four blessings and rejects the last selection of the Yerushalmi.

אמר רבי חננא מאיילת השחר עד שיאור המזרח אדם מהלך ארבעת מילין.
משיאור המזרח עד שתנץ החמה ארבעת מיל. ומניין משיאור המזרח עד
שתנץ החמה ארבעת מיל דכתיב וכמו השחר עלה וגו'. וכתיב השמש יצא על
הארץ ולוט בא צוערה. ומן סדום לצוער ארבעת מיל. יותר הוון. אמר רבי
זעירא המלאך היה מקדר לפניהם הדרך. ומניין מאיילת השחר עד שיאור
המזרח ארבעת מיל. כמו וכמו מילה מדמנא לחברתה.

Rebbi Hinnena⁶³ said: From the appearance of the "morning hind"⁶⁴ until the first rays of light in the East a man can walk four *mil*⁶⁵. From the first rays of light in the East until sunrise four *mil*⁶⁶. From where do we know that from the first rays of light in the East until sunrise there are four *mil*? Since it is written (*Gen. 19:15*) "about when the morning came etc."⁶⁷ And it is written (v. 23) "the sun rose over the land and Lot arrived at Zoär." From Sodom to Zoär there are four *mil*. It is farther than that.⁶⁸ Rebbi Zeira said: the angel was flattening⁶⁹ the road before them. And from where do we know that from the appearance of "the morning hind" until the first rays of light at the East there are four *mil*? "About when", "when", compares one thing to another⁷⁰.

63 The prints and the Leyden manuscript have ר' חננ', referring to an otherwise unknown scholar. The reading chosen is that of the Rome manuscript. The bearer of that name was a Galilean Amora of the third

generation.

64 This Biblical allusion (*Psalm 22*) denotes the zodiacal light; see the next section.

65 For the determination of the time implied by the distance, see the paragraph after the next.

66 This statement is found also in the Babylonian Talmud (*Pesahim 94a*), there one speaks of עלות השחר, "the coming up of the morning". איילת השחר is not a technical term used in the Babli.

67 The verse describes the time when the angels pushed Lot to leave Sodom.

68 In absence of a reliable tradition about the locations of Zoar and Sodom, it is difficult to know the real distances. In the documents found with the Bar Kochba letters in the desert of Judea, a locality Zoar is mentioned.

Hence, in Mishnaic times the location of Zoar was still known. In the Babli (*Pesahim 93b*), Rebbi Hanina testifies that he checked out the distance and found it to be five *mil*. The Babli finds that the time of an average person walking five *mil* is too long for dawn but he does not try to harmonize the interpretation of the verses with the current observations of twilight.

69 The verb מקדר is used in tractate *Eruvin* in the technical sense of "levelling" by surveyors who for exact measurements use only yardsticks that are exactly horizontal. R. Zeira wants to say that they walked only absolutely flat roads where the usual speed is higher.

70 One can apply the principle of גזרה שוה, that in general a certain expression has the same meaning in all contexts.

אמר רבי יוסי בי רבי בון הוה דא איילתא דשחרא מאן דאמר כוכבתא היא טעיא זמניו דהיא מקדמא וזמניו דהיא מאחרא. מאי כדון כמין תרין דקורניו דנהורא דסלקין מן מדינתא ומנהרין. דלמא רבי חינא רבא ורבי שמעון בן חלפתא הוו מהלכין בהדא בקעת ארבל בקריצתא וראו איילת השחר שבקע אורה. אמר רבי חינא רבא לרבי שמעון בן חלפתא בירבי כד היא גאלתו של ישראל בתחילה קמאה קמאה כל-מה שהיא הולכת היא רבה והולכת. מאי טעמא כי אשב בחשך יי אור לי. כן בתחילה ומרדכי ישב בשער המלך. ואחר כד ויחח המן את הלבוש ואת הסוס. ואחר כד וישב מרדכי אל שער המלך. ואחר כד ומרדכי יצא מלפני המלך בלבוש מלכות. ואחר כד ליהודים היתה אורה ושמחה.

Rebbi Yose bar Abun said: Anybody who identifies the "morning hind" with the planet Venus is in error; that planet sometimes is too early and sometimes too late⁷¹. What is it? It is like two double horns of light that arise from the East and give light. Explanation⁷²: The great Rebbi Ḥiyya and Rebbi Simeon ben Ḥalaphta⁷³ were walking in the valley of Arbela before morning and saw "the morning hind" that started radiating. The great Rebbi Ḥiyya said to Rebbi Simeon ben Ḥalaphta, the great man: so will be the deliverance of Israel; it starts out very little and grows and longer as it goes on. What is the reason (*Micha* 7:8): "When I shall dwell in darkness, the Lord is my light." So also at the start (*Esther* 2:21): "Mordocai was sitting at the king's gate." After that (6:11): "Haman took the garment and the horse." After that (6:12): "Mordocai returned to the king's gate." After that (8:15): "Mordocai left the king's presence in royal garb." After that (8:16): "The Jews had light and joy."

71 That means, sometimes Venus sets still during the night and sometimes it is still seen after sunrise.

72 This is the explanation of Frankel in his "Introduction to the Yerushalmi", from Greek δῆλωμα. Levy in his dictionary refers to Greek δίλημμα, which means only "proposition of two difficult alternatives." Brüll in his critique of Levy's dictionary proposes Greek δράμα "action". Frankel's choice is difficult since both long vowels should be expressed, אמלימא. (In Midrashim, the

spelling אמלימא is found.) Brüll's explanation is more difficult to accept since substitutions of the liquids *l,r* for one another are extremely rare in the Greek words coming into Aramaic. Also, no action is reported here.

73 Rebbi Ḥiyya the Great is Rebbi Ḥiyya, the student and colleague of Rebbi, the collector of the Tosephtah. Rebbi Simeon ben Ḥalaphta is a contemporary who like Rebbi Ḥiyya does not appear in the Mishnah (except for the aggadic very last Mishnah.)

וְאֵתִיא דְרַבִּי חֲנִינָה כְּרַבִּי יוֹדָה דְתַנִּי בְשֵׁם רַבִּי יוֹדָה עוֹבִיּוֹ שֶׁל רְקִיעַ מְהֵלֵךְ
 חֲמִשִּׁים שָׁנָה. אָדָם בֵּינוֹנִי מְהֵלֵךְ אַרְבָּעִים מִיל בַּיּוֹם. עַד שֶׁהַחֲמָה נוֹסְרֵת
 בְּרְקִיעַ מְהֵלֵךְ חֲמִשִּׁים שָׁנָה אָדָם מְהֵלֵךְ אַרְבָּעַת מִיל נִמְצָאת אוֹמֵר שְׁעוֹבִיּוֹ שֶׁל
 רְקִיעַ אֶחָד מֵעֶשְׂרֵה בַּיּוֹם. וְכֵשֶׁם שְׁעוֹבִיּוֹ שֶׁל רְקִיעַ מְהֵלֵךְ חֲמִשִּׁים שָׁנָה כִּד
 עוֹבִיָּה שֶׁל הָאָרֶץ וְעוֹבִיּוֹ שֶׁל תְּהוֹם מְהֵלֵךְ חֲמִשִּׁים שָׁנָה וּמָה טַעַם הַיּוֹשֵׁב עַל חוּג
 הָאָרֶץ וְכֹתִיב וְחוּג שְׁמַיִם יִתְהַלֵּךְ. וְכֹתִיב בְּחֻקּוֹ חוּג עַל פְּנֵי תְהוֹם. חוּג חוּג
 לְגִזְרָה שְׁוָה.

The statement of Rebbi Hanina⁷⁴ is parallel to that of Rebbi Yehudah since it was stated in the name of Rebbi Yehudah: the thickness of the sky is a walk of 50 years⁷⁵. An average person walks 40 *mil* during a day⁷⁶. Until the sun breaks through in the sky it passes the distance of 50 years; during that time a man can walk four *mil*. It follows that the thickness of the sky is one tenth [of the path of the sun] in one day. And just as the thickness of the sky is a walk of 50 years so the thickness of the earth and that of the abyss is a walk of 50 years⁷⁷. What is the reason? (*Is.* 40:22) "He Who thrones over the circle of the earth," and it is written (*Job* 22:14): "He passes by the circle of the sky." And it is written (*Prov.* 8:27) "When He carved out a circle on the face of the abyss." "Circle" (חוּג) always has the same meaning.

74 Here the argument returns to the prior statement of R. Hanina, that the twilight at dawn is the time to walk four *mil*. In the Leyden ms. and the prints, the reference here is to R. Hiyya; the correct reading is in the Rome ms. and the commentary of R. Eleazar Askari.

75 In the parallel version of this argument in the Babli, Rebbi Yehudah

is quoted only as saying that the thickness of the sky, the distance the sun covers between the start and the end of dawn, is one-tenth of the entire day (from beginning of dawn to end of dusk). In the next section and in the parallel *Bereshit rabba* 6(9), it is asserted that the entire sky represents a distance of 500 years and that between each sky and the next there is

a distance measured by 500 years. It is not clear how the "distance of 500 years" is meant to be computed.

76 A *mil* is 2000 cubits. Therefore, the exact length of a *mil* depends on the length of a cubit. Based on a length of 55 cm for a cubit, the *mil* would be 1100 meters. The Roman mile was 1473.2 m. A *mil* of 1100 m would give a daily trip of 27.34 English miles. Determination of the *mil* by modern Rabbinic authorities vary from 960m (Rav Naeh) to 1152m (Hazon Ish) and 1296m (Hatam Sopher). In the

Babli *Pesahim* 94a, Rava quotes a tradition that the circumference of the earth is 6000 *parasangs* or 24'000 mil. It is not clear at which latitude this length is computed. Based on a Greek *παρασάγγης* of 5.523 km, the computed 33'078 km would fit well with the circumference of the earth at about the latitude of Jerusalem or Southern Babylonia. The corresponding *mil* would be 1380 m.

77 The abyss being below the mantle of Earth.

תני עץ חיים מהלך חמש מאות שנה. אמר רבי יודה בירבי אלעאי לא סוף דבר נופו. אלא אפילו כורתו. וכל־פילוג מי בראשית מתפלגין מתחתיו ומה טעם והיה כעץ שתול על פלגי מים. תני עץ חיים אחד מששים לגן. ונהר יוצא מעדן להשקות את הגן. תמצית כור תרקב שותה. תמצית כוש מצרים שותה. נמצאת אומר מצרים מהלך ארבעים יום. וכוש מהלך שבע שנים ועוד. ורבנן אמרין כשני אבות הראשונים כימי השמים על הארץ. וכשם שבין הארץ לרקיע מהלך חמש מאות שנה. כך בין רקיע לרקיע מהלך חמש מאות שנה ועוביו מהלך חמש מאות שנה. ומה חמית מימר עוביו של רקיע מהלך חמש מאות שנה. אמר רבי בון יהי רקיע בתוך המים. יהי רקיע בתוך. רב אמר לחים היו שמים ביום הראשון ובשני נקראו. רב אמר יהי רקיע חזק הרקיע. יקרא הרקיע. יגלד הרקיע. ימתח הרקיע. אמר רבי יודה בן פזי יעשה כמין מטלית הרקיע. היך מה דאת אמר וירקעו את פחי הזהב וגו'.

Is has been stated: The Tree of Life is wide a parcourse of 500 years. Rabbi Yehudah ben Rabbi Ilai⁷⁸ said: not only its crown but even its stem.

All the splitting of primeval waters splits under it since (*Ps.* 1:3) "He shall be like a tree planted on split waters⁷⁹." It has been stated: The Tree of Life is one sixtieth of the Garden. (*Gen.* 2:10) "And a river originated in Eden to irrigate the Garden." The remainder of a *kur* is a triple *qab*, a sixtieth⁸⁰. The remainder of Africa is Egypt, a sixtieth. We find that it is said that Egypt can be traversed in 40 days⁸¹. Black Africa can be traversed in slightly more than seven years⁸². But the teachers say [the sky is determined] by the days of the patriarchs (*Deut.* 11:21) "like the days of the sky over the earth."⁸³ And just as the sky over the earth is at a distance of a way of 500 years so between one sky and the next is a way of 500 years and its thickness is a way of 500 years. Why did you see fit to say the thickness of the sky is a way of 500 years?⁸⁴ Rebbi Abun said⁸⁵ (*Gen.* 1:6): "There shall exist a spread-sky within the water." The spread-sky shall be in the middle. Rav said: the sky was wet on the first day and jelled on the second day. Rav said: "There shall exist a spread-sky": the sky shall strengthen, the sky shall jell, the sky shall solidify, the sky shall be spread. Rebbi Yehudah ben Pazi said: The sky (רקיע) shall be made like a piece of cloth, just as it is said (*Ex.* 39:3) "They stretched (וירקעו) out the gold sheets."

78 He is Rebbi Yehudah quoted in both Talmudim without his father's name.

79 Taken as an allusion to paradise. It is clear from the text that the Garden of Eden and the Tree of Life are not earthly creations.

80 From here on there is a parallel in Babli *Taanit* 10a. Rashi explains there that with what remains in watering

vessels used for a *kur* of grain one can still irrigate three *qab*. (A *kur* is 180 *qab*.)

81 Egypt is defined as the country between the Mediterranean and Aswan (Syene). The distance was determined by the Alexandrian astronomer Eratosthenes to be approximately 5000 stadia. The length of the Greek stadion is no better defined than the

Jewish *mil*. The distance is in the order of magnitude of 1000 km or about 650 miles.

82 All commentators are at a loss here since it should say "slightly less than seven years" (2400 days) but there is no manuscript evidence for such a reading.

83 The full verse reads: "that your days and the days of your descendants should increase on the Land that the Eternal had sworn to your forefathers to give to them, like the days of the sky over the earth." The days of the forefathers were 175 years for Abraham, 180 for Isaac, and 147 for Jacob, together 502 years. The time when Abraham recognized God as the Creator is a matter of controversy in midrashic sources; our source here seems to side with the opinion that Abraham recognized the futility of idol worship at age 3; then his years as the Lord's servant were 173 and the sum is 500.

84 I.e., to take the part of R. Yehudah against the anonymous Sages who had earlier defined the thickness of the sky as the equivalent of 50 years. The question remains unanswered.

85 This section is given in greater detail in *Bereshit rabba* 4(1). There we read: "The rabbis say in the names of R. Ḥanina, R. Pinḥas, R. Jacob bar Abun, in the name of R. Shemuel bar Nahman: When the Holy One, praise to Him, said: 'there should be a spread', the middle drop jelled and separated upper and lower waters." After that the opinion of Rav is quoted.

The opinion of R. Yehudah ben Pazi is given there by R. Yehudah bar Simon (the full name is R. Yehudah ben R. Simon ben Pazi where either "ben Pazi" is a family name or Pazi is one of R. Ḥiyya's twin daughters, Pazi and Martha). So possibly R. Abun here is the father of R. Jacob bar Abun in the second generation of Amora'im and not the late R. Abun.

תני בשם רבי יהושע עוביו של רקיע כשתי עצבעיים. מלתיה דרבי חנינא פליגא דאמר רבי אחא בשם רבי חנינא תרקיע עמו לשחקים חזקים כראי מוצק. תרקיע מלמד שהו עשייו כטס. יכול שאינו בריאין תלמוד לומר חזקים. יכול שהו נתרפין תלמוד לומר כראי מוצק. בכל שעה ושעה נראין מוצקים.

It has been stated in the name of Rebbi Joshua⁸⁶: the thickness of the sky is two fingers wide. The words of Rebbi Ḥanina⁸⁷ disagree, as Rebbi

Aḥa said in the name of Rebbi Ḥanina (*Job* 37:18) "Go to spread the skies with Him; they are strong like a cast mirror." "Go to spread", that shows that they are made like sheet metal. I could think that they are not sturdy but the verse says "strong". I could think that they might weaken⁸⁶, the verse says "like a cast mirror;" at every moment they appear recast.

86 Rebbi Joshua ben Ḥananiah, one of the two foremost students of Rabban Yoḥanan ben Zakkai, of the first generation after the destruction of the Second Temple. He is known for his cosmological opinion, explained in the first chapters of *Seder 'Olam*, that the world was created in Nisan. Here he disagrees with the opinion of the later rabbis, discussed up to now, that the width of the sky is a parcourse of several years. In the Babylonian Talmud *Ḥagigah* 15a, R. Joshua seems to oppose the opinion of Simeon ben Zoma who defines the spread between the lower (terrestrial) and the upper (heavenly) waters to be three digits; smaller measures there are only given

by late Amora'im.

87 Even though his words are reported by Rebbi Aḥa of the fourth generation of Amora'im, R. Ḥanina here is R. Ḥanina bar Ḥama of the first generation. The verse from *Job* is ambiguous as are most verses of that book. The verb חָרַקַע is usually taken to mean "to reach the sky"; here it is taken in the sense "to work metal into thin sheets" indicated in the previous section by R. Yehudah ben Pazi.

88 At some time in the future. The *Targum* to *Job* translates "mirror of refined metal". The implication here seems to be from the passive participle מוּצָק "being cast" (or "refined") in a timeless manner.

רבי יוחנן ורבי שמעון בן לקיש. רבי יוחנן אמר (fol. 2d) בְּנוֹהַג שְׁבַעוֹלָם אָדָם מִתַּח אֹהֶל עַל יְדֵי שְׁהוֹת רָפָה. בְּרַם הָכָא וַיִּמְתַּחַם כְּאוֹהֶל לְשִׁבְתָּ. וְכַתִּיב חֲזָקִים. רבי שמעון בן לקיש אמר בְּנוֹהַג שְׁבַעוֹלָם אָדָם נוֹסֵף כְּלִים עַל יְדֵי שְׁהוֹת מַעֲלָה חֲלוּדָה בְּרַם הָכָא כְּרָאִי מוּצָק. בְּכָל־שְׁעָה וְשְׁעָה הוּ נִרְאִין כְּשַׁעַת יִצְיָקְתוּ. רבי עזריה אמר על הא דרבי שמעון בן לקיש וַיִּכְלוּ הַשָּׁמַיִם וְהָאָרֶץ וְכָל־צַבָּאִים. וַיִּכְלֵ אֱלֹהִים בַּיּוֹם הַשְּׁבִיעִי. וַיִּבְרָךְ אֱלֹהִים אֶת יוֹם הַשְּׁבִיעִי. מֵה כְּתִיב בְּתַרְיָה אֱלֹה תוֹלְדוֹת הַשָּׁמַיִם. וְכִי מֵה עֲנִין זֶה אֶצֶל זֶה. אֱלָא יוֹם נִכְנַס

יּוֹם יּוֹצֵא. שֶׁבֶת נִכְנַס וְשֶׁבֶת יּוֹצֵא. חוֹדֶשׁ נִכְנַס וְחוֹדֶשׁ יּוֹצֵא. שָׁנָה נִכְנַס וְשָׁנָה יּוֹצֵא. וְכֵתִיב אֱלֹהֵי תוֹלְדוֹת הַשָּׁמַיִם וְהָאָרֶץ בְּהִבְרָאָם בְּיוֹם עֲשׂוֹת יי אֱלֹהִים אֶרֶץ וְשָׁמַיִם.

Rebbi Yoḥanan and Rebbi Simeon ben Laqish⁸⁹. Rebbi Yoḥanan said: Usually when someone stretches the ropes of a tent, in time the ropes will loosen. But here (*Is.* 40:22) "He stretched them like a tent to sit in," and it said (*Job* 37:18): "they are strong." Rebbi Simeon ben Laqish said: "Usually if someone casts a vessel, in time it will rust. But here "like a cast mirror," all the time they look like newly cast. Rebbi Azariah⁹⁰ comments on the remark of Rebbi Simeon ben Laqish (*Gen.* 2:1-3) "The sky and the earth and all their hosts were completed. God finished on the Seventh Day . . . and God blessed the Seventh Day." What is written after that? (*Gen.* 2:4) "These are the generations of the skies." What has one to do with the other? Only that a day comes and goes, a week comes and goes, a month comes and goes, a year comes and goes⁹¹. And it is written (*Gen.* 2:4) "These are the generations of the skies and the earth when they were created, on the day that the Eternal, God, created earth and heaven."

89 The brother-in-law and, according to Babylonian tradition, student of R. Yoḥanan. They both elaborate on the verse from Job treated by R. Yoḥanan's teacher R. Ḥanina.

90 One of the teachers of the fifth generation of Galilean Amora'im. In *Bereshit rabba* 12, R. Azariah explicitly objects to the opinion that everything that has generations will wilt and die,

including sky and earth. His statement here seems to say that the generations of the sky are the astronomical periods and that nevertheless everything is as on the day when sky and earth were created.

91 The use of masculine forms for both masculine and feminine is not uncommon in the Yerushalmi.

רבי אומר ארבע אשמורות ביום וארבע אשמורות בלילה. העונה אחד מעשרים וארבעה לשעה. העת אחד מעשרים וארבעה לעונה. הרגע אחד מעשרים וארבעה לעת. כמה הוא הרגע. רבי ברכיה בשם רבי חלבו אמר כדי לאמרו. ורבנו אמרין הרגע כהרף עין. תני שמואל הרגע אחד מחמשת רבוא וששת אלפים ושמונה מאות וארבעים ושמונה לשעה. רבי נתן אומר שלוש ראש האשמורת התיכונה.

Rebbi⁹² said: There are four watches during daytime and four at nighttime. The period is one twenty-fourth of an hour. The time is one twenty-fourth of a period. The moment is one twenty-fourth of a time. How much is a moment? Rebbi Berekhiah in the name of Rebbi Helbo said: as long as one needs to pronounce it. The Sages say the moment is like the blink of an eyelash. Samuel did formulate: the moment is one in 56,848 of an hour⁹³. Rebbi Nathan said three: (*Jud.* 7:19) "at the start of the middle watch."

92 Since Rebbi Eliezer in the Mishnah had defined the time of the recital of *Shema'* as the first watch in the night, the discussion of the Mishnah now turns to the legal determination of the length of a nightwatch. The text here is composed of two sources. The statement about the number of watches in a night according to Rebbi and Rebbi Nathan is a Tosephta (*Berakhot* 1:1). This Tosephta also has the division of the hour and its subdivisions by 24 parts each. This seems to belong to Rebbi's statement since this subdivision and the division of the night (and possibly the day) is Roman

practice. Rebbi Nathan, a contemporary of Rebbi known as "the Babylonian", follows a Babylonian tradition that also seems to have been the old Israelite practice since the verse from Judges speaks of one "middle watch" which is possible only if there are an odd number of watches in the night. According to Rebbi, a watch is three hours and it has been noted that R. Joshua, who allows *Shema'* to be recited during the first three hours of daylight, follows Rebbi in the division of the day.

93 Of this part there exist three Yerushalmi sources [the Talmud here,

Midrash Ekha rabbati on Threni 2:19. Midrash Samuel 3(1)], all of which have an identical text and the definition of the number of moments in an hour by Rebbi as $24^3 = 13824$, by Samuel as 56848, and by others either as the time needed to say the word or as the blinking of an eye. In Babylonian sources (*Berakhot 7a, Abodah zarah 4a*) the numbers are quoted anonymously and are given as 58888 (printed editions), 56880 (Munich manuscript), 56800 (Koronel manuscript) in *Berakhot* and 53848 (printed editions), 56884 (R. Hananel), 56888 (Munich ms.) in *Abodah zarah*. In *Sefer Agadot Hatalmud* the reading is 5845. The opinion that a moment is the length of time needed to pronounce the word is attributed in the Babli to Rebbi Abin (who might be identical with Rabin, a Galilean authority who escaped persecution by an emperor and became an authority in Babylonia.) Only the numbers given in the Yerushalmi tradition are composites of simple numbers; Samuel's number is $16 \times 11 \times 17 \times 19$, whereas the Babylonian numbers have no decomposition into small factors. Now most of the numbers in the Babylonian sources (who have been copied and edited much more than the Yerushalmi and, therefore, are more likely to contain

scribal errors) are close to Samuel's number. One may, therefore, assume that the original number in all Talmud texts was 56848.

In the Babylonian Talmud, the number given is from an anonymous Tannaitic source which also adds: "Nobody can determine the moment exactly; only Bileam the sorcerer could do that." In Antiquity (and the Middle Ages), all astronomical computations were done in the technique of the old Babylonians, in a number system based on subdivisions by 60. In general, divisions were executed only for numbers that have an easy reciprocal in the sexagesimal system, i.e., they are composed by factors of 60 (2, 3, 5, and their multiples). Instead of dividing, people looked up the reciprocal in a table and then multiplied. Samuel is the astronomer of most authority in the Talmud. Hence, it is reasonable to assume that his number, which is not invertible by the Babylonian method, is a good example that "nobody can exactly determine the moment" because $1/56848$ is an infinite sexagesimal fraction. Hence, the comment of the Tanna, that "nobody can determine the moment exactly," is implied in the number of Samuel and the Babylonian text is a derivative of the Yerushalmi text here.

רבי זריקון ורבי אמאי בשם רבי שמעון בן לקיש טעמיה דרבי חצות לילה אקום להודות לך על משפטי צדקה. וכתוב קדמו עיני אשמרות. רבי חזקיה אמר רבי זריקון רבי בא חד אמר טעמיה דרבי וחריקה אמר טעמיה דרבי נתן. מאן דמר טעמי דרבי חצות לילה. ומאן דמר טעמיה דרבי נתן ראש האשמורת התיכונה. מן מקיים רבי נתן טעמיה דרבי חצות לילה. פעמים חצות לילה. ופעמים קדמו עיני אשמרות. הא באי זה צד בשעה שהיה דוד סועד סעודת מלכים חצות לילה. ובשעה שהיה סועד סעודת עצמו קדמו עיני אשמרות. מפל-מקום לא הוה ארתא אתיא ומשכח לדוד דמיה. הוא שדוד אמר עורה כבודי עורה הנבל וכנור אעירה שחר. אתער יקרי מן קומי איקריה דבראי. איקרי לא חשיב כלום מן קדם איקריה דבראי. אעירה שחר. אגא הוינא מעורר שחר. שחרא לא הוא מעורר לי. והיה יצרו מקטרגו ואומר לו דוד דרכן של מלכים להיות השחר מעוררן. ואת אמר אעירה שחר. דרכן של מלכים להיות ישנין עד שלש שעות. ואת אמר חצות לילה אקום. והוא אומר על משפטי צדקה. ומה היה דוד עושה. רבי פינחס בשם רבי אלעזר ברבי מנחם היה נוטל נבל וכנור ונותנו מראשותיו ועומד בחצי הלילה ומנגן בהם שישמעו חבירי תורה. ומה היו חבירי תורה אומרין ומה אם דוד המלך עוסק בתורה אנו על אחת כמה וכמה. אמר רבי לוי כנור היה תלוי כנגד חלונותיו של דוד והיה רוח צפונית מנשבת בלילה ומנפנפת בו והיה מנגן מאיליו. ההוא דכתיב והיה כנגן המנגן. כנגן במנגן אין כתוב כאן אלא כנגן המנגן. הכנור היה מנגן מאיליו.

Rebbi Zeriqan and Rebbi Ammi⁹⁴ in the name of Rebbi Simeon ben Laqish: The reason of Rebbi is (*Ps.* 119:62): "At midnight I get up to thank You for Your just laws." And it is written (*Ps.* 119:148): "My eyes preceded night watches." Rebbi Hizqiah said: Rebbi Zeriqan and Rebbi Abba, one explained the reason of Rebbi, the other the reason of Rebbi Nathan. He who explained the reason of Rebbi: "at midnight". He who explained the reason of Rebbi Nathan (*Jud.* 7:19): "at the start of the middle watch."⁹⁵ How does Rebbi Nathan uphold the basis of Rebbi's

reason, "at midnight"? Sometimes "at midnight," sometimes "my eyes preceded night watches." How is that? When David had a state dinner, "at midnight." When he ate by himself, "my eyes preceded night watches." In no case did dawn come and found David asleep. That is what David said (*Ps. 57:9*): "Wake up, my honor, wake up, o harp and lute, I shall awake dawn." My honor has to be awake because of the honor of my Creator. My honor counts for nothing before the honor of my Creator. I shall awake dawn, dawn will not awake me. His evil instinct was trying to seduce him and told him: David, usually dawn awakes kings and you say "I shall awake dawn!" Usually kings sleep until three hours into the day and you say "at midnight I get up!" But he answers, "for Your just laws." What did David do? Rebbi Phineas in the name of Rebbi Eleazar ben Rebbi Menahem⁹⁶: He took a harp, put it on his headboard, got up at midnight and started playing on it so that his companions in the study of Torah should hear it. What were his companions in the study of Torah saying? When king David studies Torah, certainly we have to do it also! Rebbi Levi⁹⁷ said: a lute was hanging in David's window and in the night the North wind was blowing and moving it and it was playing by itself. This refers to what is written (*2Kings 3:15*): "It happened when the musical instrument was playing." It does not say "when he played on the musical instrument" but "when the instrument was playing"; it was playing by itself.

94 Rebbi Ammi (or Immi) was the successor of Rebbi Yohanan as head of the academy of Tiberias. Rebbi Zeriqan was another student of Rebbi Yohanan. Their argument goes as

follows: King David declares that he is used to get up at midnight and also that he gets up at the start of some night watch. But if midnight is the start of a watch then the number of watches has

to be even. [The parallel in the Babli (*Berakhot* 3b) is a shortened version of the Yerushalmi (in particular, in the Ashkenazic manuscript tradition.)]

95 See the preceding paragraph.

96 Rebbi Eleazar ben Rebbi Menahem was an Aggadist of the generation of Rebbi Ammi; Rebbi Phineas belongs to the following generation. A parallel Babylonian tradition is given in *Babli Berakhot* 4a. The Yerushalmi version is also found in *Pesiqta dRav Kahana*, 13 גיהי בחצי הלילה and in *Midrash Tehillim* 119.

97 The preacher in the academy of R. Yohanan. A shortened version, without the reference to the story of Elisha, is a Babylonian tradition, by contemporary Babylonian teachers, in Babli *Berakhot* 3b. The verse quoted talks about the prophetic extasy of Elisha before king Jehoshaphat. R. Elazar Azkari explains that the verse from Kings can be taken to be parallel to *Psalms* 57:9 since in the latter verse the harp is also adressed directly, as a living being.

מה מקנים רבי טעמא דרבי נתן ראש האשמורת התיכונה. אמר רבי הונא סופה של שניה וראשה של שלישית הן מתוכות את הלילה. אמר רבי מנא ויאות. מי כתיב תיכונות לא תיכונה. קדמיתא לא מתחשבא דעד כדון ברינתא עירין.

How does Rebbi uphold the basis of Rebbi Nathan's reason, "at the start of the middle watch"?⁹⁸ Rebbi Huna said: the end of the second and the start of the third split the night into two. Rebbi Mana said: Is this true? Does it say "watches"? No, it says "watch"! The first watch does not count since there the creatures are still awake.

98 This is the logical end of the previous discussion that was interrupted by the aggadic interpretations of the verses sustaining the opinion of

Rebbi. Both Rebbi Huna and Rebbi Mana belong to the fourth generation of Galilean Amoraim, rather later than the authors of the previous section.

פסקא. וחכמים אומרים עד חצות. רבי יסא בשם רבי יוחנן הלכה כחכמים. רבי יסא מפקד לחבריא אין בעיתון מתעסקא באורייתא אתון קרייה שמע קודם חצות ומתעסקין. מילתיה אמרה שהלכה כחכמים מילתיה אמרה שאמר דברים אחר אמת ויצב. תני הקורא את שמע בבית הכנסת בשחר יצא ידי חובתו. בערב לא יצא ידי חובתו. מה בין הקורא בשחרית. ומה בין הקורא בערבית. רבי הונא בשם רב יוסף מה טעם אמרו אדם צריך לקרות שמע בביתו בערב בשביל להבריא את המזיקין. מילתיה אמרה שאין אומר דברים אחר אמת ויצב. מילתיה דרבי שמואל בר נחמני אמר כן. רבי שמואל בר נחמני כד הוה נחית לעיבורה הוה מקבל גבי רבי יעקב גרוסה והוה רבי זעירא מטמר ביני קופיאי משמענא היך הוה קרי וחזר וקרי עד דהוא שקע מיניה גו שינתיה. ומאי טעמא רבי אחא ורבי תחליפתא חמוי בשם רבי שמואל בר נחמן רגזו ואל תחטאו אמרו בלבבכם על משכבכם ודומו סלה.

New Section.⁹⁹ "But the sages say until midnight." Rabbi Yasa¹⁰⁰ in the name of Rabbi Yohanan: Practice follows the Sages. Rabbi Yasa commanded his colleagues: if you want to study Torah then you should recite the *Shema'* before midnight and then study¹⁰¹. His words imply that the practice follows the Sages. His words imply that one may speak after *Emet Weyaziv*¹⁰². It was stated: He who reads the *Shema'* in the synagogue during the morning service has fulfilled his duty; during the evening service he did not fulfill his duty¹⁰³. What is the difference between him who reads in the morning and him who reads in the evening?¹⁰⁴ Rabbi Huna in the name of Rav Joseph:¹⁰⁵ Why did they say, a man has to read the *Shema'* in his house in the evening? In order to make evil spirits flee. His words imply that one may not speak after *Emet Weyaziv*. The words of Rabbi Samuel ben Nahmani say the same. When R. Samuel ben Nahmani descended for the intercalation¹⁰⁶, he was received by Rabbi Jacob the goats miller. Rabbi Zeira was hiding among

the crates to hear how he read [the *Shema'*]; he read it over and over again until he drifted away in sleep. What is the reason? Rabbi Aḥa and his father-in-law Rabbi Taḥlifa in the name of Rabbi Samuel bar Naḥmani (*Ps.* 4:5): "Tremble, do not sin, talk in your hearts on your couches and be silent, Selah."¹⁰⁷

99 Quote from the next part of the Mishnah that is going to be discussed.

100 Rabbi Yasa in the Yerushalmi is Rabbi Assi in the Babli, the head of the Academy at Tiberias after the death of R. Yoḥanan. It seems that the procedures which R. Yasa recommended to his colleagues were not explicitly given by Rabbi Yoḥanan but reflected the general tradition of the Academy of Tiberias. In the Babli (*Berakhot* 8b), Rav Yehudah says in the name of Samuel that practice follows Rabban Gamliel who allows the recital of *Shema'* after midnight in emergency cases. From the next "New Section" in the Yerushalmi it is clear that this is not the Israeli position; they forbid the recitation of the *Shema'* after midnight. The opinion of Samuel represents either the autochthonous Babylonian practice or the teaching of the Academy of Nahardea founded by Ḥananiah ben Ḥananiah, the nephew of Rabbi Joshua, at the time of the revolt of Bar Kokhba.

101 One talks here about studying in

the night. It is stated in Mishnah *Šabbat* 1:2 that one interrupts everything he is doing to recite *Shema'* at its proper time. Hence, we may assume that all these scholars did recite *Shema'* in the synagogue. It was stated at the start that one reads *Shema'* in the synagogue, when Minḥa and Ma'ariv services are held together while it is still before sundown, to stand in prayer after studying words of Torah. [This Israeli practice was followed by Ashkenazic Jewry, whose ritual basically was Galilean, until the sixteenth Century as can be seen from Rashi to the first Mishnah, *Tur Oraḥ Ḥayyim* 235 and the glosses of R. Moshe Isserlis *Oraḥ Ḥayyim* 235. Because of the disapproval of the main commentators of *Shulḥan Arukh*, *Magen Abraham* and *TaZ*, the practice has disappeared in all Ashkenazic congregations except those of the old German rite.] The question here is whether the recitation of *Shema'* after nightfall is needed in order to fulfill the obligation of *Shema'* or whether it is needed to protect one's

sleep from evil influences. In the first case, one recites *Shema'* as soon as possible and then continues one's normal activities; in the second case one may say *Shema'* only when one actually goes to sleep and then cannot say anything anymore before actually sleeping.

102 In the Babylonian ritual followed today, the benediction after *Shema'* in the morning is *אָמֵן וַיְצִיב* but in the evening *אָמֵן וְאִמְנֶנָּה*; in Israel the same version, *אָמֵן וַיְצִיב*, was recited morning and evening.

We find a disagreement between Rashi and his grandson Rabbenu Tam about the practice of praying Maäriv immediately after Minḥah, before sundown. According to Rashi on the Mishnah, the practice of reciting the *Shema'* is exclusively to start the *Amidah* prayer after words of Torah. Hence, the only valid recitation is in the night. According to Rabbenu Tam (*Tosafot Berakhot 2a*), the prayers are held after *plag haminhah*, not more than 1.25 variable hours before sundown, and according to an opinion of R. Yehudah mentioned later in the Mishnah, both *Amidah* and *Shema'* are valid prayers. According to Rashi, it is possible that the original *minhag* of the Jews in Israel did not imply that the benedictions before and after *Shema'*

were recited in the synagogue and that, therefore, they had to be recited at home and could be combined with other prayers. It follows that "one may speak after *אָמֵן וַיְצִיב*" can mean that one does not have to mention the praise of God for the redemption of Israel from Egypt immediately before starting the *Amidah* prayer. This interpretation is given by several commentators of the Yerushalmi, foremost among them R. Eleazar Askari. However, since the obligation to "connect the redemption to the *Amidah*" in evening prayers is given in the name of R. Yoḥanan in the Babylonian Talmud (*Berakhot 9b*) it is difficult to state the opposite opinion here in the name of R. Yoḥanan.

103 This supports Rashi's opinion. However, *Raviah*, the foremost Ashkenazic authority of the early thirteenth century, writes that "I have received in tradition from Rabbenu Tam that practice does not follow any of these statements but R. Yehudah in Mishnah *Berakhot 4:1*."

104 This question has no answer in the text and seems to be a marginal gloss copied into the text since the quotes of this section in *Raviah* (#1, vol. 1, p.5) and in *Midrash Tehillim* (4[9]) do not contain the sentence.

105 Rebbi Ḥuna is a younger Ga-

lilean Amora and is not to be confused with Rav Huna, the student of Rav and leader of the second generation of Babylonian Amora'im. Rav Joseph is the Babylonian (bar Hiyya), leader of the third generation in Babylonia. Rabbi Huna often quotes Babylonian authorities and, therefore, possibly was a Babylonian immigrant to Israel.

106 Rabbi Shemu'el bar Naḥmani (or Naḥman) was a student of the early Israeli Amora Rabbi Jonathan and one of the creators of the Midrash. The declaration of the addition of a month to the twelve month lunar year before the publication of the computed calendar was always made by an

assembly of the leaders of the generation at a place called Callirrhoe (Ḥamat Gader). Rabbi Ze'ira probably was too young at that time to be invited to the proceedings but came to attend the gathering of the Sages, in order to learn from their ways.

While in the Babylonian Talmud *nah* means "to leave the Land of Israel", in the Yerushalmi it can mean simply "to descend", in this case into the Jordan valley from his residence in Lod.

107 This paragraph is the basis of *Rema's* notes in *Shulḥan Arukh Oraḥ Ḥayyim* 239,1, as noted by the Gaon of Wilna.

מִלְתִּיָּה דְרַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי פְּלִיגָא דְרַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי קָרִי מְזֻמְרִי בְּתַרְיָה.
וְהָא תַנִּי אִין אוֹמֵר דְּבָרִים אַחַר אָמֶת וְיַצִּיב. פֶּתֵר לָהּ בְּאֵמֶת וְיַצִּיב שֶׁל שְׁחִרְיָה.
דְּמַר רַבִּי זְעִירָא בְּשֵׁם רַב אֲבָא בְּרַי יְרֵמְיָה שְׁלֹשׁ תְּכִיפּוֹת הֵן. תְּכָף לְסַמִּיכָה
שְׁחִיטָה. תְּכָף לְנִטְיִלַת יְדִים בְּרִכָּה. תְּכָף לְגֵאוּלָּה תְּפִילָה. תְּכָף לְסַמִּיכָה
שְׁחִיטָה וְסַמֵּךְ וְשַׁחַט. תְּכָף לְנִטְיִלַת יְדִים בְּרִכָּה שְׁאוּ יְדֵיכֶם קֹדֶשׁ וּבְרַכּוּ אֶת יי.
תְּכָף לְגֵאוּלָּה תְּפִילָה יְהִיו לְרַצּוֹן אִמְרֵי פִי. מַה כְּתִיב בְּתַרְיָה יַעֲקֹב יי בְּיוֹם צָרָה.
אָמַר רַבִּי יוֹסִי בִּי רַבִּי בֶּן כָּל־מִי שֶׁהוּא תוֹקֵף סַמִּיכָה לְשְׁחִיטָה אִין פְּסוּל נוֹגֵעַ
בְּאוֹתוֹ קָרְבָן. וְכָל־מִי שֶׁהוּא תוֹקֵף לְנִטְיִלַת יְדִים בְּרִכָּה אִין הִשְׁטָן מְקַטְרֵג
בְּאוֹתָהּ סְעוּדָה. וְכָל־מִי שֶׁהוּא תוֹקֵף גֵּאוּלָּה לְתַפִּילָה אִין הִשְׁטָן מְקַטְרֵג בְּאוֹתוֹ
הַיּוֹם. אָמַר רַבִּי זְעִירָא אֲנָא תְּכַפִּית גֵּאוּלָּה לְתַפִּילָה וְאִיתְצַדִּית בְּאַנְגְרָא
מּוֹבִילָה הִדָּס לְפִלְטִין אֲמַרו לֵיהּ רַבְנּוּ רַבּוּ הִיא. אֵית בְּנֵי אִינְשֵׁי הִבִּין פְּרִיטִין
מַחֲכִים פְּלִטִין. אָמַר רַבִּי אֲמִי כָל־מִי שְׁאִינוּ תוֹקֵף לְגֵאוּלָּה תְּפִילָה לְמַה הוּא
דוֹמָה. לְאוֹהֲבוֹ שֶׁל מֶלֶךְ שְׂבָא וְהִרְחִיק עַל פִּתְחוֹ שֶׁל מֶלֶךְ. יָצָא לִידַע מַה הוּא
מְבַקֵּשׁ וּמֵצְאוּ שֶׁהִפְלִיג עוֹד הוּא הִפְלִיג.

The behavior of Rebbi Joshua ben Levi¹⁰⁸ disagrees since Rebbi Joshua ben Levi read psalms afterwards. But have we not stated: One does not say words after *Emet Weyaziv*? He explains that as relating to *Emet Weyaziv* of the morning prayers¹⁰⁹, since Rebbi Zeïra said in the name of Rav Abba bar Jeremiah¹¹⁰: There are three immediacies: immediately after leaning comes slaughtering¹¹¹, immediately after hand-washing comes benediction¹¹², immediately after redemption comes prayer¹¹³. Immediately after leaning comes slaughtering: "He shall lean . . . he shall slaughter" (*Lev.* 1:4-5)¹¹⁴. Immediately after hand-washing comes benediction, (*Ps.* 134:2) "Lift your hands in holiness and bless the Lord."¹¹⁵ Immediately after redemption comes prayer, (*Ps.* 19:15) "May the words of my mouth be for goodwill" and it is written after that (*Ps.* 20:2) "May the Lord answer you on the day of worry."¹¹⁶ Rebbi Yose ben Rebbi Abun said: For anyone who immediately slaughters after leaning, no disqualification will appear regarding his sacrifice. For anyone who immediately pronounces the benediction after washing his hands, Satan will not find anything to accuse about at that meal. For anyone who immediately prays after mentioning redemption, Satan will not find anything to accuse him of the entire day¹¹⁷. Rebbi Zeïra said, I am used to immediately pray after mentioning redemption and I was conscripted to forced labor, to bring myrrh to the Palace. They said to him: our teacher, that is an honor. There are people who pay money to see the inside of the Palace. Rebbi Immi¹¹⁸ said: Anyone who does not immediately pray after mentioning redemption, whom is he to be likened to? To an acquaintance of the king who comes from afar to the king's door. When the king comes to see what he wants, he finds that the person left. Hence, the king also leaves.

108 One of the great sages of the first generation of Amora'im. He lived in the valley of Beth Shean (*Demay* 2:1). It follows that his way of reading the nightly *Shema'*, which is the one followed today, is the oldest. In the Babylonian Talmud (*Berakhot* 4b) he is only reported to have stated the duty to read the *Shema'* before sleeping, with the reason of R. Samuel ben Nahmani given by a Galilean Amora by the name of R. Yose or R. Assi. The psalms read by R. Joshua ben Levi are detailed in Babli *Shevu'ot* 15b where it is noted that, while it is forbidden to use Biblical verses as charms in healing, it is admissible to recite them for protection.

109 Here it is obvious that "words after *Emet Weyaziv*" mean any insertion between the benediction גאל ישראל and the *Amidah* prayer. It does not follow that the expression must have the same meaning in the preceding section.

110 R. Abba bar Jeremiah seems to have been a Babylonian whose father (or uncle) was a contemporary of Rav and who was the teacher of Rabbi Ze'ira (Rebbi Zera in the Babli) when the latter was still in Babylonia. The parallel teaching is mentioned, in the same wording but with a different meaning, in the Babylonian Talmud

(*Berakhot* 42a) in the name of Rav.

111 In the usual process of bringing a sacrifice in the temple, the votary has to press with his hand on the head of the sacrifice before the slaughter.

112 It is clear from the following that the meaning here is that immediately after washing one's hands, while drying them, one has to pronounce the appropriate benediction. [Possibly, it could mean that immediately after washing the hands one has to pronounce the benediction over bread that starts the meal. The urgency of starting the meal directly after washing one's hands is ascribed in Babli *Berakhot* 52b to the School of Shammai; this interpretation of the Yerushalmi is implied by R. Aqiba Eiger in his notes to Babli *Berakhot* 42a.] In the Babli, *Berakhot* 42a, the same expression means that immediately after washing one's hands *after* the meal one has to say Grace and is not allowed to eat anymore.

113 This means that immediately after reciting the benediction: "Praise to You, o Lord, Who redeemed Israel," one has to start the *Amidah* prayer. This creates no problems in the morning prayers but is impossible in the evening since after the benediction (starting *Emet Weemunah* or *Emet Weyaziv*) there follows at least one

more benediction and a *Qaddish* to separate the recital of *Shema'* and its benedictions, an unconditional obligation at least from the institutions of the Men of the Great Assembly, and the *Amidah* prayer that in the night is of conditional Rabbinical character. When the principle "immediately after redemption comes prayer" was adopted also for the evening prayers (see preceding section), the intermediate pieces were declared to be "extensions of the thanksgiving for redemption." The benediction immediately preceding the *Qaddish* was fixed by Babylonian Gaonim to be a benediction for future redemption. The *Qaddish* itself may be a Gaonic institution.

114 Leaning and slaughtering are two obligations of the votary given in two consecutive verses. (However, leaning must be performed by the votary himself but slaughtering can be delegated to a third party.)

115 Hands lifted in holiness are washed hands. An allusion to this is found in the benediction that does not read "to wash the hands" but "to lift the hands."

116 This derivation is a good example for the tendency of the Talmud to assume that everybody knows his Bible by heart and that it is enough to quote the start of a sentence

in order to recall the entire sentence. The last sentence of Psalm 19 reads in its entirety: "May the words of my mouth be for goodwill before You, o Lord, my Rock and my Redeemer". The next psalm, disregarding the title "For the director, a psalm of David," starts: "May the Lord answer you on the day of worry." Since psalms in ancient manuscripts were written without paragraph divisions, the description of God as redeemer and the mention of help through prayer are consecutive.

117 This third statement is quoted in the Babli (*Berakhot* 9b), in the name of the holy congregation of Jerusalem, i.e., the Tanna R. Yose ben Hammeshullam. To it is appended the story about Rabbi Zera (*Zeïra*)'s complaint, only there he had to bring myrrh to the king himself. Since R. *Zeïra* was a Babylonian immigrant to Israel, it is not clear whether his forced labor occurred in Babylonia, on the occasion of a visit of the Persian king, or in Galilee where he only had the opportunity to see the interior of the governor's residence. The language of the story in the Yerushalmi points to its happening in Israel, while the language of the Babli points to the Persian empire. It cannot be decided where the incident happened.

118 In the Babylonian Talmud, he

appears as Rabbi Ammi, colleague of Rabbi Assi/Yasa. In the Yerushalmi,

his name usually is Immi. His simile is quoted by Rashi, *Berakhot* 4b.

פסקא. רבן גמליאל אומר עד שיצלה עמוד השחר: אתיא דרבן גמליאל כרבני שמעון דתני בשם רבי שמעון פגמים שאדם קורא את שמע אחת לפני עמוד השחר ואחת לאחר עמוד השחר ונמצא יוצא חובתו של יום (fol. 3a) ושל לילה. הא רבן גמליאל כרבני שמעון בצרבת אף בשחרית כן. או יהא בה כיי דמר רבי זעירא תנאי אחוי דרב חיאי בר אשיא ודרב אבא בר חנה הקורא עם אנשי משמר לא יצא כי משכימין היו.

New Section. "Rabban Gamliel says until the first sign of dawn." The statement of Rabban Gamliel is parallel to that of Rabbi Simeon, as we have stated in the name of Rabbi Simeon¹¹⁹: "Sometimes a person reads the *Shema'* [twice], once before dawn and once at dawn, and has fulfilled his obligation for day and night." Hence Rabban Gamliel is like Rabbi Simeon for evening prayers, is he also like him in the morning? His position might be that expressed¹²⁰ by Rabbi Ze'ira the Tanna¹²¹, the brother of Rav Hiyya bar Ashi¹²², and of Rav Abba bar Hana¹²³: He who reads with the men of the *Mishmar* did not fulfill his duty because they were too early¹²⁴.

119 He is Rabbi Simeon bar Yoḥay, one of the students of R. Aqiba. In the Babli (*Berakhot* 8b), the statement occurs in two versions, either "sometimes a person reads the *Shema'* twice during the night", or "sometimes a person reads the *Shema'* twice during the day" and there they have to explain that either the few minutes before the start of dawn are already counted as day because some people already get

up or that the first minutes of dawn are counted as night because most people still are asleep. The statement in its Babylonian form is also in the Tosephta (*Berakhot* 1:1); in general, our Tosephta seems to be a Babylonian version. The Yerushalmi version avoids the ambiguity but in parallel to the Babli one has to assume that R. Simeon accepts that one may read *Shema'* twice within the span of a few minutes and

fulfill two distinct obligations by the readings.

120 The Aramaic/Hebrew כ״י דמר should be read as equivalent of Babylonian: בְּהַאי דְאִמַּר

121 Meaning a person specializing in the memorizing and recitation of tannaïtic statements in the amoraïc period. A Tanna of the tannaïtic period never has the title "Tanna".

122 One of the foremost students of Rav in Babylonia.

123 First cousin and colleague of Rav and student of their common uncle Rabbi Ḥiyya. Their statement, slightly enlarged, appears as an anonymous *baraita* in the Babli *Yoma* 37b. It seems to be a Tosephta from the collection of the Academy of Rav.

124 The *Mishmar* were the priests who kept watch during the night at the Temple service. Since the Temple service started at the first signs of dawn, the men of the *Mishmar* [and the

laymen accompanying them, the *Maamad*], had to *finish* their prayers before the start of service, i. e., before the first sign of dawn.

The Yerushalmi does not try to answer the question raised, whether Rabban Gamliel and Rebbi Simeon are of the same opinion for morning prayers, since it already had decided in the preceding section that the practice follows the Sages and, therefore, one may not recite the *Shema'* after midnight. Hence, the opinions of both Rebbi Simeon and Rabban Gamliel are of purely theoretical interest and no answer is required. In the Babli, the quote from Rebbi Simeon is given as a support to their decision that practice follows Rabban Gamliel. It seems to be the position of the Yerushalmi that in Temple times practice followed Rabban Gamliel in the Temple precinct and the Sages everywhere else.

משנה ב: מַעֲשֵׂה שְׂבָאוּ בְּנֵי מִבֵּית הַמִּשְׁתָּה אָמְרוּ לוֹ לֹא קָרִינוּ אֶת שְׁמַע. אָמַר לְהֵן אִם לֹא עָלָה עֲמוּד הַשַּׁחַר חִיבִין אַתֶּם לְקָרוֹת.

Mishnah 2: It happened that his (Rabban Gamliel's) sons returned from a wedding feast and told him: We did not recite the *Shema'*. He said to them: If dawn has not yet come then you are obligated to recite.

הלכה ב: ורבו גמליאל פליג על רבניו ועבד עובדא כותיה. והא רבי מאיר פליג על רבניו ולא עבד עובדא כותיה. והא רבי עקיבא פליג על רבניו ולא עבד עובדא כותיה:

Halakhah 2. Rabban Gamliel disagrees with the Sages and acts upon his opinion?¹²⁵ Did not Rabbi Meir disagree with the Sages and not act upon his opinion, did not Rabbi Aqiba disagree with the Sages and not act upon his opinion?

125 Since it is written (*Ex. 23:2*) "to yield to the majority", a religious authority is not allowed to act upon his personal opinion if it disagrees with the majority. This principle is then illustrated by several examples. It therefore is a big question why Rabban Gamliel's action is mentioned in the Mishnah without a disapproving

remark. [The position of the Babli here is quite different: Since the action of Rabban Gamliel is mentioned in the Mishnah without a disapproving remark, it follows that general practice follows Rabban Gamliel since the practice of a religious authority overrides theoretical arguments.]

והו אשכחו דרבי מאיר פליג על רבניו ולא עבד עובדא כותיה. דתני סכינ אלוונתית לחלה בשבת. אימתי שטרפו בשמן ובינו מערב שבת. אבל אם לא טרפו מערב שבת אסור. תני אמר רבי שמעון בן אלעזר מתיר היה רבי מאיר לטרוף יין ושמן ולסודך לחלה בשבת. וכבר חלה ובקשנו לעשות לו כן ולא הניח לנו. ואמרנו לו רבי דבריה מבטל בחייה. ואמר לו אף על פי שאני מקל לאחרים מחמיר אני על עצמי דהא פליגי עלי חבירי.

So we find that Rabbi Meir disagreed with the Sages and did not act upon his opinion. We have stated: One rubs *olentia*¹²⁶ on a sick person on the Sabbath; but only if it was mixed with oil and wine before Sabbath eve. But if he did not mix it before Sabbath eve it is forbidden. We have stated: Rabbi Simeon ben Eleazar said: Rabbi Meir did allow to mix wine and oil and to rub it onto a sick person on Sabbath. When he fell sick,

we wanted to prepare the same for him but he did not let us do it. We said to him: Our teacher, are you going to invalidate your words when your life is in danger? He said to us: even though I am lenient for others, I am stringent for myself because my colleagues disagree with me.

126 Latin *olentia* "sweet smelling things" (E. G.). There are at least two kinds, one mixture used for medical purposes, and one, mentioned in Halakhah 6:6, to be used as air freshener in a house. The Babli (*Šabbat* 140a) defines medical אלוניתא as a mixture of wine, olive oil, and balsamum, used to reduce fever. [Brill derives the Hebrew word from Latin (*unguentum*) *oleamentum*, an ointment made with a base of olive oil. Jastrow (followed by Krauss, Löw, and Lieberman) derives the word from Greek οἰνάναθος, οἰνάναθίς, Latin *oenanthe*, which however means only "bloom of the wild grape" and clearly is inapplicable here.]

The entire quote is from *Tosephta*

Šabbat 13 where it belongs to a sequence of statements that one may not use edibles for medicinal purposes on the Sabbath except if used also as food. For example, for a toothache it is possible to rinse the tooth with vinegar on condition that the vinegar then be swallowed; it is not admissible to spit out the vinegar after use. Hence, it is not allowed to mix wine and oil with balsamum on the Sabbath since that would make it inedible. The parallel quote in the Babli is *Šabbat* 134a; the only difference in the texts is that the Babli and Tosephta have a purely Hebrew text while the Yerushalmi has the connecting remarks in Aramaic.

והו אשכחן דרבי עקיבא פליג על רבנין ולא עבד עובדא כותיה. כפי דתנינן תמן השדרה והגולגולת משני מתים. אבר מן המת משני מתים. אבר מן החי משני אנשים. רבי עקיבא מטמא וחכמים מטהרין. תני מעשה והביאו קופה מלאה עצמות מכפר טבי והנחונה באויר הכנסת בלוד. ונכנס תודרוס הרופא ונכנסו כל הרופאים עמו. אמר תודרוס הרופא אין באן שדרה ממת אחד ולא גולגולת ממת אחד. אמרו הואיל ויש פאן מטהרין ויש פאן מטמאין. נעמוד על המנין. התחילו מרבי עקיבא וטהר. אמרו לו הואיל והיית מטמא וטיהרת טהור.

So we find that Rabbi Aqiba disagreed with the Sages and did not act upon his opinion. As we have stated there (*Mishnah Ahilot* 2:6): "Spine and skull from two dead bodies, a limb composed of limbs of two dead bodies, limbs taken from two living persons, Rabbi Aqiba declares them to be impure and the Sages declare them to be pure."¹²⁷ We have stated:¹²⁸ "It happened that they brought a chest full of bones from Kefar Tabi¹²⁹ to Lod and deposited it in the open air [the courtyard] of the synagogue. Theodoros the physician entered and with him all physicians. Theodoros declared that there was no complete spine from one dead person and no complete skull from one dead person. They said: Since we have here some who declare this pure and others who declare it impure, let us vote upon it. They started with Rabbi Aqiba and he declared it to be pure. They said: Since you had declared it impure, but now you vote for it to be pure, it is pure."

127 Purity and impurity mentioned here refer to transmission of impurity by a "tent", since automatically everybody under the same roof with a corpse becomes impure; the "pure" bones mentioned here will still transmit impurity by touch. The conditions of impurity are spelled out in *Ahilot* 2:1. Flesh is causing impurity down to the volume of an olive but bones do so only if they are either the volume of a quarter *qab* (about .55 liter), most of the bones composing the skeleton in number or in importance, or skull and/or spine. [Whether one has to read שדרה וגולגולת as "skull and spine" or

"skull or spine" is discussed inconclusively in *Babli Nazir* 52b ff.]

128 Tosephta *Ahilot* 4:2; there the full name Theodoros is given to the chief surgeon. The Tosephta starts: "Rabbi Yehudah said: Six cases did Rabbi Aqiba declare impure and he changed his opinion; it happened . . .", and ends: "Rabbi Simeon said: Until the time of his death did Rabbi Aqiba maintain that it should be impure; whether he changed his opinion when dying I do not know." This means that according to Rabbi Yehudah, the vote at Lod showed that Rabbi Aqiba changed his opinion but, according to

Rebbi Simeon, Rebbi Aqiba did not change his opinion, only he did not want openly to defy the opinion of the majority. We assume that the Yerushalmi here accepts the opinion of Rebbi Simeon, otherwise there is no

proof here. It follows that also when the Yerushalmi quotes the Tosephta, sometimes the proof comes from the omitted parts.

129 Former Arab village Kafr Ṭab East of Lod.

וְהוּ אֲשַׁכְּחֻ דְּרַבִּי שְׁמַעוֹן פְּלִיג עַל רַבָּנִין וְלֹא עֹבְדָא כְּנֻתִיה. כִּי דְתַנִּינָן תַּמָּן רַבִּי שְׁמַעוֹן אֹמֵר כָּל-הַסְּפִיחִין מוֹתְרִין חוּץ מִסְּפִיחֵי כְּרוֹב שְׂאִין כְּיוֹצֵא בָּהֶן בִּירְקוֹת שְׂדֵה. וְחֻקִּים אֹמְרִים כָּל-הַסְּפִיחִין אֲסוּרִין. ר' שְׁמַעוֹן בַּר יוֹחֵי עֹבֵד עוֹבְדָא בְּשִׁמְיֻתָא חֻמָּא חַד מִלְּקֻט סְפִיחֵי שְׁבִיעִית. אָמַר לִיה וְלִית אֲסוּר. וְלֹא סְפִיחֵי אֵינּוּן. אָמַר לִיה וְלֹא אֵת הוּא אֵת שְׂאֵת מִתִּיר. אָמַר לִיה וְאֵין חֲבָרִי חוֹלְקִין עָלַי. וְקָרִי עֲלוֹי וּפְרָץ גְּדַר יִשְׁכְּנוּ נְחֻשׁ. וְכֵן הָיָה לִיה.

So we find that Rebbi Simeon disagreed with the Sages and did not act upon his opinion. As we have stated there (*Mishnah Ševiit* 9:1) "Rebbi Simeon says: all aftergrowth is allowed except the aftergrowth of cabbage because nothing similar grows wild¹³⁰. But the Sages say that all aftergrowth is forbidden." Rebbi Simeon bar Yoḥai acted on this in a Sabbatical year. He saw a man harvesting aftergrowth. He said to him: Is that not forbidden, is that not aftergrowth? The man answered him back: Are you not the one who allows it? He retorted: Do not my colleagues disagree with me? He recited over him (*Eccl.* 10:6): "He who breaches a fence may be bitten by a snake", and this is what happened to that man.

130 The Mishnah deals with produce of the Seventh year offered for sale by an *Am Ha'arez*, a Jew who cannot be trusted with the careful fulfillment of all his religious obligations. The Torah says not only that it is forbidden to plant and sow during the Sabbatical

year but also (*Lev.* 32:5): "Do not harvest the aftergrowth of your harvest," i. e., it is forbidden to commercially exploit the produce growing on one's field from the seeds of the preceding year. It is, however, acceptable to collect from one's fields

small amounts for one's daily needs (and even for storage as long as wild animals can find similar food on the fields.) Rabbi Simeon is of the opinion that a poor person may offer anything for sale since he might (or probably did) collect them from wild growing plants which do not fall under the prohibition. The only exception is produce which is never found growing wild; such vegetables are forbidden for commerce in the production of one's own field. The Sages, while agreeing that Rabbi Simeon's position is the one which follows the Biblical precept closely, nevertheless as a Rabbinic ordinance forbid any such buying from untrustworthy people since it is too difficult to enforce the fine distinction made by Rabbi Simeon.

Our example shows that Rabbi Simeon refrained from disagreeing in practice from the rest of the Sages even in purely Rabbinical ordinances. The man cursed by him probably did collect wild aftergrowth, or maybe was known to Rabbi Simeon as a landless person who, therefore, collected from growth on other people's land that was declared ownerless (הפקר), otherwise his opponent could not have invoked R. Simeon's own ruling. [This explanation follows Maimonides on the Mishnah. Babli *Pesahim* 51b has a different text, see the discussion in Mishnah *Ševiiit* 9:1, and *Kilaim*, Halakhah 1:9, and the notes to the Mishnah edition of the Institute for the Complete Israeli Talmud, *Ševiiit* 9:1. The Rome ms. has here "forbidden," influenced by the Babli.]

וְרֵבֶן גַּמְלִיאֵל פָּלִיג עַל רֵבֶנִין וְעָבַד עֹבְדֵי כְּוֹתֵיהּ. שֶׁנִּיָּא הָכָא שְׁהִיא לְשִׁינוֹן.
מַעֲתָה אִף מְשַׁעְלָה עֲמוּד הַשַּׁחַר. וְאִית דְּבָעֵי מִימַר תַּמָּן הִיוּ יְכוּלִין לְקַיֵּם דְּבָרֵי
חֻכְמִים. בְּרַם הָכָא כְּבַר עֲבַר חֻצוֹת וְלֹא הִיוּ יְכוּלִין לְקַיֵּם דְּבָרֵי חֻכְמִים אָמַר
לוֹן עֹבְדֵין עֹבְדֵי כְּוֹתֵיהּ.

And Rabban Gamliel disagreed with the Sages and did act on his own opinion! There is a difference here since the recitation of the *Shema'* is for study¹³¹. But then they could have read also after the start of dawn¹³². Some want to say that in the other cases it was possible to uphold the words of the Sages. But here it was after midnight and they could no longer fulfill the precept of the Sages; so he told his sons to act according to his opinion¹³³.

131 As explained at the end of Mishnah 5.

132 And why did he tell them only to read before dawn? [Naturally, after dawn there already is an obligation to read the morning *Shema*'; the question seems to be whether it is preferable to

read the *Shema*' twice if one forgot to recite it in the preceding period.] The question remains unanswered but this cannot be taken as rejection of the explanation.

133 Since the Sages will agree in this situation.

משנה ג. ולא זו בלבד אלא כל-שֶׁאָמְרוּ חֲכָמִים עַד חֲצוֹת מִצּוֹתָן עַד שְׁיַעֲלָה עֲמוּד הַשָּׁחַר. הֶקְטֵר חֲלָבִים וְאִיבָרִים [וְאֶכִילַת פְּסָחִים] מִצּוֹתָן עַד שְׁיַעֲלָה עֲמוּד הַשָּׁחַר.

Mishnah 3: Not only that, but everywhere the Sages said "until midnight", the obligation is to the start of dawn. The obligation of burning fats and limbs on the altar [and eating of the Passover sacrifice] is until the start of dawn.¹³⁴

134 This entire Mishnah, and the following one, are still the words of Rabban Gamliel. In the Venice print and the Leyden manuscript, the Passover sacrifice is not mentioned in the Mishnah preceding the chapter but it is in the Mishnah repeated before the Halakhah. The Biblical precept is to burn the remaining parts of the sacrifices on the altar "the entire night until morning" (*Lev. 6:1*).

In the interpretation of the Mishnah, there is a fundamental disagreement between Rashi and Maimonides. Rashi

(*Berakhot 2a, s. v. להרחיק כרי*) writes: "Concerning burning of the fats, the Sages did not restrict it to 'until midnight' at all and it is mentioned here only to emphasize that everything that has to be done in the night is *kasher* the entire night." Maimonides, in his commentary on the Mishnah, writes: "They said about all of these activities 'until midnight', even though there would be time until the first signs of dawn, as a 'fence' that no one should come to act under pressure and prolong his actions until after the start of dawn;

that is what they said 'In order to remove people from sin.'" And he formulates this in his code (*Ma'ase haqorbanot* 4:2): "In order to avoid wilful transgression, the Sages said to bring to the altar the parts that have to be burned only until midnight."

Neither the Yerushalmi nor the Babli discuss the burning of sacrifices during the night. However, as Rebbi Huna points out in the following paragraph, in his opinion the entire

discussion in the Mishnah is about Rabbinic precepts, rather than Biblical commandments. This is compatible only with the point of view of Maimonides. It is a well known principle that Maimonides follows the Yerushalmi in all points in which there is no contrary opinion indicated in the Babli; he will take the silence of the Babli in this matter as an endorsement of the interpretation of the Yerushalmi.

הלכה ג. אֵנן תִּנְיִן אֲכִילַת פְּסָחִים. אֵית דְּלָא תִּנְא אֲכִילַת פְּסָחִים. מֵאן תִּנְא אֲכִילַת פְּסָחִים רַבָּנן. וּמֵאן דְּלָא תִּנְא אֲכִילַת פְּסָחִים רַבִּי אֶלְיעֶזֶר. וּמֵאֵי טַעְמָא דְּרַבִּי אֶלְיעֶזֶר נֶאֱמַר כֹּאן לַיְלָה וְנֶאֱמַר לְהֶלֶן לַיְלָה. מֵה לַיְלָה שְׁנֶאֱמַר לְהֶלֶן חֲצוֹת. אִף כֹּאן חֲצוֹת. אָמַר רַבִּי חוּנָה וְלֵית כֹּאן אֲכִילַת פְּסָחִים אֶפְּלוּ כְּרַבָּנן דְּתִנְיִן הַפְּסַח אַחַר חֲצוֹת מְטַמְא אֶת הַיָּדִים.

Halakhah 3: We have stated "the eating of the Passover sacrifice". Some people do not formulate "the eating of the Passover sacrifice". Who formulates "the eating of the Passover sacrifice"? The Sages. Who does not formulate "the eating of the Passover sacrifice"? Rebbi Eliezer.¹³⁵ What is the reason of Rebbi Eliezer? It is written here (*Ex. 12:8*) "in the night", and it is written there (*Ex. 12:29*) "in the night". Just as there it means midnight, so also here it means midnight. Rebbi Huna¹³⁶ says: "The eating of the Passover sacrifice" cannot be here even for the Sages since we have stated (*Pesahim* 10:9) "the Passover sacrifice after midnight makes one's hands impure."¹³⁹

135 For the Sages, the obligation of eating the Passover sacrifices lasts

during the entire Seder night; the limitation to the first half of the night

is a Rabbinical ordinance. According to Rebbi Eliezer [and Rebbi Eleazar ben Azariah in the Babli, *Berakhot* 9a], there is a Biblical prohibition of celebrating the Exodus after midnight. (Cf. the discussion in the author's *The Scholar's Haggadah*, Northvale NJ 1995, pp. 263-264.)

Rebbi Eliezer's argument goes as follows: The Bible prescribes that the Passover sacrifice should be eaten "in that night." It also reports that the death of the Egyptian firstborn was "in the middle of the night". Since the second occurrence of "night" is qualified by "middle" but the first is left indeterminate, and we subscribe to the opinion that, unless explicitly given otherwise, words in the Pentateuch have an invariable meaning, the first occurrence must also mean "midnight." The Sages follow Rebbi Aqiba in pointing out that the first Passover had to be eaten "in a hurry", the hurry of the Exodus that happened only the following day. Hence, the notion of "night" here is opposed to "day" and not restricted to the first half.

136 This is the form in which the name of the Galilean Amora R. Huna

appears most frequently in the Yerushalmi. It is probable that the Babylonian Amora Rav Huna (הונא) also originally was called חונא "the gracious one", but in Babylonia every ה was pronounced as ח

Rebbi Huna points out that, since we are agreed that this Mishnah and the following one deal only with Rabbinical ordinances, the mention of the Passover sacrifice is impossible since, by Rabbinical ordinance, the Passover sacrifice is ritually impure after midnight, for the same reason that voluntary offerings cannot be eaten after midnight as explained in the next Halakhah. Here is another fundamental difference between the Yerushalmi and the Babli. According to the Yerushalmi both in *Berakhot* and in *Pesahim* (37d), the prohibitions mentioned in the Mishnah are Rabbinical. But the Babli in both cases (*Berakhot* 9a, *Pesahim* 120b) refers only to the opinions of Rebbis Eliezer and Eleazar ben Azariah that the prohibition is Biblical.

138 The reason is the same as the one given for sacrifices in the next Mishnah.

משנה ד. כָּל־הַנֶּאֱכָלִין לַיּוֹם אֶחָד מִצֹּוֹתָיו עַד שְׁיַעֲלֶה עֲמוּד הַשֶּׁחֶר. אִם כֵּן לָמָּה אָמְרוּ חֲכָמִים עַד חֲצוֹת כְּדֵי לְהַרְחִיק אֶת הָאָדָם מִן הָעֵבִירָה.

Mishnah 4: All sacrifices that can be eaten during one full day only could be eaten until the first dawn. In that case, why did the Sages say, only until midnight? In order to remove people from sin.

הלכה ד. כָּל־הַנֶּאֱכָלִין לַיּוֹם אֶחָד קִדְשֵׁי קִדְשִׁים. אִם כֵּן לָמָּה אָמְרוּ חֲכָמִים וְכוּ' אִם אֵת אֹמֵר עַד שְׁיַעֲלֶה עֲמוּד הַשֶּׁחֶר הוּא סְבוּר שֶׁלֹּא עָלָה עֲמוּד הַשֶּׁחֶר. נִמְצָא אוֹכֵל וּמִתְחַיֵּב. מִתּוֹךְ שֶׁאֵת אֹמֵר לוֹ עַד חֲצוֹת. אֶפִּילוּ הוּא אוֹכֵל אַחַר חֲצוֹת אֵינוֹ מִתְחַיֵּב.

Halakhah 4: "All sacrifices that can be eaten during one full day only," these are the holiest of holies.¹³⁹ "In that case, why did the Sages say, etc.?" If you would say until the start of dawn, one might think that dawn did not yet start and it would turn out that he eats in sin.¹⁴⁰ When you say to him: "only until midnight," even if he does eat after midnight he will not incur guilt.

139 שרידי from the Cairo Genizah. The Leyden manuscript and the printed editions have קדשים קלים "simple sacrifices". Zachariah Frankel already conjectured that the correct reading must be the one before us, as will be explained now.

There were four kinds of animal sacrifices in the Temple. Of certain sacrifices of atonement, only the blood was sprinkled on the altar; the rest was burnt outside the Temple precinct. The flesh of the עולה, "holocaust" (totally

burnt), was all burnt on the altar. The usual sacrifices of atonement had to be eaten by male Cohanim in the Temple precinct, except that blood, fat, and certain organs had to be burnt on the altar. These sacrifices are called "holiest of holies" and had to be consumed during the day of sacrifice or the following night. Family sacrifices, שלמים, "peace", or "payment", or "wholeness" sacrifices, were eaten by the family of the votary (except for the blood and fat, which was burnt on the altar, and certain parts which were

to be eaten by priestly families.) These family sacrifices were called "simple sacrifices"; most of them had to be eaten during two days and the intervening night. The only "simple sacrifices" to be eaten during one day were thanksgiving sacrifices and the sacrifice of the *Nazir* at the end of his votary period when he cut his hair. Hence, all "holiest of holies" sacrifices are covered by our Mishnah but only a minority of "simple sacrifices". There might be some justification for the reading "simple sacrifices" referring to the obligation of laity only who never

ate "holiest of holies"; but then no special determination would be necessary.

140 The determination of dawn was possible only for professional astronomers. In many cases, people would think that it was night when it was already dawn and then incur guilt by eating the sacrifices. In mid-month, with a large moon, the determination of the start of dawn is practically impossible for a non-professional. Midnight is no better defined than the start of dawn but a deviation from the true midnight would be harmless.

משנה ה. מאימתי קורין את שמע בשחרית משפיר בין תכלת ללבן. רבי אילעזר אומר בין תכלת לכתנן. (וגמרה) עד הניץ החמה. ורבי יהושע אומר עד שלש שעות שכן דרך (בגין) מלכים לעמוד בשלש שעות. הקורא מכאן ואילך לא הפסיד כאדם שהוא קורא בתורה.

Mishnah 5: From when on does one read the *Shema'* in the morning? From when one can distinguish between dark blue¹⁴¹ and white; Rabbi Eliezer says, between dark blue and the color of leeks; (he may read it)¹⁴² until sunrise. Rabbi Yehoshua says, until three hours of the day since it is the rule of (sons of)¹⁴³ kings to rise at three hours. He who reads after that did not lose, he is like a man reading in the Torah.

141 The translation of תכלת is problematic. It is defined in Babli *Menahot* as a color obtained by dying

with the blood of some marine snail but since the snail has not been clearly identified, the color cannot be

established by experimentation. From the second paragraph in the Halakhah, it would seem that תכלה could also be green, like color of the sea or like grasses. Since both in Babli (*Soṭa* 17a, *Menahot* 35b, *Hullin* 89a, *Sifri* 115) and in Yerushalmi (here, *Bemidbar rabba* 14) sources the final comparison is with the sky, in modern Hebrew תכלה means "sky-blue" in contrast to קחול "dark blue, color of *kohl*".

The old Greek Septuagint translation gives ὑάκινθος "hyacinth, a blue stone, perhaps aquamarine; also a blue flower." Ashkenazic tradition has the color of תכלה as almost black since the stripes of our prayer shawls that symbolize the unavailable תכלה stripes of the *tzitzit*, are traditionally dyed black. Hence the chosen translation of "dark blue".

142 The word in parentheses is found in the Mishnah preceding the chapter but is missing in the Mishnah here in the Halakhah. The word is also missing in most manuscripts of the Babli and in all early authorities, from *Halakhot Gedolot* to *Rosh*. For its meaning, I am following here Rabbenu Saadiah Gaon and Rabbenu Tam who admit לגמור אה ההלל, "to read the Hallel", as benediction of the Hazan even if only half the Hallel is recited.

143 Here again, the word in parentheses is found in the Mishnah preceding the chapter but is missing in the Mishnah here in the Halakhah, as well as in the Mishnah in the Babli. The story of the discussion of David with his יצר הרע, fol. 2d, proves that the correct text does not contain the words "sons of".

הלכה ה. כְּנִי מִתְּנִיתָא בֵּין תְּכֵלֶת שְׂבִיבָה לְלָבָן שְׂבִיבָה. וּמָה טַעְמוֹן דְּרַבְּנִין וּרְאִיתֶם אוֹתוֹ מִן הַסְּמוּךְ לוֹ. וּמָה טַעְמִיהָ דְּרַבִּי אֱלִיעֶזֶר וּרְאִיתֶם אוֹתוֹ כְּדִי שִׁיחָא נִיכָר בֵּין הַצְּבוּעִין.

Halakhah 5: So is the Mishnah: Between its¹⁴⁴ dark blue and its white. What is the reason of the Rabbis? (*Num.* 15:39) "You shall see it"¹⁴⁵, from what is close to it. What is the reason of Rabbi Eliezer? "You shall see it", that it should be recognizable among colors¹⁴⁶.

144 "It" is the ציצית, the fringes of the garment. We shall see later that the third section of the *Shema'*, dealing

with the obligation of *tzitzit*, was in Israel recited in abridged form during evening prayers. Hence, the *tzitzit*

characterized the morning prayers.
Each *tzitzit* contained three strands of
white thread with one of *tēkhēlet*.
145 I. e., the תכלה thread among the

white threads of the *tzitzit*.

146 That תכלה should be recognized
not only as a color, but as its specific
color.

תני בשם רבי מאיר וראיתם אותה אין כתיב כאן אלא וראיתם אותו. מגיד
שכל המקנים מצות ציצית כאילו מקבל פני שכינה. מגיד שהתכלת דומה לים.
הים דומה לעשבים. ועשבים דומין לרקיע. ורקיע דומה לכסא הכבוד.
והכסא דומה לספיר וכתוב וראה והנה על הרקיע אשר על ראש הכרובים
כאבן ספיר כמראה דמות כסא.

We have stated in the name of Rabbi Meir: It does not say "you shall see it"¹⁴⁷ but "you shall see Him". This tells you that anyone who keeps the obligation of *tzitzit* is as if he were admitted to the presence of God's glory. This tells that *tēkhelet* is similar to the sea. But the sea is similar to grasses, grasses are similar to the sky, the sky is similar to the Throne of Glory, and the Throne is similar to sapphire¹⁴⁸, as it is written (*Ez.* 10:1): "I saw, and here by the spread that was on top of the Cherubim like sapphire stone, the looks of the form of the Throne."

147 In Rabbinic Hebrew, ציצית is clearly feminine, plural ציציות. Rabbi Meir notes that the verb referring to ציצית in this verse is in the masculine form. Usually, this is taken to mean that in Biblical Hebrew, ציצית is masculine (parallel to masculine קהל "the preacher"); but many dictionaries of Biblical Hebrew refrain from assigning a gender to the word. Rabbi Meir votes for taking ציצית as feminine;

hence the suffix in "and you shall see" cannot refer to the *tzitzit*.

148 The extended list is found only here; the other sources (quoted in the discussion of תכלה) only have the comparison of sea and sky.

The Gaon of Wilna has noted that the last two items in the list are in inverted order; one should read: the sky is similar to sapphire, sapphire is similar to the Throne of Glory. We are interested in connecting *tēkhēlet* to the

Throne of Glory, and the verse from as similar to sapphire.
Ezechiel provides the characterization

אחרים אומרים וראיתם אותו כְּדִי שִׁיְהֵא אָדָם רְחוֹק מִחֲבִירוֹ אַרְבַּע אַמּוֹת
וּמְכִירוֹ. רַב חֲסֵדָא אָמַר כְּהֵדָא דְאַחֲרִים. מַה אֲנִן קִזְמִין אִם בְּרִגְלֵי אֶפְילוֹ
רְחוֹק כְּמִן חֲכִים לִיה. וְאִם בְּשֵׁאִינוֹ רְגִיל אֶפְילוֹ קָרוֹב לִיה לֹא חֲכִים לִיה.
אַלֵּא כּוֹ אֲנִן קִזְמִין בְּרִגְלֵי וְשֵׁאִינוֹ רְגִיל. כְּהֵהוּא דְאִזִּיל לִיה לְאַכְסִינְיָ וְאִתִּי.

Others say: "You shall see it", that a man should be four *ammot*¹⁴⁹
distant from another man and recognize him." Rav Hisda¹⁵⁰ says: (the
practice follows)¹⁵¹ the statement of "Others". What are we talking
about? If he knows the other person, even at a great distance he will
recognize him. If he does not know him, even close by he will not
recognize him. We must talk about an occasional acquaintance, like a
man who visits a hostelry at intervals.

149 The size of the Talmudic *ammah*
(cubit) has not been definitely
established; it is between 18 and 24
inches. It is uncertain whether the
Galilean and Babylonian *ammot* were
the same measurements.

150 One of the greatest of the
students of Rab, a leader of the second

generation of Amora'im in Babylonia.

151 *אמר* in the Yerushalmi often can
mean "establishes practice to be
followed", parallel to the statement of
Rav Huna, contemporary of Rav Hisda,
in the Babli: "The practice follows
'Others'".

אֵית תְּנִי תְנִי בֵין זָאב לְכָלֵב בֵּין חֲמוֹר לְעָרוֹד. וְאֵית תְּנִי כְּדִי שִׁיְהֵא אָדָם
רְחוֹק מִחֲבִירוֹ אַרְבַּע אַמּוֹת וּמְכִירוֹ. הֵוָּא בְּעֵי מִימַר מִן דְּמַר בֵּין זָאב לְכָלֵב בֵּין
חֲמוֹר לְעָרוֹד כְּמִן דְּמַר בֵּין תְּכֵלֶת לְכֶרֶת. וּמִן דְּמַר כְּדִי שִׁיְהֵא אָדָם רְחוֹק
מִחֲבִירוֹ אַרְבַּע אַמּוֹת וּמְכִירוֹ. בֵּין תְּכֵלֶת לְלָבָן. אֲבָל אֲמָרוּ מִצְוֹתָה עִם הַנֶּחַץ
הַחֲמָה כְּדִי שִׁיְסַמֵּךְ גְּאוּלָּה לְתַפִּילָה וְנִמְצָא מִתְפַּלֵּל בַּיּוֹם. אָמַר רַבִּי זְעִירָא
וְאֵנָּה אֲמַרִית טַעְמָא יִרְאוּךְ עִם שְׁמֵשׁ. אָמַר מַר עֻקְבָּא הִוְתִּיקִין הֵוּ מִשְׁכִּימִים
וְקוֹרִין אוֹתָהּ כְּדִי שִׁיְסַמְכוּ לָהּ תְּפִילָתָן עִם הַנֶּחַץ הַחֲמָה.

Some Tannaïm formulate: "Between wolf and dog, between domesticated and wild donkey."¹⁵² But some Tannaïm formulate: "That a man should be four *ammot* distant from another man and recognize him". That is what we have¹⁵³ to say that he who says between wolf and dog, between domesticated and wild donkey is parallel to him who says between dark blue and the color of leeks; he who says that a man should be four *ammot* distant from another man and recognize him is parallel to him who says between dark blue and white. But they said that its preferred obligation is at sunrise so that one may join the mention of redemption to prayer and pray at daytime¹⁵⁴. Rabbi Zeïra said: I found the reason (*Ps.* 72:5): "They will fear You with the sun."¹⁵⁵ Mar Uqba¹⁵⁶ said: The very religious were getting up early and reading the *Shema'* so that they could follow it directly at sunrise with the *Amidah* prayer.

152 Meaning the earliest time for reading the *Shema'*. In the Babli (9b), the first criterion is given by Rabbi Meïr, the second one by Rabbi Aqiba, and both are given independently of the Mishnah. In the Yerushalmi, no names are attached since both opinions are identified as alternatives "between dark blue and leek colored", which is not the practice anyway.

"Others" (אחרים) usually denotes Rabbi Meïr. In the Babli, the problem remains that the statement attributed to "Others" cannot belong to Rabbi Meïr. However, in the Yerushalmi it may well be that "between wolf and dog" is Rabbi Meïr's restatement of Rabbi

Eliezer's criterion in the Mishnah, and "to recognize at 4 *ammot*" the same authority's restatement of the criterion of the First Tanna in the Mishnah.

153 *Pne Mosheh* (R. Moshe Margalit) reads הוּא בְּעֵי מִימַר "he (Rav Ḥisda, mentioned earlier) wants to say." Then the entire statement is tentative, and רַב אַמְרָא will simply mean "Rav Ḥisda said", not as an authoritative statement. However, the commentary *Pne Moshe* (R. Moshe ben Ḥabib) reads הוּוֹן בְּעֵי מִימַר "they (or we) want to say."

154 This is from the Tosephta (1:2) and is the end of the statement that in the morning one may say the *Shema'* as soon as one recognizes a person at a

distance of 4 *ammot*. Hence, "they said" refers to those who adopt the criterion mentioned last. If one recites the *Shema'* slowly at sunrise and then says the benediction of *Emet weyaziv*, he will just say the *Amidah* prayer when the sun is clearly above the horizon and it is visibly day.

155 The same explanation is given in his name in the Babli, hence he is really the author and not only the tradent. Since the first section of *Shema'* is "acceptance of the yoke of the kingdom of Heaven", this is in essence fear of God, and, hence, the verse refers to the reading of *Shema'* and not the prayer. It is clear that the prayer to be performed preferably at sunrise is the recitation of *Shema'*.

156 *Resh Galuta*, the Davidic ruler of the Jews in Babylonia, in the first

generation of Amora'im. It is interesting to note that this statement of the Babylonian Mar Uqba is reported in the Babli (9b) in the name of the later Rebbi Yoḥanan. Maybe each Talmud wanted to ascribe the deeds of *וחיקין* to an external source, not to be held to their standards, as explained in the next section.

The explanation of *וחיק* has been given by A. Kohut in his *ערוך השלם*, from the Arabic *وَأَقْبَن* "to have confidence, faith". As explained by the Babylonian Talmud, they had faith in God that all the time spent in His service would not detract from their ability to earn a livelihood, and so they were rewarded with earning enough money for their needs in the time left over after religious services and deeds.

תני אמר רבי יודה מעשה שהייתי מהלך אחרי רבי אלעזר בן עזריה ואחרי רבי עקיבה והיו עסוקין במצות והגיע עונת קרית שמע והייתי סבור שמא נתאשו מקרית שמע וקריתי ושניתי ואחר כך התחילו הם. וכבר הייתה החמה על ראש ההרים.

We have stated¹⁵⁷: Rebbi Yehudah said: It happened that once I was walking behind Rebbi Eleazar ben Azariah and Rebbi Aqiba when they were occupied with duties and time came to recite the *Shema'* and I got the opinion that maybe they had given up on reciting the *Shema'*, so I recited it and went over my studies¹⁵⁸; but after that they started and the sun was already over the mountain tops.

157 Tosephta *Berakhot* 1:3; there R. Aqiba (who was the greater scholar) is mentioned before R. Eleazar ben Azariah (the vice president of the Synhedrion), and it is spelled out that they were occupied to attend to some public needs. We have a principle that he who is fulfilling a religious duty is free from engaging in any conflicting religious duty. The two sages therefore would have had the possibility of not reciting *Shema'* at all. The fact that they recited the *Shema'* shows that they considered the obligation of this

recitation in full force until the end of the third hour and that, therefore, their prior occupation did not reduce the later obligation. This is explained more thoroughly in the next section.

It seems that the text of the Yerushalmi is superior to the Tosephta since the vice president has precedence over a simple member and the mention of their being engaged in religious obligations is more to the point.

158 Reciting from memory the material he had learned earlier from his teachers.

עד הנץ החמה. רבי זבדיה ברביה דרבי יעקב בר זבדי בשם רבי יונה כדי שתהא החמה (fol. 3b) מטפספת על ראשי ההרים. רבי יהושע אומר עד שלש שעות. רבי אידי ורב המנונא ורב אדא בר אחוא בשם רב הלכה כרבי יהושע בשוכת. רבי חונה אמר תרין אמוראין חד אמר בשוכת. מגיב ליה חבריה וכי יש הלכה בשוכת. כד היא הלכה. ולמה אמרו בשוכת כדי שיהא אדם מזרז אצמו לקרותה בעונתה.

"Until sunrise." Rabbi Zabida the son of Rabbi Jacob bar Zabdi in the name of Rabbi Jonah¹⁵⁹: until the sun starts to appear¹⁶⁰ at the mountain tops. "Rabbi Joshua says, until three hours of the day." Rabbi Idi, Rav Hamnuna, and Rav Ada bar Ahava¹⁶¹ in the name of Rav: The practice follows Rabbi Joshua for one who forgets. Rabbi Huna told of two Amora'im of whom one said 'for one who forgot.' His colleague responded: Do you ever fix practice for one who forgets¹⁶²? In fact, it is the practice. Why did they say, for one who forgot? That everybody should make an effort and read it at its best time.

159 Of the leaders of the fourth generation of Amora'im in Galilee. The first tradent was his student.

160 Literally: "drips", meaning that the first rays of the sun start to appear at the lower parts of the mountain silhouette.

161 The last name is correct in *Seridé Yerushalmi*. The name mentioned in the printed editions, אדא בר אחא, is not mentioned again in any Talmudic source. Rav Ada bar Ahava (Yerushalmi) is called Rav Ada bar

Ahavah in the Babli; all teachers quoted here are students of Rav. In the Babli (10b), Rav Yehudah says in the name of Samuel: the practice follows Rabbi Joshua, without qualifications. It seems that in Israel one was reluctant to give up the recitation of the *Shema'* at sunrise but in Babylonia the practice of very early prayers was never established.

162 Since rules are made to be followed, not to be forgotten.

תמן תנינן מפסיקין לקרית שמע ואין מפסיקין לתפילה. אמר רבי אהא קרית שמע דבר תורה. תפילה אינה דבר תורה. אמר רבי בא קרית שמע זמנה קבוע. תפילה אין זמנה קבוע. אמר רבי יוסי קרית שמע אינה צריכה כונה. תפילה צריכה כונה. אמר רבי מני קשיתה קומי רבי יוסי ואפילו תמר קרית שמע אינה צריכה כונה ג' פסוקין הראשונים צריכין כונה. מן גו דאינון צבחר מיכון.

There (*Šabbat* 1:2) we have stated: "One interrupts for the recitation of *Shema'* but one does not interrupt for prayer."¹⁶³ Rabbi Aha said: The recitation of *Shema'* is a Biblical obligation; prayer is not a Biblical obligation¹⁶⁴. Rabbi Abba said: The time for the recitation of the *Shema'* is fixed, the time for prayer is not fixed.¹⁶⁵ Rabbi Yose said: The recitation of *Shema'* does not need concentration, prayer needs concentration.¹⁶⁵ Rabbi Mana said: I objected before Rabbi Yose: Even if you say that the recitation of the *Shema'* does not need concentration, the first three verses need concentration. Since they are so few, one will concentrate upon their meaning.

163 It is implied by the following discussion that one talks about groups of people engaged in the study of Torah. This situation is made explicit in Babli *Šabbat* 9b. Of those who give the reasons for the difference in the treatment of *Shema'* and *Amidah*, Rebbis Aḥa and Yose belong to the fourth generation of Amora'im in Israel, hence Rebbi Abba will also belong to that group. [There were too many Amora'im by the name of Rebbi Abba to clearly distinguish between them.]

The entire section here and the following one also appear in Yerushalmi *Šabbat* 1:2.

164 Everybody in this discussion seems to agree that the basis of the recitation of *Shema'* is Biblical, at least for the first verse [following the Babli (*Teshuvot ha Rashba*, #320)] or the first three verses [following the Yerushalmi, as seen here]. There is disagreement on the status of prayer. The Yerushalmi at the beginning of Chapter 4 follows the *Sifri* in the interpretation of the "service of the heart" mentioned in *Deut.* 10:12, 11:13 as prayer, which, therefore, is Biblical. Rebbi Aḥa does not accept this derivation; similarly, the Babli (*Berakhot* 21a) declares prayer to be a Rabbinical obligation.

165 Rebbi Abba is among those who accept prayer as a Biblical obligation.

The clearest statement of that position is given by Maimonides (*Hilkhot Tefillah* 1:1) who writes: "It is a positive commandment that one should pray every day as it is said: 'you shall serve the Eternal, your God.' Tradition teaches us that this service is prayer, as it is said: 'to serve Him with all your heart'; the sages explain that the service of the heart is prayer. But the number of prayers is not from the Torah, neither is the formulation of the prayer from the Torah. Prayer has no fixed time from the Torah." [Everybody agrees that the obligation of offering prayer three times a day is historical (*Daniel* 6:11) and the form of prayer is an institution of the Men of the Great Assembly.] This interpretation of the disagreement between Rebbis Aḥa and Abba is given by the great Sephardic commentators, Rabbis Eleazar Azkari and Moshe ben Ḥabib.

There is a different interpretation possible, namely that Rebbi Abba wants to state that the time of *Shema'* is narrowly fixed, as we have seen, and once that time is passed, the omission cannot be repaired. For prayer, however, the rules are much more elastic. First, there is much more time given for the recitation; then it is possible to pray in advance of the time (as in the evening prayers held before

sundown), and a missed prayer can be compensated for by praying the next time twice. Hence, in a real sense, even prayer in the Rabbinical sense has no fixed time compared to *Shema'*.

166 Rebbi Yose, the greatest authority among the participants in this discussion, notes that one may make a distinction between *Shema'* and prayer that does not depend on whether the obligations are Biblical or Rabbinical. While it is essential that the first verse

(or verses), containing the "acceptance of the yoke of the Kingdom of Heaven", should be well understood during the recitation, the rest of *Shema'*, which also counts for Torah study, is acceptable even if it is recited in mechanical repetition since this helps in memorizing the Torah text, an essential part of study. On the other hand, mechanical and unthinking prayer is a contradiction in terms and intrinsically invalid.

רבי יוחנן בשם רבי שמעון בן יוחי כגון אנו שעוסקין בתלמוד תורה אפילו לקרית שמע אין אנו מפסיקין. רבי יוחנן אמר על גרמיה כגון אנו שאין אנו עוסקין בתלמוד תורה ואפילו לתפילה אנו מפסיקין. דין כדעתיה ודין כדעתיה. רבי יוחנן כדעתיה דרבי יוחנן אומר ולואי שמתפלל אדם כל-היום. למה שאין תפילה מפסדת. רבי שמעון בן יוחי כדעתיה דרבי שמעון בן יוחי אמר אילו הוינא קאים על טורא דסיני בשעתא דאיתנהיבת תורה לישראל הוינא מתבעי קומוי רחמנא דיתברי לבר נשא תרין פומין חד דהנה לעי באורייתא וחד דעביד ליה כל-צורכיה. חזר ומר ומה אין חד הוא לית עקמא יכיל קאים ביה מן דלטוריה דיליה. אילו הווי תרין על אחת כמה וכמה. אמר רבי יוסי קומוי רבי ירמיה אתנא דרבי יוחנן כרבי חנינא בן עקבא דתני כותבי ספרים תפילין ומזוזות מפסיקין לקרית שמע ואין מפסיקין לתפילה רבי חנינא בן עקבא אומר כשם שמפסיקין לקרית שמע כד מפסיקין לתפילה ולתפילין ולשאר מצוותיה של תורה. ולא מורי רבי שמעון בן יוחי שמפסיקין לעשות סוכה ולעשות לולב. ולית ליה לרבי שמעון בן יוחי הלמד על מנת לעשות ולא הלמד שלא לעשות. שהלמד שלא לעשות נוח לו שלא נברא. ואמר רבי יוחנן הלמד שלא לעשות נוח לו אילו נהפכה שליתו על פניו ולא נצא לעולם. טעמיה דרבי שמעון בן יוחי זהו שינון וזה שינון ואין מבטל

שינון מפני שינון. והא תנינן הקורא מכן ואילך לא הפסיד כאדם שהוא קורא בתורה. הא בעונתה חביבה מדברי תורה. היא היא. אמר רבי יודן רבי שמעון בן יוחי על ידי שהיה תדיר בדברי תורה לפיכך אינה חביבה יותר מדברי תורה. אמר רבי אבא מרי לא תנינן אלא כאדם שהוא קורא בתורה. הא בעונתה כמשנה היא. רבי שמעון בן יוחי כדעתיה דרבי שמעון בן יוחי אמר העוסק במקרא מדה שאינה מדה. ורבנו עבדי מקרא כמשנה.

Rebbi Yoḥanan in the name of Rebbi Simeon ben Yoḥai: "For example we, who are engaged in the study of Torah, we do not interrupt even for the recitation of *Shema*:" Rebbi Yoḥanan used to say about himself: "For example we, who are not engaged in the study of Torah¹⁶⁷, we do interrupt even for prayer."

This one follows his own opinion and that one follows his own opinion. Rebbi Yoḥanan follows his own opinion since Rebbi Yoḥanan says: "if only a man would pray the entire day. Why? Because prayer is never in vain!"¹⁶⁸

Rebbi Simeon ben Yoḥai follows his own opinion since Rebbi Simeon ben Yoḥai said: "If I had stood at Mount Sinai at the moment that the Torah was given to Israel, I would have implored the All-Merciful that he should create two mouths for man; one for him to exert himself in Torah and the other one for his other needs." But he changed his mind and said: "With one mouth already the world almost cannot exist because of its denunciations¹⁶⁹; if there were two how much more would there be?"

Rebbi Yose said before Rebbi Jeremiah: The position of Rebbi Yoḥanan is identical with that of Rebbi Ḥanina ben Aqabiah, as we have stated: "The scribes of Torah scrolls, *Tefillin*, and *Mezuzot*, do interrupt for the recitation of *Shema*' but do not interrupt for prayer. Rebbi Ḥanina ben Aqabiah said: just as they interrupt for *Shema*', so they

interrupt for prayer, *tefillin*, and all other commandments of the Torah".¹⁷⁰

Would not Rabbi Simeon ben Yoḥai agree that one interrupts to make a *sukkah* or a *lulav*? Does not Rabbi Simeon ben Yoḥai make the distinction between one who studies in order to do¹⁷¹ and one who studies in order not to do? Because he who studies in order not to do would have been better off had he not been born. And did not Rabbi Yoḥanan say, he who studies in order not to do would have been better off if the afterbirth he was in was twisted around and he never would have entered the world? The reason of Rabbi Simeon ben Yoḥai is that this one is repeated study and that one is repeated study and he does not push aside one study for the other study.¹⁷² But did we not formulate:¹⁷³ "He is like a man reading in the Torah." Hence, at the right time it is preferred to Torah. One is like the other.¹⁷⁴ Rabbi Yudan said that Rabbi Simeon ben Yoḥai, since he was permanently studying Torah, did not prefer *Shema'* to the study of Torah. Rabbi Abba Mari said, did we not formulate: "He who reads (*Shema'*) after that did not lose, he is only like a man reading in the Torah"? Hence, at the right time it is like Mishnah. Rabbi Simeon ben Yoḥai follows his own opinion since Rabbi Simeon ben Yoḥai said: He who studies the written Torah does himself good that is not so good. But the rabbis equate the study of the Bible with that of the oral law.¹⁷⁵

167 Since we spend some time every day not studying.

168 See Note 17.

169 Latin *delatorius*, *a*, *um*, adj. to *delatio*, in late Latin *delatura* "accusation, information, denunciation," the act of a *delator*, "government

informer." Because of an informer about his anti-Roman feelings, Rabbi Simeon ben Yoḥai and his son had to spend 12 years hidden in a cave (Babli *Šabbat* 33b, Yerushalmi *Ševiit* 9:1, fol. 38d). When he left the cave, he was so upset that people would engage in

farming and commerce and not study Torah all day long that a heavenly voice ordered him back to his cave for another 12 months in order to get used to the world again. Both Talmudim consider his position appropriate only for exceedingly holy people.

170 While we have the principle that "he who is engaged in the fulfillment of a commandment does not have to worry about other commandments," this does not apply to people whose entire occupation is the fulfillment of a commandment.

The source is *Tosephta Berakhot* 2:6, cf. also Babli *Sukkah* 26a. The *Tosephta* also brings the opinion of Rabbi, that they do not interrupt for *Shema'*, and a testimony that Rabban Gamliel and the Synhedrion at Yavneh did not interrupt sessions dealing with communal matters.

171 He who does is one who fulfills the commandments of the Torah. He who does not is one who does not fulfill the commandments of the Torah. Someone who studies Torah with the intent of not fulfilling its commandments certainly has no part in the future world since he does not have the excuse of everybody else that he did not know enough to fulfill all commandments. This is clearly spelled out in the following lines. The

question here is, how can Rabbi Simeon ben Yoḥai take a position that for all practical purposes identifies the actions of the most holy man with that of the deliberate sinner?

172 But he certainly will interrupt for all other obligations. In fact, the story of his stay in the cave notes that he and his son took off their clothes and sat covered with sand up to their necks in order not to wear out the clothes, and used them only for the times of prayer. This means that Rabbi Simeon did *not* recite *Shema'* since its recitation was replaced by his studies, but he *did* pray, even though the Mishnah seems to indicate that one omits prayer more easily than *Shema'*.

173 In our Mishnah here in *Berakhot*.

174 This is a preliminary answer. Rabbi Yudan (Amora, colleague of R. Yose) tries to relativize the answer that it applies only to someone like Rabbi Simeon ben Yoḥai who spends his entire life studying and memorizing Torah. R. Abba Mari, one generation after R. Yudan, points out that this interpretation of the Mishnah is impossible but that one must take the statement of R. Simeon as an indication of his attitude in general.

175 Studying Scripture is equal to studying the Oral Law in merit. Hence, reciting the *Shema'* in its proper time

transcends both for everybody including scholars of the rank of Rabbi Simeon ben Yohai. Mishnah here stands for the entire Oral Law, which

was called Mishnah in the time of Rabbi Simeon bar Yohai. (See the parallel in Babli *Baba mezia'* 33a.)

מִשְׁנָה ו: בֵּית שְׁמַאי אוֹמְרִים בְּעֶרֶב כָּל-אָדָם יֵטוּ וַיִּקְרוּ וּבְבוֹקֵר יַעֲמֹדוּ וַיִּשְׁמְרוּ בְּשִׁבְתָּהּ בְּבִיתָהּ וּבְלִכְתָּהּ בְּדֶרֶךְ וּבְשִׁכְבָּהּ וּבְקוּמָהּ. וּבֵית הֵלֵל אוֹמְרִים כָּל-אָדָם קוֹרֵין כְּדֶרְכּוֹ. שְׁמַאי וּבְלִכְתָּהּ בְּדֶרֶךְ. אִם כֵּן לָמָּה נֹאמַר וּבְשִׁכְבָּהּ וּבְקוּמָהּ. אֲלֵא בְּשַׁעַה שְׁבַנִי אָדָם שׁוֹכְבִין וּבְשַׁעַה שְׁבַנִי אָדָם עוֹמְדִין.

Mishnah 6: The school of Shammai say: In the evening, everyone must bend down¹⁷⁶ and recite and in the morning they should stand up since it is said (*Deut. 6:7*): "when you sit in your house or go on the road, when you are lying down and when you are getting up." But the school of Hillel say: everyone should recite in the position he is in, since it says "or go on the road." In that case, why does it say: "when you are lying down and when you are getting up;" this means the time when people go to sleep and the time when they are getting up.

176 Means to lie down on a couch, or as on a couch. "Reciting" always refers to the *Shema'* since, as a technical term,

it is used only for formal recitation of Biblical texts.

חִלְכָה ו: הָא דְּבֵית הֵלֵל מְקִימוֹן תְּרִין קָרִיא מַה מְקִימִין דְּבֵית שְׁמַאי בְּשִׁבְתָּהּ בְּבִיתָהּ וּבְלִכְתָּהּ בְּדֶרֶךְ. בְּשִׁבְתָּהּ בְּבִיתָהּ פֶּרֶט לְעוֹסְקִים בְּמַצּוֹת. וּבְלִכְתָּהּ בְּדֶרֶךְ פֶּרֶט לְחַתָּנִים.

Halakhah 6: They of the school of Hillel are able to explain both parts of the verse. How do those of the school of Shammai explain "when you sit in your house or go on the road"? "When you sit in your house", to

exclude those who are occupied with other religious commandments, "or go on the road" to exclude bridegrooms.¹⁷⁷

177 An almost exact parallel is found in the Babli, *Berakhot* 11a. The bride is exempt from reciting the *Shema'* since women are freed from all positive commandments which have to be performed at set times. The bridegroom himself fulfills a divine commandment by getting married, but

that fulfillment is really restricted to the short act of actual marriage and then to the first married intercourse; the exemption of the bridegroom from saying *Shema'* refers to the entire wedding feast when he is unable to concentrate even on the first verses.

תני מעשה ברבי אלעזר בן עזריה ורבי ישמעאל שהיו שרויין במקום אחד והיה רבי אלעזר בן עזריה מוטה ורבי ישמעאל זקוף. הגיע עונת קרית שמע נזקף רבי אלעזר בן עזריה והטה רבי ישמעאל. אמר רבי אלעזר לרבי ישמעאל אמר לאחד בשוק מה לך זקנך מגודל והוא אומר יהיה כנגד המשחיתים. אני שהייתי מוטה נזקפתי ואתה שהיית נזקף הטיית. אמר לו אתה נזקפת כדברי בית שמאי. ואני הטיית כדברי בית הלל. דבר אחר שלא יראוני התלמידים ויעשו הלכה קבע כדברי בית שמאי.

We have stated¹⁷⁸: It happened that Rabbi Eleazar ben Azariah and Rabbi Ismael stayed at the same place and Rabbi Eleazar ben Azariah was reclining while Rabbi Ismael was standing. When the time for the recital of the *Shema'* arrived did Rabbi Eleazar ben Azariah stand and Rabbi Ismael reclined. Rabbi Eleazar said to Rabbi Ismael, this is as when one says to someone in the market place, your beard is overgrown, and he says, that is against those who shave¹⁷⁹. I, who was reclining, stood up and you, who were standing, went on to recline. He answered him: You stood up following the school of Shammai, I reclined following the school of Hillel. Another explanation: That the students should not see me and make it the permanent practice to follow the school of Shammai.¹⁸⁰

178 In the Babylonian parallels (*Berakhot* 11a, *Tosephta Berakhot* 1:4, *Sifri Deut.* 34), R. Eleazar ben Azariah at first is sitting up and R. Ismael is reclining. This means that in the Babylonian version, the discussion was in the evening (also indicated in the Babylonian Talmud by a change in language, not "that they stayed at the same place" but that "they had dinner together.") In our version, the discussion takes place in the morning.

While R. Ismael, after R. Aqiba the greatest scholar of his generation, did certainly exceed R. Eleazar ben Azariah in scholarship, the latter was the vice president of the Synhedrion; it is more likely that R. Ismael was sitting upright at the start. They might have got up very early, before the start of

dawn, when it still was possible to eat before praying. It is impossible to decide which of the two versions is the original.

179 I do it deliberately. Why did you do the opposite of what I am doing?

180 Both explanations are necessary. R. Ismael did recline, not because it was required by the school of Hillel, but to spite the followers of the school of Shammai. He had to do this, even though the school of Hillel would have allowed him to continue standing, to give an example to the students. This shows that in all cases where there is a disagreement over practice, the actions of the leading Torah scholars count more than all theoretical arguments.

מִשְׁנָה ז': אָמַר רַבִּי טַרְפוֹן אֲנִי הֵייתִי בָּא בַדֶּרֶךְ וְהֵטִיתִי לְקִרְוֹת כְּדַבְּרֵי בֵּית שַׁמַּי וְסִיכַנְתִּי בְּעֵצְמִי מִפְּנֵי הַלִּיסָטִין. אָמְרוּ לוֹ כִּדְבֵי הַיֵּית לְחוּב עַל אֲצַמְךָ שְׁעֵבֶרֶת עַל דְּבֵרֵי בֵּית הַלֵּל.

Mishnah 7: Rabbi Tarphon¹⁸¹ said: I was on the road and reclined to recite the *Shema'* following the school of Shammai. There I put myself in danger because of the robbers. They told him: It would have served you right to be in mortal danger since you transgressed the words of the school of Hillel.

181 The oldest of the Tannaim of the second generation, who started his studies still before the destruction of the Temple, at the time of the ascendancy of the school of Shammai. It seems that he was slow to adapt the

practices he had learned as a child to those of the school of R. Yoḥanan ben Zakkai of the school of Hillel which was the only one to survive the war against the Romans.

הלכה ז. בשם רבי יוחנן דודים דברי סופרים לדברי תורה ונחביבין כדברי תורה. חכך כנין הטוב. שמעון בר ווא בשם רבי יוחנן דודים דברי סופרים לדברי תורה ונחביבין מדברי תורה. כי טובים דודיק מיין. רבי בא בר כהן בשם רבי יודה בן פזי תדע לך שנחביבין דברי סופרים מדברי תורה שהרי רבי טרפון אילו לא קרא לא היה עובר אלא בעשה. ועל ידי שעבר על דברי בית הלל נתחייב מיתה על שם ופורץ גדר ישכנו נחש.

Halakhah 7: In the name of Rabbi Yoḥanan¹⁸²: The words of the scribes are related to the words of Scripture and are pleasant like the words of Scripture. (*Song of Songs* 7:10) "Your throat is like the good wine"; Simeon ben Abba in the name of R. Yoḥanan¹⁸³: The words of the scribes are related to the words of Scripture and are more pleasant than the words of Scripture. (*Song of Songs* 1:2) "Since your friendship is better than wine"; Rabbi Abba bar Cohen in the name of Rabbi Judah ben Pazi: You can know that the words of the scribes are more pleasant than those of Scripture because if Rabbi Tarphon did not recite at all he would have transgressed only a positive commandment. But because he transgressed the words of the school of Hillel he should have suffered death since it says: (*Proverbs* 10:8) "He who breaches a fence will be bitten by a snake."

182 This entire Halakhah, until the next Mishnah, really belongs to *Avodah zarah* 2:5 (fol. 41c) where *Song of*

Songs 1:2, "May he kiss me with the kisses of his mouth since your friendship is better than wine", is discussed.

In the transcription here, the first word fell out. It should read: The fellows (of the Yeshivah) in the name of R. Yohanan.

In traditional interpretation, the Song of Songs is a dialogue between God and the people of Israel (represented by the girl); the question of the Mishnah was whether one reads דוֹדִיק (feminine) or דוֹדִיק (masculine) for "your friendship, your relations."

183 The members of the Yeshivah

are of the second (colleagues of R. Yohanan) or the third (his students) generations of Amora'im. R. Simeon bar Abba is one of the outstanding students of R. Yohanan. The two Amora'im who explain the latter's words are of the fourth and fifth generations, respectively.

The "throat" of the Jewish people are the sayings of its sages; wine in both verses are the words of the Torah.

תני רבי ישמעאל דברי תורה יש בהן איסור ויש בהן היתר. יש בהן קולין ויש בהן חומרים. אבל דברי סופרים כולן חמורים הן. תדע לך שהוא כן. דתנינן תמן האומר אין תפילין לעבור על דברי תורה פטור. חמש טוטפות להוסיף על דברי סופרים חייב. רבי חנניה בריה דרבי אדא בשם רבי תנחום בירבי חיאי חמורים דברי זקנים מדברי נביאים דכתיב אל תטפו וטיפו לא וטיפו לאלה לא ישג כלימות. וכתיב אטף לך לזיו ולשכר. ונביא וזקן למי הן דומין למלך ששלח ב פלמטרין שלו למדינה. על אחד מהן כתב אם אינו מראה לךם חותם שלי וסמטרין שלי אל תאמינו לו. ועל אחד מהן כתב אף על פי שאינו מראה לךם חותם שלי האמינוהו בלא חותם וסמטרין. כך בנביא כתיב ונתן לך אות ומופת. ברם הכא על פי התורה אשר יורוד.

Rebbi Ismael did formulate: In the Torah there are forbidden matters and permitted matters. There are easy parts and severe parts. But in the words of the Sages all are severe¹⁸⁴. You can realize that this is so since we have stated (Mishnah *Sanhedrin* 11:5): "If he¹⁸⁵ says there is no obligation of *Tefillin* against the words of the Torah he is not criminally liable. If he says that *Tefillin* have five sections, to add to the words of the Sages, he is guilty." Rebbi Hananiah, the son of Rebbi Ada¹⁸⁶, in the

name of Rebbi Tanḥum the son of Rebbi Ḥiyya: The words of the Sages carry more weight than those of the prophets, since it is written (*Micah* 2:6): "Do not preach, they preach; Do not preach to those, that shame does not reach you."¹⁸⁷ And it is written (*Micah* 2:11) "I shall preach to you for wine and liquor."¹⁸⁸ The relation of prophet and scholar can be compared to the case of a king who sent two of his *palmatars*¹⁸⁹ to a province. About one of them he wrote, if he does not show you my seal and σημαντήριον¹⁹⁰, do not believe him. About the other one he wrote, even if he does not show you my seal, believe him without seal and σημαντήριον. So about a prophet is written (*Deut.* 13:2) "He gives you a sign or miracle." But here it is written (*Deut.* 17:11): "According to the teachings that they will teach you"¹⁹¹.

184 Since their essential duty is to build "a fence around the Law", it is in the nature of the institutions of the *Sopherim*, the men of the Great Assembly headed by Ezra and their successors before the period of the Rabbis, to be more restrictive than the original precepts of the Torah.

185 The Mishnah speaks about the *ממרס* זקן, the rebellious religious leader, who does not accept the rulings of the supreme court sitting in the Temple court. If he asserts something that goes against the text of the Torah, he is not dangerous and not criminally liable since every child that has learned to read realizes his error. But if he asserts something in contradiction to an authoritative teaching of the oral law

asserted by the Synhedrion, then he has committed a capital crime.

In the Babli, the reference is to Mishnah *Sanhedrin* 10:5. The interpretation of the law is much more restrictive in the Babli than in the Yerushalmi.

186 A preacher of the fourth generation of Galilean Amora'im whose name is quoted also as Ḥanina or Ḥinnena. His teacher R. Tanḥum bar Ḥiyya was from Kefar Agin (Umm Junia) South of the Sea of Galilee.

187 Only false prophets will preach to such a generation, whereas the true prophet gets his orders from God not to preach. According to Rashi, *דַּבַּר* means "speak about your visions", rather than the commonly used "preach".

188 The real inference is from the rest of the verse that is not quoted but assumed to be known to every student: "You shall preach to this people." It follows that the prophet sometimes is ordered to be silent and sometimes to speak but the sage is ordered to teach at all times.

189 The *Arukh* notes the word but gives no explanation. Mussaphia, in his Notes to *Arukh*, proposes the impossible Greco-Latin hybrid *πόλεμo-notarius*, "secretary of war." The best explanation seems to be that of A. Kohut, *diplomatarius*; the first syllable *di* was interpreted as Aramaic relative pronoun (Hebrew *ש*) and, therefore, dropped. *Diplomatarius* is a late (Byzantine) form of *diplomarius*, the holder of an imperial *diploma*, a "doubly folded" imperial order or privilege which gave its holder the

right to use the imperial mails for transportation. The two *diplomatarii* arrive in the province by imperial mail but this does not imply that they are plenipotentiaries (since, sometimes, the privilege of using the mails was given to private citizens.)

190 Hebrew word (חומט) "seal" and its Greek equivalent given as parallels.

191 The reference is to the tradition attached to v. 9, that obliges one in cases of doubt to go to the Temple and ask "the judge who shall be in those days". Since it is impossible to ask a judge who does not live in one's days, this is taken to mean that any chief judge, even if not the most competent one, has the same status as any other living in another time. (Babli *Rosh Hashanah* 25b, *Sifri Devarim* 153).

הָדָא דְתִימָר מְשִׁיבָא בְּתָ קוּל. אֲבָל עַד שְׂיִצְאָת בְּתָ קוּל כְּלִי הַרְוָצָה לְהַחְמִיר
עַל עֲצָמוֹ וְלִנְהוּג כְּחוּמְרֵי בֵּית שְׁמַאי וְכְחוּמְרֵי בֵּית הֵלֵל עַל זֶה נֹאמֵר הַכֶּסֶּיֶל
בְּחֹשֶׁךְ יִלְךְ. כְּקוּלֵי אֵילוֹ וְאֵילוֹ נִקְרָא רְשַׁע אֱלֹא אֵי כְקוּלֵי וְכְחוּמְרֵי דְדִין. אֵי
כְקוּלֵי וְכְחוּמְרֵי דְדִין. הַדִּין דְתִימָר עַד שְׂלֵא יִצְאָת בְּתָ קוּל. אֲבָל מְשִׁיבָא בְּתָ
קוּל לְעוֹלָם הִלְכָה כְּדַבְּרֵי בֵּית הֵלֵל וְכִלְהוּבָר עַל דְבַרֵי בֵּית הֵלֵל חִינּוּב מִיְתָה.
תְּנִי יִצְאָת בְּתָ קוּל וְאִמְרָה אֵילוֹ וְאֵילוֹ דְבַרֵי אֱלֹהִים חִיִּים אֲבָל הִלְכָה כְּדַבְּרֵי
בֵּית הֵלֵל. אֵיכֹן יִצְאָת בְּתָ קוּל. רַבִּי בִּיבִי בְּשֵׁם רַבִּי יוֹחָנָן בְּיַבְנָה יִצְאָת בְּתָ קוּל.

That means¹⁹² after the divine voice¹⁹³ was heard. But before the divine voice was heard, ¹⁹⁴it was said of anyone who wanted to restrict

himself and follow the restrictions both of the school of Shammai and that of Hillel: (*Eccl.* 2:14) "the fool walks in darkness;" anyone who followed the leniencies of both of them¹⁹⁵ was called an evildoer. But one had to follow either the leniencies and restrictions of one school or the leniencies and restrictions of the other. That was before the divine voice was heard. But after the divine voice was heard¹⁹⁶, practice always follows the school of Hillel and everyone who transgresses the rulings of the school of Hillel merits death. We have stated: "A divine voice came and said: Both of them are the words of the Living God but practice follows the school of Hillel".¹⁹⁷ Where was the divine voice heard? Rebbi Bibi¹⁹⁸ in the name of Rebbi Yoḥanan: The divine voice came in Jabneh¹⁹⁹.

192 Referring to the statement in the Mishnah, that Rebbi Tarphon was told that he incurred guilt by following the teachings of the school of Shammai (with which he probably grew up).

193 A בַּת קוֹל, "daughter of a voice", is a sound carrying information of indeterminate origin.

194 Tosephta *Idiut* 2:3 (in a different version *Sukkah* 2:3). The main discussion in the Babli is *Eruvin* 6b. The 24 instances of restrictions of the school of Hillel where the school of Shammai is more lenient are enumerated in Tosephta *Idiut* 2. It is reported there that the most conscientious one of the followers of Shammai in the years before the destruction of the Temple, R. Yoḥanan ben Haḥoranit, followed the rulings of

the school of Hillel in practice. The man who rebuilt Jewish learning after the destruction of the Temple, R. Yoḥanan ben Zakkai, was a student of Hillel.

195 In the opinion of the Babli, only in the case of two leniencies whose theoretical bases contradict one another. Similarly, the fool is one who follows contradictory rigidities.

196 This is an explanation of the Tosephta, rather than a duplication of the earlier note on the Mishnah.

197 The same statement is in Babli *Eruvin* 6b. The language is tannaïtic, but the origin of the phrase is unknown.

198 Since in Talmudic times every ב or א was pronounced /v/ in Galilee under the influence of Byzantine

Greek, his name probably is a shortening of Latin Vivianus, רִיבִי R. Bibi was one of the notable students of R. Yohanan.

199 The Synhedrion was at Jabneh between the two wars against the Romans and held there its first meeting when it was reconstituted after the persecutions that followed the war of Bar Kokhba. Afterwards, it moved to Galilee permanently. This gives a *terminus ad quem* for the adoption of the rules of the school of Hillel by all of Judaism. It seems that the exact point in time was the reconstitution of the Synhedrion after the war of Bar Kokhba.

While Talmudic literature is full of disagreements on practical points of Jewish practice, there is unanimity that the principles underlying all discussions are those fixed by the school of Hillel in Rabbinic (Pharisaic) Judaism. After the war of Bar Kokhba, we do not hear of any followers of the school of Shammai in practice, nor of Jews that are Sadducees in practice. In the Talmud (Babli *Nidda* 33b), R. Yose (ben Halaphta) states that the Sad-

ducees in his time follow Rabbinic practice. We know that the sect at Qumran were Sadducees and their *Tefillin* follow Sadducee rules; characteristically, they have many more Biblical quotes in addition to the required verses (cf. Y. Yadin, *Tefillin from Qumran*, Jerusalem, 1978). The *Tefillin* found with the Bar Kokhba letters in the caves of the Judean desert are of the same type. Hence, Sadducee practice did not completely stop until the war of Bar Kokhba. As far as Sadduceeism goes, its disappearance in practice can be dated to the aftermath of the war of Bar Kokhba.

It is not believable that a man of the stature of Rabbi Tarphon would transgress a generally accepted practice supported by a divine pronouncement and by popular consent. Hence, the episode of Rabbi Tarphon must be dated in time before the *bat qol*. It is generally accepted that Rabbi Tarphon did not live to see the war of Bar Kokhba. This narrows the time of the *bat qol* to close to that war.

מַשְׁנֵה הַ. בְּשַׁחַר מִבְּרֵךְ שְׁתִּים לְפָנֶיהָ וְאַחַת לְאַחֲרֶיהָ. בְּעָרֵב מִבְּרֵךְ שְׁתִּים לְפָנֶיהָ וְשְׁתִּים לְאַחֲרֶיהָ. אַחַת אֲרוֹכָה וְאַחַת קְצָרָה. מְקוֹם שְׁאִמְרוּ

להאריך אינו רשאי לקצר. לקצר אינו רשאי להאריך. לחתום אינו רשאי שלא לחתום. שלא לחתום אינו רשאי לחתום.

Mishnah 8: In the morning he offers two blessings before [the *Shema'*] and one after. In the evening he offers two blessings before and two after, one long and one short. At a place where they²⁰⁰ said to make it long he is not allowed to make it short, short he is not allowed to make it long. To seal²⁰¹ he is not allowed not to seal, not to seal he is not allowed to seal.

200 The men of the Great Assembly. sentence of the benediction with the

201 "To seal" means to start the last words "Praise to You, o Eternal, . . .".

הלכה ת. רבי סימון בשם רבי שמואל בר נחמן על שם והגית בו יומם ולילה שיהא הגית היום והלילה שוין. רבי יוסי ברבי אבין בשם רבי יהושע בן לוי על שם שבע ביום הללתיך על משפטי צדקך. רבי נחמן בשם רבי מני כלהמקיים שבע ביום הללתיך כאילו קיים והגית בו יומם ולילה.

Halakhah 8: Rabbi Simon in the name of Rabbi Samuel bar Nahman: Because of²⁰² (*Jos.* 1:8): "You should think about it day and night", that the thinking of day and night should be equal. Rabbi Yose bar Rabbi Abin in the name of Rabbi Joshua ben Levi: Because of (*Ps.* 119:164): "Seven times a day I praise You for Your just laws." Rabbi Nachman in the name of Rabbi Mani²⁰³: Everybody who keeps "seven times a day I praise you" is as if he kept also "you should think about it day and night"²⁰⁴.

202 The reason is sought for benedictions before and after the recitation of *Shema'*. The first opinion, ascribed to an early Amora, gives the reason why the two recitations should

be parallel and why each one has to include a benediction of thanks for the Torah, since the recitation of the *Shema'* also helps to fulfill the obligation of Torah-study in a minimal

way. The second opinion, by a late Amora in the name of one of the first ones, explains the asymmetry in the numbers since they must add up to the odd number of 7.

Since in Halakhah 9 (and in the Babli, *Berakhot* 14b) it is reported that in Israel one did not recite the entire last section of *Shema'* in the evening, Rabbi Simon also gives a reason for the asymmetry: In the evening one recites 4 benedictions and 2 sections, in the morning 3 benedictions and 3 sections, for a total of 6 morning and evening. In the next section it is clear that Rabbi Simon makes a distinction between the first two and the third sections of *Shema'*, a distinction rejected by Rabbi Levi from the circle of Rabbi Yohanan.

203 Usually, Rabbi Mani in the Yerushalmi is R. Mana the first, an Amora of the first generation. However, Rabbi Nahman, the preacher, is

an Amora of the last generation in Galilee, a student of Rabbi Mana the second. Hence, it is reasonable to assume that R. Mani here is R. Mana the second. However, since the late R. Yose bar Abin transmits in the name of the very early R. Joshua ben Levi, it is not impossible that the name of R. Mani is transmitted correctly.

The statement of R. Mani implies that anybody who recites *Shema'* with its benedictions regularly, every evening and every morning, cannot be considered transgressing the obligation of Torah study even if he does not study otherwise. In contrast to the first two statements, this one has practical consequences.

204 In the Babli, *Menahot* 99b, Rabbi Yohanan reports in the name of R. Simeon bar Yohai that reading the *Shema'* alone is enough; no mention of the necessary benedictions.

מפני מה קורין שתי פרשיות הקלו בכל-יום. רבי סימון אמר מפני שכתוב בהן שכיבה וקימה. רבי גוי אמר מפני שעשרת הדברות כלולין בהן. אלכי יי אלהיך. שמע ישראל יי אלהינו. לא יהיה לך אלהים אחרים על פני. יי אחד. לא תשא את שם יי אלהיך לשוא. ואהבת את יי אלהיך. מאן דרחיס מלכא לא לישתבע בשמיה ומשקר. זכור את יום השבת לקדשו. למען תזכרו. רבי אומר זו מצות שבת שהיא שקולה כנגד כל-מצוותיה של תורה דכתיב ואת שבת קדשך הודעת להם ומצוות וחוקים ותורה צוית וגו' להודיעך שהיא שקולה כנגד מצוותיה של תורה. כבד את אביך ואת אמך. למען ירבו ימיהם

וימי בניכם. לא תרצח. ואבדתם מהרה. מאן דקטיל מתקטיל. לא תנאף. לא תתורו אחרי לבבכם ואחרי עיניכם. אמר רבי לוי ליבא ועינא תרין סרסורי דחטאה פתיב תנה בני לבך לי ועיניך דרכי תצרנה. אמר הקדוש ברוך הוא אי יקבת לי לבך ועינך אנה ידע דאת לי. לא תגנב. ואספת דגנה ולא דגנו של חברך. לא תענה ברעך עד שקר. אני יי אלהיכם. וכתוב ויי אלהים אמת. מהו אמת אמר רבי אבון שהוא אלהים חיים ומלך עולם. אמר רבי לוי אמר הקדוש ברוך הוא אם העדת לחבירך עדות שקר מעלה אני עליך פאילו היעדת עלי שלא בראתי שמים וארץ. לא תחמוד בית רעיך. וכתבתם על מזוזות ביתך. ביתך ולא בית חבירך.

Why does one read these two sections every day? Rabbi Simon says because they mention lying down and getting up. Rabbi Levi said, because the Ten Commandments are contained in them²⁰⁵.

"I am the Eternal, your God." - "Hear²⁰⁶, o Israel, The Eternal, our God."

"You should not have any other gods before me." - "The Eternal is One."

"Do not take the name of the Eternal, your God, in vain." - "You must love the Eternal, your God." He who loves the king will not swear in his name and lie.

"Remember the Sabbath day to sanctify it." - "So that you shall remember;" Rabbi said: that is the commandment of Sabbath which is as important as all other commandments of the Torah together, as it is written (*Neh. 9:14*): "You informed them about Your Sabbath, commandments, laws, and Torah you commanded them, . . ." to show that it is as important as the other commandments of the Torah²⁰⁷.

"Honor your father and mother" - "So that your days and the days of your children should increase."²⁰⁸

"Do not murder" - "You will soon be lost." He who kills will be killed.

"Do not commit adultery" - "Do not stray after your hearts and after your eyes." Rabbi Levi said: heart and eye are the two agents of sin. It is

written (*Prov. 23:26*) "My son, give Me your heart; your eyes should watch My ways." The Holy One, Praise to Him, says: If you give me your heart and eyes I know that you are mine²⁰⁹.

"Do not steal" - "You shall harvest your grain, " not your neighbor's grain²¹⁰"

"Do not testify against your neighbor as a false witness," - "I am the Lord, your God." And it is written (*Jer. 10:10*) "But the Lord is the God of truth." What is truth? Rebbi Abun said: that (*Jer. 10:10*) "He is God of life and king of the world." Rebbi Levi said: The Holy One, praise to Him, said, if you gave false testimony against your neighbor, I count that against you as if you gave testimony against Me that I did not create heaven and earth²¹¹.

"Do not covet your neighbor's house" - "You shall write them on the doorposts of your house," your house and not your neighbor's house.

205 Since Rebbi Levi depends heavily on the third section of *Shema'*, he cannot agree that in the evening one should recite only two sections. In the Babli (*Berakhot* 12b), the third section of *Shema'* is singled out for its importance because five of the Ten Commandments are alluded to in it.

206 As R. Shelomo ben Adrat (Rashba) points out, שמע can mean "hear, understand, or accept."

207 Since the Sabbath alone is given a parallel status to "Torah" in this verse.

208 This promise is connected with honoring father and mother in the Ten

Commandments of Deuteronomy.

209 The connection seems to be from the following verse: "Because a dark ditch is the harlot and a source of trouble the strange woman."

210 This contradicts the opinion of the Babli, *Sanhedrin* 86a, that the Ten commandments forbid kidnapping, a capital crime like murder and adultery. The Babli's opinion is found also in *Mekhilta deR. Ismael* (Jithro 5), which possibly was edited in the Academy of Rav in Babylonia. The same attitude as here, that all stealing is prohibited, is found in *Mekhilta deR. Simeon bar Yohai*, p. 153.

211 This argument is the base of Rashi's commentary on *Berakhot* 14b, on the statement that one is required to end the recitation of *Shema'* with "the

Eternal is the God of truth." Rabbi Abun (Rabin) was a younger contemporary of R. Levi.

תָּמֹן תִּנְי אָמַר לְהֵן הַמְּמוּנָה בְּרָכוּ בְּרָכָה אַחַת וְהֵם בִּירְכוּ. מַה בְּרָכוּ. רַב מַתְנֵה אָמַר בְּשֵׁם שְׂמוּאֵל זֹ בְּרַכַת תּוֹרָה. וְקִרְאוּ עֲשֶׂרֶת הַדְּבָרוֹת שְׁמַע וְהִיא אִם שְׂמוּעַ. וַיֹּאמֶר. רַבִּי אָמִי בְּשֵׁם רַבִּי שְׁמַעוֹן בֶּן לִקְיִשׁ זֹאת אִמְרַת שְׂאִין הַבְּרָכוֹת מְעַכְבוֹת. אָמַר רַבִּי בָּא אִין מִן הַדָּא לִית שְׁמַע מִינָה כְּלוּם שְׁעֲשֶׂרֶת הַדְּבָרוֹת הֵן הֵן גּוּפָה שֶׁל שְׁמַע. דְּרַב מַתְנֵה וְרַבִּי שְׂמוּאֵל בְּר נַחְמֵן תְּרוּיָהוֹן אָמְרִין בְּדִין הֵנָּה שְׂיָהוּ קוֹרִין עֲשֶׂרֶת הַדְּבָרוֹת בְּכָל-יוֹם וּמִפְּנֵי מַה אִין קוֹרִין אוֹתָן מִפְּנֵי טַעֲנַת הַמֵּינִין שְׁלָא יְהוּ אוֹמְרִין אֱלוּ לְבַד נִיתְּנוּ לְמֹשֶׁה בְּסִינַי.

There it was stated (*Tamid* Mishnah 5:1): "The official in charge told them²¹²: recite one benediction! and they recited one benediction." What benediction did they recite? Rav Mattanah in the name of Samuel²¹³: that is the benediction for the Torah. "Then they recited the Ten Commandments and the three sections of *Shema'*." Rebbi Ammi in the name of Rebbi Simeon ben Laqish: that means that the benedictions are no obstacle²¹⁴. Rebbi Abba said: From here you cannot draw any inference because the Ten Commandments contain the essence of *Shema'*²¹⁵. Rav Mattanah and Rebbi Samuel ben Nahman both say that it would have been logical to require that the Ten Commandments should be recited every day. Why does one not recite them? Because of the arguments of the Christians²¹⁶, that they should not say that only these were given to Moses at Sinai.

212 This Mishnah deals with the details of the Temple service, in particular the prayers of the priests before the start of dawn and beginning

of services. The official in charge was one of the small permanent staff of the Temple; the priests themselves were divided into 24 "watches", one of which

served in the Temple from the placing of new show-bread on the Sabbath to its removal the next week. These "watches" are remembered in several *kinnot* for the Ninth of Av.

213 Rav Mattanah was a student of Samuel, the head of the Academy of Nahardea and representative of the Babylonian tradition in Talmudic studies.

214 Since it is implied that the priests fulfilled their duty of reciting the *Shema'*, it follows that the non-recitation of the benedictions preceding and following the *Shema'* does not invalidate the recitation of *Shema'* itself.

The Babli (11b) has a totally different approach. First, they note that Rav Mattanah did not know what benediction was recited in the Temple and then they report that Rav Yehudah said in the name of Samuel that the second of the daily benedictions preceding the *Shema'* was recited. Rabbi Ammi in the name of R. Simeon ben Laqish is quoted that "benedictions do not invalidate one another", i. e., the recitation of the second before the first is not an obstacle. The essential difference is that for the Babli, the

last benediction before *Shema'*, which is praise for the Torah and its study, may take the place of the explicit benediction for the Torah (e. g., for somebody who came late to the Synagogue and is reciting that benediction before he had a chance to recite the benediction for the Torah), whereas the Yerushalmi requires two benedictions unless one starts studying after the recitation of the *Shema'* without interruption; see below and *Tosaphot Berakhot* 11b, s. v. שכבר.

215 Since the benedictions for the *Shema'* were instituted for *Shema'* only, they are not applicable to the Ten Commandments; hence, the Ten Commandments, if recited at the start of the service, require the benediction for the Torah. On the other hand, in the preceding section it was shown that *Shema'* contains allusions to all of the Ten Commandments. Hence, *Shema'* is in a sense a duplication of the Ten Commandments and a separate benediction would be out of place.

216 מין always denotes a Jewish Christian. In the Babli (12a) it is said that "the reading of the Ten Commandments was stopped because of the propaganda of the (Jewish) Christians."

רבי שמואל בר נחמן בשם רבי יהודה בר זבדא בדין היתה שיהו קורין פְּרָשָׁת
בְּלֶק וּבִלְעָם בְּכָל-יוֹם וּמִפְּנֵי מָה אֵין קורין אותם שלא להטריח על הציבור.

רבי חונה אמר מפני שכתוב בה שכיבה וקימה. רבי יוסי בי רבי בון אמר מפני שכתוב בהן יציאה ומלכות. אמר רבי אלעזר מפני שכתובה בתורה בנביאים ובכתובים.

Rebbi Samuel bar Nahman in the name of Rebbi Yehudah bar Zebida²¹⁷: It would have been logical that one also would have to recite the chapter of Balaq and Balaam every day²¹⁸. Why does one not recite it? Not to incommode the public too much. Rebbi Huna said, because it mentions lying down and standing up²¹⁹. Rebbi Yose bar Abun said, because it contains the Exodus and God's kingdom²²⁰. Rebbi Eleazar said, because it is written in the Torah, in the Prophets, and in the Hagiographs.²²¹

217 A Galilean Amora of the second generation, possibly a student of Rav in Babylonia. He is also the author of the parallel statement in the Babli (12b). The statement of Rebbi Huna is given in the Babli in the name of Rebbi Yose bar Abun. The reasons of Rebbi Yose bar Abun and Rebbi Eleazar in the Yerushalmi are missing in the Babli.

The quotes in the Babli are all in the name of Galilean authorities.

218 The blessings of Balaam, *Num.* 23:7 - 24:25.

219 *Num.* 23:24, 24:9.

220 *Num.* 24:8, 23:21.

221 In the Torah as indicated; in the Prophets *Michah* 6:5, in the Hagiographs *Nehemiah* 13:2

אמר להן הממונה ברכו ברכה אחת והם בירכו. מה ברכו. רב מתנה אמר בשם שמואל אז ברכת תורה. והלא לא ברכו יוצר המאורות. רבי שמואל אחיו דרבי ברכה עדיין לא יצאו המאורות ותימר יוצר המאורות.

²²²"The official in charge told them: recite one benediction! and they recited one benediction." What benediction did they recite? Rav Mattanah in the name of Samuel: that is the benediction for the Torah. But they did not yet recite "Creator of the Lights!"²²³ Rebbi Samuel, brother of Rebbi Berekhiah, said: there is no light yet and you want to recite "Creator of the Lights"?

222 In the Babli, this piece would be introduced by גומא "let us return to our main theme." Such a reference is always missing in the Yerushalmi. In the Babli, this argument is an anonymous tentative statement (12a). Rabbi Samuel, brother of Rabbi Berekhiah, is an Israeli Amora of the fourth generation. His brother, Rabbi

Berekhiah, is one of the authors of the oldest sections of *Midrash Rabba*.

223 The first benediction before the *Shema'*, a celebration of God's creation of the sun. The corresponding benediction in the evening is a celebration of God's making the world revolve alternately into darkness and light.

וּבְשַׁבָּת מוֹסִיפִין בְּרָכָה אַחַת לְמִשְׁמֶר הַיּוֹצֵא. מִהוּ בְּרָכָה. אָמַר רַבִּי חֵלְבוֹ זוֹ
הִיא הַשּׁוֹכֵן בְּבֵית הַזֶּה יֵטַע בֵּינֵיכֶם אֶתְהוּ וְאֶתְהָה שְׁלוֹם וְרַעוּת.

(*Tamid* Mishnah 5:1) On the Sabbath they add one benediction for the departing watch. What kind of benediction? Rabbi Helbo²²⁴ said, that is it: May He Who resides in the Temple plant among you brotherliness and love, peace and neighborliness.

224 A Babylonian, student of Rav Huna and colleague of Rav Sheshet, who emigrated to Galilee and became student of Rabbi Samuel bar Nahman and Rabbi Ammi. He was the main teacher of Rabbi Berekhiah. His statement appears in the Babli in identical form (12a).

שְׂמוּאֵל אָמַר הַשְּׂכִים לְשָׁנוֹת קוֹדֵם קְרִיַת שְׁמַע צְרִיד לְבָרָה. לְאַחַר קְרִיַת שְׁמַע
אִין צְרִיד לְבָרָה. אָמַר רַבִּי בָּא וְהוּא שְׁשָׁנָה עַל אֶתֶר. רַבִּי חוּנָא אָמַר נִרְאִין
הַדְּבָרִים מִדְּרַשׁ צְרִיד לְבָרָה. הִלְכוֹת אִין צְרִיד לְבָרָה. רַבִּי סִימוֹן בְּשֵׁם רַבִּי
יְהוֹשֻׁעַ בֶּן לֵוִי בֵּין מִדְּרַשׁ בֵּין הִלְכוֹת צְרִיד לְבָרָה. אָמַר רַב חִינָא בַר אֲשִׁי נִהְיִין
הוִינָן קוּמוּי רַב בֵּין מִדְּרַשׁ בֵּין הִלְכוֹת זְקָקִינוּ לְמִבְרָכָה.

Samuel said: If one got up early to study before he recited the *Shema'* he has to recite the benediction. After the recitation of *Shema'* he does not have to recite the benediction. Rabbi Abba²²⁵ said, that is only if he studied immediately. Rabbi Huna²²⁶ said: It is reasonable to say that for

exegesis²²⁷ one has to recite the benediction, for practical rules²²⁸ one does not have to recite the benediction. Rabbi Simon in the name of Rabbi Joshua ben Levi: Both for exegesis and for practical rules one has to recite the benediction. Rav Ḥiyya bar Ashi said: When we were sitting before Rav, he always required us to recite the benediction both for exegesis and for practical rules²²⁹.

225 The opinion of the Yerushalmi is that the benediction before *Shema'* is no substitute for the benediction on the Torah. The statement of Rabbi Abba, Babylonian immigrant to Israel, former student of Rav Yehudah, the student of Samuel, harmonizes Babylonian practice, expressed by Samuel, with Israeli theory by accepting the Babylonian practice but making it impracticable. על אחר is the same as Babylonian לאחר "on the spot, immediately."

226 From the parallel in the Babli (11b) and the order of statements it seems that "Rebbi" here in the Yerushalmi is a scribal error for Rav; the author of the statement is Rav Huna, the student of Rav from the family of the Resh Galuta. The discussion in the Babli is much more detailed, starting with the study of Scripture and going into the details of the sections of the Oral Law.

227 It seems that here מדרש includes both exegesis of the Torah and exegesis of the Oral Law, anything that is not obvious either from a biblical verse or from a Mishnaic statement.

228 Practical rules, הלכה, refers to the memorization of fixed statements which are immediately applicable, whether a Mishnah, Tosephta, or a deciding statement of an Amora.

229 In the Babli (11b), Rav Ḥiyya bar Ashi, the student of Rav, notes that for his early morning class, Rav washed his hands, recited the benedictions, and proceeded to teach the *Midrash Halakha* on the Torah, thus combining all aspects of Torah study. In the version of the Babli, the statement of Rav Ḥiyya bar Ashi is separate from the preceding discussion and seems to indicate that the different aspects of Torah study should not be separated, in contrast to the Yerushalmi version.

תני הקורא עם אנשי מעמד לא יצא כי מאחריו היו. רבי זעירא בשם רבי אמאי ביומוי דרבי יוחנן הויגון נפקין לתעניתא וקורוי שמע בתר תלת שיעין ולא הוה ממחי בגדו. רבי יוסי ורבי אחא נפקו לתעניתא אתא ציבורא ומוקרי שמע בתר תלת שיעין. בעא רב אחא מחויי בגדו. אמר ליה רבי יוסה נהלא כבר קראו אותה בעונתה. כלום קורין אותה אלא כדי לעמוד בתפילה מתוך דבר תורה. אמר ליה מפני ההדיוטות שלא יהו אומרין בעונתה הן קורין אותה.

It was stated²³⁰: He who recites with the men of *Maamad*²³¹ has not done his duty since they were too late. Rabbi Zeira in the name of Rabbi Ammi: In the days of Rabbi Yohanan we went out for a fast-day and recited *Shema'* after three hours and he did not oppose us²³². Rabbi Yose and Rabbi Aha went out for a fast-day. The public came and recited *Shema'* after three hours. Rabbi²³³ Aha wanted to oppose them. Rabbi Yose said to him: Did they not recite at its due time²³⁴, now they only recite it in order to stand in prayer after words of the Torah. He answered back: It is because of the uneducated, who should not say that the recitation was in its correct time²³⁵.

230 A somewhat different version of this *baraita* is in Babli *Yoma* 37b.

231 The land of Israel was divided into 24 districts, corresponding to the 24 families of priests, and every week a select group of laymen from the district in charge of the week came to Jerusalem to be present at the sacrifices. Since public sacrifices were brought on behalf of the entire people, a sacrifice must be brought with its owners being present. The lay

delegation, the *Men of Maamad*, were the representatives of the Jewish people at the daily sacrifices. Since these sacrifices started very early, the men of *Maamad* had to participate before they could hold their prayers. Therefore, they started their morning prayers only after the daily morning sacrifice was completed. By that time, it was later than three hours into daylight and anyone else would be too late in their recitation.

232 In Israel, a fast day usually meant a day of fasting for rain. The services for these fast days were always held in the public square, therefore one had "to go out". Also, the sermon was given before the start of prayers since a sermon after prayers would not do much good and on fastdays the regular service, with an extended *Amidah*, was said. By the time that a great many people were assembled and the sermon was given, it was rather late, later than three

variable hours (one quarter of the time between sunrise and sundown).

233 The reading רב that is found in all printed editions and manuscripts is clearly a copyist's error; the entire discussion is about rain fasts in Israel and only Israeli scholars are involved.

234 At the time of the morning benedictions that were said at home, not in the synagogue.

235 The disagreement between Rebbis Yose and Aḥa is not resolved in the Yerushalmi.

אלו ברכות שמאריך בן ברכות ראש השנה ויום הכפורים וברכות תענית ציבור. מברכותיו אדם ניכר אם תלמיד חכם הוא אם בור הוא. אלו ברכות שמקצרו בן המברך על המצוות ועל הפירות וברכת הזימון וברכה אחרונה של ברכת המזון אחר המזון. הא כל שאר ברכות אדם מאריך. אמר חזקיה מן מה דתני המאריך הרי זה מגונה והמקצר הרי זה משובח הדא אמרה שאין זה הפלל. תני צריך להאריך בגואל ישראל בתענית. הא בשש שהוא מוסיף אינו מאריך. אמר רבי יוסה שלא תאמר הואיל והוא מעין יח לא יאריך בה. לפום כן צריך מימר צריך להאריך בגואל ישראל בתענית.

These are the benedictions that one makes long²³⁶: the benedictions for *Rosh Hashanah* and *Yom Kippur*, and the benedictions for a public fast day. From his benedictions one can tell whether someone is a scholar or is uneducated. These are the benedictions that one makes short: He who makes a benediction over a commandment and on fruits, the introductory paragraph of Grace²³⁷, and the last benediction in Grace after the meal²³⁸. Hence, all other benedictions one should make long. Hizqiah²³⁹ said: From what we have stated: He who makes it long is despicable, he who

makes is short is praiseworthy, which means that this is not a principle²⁴⁰. We have stated: One has to make long the benediction "Who saves Israel" on a fast day²⁴¹. Hence²⁴², the six additional benedictions he should not make long. Rabbi Yose said: You should not say: because this is part²⁴³ of *Shemoneh Esreh* one should not make it long, therefore it is necessary to say: One has to make long the benediction "Who saves Israel" on a fast day.

236 In a different order (short, long, recognize) the statement is found in Tosephta *Berakhot* 1:6. In Tosephta 1:7, the list of the short benedictions is repeated as that of benedictions which do not have a separate ending (where, however, Rabbi Yose Hagalili disagrees about the fourth benediction of Grace.) Towards the end of the *Halakhah* here, Rabbi Yudan will explain that Tosephta 1:7 gives the definition of "short" in the Mishnah and Tosephta 1:6; hence, it follows that "long" is identical with "having a separate ending: Praise to You, o Eternal, . . ." That identification has been accepted by most Medieval authorities.

However, originally the definition seems to have been the one given here and in Tosephta 1:6, viz., that there exist benedictions, those of *Musaph* of *Rosh Hashanah*, all prayers of *Yom Kippur* with the Confessions, and the additional benedictions in the prayer of a public fast for rain (a lengthened

Seventh benediction followed by six additional ones, detailed in Mishnah *Taanit* 2:4) which were not those of the congregation, but of the cantor who in Israel at that time was supposed to present his own compositions, and those of the list had to be long. Then there exists a short list of short benedictions that may not be lengthened by poetic insertion. And finally, there exist the benedictions not mentioned here at all, like the benedictions before and after the recitation of *Shema'*, where it seems the cantor may produce poetic insertions without being characterized either as scholar or as uneducated.

237 Some Medieval authors (e. g. *Sefer Hamanhig, Hilkhot Se'udah*, #16) read "the benediction over food (מזון)" instead of *zimmun* (זימון), the introductory paragraph. This reading would explain the seemingly redundant "Grace after a meal" but is it not supported by any manuscript either of the Yerushalmi or the Tosephta. *Sefer*

Hamanhig explains this "benediction over food (מזון)" as the benediction before the meal.

238 The last benediction was originally only "Praise to You, o Lord, King of the Universe, Who is good and does good" (*Talmid Rabbenu Yonah, Alfassi Berakhot* 36a). The extensions that today make the benediction short in form but long in text are mainly of Babylonian origin; cf. the discussion in the author's *The Scholar's Haggadah*, pp. 358-359.

239 One of the twin sons of Rabbi

Hiyya, collaborator of Rabbi Yehudah the Prince.

240 The benedictions not mentioned may be enlarged by poetic insertions but do not have to be long.

241 With poetic or Biblical insertions.

242 Since the next six benedictions are not mentioned in this *baraita*.

243 Of the everyday prayers. One has to assume that Rabbi Yose would classify the קרובך insertions on Purim as short.

אלו ברכות ששוחחין בהן בראשו תחילה וסוף. ובמודים תחילה וסוף. השוחח על כל-ברכה וברכה מלמדין אותו שלא ישוח. רבי יצחק בר נחמן בשם רבי יהושע בן לוי כהן גדול שוחח על סוף כל-ברכה וברכה. המלך ראש כל-ברכה וברכה וסוף כל-ברכה וברכה. רבי סימון בשם רבי יהושע בן לוי המלך משהוא כורע אינו זוקף עד שהוא משלים כל-תפילתו. מאי טעמא ויהי קבלות שלמה להתפלל אל יי את כל-התפילה ואת כל-התחינה הזאת קם מלפני מזבח יי מפרוע על ברקיו.

These are the benedictions for which one bows down²⁴⁴: The first²⁴⁵, beginning and end; "thanks", beginning and end. One who bows down for every benediction is taught that he should not bow down²⁴⁶. Rabbi Isaac bar Nahman²⁴⁷ in the name of Rabbi Joshua ben Levi: The High Priest bows down at the end of every benediction; the king at the start and the end of every benediction. Rabbi Simon in the name of Rabbi Joshua ben Levi: Once the king bows down deeply he does not get up until he finishes his entire prayer²⁴⁹. What is the reason? (*1Kings* 8:54) "It was

when Solomon finished all this prayer and supplication to the Eternal, he got up before the Eternal's altar and did no longer bow down on his knees."

244 Here one does not talk about the recitation of the *Shema'* and its benedictions at all but about the eighteen benedictions of the *Amidah*, the subject of Chapters 3 and 4. In the Babli, the place of this discussion is in Chap. 4, p. 34a. The reason that the subject is taken up in this context in the Yerushalmi is that in the Tosephta (*Berakhot* 1:8) it is dealt with immediately after the discussion of short and long benedictions. (In Tosephta and Babli, the verb "to bow down" is *נחש*, not *נחש* as in the Yerushalmi. This is another indication that the Tosephta in our hands today is a Babylonian edition of an originally Israeli text.)

245 At the very start of *Shemone Esre* and before the benediction

"Shield of Abraham."

246 Either because he imitates behavior reserved for the High Priest or because he is ostentatious in his religiosity, an objectionable behavior.

247 One of the students of R. Joshua ben Levi in the early Talmudic period.

248 It seems that the statements of Rebbis Simon and Isaac ben Nahman refer to two different statements of R. Joshua ben Levi: The first one is about bowing down like everybody else, the second one is about kneeling, as in the *Musaph* prayer of *Rosh Hashanah*, when everybody can get up except for the king (according to Rashi in the Babli, 34a, because with increasing earthly power comes the need for increasing submission to God.)

אי זו היא כריעה ואי זו היא בריכה. רבי חייא רבא הראה בריכה לפני רבי ונפסח ונתרפא. רבי לוי בר סיסי הראה כריעה לפני רבי ונפסח ולא נתרפא.

²⁴⁹What is bowing down to one's knees and what is kneeling? The great Rabbi Hiyya demonstrated kneeling before Rabbi, he got up lame and was healed. Rabbi Levi ben Sisi demonstrated bowing down to his knees before Rabbi, he got up lame and was not healed.

249 The origin of this short insertion is *Sukkah* 5:4 where it is reported that

Rabban Gamliel, on occasion of the joyous dance for the drawing of water

on Sukkot not only had a fire dance with eight different torches swirling in the air but also showed "bowing down to one's knees" as making a push-up by supporting oneself not on two hands but only on two fingers. This

introduction has fallen out here and the two terms כריעה, בריכה have been switched. What the Yerushalmi calls בריכה, the parallel in the Babli (*Megillah* 22b, also *Berakhot* 34b) calls קידה, "falling on one's face".

וְכַפְיוֹ פְרוּסוֹת הַשָּׁמַיִם אָמַר רַבִּי אֵיבּוֹ כְּגוֹן הַדִּין נִקְרִיטִים²⁵⁰ הִנֵּה עוֹמֵד. אָמַר רַבִּי אֶלְעָזָר בַּר אַבִּינָא הִזְהִיר בְּכַפָּיִם הַלְלוּ שְׁלֹא יִנְטְפוּ בְּבִנְיָן בֵּית הַמִּקְדָּשׁ כְּלוּם.

(*IKings* 8:54) "His hands raised to Heaven."²⁵¹ Rabbi Ayvu said: He was standing as if inanimate. Rabbi Eleazar bar Avina said: He made clear that these palms did not get at all dirty during the building of the Temple²⁵².

250 Reading of the Rome manuscript; Leyden and Venice: בקרים
The word is Greek νεκρός "inanimate" (adj).

251 This is the end of the verse quoted earlier for Solomon's prayer. The text of the Venice edition here is inferior to that of the Rome manuscript that has been followed. (In the Venice print: וזהיר is missing, נטפו for ינטפו.)

As Levy recognized, נטף is the same as טנף.

252 He seems to emphasize that Solomon raised his "open hands", not his "hands", to show that from all the riches that David had assembled for the building of the Temple (*IChr.* 29:1-9) not a penny was sticking to his own palms.

תָּנָא רַבִּי חֲלַפְתָּא בֶּן שְׂאוּל הַכֹּל שׁוֹחֲחִין עִם שְׁלִיחַ צִיבּוּר בְּהוֹדָאָה. רַבִּי זְעִירָא אָמַר וּבִלְבָד בְּמוֹדִים. רַבִּי זְעִירָא סָבַר לְקַרְוָבָה כְּדִי לְשׁוּחַ עִמּוֹ תַּחֲיִלָּה וְסוּף. רַבִּי יִסָּה כְּדִי דְסָלִיק לְהַכָּא תַּמְתֵּין וְחִנִּין וּמִלְחָשִׁין. אָמַר לוֹן מַהוּ דִּין (fol. 3d) לְחִישָׁה וְלֹא שְׁמִיעַ דְּמַר רַבִּי חֲלָבוֹ רַבִּי שְׁמַעוֹן בְּשֵׁם רַבִּי יוֹחָנָן בְּשֵׁם רַבִּי יִרְמְיָה רַבִּי חֲנִינָא בְּשֵׁם רַבִּי מִיִּישָׂא רַבִּי חִינָא בְּשֵׁם רַבִּי סִימְאִי. וְאֵית דְּאָמְרִין חֲבַרְבָּא

בשם רבי סימאי מודים אנחנו לך אדון כל־הבריות אלוה התושבחות צור העולמים חי העולם יוצר בראשית מחיה מתים שהחייטנו וקיימתנו וזכיתנו וסייעתנו וקרבנתנו להודות לשמך ברוך אתה יי אל ההודאות. רבי בא בר זבדא בשם רב מודים אנחנו לך שאנו חיבין להודות לשמך תרגנו שפתי כי אַזמרה לך ונפשי אשר פדית ברוך אתה יי אל ההודאות. רבי שמואל בר אינאי בשם רבי אחא הודיה ושבח לשמך לך גדולה לך גבורה לך תפארת יהי רצון מלפניך יי אלהינו ואלהי אבותינו שתסמכינו מנפילתינו ותקפנו מכפיפתינו כי אתה הוא סומך נופלים וזוקף כפופים ומלא רחמים ואין עוד מלבדך ברוך אתה יי אל ההודאות. בר קפרא אמר לך פריעה לך כפיפה לך השתחויה לך בריכה לך תכרע כל־ברך תשבע כל־לשון לך יי הגדלה והגבורה והתפארת והנצח וההוד והאשר ובהאריך לך יי הממלכה והמתנשא לכל לראש והעשר והכבוד מלפניך ואתה מושל בכל ובגידך כח וגבורה ובגידך לגדל ולחזק לכל ועתה אלהינו מודים אנחנו לך ומהללים לשם תפארתך בכל־לב ובכל־נפש משתחוים כל עצמותי תאמרנה יי מי כמוך מציל עני מהזק ממנו ועני ואביון מגוזלו ברוך אתה יי אל ההודאות. אמר רבי יודן נהגין רבנין אַמרין כולהון. ואית דאמרין או הדא או הדא.

Rebbi Halaphta ben Shaül²⁵³ stated: Everybody bows down with the cantor for the benediction of thanksgiving. Rebbi Zeira said: But only for the word *modim*. Rebbi Zeira was attentive to the Qeroba²⁵⁴ to bow his head at the beginning and at the end. Rebbi Yose when he came up here²⁵⁵ saw them bowing down and whispering. He said to them: What is this whispering? He had not heard what Rebbi Helbo, Rebbi Simeon said in the name of Rebbi Yohanan, in the name of Rebbi Jeremiah²⁵⁶, Rebbi Hanina in the name of Rebbi Miasha²⁵⁷, Rebbi Hiyya in the name of Rebbi Simai, and some say, the colleagues²⁵⁸ in the name of Rebbi Simai: We thank You, Master of all creatures, God of praises, eternal Rock, Life of the Universe, Creator, Who resurrects the dead, that You have made us alive, kept us, gave us merit, supported us, and brought us near to give

thanks to Your name; praised be You, o Eternal, God of thanksgiving. Rebbi Abba bar Zavda²⁵⁹ in the name of Rav: We thank You since we are obliged to give thanks; may my lips sing, for I shall sing to You with my soul that You have redeemed; praised are You, o Eternal, God of thanksgiving. Rebbi Samuel bar Inia²⁶⁰ in the name of Rebbi Aḥa: Thanksgiving and praise to Your name, Yours is greatness, Yours is strength, Yours is glory! May it please You, o Eternal, our God and God of our fathers, that You may support us in our fall, straighten us up from our bent state, because You support the falling and straighten up the bent ones, You are full of mercy and nothing exists except You; praised are You, o Eternal, God of thanksgiving. Bar Qappara²⁶¹ said: For You we fall down, for You we bend down, for You we prostrate ourselves, for You we kneel, to You every knee should fall down and every tongue swears. (*IChr.* 29:11-13): Yours, o Eternal, is greatness, strength, glory, victory, and majesty, truly all that is in heaven and on earth; Yours, o Eternal, is the kingdom, and You lift Yourself over all as head. Riches and honor are before You, You rule over all; in Your hand is power and strength, it is in Your hand to make great and strengthen everything. And now, our God, we thank You and praise Your glorious name; with all our heart and soul we prostrate ourselves before You. (*Ps.* 35:10) My entire self shall say: O Eternal, who is like You, Who saves the destitute from one who is stronger than he is, the destitute and poor from the one who robs him. Praised are You, o Eternal, God of thanksgiving.

Rebbi Yudan said: the rabbis used to say all of these²⁶². But some say, either one or the other.

253 An Amora of the first generation in Israel who occasionally is

quoted as a Tanna. His opinion is the only one given here, to the effect that

one has to bow down at *modim*. The Babli (*Berakhot* 34b) quotes that Rava, Rav Nahman and Rav Sheshet actually fell down on their knees for *modim*; the Talmud quotes a *baraita* which explicitly forbids falling down on one's knees. Louis Ginzberg assumes that in Israel, falling on one's knees was always strictly forbidden since their synagogues were built of stone with stone floors and falling on one's knees on a stone floor outside the Temple is forbidden. In Babylonia, where synagogues were brick with hardened dirt floors, falling on one's knees was permitted.

254 *Qeroba* is the cantor, the שליח ציבור, who presents his own poetic offering of the prayer, the *qerovut*, קרובות or קרובץ, to the congregation for the repetition of the *Amidah*, as noted by L. Ginzberg. סבר here seems to mean "to be attentive", as in the exclamation before the *qiddush* סברי "please pay attention".

It seems that Rabbi Zeira timed his thanksgiving, one of the longer texts given here, so he could end his benediction in unison with the cantor.

255 "Coming up" means making *aliyah* from Babylonia to Israel. The Babli (*Sota* 40a) also reports very short texts by Rav, Samuel, Rabbi Simai (also of the generation between Tanna'im

and Amora'im) and a slightly longer one by Rav Aḥa bar Jacob (a student of Rav Huna, the student of Rav). Most of these texts are so short that they do not lead to the congregation whispering for any length of time.

256 A Tanna of the last generation, student of R. Yehudah ben Batyra.

257 One of the first Tanna'im with the title of "Rebbi", from the last times of the Second Temple.

258 The collective of scholars in the Yeshivah.

259 An Israeli Amora who received his training in the Babylonian academy of Rav.

260 A student of Rabbi Aḥa, Israeli Amora of the fourth generation. The name of his father cannot be determined with certainty; the form given here is from the Rome manuscript. In the Venice print it appears as Mina, at other places in the Yerushalmi it appears as Ina, Idi, Bina, Yonah, Yanna, Yannai. The fourth generation of Galilean Amora'im saw the Roman empire become Christian and lived through the first persecutions that finally forced the following generation to abandon the work on the Jerusalem Talmud.

261 A contemporary of Rabbi who also made his own compilation of Mishnayot. His full name was R.

Eleazar, son of R. Eleazar the Qappar. Since his name is identical to that of his father it is clear that he was a posthumous child; cf. E. and H. Guggenheimer, *Jewish Family Names and Their Origins*, Ktav 1992, *Etymologisches Lexikon der jüdischen Familiennamen*, München 1996, both p. xviii.

While the previous texts were quoted in historical order, the text of Bar Qappara should have been the first. The reason may be his extensive use of Biblical verses that were a matter of controversy, see below (and

in all Yerushalmi versions this is a formal benediction.)

262 Statement of Rav Papa in *Babli Soṭa* 40a. It appears from here that Rav Papa (fifth generation in Babylonia) had good precedent for his ruling from Rabbi Yudan (fourth generation in Israel). The method of Rabbi Yudan/Rav Papa is more adequate to a collection of short statements as given in the *Babli* than to the very long pieces quoted here in the Yerushalmi.

תני ובלבד שלא ישוח יותר מדאי. אמר רבי ירמיה ובלחוד דלא יעביד כהדין
 חרדונה אלא כל עצמותי תאמרנה יי מי כמוך. מילתא דחנן בר בא פליגא
 דחנן בר בא אמר לחבריא נימור לכון מילתא טבא דחמית לרב עביד
 ואמריתה קומי שמואל וקם ונשק על פומי. ברוך אתה שוחה. בא להזכיר
 את השם זוקף. שמואל אמר אנא אמרית טעמא יי זוקף כפופים. אמר רבי
 אמי לא מסתברא אלא מפני שמי ניחת הוא. אמר רבי אבון אלו הוה כתיב
 בשמי ניחת הוא נאות. לית כתיב אלא מפני שמי ניחת הוא. קודם עד שלא
 הזכיר את השם כבר ניחת הוא.

We have stated: Only that one should not bow down too much²⁶³. Rabbi Jeremiah said: On condition that one should not behave like that large lizard²⁶⁴, but (*Ps.* 35:10) "All my bones should say, o Eternal, who is like You?" The word of Hanan bar Abba²⁶⁵ disagrees since Hanan bar Abba said to the colleagues: I shall tell you one of the good things that I saw Rav do and, when I told it before Samuel, he got up and kissed me on my mouth. At "praised are You", he bows down. When he comes to

mention *Hashem*, he straightens up. Samuel said: I shall give the reason (*Ps.* 35:10): "The Eternal straightens the bent ones." Rabbi Ammi²⁶⁶ said: It is not reasonable, but (*Mal.* 2:5): "Before My Name he is low."²⁶⁷ Rabbi Abun said: If it were written "at My Name he is low" then you would be right, but it is written "before My Name he is low", before he mentions *Hashem* he is low.

263 After the digression about the text of the private prayer during *modim*, the discussion now returns to the statement that one has to bow twice at the beginning and the end of the *Amidah*.

264 Arabic תְּרִדִין, תְּרִדִין "large lizard". Tosafot *Berakhot* 12b in the Venice print quote this Yerushalmi as הירוגא and declares it to be the Yerushalmi translation of צָב (*Lev.* 11:29). In the Wilna Talmud Babli, the word was changed to חריוגא following our text. In the *Targum Yerushalmi* (*Pseudo-Jonathan*), the translation of צָב is תְּרִדִינָא. It seems that the *Targum Yerushalmi* takes Hebrew צָב as parallel to Arabic لِيْزَان "lizard" (of all sizes), not as "turtle" as in late Biblical and modern Hebrew.

Rebbi Jeremiah means that, while one should not bow down too much, on the other hand one should not behave like a lizard which keeps its body quiet and moves only the head when it is catching flies. He requires that one

should bow down enough so that all bones of one's spine are moved in God's praise.

265 Ḥanan bar Abba appears in the Babli as Rav Ḥanan bar Rava, son-in-law of Rav and father-in-law of Rav Ḥisda. He disagrees with those who bow down at *modim* and remain bowed to the end of their private supplication, even though he formulates his statement in terms of the first benediction of *Shemone Esreh* which starts and ends with "Praised are You, *Hashem*", but his statement is applicable to all other situations, that one never should be bowed when mentioning the Name.

266 Since Rabbi Ammi and Rabbi Abun the first (Ravin) were contemporaries, R. Abun here is the first, not his posthumous son of the same name. Rabbi Ammi also is the contemporary of R. Ḥiyya bar Abba mentioned in the next section and, as successor of R. Yoḥanan as head of the Yeshivah of Tiberias, he is the higher authority.

267 The verse in Maleachi refers to Levi, son of Jacob, or Aharon, the High Priest. Most commentators of Psalms, including Rashi, derive נח from the

root נח "to tremble" but the Amora'im take it as derived from (Aramaic) נח "to descend".

רבי שמואל בר נתן בשם רבי חמא בר חנינא מעשה באחד ששחח יותר מדאי והעבירו רבי. רבי אמאי אמר רבי יוחנן הנה מעביר. אמר ליה רבי חייא בר בא לא הנה מעביר אלא גער.

Rebbi Samuel bar Nathan²⁶⁸ in the name of Rebbi Hama bar Hanina: It happened that one bowed down too much and Rebbi removed him. Rebbi Ammi said, Rebbi Yohanan did remove. Rebbi Hiyya bar Abba said, he did not remove but scold.

268 A student of R. Hama bar Hanina, the son of R. Hanina ben Hama of the generation of Rebbi. Since Rebbi Yohanan did know Rebbi Samuel bar Nathan in his old age, it follows that the two stories are complementary, not that there is a difference of opinion on who removed the cantor because of his excessive bowing. It is clear that we are talking about a cantor because only he can be removed from office by the Rabbi. This does not imply that any congregant would

be allowed to bow down too much, only that he cannot be removed. This is the interpretation of Maimonides (*Hilkhot Tefillah* 9:4, see *Kesef Mishneh* on that text).

It is difficult to decide the opinion of the Yerushalmi about whether in practice one removes or simply scolds such a cantor since Rebbi Ammi is in general the higher authority but Rebbi Hiyya bar Abba is quoted in the last, preferred, position.

אלו ברכות שפותחין בהן בברוך. כל הברכות פותחין בהן בברוך ואם היתה ברכה סמוכה להבירתה כגון קריית שמע ותפילה אין פותחין בהן בברוך.

These are the benedictions one begins with "Praised". All benedictions one begins with "Praised", but a benediction following another one, e. g., the recitation of *Shema'* and *Amidah*, one does not begin with "Praised".²⁶⁹

269 This statement exists in two additional versions. In the Babli (*Berakhot* 46a) it reads: All benedictions one begins with "Praised" except for benedictions over fruits, obligations, benedictions following another one and the last benediction of the recitation of *Shema'*. In the Tosephta (*Berakhot* 1:9) it reads: All benedictions one begins with "Praised" except for benedictions following another one and the last benediction of the recitation of *Shema'*.

The versions of the Tosephta and the Babli are essentially identical, except that the Babli for completeness includes the short benedictions of one sentence for the execution of a *mitzvah* and for eating food, whose

form otherwise is taken for granted. The main difference between the Babli/Tosephta and the Yerushalmi is that the last benediction for the *Shema'*, the one recited after *Shema'*, is considered by the Yerushalmi to be the continuation of the second benediction before *Shema'* but for the Babli it needs special mention. The consequence is that for the Yerushalmi all prayer benedictions separated by Scriptural readings from a preceding benediction are considered consecutive (the benedictions after the morning Psalms and *Hallel*) whereas for the Babli each one needs special treatment. The first objection to the rule given in the next paragraph is therefore impossible for the Babli.

התיב רבי ירמיה וְהָרִי גְאוּלָּהּ. שְׁנֵינָא הִיא. דְּמַר רַבִּי יוֹחָנָן הַלֵּל אִם שְׁמַעָה
בְּבֵית הַכְּנֶסֶת יָצָא. הִתִּיב רַבִּי אֶלְעָזָר בִּי רַבִּי יוֹסֵה קוֹמִי רַבִּי יוֹסֵה וְהָרִי סוּפָה.
אָמַר לִיה שְׁתִּים הֵנָּה אַחַת לְבוֹא וְאַחַת לְשַׁעֲבֵר.

Rebbi Jeremiah objected: But there is "redemption"²⁷⁰. There is a difference since Rebbi Yoḥanan said²⁷¹: If he heard *Hallel* in the synagogue he has fulfilled his obligation. Rebbi Eleazar, the son of Rebbi Yose, objected before Rebbi Yose, but there is its ending.²⁷² He said to him: there are two, one for the future and one for the past.²⁷³

270 The answer shows that the question is about the benediction at the end of the recitation of the *Haggadah* in the *Seder* night: "Praised are You, o

Eternal, our God, King of the Universe, Who has redeemed us and has redeemed our forefathers from Egypt and let us attain this night to eat

mazzah and bitter herbs. May it please You, o Eternal, our God and God of our fathers, to let us attain in peace more festive seasons and holidays, when we shall rejoice in the rebuilding of Your city and enjoy Your service. There we shall eat from the family offerings and the *pesah* sacrifice whose blood shall reach the wall of Your altar for goodwill. Then we shall thank You with a new song for our redemption and the liberation of our persons. Praise be to You, o Eternal, Who did save Israel."

This benediction follows the recitation of the first two Psalms of *Hallel*. It is clear from here, and from the parallel in the last Chapter of Yerushalmi *Pesahim* that in Israel in Talmudic times one preceded the recitation of *Hallel* by a benediction (the details are discussed in the author's *The Scholar's Haggadah*, pp. 317-318). Hence, by the principle of the Yerushalmi, this benediction should not start with "Praised".

271 *Pesahim* 9:1, fol. 37c. In Galilee there existed congregations which were illiterate except for the cantor, where no one could recite the *Hallel* or the entire *Haggadah* at home. For these people it was instituted that *Hallel* should be recited in the synagogue after evening prayers (with its

benedictions before and after); then the people could go home and just recite the benediction for redemption, drink four cups and go to bed. The text there seems to imply that the required recital of the Exodus likewise was read to them in the synagogue. The generally accepted implication of this and the following arguments is that any benediction which under some circumstances could be recited by itself has the status of a benediction that is not following another one (*Rashba* on Babli *Berakhot* 36a).

272 There is much controversy about the meaning of this question; every commentator has another interpretation. In the author's opinion, this is a complete parallel to the identical question asked later for *Qiddush* and refers simply to the concluding statement "Praise be to You, o Eternal, Who did save Israel." Since this follows the entire text, it certainly is a benediction following another one, so why does it repeat "Praise be to You, o Eternal"?

273 A statement of Rava in Babli *Pesahim* 117b notes that the benediction for redemption after *Shema'* and in the *Haggadah* is גאל ישראל but that in the *Amidah* prayer is גואל ישראל. The same formulation, גאל ישראל, is found in the Mishnah *Pesahim* and is followed by the *Haggadah* texts with

the exception of the Yemenite ones. The unvocalized text of Mishnah and Talmud is read גָּאֵל יִשְׂרָאֵל in the past tense. Then Rabbi Yose's statement makes sense. Since the text concentrates on the future after a perfunctory mention of the past, the conclusion by a benediction for the past is a change of theme and, therefore, the concluding phrase has to be considered a separate benediction. [Rebbi Yose belongs to those authorities who require that the topic of the final benediction should be repeated *immediately* before the final sentence. His opinion is superseded here by that of Rabbi Mana later in the discussion but is taken up again by Rabbi Aha.]

The very conservative Yemenite

tradition, strictly based on the Babli, cannot be expected to disregard a prescription of that Talmud. Hence, it is possible that Rava did read גָּאֵל יִשְׂרָאֵל, a *pa'el* form of the present [cf. S. Morag, בגין פָּאֵל וּבגין נִחְפָּאֵל, *Tarbiz* 26 (1957), 349-356 and the material quoted in the author's *The Scholar's Haggadah*, p. 322.] The Yerushalmi here shows that the Israeli reading was גָּאֵל יִשְׂרָאֵל. Hence, identical (consonantal) wording in Babli and Yerushalmi does not necessarily imply same text and same meaning. Since Italian and Northern European Jewry obtained their prayer texts from Israel, probably in the Mishnaic period, it is the rule that their prayer texts follow Yerushalmi sources.

הַתִּיבוּן הַרִי הַבְּדֻלָּה. דְּמַר רַבִּי בָּא בַר זְבִדָּא רַבִּי הִיא מְפַזְרֵן וְחִזַּר
 וְכוּלְלֵן עַל הַפּוֹס. רַבִּי חִינְיָא רַבָּא הִיא מְכַנְסֵן.

They objected: There is *Havdalah*.²⁷⁴ There is a difference since Rabbi Abba bar Zavda said that Rabbi was dispersing them and collecting them on the cup. The great Rabbi Ḥiyya was collecting them²⁷⁵.

274 The *Havdalah* benediction at the end of the Sabbath is preceded by benedictions over wine, spices, and light. These are all short sentences and it is universally agreed that they should start with "praise". The only problem is the *Havdalah* benediction itself, which

follows the other ones. The answer is that the benedictions over spices and fire are recited in order only for convenience, not out of necessity, and that Rabbi did recite them separately. Hence, *Havdalah* is a potentially free-standing benediction, but it follows

always the benediction for wine. The objection based on this is not raised, but it will be raised for *Qiddush* and the answer given there also applies here. It is explained in Babli *Pesahim* 54a that Rabbi was collecting the other

benedictions on the cup for his family, not for himself.

275 Being a Babylonian, he never gave up Babylonian practices even though he spent his life in Galilee.

הַתִּיבוּן הָרִי נְבָרָה. שְׁנֵי הֵם הָיוּ יוֹשְׁבֵי וְאוֹכְלֵי שְׂאִינָן אֹמְרִים
נְבָרָה. הָרִי הֵן אֶת הַכֹּל. קִשְׂיָא.

They objected: There is *Nevarekh*.²⁷⁶ There is a difference, because if there were two sitting together and eating they would not say *Nevarekh*. There is "He Who feeds all"²⁷⁷; that is difficult.

276 The introductory section of Grace after meals, known as *ברכת הזימון*, "the benediction of preparation". This introductory paragraph is recited only when at least three people are eating together who are obliged to recite Grace in the same degree of obligation. Hence, Grace itself must start with "Praised".

277 This is the concluding benediction of the first paragraph of Grace; the question is parallel to that asked for the concluding paragraphs of "redemption" and *Qiddush*. The lack of an answer here is provisional; the final answer of the Amora'im of the last Galilean generation covers all these cases.

הָרִי הַטּוֹב וְהַמְטִיב. שְׁנֵי הֵם הָיוּ רַב הוֹנָא מְשַׁנְיָתָנוּ הָרוּגֵי בֵּיתָר לְקַבּוּרָה
נְקֻבָּעָה הַטּוֹב וְהַמְטִיב. הַטּוֹב שְׁלֵא הִסְרִיחוּ. וְהַמְטִיב שְׁנֵי תָנוּ לְקַבּוּרָה.

There is "He Who is good and does good"²⁷⁸. There is a difference since Rav Huna said: When permission was received to bury the slain of Bethar, "He Who is good and does good" was fixed, "He Who is good" because they did not rot, "He Who does good" because permission was received to bury them.

278 The fourth section of Grace that clearly follows the third but never-

theless starts with "Praised". The answer is that the first three sections

278 The fourth section of Grace that clearly follows the third but nevertheless starts with "Praised". The answer is that the first three sections

constitute Grace as required by the Torah, while the fourth starts Rabbinic Grace.

הא קדושה. שְׁנֵינָא הִיא. שָׁאֵם הִיָּה יוֹשֵׁב וְשׁוֹתָה מִבְּעוֹד יוֹם וְקִדְּשׁ עָלָיו הַיּוֹם
שְׁאִינּוּ אוֹמְרֵי בּוֹרָא פְּרִי הַנֶּפֶן. וְהָא סוֹפָה. אָמַר רַבִּי מְנָא טוֹפֵס בְּרִכּוֹת כֶּךָ
הוּא. אָמַר רַבִּי יִדְן מִטְּבַע קֶצֶר פּוֹתֵחַ בְּהֵן בְּבְרוּךְ וְאִינּוּ חוֹתֵם בְּהֵן בְּבְרוּךְ.
מִטְּבַע אַרְוֶךְ פּוֹתֵחַ בְּהֵן בְּבְרוּךְ וְחוֹתֵם בְּהֵן בְּבְרוּךְ.

There is *Qiddush*²⁷⁹. There is a difference since if one was sitting and drinking when it still was day and the holy day came upon him, he does not say "Creator of the fruit of the vine." But there is its final sentence? Rabbi Mana said, the type²⁸⁰ of benedictions is like that. Rabbi Yudan said: A short form starts with "Praised" and does not end with "Praised", a long form starts with "Praised" and ends with "Praised".

279 The main benediction follows the benediction over wine (or over bread) and, nevertheless, starts with "Praised". The answer is that *Qiddush* during a meal does not require the benediction over wine even though there is an interruption in the meal since one is forbidden to eat and drink after sundown Friday night before making *Qiddush*. The Babli does not take up this question, hence practice follows this Yerushalmi, *Shulhan Arukh Oraḥ Ḥayyim* 271, Sec. 4. The *Qiddush* starts with "praised" and its final

sentence again starts with "praised."

280 Greek τύπος, "pattern, model, prescribed form". Rabbi Mana was a student of Rabbi Yudan who uses the Hebrew מטבע "coin" for "form". The students of Rabbi Mana were the collectors of the Yerushalmi in the form it came down to us. Hence, his answer is final: All long benedictions end with "Praise to You, o Eternal, . . ." as a matter of principle (going back to the Men of the Great Assembly). Between this sentence and the next, a "since" should be mentally interpolated.

כָּל־הַבְּרָכוֹת אַחַר חִיתוּמֵיהֶן אִין אוֹמְרִין בְּרָכָה פְּסוּקָה. הַתֵּיב רַבִּי יִצְחָק בְּרַבִּי אֶלְעָזָר קוֹמוֹי רַבִּי יוֹסֵה מַכְנֹן דְּתֵימַר אַחַר חִיתוּמֵיהֶן אִין אוֹמְרִין בְּרָכָה פְּסוּקָה. אוֹמְרִין חֲכִימֵי הַדִּין סְלֵא דְהוּא סָבַר מַהוּ אַחַר חִיתוּמֵיהֶן שְׂאִם הָנָא עוֹמֵד בְּשַׁחְרִית וְשָׂכַח וְהִזְכִּיר שָׁל עַרְבִית וְחִזַּר וְחָתַם בְּשָׁל שַׁחְרִית יָצָא. אָמַר רַבִּי אַחָא כָּל־הַבְּרָכוֹת כְּעִין חוֹתְמוֹתֵיהֶן. וְאֵילִין דְּאוֹמְרִין צְהִלִי וְרַנִּי יוֹשְׁבַת צִיּוֹן וְגוֹמַר אִין בּוּ מְשׁוּם בְּרָכָה פְּסוּקָה.

All benedictions after their seals²⁸¹; one does not say a verse as benediction. Rabbi Isaac ben Rabbi Eleazar objected before Rabbi Yose: Because you say after their seals, one does not say a verse as benediction²⁸²? They said, that young man is intelligent because he thinks! What is the meaning of "after their seals"? It is that when he was standing in the morning prayer and forgot and mentioned the text of evening prayers but he caught himself and finished with the text of morning prayers, then he did his duty²⁸³. Rabbi Aḥa said, all benedictions in the kind of their seals.²⁸⁴ But those who say (*Is.* 12:6): "Jubilate and sing, inhabitant of Zion . . ." do not violate the rule that no benediction is a verse²⁸⁵.

281 This is a continuing discussion of the statement of Rabbi Yudan. The "seal" of a longer benediction is the last sentence "Praise to You, o Eternal, . . ." It is stated that this "seal" is what makes the benediction valid and it cannot be a Biblical verse.

282 Since the two statements appear together in one *baraita*, there should be a logical connection between them but there seems to be none.

283 "They" are the members of

Rebbi Yose's Yeshivah. They do not disagree with the rule which they state, but they note that the *baraita* does not deal with it; its correct interpretation is by Rabbi Aḥa.

About the rule itself, there is disagreement between the Yerushalmi and the parallel Babli, *Berakhot* 12a, where it is stated: "If in the morning one started with 'Creator of light' and ended with 'Making evenings dark', he did not do his duty. If in the evening

he starts with 'He Who makes evenings dark' and ends with 'Creator of light', he did not do his duty. But if he started with 'Creator of light' and ended with 'Making evenings dark', he did his duty. The principle is: Everything is determined by the seal." The Babli asserts that if in evening prayers one started out wrongly with the text appropriate for morning prayers then everything is O.K. if only the final doxology is correct. But the Yerushalmi speaks of one "who is standing in morning prayers and forgot", i. e., that he started out correctly, forgot himself in the middle, and remembered in time to close with the correct text. The principles of prayer texts were instituted by the Men of the Great Assembly. They determined the contents of the prayers but not, in general, their texts. (For the *Amidah*, the Mishnah even reports that Rabbi Eliezer says that one who repeats the same text for more than 30 days cannot really be an honest supplicant). The question is whether, in addition to the contents, the Men of the Great Assembly only determined the "seals" (following the Babli) or also the introductory sentences (following the Yerushalmi).

284 The language is difficult. R. Eleazar Askari explains that Rabbi

Aḥa insists that only the "seal" counts and, therefore, the text preceding the "seal" is unimportant; the text of the "seal" cannot be a verse. R. Shelomo Cirillo and R. Moshe ben Ḥabib explain, on the contrary, that the "seal" must fit the text of the benediction just preceding and that this text cannot be a verse. In the Babli (*Pesahim* 104a) this principle is spelled out only for *Havdalah* [and in the Yerushalmi the treatment given for *Havdalah*, (*Berakhot* 5:2, fol. 9b) supports R. Eleazar Askari.] Most Medieval authorities extend the principle of the Babli to all longer benedictions.

285 Ezra Fleischer (*Tarbiz* 41, p. 450) has published a Yerushalmi prayer text from the Cairo Genizah which uses this verse in the third benediction of the '*Amidah*, קרושה השם. From what is left of the original Galilean *minhag* it seems clear that the standard text of longer benedictions always ended with a Biblical verse just preceding the "seal". For example, in Grace, the verses were *Ps.* 145:16, *Deut.* 8:10, *Ps.* 147:2. In the morning prayers, the verses have survived in the first benediction for *Shema'* in all *minhagim* and for the benediction after *Shema'* in most of them. The text states that the only acceptable place for a Biblical verse is *before* the "seal". Even the

Mishnah prescribes benedictions whose text is a Biblical verse (*Ta'aniot* 2:2); what is prohibited here is using a verse in the final doxology.

משנה ט. מזכירין יציאת מצרים בלילות. אמר להן רבי אלעזר בן עזריה הרי אני כבן שבעים שנה ולא זכיתי שתאמר יציאת מצרים בלילות עד שדרשה בן זומא שנאמר למען תזכור את יום צאתך מארץ מצרים כל ימי חיך. ימי חיך הימים. כל ימי חיך הלילות. וחקמים אומרים ימי חיך העולם הזה. כל ימי חיך להביא לימות המשיח.

Mishnah 9: One must mention the Exodus in the night. Rabbi Eleazar ben Azariah²⁸⁶ said to them²⁸⁷: Here I am about 70 years old and I could not succeed in proving that the Exodus must be mentioned every night²⁸⁸ until Ben Zoma²⁸⁹ derived it from the verse (*Deut.* 16:3): ". . . that you should remember the day of your leaving Egypt the entire days of your life." The days of your life - the days. The entire days of your life - the nights. But the Sages say, the days of your life - this world; The entire days of your life - this includes the times of the Messiah.

286 A descendant of Ezra in the tenth generation who was appointed vice president of the Synhedrion at age 18 (according to the Babli) or 13 (Yerushalmi).

287 Neither the Mishnah in the Babli nor manuscripts of the Mishnah have "to them"; in the *Haggadah* the Yerushalmi text is preserved only in the text of Maimonides and the Yemenite *Haggadot*. Nevertheless, the phrase cannot refer to the discussion at

Bne Beraq reported in the *Haggadah*. As R. Saul Lieberman points out, the Yerushalmi takes R. Eleazar ben Azariah at his word that he made his statement when he was close to 70 years old and it is quite impossible that R. Eliezer should still have been alive at least 50 years after the deposition of Rabban Gamliel and the elevation of Rabbi Eleazar ben Azariah. The most likely interpretation is that the Israeli *Haggadah*, but not the Mishnah, read

"to them" and that the copyist of the Yerushalmi followed his memory from the *Haggadah* instead of the text before him. For a similar occurrence in the Septuagint, see *The Scholar's Haggadah*, p. 257-258.

288 Everybody agrees that the third benediction of the *Shema'* and the mention of the Exodus are obligatory

as an institution of the Men of the Great Assembly. The only question is whether the benediction was instituted as a Rabbinic ordinance or was formulated in fulfillment of a Biblical commandment.

289 A mystic of the first generation of Tanna'im who died young.

הלכה ט: אף על פי שנגנס לגדולה האריך ימים. הדיא אמרה שהגדולה מקצרת ימים.

Halakha 9: Even though he entered high office he lived long. This means that high office shortens one's life.

תמן אמרין לא יתחיל ויאמר ואם התחיל גומר. ורבנן דהקא אמרין מתחיל ואינו גומר. מתניתין פליגא על רבנן דהקא²⁹⁰ מזכירין יציאת מצרים בגלילת. רבי בא רב יהודה בשם רב מודים אנחנו לך שהוצאתנו ממצרים ופדיתנו מבית עבדים להודות לשמך. מתניתא פליגא על רבנן דתמן ויאמר אינו נוהג אלא ביום כל-פְרָשֶׁת ויאמר אינו נוהג אלא ביום.

There²⁹¹ they say one should not start *wayyomer*²⁹² but if one did start he has to finish. The rabbis here²⁹³ say one starts but does not finish. The Mishnah disagrees with the rabbis here²⁹⁴: "One must mention the Exodus in the night." Rabbi Abba, Rav Yehudah in the name of Rav: We thank You that You took us out of Egypt and redeemed us from the house of slavery to give thanks to Your Name.²⁹⁵ A *baraita* disagrees with the rabbis there: *Wayyomer* is used only during daytime. The entire section of *wayyomer* is used only during daytime²⁹⁶.

290 דהכא is the reading of the Rome manuscript and also the reading of the prints in the next paragraph. The word דהחם of the printed editions and the Leyden ms. is impossible; it is the Babylonian Aramaic equivalent of Galilean חמן

291 "There" always means Babylonia; "here" is the Land of Israel.

292 The third section of the *Shema'*, Num. 15:37-41. This is the only part of *Shema'* that mentions the Exodus. The statement of "there" is reported in the Babli by Rav Cahana in the name of Rav (*Berakhot* 14b).

293 The Israeli practice is reported in the Babli (loc. cit.) as reciting only the first and last sentences of the section; our text also requires one to start, i.e., to recite the first verse, and to mention the Exodus, the last words of the last verse.

294 Both R. David Oppenheim and R. Moshe ben Habib note that in this

section and the next, "here" and "there" should be switched since the first question is against those who say that one does not have to recite the third section at all, against the Babylonian practice, and the *baraita* in the next section seems to imply that one does not mention the third section at all, against Israeli practice.

295 This is the proposed text of the evening benediction after the recitation of *Shema'*. It is the answer to the objection raised in the first sentence. The obligation of mentioning the Exodus does not refer to the recitation of the third section of *Shema'* but to the benediction after the *Shema'* and, therefore, would be fulfilled even if the third section were to be omitted completely. The text in the Babli is longer.

296 But in the night one recites only first and last verses.

רבי בא בר אבהו נחית לתמן חמיתון מתחילין וגומרין ולא שמיע דתמן אמרין
לא נתחיל ויאמר ואם התחיל גומר. ורבנן דהקא אמרין מתחיל ואינו גומר.

Rebbi Abba bar Aha²⁹⁷ descended there and saw them start and finish; he had not heard that there they say one does not have to start but if he started he has to finish. The rabbis here²⁹⁸ say one starts and does not finish.

297 An early Israeli Amora who went to study in Babylonia, probably in the Yeshivah of Rav. Hence, he did not know of the rule established by Rav before he arrived at the Yeshivah.

298 This sentence is superfluous here, it is inserted only in parallel to the previous section. This is frequent in the Yerushalmi and not a sign of dittography.

בְּעוֹן קוֹמוּי רַבִּי אֲחִיָּיא בְּרַבִּי זְעִירָא הֵיךְ הָוּה אַבוּךְ נְהוּג עֲבִיד כְּרַבָּנָן דְּהֶקָא אוּ כְּרַבָּנָן דְּהֶתָם. רַבִּי חִזְקִיָּה אָמַר כְּרַבָּנָן דְּהֶקָא. רַבִּי יוֹסֵה אָמַר כְּרַבָּנָן דְּהֶתָם. אָמַר רַבִּי חֲנִינְא מִסְתַּבְּרָא דְּרַבִּי יוֹסֵה דְּרַבִּי זְעִירָא מַחְמִיר וַיִּנּוֹן מַחְמִירִין וְהוּא עֲבַד נְהִיג כְּנִתְהוּן.

They asked before Rabbi Ahiyya ben Rabbi Zeira: How did your father do in practice, like the teachers here or the teachers there²⁹⁹. Rabbi Hizqiah said, like the teachers here. Rabbi Yose³⁰⁰ said, like the teachers there. Rabbi Hanina said, it is reasonable like R. Yose, since R. Zeira always chose the harder way³⁰¹ and they chose the harder way, so he did what he was used to, like them.

299 Since Rabbi Zeira was a Babylonian immigrant to Galilee. Note that they speak to his son in Babylonian Aramaic.

who in turn were students of Rabbi Zeira. The answer of Rabbi Zeira's son has not been recorded.

300 Both Rebbis Hizqiah and Yose are from the fourth generation, students of Rebbis Jeremiah and Ilai

301 He tended to follow the stricter Babylonian rules, cf. later *Halakhah* 8:7, fol. 12c.

תַּנִּי הַקּוּרָא אֶת שְׁמַע בְּבוֹקֵר צְרִיךְ לְהַזְכִּיר יְצִיאַת מִצְרַיִם בְּאֶמֶת וַיִּצִיב. רַבִּי אוֹמֵר צְרִיךְ לְהַזְכִּיר בְּהַ מְלָכוֹת. אֲחֵרִים אוֹמְרִים צְרִיךְ לְהַזְכִּיר בְּהַ קְרִיעַת יַם סוּף וּמַכַּת בְּכוֹרִים. רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי אוֹמֵר צְרִיךְ לְהַזְכִּיר אֶת כּוֹלֵן וְצְרִיךְ לוֹמַר צוּר יִשְׂרָאֵל וְגוֹאֲלוֹ.

We have stated³⁰²: "He who recites *Shema*' in the morning must mention the Exodus in *Emet veyaziv*. Rabbi says, he must mention

[God's] kingdom. Others say, he has to mention the splitting of the Reed Sea and the slaying of the firstborn." Rabbi Joshua ben Levi says, he has to mention all these and has to say "Rock of Israel and its Redeemer".³⁰³

302 This section is composed of a Tosephta (*Berakhot* 2:1) containing the statements of the anonymous first Tanna, Rabbi, and "Others" (usually: Rabbi Meir), and then the comment by the Amora R. Joshua ben Levi. In practice, the ruling of R. Joshua ben Levi applies to both morning and evening prayers.

conclusion of the benediction of redemption, in contrast to the Babylonian "He Who redeemed Israel" (*Babli Pesahim* 117b). This formula has survived in the poetic forms of Ashkenazic evening prayers for the holidays, while in ordinary prayers the form prescribed by the authoritative Babylonian Talmud has prevailed.

303 The formula was the Israeli

רבי סימון בשם רבי יהושע בן לוי אומר לא הזכיר תורה בארץ מחזירין אותו. מה טעם ויתן להם ארצות גוים מפני מה בעבור ישמרו חקיו ותורותיו ונצורו. רבי בא ברבי אהא בשם רבי אם לא הזכיר ברית בארץ או שלא הזכיר בבונה ירושלים מלכות בית דוד מחזירין אותו. אמר רבי אילא אם אמר מנחם ירושלים יצא.

Rebbi Simon in the name of Rabbi Joshua ben Levi says: If someone did not mention Torah in the benediction on the Land³⁰⁴ one tells him to repeat. What is the reason? (*Ps.* 105:44) "He gave them the lands of peoples"; why? "That they should keep His decrees and preserve His teachings." Rabbi Abba ben Rabbi Aḥa in the name of Rabbi: If one did not mention the covenant in the benediction on the Land or the kingdom of David's dynasty in "Builder of Jerusalem"³⁰⁵, one tells him to repeat. Rabbi Ilai said: if he said "He Who consoles Jerusalem"³⁰⁶, he did his duty.

304 Since the Talmud started discussing required topics of otherwise

personal texts, they continue with a discussion of the relevant parts of

Grace. The benediction of the Land is the second benediction, and that on Jerusalem the third. The parallel in the Babli (*Berakhot* 48b) is a Tannaïtic text in different order. The Amoraïc text of the Yerushalmi is in strict chronological order: R. Joshua ben Levi of the very early second generation, R. Abba bar Aḥa of the second, and Rabbi Ilai of the third generations. The second statement of R. Abba bar Aḥa is attributed by the printed editions and most Medieval authors of the Babli to Rabbi Eliezer but in the Munich ms. to Rabbi, as in the Yerushalmi. The first statement is attributed to an otherwise unknown Tanna Naḥum the elder. The statement of R. Joshua ben Levi is attributed to Rabbi Yose (ben

Ḥalaphṭa) but without the verse that gives the reason. The Yerushalmi gives a statement of Amoraïm, not to claim that the required topics were introduced by Amoraïm (that is quite obvious from the mention of Rabbi), but in order to point out the Scriptural basis and to fix the exact place where Torah has to be mentioned in Grace.

305 The old doxology of the third benediction was: "Praised be You, o Eternal, Builder of Jerusalem." The final adoption of the text "He Who in His mercy builds Jerusalem" is on the authority of *Shulḥan Arukh*, cf. *The Scholar's Haggadah*, p. 357-358.

306 In the text, not in the final sentence.

בַּר קַפְרָא אָמַר הַקּוֹרֵא לְאַבְרָהָם אַבְרָם עוֹבֵר בְּעֵשֶׂה. רַבִּי לֵוִי אָמַר בְּעֵשֶׂה
 וְלֹא תַעֲשֶׂה. וְלֹא יִקְרָא עוֹד אֶת שְׁמֵךְ אַבְרָם הֲרִי בְּלֹא תַעֲשֶׂה. וְהִיָּה
 שְׁמֵךְ אַבְרָהָם הֲרִי בְּעֵשֶׂה. הִתִּיבּוּן הֲרִי אֲנֹשִׁי כְּנֶסֶת הַגְּדוּלָה קָרָאוּ אוֹתוֹ אַבְרָם.
 אֵתָּה הוּא יְיָ הָאֱלֹהִים אֲשֶׁר בְּחֵרְתָּ בְּאַבְרָם. שְׂנֵיָּהּ הִיא שְׁעָד שֶׁהוּא אַבְרָם
 בְּחֵרְתָּ בּוּ.

Bar Qappara³⁰⁷ said: He who calls Abraham Abram transgresses a positive commandment. Rabbi Levi said, a positive and a negative commandment. (*Gen.* 17:4) "Your name shall not in the future be called Abram", that is the negative commandment, "But your name shall be Abraham", that is the positive commandment. They objected: But the Men of the Great Assembly called him Abram, (*Neh.* 9:7) "You are, o

Eternal, the God Who selected Abram". There is a difference, while he was still Abram You selected him.

307 Bar Qappara belongs to the generation of transfer between Tanna'im and Amora'im. In the Yerushalmi his words are presented as those of an Amora. The place was chosen here because we discussed required language for benedictions (*Shema'* and Grace); now we turn to required language in general speech. In the Babli, the parallel (13a) appears also at the end of the first Chapter, somewhat disconnected. One may assume that it is mentioned in parallel to the Yerushalmi.

In the printed editions of the Babli, the text is: "Bar Qappara stated", a Tanna'itic statement. However, in the Munich ms. and the *Pisqe RYD* the text

reads דרש בר קפרא "Bar Qappara preached", an Amoraic statement. (It also seems that Rebbi Eliezer, who completes the statement of Bar Qappara in the Babli in parallel to Rebbi Levi in the Yerushalmi, is "Rebbi Eleazar, the son of Bar Qappara's sister".) The people who object are determined in the Babli to be Rebbi Yose bar Abin or Rebbi Yose bar Zabida, of the later generation of Galilean Amora'im. The statements of Bar Qappara and Rebbi Levi/Rebbi Eleazar are not mentioned in any of the Medieval codes, *Halakhot Gedolot*, *Alfasi*, *Mishneh Torah*; their authors took also the text in the Babli as Amoraic sermon.

וְדִכְוֹתָהּ הַקּוֹרָא לְשָׂרָה שְׂרֵי עוֹבֵר בְּעִשָּׂהּ. הוּא נִצְטוּהָ עָלֶיהָ. וְדִכְוֹתָהּ הַקּוֹרָא לְיִשְׂרָאֵל יַעֲקֹב עוֹבֵר בְּעִשָּׂהּ. שֵׁינִי נִתְוֹסַף לוֹ הָרֵאשׁוֹן לֹא נֶעְקַר מִמֶּנּוּ.

Similarly, does he who calls Sarah Sarai transgress a commandment? He³⁰⁸ was commanded regarding her. Similarly, does he who calls Israel Jacob transgress a commandment? The second name was given him in addition, the first was not taken away from him³⁰⁹.

308 Abraham alone was commanded not to call Sarah Sarai as it is written (*Gen. 17:15*): "God said to Abraham:

Your wife Sarai, do not call her name Sarai but Sarah is her name." The commandment to call Sarai Sarah was

directed to Abraham alone.

him Jacob even after he received his

309 Since the Torah continues to call

new name of Israel.

וְלָמָּה נִשְׁתַּנְּה שְׁמוֹ שֶׁל אַבְרָהָם וְשְׁמוֹ שֶׁל יַעֲקֹב וְשְׁמוֹ שֶׁל יִצְחָק לֹא נִשְׁתַּנְּה. אֵילּוּ אֲבוֹתֵינוּ קָרְאוּ אוֹתָנוּ בְּשֵׁמוֹ. אֲבָל יִצְחָק הִקְדוּשׁ בְּרוּךְ הוּא קָרָאוּ יִצְחָק שְׁנֵאמַר וְקָרָאתָ אֶת שְׁמוֹ יִצְחָק. דְּנִקְרָאוּ עַד שֶׁלֹּא נִוְלְדוּ וְאֵילוּ הֵן. יִצְחָק וְיִשְׁמַעֲאֵל יֵאֻשְׁיָהוּ וְשְׁלֹמֹה. יִצְחָק וְקָרָאתָ אֶת שְׁמוֹ יִצְחָק. יִשְׁמַעֲאֵל דְּכַתִּיב וְקָרָאתָ אֶת שְׁמוֹ יִשְׁמַעֲאֵל. יֵאֻשְׁיָהוּ הִנֵּה בֶן נִוְלַד לְבֵית דָּוִד יֵאֻשְׁיָהוּ שְׁמוֹ. שְׁלֹמֹה כִּי שְׁלֹמֹה יְהִי שְׁמוֹ. עַד כְּדוֹן בְּצַדִּיקִים. אֲבָל בְּרָשָׁעִים זֵרוּ רְשָׁעִים מִרְחֹם.

Why were the names of Abraham and Jacob changed but Isaac's name was not changed? The former were given their names by their fathers; but Isaac was called Isaac by the Holy One, Praise to His Name, as it is said (*Gen. 17:19*) "You shall call his name Isaac".

Four were given names before they were born, and they are Isaac, Ismael, Josiah, and Solomon. Isaac, (*Gen. 17:19*) "You shall call his name Isaac". Ismael as it is written (*Gen. 16:11*): "You shall call his name Ismael". Josiah, (*IKings 13:2*): "Behold, a son will be born to the dynasty of David; his name will be Josiah". Solomon, (*1Chr. 22:9*) "Solomon will be his name"³¹⁰. All this for the just. But the wicked (*Ps. 58:4*) "The wicked are perverted from the womb."

310 While in *2Sam. 12:24-25* it seems that David gave the name Solomon to his son and Nathan called him Yedidiah after his birth; it is clear

from *Chronicles* that the name Solomon was not David's invention but prophetically pre-ordained.

בֶּן זֹמָא אוֹמֵר עֲתִידִין הֵן יִשְׂרָאֵל שְׁלֹא לְהַזְכִּיר יְצִיאַת מִצְרַיִם לְעֲתִיד לְבוֹא וְמָה טַעַם לָכֵן יְמִים בָּאִים נְאוּם יי לֹא יֵאמַר עוֹד חַי יי אֲשֶׁר הֶעֱלָה אֶת בְּנֵי יִשְׂרָאֵל מֵאֶרֶץ מִצְרַיִם כִּי אִם חַי יי אֲשֶׁר הֶעֱלָה וְאֲשֶׁר הֵבִיא אֶת זֶרַע בֵּית

ישראל מארץ צפון. אמרו לו לא שיעקר יציאת מצרים אלא מצרים מוסף על מלכות. מלכות עיקר ומצרים טפילה. וכן הוא אומר לא יקרא שמך עוד יעקב כי אם ישראל יהיה שמך. אמרו לא שיעקר שם יעקב אלא יעקב מוסף על ישראל. ישראל עיקר ויעקב טפל. וכן הוא אומר אל תזכרו ראשונות אילו המצריים וקדמוניות אל תתבוננו אילו המלכות. הנני עושה חדשה עתה תצמח זו של גוג. משלו משל למה הדבר דומה לאחד שהיה מהלך בדרך ופגע בו זאב ונצל ממנו. התחיל מספר מעשה הזאב ואחר כך פגע בו הארי ונצל מידו. שכח מעשה הזאב התחיל מספר מעשה הארי. ואחר כך פגע בו נחש וניצל ממנו. שכח מעשה שניהם והתחיל מספר מעשה הנחש. כך היו ישראל הצרות האחרונות משפחות את הראשונות.

Ben Zoma said: There will be a future time when Israel will no longer mention the Exodus. What is the reason? (*Jer.* 23:7-8) "Therefore, days will come, says the Eternal, that one no longer will say, by the Eternal Who brought the Children of Israel up from Egypt, but rather, by the Eternal Who raised and brought the descendants of the House of Israel from the Northern land . . ." They said to him, not that the Exodus will be eliminated but the Exodus will be additional to the Kingdoms³¹¹. The Kingdoms will be principal and the Exodus additional. And similarly it was said (*Gen.* 35:10): "Your name shall not be called Jacob anymore, but Israel shall be your name." Not that the name Jacob will be taken away but Jacob will be additional to Israel. Israel will be principal and Jacob additional. And so it says (*Is.* 43:18-19): "Do not remember the first things"; this means the Egyptians, "And what was earlier do not dwell on"; this means the Kingdoms, "Behold, I create something new, now it will grow"; this refers to Gog. They gave a simile: to what can this be compared? To someone who encountered a wolf and was saved from it. He started telling about the wolf when he encountered a lion and was saved from it. He forget about the wolf and started telling about the lion.

After that, he encountered a snake and was saved from it. He forgot about both of them and started telling about the snake. So it is with Israel, the last troubles make them forget the earlier ones.

311 "Kingdoms" is short for שעבוד a general term for the sufferings of the
מלכיות "subjugation by alien kingdoms," Jewish people inflicted by Gentiles.

פרק שני היה קורא

(fol. 4a) **משנה א:** הָיָה קוֹרֵא בְּתוֹרָה וְהִגִּיעַ זְמַן הַמִּקְרָא אִם כּוֹן לְבוּ יָצָא וְאִם לֹא לֹא יָצָא. וּבְפָרְקִים שׁוֹאֵל מִפְּנֵי הַכְּבוֹד וּמְשִׁיב. וּבְאֻמָּצָע שׁוֹאֵל מִפְּנֵי הַיְרָאָה וּמְשִׁיב דְּבָרֵי רַבִּי מֵאִיר. רַבִּי יְהוּדָה אוֹמֵר בְּאֻמָּצָע שׁוֹאֵל מִפְּנֵי הַיְרָאָה וּמְשִׁיב מִפְּנֵי הַכְּבוֹד. וּבְפָרְקִים שׁוֹאֵל מִפְּנֵי הַכְּבוֹד וּמְשִׁיב שְׁלוֹם לְכָל-אָדָם.

Mishnah 1: If someone was reading in the Torah at the time of recital¹, if he read with intention² he fulfilled his duty, otherwise he did not fulfill his duty. Between the sections³, one greets people out of respect and answers their greetings. In the middle of a section one may greet because of fear and answer, the words of Rabbi Meir. Rabbi Yehudah says: in the middle of a section one may greet out of fear and answer for respect, between sections one greets for respect and answers greetings from everybody.

1 Time of the obligatory recital of commandment of reading the *Shema*'.

2 The intention of fulfilling the

3 Of the *Shema*'.

הלכה א: אָמַר רַבִּי אָבָא זֶאת אוֹמֶרֶת שְׂאִין הַבְּרָכוֹת מְעַקְבוֹת.

Halakhah 1: Rabbi Abba said: This means that benedictions do not prevent⁴.

4 Since the Mishnah allows one to concentrate on reading the Torah text as *Shema*' without requiring an interruption for recitations of the bene-

dictions, it follows that benedictions are a separate obligation. In a number of prayer texts from the Genizah, the recitation of the *Shema*' has a separate

benediction: "Praised be You, o Eternal, King of the Universe, Who sanctified us through His commandments and commanded us about the recitation of *Shema'*, with a full heart to declare Him King over us, and willingly to declare His Unity." While these texts are from a period about 500 years later than the text of the Yerushalmi, they show that recitation of *Shema'* was then still considered an

obligation separate from the benedictions mentioned in the Mishnah. The latter benedictions could then be recited before the *Amidah*. See Ezra Fleischer, *תפילה ומנהגי תפילה בארץ-ישראלים בתקופת הגניזה*, Jerusalem 1988.

The paragraph has been explained as parallel to the Babli (11b-12a) by R. Solomon ben Adrat (*Rashba*) in his responsa, vol. 1, no 319.

אמר רבי יוסה אם אומר את שהוא צריך לברך. בירך צריך שיכנין את לבו בכולן. התיבון ואינו מפסיק ולא תניננה והקא אף על גב דלא תניננה צריך לברך. זאת אומרת צריך לכנין את לבו בכולן. נישמענה מן הדא רבי אחי אומר משום רבי יהודה אם כון לבו בפרק ראשון אף על פי שלא כון לבו בפרק שיני יצא.

Rebbi Yose said: If you say that one needs to recite the benedictions; when he recited them he must focus his attention for the entire *Shema'*⁵. They objected: Does he not interrupt and it does not appear in our statement?⁶ So here also, even though it has not been stated he must recite the benedictions. That means⁷, one must focus one's attention for the entire *Shema'*. We may hear it from the following: Rebbi Aḥai⁸ said in the name of Rebbi Yehudah: "He has fulfilled his obligation if he focussed his attention for the first paragraph, even though he did not focus his attention during recitation of the second paragraph"¹⁰.

5 Rebbi Yose supports the statement of Rebbi Abba: If one would require concentration on what one recites for benedictions before and after *Shema'*,

certainly one requires total attention during the recitation of *Shema'*. As seen at the end of this paragraph, this is not the rule.

6 In the Mishnah, it is assumed that one may recite the several sections of the *Shema'* separately since they are written at different places in the Torah scroll. Since the Mishnah does not mention the necessary interruptions in the recital, it might be possible that the Mishnah contemplates interruptions for the recitation of the benedictions before and after *Shema'*; hence, the inference of Rabbi Abba is not justified.

7 The argument would be good only if the statement of Rabbi Yose were true.

8 Rabbi Aḥai was "Tanna", collector

of *baraitot*, in the Yeshivah of Rabbi Ḥiyya. He belongs to the generation between Tanna'im and Amora'im. His statement, *Tosephta Berakhot* 2:2 (Babli *Berakhot* 13a), shows that Rabbi Yose's argument is correct and that Rabbi Abba stated the practice correctly. (In the printed editions of the Babli, the name is Rabbi Aḥa, but in the Munich manuscript, and in all manuscripts of the Tosephta, the name is correctly Rabbi Aḥai. Rabbi Aḥa is an Amora of the fourth generation.)

9 The third paragraph is not included in the discussion since it is not recited in the evening prayers.

מה בין פֶּרֶק ראשון ומה בין פֶּרֶק שֵׁנִי. אָמַר רַבִּי חֲנִינָא כָּל־מָה שֶׁכָּתוּב בָּזֶה כָּתוּב בָּזֶה. מֵעַתָּה לֹא יִקְרָא אֶלָּא אֶחָד. אָמַר רַבִּי אֵילָא הָרֵאשׁוֹן לְיַחִיד וְהַשֵּׁנִי לְצִיבּוֹר. וְהָרֵאשׁוֹן לְתַלְמוּד. וְהַשֵּׁנִי לְמַעֲשֵׂה.

What is the difference between the first and second paragraphs?¹⁰ Rabbi Ḥanina said: Everything mentioned in the first paragraph is mentioned in the second. In that case, should one have to recite only one of them? Rabbi Illa said: The first one is directed to the individual, the second one to the community; the first one concentrates on learning, the second one on doing¹¹.

10 A natural question following the Tosephta of Rabbi Yehudah.

11 The first paragraph is formulated in the singular, the second one in the plural. In addition, while the essence

of the first paragraph is repeated in the second as a communal obligation, there are many topics in the second paragraph that are not mentioned in the first. In the language of the Babli

(14b), the first paragraph is the acceptance of the Kingdom of Heaven, the second one the acceptance of the commandments of the Torah.

בר קפרא אמר אין לה צריך כונה אלא ג פסוקים הראשונים בלבד. ותני כן ושננתם עד כאן לכוונה מיכן ואילך לשינון.

Bar Qappara said: One has to focus his attention only during the first three verses¹². It was stated thus: (*Deut. 6:7*) "You should repeat"¹³ until there is the obligation of focussed attention; from there starts the obligation of repetition.

12 This is the accepted practice for the Yerushalmi with no one objecting. In the Babli (13b), the statement is given in the name of an otherwise unknown Tanna Rabbi Zutra, and, even though it exemplifies the attitude of Rabbi Aqiba, it is later replaced by the statement of Rabbi Meir that only the first verse, *Deut. 6:4*, must be recited

with focussed attention. Another difference between the more demanding Yerushalmi and the Babli is that the Yerushalmi requires the rest of *Shema'* to be "repeated", i.e., memorized, whereas in the Babli it has only to be read.

13 Meaning, "memorize".

רבי חונה רבי אורי רב יוסף רב יהודה בשם שמואל צריך לקבל עליו מלכות שמים מעומד. מה אם היה יושב עומד. לא אם היה מהלך עומד.

Rebbi Hunah, Rebbi Uri¹⁴, Rav Joseph, Rav Yehudah¹⁵ in the name of Samuel: One has to accept the Kingdom of Heaven standing. Does this mean that one has to get up when one is sitting? No, if one is walking he has to stand still.

14 Rebbi Uri is not known from any other source. The Rome manuscript of the Yerushalmi reads "Rebbi Ammi"; this might be a better reading but Rebbi Ammi was a student of Rebbi

Yohanan who in the parallel in the Babli (13b) is reported to require that a person walking has to stand still during recitation of the entire first paragraph of *Shema'*, since he follows the ruling

of Rabbi Aḥai in the name of Rabbi Yehudah that the entire first paragraph requires concentrated attention.

15 The most influential of all students of Samuel.

מְנִי צְרִיךְ לְהֶאָרִיךְ בְּאֶחָד. רַב נַחֲמָן בַּר יַעֲקֹב אָמַר וּבְלִבְד בְּד'. סוּמְכוֹס בַּר יוֹסֵף אוֹמֵר כָּל־הַמֶּאָרִיךְ בְּאֶחָד מֵאֲרִיכִין לוֹ יָמָיו וְשָׁנוּתָיו בְּטוֹבָה. רַבִּי יִרְמְיָה הֵיזָה מֵאֲרִיךְ סָגִין. אָמַר לִיה רַבִּי זְעִירָא לִית אַתְּ צְרִיךְ כָּל־הֵכִין אֶלְאָ כְּדִי שְׁתַּמְלִיכְהוּ בְּשָׁמַיִם וּבְאָרְץ וּבְאַרְבַּע רוּחוֹת הָעוֹלָם.

It was stated: One has to prolong "is One".¹⁶ Rav Naḥman bar Jacob said: But only at the *daleth*.¹⁷ Symmachos bar Joseph¹⁸ said: Anyone who prolongs "is One" has his days and years prolonged in wellbeing. Rabbi Jeremiah was prolonging very much. Rabbi Zeïra said to him: So much is unnecessary, only so long that you should think of Him as King of Heaven and Earth and the four directions of the world.

16 The last word of the first sentence of *Shema*. The composition here is difficult to understand since one starts with a tannaïtic statement ("It was stated"), continues with the opinion of an Amora (Rav Naḥman bar Jacob), and then returns to a Tanna (Symmachos, an outstanding student of Rabbi Meïr). The parallel Babli (13b) starts with the statement of Symmachos and then continues with the statement of Rav Naḥman bar Jacob which is quoted there in the name of Rav Aḥa bar Jacob. It is possible that "Aḥa", a name without meaning, is simply a form of endearment of the formal name "Naḥman", and that in the Babli it

is necessary to use the form of endearment to distinguish this Amora from Rav Naḥman, quoted without his father's name because of his exalted status, whose full name seems to have been Rav Naḥman bar Jacob.

17 The soft \daleth , without *dagesh*, was pronounced like an Arabic \daleth , or a voiced English *th*, a sibilant sometimes close to \daleth . For example, the Aramaic \daleth appears in the Elephantine papyri as \daleth . Hence, it really was possible to prolong the consonant *daleth* since it was not a plosive sound as it is today.

In the Babli (13b), Rav Ashi adds that one should not omit to pronounce the \daleth . This was because in Babylonia,

as in Medieval Ashkenaz, a ך was pronounced like a stronger ך and therefore tended to be silent in the middle of a word, as ך is mostly silent in the middle of a word in modern Hebrew. (Even the masters of the Massorah tried to counteract this

tendency, e. g. by punctuating ךֿה to make the *Sheva* heard when it should be silent by grammatical rules, so that the Torah reader should be forced to pronounce the ך, but obviously to no avail.)

18 A Tanna, student of Rabbi Meir.

רב שָׂאִיל לְרַבִּי חִיָּיא וְלִינָא חָמִי לְרַבִּי מְקַבֵּל עָלָיו עוֹל מַלְכוּת שָׁמַיִם. אָמַר לִיה בְּד תַּחֲמִינִיה יְהִיב עַל אַפּוּהִי הוּא מְקַבֵּל עָלָיו עוֹל מַלְכוּת שָׁמַיִם. אָמַר לִיה (fol. 4b) וְאִינוּ צְרִיךְ לְהַזְכִּיר יְצִיאַת מִצְרַיִם. אָמַר לִיה לֵית אַפְשָׁר דְּלֵא יִטִּי מִיְלָה. רַבִּי טַבְיוּמִי שָׂאֵל לְרַבִּי חִזְקִיָּה לֵית הָדָא אָמְרָה שְׂאִינוּ לָךְ צְרִיךְ כְּנֻגָה אֶלָּא פְּסוּק הָרֵאשׁוֹן בְּלָבָד. אָמַר לִיה אָדָּא יַתְנָה עַד וְשִׁנְנָתֶם.

Rav asked Rabbi Hiyya: But I never see that Rabbi accepts upon himself the yoke of the Kingdom of Heaven. He answered him: When you will see him cover his face with his hand, at that moment he accepts the yoke of the Kingdom of Heaven.¹⁹ He asked him back: Is it not necessary also to mention the Exodus? He answered him: It is impossible that he should not turn his words²⁰. Rabbi Tavyome²¹ asked Rabbi Hizkiah: Does this not mean that one has to focus attention only for the first verse?²² He said to him: With that²³ he might recite until "You shall repeat."

19 The parallel is in Babli, *Berakhot* 13b. It seems that Rabbi started his Yeshivah classes early in the morning, before one could recite *Shema'*, and continued until it was too late to recite *Shema'* as "acceptance of the yoke of heaven", but only as "reading from the Torah."

20 Turn his words to the Exodus. In the Babli, Bar Qappara reports that Rabbi never gave a class in which he did not mention the Exodus.

21 An Israeli Amora of the fourth generation who otherwise is quoted only in Midrashim.

22 If Rabbi recited the relevant

portion of *Shema'* while covering his face with his hand during his morning classes, he could not have spent much time on it and, therefore, Rebbi does not accept the opinion of Bar Qappara that the first three verses have to be

recited with focussed attention.

23 While he was covering his face he could have recited all three verses and there is no proof that he disagreed with the ruling that requires concentration for the first three verses.

רבי מני אמר משום רבי יודה שאמר משום רבי יוסי הגלילי אם הפסיק בה כדי לקרות את כולה לא יצא ידי חובתו. רבי בא רב ירמיה בשם רב הלכה כרבי מיןא שאמר משום רבי יהודה שאמר משום רבי יוסי הגלילי.

²⁴Rebbi Muna²⁵ said in the name of Rebbi Yehudah who said in the name of Rebbi Yose the Galilean: If one interrupted so that he would have been able to read all of it, he did not fulfill his duty. Rebbi Abba, Rav Jeremiah in the name of Rav: The practice follows Rebbi Muna who said in the name of Rebbi Yehudah who said in the name of Rebbi Yose the Galilean.

24 Here starts the discussion of the second part of the Mishnah, about the permitted interruptions in the recitation of *Shema'*. The parallel in the Babli, *Megillah* 18b, quotes both Rebbi Muna and Rav, but from a discussion of the rules of blowing the *shofar*, given below; they change the statement of

Rav to "practice does not follow" and consider the statement here to be the opinion of Rebbi Yehudah only.

25 This author, whose name appears in several forms here in print and in manuscripts, is Rebbi Muna, student of Rebbi Yehudah (Judah) and Tanna of the last generation.

רבי יוחנן בשם רבי שמעון בן יהוּצְדָק אף בהלל ובקריאת המגילה כן.

Rebbi Yoḥanan in the name of Rebbi Simeon ben Jehozadak: The same rule²⁶ applies to *Hallel* and the reading of the Esther scroll.

26 That one has to start again if the interruption is so long that one could

have finished the entire text in the meantime. The Babli (*Rosh Hashanah*

34b) quotes the same statement and declares that this is only the opinion of Rabbi Yoḥanan's teacher but not his own, and, therefore, is not followed in practice, since arbitrary interruptions are allowed for blowing the *shofar*. The Yerushalmi differs from the Babli

in that the principle of time limitation of interruptions in recitals is accepted without reservation; the blowing of *shofar* on Rosh Hashanah is not a recitation and, therefore, can follow different rules.

אָבָא בַר רַב הוּנָא וְרַב חִסְדָּא הוּוּ יַתְבִּין אֶמְרִין אִף בְּתַקִּיעוֹת כּוּ. סִלְקוֹן לְבֵית
 רַב וְשָׁמְעוֹן רַב חוּנָא בְּשֵׁם רַב אֶפִּילוּ שָׁמְעוֹן עַד תְּשַׁע שְׁעוֹת יֵצֵא. אָמַר רַבִּי
 זְעִירָא עַד דְּאָנָּא תַמּוֹן צְרִיכָת לִי וְכַד סִלְקַת לְהִכָּא שְׁמַעִית רַבִּי יִסָּא בְּשֵׁם רַבִּי
 יוֹחָנָן אֶפִּילוּ שָׁמְעוֹן כָּל הַיּוֹם יֵצֵא. וְהוּא שָׁשְׁמְעוֹן עַל הַסֵּדֶר. רַבִּי יוֹסֵה בְּעֵי הֵנּוּ
 זֶה צְרִיךְ פְּשׁוּטָה הָרֵאשׁוֹנָה. וְזֶה צְרִיךְ פְּשׁוּטָה הָאַחֲרוֹנָה. תַּקִּיעָה אַחַת מוּצִיאָהּ
 יְדֵי שְׁתֵּיהֶן.

Abba bar Rav Huna²⁷ and Rav Hisda sat together and said, the same rule applies to blowing the *Shofar*²⁸. They went up to Rav's Yeshivah and heard Rav Huna in the name of Rav²⁹: Even if one heard it in up to nine hours he fulfilled his obligation³⁰. Rabbi Zeïra said: When I was there, this was a problem for me³¹. When I came here, I heard Rabbi Yasa³² in the name of Rabbi Yoḥanan: Even if one heard it during an entire day, one has fulfilled one's obligation³³. But only if one heard it in the correct order³⁴. Rabbi Yose investigated: If one needed to hear the first simple tone and another one the final simple tone, one blow of the *Shofar* serves the requirements of both of them³⁵.

27 He appears in the Babli as Rabba bar Rav Huna; he and Rav Hisda were the leaders of the third generation of Amoraïm in Babylonia.

26 That no interruption is allowed longer than what is needed to complete

the entire ritual.

29 This must have been after the death of Rav when Rav Huna was the head of the Academy. The text given here is from the Rome manuscript; the Venice print and Leyden manuscript

have *חונא רב הוּנא* "Rav Huna in the name of Rav Huna", which certainly is a scribal error.

30 If one heard the nine sounds prescribed for Rosh Hashanah on nine different occasions during the day (but in the correct order), then he has done his duty.

31 Whether the rule of interruptions applies to the blowing of the *Shofar* or not. This shows that Rav Huna's ruling was not widely accepted in Babylonia in his time.

32 He is called Rebbi Assi in the Babli, student of R. Yoḥanan, and co-head of the Academy of Tiberias with Rebbi Immi (Ammi) after R. Yoḥanan. Both were Cohanim.

33 As mentioned earlier, this is the statement quoted in the Babli (*Megillah* 18b, *Rosh Hashanah* 34b).

34 The basic obligation is to hear three times a straight note (תקיעה), followed by a broken sound, followed by a straight note. [Since there was disagreement in practice whether the broken sound should be in three waves or in nine small variations, Rebbi Abbahu in the administrative center of Caesarea, where Jews from many different places came together, instituted the rule that one blows three times, each one of the two kinds of modulated sound and the third time the two sounds together.]

36 In fact, the benediction on Rosh Hashanah is not "to blow the *Shofar*" but "to listen to the sound of the *Shofar*"; hence, it is the personal obligation of each listener and does not depend on the intention of the blower.

רבי אבין בר חינא בעי קריית שמע וברכותיה היא ולא ברכותיה ברכותיה
ולא היא. הפסיק שלישה וחזר והפסיק שלישה בקורא משערין. או
בכל-אדם משערין. אמר רבי מתניה מסתברא בקורא.

Rebbi Abin bar Hiyya³⁶ investigated: The recitation of *Shema'* with its benedictions, it (the recitation of *Shema'*) without its benedictions, its benedictions without it³⁷? If he interrupted after a third, interrupted after a second third³⁸? Does one estimate by the reader's speed or by the average speed of all men? Rebbi Mattaniah³⁹ said, it seems reasonable by the reader's.

36 An outstanding student of Rebbis Yohanan and Ze'ira who died young.

37 Since we have decided that one has to start anew if he interrupted long enough to have finished the entire recitation during the interruption, does he count the time for *Shema'* with its benedictions, or without benedictions, and does the rule of interruptions apply at all to the benedictions? The question remains unanswered.

38 Do separate interruptions count as

one or is every interruption a separate count of time? The question remains unanswered.

39 A Galilean Amora of the last generation. In the parallel in *Megillah* (2:2), the reading is: Rebbi Mattaniah said: Is it not reasonable that . . . , with a rhetorical negation [interpretation of Rashba (Rebbi Shelomo ben Adrat) in his commentary to the Mishnah in *Berakhot*.]

רבי אבהו שאל לרבי יוחנן בגין דאנא קרי שמע ועבר במבואות המטונפות
ומפסיק נפיק אנא ידי חובתי. אמר ליה אבהו בני אם מפסיק את את כדי
לקרות את כולך לא יצאת ידי חובתך.

Rebbi Abbahu⁴⁰ asked Rebbi Yohanan: Assuming that I am reciting *Shema'* and interrupting while passing by stinking passage ways⁴¹, do I fulfill my obligation? He answered him: Abbahu my son, if you interrupt enough that you could have finished all of it, you did not fulfill your obligation.

40 A student of R. Yohanan who became the principal defender of the Jews in Israel before the Roman authorities. His father's name is unknown. His school was at Caesarea Philippi [C. Paneas], seat of the Roman prefect for Galilee.

41 Where it is forbidden to study

Torah or recite prayers, cf. Mishnah 5:3. This section is also discussed in Babli *Rosh Hashanah* 34b, where, according to the theory of the Babli mentioned above, R. Yohanan answers only according to the opinion of those who think that after a longer interruption one has to start anew.

רבי אלעזר סליק מבקרא לרבי שמעון בר אבא. אמר ליה בגין דאנא תשיש
 ואנא קרי שמע ומתנמנמם נפיק אנא ידי חובתי. אמר ליה אין. רבי ירמיה
 בעא קומוי רבי זעירא בגין דרבי אלעזר ידע דרבי שמעון בר אבא מדקדק
 במצוותא סגין הורי ליה או בגין דהוא תשיש הורי ליה. אמר ליה בפירוש
 פליגין רבי אלעזר אומר יצא. רבי יוחנן אומר לא יצא. מה פליגין בקרינת
 שמע מפני שהיא עשויה פרקים פרקים. אבל בהלל ובקריאת המגילה אוף
 רבי אלעזר מודי.

Rebbi Eleazar⁴² went to pay a sick-bed visit to Rebbi Simeon bar Abba⁴³. He said to him: Since I am weak, when I am reciting *Shema'* I tend to slumber; do I fulfill my obligation? He said to him: yes.

Rebbi Jeremiah asked before Rebbi Zeira: Did Rebbi Eleazar give this ruling since he knew that Rebbi Simeon bar Abba is very scrupulous in the execution of his religious duties⁴⁴, or because he was so weak⁴⁵? He answered him: They⁴⁶ disagree explicitly; Rebbi Eleazar said he fulfilled his obligation, Rebbi Yohanan said he did not fulfill his obligation. They disagree for the recitation of *Shema'* since that is composed of separate chapters, but for the recitation of *Hallel* and the Esther scroll, Rebbi Eleazar will agree⁴⁷.

42 A Babylonian who first was a student and then became a colleague of Rebbi Yohanan. Even though he was the greatest of his generation after Rebbi Yohanan, he never became head of a Yeshivah since he died shortly before Rebbi Yohanan. He often follows Babylonian positions like the one presented here, where the position of Rebbi Eleazar is that which the Babli, *Rosh Hashanah* 34b, accepts as

the re-interpreted position of Rebbi Yohanan.

43 A fellow Babylonian who was a student of the great Amora'im of the first generation, thus much older than Rebbi Eleazar.

44 Therefore, will make an effort that his slumber periods will not be too long.

45 Since there is no other way he could fulfill his obligation he could

claim an exemption from the general rule because of אונס an act of God.

46 Rebbis Yoḥanan and Eleazar, concerning whether a person who interrupted a recitation for a longer period and then continued where he interrupted, did fulfill his religious

duty.

47 That after a long interruption one has to start from the beginning again. This sentence is a comment by the editors of the Yerushalmi; it is not the Babylonian position.

תני השואל בשלום רבו או במי שהוא גדול ממנו בתורה הרשות בידו. הדין
אמרה שאדם צריך לשאול במי שהוא גדול ממנו בתורה. ועוד מן הדין דתני
קדע וחקרה נשמה אם על אהר אינו צריך לקרוע. אם לאחר זמן צריך לקרוע.
וכמה הוא על אהר כדי דבור. וכמה הוא כדי דבור. רבי סימון בשם רבי
יהושע בן לוי כדי שאילת שלום בין אדם לחבירו. אבא בר בר חנה בשם רבי
יוחנן כדי שאילת שלום בין הרב לתלמיד ויאמר לו שלום עליך רבי.

It was stated: If someone wants to greet his teacher or anybody who his greater than himself in Torah, he is permitted to do so⁴⁸. That implies that a person has to greet anybody who is greater than himself in Torah. And also from the following⁴⁹: If one tore his clothes and the soul returned, if it is instantaneous he does not have to tear again. If it is later, he has to tear again. How much is instantaneous? The time for speech. How much is time of speech? Rabbi Simon in the name of Rabbi Joshua ben Levi said: the time one needs to greet his friend⁵⁰. Abba bar bar Hana⁵¹ in the name of Rabbi Yoḥanan: the time for greeting between teacher and student, when he says "Peace be with you, my teacher."⁵²

48 To continue the discussion of the Mishnah, we now turn to the definition of what it means to interrupt "to greet somebody out of respect."

49 A similar but more explicit *baraita* is found in Babli *Nedarim* 87a.

A person stands at the deathbed of someone for whom he would be required to mourn. He must tear his clothes after the person's death. In the case discussed here, he tore his clothes, thinking that the patient was dead but

then the dying person showed signs of life. If the final death occurs within the time needed for "speech", the first tear is sufficient. The *baraita* is quoted here only to introduce the standard for greeting, which is that the student is required to say: "Peace be with you, my teacher." This is the standard of behavior for a student.

50 The greeting of a person to his friend is שלום עליכם "Peace be with you." In the main parallel in the Babli

(*Baba qama* 73b), no names are given but it is stated that there are two measurements of "speech", one from teacher to student, the same as a person to a friend, and the longer one from student to teacher.

51 He appears in the Babli as Rabba bar bar Ḥana; his father Rabba bar Ḥana was a nephew of Rav.

52 The Babli (*loc. cit.*) has the longer sentence שלום עליך מורי ורבי "peace be with you, my instructor and teacher."

רבי יוחנן הוה מסתמיך על רבי יעקב בר אידי והיה רבי אלעזר חמי ליה ומסמר מן קדמוי. אמר הא תרתי מילין הדין בבבלא עביד בי חדא דלא שאל בשלומי. וחדא דלא אמר שמועתא משמי. אמר ליה כן אינון נהיגין גביהן. זעירא לא שאל בשלמיה דרבה דאינון מקיימין ראוני נערים ונחבאו. מי מהלכין חמי חד בית מדרש. אמר ליה הכא הוה רבי מאיר יתיב דרש ואמר שמועתא מן שמיה דרבי ישמעאל ולא אמר שמועתא מן שמיה דרבי עקיבה. אמר ליה כל-עלמא גדעין דרבי מאיר תלמידו דרבי עקיבה. אמר לו כל-עלמא גדעין דרבי אלעזר תלמידיה דרבי יוחנן. מיהו מי עבור קומי אהדורי צילמא. אמר ליה מה איתפליג ליה איקר. אלא עבור קומי וסמי עיניה. אמר ליה זאת עבד רבי אלעזר דלא עבר קומיך. אמר רבי יעקב בר אידי יודע את לפינס.

Rebbi Yohanan was leaning on Rebbi Jacob bar Idi when Rebbi Eleazar saw him and hid himself before him⁵³. He said, these two things the Babylonian does to me: First, that he does not greet me, and second, that he does not teach the traditions in my name. He said to him, thus they behave among themselves; Zeira did not greet Rabba⁵⁴ since they observe (*Job* 29:8) "Boys see me and hide themselves." As they were walking, he⁵⁵

saw a *Bet Midrash*. He⁵⁵ said to him: Here Rabbi Meir sat and reported traditions in the name of Rabbi Ismaël but he never reported traditions in the name of Rabbi Aqiba. He⁵⁶ answered: Everybody knows that Rabbi Meir was the student of Rabbi Aqiba. He⁵⁵ retorted, everybody knows that Rabbi Eleazar is the student of Rabbi Yohanan. May one pass by a cursed⁵⁷ statue? He⁵⁸ said to him, do you want to honor it? Pass it by and blind its eyes! He⁵⁹ said to him, Rabbi Eleazar did well that he did not pass before you. He said: Rabbi⁶⁰ Jacob bar Idi, you know how to pacify.

53 This story is inserted here to show that the obligation to greet one's teacher was accepted in Babylonia only when the student could not hide from his teacher. Rabbi Yohanan also insists that all his teachings be reported in his own name; this is discussed in the next section. A psalm is quoted there to support Rabbi Yohanan's position mentioning the Temple; the rôle of David in the building of the Temple is discussed in the third part of this aggadic insert.

54 The names here do not seem to be correctly transmitted. Rabba belongs to the generation after Rabbi Yohanan and Rabbi Zeïra studied under Rav Huna and Rav Yehudah in Babylonia. Therefore, it seems that the name is Zeïri, a Babylonian who studied under Rav and them emigrated to Israel where he became famous but did not

acquire any rabbinic title. The second name, therefore, is Rav.

55 Rabbi Jacob bar Idi.

56 Rabbi Yohanan.

57 The word אהוררי makes no sense. In the parallel sources in the Yerushalmi, *Sheqalim* 2:6, *Moëd qatan* 3:2, the word is ארורי "cursed".

58 Rabbi Yohanan; the person who asks is Rabbi Jacob bar Idi who already knew the answer from Rabbi Joshua ben Levi, *Avodah zarah* 3:8.

59 Rabbi Jacob bar Idi points out that one avoids only important people or circumstances. One "blinds the eyes" of the idol if one passes by it without taking any notice of it and the idol sees that it is not taken seriously.

60 The title "Rebbi" is missing in the Rome ms.; this is the better reading since the teacher will not address his student (nor his equal) by his title.

ורבי יוחנן בעי דימרוון שמעתא מן שמייה. אף דוד בקש עליה רחמים אגורה באהלך עולמים. רבי פינחס רבי ירמיה בשם רבי יוחנן וכי עלת על לב דוד שהוא חי לעולם אלא אמר דוד אזכה שיהו דברי נאמריו על שמי בבתי כנסיות ובבתי מדרשות. מהננא ליה. לוי בר נזירא אמר כל-האומר שמועה משם אומרה שפתותיו רוחשות עמו בקבר. מה טעם דובב שפתי ישנים. ככומר הזה של ענבים שהוא זב מאיליו. רבי חנינה בר פפאי ורבי סימון חד אמר כהדין דשתי קונדיטון. וחרנה אמר כהדין דשתי חמר עתיק אף על גב דהוא שתי ליה טעמיה בפומיה.

But Rabbi Yohanan required that traditions should be reported in his name. Also David begged for divine mercy in this respect, (*Ps.* 61:5) "may I dwell in Your tent forever!"⁶¹ Rabbi Phineas⁶², Rabbi Jeremiah, in the name of Rabbi Yohanan; Could David think of living forever? Rather, David meant: May I have the merit that my words will be mentioned in my name in synagogues and houses of study. What good does that do to him? Levi, the son of the *Nazir*⁶³ said: If someone mentions a tradition in the name of its author, the latter's lips whisper with him in the grave. What is the reason? (*Cant.* 7:10) "Dripping from the lips of the sleeping ones." Like that bunch of grapes which drips by itself. Rabbi Hanina bar Pappai⁶⁴ and Rabbi Simon, one said, like one who drinks spiced wine, the other said, like one who drinks old wine, even though he consumed it, its taste remains in his mouth.

61 The context of the Psalm excludes an interpretation that would refer the verse to the Future World since it directly refers to the earthly Temple.

62 R. Pinhas bar Hama Hacoheh, leading preacher of the fourth generation of Galilean Amoraim.

63 An author who is not otherwise mentioned in the Talmudim. In the parallels in the Babli (*Yebamot* 96b, *Sanhedrin* 90b, *Bekhorot* 31b) the statement is R. Yohanan's in the name of R. Simeon (either ben Yohai or ben Yehozadaq) and the verse is quoted in the name of several authors, one of

them Simeon Nazira who probably was the father of Levi, the son of the *Nazir* who is quoted here. (The *Nazir* may not cut his hair, drink wine, or become impure by a dead body. Since the destruction of the Temple, any vow of

nezirut is permanent.)

64 A colleague of Rebbi Simon and Rebbi Abbahu, equally outstanding in practice and in *aggadah*. ("Spiced wine" from Latin *conditura* "condiment, spice.")

אין דור שאין בו ליצנות. מה היו פריצי הדור עושין היו הולכין אצל חלונותיו של דוד ואומרים לו דוד אימת יבנה בית המקדש אימתי בית יי גלך. והוא אומר אף על פי שמתכונני להכעיסני ובוא עלי שאני שמח בלבי. שמחתי באומרים לי בית יי גלך. והיה כי ימלאו ימיה. אמר רבי שמואל בר נחמני אמר הקדוש ברוך הוא לְדוד דוד ימים מלאים אני מונה לך איני מונה לך ימים חסרים. כלום שלמה בנה בית המקדש לא להקריב בו קרבנות חביב עלי משפט וצדקה שאמה עושה יותר מן הקרבנות. ומה טעם עושה צדקה ומשפט נבחר ליי מזבח.

There is no generation without scoffers. What did the hooligans of that generation do? They went to David's windows and said to him: David, when will the Temple be built, when will we go to the Lord's house? But he said, even though they intend to enrage me, it comes over me that I am happy, (*Ps.* 122:1) "I enjoy it when they say to me: let us go to the Lord's house."⁶⁵ (*2Sam.* 7:12) "⁶⁶When your days will be complete"; Rebbi Samuel bar Nahmani said, the Holy One, praise to Him, said to David: 'I am counting full days for you, I am not counting missing days for you'⁶⁷. Will not your son Solomon build the Temple to sacrifice? Law and justice that you are upholding is more to my liking than sacrifices.' What is the reason? (*Prov.* 21:3) "Upholding justice and law is preferred by the Lord to sacrifice".

65 Knowing that he would not build the Temple and not see it.

66 The word והיה given here is not in 2*Samuel*; the quote starts with the second word.

67 This is one of the blessings bestowed at Mount Sinai on the Jewish

people, *Ex. 23:26*, that the Just will live complete years; as in fact Moses died on his 120th birthday. It is asserted here that David also lived complete years; his age is never indicated in *Tanakh*.

פסקא. ובפרקים שואל מפני הכבוד ומשיב. מפני מה הוא משיב מפני היראה או מפני הכבוד. נשמענא מן הדא ובאמצע שואל מפני היראה ומשיב (מפני הכבוד)⁶⁸ דברי רבי מאיר. הא בקדמיתא שואל מפני הכבוד ומשיב מפני הכבוד ובאמצע שואל מפני היראה ומשיב דברי רבי מאיר. מפני מה הוא משיב מפני היראה או מפני הכבוד. נשמענא מן הדא רבי יהודה אומר באמצע שואל מפני היראה ומשיב מפני הכבוד. הא קדמיתא שואל מפני היראה ומשיב מפני היראה.

New Section. "Between the sections one greets people out of respect, and answers them."⁶⁹ Why does one answer, out of fear or to show respect? We may hear it from this: "In the middle of a section one may greet because of fear and answer (for respect), the words of Rebbi Meir." Hence, in the prior case one may ask because of respect and answer out of respect.⁷¹ "In the middle of a section one may greet because of fear and answer, the words of Rebbi Meir." For what does one answer, out of fear or to show respect? We may hear it from this: "Rebbi Yehudah says: in the middle of a section one may greet out of fear and answer for respect." Hence⁷², in the first case one asks because of fear and answers because of fear.

68 The words are in both the Leyden and Rome manuscripts, but missing in the Genizah fragments and in the text

of R. Solomon Cirillo. Since they contradict the following discussion, they should be disregarded.

69 This is a quote from the Mishnah. The problem is that Rabbi Meir does not indicate why one should answer. Since for Rabbi Yehudah the rules for answering are more lenient than for initiating the exchange, it follows that for Rabbi Meir the rules for answering are not more lenient, but it is unclear whether answering and initiating have identical status or that the rules for answering are more restrictive than those for initiating a verbal exchange. The Babli (13b) explains the words of Rabbi Meir as meaning "one may start an exchange *and it goes without saying* that one may answer", they seem to assume that it is obvious that the rules of answering cannot be stricter than those for starting. Also, the Babli takes the two parts together; it is possible that the unnecessary length in the statement of Rabbi Meir is considered simply as a parallel to the necessary

length of the statement of Rabbi Yehudah while for the Yerushalmi the two parallel statements of Rabbi Meir represent two parallel problems which have to be solved separately. Hence the seemingly repetitious arrangement of the Yerushalmi here; but the first quote of Rabbi Meir is in support of an argument while the second one presents the topic for further discussion; the two quotes of the identical text are of different status.

71 Since in the middle of a section certainly more restrictive rules apply than between sections.

72 Since Rabbi Meir disagrees with Rabbi Yehudah, and from the previous discussion we know that answering does not have more restrictive rules than starting the conversation, it follows that Rabbi Meir must hold in all cases that answering and starting have the same status.

עַד כְּדוֹן בְּאִמְצַע הַפְּרָשָׁה וְאִפְּלוּ בְּאִמְצַע הַפְּסוּק. רַבִּי יִרְמְיָהּ מְדַמֵּי. רַבִּי יוֹנָה מְשַׁתְּעִי. רַבִּי חוֹנָא רַב יוֹסֵף וְדַבְּרֵת בָּם מִיכֵן שֵׁישׁ לָךְ רְשׁוּת לְדַבֵּר בָּם.

So far in the middle of a section. Or even in the middle of a verse^{73?} Rabbi Jeremiah gave hints⁷⁴. Rabbi Jonah made himself understood⁷⁵. Rabbi Huna, Rav Joseph: (*Deut.* 6:7) "You may talk *in* them", from here that one is authorized to talk between them⁷⁶.

73 Do the rules given in the Mishnah apply only between verses in the

middle of a section or even in the middle of a verse?

74 The text here is not uniform. The Leyden manuscript and the Genizah text are as the Venice print, מרמה, but in the quotes of this passage by Ramban, *Milhamot Hashem, Berakhot* Chap. 2 and the authorities depending on him (Rashba and Rosh on Babli *Berakhot* 14a), the text reads מרמו. The meaning is in both cases that Rabbi Jeremiah did not talk but give

greetings or instructions by pantomime.

75 I. e., he talked.

76 In Hebrew, future, imperative, and subjunctive may have the same form. In general, the passage בם ודברה in *Shema'* is translated "you must talk about them" (The Divine commandments), but Rabbi Huna takes it to mean "you may talk in them", i. e., while reciting the verses.

משנה ב: ואלו הן בין הפרקים בין ברכה ראשונה לשניה. בין שניה לשמע. בין שמע לנהיה אם שמע. בין נהיה אם שמע לניאמר. בין ניאמר לאמת וניציב. רבי יהודה אומר בין ויאמר לאמת וניציב לא יפסיק.

Mishnah 2: The following are "between the sections": between the first benediction and the second, between the second and *Shema'*, between *Shema'* and (*Deut.* 11:13) "it shall be when you will really listen", between "it shall be when you will really listen" and (*Num.* 15:37) "the Eternal spoke". Between "the Eternal spoke" and "true and outstanding"⁷⁷. Rabbi Yehudah said, between "the Eternal spoke" and "true and outstanding" one may not interrupt.

77 The benediction after *Shema'*, starting with a series of epithets of the Torah.

הלכה ב: אומר רבי לוי טעמיה דרבי יהודה אני יי אלהיכם. וכתוב ויי אלהים אמת.

Halakhah 2: Rabbi Levi said⁷⁸, the reason of Rabbi Yehudah: (*Num.* 15:41) "I am the Eternal, your God"⁷⁹, and it is written (*Jer.* 10:10) "But the Eternal is the true God".

78 In the parallel in the Babli (14a), the explanation is by R. Abbahu in the name of R. Yohanan. Since Rabbi Levi was preacher in the Yeshivah of Rabbi Yohanan, the explanation originated in that Yeshivah. In addition, Rabbi Abbahu in the name of Rabbi Yohanan in the Babli declares that the practice follows Rabbi Yehudah; this decision is missing in the Yerushalmi and, hence, it seems that in Israel one used to follow the majority opinion that an interruption is permitted between the last words of the *Shema'* and "true". Hence, the question asked in the Babli,

whether after reciting "the Eternal, your God. True!" one stops and starts again "true and outstanding", is irrelevant for the Yerushalmi. The question in the Babli is whether Rabbi Yehudah disagrees with the first Tanna in principle, that 'between "the Eternal spoke" and "true and outstanding"' there is no interruption allowed or whether he simply moves the end of technical *Shema'* by one word and then allows the regular interruptions there.

79 These are the concluding words of *Shema'*.

משנה ג: אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן קֶרְחָה לְמָה קִדְמָה שְׁמַע לַיהוָה אִם שְׁמַע כְּדֵי שְׂיִקְבֵּל עָלָיו מַלְכוּת שָׁמַיִם תְּחִילָה וְאַחַר כֵּן עוֹל מִצְוֹת. וְהָיָה אִם שְׁמַע לְיִיאֲמַר שְׁוִהָיָה אִם שְׁמַע נוֹהַג בַּיּוֹם וּבַלַּיְלָה. וַיֹּאמֶר אֵינוֹ נוֹהַג אֶלָּא בַּיּוֹם.

Mishnah 3: Rabbi Joshua ben Qorhah⁹⁰ said: Why does *Shema'* precede "it shall be when you will really listen"? In order that one should accept the Kingdom of Heaven before he accepts the yoke of the commandments. And "it shall be when you will really listen" to "The Eternal said"? Because "it shall be when you will really listen" is applicable day and night⁸¹, "the Eternal said" is applicable only during daytime.

80 A Tanna who lived from the times, of R. Aqiba to those of Rabbi; he is mostly known for his aggadic interpretations.

81 The obligation to study the Torah and keep its commandments applies everywhere and at all times; the obligation to have *zizit* on one's

garment, expressed in the third section of *Shema'*, is applicable only during daytime according to most opinions.

הלכה ג: רבי חייא בשם רבי יוחנן מה טעם אמרו אדם לובש תפילין וקורא את שמע (fol. 4c) ומתפלל כדי שיקבל עליו מלכות שמים תחילה משלם. רב אמר קורא את שמע ולובש את תפיליו ומתפלל. מתניתא דרב פליגא עלוי. הרי שהיה עסוק עם המת בקבר והגיע עונת קרית שמע הרי זה פורש למקום סהרה ולובש תפילין וקורא את שמע ומתפלל. מתניתא מסייעא לרב לא שאדם יקבל עליו מלכות שמים תחילה ואחר כך יקבל עליו עול מצוות.

Halakhah 3: Rebbi Hiyya⁸⁰ in the name of Rebbi Yoḥanan: Why did they say, a man puts on *tefillin*, recites the *Shema'* and prays? So that he first should accept upon himself the Kingdom of Heaven completely. Rav said, one reads the *Shema'*, puts on *tefillin*, and prays⁸¹. A *baraita* of Rav himself⁸² disagrees with him: "If somebody was occupied with a dead person in his grave and the time for the recital of *Shema'* arrived, he should move to a pure place⁸³, put on *tefillin*, recite the *Shema'*, and pray". Does not the Mishnah support Rav: "In order that one should accept the Kingdom of Heaven before he accepts the yoke of the commandments"⁸⁴?

80 R. Hiyya bar Abba, the student of R. Yoḥanan.

81 The essential difference between the Yerushalmi and the Babli is that in the Yerushalmi Rav prescribes that one should be putting on *tefillin* (phylacteries) either after reciting the entire *Shema'*, or after reciting the first paragraph of *Shema'*, whereas in the Babli (14b) he is only reported to have put on his *tefillin* after the recital of

Shema' without giving an explanation of what he was doing. Hence, the explanation of the Babli, that Rav had to wait until his *tefillin* were brought to him while he had to recite *Shema'* at its appropriate time, is impossible in the Yerushalmi. But since the Yerushalmi quotes Rebbi Yoḥanan as explaining the generally accepted practice, there is no practical difference between the two Talmudim

and the statement of Rav can be left standing without a decision on his own opinion.

82 This is the reading of the Leyden manuscript. In both Talmudim we hear that Rav and Samuel collected *baraitot*, tannaïtic statements not made part of the Mishnah.

83 Since a dead person can no longer pray, it is explained later in this *Halakhah* that praying in a graveyard would violate the verse (*Prov. 17:5*): "He who makes fun of the poor blasphemes his Maker"; hence one has to leave the graveyard if he wants to pray. The order of prayer given in the

baraita is the one adopted by Rebbi Yoḥanan.

84 *Tefillin*, while mentioned in the first paragraph, belong to the execution of commandments. It follows that, in the opinion of the Yerushalmi, Rav recommended to put on *tefillin* between the first and second sections of *Shema*; otherwise, the Mishnah would not support his position. This contradicts the opinion of the Babli as quoted above; it eliminates the objection of the Babli that certainly Rav would not put off fulfilling the obligation of *tefillin* until after the recital of *Shema*'.

אָמַר רַבִּי יַנַּי תְּפִילִין צָרִיכִין גּוּף נָקִי.

Rebbi Yannai⁸⁵ said: *Tefillin* need a clean body⁸⁶.

85 The most important Amora of the first generation in Galilea, student of Rebbi and teacher of Rebbi Yoḥanan.

86 The same rule is quoted in Rebbi Yannai's name in the Babli (*Sabbath* 49a, 130a); there Abbai and Rava explain that one may not break wind while wearing *tefillin* and also may not sleep while wearing them. The Yerushalmi does not go into details. The connection with the previous text probably is the quote that one may not

wear *tefillin* in a graveyard. This also counts as having an unclean body since on leaving the graveyard one has to wash his hands. A Mishnah in the next Chapter also implies that one may not wear *tefillin* when his body is not cleansed from an emission of semen. Some Medieval authorities imply from the statement of R. Yannai that while wearing *tefillin* one may not have unclean thoughts.

מפני מה לא החזיקו בהן. מפני הרמאין. עובדא הנה בחד בר נש דאפקיד גביה חבריה וכפר ביה. אמר ליה לא לך הימנית אלא לאילין דברישיד הימנית.

Why does one not hold on⁸⁷ to them? Because of the impostors⁸⁸. It happened that a man deposited something with another, and the latter then reneged on it. He said to him: Not you I thought trustworthy but those on your head I thought trustworthy.

87 There are two interpretations of this sentence. Rabbenu Yeruham [path 19, part 5] explains: Why does one not keep on his *tefillin* the entire day but takes them off after praying? Tosaphot [*Šabbat* 49a] explain: Why does one not consider a person wearing *tefillin* automatically as a trustworthy Jew who may be trusted to keep all *mizwoṭ*? The explanation of Tosaphot is easier to fit into our text but the explanation of Rabbenu Yeruham seems to have the correct historical background. Both the Roman and the Byzantine governments from time to time forbade the wearing of *tefillin*. Therefore, from the start of the reconstruction of Jewish life after the war of Bar Kokhba, *tefillin* were not

worn publicly in the Land of Israel. The reading of the Rome manuscript, "Why does one not hold on to them in the Land of Israel?" seems to explain the situation from a Babylonian point of view where *tefillin* never were a problem with the government and where, in R. Sherira Gaon's time at least, *tefillin* were worn by scholars all day long. But even in Babylonia in the first generations of Amora'im Rav Sheshet is reported (Babli *Šabbat* 118b) of being proud that he wore *tefillin* the entire day, not just for a minimal time.

88 Hence, wearing *tefillin* outside of times of prayer may make a person suspect of being a gangster impersonating a pious person.

רבי זנאי הנה לובשן אחר חוליו ג ימים לומר שהחולי ממרק. מה טעם השולח לכל-עונניכי הרופא לכל-תחלואיכי. רבי יוחנן בן זכאי לא הוון תפילוי זעין מיניה לא בקייטא ולא בסיתוא. וכך נהג רבי אליעזר תלמידו אחריו.

Rebbi Yannai was wearing them after his sickness for three days, to show that sickness cleanses⁸⁹. What is the reason? (*Ps.* 103:2): "He Who forgives all my sins, He Who heals all my sicknesses." Rebbi Yohanan ben Zakkai's *tefillin* were not coming off from him either in summer or in winter. And so did his student Rebbi Eliezer after him.⁹⁰

89 This statement supports the interpretation that the "clean body" required from a wearer of *tefillin* is a body cleansed from sinful thoughts, since a person recovered from sickness is a person all whose sins have been forgiven. It is spelled out in *Midrash Tehillim* 103 that the first three days, R.

Yannai wore his *tefillin* the entire day but after that he was putting them on only for prayer.

90 This shows that before the war of Bar Kokhba, the wearing of *tefillin* the entire day in the Land of Israel was not unheard-of.

רבי יוחנן בסיתומא דהנה חזיק רישיה הנה לביש תרויהון. ברם בקייטא דלא
הנה חזיק רישיה לא הנה לביש אלא דאדרעיה. ואינו אסור מפני ערוה.
אמר רבי חייא בר אבא אפיקרסין הנה לובש מבפנים. בד הנה אזיל מסחי
כיון שהיה מגיע אצל האוליגירין הנה חולצין. אמר רבי יצחק עד יעקב
תרמוסרא הנה לובשין. וכד הנה נפיק מסחי הווי יהבין ליה. וכד הווי מיייתין
ליה אמר שני ארונות היו מהלכין עם ישראל במדבר ארונו של חי העולמים
וארונו של יוסף. והיו אומות העולם אומרין מה טיבן של שני ארונות הללו.
והיו ישראל אומרין להן זה ארונו של יוסף עם ארונו של חי העולמים. והיו
אומות העולם מונין את ישראל ואומרין וכי אפשר לארון המת להיות מהלך
עם ארונו של חי העולמים. והיו ישראל אומרין על ידי ששימר זה מה שכתוב
בזה. ולמה הוא אמר דא מילתא. אמר רבי חנניא בגין מימר מילא דאורינא.
אמר ליה רבי מנא והכין לא הנה ליה מילא דאורינא אחרתי למימר אלא דא.
אלא קנתרין הוון לומר יוסף לא זכה למלכות אלא על ידי ששימר מצוותיו
של הקדוש ברוך הוא ואנו לא זכינו לכל הכבוד הזה אלא על ידי ששמרנו
מצוותיו של הקדוש ברוך הוא ואתון בעין מבטלא מצוותיה מנין.

Rebbi Yoḥanan was wearing both of them⁹¹ in winter when his head was healthy. But in sommer when his head was not healthy he put on only that of the arm. But is not that forbidden because of nakedness⁹²? Rebbi Hiyya bar Abba said: He wore an undershirt⁹³ under his clothes. When he went to bathe, he was taking them off when he came to the oil sellers⁹⁴. Rebbi Isaac said, he was wearing them up to Jacob, the bath master⁹⁵. When he exited the bath, they brought them to him. When they were bringing them, he used to say: ⁹⁶Two caskets were travelling with Israel in the wilderness, the ark of Him, Who is the Life of the Universe, and the casket of Joseph. The Gentiles were saying: What is the purpose of these two caskets? Israel was answering them, that is the casket of Joseph with the ark of Him, Who is the Life of the Universe. The Gentiles were taunting Israel and saying, how is it possible that the casket of a dead person is travelling with the ark of Him, Who is the Life of the Universe? But Israel were answering, because this one kept all that is written in that one.

Why did he say that? Rebbi Ḥanania⁹⁷ said, in order to speak some words of learning. Rebbi Mana said to him: Did he have no other word of learning to say but that⁹⁸? But that was sarcasm, to say that Joseph did only attain kingdom by keeping the commandments of the Holy One, praise to Him, and we received all that glory only because we kept the commandments of the Holy One, praise to Him, but you⁹⁹ want to remove His commandments from us!

91 Both *tefillin*.

92 Since the *tefillin* on the arm are worn under the coat or shirt, there is the possibility that no garment separates the holy *tefillin* from his

genitals and that is forbidden as we shall see later. [Only in recent times have *tefillin* become so large that they cannot be covered by the coat sleeves and the bad habit of praying with the

left arm uncovered has taken over Ashkenazic congregations.]

93 ἐπικάρσιον, τό, "striped garment".

This must have been a large undershirt reaching at least to the upper parts of his legs.

94 Latin *olearii*.

95 Cf. Greek θερμασία, ἡ, "warmth, heat". Rabbi Yoḥanan would trust his *tefillin* only into the hands of a reliable Jewish man.

96 This *aggadah* appears several times: Tosephta *Sotā* 4:7, *Mekhilta Beshallah* 1, *Babli Sotā* 13a. The

Hebrew verb קטר , a few times also קטר, is probably from Greek κεντροῶ "to sting, vex, goad".

97 A late Galilean Amora from Sepphoris (Zipporin), colleague of R. Mana.

98 Since he went frequently, why did he have to repeat the same text over and over again?

99 For R. Yoḥanan, the Roman government under Diocletian; for R. Mana, the Roman government under the Christian emperors.

באי זה צד הוא מברך עליהו. רבי זריקן בשם רבי יעקב ברבי אידי כשהוא נותן על יד מהו אומר ברוך אשר קדשנו במצותיו וצונו על מצות תפילין. כשהוא נותן על הראש מהו אומר ברוך אשר קדשנו במצותיו וצונו על מצות הנחת תפילין. כשהוא חולצו מהו אומר ברוך אשר קדשנו במצותיו וצונו לשמור חוקיו. ואתיא כמאן דמר בחוקת תפילין הכתיב מדבר ברם כמאן דמר בחוקת הפסח הכתיב מדבר לא בדא.

How does one make the benedictions on them? Rabbi Zeriqan¹⁰⁰ in the name of Rabbi Jacob ben Rabbi Idi: When he puts *tefillin* on his arm, what does he say:¹⁰¹ "Praised¹⁰² Who sanctified us by His commandments and commanded us about the obligation of *tefillin*." When he puts them on his head, what does he say? "Praised Who sanctified us by His commandments and commanded us about the obligation of putting on *tefillin*." When he takes them off, what does he say? "Praised Who sanctified us by His commandments and commanded us to obey His laws." That follows the opinion that the verse¹⁰³ speaks about the law of *tefillin*.

However, according to those who say that the verse speaks about the law of Passover, that does not apply.

100 An Amora in the generation after R. Yoḥanan and R. Jacob bar Idi. The parallels in the Babylonian Talmud are all anonymous.

101 In the Babli (*Berakhot* 60b, *Menahot* 36a) the order of the first two benedictions is inverted; the third benediction never was recited in Babylonia (Babli *Berakhot* 44b). There is a disagreement in principle between the two Talmudim. It is clear that the Yerushalmi requires two separate benedictions for the two *tefillin*; therefore, the second one which completes the action is the important and complete one. In the Babli (*Menahot* 36a) it seems that if both *tefillin* are put on together then only one benediction is needed; the first benediction is the one that counts and has to be recited. [This is Sephardic and Oriental practice today; Ashkenazim recite the second benediction, which is strictly required only if no *tefillin* are available for one's arm, out of doubt about the situation. In any case, in the Babylonian style, the second benediction is the minor one. Ashkenazic practice is an uneasy adaptation of Yerushalmi practice to Babylonian rules.]

102 In all formulas of benedictions, one has to add after "praised": "are You, o Eternal, our God, King of the Universe".

103 *Ex.* 13:10. In that chapter, verses 1-8 speak of the laws of Passover, v. 9 introduces the commandment of *tefillin*. V. 10, the last in that paragraph, reads: "You shall keep this law in its time, *מימיו ימימה*" If the "law" is that of *tefillin*, one has to translate "from day to day", meaning that at nighttime the law is either inoperative or that it is forbidden to wear *tefillin*. If the "law" is that of Passover, one has to translate "from year to year." The latter meaning is the usual one for the Hebrew expression, but then it would have been rational to expect that verses 9 and 10 traded places.

The Yerushalmi refrains from attaching names to the different interpretations. In the Babylonian Talmud (*Erubin* 96a), the first interpretation is that of R. Yose the Galilean, the second one that of R. Aqiba. In the Yerushalmi source *Mekhilta deR. Simeon bar Yoḥai* (p. 41), the first interpretation is that of R. Aqiba and the second one of R. Eliczer. Since R.

Aqiba belongs to the following generation, the basic disagreement can be attributed to Rebbis Yose the Galilean and Eliezer.

רבי אבהו בשם רבי אלעזר הנותן תפילין בלילה עובר בעשה. ומה טעם ושמרת את החוקה הזאת למועדה מימים מימה. ימים ולא לילות. מימה פרט לשבתות וימים טובים. והא רבי אבהו יתיב מתני ברמשא ותפילוי עילוי. מצדדין הנה וכמין פקדון היו בידו. אית דבעי מימר לא אמר אלא הנותן אבל אם היו עליו מבעוד יום מותר. אית דבעי מימר נשמעיניה מן הדא והיה לך לאות את שהוא לך לאות פרט ליום טוב ושבתות שכולן אות. ולא כן כתב מימים מימה. לית לך אלא כיי דמר רבי יוחנן כל מילה דלא מחוורא מסמכין לה מן אתרין סגי.

Rebbi Abbahu in the name of Rebbi Eleazar¹⁰⁴: He who puts on *tefillin* in the night transgresses a positive commandment. What is the reason? (*Ex. 13:10*) "You shall keep this law in its time, from day to day;" "days" not night, "to days"¹⁰⁵ to exclude Sabbaths and holidays. But Rebbi Abbahu sat studying at night with his *tefillin* on his head!¹⁰⁶ He put them on the side¹⁰⁷; they were like a deposit in his keeping. Some want to say, he only meant not to put them on, but when they were on him during daytime it would be permitted. Some want to say, let us hear it from there (*Ex. 13:9*): "It shall be for you a sign," when you need it for a sign, but not holiday or Sabbaths that are all sign. But is it not written "to days"¹⁰⁸? You have only what Rebbi Yohanan said: Everything that is not clear one supports from many places¹⁰⁹.

104 Probably the Amora, student of Rebbi Yohanan, and not one of the Tanna'im.

105 Meaning certain days, but not all days.

106 How can he transgress his own

statement?

107 Not between his eyes, so that he was not fulfilling the commandment of wearing them, but he had them on his head to keep them since *tefillin*, as holy objects, have to be deposited in

safe places.

108 We do not expect the Torah to repeat commandments needlessly.

109 Since *Ex. 13:10* may apply to Passover, any derivation from that verse is not clear. In *Mekhilta deR.*

Simeon bar Yoḥai, the first derivation is anonymous, the second one is attributed to Rebbi Aqiba. While the discussion here is of *Amora'im*, the entire material is tannaïtic.

נָשִׁים מִנֵּינִי וְלִמְדַתֶּם אוֹתָם אֶת בְּנֵיכֶם וְלֹא אֶת בְּנוֹתֵיכֶם. אֵת שֶׁהוּא חַיִּיב
בְּתַלְמוּד תּוֹרָה חַיִּיב בְּתַפִּילִין. נָשִׁים שֶׁאֵינָן חַיִּיבוֹת בְּתַלְמוּד תּוֹרָה אֵינָן חַיִּיבִין
בְּתַפִּילִין. הִתִּיבוּ הָרִי מִיכָל בֵּת כּוֹשֵׁי הַיְתָה לּוֹבֶשֶׁת תַּפִּילִין. וְאִשְׁתּוֹ שֶׁל יוֹנָה
הַיְתָה עוֹלָה לְרֹגְלַיִם וְלֹא מִיחוּ בְּיָדֶיהָ חֲכָמִים. רַבִּי חִזְקִיָּה בְּשֵׁם רַבִּי אֲבָהוּ
אִשְׁתּוֹ שֶׁל יוֹנָה הוֹשְׁבָה. מִיכָל בֵּת כּוֹשֵׁי מִיחוּ בְּיָדֶיהָ חֲכָמִים.

Women from where? (*Deut. 11:19*) "And you should teach them to your sons", and not to your daughters.¹¹⁰ Anyone who is obliged to study Torah is obliged for *tefillin*, women who are not obliged to study Torah are not obliged for *tefillin*.¹¹¹ They objected, but did not Michal, the daughter of the Kushi¹¹², wear *tefillin*, and did not the wife of Jonah make the pilgrimage to the Temple¹¹³, and the sages did not object. Rebbi Hisqiah in the name of Rebbi Abbahu: Jonah's wife was turned back¹¹⁴, the sages forbade it to Michal the daughter of Kushi.¹¹⁵

110 The main discussion of this point appears in Chapter 3:3.

111 The proof, explicit in the *Mekhiltot*, is really from *Ex. 13:9*: "It shall be a sign on your hand and a remembrance between your eyes, so that the Torah of the Eternal shall be in your mouth, because with a strong hand the Eternal led you out of Egypt." Hence, only one who is obliged to study is

obliged to wear *tefillin*. Naturally, for those who declare that *Ex. 13:10* speaks of *tefillin* and nights are not a time for *tefillin*, it follows that *tefillin* is a positive commandment bound to stated times and, as a general principle, women are not obligated. However, since that interpretation of v. 10 is in doubt, it is not used here.

112 Saul, addressed as "Kush" in the

heading of Psalm 7.

113 Obviously, everybody can go to Jerusalem anytime he wishes, and we know from many sources that entire families made the pilgrimage, in particular for Passover. What is meant here is that Jonah's wife went to Jerusalem to bring the obligatory sacrifices in her own name, either additional to those of her husband or for herself when her husband was away at sea or at Nineveh. She may bring *עולת ראייה*, the holocaust of appearance, as a voluntary offering, but if she insists on presenting the offering as obligatory for her pilgrimage, then there is a question of the legality of the offering and doubtful

sacrifices should not be offered.

114 Not from Jerusalem, but from presenting her pilgrimage sacrifice in the Temple separately from her husband.

115 The first statement, that Michal wore *tefillin* and that the wife of Jonah made the pilgrimage, is a tannaïtic statement in the Babli (*Erubin* 96a), and the Babli concludes from it that women *may* exercise all obligations that are bound to a fixed time from which women are freed. The Yerushalmi Amoraïm and later Yerushalmi sources (*Pesiqta rabbati* Chap. 22) disagree. This disagreement is not mentioned in the Babli; i. e., the argument is rejected.

תני נכנס למרחץ מקום שבני אדם עומדין לבושין יש שם מקרא ותפילה ואין צריך לומר שאילת שלום. נותן תפילין ואינו צריך לומר שלא יחלוץ. מקום שרוב בני אדם רגילין להיות עומדין ערומין אין שם שאילת שלום ואין צריך לומר מקרא ותפילה וחולץ תפילין ואין צריך לומר שלא יתן. מקצתן ערומין ומקצתן לבושין יש שם שאילת שלום ואין שם לא מקרא ולא תפילה ואינו חולץ תפילין ואינו נותן. אבל אינו לובשן עד שיצא מאותה רשות של כל-אותה מרחץ. ודא מסייעא כיי דמר רבי יצחק בגין רבי יוחנן עד יעקב תורמוסרה הנה לובשן.

It was stated¹¹⁶: "Entering a bathhouse, in the room where everybody is fully clothed¹¹⁷ one may read the Bible, pray¹¹⁸, and needless to say, one may greet people¹¹⁹. One may put on *tefillin*, and needless to say, one does not remove them. In the room where most people are naked one

may not exchange greetings and needless to say, there is no Bible reading or prayer; one removes one's *tefillin* and needless to say, one does not put them on. Where some are naked and some are clothed there is greeting, no Bible reading and no prayer, one does not remove *tefillin* and one does not put them on. But one does not put them on again until he has completely left the grounds of that bathhouse." This supports what Rebbi Isaac said about Rebbi Yoḥanan, that he wore them until he came to Jacob, the bath master.

116 Tosephta *Berakhot* 2:20; a slightly different version is Babli *Šabbat* 10a. One returns to the problem discussed earlier that *tefillin*, as objects of holiness, cannot be worn on an arm that is not separated from one's genitals by some clothing. Hence, *tefillin* cannot be worn when one is naked, or in the presence of naked people. Prayer and religious study go by the same rules, following the verse (*Amos* 4:12) "Israel, prepare yourself for your God".

117 A Roman bathhouse was essentially a sauna. In the hot room, everybody was naked. In the anteroom, one was cooling down after the hot steam, getting massaged by the *olearii*, and putting on one's clothes. The outer

rooms were used for social affairs, especially in large cities.

118 This is the reading of the Rome manuscript, the Tosephta and R. Solomon Cirillo; the Leyden manuscript and the Venice print have תפילין "*tefillin*"; but these are separately mentioned later.

119 The problem with the greeting formula "peace with you" is that Peace is one of the names of God, *Jud.* 6:24; hence, greeting somebody with שלום עֲלֵיכֶם is permitted only under circumstances that would allow prayer. The prohibition does not include greetings in other languages if the name of God is not invoked.

רבי ירמיה בָּעָא קוּמוּי רבי זְעִירָא הִיְתָה מְרַחֵץ מְרַחֶצֶת בִּימוֹת הַחֲמָה וְאִינָה מְרַחֶצֶת בִּימוֹת הַגְּשָׁמִים. אָמַר לִיה מְרַחֵץ וְאֵף עַל פִּי שְׂאִינָה מְרַחֶצֶת וּבֵית הַכֶּסֶּא אֵף עַל פִּי שְׂאִין בּוֹ צוֹאָה. מֵר עוֹקְבָא אָמַר אֶהֱוֹן חֲזִירָא בֵּית כֶּסֶּא

מטולטל הנה. רבי יונה בעי אהו צררה דעל גיף ימא מהו. אמר רבי אממי
אסיא הורי רבי ירמיה מעבר ליה בפיליוס ולא סמכין עילוי.

Rebbi Jeremiah asked before Rebbi Zeira: If it was used as bath house in summer but not in the rainy season, what is the rule¹²⁰? He said to him, a bath house even if it is not in use, a toilet even if it does not contain excrement¹²¹. Mar Uqba¹²² said: a pig is a moving toilet. Rebbi Jonah¹²³ investigated: A pebble on the sea shore, what is the rule?¹²⁴ Rebbi Ammi the physician¹²⁵ said: Rebbi Jeremiah taught that one may pass it by *pylivs*¹²⁶, but one does not trust this ruling¹²⁷.

120 May one pray in the room in which people are naked if the installation is in use?

121 The rules of toilets, in which all religious acts are forbidden, are explained in Chapter 3, both in Yerushalmi (fol. 6d) and Babli (*Berakhot* 26a).

122 It is questionable whether this is a statement of Mar Uqba, *Resh Galuta* (Head of the Diaspora) in the time of Rav. The author of the statement is either Rabbana Uqba, grandson of Mar Uqba and Rav, or, more likely, Rav Uqba bar Hama, student and son-in-law of Rav Hisa. In the Babli (*Berakhot* 25a), the statement is attributed to Rav Papa, student of Rav Hisa's student Rava (brother-in-law of Rav Uqba bar Hama).

123 Head of the Yeshiva of Tiberias together with the Amora Rebbi Yose, of the fourth generation of

Amora'im, and a student of Rebbi Jeremiah.

124 May one pray next to a pebble on the seashore covered with excrement, when one has to assume that some human used the pebble to cleanse himself after defecating, but in the meantime waves covered the pebble many times and it does not smell any more?

125 An Amora about whom nothing more is known.

126 Perhaps compare פיליוס to Latin *pileus*, *pilleus*, "bonnet, felt hat", also Greek πίνυος "of felt", πιλίον "a bandage" (E. G.). The reading of the Rome manuscript is פיליוס. The word appears as פיליוס in Mishnah *Niddah* 8:1; Rashi there explains the word by old French *orel*, a scarf; *Arukha*, in its Italian translation *ossi*, means a scarf used to cover the mouth. The meaning

therefore is that Rebbi Jeremiah counsels to cover one's face with a scarf. (Musaphia reads *pallium*, "coverlet, gown.")

127 It is not clear whether the rejection of Rebbi Jeremiah's statement is from Rebbi Ammi the physician or from the editor of the Talmud.

רבי זעירא בשם אבא בר ירמיה אוכל בהן אכילת עראי. ואינו אוכל בהן אכילת קבע. ישן בהן שינת עראי. ואינו ישן בהן שינת קבע. אית תנאי תני מברך פעם אחת. אית תנאי תני פעמין. מאן דמר פעם אחת ניהא. מאן דמר מברך שתי פעמים הא אוכל ואינו עילוי. אמר רבי זעירא קיימא אבא בר ירמיה באוכל בהן אכילת עראי.

Rebbi Zeira in the name of Abba bar Jeremiah¹²⁸: One may eat a snack while wearing them¹²⁹, but one may not eat a regular meal while wearing them; one may doze¹³⁰ while wearing them, but one may not sleep while wearing them. Some Tanna'im formulate: One says the benediction once; some Tanna'im formulate: One says the benediction twice¹³¹. He who says one says the benediction once, how can he be right? He who says, one says the benediction twice, because he ate and then they are not on him. Rebbi Zeira said, Abba bar Jeremiah talks about one who eats only snacks.

128 A Babylonian Amora (in the Babli he has a title and is called Rabba bar Jeremiah, short for Rav Abba bar Jeremiah), a student of Rav and possibly the son of Rav's companion Rav Jeremiah bar Abba. From the following it is clear that Rabba bar Jeremiah quotes the ruling as a traditional one from Tanna'im, not a new amoraic ruling. In the Babli (*Berakhot* 23b, *Sukkah* 41b), the second

part of his statement, about sleeping, is introduced as an anonymous tannaitic statement (תנו רבנן).

129 The *tefillin*. A snack is a meal which does not involve bread. The rule about eating is not mentioned in the Babli; hence, the Babli agrees with it.

130 Dozing is defined as "sleeping and not sleeping." The Babli forbids both dozing and sleeping.

131 It is also possible to read פעמין

"several times" but the discussion in the next sentence mentions "two times". The entire sentence is a continuation of the first statement of Abba bar Jeremiah; he is reported by Rabbi Zeïra to have said that one may eat a snack and doze while wearing *tefillin*, R. Zeïra then reports that some Tannaïm require that one recite the benediction over *tefillin* once a day, but some others say that the

benediction is recited (at least) two times a day. The objection is that (except for a fast day) one has to eat, hence one has to take off one's *tefillin* and put them on again, certainly with a benediction. The answer is that some people eat only snacks during daytime; hence, it is proved that the Tanna agrees with Abba bar Jeremiah that for a snack one does not have to remove his *tefillin*.

רבי זעירא בשם רבי אבא לא יכנס אדם לבית המים וספריו ותפיליו בידיו. רבי יוחנן כד הוה סיפרא בדיה הוה יחיב ליה לחורן. כד היינו תפילוי עילוי הוה קאי בון. מתניתא פליגא על אבא בר ירמיה נכנס אדם לבית המים וספריו ותפיליו בידו. אמר רבי זעירא קיימא אבא בר ירמיה פאן בנכול ללובשן. פאן בשאינו יכול ללובשן. דלכן מצוה לא עביד בון. למא הוא מבאי לון.

Rebbi Zeïra in the name of (Rebbi) Abba [bar Jeremiah]¹³²: A person should not enter a urinal¹³³ with his books or *tefillin* in his hands. Rebbi Yohanan, when he had a book¹³⁴ in his hand he gave it to somebody else. When his *tefillin* were on him, he stood in them¹³⁵. A *baraita* disagrees with Abba bar Jeremiah: A man may enter a urinal with his books or *tefillin* in his hand. Rebbi Zeïra said: Abba bar Jeremiah refers to one case where he can wear them, and to another case where he cannot wear them¹³⁶. For if he cannot perform a *mitzwah* with them, why should he degrade them?

132 While all sources have here "Rebbi Abba", the continuation shows that one must read "(Rav) Abba bar

Jeremiah". This is also required since the next statement of Rebbi Zeïra, unrelated to the subject under

discussion, is only quoted because it also is in the name of Abba bar Jeremiah.

133 R. Eleazar Askari (followed by *Pene Moshe*) wants to identify the "house of water" with a toilet since in Arabic a toilet is called בַּיִת אֵלֵמָא "house of water", but L. Ginzburg already noted that this is impossible; in the Yerushalmi as in the Babli a toilet is called כֵּסָא . In the Tosephta (*Sanhedrin* 4:8) it is stated that a king, who has to write for himself a Torah that has to accompany him everywhere (*Deut.* 17:19), may not take the Torah with him to the "house of water". This rule is quoted in Babli *Sanhedrin* 21b, in the reading of R. Ḥananel and ms. ק, in the formulation that he takes the Torah with him neither to the bathhouse, nor to the toilet, nor to urinate. Hence, the toilet and the "house of water" are two different things.

134 In the Babli (*Berakhot* 23a), a book of sermons.

135 The Babli (*loc. cit.*) reports that Rabbi Yoḥanan put the *tefillin* in a pouch which he kept in his hand, not that he was wearing them. But the Babli does not speak about a urinal (with canalization, after the Roman fashion) but of a toilet, i. e., an outhouse. Roman canalization was unknown in Babylonia. Hence, the seemingly parallel passages in reality deal with different subjects.

136 This distinction is also reported in the Babli (*loc. cit.*) in the name of Rabbi Zera (Zeira). If one takes off the *tefillin* in the evening, when there is not time anymore to put them on afterwards, one must put the *tefillin* in a designated bag or chest so as to treat them with respect. Temporary disrespect is only authorized if *tefillin* have to be ready for immediate use.

בְּרֵאשֹׁנָה הָיוּ נוֹתְנִין אוֹתוֹ לְחִבְרִיהוֹ וְהָיוּ נוֹטְלִין אוֹתוֹ וּבּוֹרְחִין. הַתְּקִינוּ שְׂיָהוּ מְנִיחִין בְּחוּרֵין. וְכִשְׂאִירַע אוֹתוֹ מַעֲשֶׂה הַתְּקִינוּ שְׂיָהָא אָדָם נִכְנָס וְהוּ בְּיָדוֹ. רַבִּי יַעֲקֹב בַּר אֲחָא בְּשֵׁם רַבִּי זְעִירָא אָמַר וְהוּא שְׂיָהָא בְּיוֹם כְּדִי לְלוּבֶשֶׁן. אֲבָל אִם אֵין בְּיוֹם כְּדִי לְלוּבֶשֶׁן אֲסוּר. דְּלִכְּן מַצְוָה לֹא עֶבֶד בּוֹן. לְמָה הוּא מְבַזֵּי לּוֹן. מִיִּישָׂא בַר בְּרִיהַ דְּרַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי אָמַר מֵאֵן דְּעֶבֶד טְבָאוֹת עוֹשֶׂה לְהוֹן כִּיס שֶׁל טַפַּח וְנוֹתְנָן עַל לְבוֹ. מַה טַּעַם שְׂוִיתִי יֵי לְנִגְדֵי תְּמִיד. תַּמָּן אֲמַרִּין כָּל־שְׂאִינוֹ כְּאֶלְיָשָׁע בַּעַל כְּנָפַיִם לֹא יִלְבַּשׁ תְּפִלִּין.

First they were giving them¹³⁷ to others; these were taking them and fleeing. They decreed that one should put them in holes in the wall. When that incident¹³⁸ happened, they decreed that a person should enter and keep them in his hand. Rabbi Jacob bar Aḥa¹³⁹ in the name of Rabbi Ze'ira said: but only if there is time left during the day to put them on again. But if there is no time left in the day to put them on, it is forbidden. For if he cannot perform a *mitzwah* with them, why should he degrade them? Maisha (Moses), grandson of R. Joshua ben Levi, said: He who wants to do it right, makes for them a pouch the size of a hand-breadth and puts them on his heart¹⁴⁰. What is the reason? (*Ps.* 16:8): "I put the Eternal always before me." There¹⁴¹ they say: He who is not like Elisha of the bird's wings should not put on *tefillin*.

137 The *tefillin*, when somebody was entering a toilet. In the parallel in the Babli (*Berakhot* 23a), it is not mentioned that first one had to hand the *tefillin*, which represent a considerable monetary worth, to other people.

138 The incident is described in detail in the Babli (*loc. cit.*): A prostitute found a pair of *tefillin* in a hole near a public toilet, took them, and bragged publicly that she had received them for her services from a certain holy man who then committed suicide as a consequence of the public scandal.

139 A colleague of Rabbi Ze'ira. The argument here, relating to a toilet, is parallel to the preceding one,

relating to a urinal.

140 A pouch with straps so that in case of need one can put the *tefillin* in the pouch and carry them hanging under his outer garment, the strap going around his neck. Since one needs the pouch anyhow for storing the *tefillin* during nighttime, the counsel of Rabbi Maishe is only to put the straps on so that the pouch can be used also during daytime. The Babli (24a) forbids expressly to have the *tefillin* hanging on its own straps (not those of a pouch).

141 In Babylonia. The parallel in the Babli (*Šabbat* 49a) reads: "Rabbi Yannai said: *Tefillin* need a clean body, like Elisha of the bird's wings." R. Z. Frankel points out that at the start of

fol. 4c, the Yerushalmi quotes that "Rebbi Yannai said: *Tefillin* need a clean body"; hence, the reference to Elisha of the bird-wings is really a Babylonian addition. The story is told only in the Babli, *loc. cit.*, that Elisha was wearing *tefillin* when, in the aftermath of the war of Bar Kokhba, wearing *tefillin* was a capital crime. But he took them off when he saw a policeman and kept them in his hands. When the policeman asked him what

he held in his hands, he said: "a couple of bird's wings." When he was ordered to open his hands, two birds flew away and his life was saved. (This story shows again that *tefillin* cases were not supposed to be larger than about $\frac{3}{8}$ th of an inch square.)

The implication of this Babylonian ruling is that nobody can be expected to keep his body perfectly clean for very long; hence, *tefillin* should be removed after prayers.

רבי זעירא בשם רב אבא בר ירמיה לא יכנס אדם לבית הקברות ויעשה צרכיו שם. ואם עשה כן עליו הכתוב אומר לועג לרש חרף עושהו. דלמה רבי חינא רובא ורבי יונתן היו מהלכין קומי ערסיה דרבי שמעון בר יוסי בר לקוניא והנה רבי יונתן מפסע על קבריה. אמר ליה רבי חינא רובא (fol. 4d) כדון אינון מימר למחר אינון גבן ואינון מעיקין לן. אמר ליה וחכמין אינון כלום לא כן כתב והמתים אינם יודעים מאומה. אמר ליה לקרות את יודע. לדרוש אין את יודע. כי החיים יודעים שימותו אלו הצדיקים שאפילו במיתתן קרויין חיים. והמתים אינם יודעים מאומה אלו הרשעים שאפילו בחייהן קרויין מתים. מניין שהרשעים אפילו בחייהן קרויין מתים שפנאמר כי לא אחפוץ במות המת. וכי המת מת. אלא אילו הרשעים שאפילו בחייהן קרויין מתים. ומניין שהצדיקים אפילו במיתתן קרויין חיים. דכתיב ויאמר אלו זאת הארץ אשר נשבעתי לאברהם ליצחק וליעקב לאמר. מה תלמוד לאמר לאמר. אמר לו לך ואמור לאבות כל-מה שהתגיתי לכם עשיתי לבניכם אחריכם.

Rebbi Zeira in the name of Rav Abba bar Jeremiah: A person may not enter a cemetery and relieve himself there.¹⁴² When he did it anyway, about him the verse says (*Prov.* 17:5) "He who makes fun of the poor

blasphemes his Maker."¹⁴³ Clarification: The great Rabbi Ḥiyya and Rabbi Jonathan¹⁴⁴ were walking before the bier of Rabbi Simeon bar Yose bar Laqonia when Rabbi Jonathan stepped over his grave. The great Rabbi Ḥiyya said to him: About that they will say, tomorrow they will be with us but they hurt us. He answered him, do they know anything? Is it not written: (*Prov. 9:5*) "But the dead do not know anything." He told him: you know how to read, you do not know how to preach. (*Prov. 9:5*) "The living know that they will die", these are the Just who even in death are considered living; "but the dead do not know anything," these are the wicked who even in life are called dead. From where that the wicked even in life are called dead? It is said (*Ez. 18:32*) "For I have no pleasure in the death of the dead;" how can a dead person die? But these are the wicked who even in life are called dead. And from where that the Just even in death are considered living? It is written (*Deut. 34:4*) "And He said to him: This is the land I had sworn to Abraham, Isaac, and Jacob, to tell." Why does the verse say "to tell"? He said to him: go and tell the patriarchs that all I had promised I fulfilled to your descendants after you.

142 The connection with the preceding section is that this is a statement of Rabbi Zeira in the name of Rav Abba bar Jeremiah, and it speaks about relieving oneself.

143 He who relieves himself in the cemetery makes fun of the dead two-fold; first he shows his contempt for the dead and then he does something that the dead can do no more. Even

graveside sermons are unacceptable in Judaism since the dead can no longer have any Torah thoughts.

144 The greatest of the preachers of the first generation of Amora'im, student of R. Simeon bar Yose bar Laqonia, a preacher of the last generation of Tanna'im who was the brother-in-law of the son of R. Simeon bar Yoḥai.

עירב את האותיות. אית תנני כשר. ואית תנני פסול. רבי אידי בשם רבי שמעון בשם רבי יוחנן מן דמר כשר מלמטון. מן דמר פסול מלמעלן. כגון ארצינו תפארתינו. ארצך צריכה. תפארתך צריכה.

If one connected the letters¹⁴⁵; there is a Tanna who stated: it is valid, and there is a Tanna who stated: it is invalid. Rabbi Idi¹⁴⁶ in the name of Rabbi Simeon in the name of Rabbi Yohanan: He who says it is valid, below; he who said it is invalid, on top. For example, ארצנו, תפארתנו, ארצך. ארצנו, תפארתך is questionable.

145 One speaks here about writing *tefillin*, *mezuzot* and Torah scrolls, not about wearing them. The main discussion is in Yerushalmi *Megillah* 1:9; here it is quoted since it is somehow connected with the topic of *tefillin* but mainly because it belongs to a sequence of statements by Rabbi Idi in the name of Rabbi Simeon in the name of Rabbi Yohanan, which belong to the topic of prayer. The explanation of this paragraph follows the interpretation of *Rashba* (Solomon ben Adrat, *Responsa*, vol. 1, #711).

The problem is the legal status of a holy text in which two letters touch one another. The Babli states (*Menahot* 49a) that every letter must be surrounded by white parchment. The Yerushalmi has no equivalent statement but one may assume that it subscribes to the same standard. It is also required that a letter should be written, not carved out. Hence, if a letter is

completely written and its foot accidentally touches the following letter, as with a slightly too long foot of נ in גו, one may scratch off the superfluous length and has a complete acceptable letter. But when a letter has its head elongated, so that from the start the letter was not standing free, then the entire letter has to be scratched out and the writing has to start anew. The questionable case is a situation with a letter that is hanging down below the line, as in the combination תך when the small foot of ת meets the downward stroke of ך. In that case, the ת was complete but the ך was not; this case remains unsettled (i. e., for practical rulings both letters have to be erased and rewritten.)

146 A Babylonian who became a Galilean Amora in the Yeshivah of Rabbi Ammi. The Rabbi Simeon here is Rabbi Simeon ben Laqish.

רבי אידי בשם רבי שמעון בשם רבי יוחנן לא יעמוד אדם במקום גבוה ויתפלל. מה טעם אמר רבי אבא בריה דרב פפי ממעמקים קראתיך יי.

Rebbi Idi in the name of Rebbi Simeon in the name of Rebbi Yoḥanan¹⁴⁷: No man should stand at an elevated place and pray. What is the reason? Rebbi Abba the son of R. Pappai¹⁴⁸ said: (*Ps.* 130:1) "From the depth I call on You, o Eternal!"

147 These are the correct names, appearing in the parallel in *Megillah* 1:9 and in the Rome ms. here. The parallel in the Babli (*Berakhot* 10) is attributed to Rebbi Yose ben R. Ḥanina in the name of the Tanna Rebbi Eliēzer ben Jacob. Venice print: 'ר אידי בר'.

שמעון בשם ר' יוסה .

148 It seems that the name must be "son of *Rebbi Pappai*"; the Galilean Amora Rebbi Abba lived a generation before the Babylonian Amora Rav Pappi, one of the successors of Rava.

אמר רבי אידי בשם רבי שמעון בשם רבי יוחנן לא יעמוד אדם ויתפלל וצריך לנקבו. מה טעם הכון לקראת אלהיך ישראל. אמר רבי אלכסנדר שמור רגלך כאשר תלך אל בית אלהים שמור עצמך מן הטיפים היוצאות מבין רגליך. הודא דתימר בדקין. אבל בגסין אם יכול לסבול יסבול.

Rebbi Idi in the name of Rebbi Simeon in the name of Rebbi Yoḥanan said: No man should pray when he has an urge to go to the bathroom¹⁴⁹. What is the reason? (*Amos* 4:12) "Prepare yourself before Your God, o Israel!" Rebbi Alexandri said: (*Eccl.* 4:17) "Watch you feet when you go to God's house"; watch yourself from the drops that drip from between your feet. That means, for urine. But for defecation, if he can bear it, let him bear it¹⁵⁰.

149 In the Babli (*Berakhot* 23a) this appears as a statement of R. Samuel ben Nahmani in the name of Rebbi

Jonathan. It is really a Tosephta (*Berakhot* 2:18).

150 The Babli disagrees and states

that prayer is only permitted when one is able to walk 4 *mil* without going to the bathroom (about a 70 minutes' walk).

רבי יעקב בר אבאי בשם רבי אהא שמור רגלך כאשר תלך אל בית אלהים שמור עצמך כשתהא נקרא אל בית אלהים שתהא טהור ונקי. אמר רבי אבא יהי מקורך ברוך. יהי מקראך לקבר ברוך. אמר רבי ברכיה עת ללדת ועת למות. אשרי אדם ששעת מיתתו כשעת לידתו. מה שעת לידתו נקי כך בשעת מיתתו.

Rebbi Jacob bar Abbai¹⁵¹ in the name of Rebbi Aḥa: (*Eccl.* 4:17) "Watch you feet when you go to God's house"; watch yourself when you are called to God's house¹⁵² that you should be pure and innocent. Rebbi Abba said: (*Prov.* 5:18) "Your fountain shall be blessed", your being called to the grave shall be blessed. Rebbi Berekhiah said (*Eccl.* 3:1): "A time to be born and a time to die", hail to the man whose hour of death is like the hour of his birth; just as at the hour of his birth he was innocent so at the hour of his death may he be innocent.

151 An Israeli Amora of the last generation. His statement is placed here since it gives a different interpretation of the last verse quoted before. In the Babli (*loc. cit.*) this is

also a statement of R. Samuel bar Nahmani in the name of Rebbi Jonathan, i. e., of the first generations of Israeli Amora'im.

152 I. e., when you die.

משנה ד: הקורא את שמע ולא השמיע לאזנו (רבי יהודה אומר) יצא. רבי יוסי אומר לא יצא. קרא ולא דקדק באותיותיה רבי יוסי אומר יצא ורבי יהודה אומר לא יצא. הקורא למפרע לא יצא. קרא וטעה יחזור למקום שטעה.

Mishnah 4: He who recited the *Shema* and did not make his ear hear, (Rebbi Yehudah says that)¹⁵³ he has fulfilled his obligation, Rebbi Yose says that he has not fulfilled his obligation. If he recited and was not exact in its letters¹⁵⁴, Rebbi Yose says that he has fulfilled his obligation, Rebbi Yehudah says that he has not fulfilled his obligation. He who reads backwards has not fulfilled his obligation. If he recited and made a mistake then he should return to the place of the mistake.

153 In the separate Mishnah at the start of the chapter (fol. 4a), as well as in most Mishnah and Babli manuscripts, the words in parenthesis are missing. However, in some manuscripts both of Mishnah and Babli, the words appear. It seems from the *Halakhah* that the editors of the Yerushalmi did not read the words in parenthesis and, maybe, considered the full text as a *baraita*. A similar instance appears in the Babli (15a) where the Mishnah is presented in this form: He who recited the *Shema* and did not make his ear hear has fulfilled his obligation, and the Gemara two lines later treats this as

anonymous statement, but five lines further down quotes the Mishnah (דמתן) as: 'He who recited the *Shema* and did not make his ear hear has fulfilled his obligation, these are the words of Rebbi Yehudah.' One of the editors of 18th Cent. editions of the Talmud, R. Joel Sirkes known as *Bah*, wants to cross out the last part of the quote, but the Yerushalmi shows that two versions of the Mishnah did exist and, since it is impossible to write two versions at the same place, one is quoted as a separate Mishnah and the other in the text.

154 I. e., he mispronounced or slurred.

הלכה ד: רב אמר הלכה כדברי שניהו להקל. דלכו מה כן אמרין סתמה ורבי יוסי הלכה כסתמא. רבי יוסי ורבי יהודה הלכה כרבי יוסי. ומה צריקא למימר רב הלכה כדברי שניהו להקל. אלא בגין שמע דתני לה רבי חינא בשם רבי מאיר לפום כן צריך למימר הלכה כדברי שניהו להקל.

Halakhah 4: Rav said: practice follows both of them for leniency¹⁵⁵. If it were not so, what could one say? An anonymous statement and Rebbi

Yose, practice follows the anonymous¹⁵⁶. Rabbi Yose and Rabbi Yehudah, practice follows Rabbi Yose¹⁵⁷. So why does Rav have to say, practice follows both of them for leniency? Because he had heard Rabbi Ḥiyya formulating it in the name of Rabbi Meir¹⁵⁸, he has to say that practice follows both of them for leniency.

155 In the Babli (*Berakhot* 15b), this is a statement of Rabbi Ṭabi in the name of Rabbi Josiah; the latter was a student of Rabbi Yoḥanan. The statement in the Babli is accepted without discussion because, as Rav Hai Gaon points out in his commentary, the Talmud previously did establish that the first statement is Rabbi Yehudah's and, therefore, the question asked in the Yerushalmi has no place in the Babli.

One may assume that the fact that the ruling is attributed to a Babylonian in the Yerushalmi and to a Galilean in the Babli is intentional, to show that this is the universally accepted practice [necessary, because in general borrowing leniencies from opposing points of view is frowned upon.]

156 Here, the Yerushalmi uses the Mishnah without the clause which identifies Rabbi Yehudah as the author. An anonymous statement in the Mishnah gives the consensus of the

Sages and therefore has the force of law.

157 This is also the position of the Babli, *Erubin* 46b. It follows that the statement of Rav seems superfluous.

158 In the Babli (*loc. cit.*), Rabbi Meir states that the obligation of reciting *Shema'* "is in the mind"; this implies that one does not have to hear what he himself is saying. Since the Mishnah or an equivalent is never quoted in the name of Rabbi Meir, R. Zachariah Frankel wants to correct "Rabbi Meir" to "Rabbi Yehudah" and considers the second version of the Mishnah in both Talmudim as the Mishnah of Rabbi Ḥiyya, in contrast to the Mishnah of Rabbi that is formulated anonymously. However, there is no textual support for such a theory.

Practice follows Rabbi Yose even against Rabbi Meir; hence, the statement of Rav is necessary for the first part of the Mishnah.

תני נתפלל ולא השמיע לאזנו יצא. למי נצרכה לרבי יוסי. היידין רבי יוסי
הדא דתנינן הקורא את שמע ולא השמיע לאזנו יצא. ורבי יוסי אומר לא
יצא. אומר רב מתנה דרבי יוסי היא. אומר רבי יוסי היינו סברין מימר מה
פליגין רבנו ורבי יוסי בשמע דכתיב בה שמע. הא שאר כל-המצוות לא. מן
דמר רב מתנה דרבי יוסי היא הוי היא שאר כל המצוות. מאי טעמא דרבי
יוסי. והאזנת למצותיו. ישמעו אזנד מה שפיד מדבר.

It was stated: "He who did pray¹⁵⁹ and did not make his ear hear did fulfill his obligation." For whom do we need that? For Rabbi Yose! For which statement of Rabbi Yose? For that which we have stated: "He who recites the *Shema'* and did not make his ear hear has fulfilled his obligation, Rabbi Yose says that he has not fulfilled his obligation." Rav Mattanah¹⁶⁰ said: That formulation is Rabbi Yose's. Rabbi Yose¹⁶¹ said: We could be of the opinion that the rabbis and Rabbi Yose disagree only about *Shema'* since there it is written: "hear!", but not about any other obligations. Since Rav Mattanah said "that formulation is Rabbi Yose's", it is the same for all obligations. What is the reason of Rabbi Yose? (*Ex.* 15:26) "Bend your ear to His commandments", your ears should hear what your mouth says.

159 The thrice daily *Amidah* prayer.

160 This paragraph and the following do not really belong here, they refer to the Mishnah *Megillah* 2:4: "The insane, the deaf and dumb, and minors cannot read the *Megillah* (for others)". Rav Mattanah notes that, obviously, one does not mean a deaf and dumb person who cannot talk, but a deaf person who cannot hear. Since the Mishnah is anonymous, it must be the consensus of the Sages that one cannot fulfill the

obligation of reading the *Megillah* if one does not hear what he himself is saying. Hence, the general consensus in *Megillah* is identical with the opinion of Rabbi Yose in *Berakhot*. The practice, therefore, should follow Rabbi Yose for stringency, in contrast to Rav's statement in the preceding paragraph.

161 The Amora, one of the compilers of the Jerusalem Talmud.

אמר רב חסדא לית פאן חרש. השגרת לשון היא. מתניתא לרבי יהודה.
אמר רבי יוסי מסתברא דיודי רב חסדא בתרומות דהיא דרבי יוסי. אמר
רבי חנינא בשם רב חסדא דרבי יוסי היא. אמר רבי יוסי ברבי בון על פרחד
איתמר דהיא דרבי יוסי דתנינן חמישתא אדמייתא ולא תניתא עמהו אם
משום שאין תרומתן תרומה. והא תנינן חמישתא אחרנייתא ולא תניתה
עמהו. הא סופך מימר דרבי יוסי היא.

Rav Hisda said: The deaf and dumb person is not mentioned, it is a formula.¹⁶² Then the Mishnah might be Rabbi Yehudah's. Rabbi Yose¹⁶³ said: It is reasonable to think that Rav Hisda concedes that the statement from *Terumot* is from Rabbi Yose¹⁶⁴. Rabbi Hanina said in the name of Rav Hisda, this one is by Rabbi Yose. Rabbi Yose bar Rabbi Abun said: It must be said that that one is Rabbi Yose's since we have stated the first five cases and did not include it¹⁶⁵, because their *terumah* is no *terumah*. Then we have stated the five later ones and did not include it. So in the end you must say, that one is by Rabbi Yose¹⁶⁶.

162 Since in all legal matters the insane, the deaf and dumb, and minors are equally incapacitated, the people who had to memorize "insane and minors" automatically changed the phrase in their memories to "insane, deaf and dumb, and minors". After this correction, the Mishnah in *Megillah* may well be Rabbi Yehudah's.

163 The Amora.

164 *Terumah*, the heave, is the first gift of grain to the Cohen from the new harvest. There is no amount fixed for *terumah* in the Pentateuch; it must be consecrated explicitly. Only a

person of sound mind can consecrate *terumah*. The first Mishnah in tractate *Terumot* reads: "Five categories of people cannot consecrate *terumah* and if they did it anyhow, their actions are null and void: the deaf and dumb, the insane, minors, one who is not the owner, and a non-Jew." The sixth Mishnah then reads: "Five categories of people should not consecrate *terumah* (since *a priori* it requires the recitation of a benediction) but if they did it anyhow their actions are valid: the speechless, the drunk, the naked, the blind, those impure by emission of

semen." In between it is explained that חרש means a deaf and dumb person who is not legally capable of acting but that the deaf who can talk belongs to the same category as the second group of five.

165 The case of the deaf who is able to speak.

166 Hence, the second Mishnah in

Terumot, explaining that the deaf who is able to speak can give *terumah*, has to be formulated separately and could not be included in the sixth Mishnah since the first and sixths Mishnayot are Rabbi Yose's who will object to the inclusion of the deaf-but-not-speechless in the second group.

אלו צריך דקדוק. על לְבַבְךָ. על לְבַבְכֶם. עֲשֵׂב בְשָׂדֶךָ. וְאִבְדַתֶּם מִהָרָה. הַכֶּנֶף פְּתִיל. אֶתְכֶם מֵאֶרֶץ. רַבִּי חֲנִינָא בְּשֵׁם רַבִּי אֲחָא אֲשֶׁר נִשְׁבַּע יי.

These need careful attention: *al-lēvāvēkhā, al-lēvavkhem, ēšev bēšādēkhā, waāvadiem mēhērāh, hakkānāph pētil, etkhem mēerez*¹⁶⁷.

Rebbi Ḥanina in the name of Rabbi Aḥa: *āšer nišba' ādonay*¹⁶⁸.

167 In the Babli (*Berakhot* 15b) this list is an appendix by Rava to a *baraita* stating that in reciting the *Shema'* one has to differentiate between identical sounds. There is no problem with the words in *Shema'* where final and initial l and m clash. More of a problem is the clash of soft and hard פ, ב. The late Prof. Y. Kutscher pointed out that in classical Arabic there is a tendency to pronounce fb as bb [*Contemporary Studies in North-Western Semitic*, Journal of Semitic Studies 10(1965) pp. 21-51, see p. 30] but it seems clear at least for ב which, under the influence of the Greek that was the common vernacular, in Galilee both ב and ב were pronounced "v". For example, the

technical term "logically consistent" in the Babli appears as מחובר "connected" in Yerushalmi *Peah* 2:1, fol.16d. It does not make any sense to derive מחוור from Aramaic חוור "pale". Hence, Galilean מחבר sounded מחוור in Babylonian ears. (Possibly both ב and ב were pronounced as "b" in Babylonia, as they still are today in dialects of Jews from Arabic speaking countries.) It is less certain but still possible that ב was pronounced "p-h" rather than "f".

168 In Biblical times, ע (') was a hard glottal sound similar to Arabian Arabic ع but in Talmudic times it was either silent (see the next paragraph) or very weak so that there was (almost) a double vowel a.

רבי שמואל בר חנינא בשם רבי הושעיא יוצר אור ובורא חושך. דלא יימר יוצר אור ובורא נוגה. רבי חגיגי בשם רבי אבא בר זבדא שם שרו לך דלא יימר שם הללו לך. רבי לוי רבי אבדימא דחיפה בשם רבי לוי בר סיסאי צריך להתיז למען תזכרו. רבי יונה בשם רב חסדא צריך להתיז פי לעולם חסדו. תני אין מעבירין לפני התיבה לא חיפניו ולא בישניו ולא טיבעוניו מפני שהו עושין חיתין היהין ועיניו אאין. אם היה לשונו ערוך מותר.

Rebbi Samuel bar Hanina in the name of Rebbi Hoshaiah¹⁶⁹: "He Who forms light and creates darkness¹⁷⁰"; one should not say: "He Who forms light and creates radiance."

Rebbi Haggai¹⁷¹ in the name of Rebbi Abba bar Zavda¹⁷²: "There they sang for You¹⁷³", one should not say: "There they praised You".

Rebbi Levi, Rebbi Eudaimon¹⁷⁴ of Haifa, in the name of Rebbi Levi bar Sisi¹⁷⁵: one has to pronounce *tizkeru* voiced¹⁷⁶. Rebbi Jonah in the name of Rav Hisda: one has to pronounce *ki lē'olām ḥasdô* voiced¹⁷⁷. It was stated: One does not take as reader anyone from Haifa, Beth Shean or Tiv'on since they read ח like ה¹⁷⁸ and ע like א. If his pronunciation was orderly, it would be permitted¹⁷⁹.

169 A Babylonian, student of Rav Yehudah and Rav Huna, who later emigrated to Israel and became student of Rebbi Yoḥanan.

170 This is the beginning of the first benediction before the *Shema'*, it appears here in the context of the recitation of *Shema'*. The language is that of the verse (*Is.* 45:7) "He Who forms light and creates darkness, makes peace and creates evil." In prayer, the verse is changed to "He Who forms light and creates darkness,

makes peace and creates all" to soften the language. Rebbi Hoshaiah notes that one may not go so far as to eliminate the mention of darkness, in the words of the Babli (12a) "to mention night at day and day at night", to negate any Zoroastrian dualism.

171 A Babylonian who went to study in Tiberias.

172 A Galilean who went to study temporarily in Babylonia; he was a chief authority in Galilee after the death of Rebbi Yoḥanan. Both authors

mentioned here were familiar with the Babylonian prayer ritual.

173 In Halakhah 1:9, the Yerushalmi quotes the Babylonian version of a short benediction after *Shema*: "We thank You that You took us out of Egypt and redeemed us from the house of slavery to thank Your Name". The Babli (14b) has the corresponding Galilean version: "We thank You that You took us out of Egypt and redeemed us from the house of slavery, did for us wonders and great deeds on the sea, and we sang for You". The version "There they praised You" seems to be an alternative Babylonian form that is rejected here (since it is not a proper introduction to the required recitation of *Ex.* 15:11,19. In later times, the Israeli standard introduction to these verses was *בגילה ברנה בשמחה רבה* *בגילה ברנה בשמחה רבה ואמר כולם* retained in the Ashkenazic service on holiday nights.)

174 An Amora of the second generation. His name $\epsilon\upsilon\lambda\alpha\mu\omicron\nu\varsigma$ "fortunate" shows that the pronunciation of Greek in his time was as today, that $\upsilon = f = \beta$.

175 Levi who usually is quoted without title or patronymic.

176 Since voiced z (ז) and voiceless s (ש) are similar sounds, care is needed to distinguish between *תזכרו* (*Num.* 15:40) "you shall remember" and *תשכרו*

"you shall dam up", *תשכרו* "you shall hire", and even, under the influence of Greek, which knows no *sh* sound, *תשכרו* "you will get drunk".

177 It is not clear why one should pronounce *תְּסַדִּי* with a soft *s*. R. Zachariah Frankel notes that the two Aramaic verbs *תְּסַדִּי* *hāsad* "to be loving" and *תְּסַדִּי* *hassad* "to insult, degrade" differ in the quality of its *s* sound; hence, one has to take care that "truly, His kindness is forever" should not sound as "truly, His insulting is forever". It seems that while *s* should not really sound like *z*, care has to be taken not to make it sound like *ss*. Maybe the same difference was once heard between Hebrew *אֶחָד* I "to show kindness" and *אֶחָד* II "to insult."

178 Western Ashkenazic pronunciation treated *ח* like *hh* until the middle of the sixteenth Century. Under the influence of Polish, which in contrast to German has only one *ch*-sound, Ashkenazic pronunciation lost the difference between *ח* (*h*) and *כּ* (*kh*). In all other Jewish dialects, the problem is not the identification of *ח, כּ* but of *ח, ת, ע*. *ע* is lost in all Ashkenazic pronunciations; it is retained in Italian and Portuguese Hebrew as *ng*.

179 If he makes an effort and tries to realize the difference, even if he does not quite succeed.

פיסקא. הקורא למפרע לא יצא. רבי יונה אמר תנא רב נחמן בר אדא רבי יוסי אומר תנא נחמן סבא והיו כדרך הוייתו יהו. תני אף בהלל ובקריאת המגילה כן.

New Section. He who reads backwards¹⁸⁰ has not fulfilled his obligation. Rebbi Jonah said that Rav Nahman bar Ada¹⁸¹ stated, Rebbi Yose said that Nahman the Old stated, (*Deut.* 6:6) "They shall be", they shall be unaltered¹⁸². We have stated: The same holds for *Hallel* and the reading of the Esther scroll.

180 Reading sentences out of order; reading words out of order is clearly useless since it makes no sense.

"Nahman the Old", to distinguish him from later Amora'im also called Nahman.

181 A Babylonian, student of Samuel. He probably is identical with

182 Taking the verb היה "to be" in the sense of "to exist".

ניחא בקריאת המגילה דכתיב בה ככתבם. ברם בהללא בגין דכתיב ממזרח שמש עד מבואו מהולל שם יי מה את שמע מינה אמר רבי אבון עוד היא אמורה על הסדר. בצאת ישראל ממצרים לשעבר. לא לנו יי לא לנו לדורות הללו. אהבתי כי ישמע יי את קולי לימות המשיח. אסרו חג בעבותים לימות גוג ומגוג. אלי אתה לעתיד לבוא.

This is fine for the Esther scroll since it is written there (*Esther* 9:27): "As they are written"¹⁸³. But for *Hallel*, since it is written (*Ps.* 113:3): "From sunrise to sunset, may the name of the Eternal be praised?"¹⁸⁴ What can you understand from that? Rebbi Abun said: It also is written in order. (*Ps.* 114:1) "When Israel left Egypt" in the past. (*Ps.* 115:1) "Not for us, o Eternal, not for us" in the present¹⁸⁵. (*Ps.* 116:1) "I loved, truly the Eternal listened to my voice" in the days of the Messiah. (*Ps.* 118:27) "Bind the holiday sacrifice with ropes" in the days of Gog and Magog¹⁸⁶. (*Ps.* 118:28) "You are my God" in the future world.

183 The verse reads: "The Jews confirmed and accepted for themselves, not to be cancelled, that they would observe these two days *as they are written* and it its time, every single year." Hence, the scroll must be read as it is written.

184 Since there is no difference between East and West, there should be no difference between before and after.

185 In the much more detailed parallel passage in the Babli (*Pesahim* 118a), this sentence is applied by Rabbi Yoḥanan either to the oppression by

hostile governments or to the sufferings preceding the coming of the Messiah. That may be the meaning of the sentence here also. Alternatively, the psalm is interpreted there as the song of Hananiah, Mishael and Azariah in the fiery oven.

186 In the celebration after the final defeat of the forces of evil. In *Midrash Tehillim*, Ps. 118:24 "This is the day the Eternal made, let us rejoice and be happy on it" is taken to describe the time when one can be sure that the deliverance will not be followed by another oppression.

רבי אָחא בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי אָף מִי שֶׁהִתְקִין אֶת הַתְּפִלָּה הַזֹּאת עַל
הַסֵּדֶר הַתְּקִינָה. שְׁלֹשׁ בְּרָכוֹת הָרְאוּשׁוֹנוֹת וְשְׁלֹשׁ בְּרָכוֹת הָאַחֲרוֹנוֹת שֶׁבָחוּ שָׁל
מְקוֹם וְהֶאֱמַצְעִיּוֹת צָרְכָן שֶׁל בְּרִיּוֹת. חֲנִנּוּ דְעָה. חֲנִנְתֵּנוּ דְעָה רָצָה תְּשׁוּבָתֵנוּ.
רְצִיתָ תְּשׁוּבָתֵנוּ סָלַח לָנוּ. סָלַחְתָּ לָנוּ גְּאֻלָּנוּ. גְּאֻלְתֵּנוּ רָפָה חֲלִיֵּינוּ. רִיפִיתָ
חֲלִיֵּינוּ בְּרַךְ שְׁנוֹתֵינוּ. בִּירְכֶת שְׁנוֹתֵינוּ קִבְּצָנוּ. קִיבְּצָתֵנוּ שְׁפָטְנוּ בְּצֶדֶק. שְׁפָטְתֵנוּ
בְּצֶדֶק הַכִּנְעַת קָמִינוּ. הַכִּנְעַת קָמְנוּ צִדְקָנוּ. צִדְקָתֵנוּ בָּנָה בֵּיתְךָ וְשָׁמַע עֲתִירָתֵינוּ
וּרְצָנוּ בְּתוֹכוֹ. לֵית צוּרְכָה דְבָנָה בֵּיתְךָ וְשָׁמַע עֲתִירָתֵינוּ וּרְצָנוּ בְּתוֹכוֹ. אֱלֹא כְּמָה
דְּאִישְׁתַּעֵי קָרִינָא כֵּן אִישְׁתַּעֵי מִתְּנִיתָא וְהִבִּיאוֹתִים אֶל הַר קֹדְשֵׁי וְשִׁמְחָתִים
בְּבֵית תְּפִלָּתִי.

Rebbi Aḥa in the name of Rebbi Joshua ben Levi: Also he who composed this prayer¹⁸⁷ composed it in good order. The first three and the last three are the praise of the Omnipresent, the middle ones are the needs of the creatures. Give us knowledge. You gave us knowledge¹⁸⁸, accept our repentance. You accepted our repentance, forgive us. You forgave us, save us. You saved us, heal our diseases. You healed our

diseases, bless our years. You blessed our years, gather us in. You gathered us in, judge us in justice. You judged us in justice, subdue those who arise against us.¹⁸⁹ You subdued those who arise against us, justify us¹⁹⁰. You justified us, build Your house, listen to our supplications, be pleased with us in it. Is it necessary after "build Your house," listen to our supplications, be pleased with us in it¹⁹¹? But as the verse is, so is the tradition (*Is. 56:7*): "I shall bring them to My holy mountain, make them happy in My house of prayer."¹⁹³

187 The week-day 18 benedictions of the *Amidah*. Another derivation is given in the following paragraph.

188 The entire list should be read as a conditional: Assuming that You gave us knowledge (fourth benediction), please accept our repentance (fifth benediction). This is particularly evident in the second part, starting from the prayer for good years, which is a prayer for redemption and therefore future oriented even though the formulation here is in the past tense.

189 While the benediction against apostates was introduced at Jabneh and the rest of the *Amidah* is an institution of the Men of the Great Assembly, its place was chosen in the spirit of those who first formulated the prayer.

190 This is the text of the Rome and Genizah manuscripts, not like the Leyden manuscript and the Venice print which have צדקנו במשפט "justify us

in law" that belongs to the benediction before the previous one, not to the one for the elders (and all) of Israel and the converts which follows after the imprecation against apostates.

191 After a prayer for the rebuilding of Jerusalem and the Temple, the prayers for acceptance of the prayer and the hope that our service be for God's pleasure may seem superfluous since acceptance of prayer and God's pleasure are guaranteed in the Temple.

192 As usual, the main argument is the part of the verse not quoted: "I shall bring them to My holy mountain," corresponds to the prayer for Jerusalem, "make them happy in My house of prayer" corresponds to the supplication for acceptance of our prayer, "their holocausts and sacrifices for pleasure on my altar", corresponds to the prayer for God's pleasure. There

is no benediction for the restitution of the dynasty of David here since in Israeli practice this was part of the prayer for Jerusalem; see the next paragraph.

אמר רבי ירמיה מאה ועשרים זקנים ומהם שמונים וכמה נביאים התקינו את התפילה הזאת. ומה ראו לסמוך האל הקדוש לחונן הדעת על שם והקדישו את קדוש יעקב. מה כתיב בתריה וידעו תועי רוח בינה. דיעה לתשובה השמן לב העם הזה ואזניו הכבד ועיניו השע וגו' עד ולבבו יבין ורפה לו. תשובה לסליחה וישוב אל י וירחמנו ואל אלהינו כי ירבה לסלוח. סליחה לגאולה הסולח לכל-עוונתי הרופה לכל-תחלואיכי הגואל משחת חייכי. ויאמר רופא חולים קדמוי. אמר רבי אחא מפני מה התקינו גואל ישראל ברכה שביעית ללמדך שאין ישראל נגאלין אלא בשביעית. רבי יונה בשם רבי אחא שיר המעלות בשוב יי את שיבת (fol. 5a) ציון שירה שביעית היא להודיע שאין ישראל נגאלין אלא בשביעית. אמר רבי חינא בר אבא מפני מה התקינו רופא חולים ברכה שמינית כנגד המילה שהיא לשמיני. על שם בריתי היתה אתו החיים. אמר רבי אלכסנדר מפני מה התקינו ברכת השנים ברכה תשיעית כנגד קול יי שובר ארזים. שהוא עתיד לשבור כל-בעלי שערס. רבי לוי בשם רבי אחא בר חנינא מה ראו לסמוך מברך השנים למקבץ נדחי ישראל. על שם ואתם הרי ישראל ענפכם תתנו ופריכם תשאו לעמי ישראל. למה כי קרבו לבוא. נתקבצו הגליות והדין נעשה הזדין נכנעין והצדיקים שמחים. ותני עלה כולל של מינים ושל רשעים במכניע זדים. ושל גרים ושל זקנים במבטח לצדיקים. ושל דוד בבונה ירושלים. אחר ושובו בני ישראל ובקשו את יי אלהיהם ואת דוד מלכם.

¹⁹³Rebbi Jeremiah said: 120 elders, among them more than 80 prophets, instituted this prayer. Why did they follow "the holy God"¹⁹⁴ by "He Who favors with knowledge"? Because (*Is.* 29:23-24) "they sanctify the Holy One of Jacob" is followed by "and those of erring spirit will know insight." "Knowledge" followed by "Repentance", (*Is.* 6:10) "Make

fat the heart of this people, make it hard of hearing and its eyes sticky, that it should not see with its eyes, nor hear with its ears, nor understand with its heart, because if it would repent then it would be healed." "Repentance" by "Forgiveness", (*Is. 55:7*) "He should return to the Lord that He would have mercy on him, and to our God because He forgives much." "Forgiveness" by "Redemption", (*Ps. 103:2-3*) "He Who forgives all your sins, He Who hears all your maladies, He Who redeems your soul from destruction." Then he should say "Healer of the sick" before that¹⁹⁵. Rebbi Aḥa said: why did they institute "Redeemer of Israel" as the seventh benediction? To teach you that Israel will be redeemed only in a Seventh Year¹⁹⁶. Rebbi Jonah in the name of Rebbi Aḥa: (*Ps. 126*) "A song of ascent. When the Eternal will return the returnees of Zion" is the seventh song, to show you that Israel will be redeemed only in a Seventh Year. Rebbi Ḥiyya bar Abba said: Why did they institute "Healer of the sick" as the eighth benediction? That is for circumcision which is done on the eighth, following (*Maleachi 2:5*) "My covenant was with him: Life"¹⁹⁷. Rebbi Alexander said: Why did they institute "He Who blesses the years" as the ninth benediction? Corresponding to (*Ps. 29:5*) "The sound of the Eternal breaks cedars", since in the future He will break all market manipulators¹⁹⁸. Rebbi Levi in the name of Rebbi Aḥa bar Ḥanina: Why did they follow "He Who blesses the years" by "Ingatherer of the dispersed of Israel"? Because of (*Ez. 36:8*) "you, mountains of Israel, sprout your branches and carry your fruits for my people Israel", why? "because they will soon come." When the dispersed are gathered in then justice will be done, the evildoers will succumb, and the just will be happy¹⁹⁹. It was stated: One includes the apostates and the wicked in "He Who subdues the evildoers", the converts and the elders in "refuge of the just", David in

"Builder of Jerusalem"²⁰⁰. (*Hosea* 3:5) "Then the children of Israel will repent, seek the Eternal, their God, and their king David."²⁰¹

193 A parallel with slightly different treatment of the entire paragraph appears in Babli *Megillah* 17b-18a.

194 The third benediction of the *Amidah*. What follows is a description of the benedictions of the week-day *Amidah*.

195 Since in the verse redemption comes after healing. (Redemption here is personal redemption; redemption of the people is described by benedictions 9-14).

196 A Seventh Year (*shemittah*) in a Jubilee cycle. The "seventh song" in the next sentence is the seventh of the songs of ascent.

197 *The Covenant* refers to circumcision.

198 Manipulators of prices of basic commodities who are compared to cedars for their (financial) strength. In the Babli, R. Alexander quotes *Ps.* 10:15, which in Babylonian (and Rashi's) count was *Ps.* 9:36 and, therefore, is appropriate for the Ninth benediction. Our texts of Psalms which

split an alphabetic acrostich between Psalms 9 and 10 is the Yerushalmi tradition which, therefore, cannot use the verse quoted in the Babli.

199 This describes benedictions 10-13. The wicked are Gentile governments that oppress the Jews. The evildoers are Jewish evildoers.

200 This is today the practice of Ashkenazic and Sephardic Jews. The Babylonian practice was not to mention the restoration of the Davidic dynasty in the benediction for Jerusalem, but to make it a separate benediction preceding the final benediction "He Who hears prayer". Only the Yemenite ritual follows the strict Babylonian style; the other Jewish groups pray twice for the Davidic dynasty, once in the Yerushalmi form of "Builder of Jerusalem" and then in the Babylonian form "He Who makes sprout the horn of salvation".

201 The verse concludes: "They will tremble for the Eternal and His Goodness at the End of Days", referring to Messianic times.

רָבֵן אֱמֵרִי אֵהוּן מֶלֶכָא מְשִׁיחָה אִין מִן חֵינָא הוּא דְוֵד שְׁמִיָּהּ. אִין מִן דְּמַכְיָנָא
 הוּא דְוֵד שְׁמִיָּהּ. אֱמֵר רַבִּי תַנְחוּמָא אֲנָא אֱמֵרִי טַעְמָא וְעוֹשֵׂה חֶסֶד לְמַשִּׁיחָו
 לְדוֹד.

The Rebbis say: This King Messiah, if he is from the living, his name is David. If he is from the dead, his name is David. Rebbi Tanḥuma said: I am declaring the reason (*Ps. 18:51*) "He gives kindness to His anointed, to David.²⁰²'

202 The previous discussion ended with the verse from Hosea, which indicates that in Messianic times all twelve tribes will seek their king David; it is clear that Hosea talks about the Messiah and calls him David. This gives rise to an insertion about the Messiah in this and the next paragraph.

The second argument is more explicit in the Babli, *Sanhedrin* 98b, where for the first case a verse in Jeremiah (30:9) is cited: "They shall serve the Eternal, their God, and their king David whom I shall raise for them" which also is written in the future tense. The second case, that the original David will be resurrected as Messiah, is based on a verse in Ezekiel (34:24) "I, the Eternal, shall be for them their God, and My servant David prince in their midst", seems to refer to the

historical David in Messianic times. The Babylonian Talmud points out that a prince is less than a king and, therefore, the new King Messiah will have the status of a Roman Augustus whereas the resurrected David will occupy the position of Caesar, or Crown Prince. In any case, the next paragraph makes is quite clear that the Messiah was born on the day of the destruction of the Temple and that, therefore, nobody with a recorded date of birth can ever be considered as Messiah. There is no reason to believe that the Babli would disagree with this conclusion. In addition, Maimonides in his *Letter to Yemen* is quite adamant that the Messiah can only appear in the Land of Israel and must be a political figure.

רבי יהושע בן לוי אמר צמח שמו. רבי יודן בריה דרבי אייבו אמר מנחם שמו. אמר חנינה בריה דרבי אבהו ולא פליגי חושבניה דהדין כחושבניה דהדין הוא צמח הוא מנחם. דמר רבי יודן בריה דרבי אייבו עובדא הנה בחד יהודאי דהנה קאים רדי בהדי בקעת ארבל געת תורתיה קומוי עבר חד ערביי ושמע קלה. אמר ליה בר יודאי בר יודאי שרי תורך ושרי קנקנד דהא חריב בית מוקדשא. גאת זמן תניינות. אמר ליה בר יודאי בר יודאי קטור תורך וקטור קנקנד דהא יליד מלקא משיחא. אמר ליה מה שמיה מנחם. אמר ליה ומה שמיה דאבוי אמר ליה חזקה. אמר ליה מן הן הוא. אמר ליה מן בית מלקא דבית לחם יהודה. אזל זבין תורוי וזבין קנקנוי ואיתעביד זבין לבדין למיינוקי והוא עייל קרייה ונפקא קרייה. עד דעל לההוא קרתא והוינו קל-נשייא זבנו ואימה דמנחם לא זבנה. שמע קלן דנשייא אמרין אימיה דמנחם אימיה דמנחם אייתי זבנין לברך. אמרא בעייתא אנא מיחנקונייה סנאיהון דישראל דביומא דאיתגליד איחרוב בית מוקדשא. אמר לה רחיציא אנו דברגליה חריב וברגליה מתבניי. אמרה ליה לית לי פריטין. אמר לה ומה איכפת לך אייתי זבנין ליה אין לית קומך יומא דין בטר יומי אנא אתי ונתיב. בטר יומין עאל לההוא קרתא אמר לה מהו מיינוקיד עביד. אמרה ליה מן שעמא דחמיתני אתון רוחין ואלעוליה וחספיניה מן ידי. אמר רבי בון מה לנו ללמוד מן הערבי הזה ולא מקרא מלא הוא והלבנון באדיר יפול. מה כתיב בתריה ויצא חוטר מגזע ישי.

Rebbi Joshua ben Levi said, his name is Zemah. Rebbi Yudan, the son of Rebbi Aivu, said his name is Menaḥem²⁰³. Hanina the son of Rebbi Abbahu said: they have no disagreement since the numerical value of one is the numerical value of the other: Zemah is equal to Menaḥem²⁰⁴. Since Rebbi Yudan the son of Rebbi Aivu said, it happened to a Jew who was plowing in the valley of Arbel²⁰⁵ that his ox was bellowing. An Arab passed by and heard the bellowing of the ox. He said to him: Jew, Jew, unharness your ox, unharness your plow²⁰⁶ because the Temple was

destroyed. The ox bellowed a second time. He said: Jew, Jew, harness your ox, fix your plow because King Messiah has been born. He said to him: What is his name? Menaḥem. He said to him: What is his father's name? Hizqiah. He said to him: Where is he? He said to him: At the king's palace in Bethlehem in Judea. He went and sold his ox and plow and made himself a vendor of baby linens. He went to towns and left towns until he came to that town. All the women bought from him but the mother of Menaḥem did not buy. He heard the women say: Menaḥem's mother, Menaḥem's mother, come and buy for your son! She said: I would rather strangle him like a hater of Israel because he was born on the day the Temple was destroyed. He said to her: I like him, because for him it was destroyed and for him it will be rebuilt. She said to him, I have no money. He said to her, that does not bother me, come and buy for him! If you have nothing with you today, I shall return another day and I will take it then. After some time he went up to that town and said to her: How is your baby doing? She said to him: After you had seen me there came storms and raised him and tore him from my hands²⁰⁷.

Rebbi Abun said: We do not need to learn from that Arab, is it not a full verse (*Is.* 10:35): "The Lebanon will fall through a noble one"²⁰⁸ And the next verse is (11:1) "A sprout will come from the stem of Jesse."

203 The parallel to the entire paragraph is in *Midrash Ekha rabbati* 1(57). The verse of R. Joshua ben Levi is *Zach.* 6:12: "Behold, a man of the name of Zemaḥ, he will sprout from below and build the Eternal's temple." The verse of Rebbi Yudan is *Threni* 1:16: "Behold, far from me is Menaḥem who

will restore my spirit."

204 138. $\text{נבֿלֿ} = 90+40+8$, $\text{נבֿלֿ} = 40+50+8+40$.

205 This is the reading of the Rome ms. and Genizah fragments; the valley of Arbel is West of Tiberias. The place name is missing in the Leyden ms. and the Venice print.

206 קנקן usually means a pitcher or a bottle, from late Latin *canna* "small vessel". However, this קנקן appears several times also in the Babli (noted in the Rabbinic dictionary 'Arukh under 'קנקן ב') and seems to mean the central peg by which the motion of the plow is controlled; possibly from old Persian *gan*, "plow".

207 The *Zohar* (II, 7b-8b) improves on the story and asserts that the Messiah is living in Paradise at a place known as "bird's nest".

208 The use of Lebanon as a figure of speech for the Temple can be traced

to the interpretation of *Deut.* 3:25, where Moses begs to see "this good mountain and the Lebanon." Since God later showed Moses all he wanted to see, but nothing North of the city of Dan, it follows that "Lebanon" here cannot mean the mountain range. The verse here was used by Rabban Johanan ben Zakkai to predict to Vespasian that he would be emperor before he could conquer Jerusalem because the Temple could fall only to a noble one (*Ekha rabbati* 1(32)). In Isaiah, the verse is the introduction to a description of Messianic times.

אָמַר רַבִּי תַנְחוּמָא מִפְּנֵי מָה הִתְקִינוּ שׁוֹמְעַ תְּפִילָה בְּרַכָּה חֲמִשׁ עָשָׂרָה כְּנֶגֶד יי
לְמַבּוּל יָשֵׁב שְׁהוּא כּוֹלָה אֶת הַפּוֹרְעָנוֹת מִלְּבוֹא לְעוֹלָם.

²⁰⁹Rebbi Tanhuma said: Why did they institute "He Who listens to prayer" as the fifteenth benediction? Corresponding to (*Ps.* 29:10) "The Eternal throned over the Deluge", that He avert the catastrophe, that it should not come over the world²¹⁰.

209 After the digression about the Messiah, one returns to the main theme; the final benediction of the weekday insertion is the fifteenth in the Galilean count, and the mention of God's name in the verse is the fifteenth

in the Psalm.

210 God has sworn that no future Deluge will engulf the entire globe, but one has to pray that partial deluges will be averted.

עבודה להודייה זובח תודה וכבדנני ושמ דרך אראנו בישע אלהים. וחזתם בשלום שקל-ברכות חותמיהן שלום. אמר רבי שמעון בר הלפתא אין לך כלי מחזיק ברכה יותר מן השלום ומה טעם יי עוז לעמו יתן יי יברך את עמו בשלום.

Temple service (precedes) Thanksgiving²¹¹: (*Ps.* 50:23) "He who brings a sacrifice of thanksgiving honors Me and shows a path; I shall make him see God's help." One finishes with Peace, since all benedictions end with peace²¹². Rabbi Simeon bar Halaphta²¹³ said: There is no vessel that contains more blessing than peace. What is the reason? (*Ps.* 29:11) "The Eternal gives strength to His people, the Eternal blesses His people with peace."

211 Now we are back to the explanation of the sequence of benedictions in the *Amidah*. The 16th (Israeli count) prays for restoration of the Temple service and acceptance of our prayer as if performed in the Temple. The 17th benediction is Thanksgiving, the 18th is for Peace, following (in the Morning Service) the Priestly Blessings that end in "peace".

212 The Priestly Blessings end in "peace", and all other services, prayers and grace, end with "He Who makes peace in His heights, may He give peace to us and all of Israel, Amen."

213 A great preacher of the last generation of Tanna'im; his statement here is the last statement of the Mishnah (*Uqezin* 3:12).

קרא וטעה יחזור למקום שטעה. טעה בין כתיבה ראשונה לשנייה חוזר לכתיבה הראשונה. טעה ואינו יודע היכן טעה יחזור כבתחילה למקום הברור לו. דלמה רבי חינא רבי ישא רבי אמי סלקון מעבד גנוניה דרבי אלעזר. שמעון קליה דרבי יוחנן אי מחדית מילה. אמרין מן נחית שמע לה מיניה. אמרין וייחות רבי אלעזר דהוא זריז סגין. נחית וסליק אמר לן כן אמר רבי יוחנן קרא ומצא עצמו בלמען חזקה כון.

"If he recited and made a mistake then he should return to the place of the mistake."²¹⁴ If he made a mistake between the first and second mention of "writing" he must return to the first "writing"²¹⁵. If he made a mistake and does not know where he made the mistake, he returns to the start, to any place that he is sure about²¹⁶. An explanation: Rebbi Hiyya, Rebbi Yasa, Rebbi Ammi were preparing the wedding canopy²¹⁷ for Rebbi Eleazar. They heard the voice of Rebbi Johanan when he explained something new. They said: Who is going down to hear that from him? They said, let Rebbi Eleazar go down since he is very careful. He descended, ascended, and said to them: So says Rebbi Johanan, if he recited and found himself at למנו ²¹⁹ one can be sure that he had the right intention.

214 Quote from the last part of the Mishnah that now will be discussed. The entire paragraph is repeated in Babli *Berakhot* 16a.

215 Both verses *Deut.* 6:9, 11:20, read: "You shall write them on the doorposts of your house and your gates." Since the verses are identical, a person who recited *Shema'* mechanically has no way of deciding between the two but must start anew from the first verse.

216 In the Babli, this is quoted in the language of the Tosephta (*Berakhot* 2:5) that one has to return to the start

of the section he remembers. Since the language from the start of the paragraph to here is in pure Hebrew, it probably represents an Israeli version of that Tosephta.

217 Probably Latin *genialia, ium* (n., plur.) "marriage bed, marriage" (E. G.). Rebbi Hiyya mentioned here is R. Hiyya bar Abba; his name is missing in the Babli.

218 In the last verse of the second section of *Shema'*. Since the third section is completely different in wording and style, one may assume that he recited the first two parts correctly.

רבי לניא רבי יסא בשם רבי אחא רובא נתפלל ונמצא עצמו בשומע תפילה
נתקה כון. רבי ירמיה בשם רבי אלעזר נתפלל ולא כון לבו אם יודע שהוא
חוזר ומכון יתפלל ואם לאו אל יתפלל. אמר רבי חייא רובא אנא מן יומי
לא כונית אלא חד זמן בעי מכונא והרהרית בלבי ואמרית מאן עליל קומי
מלכא קדמי ארקבסא או ריש גלותא. שמואל אמר אנא מנית אפרוחיא.
רבי בון בר חייא אמר אנא מנית דמוסיא. אמר רבי מתניה אנא מחזק טיבו
לראשי דכד הנה מטי מודים הוא כרע מגרמיה.

Rebbi Lia²¹⁹, Rebbi Yasa in the name of the great Rebbi Aḥa²²⁰: If he
prayed and he found himself in "He Who hears prayer", he may assume
that he prayed with intent²²¹.

Rebbi Jeremiah in the name of Rebbi Eleazar: If he prayed without
intent and he knows that the second time he will pray with intent, he may
pray a second time; otherwise he should not pray²²². The great Rebbi
Ḥiyya said: I never managed to pray with intent, but one time I made an
effort to concentrate and I started to think and said to myself, who enters
first before the king, the ἀρχαπέτης²²³ or the *Resh Galuta*²²⁴? Samuel
said: I counted chicks²²⁵. Rebbi Abun bar Ḥiyya said: I counted stone
rows²²⁶. Rebbi Mattaniah said: I am thankful to my head that when I
come to *modim* it bends down by itself.

219 Rebbi La or Illai, Galilean
Amora of the third generation.

220 He cannot be the Amora Rebbi
Aḥa since the latter belongs to the
fourth generation. Probably he is the
Tanna Rebbi Aḥa of the last generation
of Tanna'im.

221 Since the weekday *Amidah* is a
long prayer, it is probable that he lost

concentration on what he was saying
somewhere in between but when he
realizes that he recited the last of the
intermediary benedictions he may
assume that he said all others in the
required order.

222 It seems that the Yerushalmi
requires total concentration for all 18
benedictions for somebody who is not

satisfied with the quality of his prayer. The following examples show that such a total concentration over a lengthy period of time is impossible and, hence, repetition of an imperfect prayer is excluded. The Babli [*Berakhot* 34b, a statement of Rebbi Hiyya (bar Abba) in the name of the Babylonian Rav Safran] requires total concentration only during the first benediction; hence, for the Babli someone who did not concentrate during the first benediction has to repeat the *Amidah*. [In the *Shulhan Arukh* (Sec. 101,1), R. Josef Qaro follows the Babli but R. Moshe Isserles decides Ashkenazic practice according to the *Yerushalmi*.]

223 This Greek form was found in a Palmyrenian inscription. Following Fleischer, the title is a composition of Persian *ارک ark* "citadel", *پد pad* (old

Persian *pat*) "master, overseer". So the title seems to designate the person who oversees the royal castle (Fleischer) or "commandant of a fort" (Liddell & Scott).

224 The Davidic head of Babylonian Jewry, who was a hereditary Noble under the Parthian and Persian rulers and still an important official in Moslem times.

225 When I consciously attempted total concentration for all the 19 (Babylonian) benedictions of the *Amidah*.

226 Greek *δόμος*, "building; rows of stones or bricks in a building." At other places in the *Yerushalmi*, the spelling *דומס* is found; in the Babli it always is *דימוס* (which, however, might mean another word, *δημος*).

משנה ה: האומנין קורין בראש האילן או בראש הנדבך מה שאין רשאי לעשות כן בתפילה.

Mishnah 5: Professional workers²²⁶ read²²⁷ on top of a tree or on top of a wall in construction; they are not permitted to do this for prayer.

226 The *אומן* is a professional who is a contractor for his work; in contrast, the *פועל* is paid by the hour. The time

the *uman* loses for prayer is his own.

227 The *Shema'*; since this recitation needs concentration only for the first

verse, we may assume that the professional can concentrate for that short time span without fear of falling down. The rest of *Shema'* can be

recited by rote from memory. In contrast, prayer (the *Amidah*) needs concentration from beginning to end and can be recited only on the ground.

הלכה ה': כיני מתניתא הפועלין קורין בראש האילן והאומנין בראש הגד בך.

Halakhah 5: So²²⁸ is the Mishnah: The hourly workers read on top of a tree²²⁹ and the professionals on top of a wall in construction.

228 The Venice edition has **מני** which is an interrogatory particle referring to persons and does not make sense here. The Genizah fragments and the commentator of *Sefer Haredim* read **כיני** as given here.

whether the Yerushalmi is of the opinion that work on a tree is unskilled work and, therefore, a careful construction of the Mishnah requires the mention of hourly workers here or that this rule is contrary to the opinion prevalent in Babylonia.

229 The Babli does not mention hourly workers at all. It is not clear

ותני כן מתפללין בראש הזית ובראש התאנה. הא בשאר כל-האילנות יורד ומתפלל למטון. ובעל הבית לעולם יורד ומתפלל למטון. ולקמה בראש הזית ובראש התאנה. רבי אבא ורבי סימון תרוניהו אמרין מפני שטירחותן מרובה.

It was stated²³⁰: "They pray on top of an olive tree or on top of a fig tree." Hence²³¹, on all other trees he descends and prays on the ground. "The owner descends in all cases and prays on the ground." And why on top of an olive tree or on top of a fig tree? Rebbi Abba and Rebbi Simon say both, because those are very laborious²³².

230 This is a fragment from a text similar to *Tosephta Berakhot* 2:8: "Hourly workers read on top of a tree and on top of a wall in construction;

they pray on top of an olive tree and a fig tree but for all other trees they have to descend and pray. The owner descends in any case for prayer." A

similar text, only with "professionals" instead of "hourly workers". is quoted in Babli *Berakhot* 16a.

231 This looks like an inference since **הא** is not a tannaïtic technical term. However, given the parallels in Tosephta and Babli, the word **הא** "therefore", may be an interpolation and the rest of the sentence may belong to the Tosephta.

232 It is not clear whether it is very troublesome to come down from these trees and, therefore, too much time would be spent at the expense of the owner, or that olive and fig trees need

great care and there is danger that the trees or their fruits would be damaged if the hourly worker would try to go down and up quickly, again to the detriment of the owner. Both explanations are found in the commentaries. Rashi in the Babli (16a) explains that these trees have so many branches that one can stand there securely and may concentrate on prayer without fear; it may be that he agrees that because of the many branches it is very troublesome to come down from the trees.

תני הכתף אף על פי שמשאו על כתיפו הרי זה קורא את שמע אבל לא יתחיל
לא בשעה שהוא פורק ולא בשעה שהוא טוען מפני שאין לבו מיושב. בין כך
ובין כך אל יתפלל עד שיפרוק. ואם היה עליו משאוי של ארבעה קבין מותר.
אמר רבי יוחנן והוא ששיקל. מהו ששיקל תרין חלקים לחוריי וחד לקומויי.

It was stated²³³: "The porter may recite the *Shema*' even with his load on his shoulders²³⁴ but he should start neither when he unloads nor when he loads because he cannot then concentrate. In any case he may not pray until he unloads, but if he was carrying a load of 4 *qab*²³⁵ it is permitted." Rabbi Johanan said: only if he is in equilibrium. What means that he is in equilibrium? Two parts on his back and one part in front.

233 This statement is a *Tosephta* (*Berakhot* 2:7) where, however, the exemption for the carrier of a large load is not mentioned.

234 For the same reason as that given for the workman. In the *Tosephta*, the porter is mentioned before the worker.

235 A *qab* is 4 *log*, about 2.17 liters. 4 *qab* are a Roman *modius*, about a British peck, a fourth of a bushel.

The Babli, *Baba mezi'a* 105b, quotes a *baraita* which states that the porter may pray with his load *on his back* if the load is less than 4 *qab*, but not if the load is 4 *qab* or more. Therefore, it seems that in the Yerushalmi the meaning is that the porter may pray

without unloading if his load does not exceed 4 *qab*, on condition that it be balanced. The two differences between Yerushalmi and Babylonian practice are that for the Babli, the load has to be strictly less than 4 *qab*, for the Yerushalmi it may reach 4 *qab*, and for the Babli the load has to be all on the back and not distributed fore and aft.

תני לא יהא מרמז בעיניו וקרא.

It was stated²³⁶: "Nobody should give messages with his eyes while reciting."

236 An extended prohibition to communicate with others by movements of eyes, lips, or hands while reciting the *Shema'* is given in the Babli, *Yoma* 19b, in the name of the early Babylonian Amora Rav Isaac bar

Samuel Bar Martha. However, the Biblical justification of the prohibition is there given in the name of the early Tanna Rebbi Eleazar Hisma. Hence, the statement of the Yerushalmi is a genuine tannaïtic one.

תני הפועלין שהיו עושין מלאכה אצל בעל הבית הרי אילו מברכין ברכה ראשונה וכוללין של ירושלים ושל הארץ וחותמין בשל הארץ. אבל אם היו עושין עמו בסעודן או שהיה בעל הבית אוכל עמון הרי אילו מברכין ד. אמר רבי מנא זאת אומרת שאסור לעשות מלאכה בשעה שיברך. דלכן מה אנו אמרין יעשה מלאכה ויברך.

It was stated: "The hourly workers who worked for an employer have to recite the first benediction of Grace and subsume that of Jerusalem in the benediction for the Land and close with the benediction for the Land²³⁷. But if they were working for him for their meals²³⁸ or if the

employer was eating with them, then they recite all four benedictions." Rabbi Mana said: This means that one may not work while reciting Grace. Otherwise, why do we have to say this²³⁹? Let him work and recite the benedictions!

237 The obligation of reciting Grace is biblical but the number of benedictions is a rabbinical ordinance (*Beth Yosef* on *Tur Oraḥ Ḥayyim* 191). In order to reduce the expense for the employer (and, hence, increase employment for the poor), the hourly workers whose lunchbreak is paid for by their employer recite an abbreviated version of Grace that still contains all required elements. Since the Yerushalmi does not mention the

benedictions before the meal it seems that the hourly workers are required to recite these [this is also the reading of the *Tosephta* (5:24) and most of the manuscripts of the Babli, against the Venice text of the Babli (16a)].

238 For the food only, without cash payment to them.

239 The abbreviated version of Grace; it is necessary only if it profits the employer.

רבי שמואל בר רב יצחק בשם רב חונה לא יעמוד אדם ויתפלל ומין מטבע
 בידו. לפניו אסור לאחוריו מותר. רבי יסא היה צוררן ותופשן בידו. ולמדת
 הדיו וצרת הפסוף בידו. ובלבד בידו. רבי יוסי בר אבון הורי לרבי הלל
 חתניה כן.

Rebbi Samuel bar Rav Isaac²⁴⁰ in the name of Rav Huna: One should not stand and pray while he keeps a coin in his hand²⁴¹; (having the coin) in front of him is forbidden, at his back it is allowed. Rebbi Yasa used to bind them together and grab them in his hand²⁴². And for money matters, (*Deut.* 14:25) "you shall bind the money together in your hand", only in your hand²⁴³. Rebbi Yose bar Abun thus taught his son-in-law Rebbi Hillel²⁴⁴.

240 An Israeli Amora of Babylonian origin who in his youth was a student of Rav Huna, the student of Rav.

241 That one should not come to examine it while praying; having the coin where it cannot be seen is no impediment to prayer.

242 Since bound together they cannot be examined.

243 The verse deals with money that has to be spent in Jerusalem, for which

the owner is a kind of trustee. The inference, which is not a strict derivation, is that anybody who is trustee for other people's money can discharge his obligation of prudent care only by having the money tied together and in his personal control all the time.

244 Probably referring to both prayer and trusteeship.

רבי חזקיה ורבי יעקב בר אחא הוו יתבין בחד אתר והוה גבי רבי יעקב בר אחא פריטין. אתת ענתא דצלותא ושרתון ויהבון לרבי חזקיה. קטר פורתיה לפורתיה. ושרתון וערק. אמר ליה ומה בידך.

Rebbi Hizqiah and Rebbi Jacob bar Aḥa were sitting at one place and Rebbi Jacob bar Aḥa had coins on him. There came the time for prayer, he unbound them and gave them to Rebbi Hizqiah. He bound them together little by little. They became untied and lost. He asked: What have you left?²⁴⁵

245 This story is a counterexample to the prescription given before. Since coins are shown to come untied sometimes, binding them together is no

remedy for the worry. Hence, the practical conclusion would be that coins have to be put in a safe place before the start of prayer.

אמר רבי חנינא אף מי שהיו מימיו על כתיפו הרי זה קורא את שמע ומתפלל. רב חונא אמר קרית שמע ותפילה אינן צריכות בוננה. אמר רבי מנא קשיתי קומי רבי פינחס ואפילו תימר קרית שמע צריכה בוננה תפילה אינה צריכה בוננה. אמר רבי יוסי קזמתיה כני דמר רבי יעקב בר אחא בשם רבי יוחנן הגיעוד סוף מלאכת המים שאינם מחוורים דבר תורה.

Rebbi Ḥanina²⁴⁶ said: Also one who has his water on his shoulder may recite *Shema'* and pray. Rav Ḥuna said: So the reciting of *Shema'* and praying do not require concentration? Rebbi Mana said: I pointed out the difficulty before Rebbi Phineas that even if you say that the recitation of *Shema'* does not need concentration, does prayer not need concentration²⁴⁷? Rebbi Yose²⁴⁸ said: I confirmed it following what Rebbi Jacob bar Aḥa said in the name of Rebbi Joḥanan: You got it, the completion of the works of water²⁴⁹ that are not clear from the words of the Torah.

246 He refers back to the *Tosephta* that allowed praying if the carrier's load did not exceed 4 *qab*. The statement is introduced here since it is explained on the authority of R. Jacob ben Aḥa who was the main person in the preceding section.

The water referred to here is water used for the sprinkling with the ashes of the red heifer to cleanse from impurity caused by contact or closeness to the body of a dead Jew, as explained in *Num. 19* and the Mishnah tractate *Parah*. The ashes of the red heifer have to be given into מים חיים אל כלי virgin fresh water in a vessel. This means that after being drawn from flowing water, the water has to be watched so that no kind of work is done with it. A lapse of attention to the water makes it unfit for use in

cleansing from impurity. Nevertheless, Rebbi Ḥanina states that one may recite *Shema'* and even pray while carrying such water. This statement is obviously difficult to accept. Rav Ḥuna (the second) dismisses Rebbi Ḥanina's statement as in obvious contradiction to generally accepted principles.

247 Even if one accepts Rebbi Ḥanina's statement for *Shema'*, its reference to prayer must be a mistake even though it refers to a prior statement about prayer only. The sentence is a rhetorical question. In a text from the Cairo Genizah, it is formulated as a declarative sentence: "recitation of *Shema'* does not need concentration; prayer needs concentration". The meaning is the same in both versions.

248 The Amora, one of the editors

of the Yerushalmi.

249 After the ashes have already been given into the water, when it is clear that the term "living water" no longer applies and there is no indication in the Torah that it has to be guarded as strictly as before. This also explains R. Hanina's expression "his

water", not מי חטא "the water of sprinkling" that is the technical term used for fresh water guarded for the ashes. It follows that as long as the ashes have not been given into the water, one may neither recite *Shema'* nor pray while guarding it.

מַשְׁנֵה ו': חֲתָן פְּטוּר מִקְרִיַּת שְׁמַע לִילָה רֵאשׁוֹן עַד מוֹצָאֵי שַׁבָּת אִם לֹא עָשָׂה מַעֲשֵׂה. מַעֲשֵׂה בְּרַבֵּן גַּמְלִיאֵל שֶׁנֶּשֶׂא וְקָרָא לִילָה הָרֵאשׁוֹן. אָמְרוּ לוֹ תַלְמִידָיו לִימְדָתֵנוּ רַבֵּינוּ שְׁחָתָן פְּטוּר. אָמַר לָהֶם אֵינִי שׁוֹמֵעַ לָכֶם לְבַטֵּל מִמֶּנִּי מַלְכוּת שָׁמַיִם אֲפִילוּ שְׁעָה אַחַת.

Mishnah 6: The bridegroom is free from reciting the *Shema'* in the first night²⁵⁰; until the end of Sabbath if he did not do the act²⁵¹. An action: Rabban Gamliel married and recited in the first night²⁵². His students said to him: Our teacher, did you not teach us that the bridegroom is free? He said to them: I will not listen to you to lift from me the Kingdom of Heaven even for one hour.

250 Since he is unable to concentrate in anticipation of his first night with his bride. The bride, as a woman, has no obligation to recite *Shema'* since this is a positive commandment occurring at stated times and does not apply to women.

251 It was common usage even in seventeenth Century Germany that couples who married Wednesday night

had their first sexual relations the night following the Sabbath, cf. *Minhagim of the Community of Worms* by R. Yospe Shamash, ed. I. Zimer, I. M. Peles, vol. 2, p. 47; there the editor gives several conjectural reasons in note 16. He also indicates that this is a possible reflection of old usages from the Land of Israel, never followed in Babylonia. It seems to me that the

usage is quite understandable if it is noted that bride and bridegroom were in their low teens, the girl possibly even a pre-teen. The marriage was arranged by the parents, with minimal involvement of the parties to the wedding. Some time was needed for

the parties to get acquainted enough to get intimate.

252 Since he already had the title "Rabban" and had students of his own, it is obvious that he was not a teenager and the marriage was not his first. Hence, his level of anxiety was low.

הלכה ו: רבי אלעזר בן אנטיגנס בשם רבי אלעזר בי רבי ינאי זאת אומרת שמוותר לבעול בתחילה בשבת. אמר רבי חגי קומיה רבי יוסי תיפתר באלמנה שאינה עושה חבורה. אמר ליה והא תנינן ארבע לילות. אית לך למימר ארבע לילות באלמנה.

Halakha 6: Rabbi Eleazar ben Antigonos²⁵³ in the name of Rabbi Eleazar the son of Rabbi Yannai: This means that it is permitted to start sexual relations on the Sabbath²⁵⁴. Rabbi Haggai said before Rabbi Yose: Explain it for a widow where he does not make a wound. He answered him: Did we not formulate "Four nights?²⁵⁵" Can you say four nights for a widow?

253 An Israeli Amora of the second generation who always reports in the name of R. Eleazar, son of R. Yannai.

254 Since the groom is free from reciting the *Shema'* Friday evening if he did not yet have intercourse with his wife, it follows that we expect him to be anxious about it also Friday night. If he were not allowed to have intercourse, then he could defer his anxiety for a day and recite *Shema'*. The problem is that he will make a wound in deflowering his wife and, in

the normal case of a very young girl, the making of the wound is automatic. Now, the making of a wound is forbidden on the Sabbath but, according to Rabbi Simeon (bar Yohai), any work not done for its own sake is not forbidden, except in the case of an automatic consequence (cut off its head, will it not die?). For the very young girls discussed here, the wound might be an automatic consequence.

The entire discussion belongs more

to *Niddah* X:1 where all the parallels in the Babli are found. The second part of the Yerushalmi *Niddah* is lost and it cannot be ascertained anymore whether the entire discussion of our Mishnah is taken from there.

255 This refers to the first Mishnah in the last chapter of tractate *Niddah*: "About a young girl who marries before puberty, the House of Shammai say that one allows four nights and the

House of Hillel say until the wound is healed" (one does not suspect any blood to be menstrual). While it is quite possible that a very young girl can already be a widow, the Mishnah cannot apply to her since the marriage festivities of a widow are only three days (Thursday, Friday, Sabbath) while those of a virgin are seven days (*Ketubot* 1:1). Hence, we cannot talk here about a widow.

אָמַר רַבִּי יַעֲקֹב בַּר זְבָדִי קִשְׁיָתָהּ קוֹמִי רַבִּי יוֹסִי מַה בֵּינָה לְבֵין שׁוֹבֵר אֶת הַחֶבֶת לְאֵכֹל מִמֶּנָּה גְרוֹנֶרֶת. אָמַר לִי וְמַר דְּבַתְרִיָּה וּבִלְבָד שְׁלֵא יִתְפָּנוּ לַעֲשׂוֹתָהּ כְּלִי. וְכֵאֵן שְׁמַתְפָּנוּ לַעֲשׂוֹתָהּ בְּעוֹלָה כְּמִי שְׁמַתְפָּנוּ לַעֲשׂוֹתָהּ כְּלִי. רַב יִצְחָק בַּר רַב מְשִׁירְשִׁיא אוֹ מְקַשֵּׁי מַה בֵּינָה לְמַפִּיס מוֹרְסָה בְּשֶׁבֶת. אָמַר לוֹ וְמַר דְּבַתְרִיָּה וּבִלְבָד שְׁלֵא יִתְפָּנוּ לַעֲשׂוֹתָהּ פֶּה. וְכֵאֵן מִתְפָּנוּ שֶׁהוּא מִתְפָּנוּ לַעֲשׂוֹתָהּ בְּעוֹלָה כְּמִי שֶׁהוּא מִתְפָּנוּ לַעֲשׂוֹתָהּ כְּלִי.

Rebbi Jacob bar Savdi²⁵⁶ said: I asked the question before Rebbi Yose: What is the difference between her and him who breaks a clay amphora in order to eat a dried fig from it²⁵⁷? He said to me: But it says afterwards, "only he should have no intent to make it into a usable vessel." And here when he has the intention of making her a married woman it is as if he had the intention of making her into a vessel. Rav Isaac bar Rav Meshirshia²⁵⁸ said similarly: What is the difference between her and him who opens a boil on the Sabbath²⁵⁹? He said to him, but it says afterwards: "only he should have no intention of making a permanent opening." And here when he has the intention of making her a married woman it is as if he had the intention of making her into a vessel²⁶⁰.

256 An Amora of the fourth generation, probably somewhat older than Rabbi Yose.

257 This refers to Mishnah *Šabbat* XXII:3: "One may break a clay amphora (whose top has been closed off by solid clay) in order to eat a dried fig from its contents, but he may not have the intent to make it into a permanent vessel," i. e., he may not break the seal open in such a way that it needs no more action after the Sabbath to make the opening a permanent one that is easy to use. This follows the principle quoted before that according to R. Simeon, work not needed for its own sake is not forbidden on the Sabbath. Even R. Yehudah, who disagrees and states that any complete work is forbidden on Sabbath irrespective of intent, will agree that breaking off an irregular piece of the covering does not constitute complete work since it needs further regularization after the Sabbath. Rabbi Yose's answer is that breaking the hymen is a complete

action in itself and, therefore, both R. Simeon and R. Yehudah will forbid it: R. Simeon because of his intent and R. Yehudah because it is a complete action.

In the Babli, the deflowered woman is called a vessel; the Yerushalmi only compares her to a vessel.

258 In the Babli, the name is Mesharshia. He is a Babylonian who was associated with the last editors of the Yerushalmi and the first editor of the Babli. In the Babli (*Ketubot* 6b), the same question is asked by Rabbi Ammi, the Galilean authority two generations earlier.

259 Which is allowed (Babli *Šabbat* 107a) for the same reason as why the top of an amphora may be broken, with the same restriction as to intent.

260 In the Rome ms. and Geniza fragments, the last statement reads: "לעשות לה מה" (He has the intention) to make her a permanent opening." Our text probably is dittography.

תני לא יבעול אדם בעילה לכתחילה בשבת מפני שהוא עושה חבורה ואחרים מתירין. אמר רבי יוסי בי רבי אבון טעמון דאחרים למלאכתו הוא מתכונן. מאיליה נעשה חבורה. אסי אמר אסור. בנימין גנזבייה נפק ומר משמיה דרב מותר. שמע שמואל ואיקפיד עילוי ומית וקרי עילוי ברוך שנגפו. ועל רב קרי לא ואונה לצדיק כל-אין.

It was stated²⁶¹: "A man should not have first sexual relations on the Sabbath because he makes a wound; but others allow it." Rebbi Yose bar Abun said: The reason of the others is that he is intent on his job; the wound results automatically²⁶². Assi²⁶³ said, it is forbidden. Benjamin from Ginzak²⁶⁴ went out and said in the name of Rab, it is allowed. Samuel heard it and resented it, he [Benjamin] died, he [Samuel] recited for him: praised be He Who smote him²⁶⁵. About Rav, he [Samuel] recited: (*Prov.* 12:21) "The just will cause no wrong."

261 This *baraita* is also quoted in Babli *Ketubot* 5b, where it is determined that "others" means R. Simeon who states that an action not expressly intended is not forbidden on the Sabbath. It is explained there, that even though R. Simeon forbids actions which automatically imply some other action that desecrates the Sabbath, here he allows a first sex act on Sabbath since splitting the hymen is not a necessary consequence if the male partner is considerate (and, consequently, an intact hymen is no guarantee of virginity.) Since we decide on the Sabbath according to the opinion of Rebbi Simeon and since the medical statement is by Samuel, the greatest medical authority in the Babli, it is clear that the Babli decides that first sex relations on Friday night are permitted. (In the Middle Ages, poor people married on Friday afternoon in order to save expenses for a separate

wedding meal.) It is seen here that the Yerushalmi is strictly of the opposite opinion; hence, the identity of "others" is not determined here.

262 Hence, the act is permitted according to R. Simeon.

263 His alter ego, Ammi, is quoted in the Babli as the first authority who allows it.

264 Ginzak ("city of the treasury") is the capital of Media, called Gazaka by Ptolemy. Another version is told in the Babli, *Niddah* 65a. According to the version which allows first sex acts on the Sabbath, Benjamin, called there "from Saqasan", tried to follow a ruling attributed to Rav to the effect that a second sex act would be permitted even without waiting the seven days of a cleansing period regularly required of a menstruating women, and applied to the newlyweds since blood from the breaking of the hymen is indistinguishable from menstrual blood,

as discussed in the following section. In the Babylonian version, Benjamin tried to act according to this ruling but he died before he could do so.

265 "קרי" means "recited a Biblical verse". There is no such verse but its intent is close to *ISam.* 25:39.

שמואל אמר כל-ההיא הילכתא דרישיה דפירקא אחריא דנידה להלכה אכל לא למעשה. רבי ינאי ערק אפילו מתינוקות שלא הגיע זמנה ונשאת. בעון קומי רבי יוחנן מהו לבעול בעילה שנייה. אמרין לתלות בדם המכה לא הזרי ולבעול בעילה שנייה הוא מורייה. מה צריכה לה כשפאו ליה ימי הפסק ימי טהרה בנותים. אמר רבי אבהו שושביניה דרבי שמעון בר אבא הוינא שאלית לרבי אלעזר מהו לבעול בעילה שנייה ושרא ליה דהוא סבר כהדא דשמואל. דשמואל אמר פרצה דחוקה נכנסין בה בשבת אפילו משרת צרות. אמר רבי חני שושביניה דרבי שמואל קפודקיא הוינא שאלית לרבי יאשיה ושרע מיניה. שאלית לרבי שמואל בר יצחק אמר לי מעתה אי זה דם נידה ואי זה דם בתולים. תני כלה אסורה לביתה כל-שבועה ואסור ליטול ממנה כוס של ברכה דברי רבי אליעזר. מי טעמא דרבי אליעזר אי אפשר שלא יצא דם נידה עם דם בתולים.

Samuel said: All the rules spelled out at the start of the last chapter of *Niddah* are theoretical and not for practical application²⁶⁶. Rabbi Yannai fled even from married pre-puberty girls²⁶⁷. They asked before Rabbi Yohanan: What about a second sex act? They said, he did not teach to take all for blood of the wound, how could he rule for a second sex act²⁶⁸? What we are asking about is the case when there were days of interruption, days of purity, in between²⁶⁹. Rabbi Abbahu said: I was the best man of Rabbi Simeon bar Abba and I asked Rabbi Eleazar: is it possible to have the second sex act? He permitted it, since he holds like Samuel, and Samuel said: One may enter a narrow gap²⁷⁰ on the Sabbath, even if one rubs off some pebbles. Rabbi Haggai said: I was the best man of Rabbi Samuel the Cappadocian²⁷¹; I asked Rabbi Josiah and he shrank

from it²⁷². I asked Rebbi Samuel bar Isaac; he said: now, what is blood of a period and what is blood of virginity²⁷³? It was stated²⁷⁴: "The bride is forbidden for her house all seven days and he may not take from her the cup of blessings, the words of Rebbi Eliezer." What is the reason of Rebbi Eliezer? It is impossible that not some menstrual blood be mixed in the blood of virginity.

266 The rules allowing more than one sex act with newlywed virgins while either the wound is not healed or seven days had not passed since the wedding night. The same statement of Samuel is in Babli *Niddah* 65a.

267 He refrained from touching them, just as it is forbidden to touch a married woman after puberty.

268 In the wedding night, where according to him only one sex act is allowed. "He" is R. Yoḥanan.

269 That means that when a man married a virgin and the required time has passed since the wedding night it turns out that the first night in which a second sex act is permissible would be a Sabbath. This is a valid question for the Yerushalmi which forbids a first act on the Sabbath; there is some chance that a second act will again produce some minor lesion and some drops of blood.

270 In a dirt wall. The statement of Samuel is also in Babli *Ketubot* 6b and is used there for the same argument as

here.

271 Like all other authorities quoted here, an Amora of the third generation, of the circle of students of Rebbi Yoḥanan.

272 He refused to give an opinion. It is not 100% clear what Rebbi Ḥaggai asked, but we may assume that his question was identical with that of Rebbi Abbahu.

273 It seems impossible to decide, since on the one hand we allow an occasional rubbing off, and, hence, in our case an occasional drop of blood, following Samuel, but on the other hand we treat every drop of blood on female genitals as menstrual and necessitating seven days of cleansing when all bodily contact between spouses is forbidden.

274 In a slightly different wording this is a *baraita* in *Massekhet Kallah* 1 (a collection in the Yerushalmi tradition.) At any meal during all seven days after the wedding, seven benedictions are said over a cup of

wine for the newlyweds after grace is recited. The bride is required to drink from the cup of which her husband drank, as a fertility rite. Rabbi Eliezer

notes that the groom is not allowed to take the cup back from the bride since she has to follow all the rules of the menstruating woman.

משנה ז: רחץ לילה ראשון שמתה אשתו. אמרו לו תלמידיו לימדתנו רבנו שאבל אסור לרחוץ. אמר להן איני כשאר כל-בני אדם איסטניס אני.

Mishnah 7: He²⁷⁵ took a bath in the first night after his wife died. His students said to him: Did you, our teacher, not teach us that the mourner may not take a bath. He said to them: I am not like most other people, I am asthenic²⁷⁶.

275 Rabban Gamliel.

situation is involved, always have

276 Greek ἀσθενής. Medical considerations, even if no life-threatening

precedence over the rules of mourning.

הלכה ז: מאן תנא אבל אסור ברחיצה כל-שבועה רבי נתן. רבי אמר הנה ליה עובדא ושאל לרבי חייה בר בא והורי ליה כל-שבועה כרבי נתן. רבי יוסי הנה ליה עובדא ושאל לרבי בא בר כהן לגבי רבי אהא אמר ליה ולא כן אלפן רבי. רבי אמר הנה ליה עובדא ושאל לריש לקיש והורי ליה כרבי נתן כל-שבועה. אמר ליה דילמא תרין עובדין אינון. אן אמרין ליה על דרבי חייה בר בא. ואתון אמריתון על דריש לקיש. ועוד מן הדא רבי חמא אבוי דרבי אושעיא הנה ליה עובדא שאל לרבנן ואסרון.

Halakha 7: Who²⁷⁷ stated that the mourner is forbidden to take a bath during the entire seven days? Rabbi Nathan²⁷⁸. Something happened to Rabbi Ammi²⁷⁹, he asked Rabbi Hiyya bar Abba who instructed him "all seven days following Rabbi Nathan". Something happened to Rabbi Yose²⁸⁰; he sent Rabbi Abba bar Cohen to Rabbi Aha; he said to him:

Rebbi, did you not so teach us that something happened to Rebbi Ammi, he asked Resh Laqish²⁸¹ who instructed him "all seven days following Rebbi Nathan". He said to him²⁸², maybe these were two separate incidents, we say it in the name of Rebbi Ḥiyya bar Abba, you say it in the name of Resh Laqish. And also from the following²⁸³: Something happened to Rebbi Ḥama²⁸⁴, father of Rebbi Oshaya, he asked the rabbis and they forbade it.

277 This entire discussion belongs to the third chapter of tractate *Mo'ed Qatan* (*Halakhah* 5, fol. 62d). There are some textual differences between the two texts, an occurrence rare in the Yerushalmi. But in fact the deviations of the text here from its original in *Mo'ed Qatan* are all scribal or printer's errors, as is shown from the Rome ms. and the Genizah fragments. Therefore, the text here follows the *Mo'ed Qatan* text wherever there is manuscript evidence from *Berakhot* to support that version.

278 Usually known as Nathan the Babylonian, a Babylonian from the Davidic family, second in the Synhedrion under Rabban Simeon ben Gamliel.

279 A close relative of Rebbi Ammi died, for whom he had to mourn for seven days.

280 The fourth generation Amora. It seems that Rebbi Yose felt uncomfortable with the prohibition of

bathing; he sent one of his students to ask Rebbi Aḥa, the greatest authority in Lydda, in Judea. In the next section, it will be seen that in the South, in Judea, one did not follow Rebbi Nathan and allowed bathing for the mourner. Nevertheless, Rebbi Aḥa did not want to interfere with the prohibition accepted in Galilee and answered not with his own opinion but with a note that Rebbi Yose himself had taught about two cases where the question had come up in Galilee and was answered in the sense of Rebbi Nathan.

281 Rebbi Simeon ben Laqish; the abbreviation "Resh Laqish" is standard in the Babli but very infrequent in the Yerushalmi. The abbreviation probably is that of a lazy copyist.

282 Rebbi Yose to Rebbi Aḥa, that maybe this was only one occasion reported under two different names and, therefore, represents only the opinion of one teacher and not a generally accepted rule that would

need at least two supporting authorities.

283 This is Rabbi Aḥa's answer: Even if you do not agree that Rabbi Ammi asked twice, for two different cases of mourning, and was given the same answer by two different author-

ities, I have a completely independent occurrence in which Galilean rabbis gave the same ruling and, therefore, you have to accept it.

284 He is the third generation Amora, father of Rabbi Oshaya the second.

רבי יוסי בעי אילין רבנו. רבנו דהקא או רבנו דרומא. אין תימר רבנו דהקא ניהא. אין תימר רבנו דרומא. רברבינא קומוי והוא שאל לזעירינא. אין תימר רבנו דרומא אינון שרנו ואינון אסרין. דתני מקום שנהגו להרחיץ אחר המיטה מרחיצין ובדרום מרחיצין. אמר רבי יוסי בי רבי אבון מי שהוא מתיר את הרחיצה הזאת עושה אותה כאכילה ושתיה.

Rebbi Yose asked, which rabbis²⁸⁵? The rabbis here or the rabbis in the South? If you say the rabbis of here, it is fine²⁸⁶. If you would say the rabbis from the South, would he have asked minor authorities when greater ones were before him? If you say the rabbis of the South, some of them would allow and some of them would forbid, as we have stated: "At a place where it is customary to bathe after a funeral, one may bathe; in the South one bathes." Rebbi Yose bar Abun said: He who permits that bath makes it like eating and drinking²⁸⁷.

285 Rebbi Yose is not satisfied with the second source of Rebbi Aḥa since it speaks of unspecified "rabbis" whose place and importance, as a precedent in Galilee, is indeterminate.

286 This is Rebbi Aḥa's answer: Since the questioner is Galilean and all the important Academies were in Galilee at his time, it is unreasonable to

assume that "the rabbis" were Southerners whose opinion, as a minority opinion, would not count as precedent.

287 According to Ramban (*Writings*, ed. Chavel, p. 175-176), Rebbi Yose bar Abun restricts the bathing to the aftermath of the funeral and says that in the same way that the mourner must

have his first meal prepared for him by his relatives and friends, so his relatives and friends must cleanse him after the funeral from dust and germs (שיבחה). Hence, where it is customary, e. g. in the South, the mourner can have one bath, prepared by others, just after the funeral but is forbidden to have another one for the rest of the period

of mourning. It then is difficult to understand the question of Rabban Gamliel's students. Ramban writes that either he lived in a community where that bath was not customary or he was not satisfied with the cold bath prepared for him but took a full warm bath with following rubbing with oil for his asthenic condition.

הָדָא דְתִימְרַ בְּרַחֲמֵי שְׁל תַעֲנוּג. אֲבָל בְּרַחֲמֵי שְׁאִינָה שְׁל תַעֲנוּג מוֹתֵר. כִּתְּדָא
דְּשְׁמוּאֵל בְּרַ אָבָא עָלוּ בּו חֲטָטִין אֲתוֹן שְׁיִלוֹן לְרַבִּי יוֹסִי מַהוּ דִּי־סַחֲחִי. אָמַר לוֹן
דְּלֹא יִסְחִי מִיִּית הוּא. אִין בְּעֵי אֲפִילוּ בְּתַשְׁעָה בְּאָב. אִין בְּעֵי אֲפִילוּ בְּיוֹם
הַכִּיפּוּרִים.

That means, about a bath for pleasure. But a bath that is not for pleasure is permitted²⁸⁸. An example is the case of Samuel bar Abba who developed scab. They came and asked Rabbi Yose, what is the rule, may he bathe? He said to them: If he does not bathe, would he not die²⁸⁹? If he needs it, even on the Ninth of Av. If he needs it, even on Yom Kippur²⁹⁰.

288 This is in keeping with Rabban Gamliel's ruling, that every medically indicated bath is permitted.

289 The author of *Sepher Haredim* takes this as hyperbole since in case of danger to life everything is permitted except murder, incest, and idolatry; he

does not consider the remark of Rabbi Yose a restriction on the use of any medically indicated bath.

290 On both days, formal washing is forbidden. The rule is quoted in *Babli Yoma* 77b.

רַבִּי יוֹסִי בְּרַבִּי חֲנִינָא רָאוּ אוֹתוֹ טוֹבֵל. אִם לְקַרְוִי לֹא יִדְעִין אִם לְהַקֵּר גּוֹפּוֹ
שְׁאִין רְחִיצַת צוֹנֵן רְחִיצָה לֹא יִדְעִין.

They saw Rabbi Yose, son of Rabbi Hanina²⁹¹, immersing himself. They did not know whether it was for his emission²⁹², they did not know whether it was to cool down because bathing in cold water is not called bathing²⁹³.

291 One of the first students of Rabbi Yohanan, preceding the other authorities mentioned up to now.

292 An emission of semen which requires immersion in a ritual bath as explained in the next chapter. Marital relations are forbidden for the mourner during the entire seven days of mourning.

293 It remains undecided whether taking a cold bath during the mourning period is permitted or not. The Babylonian authorities in the Babli (*Ta'anit* 13a) declare that a cold bath is forbidden to a mourner (and, therefore, on the Ninth of Av) but is allowed on fast days (in a year of draught) when the emphasis is on deprivation.

הורֵי רַבִּי בָּא כְּהֵינ תִּנְיָא. הוֹרֵי רַבִּי אָחָא בְּבָא מִן הַדְרֵךְ וְהָיוּ רַגְלָיו קִיָּהוֹת
עָלָיו שְׁמוֹתָר לְהִרְחִיץ בְּמֵיִם.

Rebbi Abba taught like that which was stated²⁹⁴. Rebbi Aha taught about him who comes from the road²⁹⁵ and his feet ache that he is permitted to wash them with water.

294 This statement does not belong here but either in the last chapter of *Yoma* (fol. 44d) or the first chapter of *Ta'aniot*: "When somebody goes (on the Ninth of Av or Yom Kippur) to see his teacher and has to pass a river on the way, he crosses it without compunction." The statement is given here to show that, in fact, taking a cold bath by walking through the ford of a river, is no infringement of the

prohibition of taking a bath on these fast days.

295 A family member who comes to observe the period of mourning with the family but arrives only after the funeral when the rest of the family already is in full mourning. This ruling of Rebbi Aha is not restricted to the place where one allows a bath for the mourner but falls under the heading of medical necessity.

This ruling introduces subsequent statements concerning a mourner on a trip, or people on a trip who meet mourners.

תני אַבֵּל וּמְנוּדָה שֶׁהָיוּ מְהַלְכִין בְּדֶרֶךְ מוֹתְרִין בְּנִעִילַת הַסַּנְדָּל. לְכַשְׁבוֹאוֹ אֶל הָעִיר יַחְלוּצוּ. וְכֵן בִּתְשֻׁעָה בְּאֵב וְכֵן בִּתְעִנִּית צִיבוֹר.

It has been stated: "A mourner and one banned²⁹⁶ on a trip are permitted to wear sandals²⁹⁷. When they come to town they should remove them. The same holds for the Ninth of Av and public fasts²⁹⁸."

296 One put in the ban by rabbinical authority for improper behavior, who should show the signs of mourning.

297 Even though mourners are not allowed to wear leather shoes or sandals. This again is a medical exemption.

298 The fast days proclaimed in the Land of Israel during a draught, when all the deprivations of Yom Kippur are also in force. The only fast day in the diaspora where these rules also apply is the Ninth of Av.

תני בְּמָקוֹם שֶׁנֶּהְגוּ לְשֹׂאוֹל אֲבָלִים בְּשַׁבַּת שׁוֹאֲלִין. וּבְדֶרוֹם שׁוֹאֲלִין. רַבִּי הוֹשַׁעְנָא רֹבָא אָזַל לְחַד אֶתֶר וַחֲזָא אֲבִילָא בְּשׁוּבְתָא וּשְׂאִיל בּוֹן. אָמַר לוֹן אָנִי אֵינִי יוֹדֵעַ מִנְהַג מְקוֹמְכֶם. אֶלָּא שְׁלוֹם עֲלֵיכֶם כְּמִנְהַג מְקוֹמֵינוּ. רַבִּי יוֹסִי בִּי רַבִּי חֲלַפְתָּא מְשַׁבַּח בְּדֶרְבֵי מַאִיר קוֹמֵי צִיפּוֹרָאֵי אָדָם גְּדוֹל אָדָם קָדוֹשׁ אָדָם צְנוּעַ. חַד זָמַן חָמָא אֲבִילָא בְּשׁוּבְתָא וּשְׂאֵל בּוֹן. אָמְרִי לִיה אֵהוּ דְאֵת מִתְּנִי שְׁבַחִיה. אָמַר לוֹן מַה עֲסָקִיה. אָמְרִי לִיה חָמָא אֲבִילָא בְּשׁוּבְתָא וּשְׂאֵל בּוֹן. אָמַר לוֹן בְּעָאֵי אֲתוֹן מִיַּדַּע מַהוּ חִילִיָּה בָּא לְהוֹדִיעְכֶם שְׂאִין אֲבֵל בְּשַׁבַּת. הִדָּא הוּא דְכִתִּיב בְּרַכַּת יי הִיא תַעֲשִׂיר זֹו בְּרַכַּת שַׁבַּת. וְלֹא יוֹסִיף עֲצֵב עַמָּה זֹו אֲבָלוֹת. כְּמָה דְתִימָא נַעֲצֵב הַמֶּלֶךְ עַל בְּנוֹ.

It is stated: "In a place where one is used to greet mourners²⁹⁹ on the Sabbath one may do so. In the South one does greet."

The great Rebbi Oshaya³⁰⁰ went to some place, saw there mourners on the Sabbath and greeted them. He said to them: "I do not know the

custom of your place, but be greeted according the custom of our place."

Rebbi Yose, son of Rebbi Halaphta, praised Rebbi Meir before the people of Sepphoris: A great, holy, and meek man. At some time, he saw mourners on the Sabbath and greeted them. They said to him³⁰¹: Is that the one whose praise you proclaim³⁰²? He said to them, what are his works? They said to him, he saw mourners on the Sabbath and greeted them. He said to them: you have to recognize his strength; he comes to make you aware that there is no mourning on the Sabbath. That is what is written (*Prov.* 10:22): "The blessing of the Lord makes rich," that is the blessing of Sabbath, "He will not add grief to it," that is mourning, as it is said (*2Sam.* 19:3): "The king is grieving about his son."³⁰³

299 Wishing them well.

300 One of the foremost students of Rebbi, the compiler of the Mishnah, and of Rebbi Ḥiyya. He was from the region of Lod in the South, but he studied in Galilee. In his story, the Aramaic verb for "to see" is חזי in Southern (and Babylonian) Aramaic. In the following story about Rebbi Yose from Galilee, the corresponding verb is Galilean Aramaic חמי.

301 In this entire story, the singular refers to Rebbi Yose (the Tanna) and the plural to the people of Sepphoris. We learn that in the region of Sepphoris, lower Galilee, it was not customary to console mourners on the Sabbath. From the conclusion we may infer that under the influence of Rabbis Yose and Meir the custom of

the South was adopted also in Galilee.

The disagreement between the people in the South (Judea) and North (Galilee) is also discussed in the Babli (*Megillah* 23a,b); according to that source the dispute was only settled in favor of the Southern stance in the days of Rebbi Yoḥanan.

302 Because he seems to be an ignoramus.

303 This is a lexicographical note about the meaning of the root עצב, which as a verb either means "to grieve, to be pained", connected with Arabic عَظِبَ, or "to form, create", close to Arabic عَصَب. As a noun, one usually distinguishes עֶצֶב "pain, grief; labor, gain; vessel", עֹצֵב "worker", and עִצָּב "idol, pain". Usually, the noun in the verse in *Proverbs* is translated by

"labor", but the explanation here "grief".
substitutes the more common meaning

משנה ח: וכשמת טבי עבדו קיבל עליו תנחומין. אמרו לו לא לימדתנו רבנו שאין מקבלין תנחומין על העבדים. אמר להן אין טבי עבדי כשאר עבדים כשר היה.

Mishnah 8: And when his³⁰⁴ slave Tevi died, he received condolences about him. They said to him: Our teacher, did you not teach us that one does not accept condolences for slaves? He said to them: My slave Tevi was not like other slaves, he was honest³⁰⁵.

304 Rabban Gamliel's.

assumed that slaves were thieves,

305 Since slaves were not liable in civil law, they could not be sued for damages of any kind, and neither could their master for their misdeeds; it was

confidence men, and careless with anybody's property and, when freed, had trouble establishing themselves as trustworthy witnesses.

הלכה ח: הא בני חורים אחרים מקבלין תנחומין עליהן. כיני מתניתא אין מקבלין תנחומין על העבדים.

Halakhah 8: Hence, about unrelated freed men one accepts condolences? So is the Mishnah: one does not accept condolences for slaves.³⁰⁶

306 There are several different explanations of this cryptic piece. The most reasonable is by R. Abraham ben Adrat (Rashba) in his commentary on Babli *Berakhot* 16b: Since the slave is not related to his master, even if he

were free the master would not accept formal condolences for him since these are restricted to those close relatives for which one has to keep a period of formal mourning. The answer is that the Mishnah has to declare explicitly

that one does not accept formal condolences since the slave is a member of the household and, presumably, is treated like a family member, parallel

to the case of a student for whom the teacher may accept condolences; see the section after the next.

מעשה ומתה שפחתו של רבי אליעזר ונכנסו תלמידיו לנחמו ולא קיבל. נכנס מפניהם לחצר ונכנסו אחריו. לבית ונכנסו אחריו. אמר להן כמדומה היית שאתם נכוין בפושרין ואי אתם נכוין אפילו ברותחין. הלא אמרו אין מקבלין תנחומין על העבדים מפני שהעבדים כבהמה. אם על בני חורין אחרים אין מקבלין תנחומין כל־שכן על העבדים. מי שמת עבדו או בהמתו אומר לו המקום ימלא חסרוֹך.

It happened that Rabbi Eliezer's maidservant died³⁰⁷ and his students came to him for condolences but he did not accept. He entered the courtyard, they followed him there. He entered the house, they followed him there. He told them: I was thinking that you would be burned by lukewarm water but you are not burned even by boiling water. Did they not say that one does not accept condolences for slaves because slaves are in this like animals? If one does not accept condolences for unrelated free persons, so much more for slaves³⁰⁸. If one's slave or animal died, people say to him: The Omnipresent may replace your loss.

307 She must have been his personal maidservant. The story is repeated in an enlarged version in Babli *Berakhot* 16b and, in the Yerushalmi version, in *Evel Rabbati* 1:9,10.

308 Rabbi Eliezer disagrees with his brother-in-law Rabban Gamliel and with the statement of the previous section in the Talmud. He will read in the Mishnah "because one does not

accept condolences for slaves", meaning that this is a rule that cannot be waved. In the Babli, his attitude is directly contradicted by Rabbi Yose, the most authoritative of the Tannaim of the fourth generation. Rabbi Yose even recommends eulogies for honest slaves; this represents the Galilean attitude (not shared in Babylonia) and, while not spelled out in the

Yerushalmi, is taken for granted in this present story gives examples of model passage which immediately after the eulogies for rabbis.

כד דמך רבי חינא בר אדא בר אחתיה דבר קפרא קביל ריש לקיש עילוי דהנה רביה גימא תלמידיה דבר נשא חביב עליה כבריה עאל ואיפטר עילוי דודי גרד לגנו לערוגת הבושם לרעות בגנים. לא צורכה אלא דודי גרד לגנו לרעות בגנים. דודי זה הקדוש ברוך הוא. גרד לגנו זה העולם. לערוגת הבושם אילו ישראל. לרעות (fol. 5c) בגנים אילו אומות העולם. וללקוט שושנים אילו הצדיקים שמשלקן מביניהן. משלו משל למה הדבר דומה למך שהיה לו בן והיה חביב עליו יותר מדאי. מה עשה המלך נטע לו פרדס. בשעה שהיה הבן עושה רצונו של אביו היה מחזר בכל העולם כולו ורואה אי זו נטיעה זפה בעולם ונוטעה בתוך פרדסו. ובשעה שהיה מקעיסו היה מקצץ כל-נטיעותיו. כך בשעה שישראל עושין רצונו של הקדוש ברוך הוא מחזר בכל-העולם כולו ורואה אי זה צדיק באומות העולם ומביאו ומדבוקו בישראל. כגון יתרו ורחב. ובשעה שהן מקעיסין אותו היה מסלק הצדיקים שביניהן.

When Rebbi Hiyya bar Ada³⁰⁹, the nephew of Bar Qappara, died did Resh Laqish accept for him since he was his teacher and a student is beloved as a son³¹⁰. He went and eulogized him: (*Song of Songs* 6:2) "My friend descended to his garden, to the spice patch³¹¹, to shepherd in the gardens."³¹² It would have been necessary only to say ""My friend descended to shepherd in the gardens." But "my friend" is the Holy One, praise to Him. "He descended to His garden", that is the world. "To the spice patch", that is Israel. "To shepherd in the gardens", these are the peoples of the world. "And to collect lilies", these are the just ones whom He removes from their midst. They gave a parable, to what can this be compared? To a king who had a son whom he loved very much. What did the king do? He planted a garden for him. When the son did the will

of his father, the father searched in the entire world for a nice plant and planted it in his garden. When the son was making him angry, he cut down all his plants. So when Israel does the will of the Holy One, praise to Him, he searches the entire world and observes the just person, brings him and attaches him to Israel, like Jethro and Rahab. And when they are making him angry he removes the just ones from amongst them³¹³.

309 A second generation Amora in Galilee. He had the reputation of a saintly man. He might have been a student of the young Rav in the Academy of Rebbi, but his main teacher was R. Simeon ben Laqish.

Since the topic of condolences and eulogies is implied in the previous text, a list of sample eulogies follows. Most of these are found (with some change in names) in *Midrash Rabba, Song of Songs* on 6:2, *Ecclesiastes* on 5:11.

310 Hence, a teacher may formally mourn a student. In the Babli (*Moëd Qatan* 26b), only a student may formally mourn a teacher.

311 While the masoretic text has "spice patches", the consonantal spelling here seems to prefer the singular

which also is appropriate to the sermon based on this verse. This does not imply that the verse in Resh Laqish's Bible had here a singular, only that the interpretation as singular is more convenient for his sermon.

312 As with most Scriptural quotes in the Talmud, the main inference is to be drawn from the part of the verse that is not quoted; the student is expected to recognize the verse and to complete it himself. The spelling is left as in the manuscripts and is not edited to conform to our masoretic texts.

313 Implying that Rebbi Hiyya bar Ada was collected because of the sins of his generation.

דלמא רבי חינא בר אבא וחבורתיה. ואית דמרין רבי יוסי בי רבי חלפתא וחבורתיה. ואית דמרין רבי יעקב וחבורתיה. הוּוּ גַתְבִּין לְעֵי בְּאוּרִיתָא תַחֲוֹת חֲדָא תְּאִינָה וְהוּא מְרָא דְתְּאִינְתָא קָרִיץ וְלָקִיט בְּכֹל יוֹם. אָמְרִי שְׁמָא הוּא חוֹשְׁדִּינּוּ. נְחֲלִיף אֶת מְקוּמֵינוּ. לְמַחַר אֶתְיָא מְרָה דְתְּאִינְתָא גְבוּן אָמַר לוֹן מְרִי אֶף חֲדָא מְצוּה דְהוּיְתוּן נְהִיגוּן וְעַבְדוּן עֲמִי מְנַעַתוּנִין מְנִי. אָמְרוּן לִיה

אָמרינן דילמא דאחשד לון. בצפרא אתי מודע וְתהון זְרָחָה עָלְיוּ חֲחֻמָּה
וְהַתְּלִיעוּ תְּאִינְתִּיהָ. בְּאוֹתָהּ שָׁעָה אָמְרוּ בְּעַל הַתְּאִינָה יוֹדֵעַ אֵימְתִי עוֹנֶתָה שֶׁל
תְּאִינָה לְלָקוּט וְהִיא לּוֹקֶטָה. כִּד הַקְּדוּשׁ בְּרוּךְ הוּא יוֹדֵעַ אֵימְתִי עוֹנֶתָה שֶׁל
צְדִיקִים לְסַלֵּק מִן הָעוֹלָם וְהוּא מְסַלְּקוֹ.

A clarification. Rebbi Ḥiyya bar Abba³¹⁴ and his group, some say Rebbi Yose bar Ḥalaphta and his group, and some say Rebbi Jacob and his group, were sitting to study Torah under a fig tree. The owner of the fig tree was coming every morning at sunrise and collected figs. They said, maybe he mistrusts us³¹⁵, let us change place. The next day, the owner of the fig tree came to them³¹⁶; he said to them: the one *mizwah* that you used to do with me you are withholding from me³¹⁷. They said to him: We thought that maybe you mistrust us. During the morning he came and informed them that if the sun shines on ripe figs they get wormy³¹⁸. At that time they said, the owner of the fig tree knows the best time to collect figs and he collects them. Likewise, the Holy One, praise to Him, knows the time of the just ones to be removed from the world and He removes them³¹⁹.

314 In the Rome manuscript, he is identified as the Great Rebbi Ḥiyya (whose full name was Ḥiyya bar Abba bar Aḥa Karsala from Kufra in Iraq), who otherwise is never referred to as "bar Abba" in the Yerushalmi. The sage here cannot be the third generation Amora R. Ḥiyya bar Abba, student of R. Yoḥanan, since not only are the alternate authors Tanna'im of the fourth generation but the story is very explicit in showing that the

scholars among themselves are speaking Hebrew and only with the unlearned farmer they speak Aramaic. The Great Rebbi Ḥiyya belongs to the generation of transition between Tanna'im and Amora'im; even his inclusion is a little late compared to the other two possible sources. This, as noted by Levi Ginzberg (following Eliezer ben Yehudah) is characteristic of Tannaïtic times.

It is possible that the author of the

Zohar identified this R. Ḥiyya bar Abba as a Tanna of the fourth generation, contemporary of Rabbi Yose, Rabbi Jacob, and, therefore, Rabbi Simeon bar Yoḥai, since he appears there as a major partner in dialogues with the latter.

315 Since he comes early every morning to check on us. (In the Leyden manuscript and the Venice print, the text is "mistrusts me" but the Rome manuscript can be read as "mistrusts us").

316 In the Midrash, it is explained that he went on a systematic search to find his scholars.

317 Since the one who provides the physical means for Torah study, not the scholar, acquires the greater merit from the study, you are depriving me of the merit of Torah study that I cannot acquire on my own.

318 Hence, he has to come early every morning to harvest all figs that are ripe because later they become worthless.

319 In contrast to the Amora Resh Laqish, the Tanna'im do not see in the premature death of a saintly man a consequence of the sins of his contemporaries.

כָּד דְּמַדְּ רַבִּי בּוֹן בַּר רַבִּי חֵיָא עַל רַבִּי זְעִירָא וְאַפְטֵר עִלּוּי מִתּוֹקָה שְׁנַת הָעוֹבֵד. יִשָּׁן אִין כְּתִיב כָּאֵן אֶלָּא אִם מַעַט אִם הֶרְבֵּה יֹאכֵל. לְמָה הָיָה רַבִּי בּוֹן בַּר רַבִּי חֵיָא דוֹמָה לְמַלְךְ שֶׁשָּׂכַר פּוֹעֲלִים הֶרְבֵּה וְהָיָה שָׁם פּוֹעֵל אֶחָד שְׁהֵיָה מִשְׁתַּכֵּר בְּמַלְאכְתּוֹ יוֹתֵר מִדְּאִי. מָה עָשָׂה הַמֶּלֶךְ נָטְלוֹ וְהָיָה מְטִיל עִמּוֹ אַרוֹכוֹת וּקְצָרוֹת. לְעִתּוֹתֵי עֶרֶב בָּאוּ אוֹתָם פּוֹעֲלִים לִיטוֹל שְׂכָרָן וְנָתַן לוֹ שְׂכָרוֹ אֲתָם מְשָׁלִם. וְהָיָה הַפּוֹעֲלִים מִתְרַעְמִין וְאוֹמְרִין אָנוּ יִגְעֵנוּ כָּל־הַיּוֹם וְזֶה לֹא יִגַע אֶלָּא שְׁתֵּי שָׁעוֹת וְנָתַן לוֹ שְׂכָרוֹ עִמּוֹ מְשָׁלִם. אָמַר לָהֶן הַמֶּלֶךְ יִגַע זֶה לְשְׁתֵּי שָׁעוֹת יוֹתֵר מִמָּה שֶׁלֹּא יִגְעֵתֶם אֲתָם כָּל־הַיּוֹם כּוֹלוֹ. כֶּךָ יִגַע רַבִּי בּוֹן בְּתוֹרָה לְעֹשְׂרִים וּשְׁמוֹנֶה שָׁנָה מָה שָׂאִין תְּלַמִּיד וְתִיק יְכוֹל לְלַמּוֹד לְמֵאָה שָׁנָה.

When Rabbi Abun bar Rabbi Ḥiyya³²⁰ died, Rabbi Zeira ascended his pulpit and eulogized him: (*Ecc.* 6:11) "Sweet is the year of the worker." It does not say here "sleeps" but "whether he eats little or much." To what can Rabbi Bun bar Ḥiyya be likened? To a king who hired many workers and there was one worker who was exceptionally productive in his work.

What did the king do? He took him and walked with him the long and the short. In the evening, the workers came to receive their wages and he gave him his total wages with them. The workers complained and said: we were toiling the entire day and this one did toil only for two hours and he gave him his total wages with us! The king told them: This one produced in two hours more than what you produced all day long. So Rabbi Bun produced in Torah in 28 years what an outstanding³²¹ student cannot learn in a hundred years.

320 One of the frequently quoted authorities of the Jerusalem Talmud, a student of Rabbi Yohanan and Rabbi Zeira; he died young as his eulogy

shows.

321 Or, with the Arabic חיך "constant, resolute".

בְּדָמָד רַבִּי סִימוֹן בַּר זְבִיד עָאֵל רַבִּי לֵיא וְאַפְטָר עִילוּי אַרְבָּעָה דְּבָרִים
תְּשִׁמִּישׁוּ שֶׁל עוֹלָם וְכוּלָן אִם אָבְדוּ יֵשׁ לָהֶן חֲלִיפִין כִּי יֵשׁ לְכֶסֶף מוֹצֵא וּמְקוֹם
לְזָהָב יְזוּקוּ בְרָזָל מֵעֶפֶר יוֹקָח וְאָבֶן יְצוּק נְחוֹשֶׁה. אֵילוּ אִם אָבְדוּ יֵשׁ לָהֶן
חֲלִיפִין. אָבֵל תְּלַמִּיד חֶכֶם שָׁמַת מִי מְבִיא לָנוּ חֲלִיפָתוֹ. מִי מְבִיא לָנוּ תְמוֹרָתוֹ.
וְהַחֲקֵמָה מֵאִין תִּמְצָא וְאֵי זֶה מְקוֹם בִּינָה וְנִעְלָמָה מֵעֵינֵי כָּל חֵי. אָמַר רַבִּי לִוִּי
אִם אַחֵי יוֹסֵף עַל שְׁמֻצָאוֹ מְצִיָּאָה יְצָא לָבָם דְּכִתִּיב וַיֵּצֵא לָבָם. אָנוּ שְׂאֵבְדִנּוּ
אֵת רַבִּי סִימוֹן בַּר זְבִיד עַל אַחַת בְּמָה וְכִמָּה.

When Rabbi Simon bar Zevid³²² died, Rabbi Illai ascended and eulogized him: Four things are used in the world and if they are lost, they have replacement, (*Job* 28:1,2) "But silver has a source, and a place is where gold is refined; iron is taken from dust, and stone is smelted into copper." Those, if they are lost, have replacement. But a scholar who died, who can bring us his replacement, who can bring us his substitute? (*Job* 28:12^{323,21}) "Wisdom, where can it be found, where is the place of understanding? It is hidden from the eyes of all living!" Rabbi Levi³²⁴

said: If the brothers of Joseph lost their spirit because they found something, as it is written (*Gen. 42:28*) "they lost their spirit", we, who lost Rabbi Simon bar Zevid, so much more!

322 A Galilean Amora of the third generation, also quoted as Rabbi Simon bar Savdi, whose discussions with Rabbi Illaï (Lai) are recorded several times in the Yerushalmi. He was a teacher of the leaders of the fourth generation of Amoraïm, Rebbis

Hizkiah, Jonah, and Phincas.

323 It seems that the preacher wanted to refer to verse 20: "Wisdom, from where does it come?"

324 Probably a scribal error for Lai. But the parallel in Yerushalmi *Horaiot* 3:8 (fol. 38b) also has Rabbi Levi.

כְּדָמַךְ רַבִּי לֵוִי בַר סִיסִי עַל אֲבִיו דְּשִׁמוּאֵל וְאַפְטָר עִילוּי סוּף דְּבַר הַכֵּל נִשְׁמַע
 אֶת הָאֱלֹהִים יִרְא. לְמָה הִיָּה לֵוִי בַר סִיסִי דּוֹמָה לְמַלְךְ שֶׁהִיָּה לוֹ כְּרָם וְהָיוּ בּוֹ
 מֵאָה גִפְנִים וְהָיוּ עוֹשׂוֹת כָּל-שָׁנָה וְשָׁנָה מֵאָה חֲבִיּוֹת שֶׁל יַיִן. עָמַד עַל חֲמִשִּׁים
 עָמַד עַל אַרְבָּעִים עָמַד עַל שְׁלֹשִׁים עָמַד עַל עֶשְׂרִים עָמַד עַל עֶשֶׂר עָמַד עַל אֶחָד
 וְהִיָּה עוֹשֶׂה מֵאָה חֲבִיּוֹת שֶׁל יַיִן. וְהִיָּה אוֹתוֹ הַגֶּפֶן חָבִיב עָלָיו כְּכֹל-הַכְּרָם כּוֹלוֹ.
 כִּדְ הִיָּה רַבִּי לֵוִי בַר סִיסִי חָבִיב לְפָנָי הַקְּדוֹשׁ בְּרוּךְ הוּא כְּכֹל-אָדָם. הִדָּא הוּא
 דְּכָתִיב כִּי זֶה כָּל-הָאָדָם כִּי זֶה כְּכֹל-הָאָדָם.

When Rabbi Levi bar Sisi³²⁵ died, the father of Samuel came and eulogized him: (*Ecc. 12:13*) "Final word: Everything has been heard, fear God." To what can Rabbi Levi ben Sisi be compared? To a king who had a vineyard with a hundred vines which gave him every year a hundred barrels of wine. He reduced them to 50, to 40, to 30, to 20, to ten, to one, and this one gave him a hundred barrels of wine. This one vine was as dear to him as the entire vineyard. So Rabbi Levi bar Sisi was beloved before the Holy One, praise to Him, like all mankind. This is what is written (*loc. cit.*) "Because that is all of man," that one is like all of mankind³²⁶.

325 One of the outstanding students of Rebbi, in the generation of transition between Tannaïm and Amoraïm. Some time after Rebbi's death he emigrated to Nahardea in Babylonia where he became an associate of Abba bar Abba, the father of Samuel, a descendant of Hananiah, the nephew of Rebbi Joshua, who founded the first Talmudic academy in Babylonia at the outbreak of the war of Bar Kokhba.

He, like the Great Rebbi Hiyya, was a collector of mishnaic material (*baraitot*); his collection became the foundation of study in Nahardea.

326 A kind of pun on the possible interpretations of כל as "all" or "entire". In the Babli (*Berakhot* 6b) this is a sermon of Rebbi Abba bar Kahana, a Babylonian who became preacher of the third generation of Amoraïm in Galilee.

כִּהְנָא הָוָה עוֹלָם סִגִּין כַּד סָלִיק לְהָכָא חֲמַתִּיה חַד בַּר פַּחִין. אָמַר לִיה מַה קָּלָא בְּשִׁמְיָא. אָמַר לִיה גָּזַר דִּינִיגָה דְּהָהוּא גְּבַרְא מִיחְתָּם. וְכֵן הָוֵה לִיה. וּמִתְפָּנֵעַ בֵּיתָּה. חֲמַתִּיה חַד חָרִין. אָמַר לִיה מַה קָּלָא בְּשִׁמְיָא. אָמַר לִיה גָּזַר דִּינִיגָה דְּהָהוּא גְּבַרְא מִיחְתָּם. וְכֵן הָוֵה לִיה. אָמַר מַה סָלִיקוּת מְזַפֵּי וְאַנָּא אִיחְסִי. מַה סָלִיקוּת לְמִיקָטְלָה בְּנֵי אַרְעָא דִּישְׂרָאֵל נִיזוּל וְנִיחֹת לִי מִן הוּן דְּסָלִיקוּת. אָתָּא לְגַבֵּי רַבֵּי יוֹחָנָן אָמַר לִיה בַּר נֶשׁ דְּאִימִיָּה מִסְבָּרָא לִיה וְאִיתְתִּיה דְּאָבוּהִי מוֹקְרָא לִיה לְהוּן יִיזֵל לִיה. אָמַר לִיה יִיזֵל לִיה דְּמוֹקְרִין לִיה. נָחַת לִיה כִּהְנָא מִן הוּן דְּסָלִיק. אָתָּוּן אָמְרִין לִיה לְרַבֵּי יוֹחָנָן הָא נָחִית כִּהְנָא לְבָבְל. אָמַר מַה הָוֵה מִיזֵל לִיה דְּלָא מִיסַב רְשִׁיתָּא. אָמְרִין לִיה הֵהִיא מִלְתָּא דְּאָמַר לָךְ הִיא הָוֵה נְטִילַת רְשִׁית דִּידִיָּה.

Cahana³²⁷ was very young when he came up here. A person in rags saw him and asked him, what is new in Heaven? He answered: The judgment over this man has been sealed. This happened to him and he was stricken. Another one in rags saw him and asked, what is new in Heaven? He answered: The judgment over this man has been sealed. This happened to him. He said: Did I not go up to gain merit, but I am sinning! Did I come up to kill the people of the Land of Israel? I shall go and step down the way I came up. He came to Rebbi Yoḥanan and said to him: A

man whose mother wishes him well and whose step mother³²⁸ honors him, should he go there? He said to him, he should go there where he is honored. Cahana descended the way he came up. They came and told Rabbi Yohanan that Cahana had descended to Babylonia. He said, how could he go without asking permission? They told him: that question, that he asked of you, was his request for permission.

327 While the previous section dealt with a Galilean emigrating to Babylonia, we now deal with Babylonians immigrating into Israel. Cahana here is Rav Cahana II; his story can be understood only in connection with the remarks in Babli *Bava Qama* 117a,b; the interpretation is Rashi's (117b).

Rav Cahana was a young member of the Academy of Rav when Rav unsuccessfully tried to dissuade a Jew from informing against another Jew before the Persian authorities. Rav Cahana was so outraged that he slapped the would-be informer and broke his neck. Rav pointed out to him that under the new Sassanid regime the Jews had lost the criminal jurisdiction they had under the Parthians and that, therefore, he was liable to be prosecuted. Rav told him to go ("ascend") to the Land of Israel, to the Academy of Rabbi Yohanan, but he warned him not to ask difficult questions from Rabbi Yohanan for

seven years. This must have happened between the Sassanid victory in 226 C.E. and Rav's death in 247 C.E. (Since the organization of the new Persian empire must have taken some time, the earliest time for Rav Cahana's flight is probably around 235 C.E. When Rav Cahana returned to Babylonia, he became a student of Rav's successors Rav Yehudah and Rav Huna; hence, he returned after 247 C.E.) In Tiberias, Cahana (whose rabbinical title is not recognized in the Yerushalmi) first kept Rav's injunction but in the end he found a way to get around it and was recognized by Rabbi Yohanan as a great scholar. Unfortunately, by a birth defect or an accident, Cahana had unsymmetric lips which gave his face the look of a permanent smirk and Rabbi Yohanan got offended. He gave him an evil eye so that Cahana died. When informed that the smirk was no smirk but a bodily feature of Cahana, he went to the cave where Cahana was buried. The entrance to the cave was

guarded by a poisonous snake which let Rabbi Yoḥanan enter only after he had publicly acknowledged that he had been a student of Cahana. Then he prayed in the cave and Cahana was resurrected from the dead. This is the basis of the questions asked here by

the hoodlums. According to the Babli, Rav Cahana found the presence of R. Yoḥanan too dangerous. This will explain the roundabout way in which he asked for leave from the Academy in the Yerushalmi version.

328 The land of Babylonia.

רבי זעירא כד סליק להכא אזל אקיו דם. אזל בעי מיזבן חדא ליטרא דקופד
 מן טבחא. אמר ליה בכמה הדין לטרתא אמר ליה בחמשין מניי וחד קורסם.
 אמר ליה סב לך שיתין ולא קביל עילוי. סב לך ע ולא קביל עילוי. סב לך פ.
 סב לך צ. עד דמטא למאה ולא קביל עילוי. אמר ליה עביד כמנהגך.
 ברומשא נחית לבית ועדא. אמר לון רבנן מה ביש מנהגא דהכא דלא אכל
 בר נש ליטרא דקופד עד דמחי ליה חד קורסם. אמרין ליה ומה הוא דין.
 אמר לון פלן טבחא. ש לחון בעיי מיתתיה ואשכחון ארוניה נפקא. אמרו ליה
 רבי כל-הכין אמר להו וייתי עלי דלא כעסית עלוי מי סברת דמנהגא כך.

Rebbi Zeira went to have himself bled when he ascended here³²⁹. He went and wanted to buy a pound³³⁰ of red meat from a butcher. He asked him: How much is that pound? He said to him, 50 minas and one slap³³¹. He said to him: Take 60, but he did not accept. Take 70, but he did not accept. Take 80, take 90, until he came to 100 and he did not accept. Then he said: Do what is your routine. The next morning he went to the Academy and said to them: Rabbis, what is this bad practice here that nobody can eat a pound of red meat unless they slap him! They said to him: Who is that? He said, the butcher so-and-so. They sent to him to bring him but they found that his coffin was being carried out. They said to him: Our teacher, all that³³²? He said to them: That should happen to me, but I was not angry about him³³³; did I not think that this was general practice?

329 This used to be the general method to heal minor illnesses and also served as a prophylactic. Bleeding required that one must eat enough red meat afterwards to replace the lost substance.

330 A Roman pound (*libra*, λίτρα) of twelve Roman ounces, slightly more than 12 avoirdupois ounces. It seems that Rebbi Zeïra incurred the wrath of the butcher by using the correct feminine form *litrēta* for the Greek *litra*, while common usage was *litra* which in Aramaic really should be masculine (but was not taken as such in popular use).

331 The price of meat can be taken to determine the time of R. Zeïra's arrival in Israel. A Mina (Mvā) was 100 Denar. In old times, a Mina was an enormous sum. But the inflation in the later part of the military anarchy, from the failed currency reform of Aurelianus to the reorganization of the Roman state under Diocletianus, was extreme. All Midrashim telling about exorbitant sums being paid for simple objects of daily use must be dated to that period, from 274-284 C.E. Diocletian introduced new gold coinage based on a price of 50'000 old gold Denars for a Roman pound of gold.

This makes one pound of gold (345 g) the equivalent of 1'250'000 old silver denars. At that time, 50 Minas, or 5'000 silver Denars, would therefore be 1.38 g = 0.04 oz of gold or at today's gold prices, \$14.45. This is a very high price but not out of line in a time of extreme decline of farming and ranching. It is quite clear from this and other stories that the obligation to eat meat on holidays was a serious monetary obligation. (The so-called silver coins of that period were copper coins dipped for a second in a silver solution.)

מקור is Greek κρουσμός, ό, "striking, smiting, collision".

332 Rebbi Zeïra really had acquired a Babylonian title, "Rav", before he immigrated to Galilee but, being dissatisfied with the style of Talmudic study in Babylonia, he never used it. Seeing that Heaven was giving him special protection, the members of the academy of Tiberias started giving him the Palestinian title, Rebbi, right away. They wondered that Heaven was so quick in punishing a man who had offended him.

333 Hence, I did not wish him dead and I am innocent of his death. This remark connects to the next story.

רבי יסא כד סליק להקא אזל ספר. בעי מסחי באהן דימוסין דטיבריאי. פגע ביה חד ליצן וניהיב ליה פורקדל חד. אמר ליה עד כדון ענובתא דההוא גברא רפיא. הוה ארכונא קאים דאין אחד ליסטיס ואזל קם ליה גחיד כל-קבליה. אמר ליה ארכונא מאן הוה עמוך תלה עינוי וחמי דההוא גחיד אמר ליה ההוא דגחיד הוה עמי. גסביה ודניה ואודי ליה על חד קטיל. מי נפקין תרוניהון טעינין תרתי שרין דעבר רבי יסא מסחי. אמר ליה ההיא ענובתא דהנת רפיא כבר שנצת. אמר ליה ביש גדא דההוא גברא ולא כתיב ועתה אל תתלוצצו פן יחזקו מוסריכם. רבי פינחס רבי ירמיה בשם רבי שמואל בר רב יצחק קשה היא הלוצנות שתחילתה ייסורין וסופן כלייה. תחילתה ייסורין דכתיב ועתה אל תתלוצצו פן יחזקו מוסריכם. וסופן כלייה דכתיב כי כלה ונחרצה שמעתי מאת יי צבאות על כל-הארץ.

When Rebbi Yasa ascended here, he went to a barber. He wanted to bathe in a public bath of Tiberias. He met a scoffer who hit him once on his neck and said: The noose³³⁴ of this man is loose. There was an administrator³³⁵ sitting who was interrogating³³⁶ a robber³³⁷. He³³⁸ went and stood there all laughing opposite him. The administrator asked him: Who was with you? He looked around and said: The one who is laughing here was with me. He³³⁹ fetched him, interrogated him, and he confessed about one murder. When they both went out, carrying two beams³⁴⁰, Rebbi Yasa passed by going to the bath. He³⁴¹ said to him: That noose which was loose you already tightened. He answered him: That is the bad luck of this man, is it not written (*Is. 28:22*): "Now do not scoff, that your fetters should not be tightened."³⁴² Rebbi Phineas, Rebbi Jeremiah, in the name of Rebbi Samuel bar Rav Isaac³⁴³: Scoffing is hard since its start is pain and its end destruction. Its start is pain since it is written "Now do not scoff, that your fetters should not be tightened," and its end is destruction as it is written (*loc. cit.*) "For destruction and finality I heard from the Lord of Hosts³⁴⁴ over the entire earth."

334 This is the reading of the Rome manuscript. The Venice print has $\alpha\kappa\upsilon\upsilon$ "neck" which cannot be loose or tight, but the noose around the neck can.

335 Ἄρχων, "ruler"; in Imperial Rome a local administrator, *praefectus*.

336 Under threat or by the use of judicial torture. (Referring to a Jewish court, the word would mean "punish".)

337 Greek ληστής (also a collateral form ληιστής). The word appears in the Babylonian tradition as לְסָטָן .

338 The scoffer. The next "he, him, he" refer to the robber.

339 The archon, who fetched the scoffer who then confessed to a murder under the threat of torture.

340 The beams used for their own crucifixion.

341 The scoffer who might have

laughed about the trick he played on the scholar but who was caught because the robber thought that he was laughing about the pain inflicted on himself and who took revenge by denouncing the scoffer.

342 And, therefore, Rebbi Yasa was not guilty of the scoffer's death.

343 Since he was a contemporary of Rebbis Ze'ira and Yasa, it is not clear whether this is an independent aggadic interpretation, appended here because it uses the same verse that R. Yasa used, or as the source of Rebbi Yasa/Assi's interpretation.

344 The Divine Names are not correctly quoted; this relieves the scribe from the necessity of writing down a name which cannot be erased.

משנה ט: חתן אם רוצא לקרות את שמע בלילה הראשון קורא. רבן שמעון בן גמליאל אומר לא כל-הרוצא ליטול את השם יטול.

Mishnah 9: The bridegroom may recite the *Shema'* in his first night if he wishes. Rabban Simeon ben Gamliel says, not everyone who wants to grab a reputation³⁴⁵ can do so.

345 Asserting that he is such a holy man that he can concentrate on his prayers under any circumstances.

הלכה ט: תני כל-דבר שהוא של צער כל-הרוצא לעשות עצמו יחיד עושה. תלמיד חכם עושה ותבוא עליו ברכה. וכל-דבר שהוא של שבח לא כל-הרוצא לעשות עצמו יחיד עושה. תלמיד חכם עושה אלא אם כן מינו אותו פרנס על הציבור.

Halakhah 9: It was stated³⁴⁶: In anything that gives pain, everyone who wants to distinguish himself may do so. A scholar does and may blessing come to him. In anything that gives praise, not everyone who wants to distinguish himself may do so. A scholar does except if he has been appointed to a position of public authority.

346 This Tosephta (*Ta'aniot* 1:7) refers to the Mishnah (*Ta'anit* 1:4) that if there was no rain by the middle of the month of Heshwan, distinguished people start fasting; public fasts because of the draught start only in Kislev. Rabban Simeon ben Gamliel states that in matters that bring pain, everybody can join with the distinguished persons; only in matters that

bring prestige, not everyone can join and a scholar cannot join if he has been duly appointed to a position of authority since in that case he has to avoid even the appearance of being better than the people under his authority. The Yerushalmi quotes this Tosephta anonymously, hence it accepts it as valid ruling.

תני מסתלקין לצדדין מפני יתידות הדרכים. ובשעה שהוא משתקע אפילו בשדה שהיא מלאה כורכמין. אמר רבי אבהו מעשה ברבן גמליאל ורבי יהושע שהיו בדרך והיו מסתלקין לצדדין מפני יתידות הדרכים וראו את רבי יהודה בן פפוס שהיה משתקע ובא כנגדן. אמר רבן גמליאל לרבי יהושע מי הוא זה שמראה עצמו באצבע אמר לו יהודה בן פפוס הוא שכל-מעשיו לשום שמים. אמר ליה ולא כן תני כל-דבר שהוא של שבח לא כל-הרוצא לעשות עצמו יחיד עושה. תלמיד חכם עושה אלא אם כן מינו אותו פרנס על הציבור. אמר ליה והא תני כל-דבר שהוא של צער כל-הרוצא לעשות עצמו יחיד עושה. תלמיד חכם עושה ותבוא עליו ברכה. אמר רבי זעירא ובלחוד דלא יבזה חורנין.

It was stated: One may step to one side because of obstacles on the road³⁴⁷. And when one sinks³⁴⁸, even into a field full of saffron. Rabbi Abbahu said³⁴⁹: It happened that Rabban Gamliel and Rabbi Joshua were on the road and stepped on the side because of obstacles on the road when they saw Rabbi Yehudah ben Pappos, who was sinking, coming towards them. Rabban Gamliel said to Rabbi Joshua: Who is this one who makes an exhibition of himself³⁵⁰? He answered: This is Yehudah ben Pappos, all whose deeds are done for Heaven's sake. He said to him³⁵¹: Did we not formulate "In anything that gives praise, not everyone who wants to distinguish himself may do so. A scholar does except if he has been appointed to a position of public authority." He answered him³⁵²: Did we not also formulate, "In anything that gives pain, everyone who wants to distinguish himself may do so. A scholar does and may blessing come to him." Rabbi Zeira said, but only if he does not shame others³⁵³.

347 This is one of the conditions of public use of private land which Joshua imposed on the land distributed to the Israelite tribes (Babli *Bava Qama* 81b, Yerushalmi *Bava Batra* 5:1). If a road is impassable, one may walk on the shoulder even if the field is planted up to the roadbed.

348 In the rainy season on an unpaved road.

349 A parallel to this story is quoted in the Babli (*Bava Qama* 81b) concerning Rabbi, Rabbi Hiyya, and Rabbi Yehudah ben Qanosa. The disapproving conclusion, given here in the name of the late Amora R. Zeira,

an immigrant from Babylonia, in the Babli is attributed to Rabbi. This shows that the note of Rabbi Zeira is a belated accommodation of Galilean practice to Babylonian standards.

350 Showing overly great care not to infringe on other people's property. Since the possession of land is a gift of God, any property rights are from the start subject to the liens enacted by Joshua, and use of the shoulders is no infringement of other people's property. R. Yehudah ben Pappos' piety therefore is quite misplaced.

351 Rabban Gamliel to Rabbi Joshua. The implication is that R.

Yehudah ben Pappos, who otherwise is unknown, held a public position and, therefore, was prohibited from exhibiting his piety. (In *Kaftor waperah*, R. Astorre Parhi gives the name as Pappos ben Yehudah, a man known for his extreme habits, cf. Tosephta *Soṭa* 5:9. However, of the two men of this name mentioned in Talmudic literature, one is too early, in Temple times, and the other one is mentioned in the

prehistory of the revolt of Bar Kokhba, too late).

352 Rebbi Joshua to Rabban Gamliel. Since walking on a wet dirt road is exhausting and very slow, even the holder of public office is permitted to walk on the road.

353 And here, the leaders of the generation were embarrassed by his unnecessary exhibition of piety.

דְּלָמָא. רַבִּי מִיּוֹשָׁא וְרַבִּי שְׁמוּאֵל בְּרַ רַב יִצְחָק הָווּ יִתְבִּין אֶכְלִין בְּחָדָא מִן אֵילִין כְּגִישְׁתָּא עֲלִיָּתָא. אֲתָת עֹנְתָא דְצְלוּתָא וְקָם רַבִּי שְׁמוּאֵל בְּרַ רַב יִצְחָק מִצְלִיָּא. אָמַר לִיה רַבִּי מִיּוֹשָׁא לָא כֵּן אֶלְפֵן רַבִּי אִם הִתְחִילוּ אִין מִפְּסִיקִין. וְתַנִּי חֲזַקִּיא כָּל־מִי שֶׁהוּא פְטוֹר מִדְּבַר וְעוֹשֶׂהוּ נִקְרָא הַדְּיוּט. אָמַר לִיה וְהָא תַנִּינָן חֲתָן פְטוֹר. חֲתָן אִם רֹצֵה. אָמַר לִיה וְלָא דְרַבָּן גְּמִלְיָאֵל הִיא. אָמַר לִיה יְכוֹל אֲנָא פְטוֹר כְּרַבָּן גְּמִלְיָאֵל דְרַבָּן גְּמִלְיָאֵל אָמַר אִינִי שׁוֹמֵעַ לְכֶם לְבַטֵּל מִמְּנִי מַלְכוּת שָׁמַיִם.

Clarification. Rebbi Miasha³⁵⁴ and Rebbi Samuel bar Rav Isaac were sitting and eating in one of the upper synagogues³⁵⁵. There came the time of prayer and Rebbi Samuel bar Rav Isaac got up to pray. Rebbi Miasha said to him: Teacher, did you not teach us that once one started one does not interrupt³⁵⁶. And Hizkiah stated: Every one who is free from an obligation and does it anyway is called uneducated³⁵⁷. He answered him: Did we not state³⁵⁸: "The bridegroom is free?" The bridegroom, if he wants. He³⁵⁹ answered him: Is that not from Rabban Gamliel³⁶⁰? He said to him, I can free myself as Rabban Gamliel did; Rabban Gamliel said: I shall not listen to you to lift from me the Kingdom of Heaven.

354 This is the reading of ms. Rome. The Venice print has "Rebbi Yasa". The Venice reading explains why R. Samuel is mentioned in second place, since Rebbi Miasha was a student of Rebbi Samuel ben Rav Isaac. Maybe there existed a version in which Rebbi Yasa was mentioned both times.

355 Of Tiberias. Most commentators invert the word order and explain: On the upper floor of a synagogue (since in the synagogue itself one may not eat).

356 Mishnah *Šabbat* 1:5. If the speaker is Rebbi Yasa, one would have

to translate: "Did not Rebbi (the editor of the Mishnah) teach us . . .".

357 Greek ἰδιώτης "private person, individual" (as opposed to the State).

358 The two Mishnayot from this chapter, that the groom is absolved from reciting *Shema'* but that he may do so if he wishes.

359 Rebbi Miasha.

360 Mishnah 9, even though formulated anonymously, is only acceptable to Rabban Gamliel, not to those who disagree with the him. The answer is that the Mishnah is acceptable to all.

מי שמתו פרק שלשי

משנה א: מי שמתו מוטל לפנני פטור מקרינת שמע ומן התפילין. נושא המיטה וחילופיהן וחילופי חילופיהן את שלפני המיטה ואת שלאחר המיטה. את שהמיטה צורך בהן פטורין. ואת שאין המיטה צורך בהן חיבבין. אילו ואילו פטורין מן התפילה.

Mishnah 1: Anyone whose dead is lying before him¹ is free from reciting *Shema'* and from *tefillin*.² The carriers of the bier, their substitutes, and the substitutes of their substitutes, in front of the bier or behind the bier, those that are needed by the bier are free, those that are not needed by the bier are obligated.³ All of them are free from the obligation to pray.⁴

1 Any close relative who has to mourn for the dead and who has to organize the burial.

2 This is the text of the Yerushalmi and the Mishnah manuscripts. Most sources of the Babylonian Talmud add "and from all obligations of the Torah", but the commentary of *Talmid Rabbenu Yonah* to Alfassi declares that good manuscripts do not contain the addition and it also seems that the addition was not accepted by Tosaphot.

3 In the Babli: "Those behind the bier are obligated". Rashi explains that

those in front of the bier await their turn to carry the bier to the cemetery but that those behind the bier already did that; they follow only to honor the dead person, but not to actively render any more services. The Yerushalmi does not know of such an organization.

4 According to Maimonides, the obligation from the Torah is only to say some prayer every day; hence, even if the participants in the burial miss one prayer they still have two others to fulfill the Biblical requirement. According to Nachmanides, the

obligation of prayer is entirely Torah obligation to bury a fellow Jew. rabbinical and is eliminated before the

הלכה א: תני ומן התפילין. אבל ביום הראשון אינו נותן תפילין. ביום השני הוא נותן תפילין. ואם באו פנים חדשות הוא חולצן כל שבעה דברי רבי אליעזר. רבי יהושע אומר בראשונה ובשני אינו נותן תפילין ביום השלישי הוא נותן תפילין ואם באו פנים חדשות אינו חולצן. אם ביום השני אינו נותן תפילין צורקה מימר מי שמתו מוטל לפניו. אלא בגין דתנא דא תנא דא.

Halakhah 1: It was stated⁵: "And from *tefillin*." A⁶ mourner may not put on *tefillin* on the first day; on the second day he puts on *tefillin* and when new faces appear during the seven days of mourning he takes them off; these are the words of Rabbi Eliezer. Rabbi Joshua says: On the first and second days he does not put on *tefillin*; on the third day he puts on *tefillin* and if new faces come he does not take them off.

If he does not put on *tefillin* even on the second day, why is it necessary to mention "anyone whose dead is lying before him"? Because he stated the one he stated the other⁷.

5 In the first sentence of our Mishnah.

6 This is a *baraita* from *Mo'ed Qatan* (3:5); a similar *baraita* (with the names of Rebbis Eliezer and Joshua switched) is quoted in Babli *Mo'ed Qatan* 21a. All authorities in all sources agree that a mourner may not put on *tefillin* the entire first day of mourning, even if the burial was conducted in the preceding night. So there is no connection between *tefillin* and the

necessity to attend to the burial.

7 Since it is necessary to mention that he is free from reciting *Shema'* (and from prayer, whether that is stated in the Mishnah or not), the mention of *tefillin* is added as a memory aid. Since for a long time the Mishnah was transmitted by memory, it could not have been written down. Memory aids are an important part of Mishnah composition.

רבי זעירא רב ירמיה בשם רב הלכה כרבי אליעזר בנתינה וכרבי יהושע
 בחליצה. רבי זעירא בעי נתן ביום השני כרבי אליעזר מהו שיעשה רבי
 אליעזר כרבי יהושע שלא לחלוץ. אמר רבי יוסי בירבי בון וכיני נעשה רבי
 אליעזר כרבי יהושע שלא לחלוץ ואין כיני נימא הלכה כרבי אליעזר.

Rebbi Zeira, Rav Jeremiah in the name of Rav: Practice follows Rebbi Eliezer in putting on and Rebbi Joshua in taking off⁸. Rebbi Zeira inquired: If he put them on on the second day, following Rebbi Eliezer, would Rebbi Eliezer act like Rebbi Joshua, not to take them off? Rebbi Yose bar Abun said: Is it so that Rebbi Eliezer would act like Rebbi Joshua, not to take them off? If it were so, we should say "practice follows Rebbi Eliezer."⁹

8 The mourner puts on *tefillin* starting the second day after the funeral and does not take them off for a new visitor. In the Babli, this is a ruling of Ulla, one of the commuters between Babylonia and Galilee in the second generation of Amora'im.

9 If on the second day, on which we follow Rebbi Eliezer, he takes off *tefillin* for new visitors, then the ruling should have been: Practice follows Rebbi Eliezer on the second day and Rebbi Joshua from the third day on. Since days are not mentioned, it is clear

that Rebbi Joshua's opinion, that one does not take off *tefillin* for visits of condolence, does not depend on the day. In the Babli, this is the ruling of Rava, of the generation following Rebbi Zeira. The Babli quotes from the early Tanna Rebbi Jehudah ben Tema that one puts on *tefillin* and takes them off even a hundred times. Since R. Jehudah ben Tema, whose time cannot be determined, precedes Rav in any case, his opinion is not of much practical value.

אמר רבי בון כתיב למען תזכור את יום צאתך מארץ מצרים כל ימי חייך.
 ימים שאת עוסק בהן בחיים. ולא ימים שאת עוסק בהן במתים.

Rebbi Abun said: It is written (*Deut.* 16:3) "So that you should remember the day of your exodus from Egypt the totality of the days of

your living;" the days when you are occupied with the living, not the days that you are occupied with the dead¹⁰.

10 The verse deals with the celebration of Passover but is used to indicate that any obligation of remembrance, and *tefillin* is one of them, are only for living and are invalid once one has to care for the dead. Rabbi Abun here follows the opponents of

Ben Zoma in the first chapter who read בל "the entirety" and not "all". The verse gives a complete justification for the Mishnah, viz., that the entire first day is not for *tefillin*, even after the burial.

תני אם רצא להחמיר על עצמו אין שומעין לו. למה מפני כבודו של מת. או משום שאין לו מי שישא משואו. מה נפיק מביניהון הנה לו מי שישא משואו. ואין תימר מפני כבודו של מת אסור. ואם תאמר מפני שאין לו מי שישא משואו הרי יש לו מי שישא משואו. והתני פטור מנטילת לולב. תיפתר בחול. והתני פטור מתקיעת שופר. אית לך למימר בחול לא ביום טוב. אמר רבי חנינא מפיון שהוא זקוק לו להביא לו ארון ותכריכין בני דתנינן תקון מחשיכין על התחום לפקח על איסקי הכלה ואל עיסקי המת להביא לו ארון ותכריכין חלילים ומקוננות כמי שהוא נושא משואו.

It was stated: If he wants to be more stringent with himself¹⁰ one does not listen to him¹¹. Why? Because of the honor of the deceased or because he has nobody to carry his load¹²? What is the difference between them? If he has someone who is carrying his load; if you say because of the honor of the deceased it is forbidden, but if you say because he has nobody to carry his load, here he has somebody to carry his load. Has it not been stated: he is free from taking the *lulab*¹³? Explain that it refers to weekdays. But has it not been stated: he is free from blowing the *shofar*. Can you say on weekday? No, on holiday. Rabbi Hanina said¹⁴: Because he is obliged to bring him a casket and burial shrouds as we have stated (*Šabbat* 23:4): "One waits for nightfall at

the borders of the Šabbat¹⁵ domain to oversee matters for a bride and matters for a deceased to bring for him a casket, burial shrouds, fifes, and women mourners;" it is as if someone was carrying his load.

10 To put on *tefillin* even though he is not obligated.

11 He is forbidden to put on *tefillin*.

12 In organizing the funeral.

13 The mourner whose deceased has not yet been buried may not weave the *lulab* on Tabernacles, nor may he blow the *shofar* on New Year's Day. While the rule of *lulab* applies only to the intermediate days when burials are permitted, one never blows *shofar* as an obligation except on a holiday.

13 R. Ḥanina points out that the argument that somebody works for him is irrelevant since even if he does not

do anything physical for the arrangement of the funeral, the task of overseeing and deciding cannot be delegated.

14 Even though it is forbidden to use the Sabbath to prepare for the next day, in these cases it is permitted to position oneself on the Sabbath so that one can start immediately fulfilling a *mizwah* after the end of the Sabbath. The Sabbath domain extends 2000 cubits from the last house of one's city; one may not move outside that domain on the Sabbath.

מאימתי כופין את המיטות משיצא המת מפתח החצר דברי רבי אליעזר. רבי יהושע אומר משיתם הגולל. וכשמת רבן גמליאל כיון שיצא מפתח החצר אומר רבי אליעזר לתלמידיו כפו את המיטות. וכשנסתם הגולל אומר רבי יהושע כפו את המיטות. אמרו לו כבר כפינום¹⁵ על פי הזקן. בערב שבת הוא זוקף את מיטתו. ובמוצאי שבת הוא כופן.

When does one overturn the couches¹⁶? From the moment when the dead left the gate of the courtyard¹⁷, the words of Rabbi Eliezer. But Rabbi Joshua says, from when the cover plate was laid on the grave¹⁸. And when Rabban Gamliel died, after he left the gate of the courtyard, Rabbi Eliezer said to his students: Overturn the couches¹⁹. And when the cover plate was laid on the grave, Rabbi Joshua said: Overturn the

couches. They said to him: We already did turn them over on the orders of the old man²⁰. Friday evening he rights his couch, at the end of Sabbath he overturns them²¹.

15 The Venice (and Leyden) text here, **במיטם**, is unintelligible. The text given here is that of the Genizah fragments and the parallel in *Šemahot*.

16 The mourner is not allowed to eat reclining on a couch, but has to eat sitting upright on a chair as a sign of mourning. This duty applies to all those who are required to observe the week of mourning. The *baraita* is found in *Massekhet Šemahot* IX. The entire discussion is taken from Yerushalmi *Mo'ed Qatan* 3:5; the *baraita* is also found Babli *Mo'ed Qatan* 27a.

17 In the Talmud it is assumed that a house has no door leading to the street outside. A number of houses was always clustered around a courtyard, the door of the house lead into the courtyard, and the courtyard had an exit gate. In that way, privacy was always assured. The statement asserts

that the moment the funeral procession is on its way is not when the bier leaves the house but when it leaves the outer gate of the courtyard.

18 The dead was buried on a bier, not in a casket. Hence, the grave had to be covered by a large flat stone, the *golah*.

19 When the head of the Synhedrion dies, all are mourners.

20 Even though Rebhi Eliezer was put in the ban since he did not agree with a majority ruling when he knew that the ruling contradicted tradition, it follows from here not only that he continued to lead his Yeshivah but also that in his lifetime, his authority in matters of religious practice remained supreme.

21 Since any outward sign of mourning is forbidden on the Sabbath.

תני דרגש נזקפת ואינה נכפית. רבי שמעון בן אלעזר אומר שומט קלבינטרין
שלה ודין. רבי יוסה בשם רבי יהושע בן לוי הלכה כרבי שמעון בן אלעזר.
רבי יעקב בר אחא בשם רבי יוסי מיטה שניקליתיה עולין ויורדין בה שומטון
ודין.

It was stated: "A *dargesh*²² is put upright²³ and is not turned over. Rabbi Simeon ben Eleazar²⁴ says, he removes its *qlbntryn*²⁵ and that is enough²⁶." Rabbi Yosa²⁷ in the name of Rabbi Joshua ben Levi: practice follows Rabbi Simeon ben Eleazar. Rabbi Jacob bar Aḥa in the name of Rabbi Yose, a couch whose posts²⁸ are upright and removed together with it, he takes them off and that is enough.

22 A kind of bed whose exact nature was unknown even in the time of the Talmud, as seen from the discussion that follows and in Babli *Nedarim* 56a. Maimonides, in his commentary to *Nedarim*, defines *dargesh* as a low couch (used for sitting only in the case of a mourner), much lower than a regular couch called *miṭṭah*. The Babli tentatively defines *dargesh* as a couch made of a frame onto which a leather mattress is attached by ropes. This definition may be compatible with the description given in the next section.

23 Most commentators explain that the *dargesh* is lifted to stand either on its front end or its foot end. But already *Rosh* (Rabbenu Asher ben Yehiël, 14th Century in Mayence and Toledo) has shown in his commentary to Babli *Nedarim* that this explanation is impossible and that the statement must mean: it is left standing as is. The other commentators are influenced by the version of the Babli which instead of the passive form used here have an

active "he stands them up", which seems to imply an action by the mourner, not passive as is implied here.

24 In all places where this is quoted in the Babli, the name is *Rabban Simeon ben Gamliel*, the father of Rabbi and son of Rabban Gamliel. Rabbi Simeon ben Eleazar was a Tanna of the last generation who lived to see the start of the second generation of Amoraïm.

25 The spelling and, therefore, the meaning of the word are uncertain. The spelling here is קלביטרין, that of the Genizah texts and *Ṣemaḥot* is קלמטרין, the corresponding word in the Babli is קרביטין. The last word, according to Z. Frankel, is Greek τὸ κραιβάτιον, Byzantine Greek κραιβατάριον, "accessories to the bed"; this seems to be correct but is not very instructive. [Cf. also κραιβάτος "couch, mattress"; Latin *grabatus*, from Macedonian κραιβάτος "low couch, camp bed" (E. G.).]

26 There is a question whether the

anonymous Tanna requires more or less that Rabbi Simeon ben Eleazar. The quote in *Ṣemahot* XI reads: דרגש המקשה אינה נכפת. רבי שמעון בן אלעזר אומר מוריד "A surrounding *dargesh* is not turned over. Rabbi Simeon ben Eleazar says, he removes the accessories and leaves it as is." In this formulation, Rabbi Simeon ben Eleazar explains that while the *dargesh* is not turned over, some

sign of mourning has to be made. It seems that this is also the explanation here, that Rabbi Simeon ben Eleazar adds a certain requirement to the first statement.

27 Rabbi Yasa.

28 *Tà ἀνάκλιτα*, "things to lean on"; according to both Rashi and Arukh the two posts over which the mosquito screen was hung.

אי זה הוא מיטה ואי זהו דרגש. אמר רבי ירמיה כל-שמסרגין על גופה זו היא מיטה וכל-שאין מסרגין על גופה זהו דרגש. והא תנינן המיטה והאריסה משישופם בעור הדג. אם מסרג הוא על גופה לאי זה דבר הוא שפה. (fol. 6a)
אמר רבי אלעזר תיפתר באילין ערסיתה קיסריתהא דאית להו נקבין.

What is a couch and what is a *dargesh*? Rabbi Jeremiah²⁹ said, one that one plaits³⁰ on its body is a couch and one that one does not plait on its body³¹ is a *dargesh*. But have we not stated (*Kelim* 16:1) "Bed and³² crib after he rubs them with fish skin³³." If he plaits on its body, why does he rub³⁴? Rabbi Eleazar said, explain it with those Caesarean cribs that have holes³⁵.

29 In Babli, *Sanhedrin* 20a/b, this appears in the name of Rabbi Jeremiah in the name of Rabbi Yohanan.

30 The couch has a frame and instead of a box spring it has length- and crosswise strips that are plaited together.

31 Maybe, according to the Babli, because instead of a plaited bed of

strips it has a base of leather that is fastened only in a few places to the frame.

32 Reading of the Rome and Mishnah mss. The conjunction is missing in the Venice print and Leyden ms.

33 This Mishnah deals with the moment when a wooden implement is finished. Wood in itself cannot become

ritually impure but wooden vessels and implements can. The moment when a wooden bed frame is finished so that it can become ritually unclean is the moment when it can be delivered by the carpenter to the customer, after it is polished with the classical equivalent of sand paper.

34 If the entire frame is covered by the strips forming the base of the bed, who cares how the wooden frame looks?

35 The strips are not wound around the frame but go through the holes in the frame, leaving half of it exposed.

מניין לכפית המיטה. רבי קריספא בשם רבי יוחנן וישבו אתו לארץ. על הארץ אין פתיב כאן אלא וישבו אתו לארץ. דבר שהוא סמוך לארץ. מיכן שהיו ישניו על מיטות כפופות. בר קפרא אמר איקונין אחת טובה הנה לי בתוך ביתך וגרמתני לכופפה. אף את כפה מיסתך. ואית דמפקין לישנא ויכפה כפה הסירסור. רבי יונה ורבי יוסי תרויהון בשם רבי שמעון בן לקיש חד אמר מפני מה הוא ישן במיטה כפוייה שיהא נוער בלילה ונזכר שהוא אבל. וחרנה אמר מתוך שהוא ישן במיטה כפוייה הוא נוער בלילה ונזכר שהוא אבל.

From where the overturning of beds³⁶? Rebbi Crispus³⁷ in the name of Rebbi Johanan: (*Job* 2:13) "They sat with him towards the ground." It does not say here "on the ground" but "they sat with him towards the ground," on something close to the ground. It follows that they were sleeping³⁸ on overturned couches.

Bar Qappara said: A beautiful form³⁹ I had in your house and you caused me to overturn⁴⁰ it, you also overturn your bed! Some quote it by the expression "let him overturn; overturn⁴¹ the agent!"

Rebbi Jonah and Rebbi Yose, both in the name of Rebbi Simeon ben Laqish. One said, why does he sleep on an overturned coach? So that he should wake up in the night and realize that he is a mourner. The other one said, since he sleeps on an overturned bed he wakes up in the night and realizes that he is a mourner.

36 Levi Ginzberg noted correctly that all the sermons here point only to the overturning of beds on which one sleeps, not couches on which one sits. The Yerushalmi does not address the question whether during the day the mourner has to sit on the ground or may sit on an overturned couch.

37 "Curly haired" (Latin, a Roman surname). A student of Rabbi Johanan and R. Simeon ben Laqish, and teacher of Rebbis Jonah and Yosef.

38 Since the friends were sitting with Job for seven days and seven nights, they must have slept "towards the ground".

39 Greek εἰκών "image", also "phantom".

40 The parallel *Megillah* 3:5 has

לכופפה "to overturn it" (Babylonian Talmudic Hebrew.) The form לכופפה has no parallel in the Yerushalmi and might be a scribal error.

Bar Qappara seems to think that persons die because of the sins of their relatives. This is appropriate only for children who cannot die for their own sins since nobody below the age of 20 is liable before the heavenly court. The following, alternate version also shows that Bar Qappara speaks about mourning for small children.

41 The imperative כפה "overturn!" is missing in the parallel *Mo'ed Qatan* 5:3. The agent is the bed on which one not only sleeps but also has sex. Hence, the couch is the agent which produces the birth of a new baby.

אָבֵל כָּל-זָמַן שְׁמֵתוֹ מוּטָל לְפָנָיו אוֹכֵל אֶצֶל חֲבִירוֹ וְאִם אֵין לוֹ חֵבֵר אוֹכֵל בְּבֵית אַחֵר. וְאִם אֵין לוֹ בֵּית אַחֵר עוֹשֶׂה מַחִיצָה וְאוֹכֵל. וְאִם אֵינוּ יָכוֹל לַעֲשׂוֹת מַחִיצָה הוֹפֵךְ אֶת פָּנָיו לְכוֹתֵל וְאוֹכֵל. וְלֹא מִיָּסֵב וְלֹא אוֹכֵל כָּל-צוֹרְכֹו וְלֹא שׁוֹתֵה כָּל-צוֹרְכֹו. וְלֹא אוֹכֵל בָּשָׂר וְלֹא שׁוֹתֵה יַיִן. וְאֵין מְזַמְּנִין עָלָיו. וְאִם בִּירֵךְ אֵין עוֹנִין אַחֲרָיו אָמֵן. וְאַחֲרִים שְׁבִירְכּוּ אֵינוּ עוֹנֵה אַחֲרֵיהֶן אָמֵן. הִדָּא דְתִימְרַ בְּחוּל. אָבֵל בְּשֶׁבֶת מִיָּסֵב וְאוֹכֵל. וְאוֹכֵל בָּשָׂר וְשׁוֹתֵה יַיִן. וְאוֹכֵל כָּל-צוֹרְכֹו וְשׁוֹתֵה כָּל-צוֹרְכֹו. וְמְזַמְּנִין עָלָיו. וְאִם בִּירֵךְ עוֹנִין אַחֲרָיו אָמֵן. וְאַחֲרִים שְׁבִירְכּוּ עוֹנֵה אַחֲרֵיהֶן אָמֵן. אָמַר רַבִּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל הוֹאִיל וְהִתְרַתִּי לוֹ אֶת כָּל-אֵילוֹ חִיבֵיהוּ בְּשָׂר כָּל-הַמְּצוּוֹת שֶׁל תּוֹרָה. אִם חִי שְׁעָה הִתְרַתִּי לָךְ חִי עוֹלָם לֹא כָּל-שָׁכֵן. רַבִּי יוֹדֵה בֶּן פִּזִּי בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי הִלְכָה כְּרַבִּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל.

⁴²All the time that his deceased is lying before him, he eats at his neighbor's, and if he has no neighbor, he eats in another room. If he has no other room, he makes a wall of separation and eats. If he is unable to make a wall of separation, he turns his face towards the wall and eats. He does not eat reclining; he does neither eat nor drink his fill. He eats neither meat nor drinks wine. One does not allow him to participate in a group to say Grace. If he recited Grace, one does not answer "amen" after him. If others recited Grace, he does not answer "amen". That is meant on weekdays. But on the Sabbath, he does eat reclining; he eats meat and drinks wine, eats and drinks his fill. One lets him participate in a group to say Grace. If he recited Grace, one does answer "amen" after him. If others recited Grace, he answers "amen". Rabban Simeon ben Gamliel⁴³ said: Because I allowed all of these, oblige him for all other obligations of the Torah. If I permitted him temporary life, so much more eternal life⁴⁴. Rebbi Judah ben Pazi in the name of Rebbi Joshua ben Levi: Practice follows Rabban Simeon ben Gamliel.

42 This *baraita* is found in almost identical form in Babli *Berakhot* 17b, *Mo'ed Qatan* 23b, and the Yerushalmi source *Šemaḥot* X.

43 In Babli sources, the author is Rabban Gamliel. The difference is essential since practice follows Rabban Simeon ben Gamliel even against a plurality of dissenters, but does not necessarily follow Rabban Gamliel. In the interpretation of the Babli, Rabban Gamliel obliges the married male mourner to fulfill his conjugal duties towards his wife. This is rejected as

practice by the Babli which requires only that the enjoyment of Sabbath should not be diminished in any situation that is seen by others. The Yerushalmi makes no distinction between public and private obligations.

44 And he who does not fulfill his conjugal duties towards his wife on Sabbath transgresses a positive commandment of the Torah. [The emphasis on this probably is anti-Sadducean; for the Sadducees, any sex act on the Sabbath was a Sabbath desecration punishable by death.]

נמסר לרבים אוכל בשר ושותה יין. נמסר לכתפים כמי שנמסר לרבים.

If he⁴⁵ was handed over to the public⁴⁶, he may eat meat and drink wine. If he was handed over to the carriers⁴⁷ it is as if he was handed to the public.

45 The deceased. The other "he" denotes the mourner.

funerals, the *Hevrah Qadishah*.

47 Paid carriers.

46 The public body organizing

כד דמך רבי יסא קביל רבי חינא בר ונה אבילוי ואייכלון בשר ואשקיתון חמר. כד דמך רבי חינא בר אבא קביל רבי שמואל בר רב יצחק אבילוי ואייכלון בשר ואשקיתון חמר. כד דמך רבי שמואל בר רב יצחק קביל רבי זעירא אבילוי ואייכלון טלופחין מימר כמה דהוא מנהגא. רבי זעירא מידמך פקיד ומר לא תקבלון עלי יומא הו אבלא למחר מזרחינא.

When Rebbi Yassa died, Rebbi Hiyya bar Abba received his mourners⁴⁸ and gave them meat to eat and wine to drink. When Rebbi Hiyya bar Abba died, Rebbi Samuel bar Rav Isaac received his mourners and gave them meat to eat and wine to drink. When Rebbi Samuel bar Rav Isaac died, Rebbi Zeira received his mourners and gave them lentils to eat, saying that this was the tradition⁴⁹. When Rebbi Zeira was dying he commanded and said: "You should not accept mourning for me this day, tomorrow consolers."⁵⁰

48 I. e., Rebbi Yasa's immediate family and possibly students. A mourner returning from the burial has to receive the first meal from others; the mourners were received with food so that they could go home and prepare the next meal themselves. Rebbi Hiyya bar Abba did allow meat and wine for

this first meal. (In Galilee, under the influence of late Greek, every ב was pronounced v; ויה stands for בא in Rebbi Hiyya's name.)

49 It is quoted in Babli *Baba batra* 16b as a Galilean tradition (transmitted by Rabba bar Mari, a student of Rebbi Johanan) that Jacob prepared a meal of

lentils (*Gen. 25:29*) for his father Isaac as the first meal after the burial of Abraham. The same tradition is given anonymously in the Galilean *Midrash Bereshit rabba* 63:16. The substitution of eggs used today instead of lentils is Babylonian (*Baba batra* 16b). Even though Rebbi Zeïra was Babylonian, the practice might have been that of the city of Rebbi Samuel bar Rav Isaac.

50 It is not very clear what Rebbi Zeïra was commanding to his students; also the text is quoted in very different forms by Nachmanides (*Torat Haädam*; ed. Chavel, p. 144) and those who quote from the latter. The only consistent interpretation is that of Levi Ginzberg:

Rebbi Zeïra told his students not to be among the mourners the first day nor among those who arrange meals of consolation the next day. While he was a Babylonian by birth, he objected to the Babylonian practice that students mourn only one day for their teacher (*Babli Moëd Qatan* 25b) but wanted them to mourn for him the entire seven days (or not at all).

מרוזחיא are those who arrange the meal for the mourners, מְרִיזָה; as Levi Ginzberg points out, this meaning in Galilean (not Babylonian) Aramaic is clear from *Targum Sheni* on *Esther* 1:2, towards the end.

רבי יצחק בריה דרבי חייא⁵¹ כתובה מטתיה אוגס. עלון לגביה רבי מנא ורבי יודו והנה חמר טב ואישתון סגין וגחכין. למחר אתון בעין מיעול גביה. אמר לון רבנן אכו בר נש עביד לחבריה. לא הוינן חסרין אתמל אלא מיקום ומיקוד.

Rebbi Isaac the son of Rebbi Hiyya the Scribe suffered an accident⁵². Rebbis Mana and Yudan went to him. There was good wine, they drank a lot⁵³ and laughed. The next day they wanted to visit him again. He said to them: Rabbis, is that what a man does to his friend? Yesterday, the only thing that was missing for us was that we would get up and dance!

51 Reading of the Rome ms. Venice and Leyden: מה. The text here is the only mention we have of this Amora.

52 I. e., a close relative died.

53 More than the 10 cups allowed.

The entire story is an introduction to the following *baraita* about the cups to be drunk in a house of mourning. (A cup of wine consists of two thirds water and one third wine).

תני עשרה כוסות שותין בבית האבל שנים לפני המזון וחמשה בתוך המזון. ושלושה לאחר המזון. אילו שלשה של אחר המזון. אחד לברכת המזון ואחד לגמילות חסדים. ואחד לתנחומי אבילים. וכשמת רבן שמעון בן גמליאל הוסיפו עליהן עוד שלשה אחד לתזון הכנסת ואחד לראש הכנסת ואחד לרבן גמליאל. וכיון שראו בית דין שהיו משתכרין והולכין גזרו עליהן והחזירו למקומן.

It is stated⁵⁴: Ten cups one drinks in the house of a mourner: two before the meal⁵⁵, five during the meal, and three after the meal. These are the three after the meal: one for Grace⁵⁶, one for those who exercise charity⁵⁷, one for those who console mourners⁵⁸. And when Rabban (Simeon ben)⁵⁹ Gamliel died, they added another three: One for the *Hazzan* of the community⁶⁰, one for the head of the community⁶¹, and one for Rabban Gamliel⁶². But when the Rabbinical authorities saw that they regularly got drunk they decreed and returned it to the original status⁶³.

54 This is the Yerushalmi formulation, also found in *Semaḥot* XIV. The Babli version, *Ketubot* 8b, has 3 cups before the meal, 3 during the meal, and 4 after the meal for the four benedictions of Grace.

55 As an *apéritif*. The next five are regular drinks to go with the solid food.

56 The regular cup over which Grace is said, as explained in later chapters. Since one may not recite Grace together in the presence of the mourner, one cup is needed for each one of the participants.

57 In honor of those who gave their time and went out in the funeral procession.

58 The outsiders who provided the meal and participate in it.

59 As is seen from the following and the parallel sources, "Simeon ben" is a scribal error.

60 The religious leader of the community who leads the services and all religious activities including the funerals. (A rabbi is only a religious judge; the *hazzan* was not only the reader but also the ritual slaughterer and general servant of the community.)

61 The president of the congregation, who was responsible for the establishment and upkeep of the cemetery.

62 He had himself buried in a simple linen shirt and in a plain unadorned wooden casket. Before his time, people were buried in elaborate clothing in expensive caskets. After him it

became the Jewish standard that everybody has to be buried in Rabban Gamliel's way.

63 The preceding story, from later Galilean Amoras, shows that "the original way" are the prescribed 10 cups; there is no prohibition of wine at the funeral meal.

כָּהֵן מֵהוּ שֵׁיטְמָא לְכָבוֹד רַבּוֹ. רַבִּי יַנָּאִי זְעִירָא דָּמַךְ חַמּוּי. הוּא הָנֹה חַמּוּי וְהוּא הָנֹה רַבִּיהּ. שְׂאֵל לְרַבִּי יוֹסִי וְאָסֵר לִיהּ. שְׁמַע רַבִּי אֶחָא וְמַר יִטְמָאוּ לוֹ תַלְמִידָיו. רַבִּי יוֹסִי נִטְמָאוּ לוֹ תַלְמִידָיו וְאָכְלוּ בֶּשֶׂר וְשָׁתוּ יַיִן. אָמַר לוֹן רַבִּי מְנָא חֲדָא מִן תַּרְתֵּי לָא פְּלֻטָּת לְכוּן. אִם אֲבִילִים אַתֶּם לָמָּה אֲכַלְתֶּם בֶּשֶׂר וְלָמָּה שְׁתִּיתֶם יַיִן. וְאִם אֵין אַתֶּם מִתְאַבְּלִין לָמָּה נִטְמַאתֶם.

May a Cohen defile himself⁶⁴ for the honor of his teacher? The father-in-law of Rebbi Yannai the younger⁶⁵ died. He was both his father-in-law⁶⁶ and his teacher. He asked Rebbi Yose who forbade it. Rebbi Aḥa heard it and said: His students should defile themselves for him. The students of Rebbi Yose defiled themselves for him but ate meat and drank wine⁶⁷. Rebbi Mana told them: One of two things you cannot escape. If you are mourners, why did you eat meat and drink wine; if you are not mourners, why did you defile yourselves?

64 By touching a dead body or carrying his casket (cf. *Lev.* 21). The main place of these discussions is in *Yerushalmi Nazir* 7:1.

65 An Amora of the fourth Galilean generation; so called to distinguish him from Rebbi Yannai, the

teacher of Rebbi Joḥanan. It is implied that he was a Cohen.

66 A Cohen must defile himself for his wife but may not defile himself for any of her relatives.

67 Before the burial.

מהו שישמא כהן לכבוד תורה. רבי יוסי היה יתיב מתני ואצל מיתא. מן דנפק ליה לא אמר ליה כלום. ומן דיתבי ליה לא אמר ליה כלום.

May a Cohen defile himself for the honor of Torah? Rabbi Yose was sitting and teaching when a dead body was brought in⁶⁸. He did not say anything either to those who left or to those who remained sitting⁶⁹.

68 To be eulogized in the Yeshivah.

Cohanim among his students who

69 He said nothing to those who were Cohanim and did not want to stay in the same house with the dead person even though they were missing some of Rabbi Yose's lectures, nor to those

preferred to study even if it meant staying with the dead person in the same "tent". Rabbi Yose was undecided whether a Cohen should stay or leave.

רבי נחמיה בריה דרבי חינא בר אבא אמר אבא לא היה עבור תחות כפתא דקיסרין. רבי אממי רבי חזקיה ורבי כהן ורבי יעקב בר אהא הוו מטילין באילין פלטינותא דציפורי. הגיעו לכיפה ופירש רבי כהן. הגיעו למקום טהרה וחזר אצלן. אמר לון במה עסקתם. אמר רבי חזקיה לרבי יעקב בר אהא לא תימור ליה כלום. אין משום דבאש ליה דפרש שמטמא לתלמוד תורה לא נדעין. ואין משום דהוה גוייסן לא נדעין.

Rebbi Nehemiah the son of Rebbi Hiyya bar Abba said: My father did not walk under the arch of Caesarea⁷⁰. Rebbi Ammi, Rebbi Hizqiah, Rebbi Cohen and Rebbi Jacob bar Aha went walking on those streets⁷¹ of Sepphoris. They came to the arch and Rebbi Cohen left⁷². They reached a place of purity and he returned to them. He asked them: "What were you discussing?" Rebbi Hizqiah said to Rebbi Jacob bar Aha: "Do not tell him anything!" We do not know whether it was because he was angry that he left since one defiles oneself for words of Torah or whether it was because he⁷³ was haughty⁷⁴.

70 R. Ḥiyya bar Abba was a Cohen, as is also clear from the later account of the visit of Diocletian. He did not pass under an arch attached to a building or archway under which there were graves. The Caesarea here is Caesarea Philippi, on the Jordan near Banias. Even though Caesarea Philippi was built by the Herodian family, it is unlikely that the arch belonged to a building containing a Jewish grave and it is accepted in the Babylonian Talmud (*Yebamot* 61a), following R. Simeon bar Yoḥai, that only Jewish graves defile "in a tent" but not Gentile ones. The problem is not mentioned in any of the surviving parts of the Yerushalmi; one might infer from the stories told here that the ruling of the Babli was not that accepted in Galilee. Nachmanides (ענין ההוצאה חזרה אדם, ed. Chavel, vol. 2, p. קה) adds: "but R. Ammi (who also was a Cohen) did pass under them." The rest of the paragraph supports the reading of Nachmanides.

71 Latin *platea*, Greek πλατεῖα (*scil.* ὁδός), "street".

72 Probably for the same reason that Rebbi Ḥiyya bar Abba did not pass under the arch of Caesarea.

73 Rebbi Cohen. (The first "he" refers to R. Ḥizqiah.) Since the problem is unresolved, it seems that in the opinion of the Yerushalmi, as a doubt in matters of Torah, he should not defile himself for Torah study. (This is the opinion of the Babli, *Avodah zarah* 13a, for all defilements that have a Biblical basis.)

74 The reading is that of the Leyden manuscript; the *editio princeps* of Nachmanides has גייסן. The Venice print has טייסן, "a flyer" which makes no sense. The implication seems to be that Rebbi Ḥizqiah, the Rabbinic authority, was piqued by the fact that Rebbi Cohen, a very minor figure, did not ask his opinion whether he might pass under the arc.

תני מטמא כהן ויוצא חוצה לארץ לדיני ממונות ולדיני נפשות ולקידוש
 החדש ולעיבור שנה. להציל שדה מן הגוי ואפילו לטור⁷⁵ יוצא ועורר עליה.
 ללמוד תורה ולישא אשה. רבי יודה אומר אם יש לו מאיכן ללמוד אל יטמא.
 רבי יוסי אומר אפילו יש לו מאיכן ללמוד תורה יטמא שלא מכל-אדם זכה
 ללמוד. אמרו עליו על יוסף הכהן שהיה מטמא ויוצא אחר רבו לצידן. אבל
 אמרו אל יצא כהן לחוץ לארץ אלא אם כן הבטיחו לו אשה.

It is stated⁷⁶: A Cohen may defile himself by leaving the Land⁷⁷ for civil and criminal suits, for the consecration of the New Moon and intercalation of a year⁷⁸, to save a field from a Gentile, and he even may leave and lodge a complaint about it⁷⁹, to study Torah and to marry a wife. Rebbi Judah says, if he has a place to study⁸⁰, he should not defile himself. Rebbi Yose says, even if he has a place to study, he may defile himself, since a man may not have the luck to learn from every teacher. They said about Joseph the Cohen⁸¹ that he defiled himself and followed his teacher to Sidon⁸². In truth⁸³, they said a priest should not go abroad unless one promised him a wife.

75 The unexplained word לִיטוֹר is missing in the parallel *Nazir* 7:1 (fol. 56a). It probably is a corruption and is best disregarded. It could be from נִטַר "to act as watchman." R. M. Margalit assumes that a silent ץ is missing, that one should read לַעֲיִטוֹר, to annul (a document of indebtedness.) The interpretations of Z. Frankel (Latin *latro*), J. Levy (Greek ῥητώρ), and M. Jastrow ("to Iturea") have to be rejected.

76 This *baraita* is in similar form in other Yerushalmi sources, *Nazir* 7:1, *Šemaḥot* IV:25,26, Tosephta *Mo'ed qatan* 1:12, *Avodah zarah* 1:8, and in materially different Babylonian tradition in Babli *Avodah zarah* 13a, *Erubin* 47a.

77 It is not clear which verse of the Torah declares all land outside the

Land of Israel ritually unclean but the fact that it is so, is obvious from *Amos* 7:17. (The Babli takes the impurity of the "land of Gentiles" to be rabbinic, but this refers to the time when no ashes of a red heifer were available anymore and every Cohen was impure from the start, whereas the Yerushalmi *baraita* might refer to earlier times, cf. Chapter 1, Note 3.) The prohibition for the Cohen to defile himself willingly derives from *Lev.* 21:1-15.

78 In the absence of a computed calendar, the last two activities may be exercised outside the Land of Israel only if political circumstances make the consecration in Israel impossible. (The statements up to this point are missing in the Babli parallels; see the preceding Note.)

79 "To lodge a complaint" about

real estate usually means to claim ownership against a squatter, in particular if there are no written documents for either party.

80 Any place to study in the Land of Israel.

81 Joseph (called Issi) ben Yehudah (or Aqabiah) from Huzal in Babylonia who immigrated to Israel and was a student of Rebbis Eleazar ben Shamua and Yose ben Ḥalaphta. He is a Tanna of the last generation and known as the "last of the pious". If such a holy man leaves Israel to follow his secondary

teacher, the practice of leaving the Land for study purposes is well established.

82 Note the Talmudic vocalization Ṣīdān, in contrast to Biblical Ṣīdōn, close to modern Arabic Ṣaidā.

83 As a rule, any tannaitic statement label אבל "in truth", represents established practice. The permission for a priest to leave the Land for marriage is only for an arranged marriage, not for a search for a possible bride.

מהו שִׁיטְמָא כֹהֵן לְנִשְׂיַאת כַּפַּיִם. גְּדִילָה אַחֵוּי דְרַבִּי אֲבָא בַר כֹּהֵן אָמַר קוּמִי רַבִּי יוֹסִי בְּשֵׁם רַבִּי אֲחָא מִטְמָא כֹהֵן לְנִשְׂיַאת כַּפַּיִם. שָׁמַע רַבִּי אֲחָא וְאָמַר אֲנָא לָא אֲמַרִית לִיה כְּלוּם. חֲזַר וְאָמַר אוּ דִילְמָא לָא שָׁמַע מִינִי אֲלָא כְּנִי דְמַר רַבִּי יוּדָה בֶן פְּזִי בְּשֵׁם רַבִּי אֲלֶעָזֶר. כָּל־כֹּהֵן שֶׁהוּא עוֹמֵד בְּבֵית הַכְּנָסֶת וְאִינוּ נוֹשֵׂא אֶת כַּפָּיו עוֹבֵר בַּעֲשֵׂה. וְסַבֵּר מִימַר שְׂמֻצוֹת עֲשֵׂה דוֹחָה לְמַצּוֹת לָא תַעֲשֵׂה. אֲנָא לָא אֲמַרִית לִיה כְּלוּם. אֵיתוּגִיָּה וְאֲנָא אֶלְקוּנִיָּה.

May a Cohen defile himself for the lifting of hands⁸⁴? Gedilah⁸⁵, the brother of Rabbi Abba bar Cohen⁸⁶ said before Rabbi Yose in the name of Rabbi Aḥa: A Cohen defiles⁸⁷ himself for the lifting of hands. Rabbi Aḥa heard it and said: I never told him anything. On second thoughts he said, maybe he heard from me that which Rabbi Jehudah ben Pazi said in the name of Rabbi Eleazar: Every Cohen who stays in the synagogue and does not lift his hands transgresses a positive commandment, and he wanted to say that a positive commandment⁸⁸ supersedes a negative commandment. I never told him anything⁸⁹. Bring him in and I will cause him to be flogged!

84 The priestly blessing (*Num.* 6:24-26) that the Cohen has to recite during morning prayers. Since the priest has to lift his hands for the blessing, in imitation of Aaron the High Priest (*Lev.* 9:22), the entire ceremony is called "the lifting of hands".

85 This is the reading of the Rome manuscript. The names given in other sources, גבילה, מגבילה, are not otherwise attested as Semitic names.

86 An Amora of the fifth generation, student of the Amora Rabbi Yose, two generations after Rabbi Abba bar Kahana.

87 Implying that a Cohen *must* defile himself to fulfill the obligation of reciting the priestly blessing.

88 The obligation on the Cohen to recite the blessing. The negative

commandment is the prohibition for the Cohen to defile himself without good cause.

89 The obligation to recite the priestly blessing is only on a Cohen who happens to be in the synagogue at the right time. But if a coffin is in the synagogue for an eulogy before the funeral, the Cohen cannot be in the synagogue when the priests are called and, hence, would have to enter the synagogue to be defiled at a moment when there is no positive commandment on him. The hypothetical argument of Rabbi Aḥa could only be resolved in favor of Gedilah in the unlikely event that someone in the synagogue dies suddenly while the priests already assemble for the priestly blessing.

רבי אבהו הוּא יְתִיב מִתְּנִי בְּכַנִּישְׁתָּא מְרֻדָּתָא בְּקִיסְרִין וְהוּא תָּמֹן מִיָּתָא. אֵתָת עָנְתָא דְנִשְׂיָאוֹת כְּפִים וְלֹא שְׂאֲלוֹן לִיה. אֵתָת עָנְתָא דְמִיכְלָא וְשְׂאֲלוֹן לִיה. אָמַר לוֹן עַל נִשְׂיָאוֹת כְּפִים לֹא שְׂאִילְתוֹן לִי וְלְמִיכְלָא שְׂאִילְתוֹן לִי. כִּינֹן דְשָׁמְעוּן כּוּ הֵוּא כָּל חַד וְחַד שְׁבַק גְרַמְיָה וְעָרַק.

Rebbi Abbahu was sitting teaching in the fortified⁹⁰ synagogue in Caesarea⁹¹; there was a coffin there. There came the time for lifting the hands and they⁹² did not ask him. There came the time for eating and they asked him. He said to them: For the lifting of hands you did not ask me, for eating you are asking me⁹³? When they heard this, each one was taking himself away and fled.

90 This is the reading of the Rome ms., from Syriac מרדא, "fortified". Graetz's translation "revolutionary" is phantasy. The word could be from Greek μερίς, -ίδος, ἡ "part, region, district". In that case, the translation would be "regional synagogue" (E. G.). The reading of the Leyden ms. and the Venice print, מדרחא, "measuring" or "tripping", does not make any sense.

91 It is not quite clear whether this was Caesarea on Sea or Caesarea Philippi; the former is usually assumed

but it will become clear that the latter is in fact meant.

92 The Cohanim among his students. They remained sitting for Rabbi Abbahu's lecture.

93 Since Rabbi Abbahu did not deliver a ruling, it seems that he had not formed a definite opinion on the matter. Rabbi Yose was one of the last students of Rabbi Abahu; the discussion quoted in the preceding paragraph could not have taken place if a ruling was issued by Rabbi Abbahu.

אָמַר רַבִּי יַנָּאִי מִטָּמֵא כֹהֵן לְרֵאוֹת אֶת הַמֶּלֶךְ. כִּד סְלִיק דְּוִקְלָטִינּוֹס מִלְכָּא
לְהִכָּא חֲמוּן לְרַבִּי חִיָּיא בַר אַבְבָּא מִפְסַע עַל קַבְרֵיהּ דְּצוֹר בְּגִין מִיחְמָנִיהּ. רַבִּי
חִזְקִיָּה וְרַבִּי יִרְמְיָה בְּשֵׁם רַבִּי יוֹחָנָן מִצְוָה לְרֵאוֹת גְּדוּלֵי מַלְכוּת לְכֻשְׁתָּבוֹא
מַלְכוּת בֵּית דָּוִד יְהֵא יִדְעַ לְהַפְרִישׁ בֵּין מַלְכוּת לְמַלְכוּת.

Rebbi Yannai said: A Cohen defiles himself in order to see the king. When king Diocletian visited here, Rebbi Hiyya bar Abba was seen stepping over graves at Tyre in order to see him⁹⁴. Rebbi Hizqiah and Rebbi Jeremiah in the name of Rebbi Johanan: There is an obligation to see great persons of government, so that when the kingdom of the dynasty of David will return one will know how to distinguish one government from the other.

94 Since Diocletian changed the constitution of the Roman empire from a formally republican one to an absolute monarchy, it is not totally clear whether a Cohen may defile himself only for a ruler who also

carries the formal title of "king" or whether he should be a ruler who has power over life and death. Since the rule appears here in the name of Rebbi Yannai who lived under the principate, the second alternative is the more

likely one. In the Babli (*Berakhot* 19b), the ruling (and the statement of Rabbi Johanan) is not by an early Amora but by a very early Tanna, Rabbi Eleazar bar Zadoq, a Cohen who mentions having seen the late Herodian rulers before the destruction of the Temple.

It was reported before that Rabbi Hiyya bar Abba was a Cohen. We also saw before that the Yerushalmi does not seem to exclude Gentile graves from the defilement of a "tent"; hence,

it is not proven that Rabbi Hiyya bar Abba stepped over Jewish graves at Tyre. (The Babli, *loc. cit.*, notes that a Cohen is prohibited by Biblical commandment from stepping over a grave only if there is less than a hand-breadth of space between the corpse and the upper cover of the coffin, as explained in Mishnah *Ahilot* VII; in most cases stepping over a grave is only a rabbinical prohibition which may be lifted in special circumstances.)

כָּד דָּמָךְ רַבִּי יוֹדֵן נְשִׂיָאָה אַכְרִיז רַבִּי יְנָאִי וְמַר אִין כְּהוּנָה הַיּוֹם. כָּד דָּמָךְ רַבִּי יוֹדָה נְשִׂיָאָה בְּרַבִּי יוֹדָה נְשִׂיָאָה דְחַף רַבִּי חִינָא בְּרַבִּי זְעִירָא בְּכַנְיָשְׁתָּא דְגוּפְנָה דְצִיפּוּרִין וְסָאֲבִיָּה. כָּד דָּמַכְתָּ נְהוּרָאִי אַחְתֵּיהָ דְרַבִּי יְהוּדָה נְשִׂיָאָה שְׁלַח רַבִּי חִנְיָה בְּתַר רַבִּי מָנָא וְלֹא סָלִיק. אָמַר לִיה אִם בְּחִיָּהוּן אִין מְטַמְאִין לְהוּן כָּל־שָׂכוֹן בְּמִיתְתוּן. אָמַר רַבִּי נָסָא בְּמִיתְתוּן עָשׂוּ אוֹתוֹן כְּמַת מַצְוָה.

When Rabbi Judah the Prince⁹⁵ died, Rabbi Yannai proclaimed and said: "There is no priesthood today⁹⁶." When Rabbi Judah the Prince, grandson of Rabbi Judah the Prince, died, Rabbi Hiyya bar Abba did push Rabbi Zeira⁹⁷ in the Gufna synagogue of Sepphoris and defiled him. When Nahorai⁹⁸, the sister of Rabbi Judah the prince, died, Rabbi Hanina⁹⁹ sent for Rabbi Mana but the latter did not come. He said to him, if one does not defile himself for them during their lifetime, so much less in their death. Rabbi Nassa¹⁰⁰ said, in their death they made them like a corpse of obligation¹⁰¹.

95 Rabbi, the son of Rabban Simeon ben Gamliel and editor of the Mishnah.

96 All priests are obliged to come to the eulogy and funeral.

97 Who also was a Cohen and did

not want to defile himself. While the Prince Judah I was not only patriarch but also recognized as the greatest rabbinic authority of his day, Judah II was patriarch and a competent but not outstanding scholar. Rebbi Zeira apparently felt that his scholarship did not merit that a Cohen should defile himself, whereas Rebbi Ḥiyya bar Abba, who like Rebbi Zeira was a greater scholar than Judah II, insisted that the office of patriarch alone deserved this recognition.

98 Nahoraï is really a man's name. In the parallel in Nazir she is called Yehudinaï, which seems to be the better tradition. She was the sister of Judah II.

99 Rebbi Ḥananiah from Sepphoris, a colleague of Rebbi Mana; see Chap. 2, Note 97.

100 A student of Rebbi Eleazar and others; a resident of Caesarea whose name is prominent in the part of the Yerushalmi that was edited in Caesarea (*Neziqin*.)

101 A corpse of obligation is the body of a Jew who is not the known relative of anybody nearby and, therefore, has nobody who could organize his funeral. In such a situation, the first person who finds

him must care for him; even the High Priest, who does not defile himself even for father and mother, *must* defile himself for a corpse of obligation.

It is not too clear who is meant. We may assume that Maimonides writes from tradition when he formulates (*Hilkhot Evel*, 3:10) "When a patriarch dies, everybody defiles himself for him, including Cohanim; they made him like a corpse of obligation for everybody because everybody is required to honor him and everybody is stunned by his death." *Hagahot Maimuniot* (*ad loc.*) note that the sentence "they made him like a corpse of obligation" is the statement of Rebbi Nassa. The discussion goes as follows:

The sister of the patriarch Judah II died after him. Rebbi Ḥanina demanded that Rebbi Mana, a Cohen, should defile himself for her. Rebbi Mana retorted that, since he would not defile himself for her during the patriarch's lifetime, when it would have constituted an honor for the patriarch, he might not do so after the patriarch's death. Rebbi Nassa, in support of Rebbi Mana, explains that the defilement of Cohanim for the patriarch is because he is considered an obligation for all of Israel.

מהו שִׁיטְמָא כהן לכבוד אביו ואמו. רבי יסא שָׁמַע דְּאַתָּת אִימִיָּה לְבוּצְרָה. אַתָּא שָׁאַל לְרַבִּי יוֹחָנָן מַהוּ לְצֵאתָ. אָמַר לִיה אִי מִפְּנֵי סַכְּנַת דְּרַכִּים צָא. אִי מִשּׁוּם כְּבוֹד אָבִיו וְאִמּוֹ אֵינִי יוֹדֵעַ. אָמַר רַבִּי שְׁמוּאֵל (fol. 6b) בַּר רַב יִצְחָק עוֹד הִיא צְרִיכָה לְרַבִּי יוֹחָנָן. אֶטְרַח עֲלוּי וְנַר אִם גְּמַרְתָּ לְצֵאתָ תְּבוּא בְּשָׁלוֹם. שָׁמַע רַבִּי אֶלְעָזָר וְנַר אֵין רְשׁוּת גְּדוּלָּה מְזָה.

May a Cohen defile himself in honor of his father and mother¹⁰²? Rabbi Yasa heard that his mother had come to Bostra¹⁰³. He went and asked Rabbi Yohanan, may I leave? He said to him, if it is because of danger on the road¹⁰⁴, leave. If it is in order to honor father and mother, I do not know. Rabbi Samuel bar Rav Isaac said, Rabbi Yohanan still needs to answer. He importuned him¹⁰⁵, so he said: If you decided to go, return in peace¹⁰⁶. Rabbi Eleazar heard this and said: there is no greater permission than that.

102 As the sequel shows, the only question is whether a Cohen may leave the Holy Land doing something in honor of father or mother. The Biblical prohibitions cannot be violated for the honor of father and mother.

103 This city is South of the Hauran mountains, not far from Edrei, on the caravan route to Babylonia. It is not the Biblical Edomite Bošra. The parallel in the Babli (*Qiddushin* 31b) is much more explicit, stating that Rebbi Assi's (Yasa's) mother was mentally disturbed and that it turned out that

her coffin arrived at Bostra.

104 To accompany his mother because of the dangers of the road is clearly allowed since it is a matter of life and death.

105 Rebbi Yasa did not accept Rebbi Johanan's answer as final, insisting to have a definite yes or no.

106 Rebbi Johanan would not order any Cohen to leave the Holy Land in order to meet father or mother but neither would he hinder any one who very much wanted to go.

מהו שִׁיטְמָא כהן לכבוד הרבים. תניו היו שם שתי דרכים מתאימות אחת רחוקה וטהורה ואחת קרובה וטמאה. אם היו הרבים הולכין ברחוקה הולך

בְּרְחוּקָה וְאִם לֹא הוֹלֵךְ בְּקִרְוָה מִפְּנֵי כְבוֹד הַצִּיּוּר. עַד כְּדוֹן בְּטוּמְאָה שֶׁל דְּבָרֵיהֶם אֶפִּילוֹ טוּמְאָה שֶׁהִיא מִדְּבָרֵי תוֹרָה. מִן מַה דָּמַר רַבִּי זְעִירָא גְדוֹל הוּא כְבוֹד הַרְבִּים שֶׁהוּא דוֹחָה מִצְוָה בְּלֹא תַעֲשֶׂה שְׁעָה אַחַת. אֲדָא אֲמַרְהָ אֶפִּילוֹ טוּמְאָה שֶׁהִיא מִדְּבָרֵי תוֹרָה.

May a Cohen defile himself in honor of the public? It is stated: When there are two acceptable roads, one long and pure, the other one short and impure: If the public was walking¹⁰⁷ on the long one, he goes on the long one; otherwise, he goes on the short one in honor of the public. That refers to impurity by their words¹⁰⁸; also for impurity that is from the words of the Torah? From what Rebbi Zeira said, so great is the honor of the public that it temporarily pushes aside a prohibition¹⁰⁹, that means even impurity that is from the words of the Torah¹¹⁰.

107 In a funeral procession. The *baraita* is from *Semaḥot* 4:14. Since the following *baraita* 15 speaks about digging the grave, the text here speaks of the procession preceding the actual burial. A similar but different *baraita* in the Babli (*Berakhot* 19b) deals with people returning after the burial.

108 If the impurity is not certain but only possible, the prohibition of passage for the Cohen is only

rabbinical, not biblical.

109 It is explained in *Kilaim* 9:2 that if somebody notices that his clothing is forbidden as *shaätnez*, he may keep his clothes on until he gets home and does not have to stand naked or in his underwear in public.

110 The Babli comes to the opposite conclusion but, as noted before, it deals with people returning from the funeral, not a funeral procession as here.

רַבִּי יוֹנָה רַבִּי יוֹסִי גְלִילָא בְּשֵׁם רַבִּי יִסָּא בְּרַ חֲנִינָא אִין שׁוֹאֲלִין הֶלְכָה לְפָנֵי מִיִּשְׁתּוֹ שֶׁל מַת. וְהָא רַבִּי יוֹחֲנָן שָׂאל לְרַבִּי יִנָּאי קוּמִי עֲרִסִיה דְּרַבִּי שְׁמַעוֹן בֶּן יוֹצֵדֵק הַקְּדִישׁ עוֹלְתוֹ לְבִדֵּק הַבַּיִת וְהָוָה מְגִיב לֵיה. גִּימַר כִּד הָוָה רְחִיק אוֹ כִּד הוּוֹן מִסְקִין לֵיה לְסַדְרָה. וְהָא רַבִּי יִרְמְיָה שָׂאל לְרַבִּי זְעִירָא קוּמִי עֲרִסִיה דְּרַבִּי שְׁמוּאֵל בְּרַ רַב יִצְחָק. גִּימַר כִּד הָוָה רְחִיק הָוָה מְגִיב לֵיה. כִּד הָוָה קָרִיב לֹא הָוָה מְגִיב לֵיה.

Rebbi Jonah, Rebbi Yose the Galilean¹¹¹, Rebbi Yasa bar Hanina: One does not ask rulings on practice before the bier of a deceased¹¹². But Rebbi Yoḥanan asked Rebbi Yannai before the bier of Rebbi Simeon ben Yozadaq¹¹³ about him who dedicated his holocaust sacrifice for the upkeep of the Temple, and he answered him¹¹⁴! Let us say when he was far away¹¹⁵ or when they were bringing him to the study hall¹¹⁶. But Rebbi Jeremiah asked Rebbi Zeira before the bier of Rebbi Samuel bar Rav Isaac! Let us say that he answered him when he was far away; when he was close he did not answer him.

111 A Galilean Amora of the third generation, teacher of Rebbi Jonah.

112 In the Babli (*Berakhot* 3b) it is stated more generally, in the name of R. Joshua ben Levi, that words of Torah are forbidden in presence of a coffin. According to Rashi, the reason is (*Prov.* 17:5): "He who scoffs at the poor blasphemes his Maker." Since the dead person can no longer study Torah, he is poor in this respect.

113 This is the correct reading of the Rome ms. R. Simeon bar Yozadaq was an Amora of the first generation, one of the teachers of Rebbi Yoḥanan. The Leyden ms. has שמואל בר יוצדק by a scribal error.

114 The Mishnah (*Temurah* 32a) states that a forbidden substitution is valid only from lesser to higher sanctity. The highest sanctity of a sacrifice is the עולה, the holocaust, which is totally burnt on the altar,

whereas gifts for the upkeep of the Temple are only a monetary obligation.

So it should be impossible to dedicate an 'olah for the upkeep of the Temple. However, a *baraita* (Babli *Temurah* 32b) states that a holocaust which afterwards was dedicated for the upkeep of the Temple cannot be slaughtered unless redeemed first and the money given to the Temple. The answer given there (presumably by Rebbi Yannai) is that the obligation of redemption is purely rabbinical, a kind of fine, but that from the Torah the second dedication is invalid.

115 So that the deceased could not have heard them even were he still alive.

116 Most commentators explain that Rebbis Yoḥanan and Yannai were outside the Bet-Hamidrash. However, that would be the same as "being far away". Therefore, it seems that the

correct interpretation is given by R. Zacariah Frankel, that a eulogy of a Torah teacher in his own school by necessity must involve words of Torah.

תְּנִי הַכֶּתֶּפִים אֲסוּרִין בְּנִעִילַת הַסַּנְדָּל שֶׁמָּא יִפְסוֹק סַנְדָּלוֹ שֶׁל אֶחָד מֵהוֹן וְנִמְצָא מִתְעַכֵּב מִן הַמְצוּהָ.

It is stated: The carriers¹¹⁷ may not wear sandals¹¹⁸ lest a shoelace of one of them break so he would be eliminated from the good deed.

117 The carriers of the bier in the funeral procession, members of the "holy society".

members of a society that monopolizes the *mitzvah* of carrying the bier, who will have to walk barefooted.

118 According to *Ture Zahav on Shulhan Arukh Yore Dea* 358:3, this applies only to professional carriers, or

However, it seems that shoes without laces would be permitted by the Yerushalmi.

רַבִּי זְעִירָא שָׁרַע בְּדִיבּוּרָא אֲתוֹן בְּעֵינֵן מִיזְקָפְנִיָּה וְאַשְׁכַּחוּנִיָּה אֵיעָנִי. אָמְרוּ לֵיהּ מַהוּ כֵן אָמַר לֹן דְּאֲתִינוּן עַל שֵׁם וְהַחֵי יִתָּן אֶל לְבוֹ.

Rebbi Zeïra bent down¹¹⁹ during a eulogy. They wanted to straighten him up and found that he tarried¹²⁰. They said to him, what is this? He said to them, because we will go there, following (*Eccl. 7:2*): "Let the one who is alive take it to heart."

119 Most commentators explain that Rebbi Zeïra fell down. But the parallels quoted in Levy's dictionary show that Aramaic שָׁרַע is the parallel of biblical Hebrew טָרַח, "overhanging". The speaker was leaning down over the railing of his pulpit.

tarry, 3) to empty oneself. In Yerushalmi sources, the form אֵיעָנִי is found only in meaning 2). The verse quoted reads in full: "It is better to go to a house of mourning than to go to a wedding. Since that is the end of all humanity, let the one who is alive take it to heart."

120 The Aramaic עָנִי may mean 1) to become poor, 2) to take one's time,

משנה ב: קברו את המת וקזרו אם יכולין להתחיל ולגמור עד שלא יגיעו לשורה ותחילו ואם לאו לא יתחילו. העומדין בשורה הפנימיין פטורין והיצונין חייבין.

Mishnah 2: When they buried the deceased and returned, if they are able to start and finish before they form the row¹²¹ they should start, otherwise they should not start. Those who stand in the row, the innermost are exempt¹²² and the outer ones are obliged.

121 Before the mourners leave for their home, the other participants of the funeral form two lines and the mourners pass in the row between them. While they pass, words of consolation are spoken to them. Today, that ceremony is performed in the cemetery so that the Mishnah becomes void. In talmudic times, the burial was in the cemetery far from the city, but the ceremony of the row took place at

the entrance to the city. There may be a long enough walk from cemetery to town that the prescribed time for *Shema*' would pass. The words "start" and "finish" refer to the recitation of *Shema*'.

122 Since the mourners can see and hear them, they are doing a good deed and cannot be distracted by other obligations. The "outer ones" are those who cannot be seen by the mourners.

הלכה ב: תני אין מוציאין את המת סמוך לקרית שמע אלא אם כן הקדימו שעה אחת. או אם איחרו שעה אחת כדי שיקראו ויתפללו. והא תנינן קברו את המת וקזרו. תיפתר באילין דהוין סברין דאית ביה ענה ולית ביה ענה.

Halakhah 2:¹²³ It is stated: "One does not take the dead for burial close to the recitation of the *Shema*' unless one does it one hour in advance or one hour afterwards, so that they may recite and pray." But did we not formulate: "When they buried the deceased and returned"¹²⁴? Explain it for those who thought that they have a free period¹²⁵ but they did not have a free period.

123 The entire discussion of this Mishnah is repeated word by word in Yerushalmi *Sanhedrin* 2:2 (fol. 20a).

124 How can the situation dealt with in the Mishnah ever arise if the *baraita* is correct?

125 In the absence of reliable

clocks. In the parallel in the Babli (*Berakhot* 19a), it is stated flatly that the restriction of the *baraita* does not apply to funerals of important persons. In the opinion of the Babli, the situation envisaged by the Mishnah can apply to previously planned funerals.

תני המהספד וכך העוסקין בהספד מפסיקין לקרית שמע ואין מפסיקין לתפילה. מעשה היה והפסיקו רבותינו לקרית שמע ולתפילה. והא תנינן אם יכולין להתחיל ולגמור. מתניתא ביום הראשון. ומה דתני ביום השני.

It is stated¹²⁶: The eulogizer and all who participate in a eulogy interrupt for the recitation of *Shema'* and do not interrupt for prayer. It happened that our teachers interrupted for the recitation of *Shema'* and prayer. Did we not formulate: "If they are able to start and finish"? Our Mishnah speaks of the first day, what is stated for the second day.

126 Tosephta *Berakhot* 2:11. This Tosephta comes after the one dealing with the funeral (which will be quoted later in this Halakhah.) Hence, it clearly deals with a eulogy *after* the funeral. The text of the Tosephta follows that of the Genizah fragments; it is slightly corrupted in the Venice

(and Leyden) texts that have ההספד instead of the unusual המהספד (the corresponding word in the Babli would be המספיד) [A seemingly similar *baraita* in the Babli, *Berakhot* 19a, deals with a eulogy before burial and has nothing in common with the text given here.]

אמר רבי שמואל בר אבדומא זה שהוא נכנס לבית הכנסת ומצאן עומדין ומתפללין. אם יודע הוא מתחיל וגומר עד שלא יתחיל שליח ציבור כדי לענות אחריו אמן יתפלל ואים לאו אל יתפלל. באי זה אמן אמרו תרין אמוראין חד אמר באמן של האל הקדוש. וחד אמר באמן של שומע תפילה. אמר רבי פינחס ולא פליגי. מאן דמר באמן של האל הקדוש בשבת. ומאן דמר באמן של שומע תפילה בחול.

Rebbi Samuel ben Eudaimon¹²⁷ said: He who enters the synagogue and finds them standing and praying¹²⁸, if he knows that he could start and finish before the reader starts, so that he may answer "Amen", he may pray, otherwise he should not pray. About which "Amen" did they talk? Two Amora'im, one says the Amen of "the holy King"¹²⁹ and the other says the Amen of "He Who listens to prayer". Rebbi Phineas said, they do not disagree. He who said: the Amen of "the holy King", on the Sabbath, and he who said: the Amen of "He Who listens to prayer" on weekdays.

127 An Amora of the fifth Galilean generation, student of Rebbi Mana. The paragraph added deals with the problem of whether to start or not; it is a kind of appendix to the first two paragraphs. After that digression, one will return to the discussion of the Mishnah.

128 The Amidah prayer.

129 The third benediction of the

Amidah. "He Who hears prayer" is the last of the middle benedictions of weekday prayers (15th in Israel, 16th in Babylonia). The statement refers to the old Galilean usage that *Qedushah* was recited only on special days; it probably was not recited in the Sabbath afternoon prayers and, hence, it is not mentioned that one should be able to respond to *Qedushah*.

תני רבי יונה אומר היו כולם בשורה אחת העומדין משום כבוד חיבין. משום אבל פטורין. גרדו לספד הרואין פנים פטורין. ושאינן רואין פנים חיבין. הוי הדא דתנינן העומדין בשורה הפנימים פטורין והחיצונים חיבין משנה אחרונה. הדא דתני העומדין משום כבוד חיבין. משום אבל פטורין משנה ראשונה. והיי דתנינן תמן וכשהוא מנחם את אחרים דרך כל-העם זה אחר זה. והממונה ממצעו בינו לבין העם משנה אחרונה. ס"א ראשונה. אמר רבי חנינא בראשונה היו משפחות עומדות ואבלים עוברין. משפחות תחרות בציפורין התקין רבי יוסי בן חלפתא שיהו המשפחות עוברות והאבלים עומדין. אמר רבי שמואל תוספתא חזרו הדברים ליושנן.

It is stated (*Tosephta Berakhot* 2:11): "Rebbi Judah says, if they all are standing in one row, those who are standing because of honor are obliged, those because of mourning are exempt¹³⁰. When they descend for a eulogy, those who see inside are exempt, those who do not see inside are obliged¹³¹." It would be that what we stated: "Those who stand in the row, the innermost are exempt and the outer ones are obliged" is the last teaching¹³², and what is stated: "Those who are standing because of honor are obliged, those because of mourning are exempt", is the first teaching¹³³. And what we have stated there (Mishnah *Sanhedrin* 2:2): "When he¹³⁴ consoles others, all the people stand one behind the other and the executive officer becomes a partition between himself and the people", the last teaching. (Another opinion: the first.) Rebbi Ḥanina said: Originally, all families were standing still and the mourners passed between them. When competition increased in Sepphoris, Rebbi Yose ben Ḥalaphtha decreed that the families should pass by and the mourners stand still. Rebbi Samuel Tosephta¹³⁵ said: Matters returned to their original state.

130 In the text of the Babli (*Berakhot* 19b), Rashi reads: "those who come because of themselves", not "because of honor", but most manuscripts and old authors have "because of honor". Also, in the Babli only the second part of the Tosephta is attributed to Rebbi Yehudah. According to Rashi, only those are obliged to read the *Shema'* who come out of curiosity whereas according to most others those who come to honor the dead and his family but do not

actively console are not exempt. The Babylonian Talmud makes no comment; we have to assume that it accepts the position of R. Samuel Tosephta.

131 Since they cannot be seen by the mourners, they may recite the *Shema'* for themselves without offending anybody.

132 The question is, what is the last teaching? We are informed that the original custom was that the mourners walk between two rows of participants who greet them with words of con-

solution. When competition grew in Sepphoris, it seems because people were jostling for the best positions (those who did not make it to the front rows could not be seen or heard by the mourners), Rebbi Yose decreed that the mourners should stay put and all others march by them to greet and console them. This is the case dealt with by Rebbi Judah, that there is only one row (moving, not standing). An otherwise unknown Rebbi Samuel declares that the innovation of Rebbi Jose did not stand the test of time and in his time the consolers stand and the mourners move. Rebbi Samuel's opinion is the "last teaching", Rebbi Yose's "the first teaching". In the first teaching, there are no people in outer rows, so the Mishnah automatically has to apply to the last teaching.

133 Since the entire Tosephta is Rebbi Judah's, it speaks of the case where there is only one row. (This argument is not applicable to the text quoted in the Babli.)

134 The High Priest. When he goes out, he is accompanied by his executive officer; when he consoles mourners the executive goes first, the High Priest second, and everybody else in one orderly row after him. This is possible only in the scenario envisaged by Rebbi Yose; it is shown that the

practice instituted by Rebbi Yose at Sepphoris (in the second half of the second century C. E.) is in effect an old Jerusalem practice from the time before the destruction of the Temple, as stated explicitly in Babli *Sanhedrin* 19a, where it is noted that also under that system people quarrelled in Jerusalem. Here the copyist (or the editor) seems to have doubts whether to go with the definition of "first" and "last" as above or to call "first" the first practice reported by Rebbi Hanina and "last" the second one. Hence, there are two opinions about the attribution but the meaning is clear. If the uncertainty is the editor's, then the note "Another opinion: the first" belongs to the text. If it is the scribe's or some reader's, then it is a gloss that has entered the text from the margin. For consistency, the hypothesis of a gloss is preferable.

135 In the Venice text, "Rebbi Simeon of the Tosephta". The name given in the text is from the Geniza fragments (Rebbi Samuel Tosephta) and similar to the parallel in *Yerushalmi Sanhedrin* 2:2 (fol. 20a) "Rebbi Samuel of Sofephta". Tosephta might be the region of Northern Armenia, called Thospitis by Ptolemy, which was the birthplace of Rabba Tosphaä, one of the later heads of the Academy of Sura in Babylonia.

משנה ג: נשים וְעֶבְדִים וְקַטְנִים פְּטוּרִין מִקְרִית שְׁמַע וּמִן הַתְּפִילִין וְחִיּוּבֵין בְּתְפִילָּה וּבְמִזוּזָה וּבְבִרְכַת הַמֶּזוּז.¹³⁶

Mishnah 3: Women, slaves, and minors are exempt from reciting the *Shema'* and from phylacteries but are obliged for prayer, *mezuzah*,¹³⁶ and Grace for food.

136 While both phylacteries and their status is different. *mezuzot* are based on verses in *Shema'*,

הלכה ג: נְשִׁים מְנִיין וְלִמְדָתָם אוֹתָם אֶת בְּנֵיכֶם. אֶת בְּנֵיכֶם וְלֹא אֶת בָּנוֹתֵיכֶם.

Halakhah 3: Women from where? (*Deut.* 11:19) "You must teach them to your sons." To your sons but not to your daughters¹³⁷.

137 The father is unconditionally obliged to teach his sons Torah; since this is an integral part of *Shema'*, the same is valid for reciting the *Shema'*. It is general practice that women *may* recite *Shema'*; it follows that in the opinion of the Yerushalmi, women may study any subjects of Torah they wish. [The Babli, *Berakhot* 20b, simply notes that *Shema'* is an obligation to be executed at stated times, of which women and slaves are automatically exempted. Since the Yerushalmi brings this argument in relation to other things later in this section, it follows that for it the recital of *Shema'* is simply an aspect of Torah study and Torah study is required "day and night", not depending on any particular time.]

עֶבְדִים מְנִיין שְׁמַע יִשְׂרָאֵל יי אֵלֵהֵינוּ יי אֶחָד. אֶת שְׂאִין לוֹ אֲדוֹן אֶלֶּא הַקְּדוֹשׁ בְּרוּךְ הוּא יֵצֵא הָעֶבֶד שֵׁישׁ לוֹ אֲדוֹן אַחֵר.

Slaves from where? (*Deut.* 6:4): "Hear, o Israel, the Eternal, our Power, the Eternal is unique." He who has only one Lord, this excludes the slave who has another lord¹³⁸.

138 As explained in the preceding paragraph, the Yerushalmi does not refer to the obligation of reciting *Shema'* as an obligation to be

performed at stated times; therefore, a separate argument is necessary to free from the obligation slaves who accepted Judaism.

קטנים מניין למען תהיה תורת יי בפיך בשעה שהוא תדיר בה.

Minors from where? (*Ex.* 13:9) "So that the Torah of the Eternal should stay in your mouth", at a time when he is permanent in it¹³⁹.

139 This paragraph is exceedingly difficult for two reasons. 1) It is a generally accepted principle that minors are not obliged to do anything; it is their parents who are obliged to teach them and see to it that they perform *mizvot*. 2) The verse deals only with *tefillin*.

In the Yerushalmi tradition, the statement and the tradition are not unquestioned. Both *Mekhiltot* (*Mekhilta dR. Ismael*, ed. Horovitz-Rabin, p. 68; *Mekhilta dR. Simeon bar Iohai*, p.41), the Tannaitic commentaries to Exodus, give the same commentary on the next verse (*Ex.* 13:10): "You must preserve this decree in its time, from year to year". "Why has this been said? Because it has been said (v.9): 'It shall be for you a sign on your hand', I might understand this to include minors. And it is logical, since *mezuzah* is a positive commandment and *tefillin* are a positive commandment; if you find that *mezuzah* applies to minors the same

way it applies to adults you might think that *tefillin* apply to minors the same way they apply to adults, but the verse says 'you must preserve this decree', I spoke only about those able to watch over their *tefillin*; from here they said: If a minor knows how to watch his *tefillin*, his father makes him *tefillin*."

The argument presupposes the statement that minors are obliged to have *mezuzot* on their doors (meaning that if they live alone, the rabbinic authorities have to see to it that they have *mezuzot* on their doors). *Mezuzah* and *tefillin* are always mentioned together in the first two paragraphs of *Shema'*. Hence, one may assume that they are identical in those details that are not spelled out. Both Yerushalmi and *Mekhiltot* agree that some explanation is needed to distinguish between the rules for *mezuzah* and those for *tefillin*. However, the *Mekhiltot* extend the obligation of

tefillin to all school children whereas the Yerushalmi restricts it to those for whom the study of Torah is a permanent obligation, i. e., from Bar-

Mizwah onwards. In itself the argument about minors is totally irrelevant; it is needed to exclude the opinion of the Mekhiltot.

וְחַיִּיבִין בְּתַפִּילָה כְּדִי שְׂיֵהָא כָּל־אֶחָד וְאֶחָד מִבְּקֵשׁ רַחֲמִים עַל עַצְמוֹ.

They are obliged to pray so that everybody ask mercy for himself¹⁴⁰.

140 Here again, we have a divergence between Yerushalmi and Babli. The Yerushalmi states that prayer is an obligation not because it is a Biblical commandment but because the rabbis thought that everybody has to implore divine mercy for himself. In the Babli (*Berakhot* 20b), the argument of the Yerushalmi is repeated but then it is stated that in Psalms (*Ps.* 55:18) the three times daily are stated for prayer

and if that were a general obligation, women would be automatically dispensed from it. Hence, it follows that the rabbinical obligation of prayer for women cannot mean for the Babli an obligation to pray at those stated times, which it could mean in the interpretation of the Yerushalmi. The opinion of the Babli is that of Maimonides, the possible one of the Yerushalmi that of Nachmanides.

וּבְמִזְוָה דְּכָתִיב וְכָתַבְתֶּם עַל מְזוּזוֹת בֵּיתְךָ וּבְשַׁעְרֶיךָ.

And for *mezuzah*, as it is written (*Deut.* 6:9): "You shall write them on the doorpost of your house and your gates¹⁴¹."

141 This is an obligation of ownership, not of person.

וּבְרַפְתַּת הַמִּזְוֹן דְּכָתִיב וְאָכַלְתָּ וְשָׂבַעְתָּ וּבְרַכַּתְתָּ אֶת יְיָ אֱלֹהֶיךָ.

And grace after meals, as it is written (*Deut.* 8:10): "You will eat and be satiated; then you must praise the Eternal, your God.¹⁴²"

142 According to the Yerushalmi, women and slaves are required to recite Grace from the Torah since

everybody who eats must give praise. In the Babli (*loc. cit.*), this remains questionable.

תָּמוֹן תִּנְיָנוּ כָּל-מִצְוֹת עֲשֵׂה שֶׁהִזְמַן גְּרָמָה אֲנָשִׁים חַיִּבִּין וְהַנָּשִׁים פְּטוּרוֹת. וְכָל-מִצְוֹת עֲשֵׂה שֶׁלֹּא הִזְמַן גְּרָמָה אֶחָד אֲנָשִׁים וְאֶחָד נָשִׁים חַיִּבִּין. אִי זֶה הוּא מִצְוֹת עֲשֵׂה שֶׁהִזְמַן גְּרָמָה כְּגוֹן סוּכָה לֹלֶבֶת שׁוֹפָר וְתַפִּילִין. וְאִי זֶה הִיא מִצְוֹת עֲשֵׂה שֶׁלֹּא הִזְמַן גְּרָמָה כְּגוֹן אֲבִידָה וְשְׁלוּחַ הַקֶּן מַעֲקָה וְצִיצִית. רַבִּי שְׁמַעוֹן פּוֹטֵר אֶת הַנָּשִׁים מִמִּצְוֹת צִיצִית שֶׁהוּא מִצְוֹת עֲשֵׂה שֶׁהִזְמַן גְּרָמָה. שֶׁהָרִי כְּסוֹת לְיֹלָה פְטוּר מִן הַצִּיצִית. אָמַר רַבִּי לֵינָא טַעְמוֹן דְּרַבְּנָן שְׁכֵן אִם הִתְהַ מְיֻחָדָת לֹ לְיוֹם וּלְלֵילָה שֶׁהִיא חַיִּיבָת בְּצִיצִית.

There (Mishnah *Qiddushin* 1:7) we have stated: "Every positive commandment that is activated by time, men are obliged by it but women are exempt. Every positive commandment that is not activated by time, both men and women are obliged by it." (Tosephta *Qiddushin* 1:10): "What is a positive commandment that is activated by time? For example *sukkah*, *lulab*, *shofar*, and *tefillin*. What is a positive commandment that is not activated by time? For example lost articles¹⁴³, sending away the nest¹⁴⁴, railing¹⁴⁵, and *zizit*¹⁴⁶. Rabbi Simeon exempts women from *zizit* because it is a positive commandment activated by time." Because a nightgown is exempt from *zizit*. Rabbi Lia said: The reason of the rabbis is that, if a garment is designated both for daytime and for night, it needs *zizit*.

143 The obligation to return found articles and stray animals to their owners in *Deut.* 22:1-3.

144 The obligation to send away the mother if eggs or chicks are taken from a nest in *Deut.* 22:6-7.

145 The obligation to make a fence around a flat roof in *Deut.* 22:8.

146 The obligation to wear *zizit* in the third section of *Shema* where it is

stated that they must be seen, so garments, worn exclusively in the night when it is dark, do not need *zizit*. The Babli (*Qiddushin* 33b-34a; *Menahot* 43a) mentions neither *zizit* nor the opinion of Rabbi Simeon in its quotes from the Tosephta; it assumes the position of Rabbi Simeon to be generally accepted.

תני קל-מצוות שאדם פטור אדם מוציא את הרבים ידי חובתן חוץ מברכת המזון. והא דתנינן שאינו חייב בדבר אין מוציא את הרבים ידי חובתו. הא אם היה חייב אפילו אם יצא מוציא. אמר רבי לויא שניא היא ברכת המזון דכתיב בה ואכלת ושבעת וברכת את יי אלהיך. מי שאכל הוא יברך. רבי יוסי ורבי יודה בן פזי הוו גתבין ואמרין לא מסתברא בקרית שמע שיהא כל-אחד ואחד משגן בפיו. לא מסתברא בתפילה שיהא כל-אחד ואחד מבקש רחמים על עצמו.

It is stated: "For every obligation that a man is free of, he may help the congregation to fulfill their obligation, except for Grace." But have we not stated: "Anybody who is not obligated may not help the congregation to fulfill their obligation"? If he were obligated, he could help them to fulfill even if he himself already fulfilled it!¹⁴⁷ Rabbi Lia said: There is a difference about Grace since it is written (*Deut.* 8:10): "You will eat and be satiated, then you must praise the Eternal, your God;" he who ate must give praise.

Rebbi Yose and Rebbi Judah ben Pazi were sitting together and saying: It would be reasonable¹⁴⁸ for reciting the *Shema'* that every single person should repeat it aloud. It would be reasonable for prayer that every single person should pray for mercy by himself.

147 "To be free" does not mean the same as "not being obligated" but rather "having already acquitted himself of the obligation." The first statement means, e. g., that someone who already has heard the *shofar* on Rosh Hashanah nevertheless may blow the *shofar* and recite the appropriate benediction for somebody who did not hear the blowing. The only exception

mentioned is that of saying Grace. The second statement means, e. g., that a woman, not being obligated to hear the *shofar*, may not blow the *shofar* for a man who is obligated. Since everybody is obligated to say Grace after a meal, there seems to be no reason why Grace should be exempted in the first statement.

148 The exemption mentioned for

Grace should be extended to the recital of *Shema'* and prayer. The argument for *Shema'* rests on the expression (*Deut.* 6:7) וּשְׁנַתְּם לְבָנֵיךָ "you should repeat it to your sons"; it implies a personal action and cannot be performed by listening to a reader. The discussion of prayer presupposes the Galilean practice that the reader

recite the *Amidah* aloud, without silent prayer, and it is stated that everyone is required to say the prayer with the reader, not just to respond with "Amen". In Babylonia the question did not arise since silent prayer was always required before the repetition by the reader.

מה בין סוכה ומה בין לולב. סוכה אינה טעונה בְּרָכָה אֶלָּא לְיַלֵּי יוֹם טוֹב ראשון בלבד. לולב טעון בְּרָכָה כָּל-שִׁבְעָה. רבי יוסי ורבי אהא הוו יתבין אמרין מה בין סוכה ומה בין לולב. סוכה נוהגת בְּלֵילוֹת וּבְיָמִים. לולב אינו נוהג אֶלָּא בְּיוֹם. התיב רבי יעקב דְּרֹמְיָא הרי תלמוד תורה נוהג בְּלֵילוֹת כְּבָיְמִים. מיי כדון סוכה איפשר לה ליבטל. תלמוד תורה איפשר לה שלא ליבטל.

What¹⁴⁹ is the difference between *sukkah* and *lulab*? *Sukkah* does not need a benediction after the first night of the holiday, *lulab* needs a benediction all seven days¹⁵⁰. Rabbi Yose and Rabbi Aha were sitting and saying, what is the difference between *sukkah* and *lulab*? *Sukkah* applies both nights and days, *lulab* applies only during daytime¹⁵¹. Rabbi Jacob the Southerner objected: But the study of Torah applies by night as by day? How is this? *Sukkah* will end; the study of Torah, it is impossible that it should ever end¹⁵².

149 It seems that this paragraph is put here because 1) *sukkah* and *lulab* were mentioned as examples of temporary obligations and 2) it was the subject of a discussion between Rabbi Yose (the Amora) and one of his

colleagues.

150 This is a shortened version of a Tosephta (*Berakhot* 6:9,10) discussed more in detail later (Halakhah 9:4, fol. 14a) and in Babli *Sukkah* 46a, where Rabbi states that one makes a

benediction all seven days of Sukkoth and that Babylonian practice follows Rabbi. Galilean practice followed the rule that the benediction "Who commanded us to dwell in the *sukkah*" was recited only once during the entire holiday. About *lulab*, the Babli notes correctly that in the absence of a Temple, taking the *lulab* after the first day is a rabbinic ordinance, not a Torah commandment; hence, the obligation of the second day cannot be covered by the benediction of the first.

It may be that this distinction caused Rabbi Yose to be dissatisfied with the first explanation.

151 While *sukkah* is one continuous obligation, *lulab* represents seven distinct periods of obligation of which each one merits a new benediction.

152 It is unreasonable to say that a boy on becoming Bar Mizwah should recite the benediction for the Torah once and not repeat it for his entire lifetime. *Sukkah* at least gets a new benediction every year.

תני אָבֵל אָמְרוּ אִשָּׁה מְבֻרָכֶת לְבַעֲלָהּ וְעַבְדֵּי מְבֻרָדִי לְרַבּוֹ וְקָטָן לְאָבִיו. לֹא כֵן
אָמַר רַבִּי אֶחָא בְּשֵׁם רַבִּי יוֹסֵי בַר נְהוֹרָאִי כָּל־שֶׁאָמְרוּ בְּקוֹטָן כְּדִי לְחַנְכוֹ.
תִּיפְתֵר בְּעוֹנָה אַחֲרֵיהֶן (אִמֵּן). כִּי דִתְנִינָן תַּמָּן מִי שֶׁהֵי עַבְדֵּי אוֹ אִשָּׁה אוֹ קוֹטָן
מְקָרִין אוֹתוֹ עוֹנָה אַחֲרֵיהֶן מֵה שֶׁהֵן אוֹמְרִין וְתֵהָא לוֹ מְאִירָה. אָבֵל אָמְרוּ
תְּבוֹא מְאִירָה לְבֵן עֶשְׂרִים שְׁצָרִידֵי לְבֵן עֶשֶׂר.

It is stated¹⁵³: In truth, they said a woman may say Grace for her husband¹⁵⁴, a slave for his master, and a minor for his father. Did not Rabbi Aḥa say in the name of Rabbi Yose bar Nahoraï: All they said about a minor is for the latter's education¹⁵⁵? Explain it that he recites after him¹⁵⁶, as we stated there¹⁵⁷: "He for whom a slave, a woman, or a minor were reading it, repeats after them what they are saying, and may it be a curse for him. In truth, they said there should be a curse on the man of twenty years who needs the child of ten."

153 Tosephta *Berakhot* 5:17, Babli *Berakhot* 20b, *Sukkah* 38a. The entire piece is found in *Sukkah* 3:11, *Rosh*

Hashanah 3:9.

154 He who does not know how to say Grace may listen to a companion

recite Grace aloud. The Yerushalmi has no problem with women or slaves but for the Babli the question remains whether women may in fact recite Grace for males who have an obligation from the Torah, i. e., who actually ate their fill.

155 The minor must be educated; there is an obligation on the father to teach him all religious obligations but

the minor himself is not obligated and, by the previously mentioned principle, cannot perform any religious duty for others.

156 The adult repeats word by word what the minor says, so the adult in fact has recited all benedictions.

157 In some Tosephta collection no longer extant.

משנה ד: בעל קרי מהרהר בלבו ואינו מברך לא לפניו ולא לאחריה ועל המזון מברך לאחריה ואינו מברך לפניו. רבי יהודה אומר מברך לפניו ולאחריהו.

Mishnah 4: He who had *qeri*¹⁵⁸ thinks but does not recite any benediction before or after¹⁵⁹; on his food he recites the benedictions afterwards¹⁶⁰ but not before. Rabbi Yehudah says, he recites benedictions before and after.

158 An emission of semen.

from the Torah. He does not recite the

159 The recitation of *Shema*'.

rabbinic benedictions before the meal.

160 Grace, which is an obligation

הלכה ד: מהו מהרהר ברכות.

Halakhah 4: What does he think of? The benedictions¹⁶¹.

161 But the *Shema*', which is an obligation from the Torah, he recites normally. But Rashi explains "he thinks

the *Shema*", and this also seems to be the opinion of Maimonides in his decision based on the Babli.

מתניתא במקום שאין מים וכרבי (fol. 6c) מאיר דתני בעל קרי שאין לו מים לטבול הרי זה קורא את שמע ואינו משמיע לאזנו ואינו מברך לא לפניה ולא לאחריה דברי רבי מאיר וחכמים אומרין קורא את שמע ומשמיע לאזנו ומברך לפניה ולאחריה.

The Mishnah deals with a place where there is no water¹⁶² and follows Rabbi Meir, as it is stated (Tosephta *Berakhot* 2:13): "He who had *qeri* but no water to immerse himself reads the *Shema'* but not so that he himself can hear it, but he does not recite any benediction before or after; these are the words of Rabbi Meir. But the Sages say, he reads so that he himself can hear it and recites benedictions before and after."¹⁶³

162 It will be confirmed in the next *Halakhah* that even Rabbi Yehudah agrees that after an emission one may not recite unless he washed first. So this statement is agreed to by

everybody in the Yerushalmi.

163 The Babli (*Berakhot* 22a) quotes a parallel but different *baraita* in which the position of "the Sages" is in the name of R. Yehudah.

תני בעל קרי חולה שנפלו עליו תשעה קבין מים וטהור שנפלו על ראשו ועל רובו שלשה לוגין מים שאובים טהר לעצמו אבל אינו מוציא את הרבים ידי חובתו עד שיבוא בארבעים סאה. רבי יודה אומר ארבעים סאה מפל מקום.

It is stated (Tosephta *Berakhot* 2:12): "A sick person who had *qeri* on whom fell nine *qab*¹⁶⁴ of water (and a pure one on whose head and body fell three *log* of drawn water)¹⁶⁵ is clean for himself but he cannot lead the public in their obligations until he immersed himself in 40 *seah*. Rabbi Yehudah says, 40 *seah* in all cases¹⁶⁶."

164 One *qab* equals 4 *log*, one *log* is .533 liter or .164 gallons, so that a *qab* equals approximately .563 gallons, 9 *qab* about 5.07 U. S. gallons. One *seäh*

is 6 *qab* or about 3.38 gallons, so 40 *seäh* equal about 135.2 gallons or 512 liter. In Roman measures, the *log* corresponds to the *sextarius*, and the

seäh to the *urna*. That makes 40 *seah* equal to a Roman *culleus*.

165 The parenthesis is not in the Tosephta or in the quote in the Babli 22b, and does not belong here. The impurity of the man with emission is Biblical (*Lev. 15:16*) but the prohibition of studying Torah and speaking sacred words is from the institutions of Ezra, i. e., it is pre-rabbinic. On the other hand, the impurity of a person washing himself with drawn water after an immersion in a *miqweh* belongs to the "18 ordinances" passed by the adherents of the house of Shammai before the Jewish revolt against the Romans and is purely rabbinical. It was passed because most *miqwaöt* were not built but were water holes in natural caves that were naturally muddy and people had the tendency to wash off the mud after they emerged from the *miqweh*. The rabbis of the time were afraid that in time washing would supersede immersion as (illegal) means of purification, so they decreed

that washing after immersion resurrects some mild form of ritual impurity.

166 This translation is not guaranteed. The Babli (*loc. cit.*) takes the statement of Rebbi Yehudah to mean that he requires the stated amount of water but not that it should be in a *miqweh* that satisfies all rules. However, as Levi Ginzberg points out, that requires the expression ככל מקום which is found in manuscripts of the Babli; it represents the majority opinion in the Babli. The idiomatic translation of מכל מקום is "in every case", including the sick person. R. Yehudah then is more restrictive than the other sages if water is available, and this may be the meaning of the Yerushalmi. If the parenthesis is genuinely part of this *baraita*, then the latter interpretation is the only possible one since an impurity imposed to enforce immersion in a genuine *miqweh* can be removed only by such an immersion.

רבי יעקב בר אהא רבי יסא בשם רבי יהושע בן לוי אין קרי אלא מתשמיש המיטה. רב הונא אמר ואפילו ראה את עצמו נאות בחלום. הוון בעין מימר ובלבד מאשה. רבי יונה ורבי יוסי אמרין ואפילו מדבר אחר. תמן תנינן יום הכיפורים אסור באכילה ושתייה וברחיצה וסיכה ובנעילת הסנדל ובתשמיש המיטה. ותני עלה בעלי קריין טובלין כדרךן בצניעה ביום הכיפורים. ולית הדא פליגא על רבי יהושע בן לוי דרבי יהושע בן לוי אומר אין קרי אלא

מתשמיש המיטה. פתר לה במשמש מיטתו מבעוד יום ושכח ולא טבל. והתני מעשה ברבי יוסה בן חלפתא שראו אותו טובל בצניעא ביום הכיפורים. אית לך מימר על אותו גוף קדוש בשוכח.

Rebbi Jacob bar Aha, Rebbi Yasa in the name of Rebbi Joshua ben Levi: *Qeri* is only from sexual intercourse. Rav Huna said, even if he saw himself enjoying in his dream. They wanted to say, only from a woman. Rebbi Jonah and Rebbi Yose, both of them say, even from something else. There (Mishnah *Yoma* 8:1) we have stated: Eating, drinking, washing, anointing, wearing shoes, and sexual intercourse are forbidden on *Yom Kippur*. And it was stated in that respect: Men with *qeri* immerse themselves secretly in their normal way on *Yom Kippur*¹⁶⁷. Does this not contradict Rebbi Joshua ben Levi since Rebbi Joshua ben Levi says, *qeri* is only from sexual intercourse? Explain it if he had intercourse on the previous day and forgot and did not immerse himself. But it is stated: It happened that Rebbi Yose ben Halaphta was seen immersing himself secretly on *Yom Kippur*. Can you say about that holy body that he forgot¹⁶⁸?

167 In Tosephta *Kippurim* 4:5 and Babli *Yoma* 88a the reading is: Men with *qeri* immerse themselves normally on *Yom Kippur*; one speaks of a full immersion and "in secret" is not mentioned. The Tosephta seems to be

a Babylonian formulation. (The entire paragraph is also found in Yerushalmi *Yoma* 8:1).

168 Hence, the interpretation of Rav Huna is incorrect and that of Rebbis Yose (the Amora) and Jonah is correct.

אמר רבי יעקב בר אבון כל-עצמן לא התקינו את הטבילה הזאת אלא שלא יהיו ישראל כתרנגולין הקלו משמש מיטתו ועולה ויורד ואוכל.

Rebbi Jacob bar Abun said: This immersion has only been enacted so that Jews should not be like chickens, that one would have sex: mount, descend, and eat¹⁶⁹.

169 This means that sexual relations should be stripped of their animal nature as much as possible; the sanctification of marital duties applies to all Jews. The parallel in the Babli (*Berakhot* 22a, in the name of R. Yose bar Abun) reads: "so that scholars should not be found near their wives like roosters." One may conclude that there are two main differences between Galilean and Babylonian practice: In the Yerushalmi, the duty of immersion applies uniformly to

everybody and requires a kosher *miqweh*, in the Babli it is necessary only for study and may be done by washing.

R. Jacob bar Abun was a Galilean Amora of the third generation, colleague of R. Jeremiah.

There is no hint anywhere that one is forbidden to eat after intercourse or before immersion; the expression here is just a graphic expression of the behavior of cocks (commentary of Levi Ginzberg).

רבי חנינא הנה עבר על תרעוי דימוסין בקריצתא ואמר מה טובלי שחרית
עושין פה ייזלון ויתנון. בההיא דצפרא הנה אמר מאן דאית ליה עבידא ייזיל
ועבד.

Rebbi Hanina passed by the gates of public baths¹⁷⁰ before dawn and said: What are those who have to immerse themselves in the morning doing here? They should go and study Mishnah! In the morning he said: He who has to do it shall go and do it.

170 Greek δημόσιος, α, ον, adj. "public", here understood with βαλανεία "baths". The public baths certainly were not open before dawn and Rebbi Hanina orders the people there not to waste their time but to study Torah (being from the first Amora generation, he said "to study Mishnah") since the interpretation given later to *qeri* only hinders one to

pronounce the Divine name (and, hence, to pray) but not to study where the Divine name is seldom mentioned and, if mentioned at all, only by paraphrase. On the other hand, when morning came and the time for morning prayers, he told those that had intercourse to go and immerse themselves before praying.

מהו להרהר בבית הכסא. חזקיה אמר מותר. רבי יסא אמר אסור. אמר רבי זעירא כל-סבר קשה שהיה לי תמן סבירתיה. אמר רבי אלעזר בר שמעון כל-ההוא סברא קשיא דטבול יום תמן סבירתיה.

What are the rules about thinking¹⁷¹ in the toilet? Hizqiah said it is permitted; Rabbi Yasa said it is forbidden. Rabbi Zeira said, all difficult arguments that I had become clear to me there. Rabbi Eleazar bar Simeon¹⁷² said, the entire difficult subject of *tēbūl yōm* became clear to me there.

171 About Torah subjects. While this paragraph seems to be somewhat out of place here, it is introduced because of the later discussion of the status of a man with *qeri* in the study of Torah subjects.

detailed in Babli *Zebahim* 102b. In Babylonia (Babli *Berakhot* 24b) it was accepted by everybody that thinking about Torah subjects in a toilet is forbidden except if the person cannot help doing it. In Galilee the practical rule was to allow it.

172 The son of Rabbi Simeon bar Yohai. His difficult argument is

רבי אחא בשם תנחום בי רבי חינא ביומוי רבי יהושע בן לוי ביקשו לעקור את הטבילה הזאת מפני נשי הנליל שהיו נעקרות מפני הצינה. אמר להן רבי יהושע בן לוי דבר שהוא גודר את ישראל מן העבירה אתם מבקשים לעקור אותו. מהו גודר ישראל מן העבירה. מעשה בשומר כרמים אחד שבא להזקק עם אשת איש. עד שהן מתקנין מקום איכו הן טובלין עברו העוברין והשבין ובטלה העבירה. מעשה באחד שבא להזקק עם שפחתו של רבי. אמרה לו אם אין גבירתי טובלת איני טובלת. אמר לה ולא כבהמה את. אמרה לו ולא שמעתי בבא על בהמה שהוא נסקל שנאמר כל-שוכב עם בהמה מות יומת.

Rebbi Aḥa in the name of Tanḥum ben Rebbi Hiyya: In the days of Rebbi Joshua ben Levi they wanted to abolish this immersion because of the Galilean women who became sterile¹⁷³ because of the cold. Rebbi

Joshua ben Levi told them: Do you want to uproot something that fences Israel off from sin?

What means: Fences Israel off from sin? It happened that a watchman of vinyards wanted to have an affair with a married woman. By the time they were preparing a place where they could immerse themselves, passers-by came by and the sin was not committed¹⁷⁴.

It happened that someone wanted to have an affair with Rebbi's slave girl. She said to him: If my mistress does not immerse herself, I do not immerse myself¹⁷⁵. He said to her: Are you not like an animal¹⁷⁶? She said to him: Did you not hear that one who has relations with an animal will be stoned, as it is said (Ex. 22:18): "Anyone lying with an animal shall certainly be executed."

173 Since in Galilee the immersion was required for everybody, not only for Torah study as in Babylonia, it also applied to women. In winter in upper Galilee, water sometimes freezes and all *miqwaöt* were cold-water *miqwaöt*; in a parallel in Babli *Berakhot* 22a, Rav Huna notes that instead of a *miqveh* one could use a hot bath in Babylonia.

174 A parallel in Babli *Berakhot* 22a is explicitly designated as a *baraita*, dating from Mishnaic times, and applying the need for immersion only to the man. [Levi Ginzberg conjectures that the watchman was a bachelor; hence, he could not use the public *miqveh* (except on holiday eve) without drawing public attention to his unmarried sexual activities. However,

it is stated explicitly at the end of this *halakhah* that a *miqveh* was not used for this immersion.]

175 Meaning that as an unmarried woman she does not frequent the *miqveh* and, therefore, cannot have sex with any man. The slave girl was quite famous for speaking better classical Hebrew than the rabbis.

186 The argument here is not perfectly clear. There is a verse in Ezechiel 23:20, speaking about the heathen, "for the flesh of donkeys is their flesh and the semen of horses is their semen" (where "flesh" as human limb here and elsewhere means the penis, the only boneless limb), but that speaks only about males and, in any case, the slave in a Jewish household is

a semi-Jew, becoming a full Jew on manumission without any formality of conversion. Hence, no verse applying to heathen is appropriate here. The real reason seems to be the command given to Adam that "a man shall leave his father and his mother and stick to his wife" (*Gen. 2:24*); since a slave is not legally able to contract a marriage,

he is missing the essential human quality of having to marry. That makes questionable humans out of adults who are bachelors by choice. [The sex life of slaves is not discussed in the Yerushalmi. In the Babli (*Niddah 47a*) it is stated that slaves may have sex with anybody except a Jew (and a married Gentile woman).]

אמר רבי חייא בר ונה קל-עצמן לא התקינו את הטבילה הזאת אלא מפני תלמוד. שאם אתה אומר לו שהוא מותר אף הוא אומר אני אלך ואעשה צרכי ובא ושונה כל-צורכו ומתוך שאתה אומר אסור הוא בא ושונה כל-צורכו. תמן אמרין אפילו לשמוע דברי תורה אסור.

Rebbi Hiyya bar Abba¹⁷⁷ said: They ordered this immersion essentially only for study. For if you tell him that he is permitted, he is going to say: "I shall go, satisfy my needs, and then come and study what is needed," but since you say that it is forbidden, he will come and study all he needs¹⁷⁸. There¹⁸⁰ they said it is even forbidden to hear words of Torah.

177 Rebbi Hiyya bar Abba the Babylonian quotes here the Babylonian tradition that this immersion is appropriate only for Torah scholars, in contrast to the Galilean practice shown be the preceding and the following examples that the unlearned were the most ardent practitioners of the ritual.

178 Not having sex in those nights where study starts before dawn, i. e., all week except Friday night.

179 Any תמן "there" in the Yerushalmi means Babylonia. The ruling is not mentioned in the Babli explicitly but there is a parallel to the statement attributed to Rebbi Eleazar, and a statement by the 10th century Rav Hai Gaon (*Ozar Hageonim Berakhot* p. 56), that in his time scholars in Babylonia did not pray until they had cleansed themselves by washing.

אָמַר רַבִּי יוֹדָה בַּר טִיטוּס רַבִּי אָחָא בְּשֵׁם רַבִּי אֱלִיעֶזֶר בְּתַחֲלִיקָה וְהָיוּ נְכוּנִים
בַּיּוֹם הַשְּׁלִישִׁי אֶל תַּגְּשׁוּ אֶל אִשָּׁה.

Rebbi Judah bar Titus¹⁸⁰, Rebbi Aḥa in the name Rebbi Eliezer: as at the start (*Ex.* 19:11) "They shall be prepared on the third day, do not approach a woman¹⁸¹."

180 A Galilean Amora from Caesarea Philippi, of the fourth generation.

181 The impurity of *qeri* for the study of Torah is derived from the theophany at Sinai where the Israelites purified themselves for three days from any impurity caused by marital relations. This gives support to the opinion stated earlier by R. Joshua ben Levi that the impurity of *qeri* is only caused by sexual intercourse. The Talmud notes (*Babli Šabbat* 86a,

Yerushalmi Šabbat 9:3, fol. 11c) that a separation of three days was needed only for the women since a woman may lose live sperm from her body up to three days after intercourse. For men a simple immersion in water the next day would be enough. This proves that women were included by Divine decree among the original recipients and students of the Torah; the inclusion of women in the Tosephta quoted in the next paragraph is intentional.

תַּנִּי זָבִין וְזָבוֹת נִידוֹת וְיוֹלְדוֹת קוֹרִין בְּתוֹרָה וְשׁוֹנִין מִדְּרַשׁ וְהִלְכוֹת וְהַגְּדוֹת.
וּבַעַל קָרִי אָסוּר בְּכוֹלָן. רַבִּי אָבָא בַּר אָחָא בְּשֵׁם רַבִּי שׁוּנָה הִלְכוֹת וְאִינוּ שׁוּנָה
הַגְּדוֹת. תַּנִּי בְּשֵׁם רַבִּי יוֹסִי שׁוּנָה הִלְכוֹת רְגִילִיּוֹת וּבִלְבָד שְׁלֵא יֵצֵעַ אֶת
הַמִּשְׁנָה. אֵית דְּבַעֵי מִימַר וּבִלְבָד שְׁלֵא יִזְכִּיר אֲזָקְרוֹת. רַבִּי זְעִירָא בְּעֵי קוּמוֹי
רַבִּי יִסָּא לִית רַבִּי פֶּשֶׁט בֵּי עַם רַבִּי בּוֹן פִּירְקִיָּה בְּלִילְיָא. אָמַר לִיה אִין. רַבִּי
חִינְיָא בַּר אָבָא פֶּשֶׁט עִם רַבִּי נְחֻמָּה בְּרִיה פִּירְקִיָּה בְּלִילְיָא. בְּהֵימָא צַפְרָא הָהּ
מַר מָה דְאֵית לִיה עֲבִידָא יִיזִיל עֲבִיד.

It is stated¹⁸²: "Males and females with discharges¹⁸³, menstruating women, and women having given birth¹⁸⁴ read in the Torah and study *midrash*¹⁸⁵, practical rules, and homiletics; the person with *qeri* is forbidden all these." Rebbi Abba bar Aḥa in the name of Rebbi¹⁸⁶: He may study practical rules¹⁸⁷ but not homiletics. It is stated in the name of

Rebbi Yose: He may repeat known rules but he may not expound¹⁸⁸ the Mishnah. Some want to say, only that he may not mention the Divine Name¹⁸⁹. Rebbi Zeira asked before Rebbi Yasa: Did my teacher not prepare his lecture together with Rebbi Abun in the night? He said, yes. Rebbi Hiyya bar Abba prepared his lecture together with his son Rebbi Nehemiah in the night. The next morning he said, anybody who has to do should go and do it¹⁹⁰.

182 Tosephta *Berakhot* 2:12. In the parallel in the Babli, *Berakhot* 22a, only males are in the list. The *baraita* in the Babli is a Babylonian formulation of material ascribed to the students of Rebbi Aqiba.

183 From their genitals, the male *zab* suffering from gonorrhea and similar diseases, the female bleeding other than menstruating, see *Lev.* Chapter 15.

184 Whose basic impurity is one week after having a son, two weeks after having a daughter; *Lev.* 12:1-8.

185 This is the derivation of practical rules from the Biblical text, as in the *Midrēshē Hālākhāh* to the last four books of the Pentateuch.

186 Since Rebbi Abba bar Aḥa was a student of Rab in Babylonia, it is probable that the abbreviation רב found in manuscripts and prints should be read רבנן, a common title given to Rab in the Yerushalmi.

187 Which need only memorization,

not independent thinking; in contrast to the construction of sermons which are supposed to be original with the preacher. In this respect, the rule of Rab would coincide with that given in the name of Rebbi Yose (the Tanna) in the next sentence.

188 Going into the details and general rules behind the simple casuistic statements of the Mishnah; that requires individual mental effort.

189 This is a problem only in prayer, not in study where the Name is never pronounced even in quotes from the Bible.

190 Note that all Amora'im involved here are originally Babylonians, but this may be a coincidence. The point seems to be that in the night, when immersion is dangerous, the position of a *ba'al qeri* is the same as one who is at a place with no water. While the sources do not discuss the position of Torah study at a place without water, it seems from here and the story about

Rebbi Yose in the paragraph following the next that in the night one never goes for the immersion required and that, therefore, all involved here may study Torah during the night and immerse themselves in the morning before prayers.

מַעֲשֵׂה בְּאֶחָד שֶׁעָמַד לְקִרְוֹת בְּתוֹרָה בְּנֻצִיבִין כִּינּוּן שֶׁהֵגִיעַ לְהִזְכָּרָה הַתְּחִיל מְנַמְגֵם בָּהּ. אָמַר לִיה רַבִּי יְהוּדָה בֶּן בְּתִירָה פָּתַח פִּיד וְאִירוּ דְּבָרֶיךָ שְׂאִין דְּבָרֵי תוֹרָה מְקַבְּלִין טוּמְאָה. אָמַר רַבִּי יַעֲקֹב בַּר אֶחָא וְנִהְיִין תַּמּוֹן כְּרַבִּי אֲלַעָאִי בְּרֵאשִׁית הֵגֹז וְכְרַבִּי יֵאשְׁיָה בְּכֻלָּאִי הִפְרָם וְכְרַבִּי יְהוּדָה בֶּן בְּתִירָה בְּבַעֲלֵי קָרִיין. כְּרַבִּי אֲלַעָאִי בְּרֵאשִׁית הֵגֹז דְּתַנָּא רַבִּי אֲלַעָאִי אָמַר אִין רֵאשִׁית הֵגֹז אֶלָּא בְּאֶרֶץ. כְּרַבִּי יֵאשְׁיָה בְּכֻלָּאִים דְּתַנִּי רַבִּי יֵאשְׁיָה אֹמֵר לְעוֹלָם אִינוּ חֵיבִים עַד שְׂזִרְעוּ חֶטֶה וְשַׁעוֹרָה וְחִרְצוּן בְּמַפְלַת יָד. כְּרַבִּי יְהוּדָה בֶּן בְּתִירָה בְּבַעֲלֵי קָרִיין דְּתַנִּי רַבִּי יְהוּדָה בֶּן בְּתִירָה אֹמֵר אִין דְּבָרֵי תוֹרָה מְקַבְּלִין טוּמְאָה.

It happened that someone was reading the Torah in Nsebin¹⁹¹; when he came to the Divine Name he started to stutter. Rebbi Yehudah ben Bathyra told him: Open your mouth and let your words shine because words of the Torah cannot receive impurity.

Rebbi Jacob bar Aha said: There they act following Rebbi Illai regarding the first shearing¹⁹², following Rebbi Josiah¹⁹³ regarding *kilaim*¹⁹⁴ in the vineyard, and following Rebbi Yehudah ben Bathyra regarding people with *qeri*. Following Rebbi Illai regarding the first shearing, as we have stated: "Rebbi Illai said: The first shearing applies only in the Land." Following Rebbi Josiah regarding *kilaim* as it is stated: "One is never guilty unless one sowed wheat, barley, and grape kernels falling from the same hand." Following Rebbi Yehudah ben Bathyra regarding people with *qeri* as it is stated: "Rebbi Yehudah ben Bathyra says, words of the Torah cannot receive impurity."

191 Nisibis, a town in northern Mesopotamia, today on the border between Syria and Turkey, known as seat of the family Ben Bathyra from at least the start of the Common Era. The authority quoted here is R. Yehuda ben Bathyra II, a student of R. Aqiba. The reader was reading the Torah in the synagogue. In the parallel in the Babli (*Berakhot* 22a), the reason is given that God's word is compared to fire and fire cannot become impure.

192 It has to be given to the Cohen, *Deut.* 18:4. While it is not spelled out in the Pentateuch that this is an obligation only on sheep owners in Israel, "there" in Babylonia one did not give first shearings to the Cohen. The entire statement is quoted in the Babli (*Berakhot* 22a) in the formulation

רבי יוסי בר חלפתא הוה אתי באיסמטא בליליא והוה חמרא מהלך בתריה על חד בית שית. אמר ליה ההוא גברא בעי מסחי. אמר ליה לא תסכן נפשך. אמר ליה מן נידה ומן אשת איש ההוא גברא בעי למיסחי. אפילו כן אמר ליה לא תסכן נפשך. כיון דלא שמע ליה אמר ליה ייחות ההוא גברא ולא יסוק. וכן הוות ליה.

Rebbi Yose bar Halaphta came on a footpath¹⁹⁵ in the night and a donkey driver was walking after him along a ditch. He said to him: This man must wash. He said to him: Do not imperil yourself. He said to him: This man must wash because of a menstruating, married woman. Even so he said to him: Do not imperil yourself. Since he did not listen to him he said: May this man descend and not ascend. And that happened to him.

"people follow these three", in the name of Rav Nahman bar Isaac, a Babylonian contemporary of R. Jacob bar Aha.

193 Tanna of the fourth generation, student of R. Ismael, from the town of Huzal in Babylonia, a contemporary of R. Yehuda ben Bathyra II. All his traditions are from the school of R. Ismael.

194 The prohibition of planting or sowing several species together. The special rules for *kilaim* in a vineyard are based on *Deut.* 22:9: "Do not sow your vineyard *kilaim*". Usually, a vineyard is not sown but planted; R. Josiah therefore restricts the prohibition to the case where even the vines are grown from seeds sown, not planted one by one in separate places.

195 Latin *semita* (the Rome ms. has אִסְרַטָּא *strata* "a paved [street].") This story belongs to the discussion of the paragraph before the last and shows that in the minds of the people the original intention of the ordinance requiring washing was inverted, that instead of "fencing off Israel from sin" it became a ritual in the minds of the

uneducated with which one could wash off even adultery with a menstruating women, combining a capital crime with one punishable by extirpation. Hence, the story supports Rabbi Yehudah ben Bathyra who negates the importance of the ritual even for public reading of the Torah, not only for Torah study.

רבי יוסי בן יוסי הוה אָתִי באִלְפָּא חָמָא חַד קָטַר גְּרָמִיָּה בְּחַבְלָא מִיחוֹת
וּמִסְחִי. אָמַר לִיה לֹא תִסְכֵּן בְּנִפְשָׁךְ. אָמַר לִיה הֵהוּא מִיכַל בְּעִינָא. אָמַר לִיה
אָכִיל. הֵהוּא גִבְרָא בְּעֵי מִשְׁתִּי. אָמַר לִיה שְׁתִּי. כִּינּוּ דְמִטּוֹן לְלִמְיָנָה. אָמַר
לִיה תַּמּוֹן לֹא שְׁרִית לָךְ אֶלָּא בְּגִין סְכִנְתָּא דְנִפְשָׁא בְּרַם הָכָא אָסוּר לְהֵהוּא
גִבְרָא לְמִיטְעָם כְּלוּם עַד שְׁעֵתָא דִּיִּסְחִי.

Rebbi Yose ben Yose¹⁹⁶ came on a ship. He saw one who was tying a rope around himself in order to descend¹⁹⁷ and wash. He said to him: Do not endanger your life. He said to him: This one needs to eat. He said to him: eat! This man needs to drink. He said to him: drink! When they came to the harbor¹⁹⁸, he said to him: There¹⁹⁹ I permitted it only because of danger to your life but here this man may not taste anything before he washes.

196 One of the last Galilean Amora'im. It is not known whether he is identical with the poet of the same name, the first of the synagogal poets known by name; neither is it clear whether his name indicates that he was a posthumous child (cf. E. and H. Guggenheimer, *Etymologisches Lexikon der jüdischen Familiennamen*, Saur,

München 1996, p. xviii).

197 From the ship to the ocean in order to wash. This story makes clear that the washing after sexual intercourse was general practice in Israel down to the time of edition of the Jerusalem Talmud. Its time is six generations after the preceding story. It negates the negative moral impli-

cations of the preceding story but retains its emphasis on avoiding life-threatening situations.

198 Greek λιμήν.

199 On the high seas. The problem

was not that one may not eat before washing but that one is not allowed to pronounce the Divine Name and, therefore, is unable to utter the benedictions before eating.

אמר רבי ינאי שמעתי שמקילין בה ומחמירין בה. וכל המחמיר בה מאריך
 ימים בטובה. מקילין בה לרחוץ במים שאובין ומחמירין בה לטבול במים
 חיים.

Rebbi Yannai²⁰⁰ said: I heard that some take it lightly and some are stringent and every one who is stringent lives a long, good life. Some take it lightly by washing in drawn water; some are stringent to immerse themselves in running water.

200 Rebbi Yannai, from the first generation of Amora'im, makes it clear that essentially nobody uses the *miqweh* for the immersion of *qeri*; either one uses a regular bath or a running stream or the sea (whose total volume is certainly greater than 40 *sēa*.) The

parallel in the Babli (*Berakhot* 22a) has only the first part of the statement and no hint of using running water. Running water is required for the cleansing of the male with gonorrhea (*Lev.* 15:13).

משנה ה: היה עומד בתפילה ונזכר שהוא בעל קרי לא יפסיק אלא יקצר.
 ירד לטבול אם יכול לעלות ולהתכסות ולקררות עד שלא תנח החמה יעלה
 ויתכסה ויקרא ואם לאו יתכסה במים ויקרא. לא יתכסה לא במים הרעים
 ולא במי המשרה עד שיטיל לתוך מים. וכמה ירחיק מהן ומן הצואה ארבע
 אמות.

Mishnah 5: If someone was standing and praying²⁰¹ when he remembered that he had *qeri*, he should not stop but shorten his prayer.

If he descended to immerse himself, if he can ascend, get dressed, and recite²⁰² by the time of sunrise he should ascend, get dressed, and recite; otherwise, he should cover himself with water and recite. He should cover himself neither with stinking water nor with steeping water unless he diluted them with water. How much does one have to remove oneself from these and excrement? Four cubits.

201 The formal *Amidah*.

totally impossible to pray the *Amidah*

202 The *Shema'*. The leniency mentioned here is not only if otherwise the time for *Shema'* would pass but even for the usage of the very religious (Chapter 1, Note 155) even though it is

while immersed in the water and, therefore, one cannot completely follow the practice of the very religious.

הלכה ה: מתניתא ברבים אבל בינו לבין עצמו מפסיק וכרבי מאיר. ברם
 כרבי יהודה אפילו בינו לבין עצמו אינו מפסיק. בשאין לא מים לטבול.
 אבל אם יש לו מים לטבול אף רבי יהודה מודי שהוא מפסיק.

Halakhah 5: The Mishnah refers to someone in public, but if he is alone he interrupts following Rabbi Meir²⁰³. But following Rabbi Yehudah he does not interrupt even when alone, on condition that he have no water to immerse himself. But if he has water to immerse himself even Rabbi Yehudah agrees that he must interrupt.

203 Since Mishnah 4 stated that he may not pronounce any benediction and the *Amidah* is composed of benedictions, it is clear that Mishnah 4 forbids formal praying. Both Mishnah 4 and Mishnah 5 are anonymous; an anonymous Mishnah is always supposed

to represent the ideas of Rabbi Meir since the latter's collection was the basis of Rabbi's edition of the Mishnah. To avoid two contradicting Mishnayot, it is spelled out here that the public embarrassment that would be caused by the rule of Mishnah 4 has to be

avoided, see *Halakhah* 1, note 119. Mishnah 4.

The opinion of R. Yehudah is given in

חֹלֶה שְׁשֵׁמֶשׁ מִיִּטְתּוֹ אָמַר רַבִּי אֲמִי אִם הוּא גָרַם לְעַצְמוֹ יִטְבּוֹל וְיָמוּת. וְאִם
בְּאוֹנֵס אֵין מְטַרְיַחִין עָלָיו. רַבִּי חֲנִי בְּשֵׁם רַבִּי אֲבָא בַר זִבְדָּא בֵּין כֶּד וּבֵין כֶּד
אֵין מְטַרְיַחִין עָלָיו. חֹלֶה מְרַגֵּיל צְרִיךְ תְּשַׁעָה קַבִּין. בְּרִיא מְרַגֵּיל צְרִיךְ
אַרְבָּעִים סָאָה. חֹלֶה מְאוֹנֵס אֵין מְטַרְיַחִין עָלָיו. בְּרִיא מְאוֹנֵס צְרִיךְ תְּשַׁעָה
קַבִּין.

About a sick person who had intercourse, Rabbi Ammi said: If he caused it by himself, let him immerse himself and die²⁰⁴; if it was forced upon him one does not bother him²⁰⁵. Rabbi Haggai in the name of Rabbi Abba bar Zavda: One does not bother him in any case. A sick person²⁰⁶ who does it habitually²⁰⁷ needs nine *qab*, a healthy person who does it habitually needs 40 *sēah*. A sick person forced, one does not bother him. A healthy person forced needs nine *qab*.

204 Obviously, that is an exaggeration since it was shown earlier that even an adulterer should not expose himself to danger because of this immersion; it means simply: let him be inconvenienced.

205 It is difficult to know what "forced intercourse" means. Any possible interpretation depends on the problem discussed in the preceding *Halakhah*, whether *qeri* comes only from intercourse or also from involuntary emissions. If the second case is accepted, "forced" does not speak of intercourse but only of involuntary emissions. In the second case, one

cannot say that one speaks of a sick man fulfilling his marital duties even if it hurts him since in that case he is free from these duties. Even if he was seduced by his wife, there is really no intercourse against one's will. Hence, one has to conclude that all authorities here decide that involuntary emissions require immersion in water.

206 This second paragraph clearly is independent of the previous statements since it contradicts them. It represents the consensus of the editors of the *Yerushalmi*. In the parallel of the *Babli* (*Berakhot* 22b), Rava reports that any *מרגיל* needs 40 *seah*. Since the

immersion was not practiced in Babylonia, this statement is purely historical or theoretical; the difference between Babylonia and Israel was in the essence of this immersion and not in little details.

207 In the Babli (22a), Rashi explains מרגיל by: "he draws *qeri* upon himself by having intercourse." A strictly grammatical explanation would

be: "he causes it to be usual". However, such a translation would require three categories: 1) one who runs after sex, 2) a normal person, 3) a sick person. Since only two categories are mentioned where one would expect three, Rashi's explanation is the only consistent one even if it does not explain the particular verb form.

רַבִּי זְבִדְיָהּ בְּרִיָּה דְרַבִּי יַעֲקֹב בְּרַ זְבָדִי בְּשֵׁם רַבִּי יוֹנָה (fol. 6d) עִיר שְׁמַעֲיִנְךָ
 רְחוֹק הָרִי זֶה קוֹרָא אֶת שְׁמַע וְיוֹרֵד וְטוֹבֵל וְעוֹלָה וּמִתְפַּלֵּל. אִם הוּא אָדָם
 מְסוּיִים עָשׂוֹ אוֹתוֹ כְּמַעֲיִן רְחוֹק.

Rebbi Zevadiah, the son of Rebbi Jacob bar Zavdi, in the name of Rebbi Jonah: In a city whose well is far away, he may recite the *Shema'*, then descends and immerses himself, ascends and prays. If he is blind²⁰⁸ they made him like a far-away well.

208 This translation is not given by any commentator. Usually, מְסוּיִים means "definite, outstanding", from the verbal root *swm*, but this makes no sense here. In other Talmudic passages "an outstanding man" means a particularly

pious one and it is unimaginable that a pious man should claim for himself exemption from some religious duty. Hence, the derivation from the root *sm'* "to blind", in the passive "to be blinded", makes much more sense.

פְּסָקָא. וְאִם לֹא יִתְכַסֶּה בְּמִים וְיִקְרָא. מִתְנִיתָא בְּעֵכּוֹרִין אֲבָל בְּצִלוּלִין אֲסוּר.
 וְאִם הוּא יָכוֹל לְעֵכּוֹר בְּרִגְלָיו יַעֲכוֹר.

New Section. "Otherwise, he should cover himself with water and recite."²⁰⁹ The Mishnah deals with opaque water, but in clear water it is forbidden²¹⁰. And if he is able to make it opaque by stirring with his feet he may make it opaque.

- 209 Quote from the Mishnah. tradition is given in Babli *Berakhot*
 210 Since prayer is forbidden if the 25b).
 genitals are uncovered. (A different

תני מרחיקין מצואת אדם ארבע אמות ומצואת כלבים ארבע אמות ובשעה
 שהוא נותן לעורות. רבי ירמיה בשם רבי זעירא נבילה שנסרחה צריך
 להרחיק ממנה ארבע אמות. אמר רבי אבינא ומתניתא אמרה כן. וכמה
 ירחיק מהן ומן הצואה ארבע אמות. אמר רבי אמי אמר רבי שמאי תיפתר
 במישרה של כובסין. אמר ליה רבי מני אם במישרה של כובסין הא תנינן לא
 במים הרעים ולא במי המשרה.

It is stated: One removes himself²¹¹ from human excrement four cubits and from dog's excrement four cubits, the latter when it is given on skins²¹². Rebbi Jeremiah in the name of Rebbi Zeira: One must remove himself four cubits from a stinking carcass. Rebbi Avina said: Does not the Mishnah say all this: "How much does one have to remove himself from these and excrement? Four cubits." Rebbi Ammi in the name of Rebbi Shammai²¹³: Explain it by steeping water of launderers. Rebbi Mani²¹⁴ said to him: About steeping waters of launderers, we have stated: "neither with stinking water nor with steeping water."

211 In order to pray or to recite *Shema*.

212 Antique technology of making leather from skins required that the skins were steeped in water containing dog's excrement for a lengthy period of time. The steeping water had a horrible smell. This *baraita* explains that "steeping water" in the Mishnah refers to tanner's steeping water and not to launderer's steeping water that

simply does not smell good.

This statement is from Tosephta *Berakhot* 2:16; the Babli (25a) has a different *baraita* that refers to the paragraph after the next one here.

213 The tradition of names is impossible since Rebbi Shammai was an Amora of the fifth and last generation in Galilee; he cannot be the author of a tradition of a third generation Amora. The paragraph is quoted by R. Asher

ben Yehiël (*Rosh Berakhot*, Chap. 3, #44) in the name of Rabbi Simlai (without mention of Rabbi Ammi), a preacher and Amora of the first generation.

Launderers' steeping water does not smell so badly that it would need a special entry in the Mishnah. He is a contemporary of Rabbi Simlai, not Rabbi Ammi.

214 Rabbi Mani, Mana, the first.

תני קטן שהוא יכול לאכול כזית דגן פורשין מצואתו וממימי רגליו ארבע אמות ואים אינו יכול לאכול כזית דגן אין פורשין לא מצואתו ולא מממימי רגליו ארבע אמות. בעי קומי רבי אבהו מפני מה פורשין מצואתו וממימי רגליו. אמר לון מפני שמחשבותיו רעות. אמרין ליה ולא קטן הוא. אמר לון ולא כתיב כי יצר לב האדם רע מנעריו. אמר רבי יודן מנעריו כתיב. משעה שהוא נער ויוצא לעולם.

It is stated: One removes himself four cubits from excrement and urine of a toddler who can eat grain the volume of an olive²¹⁵, but if he cannot yet eat grain the volume of an olive one does not need to remove himself four cubits either from his excrement or from his urine. They asked before Rabbi Abbahu: Why does one separate himself from his excrement and urine? He said to them, because his thoughts are evil. They said to him: But is not he too young? He said to them, is it not written (*Gen. 8:21*): "For the inclination of man's heart is evil from his youth?" Rabbi Yudan said, it is written "from his awakening²¹⁶", from the moment that the awakes and enters the world.

215 In one meal, which in the Babli (*Sukkah* 42b) is defined as the time a grown-up can eat half a stuffed pitta. The Yerushalmi does not give a time limit.

נעריו "his awakenings", not only puberty, the sexual awakening usually referred to by the root נער but also the first awakening of the baby during birth. According to Rabbi Abbahu, the awakening comes only when the baby is weaned.

216 The word געוריו even though it has a long vowel *ū*, is written defective in the Bible; hence, it can be vocalized

רבי יוסי בר חנינא אמר מרחיקין מגללי בהמה ארבע אמות. רבי שמואל בר רב יצחק אמר ברכים ובלבד בשל חמור. רבי חנינא בר אבא אמר בבא מן הדרך. לוי אמר מרחיקין מצואת חזיר ארבע אמות. ותני כן מרחיקין מצואת חזיר ארבע אמות. ומצואת הנמיא ארבע אמות. ומצואת התרנגולין ארבע אמות. רבי יוסי ברבי אבון בשם רב חונא ובלבד באדומים.

Rebbi Yose bar Hanina said: One removes himself four cubits from animal dung. Rebbi Samuel bar Rav Isaac said, if it is soft, but only from donkeys. Rebbi Hiyya bar Abba said, if it²¹⁷ arrived from a trip. Levi said, one removes himself four cubits from the excrement of a pig. And it was stated: One removes himself four cubits from the excrement of a pig²¹⁸, four cubits from the excrement of a marten²¹⁹, four cubits from the excrement of chickens. Rebbi Yose ben Rebbi Abun in the name of Rav Huna: Only from red²²⁰ ones.

217 The donkey. The statements of Rebbis Samuel bar Rav Isaac and Hiyya bar Abba restrict the general statement of Rebbi Yose bar Hanina to one specific case.

218 In the Babli (25a), the excrement of a pig is deemed unacceptable only if it is used in tanning. It seems that in Israel no pig excrement was used in tanning.

219 This statement is taken by Medieval commentators to apply also to excrement of cats.

220 Some commentators prefer to understand "Edomite", but the meaning "red" is preferable since red chickens are mentioned in Babli *Avodah zarah* 14b as a separate kind. All these are singled out for their obnoxious smell.

פני מרחיקין מריח רע ארבע אמות. אמר רבי אמי מסוף ריח רע ארבע אמות. הדיא דאמר לאחריו אבל לפניו עד מקום שעניו רואות אותו. כהדיא רבי לניא וחבריניא הוו יתבין קומי פונדקיא ברמשא. אמרין מהו מימר מילי דאורייתא. אמר לון מכין דאילו הנה איממא הוינן חמין מה קומין. ברם כדון אסור.

It is stated: One removes himself four cubits from a bad smell²²¹. Rabbi Ammi said, four cubits from the end of the bad smell. That means behind his back, but in front of him until he can no longer see it. Like that of Rabbi Lia and his colleagues who were sitting in front of a hostelry²²² in the night. They said, may one say words of Torah? He said to them: If it were daytime, we would see what is before us. But²²³ like that it is forbidden.

221 It is clear from the following that one talks of a source of bad smell which can be identified and seen. In the Babli (25a) this is called ריח רע שישי "a bad smell that has a material source." The opinion of the Yerushalmi corresponds in the Babli to the minority opinion of Rav Hisda.

222 Greek πανδοκειον (also πανδοκίον) "inn". It is difficult to see what is so bad about a hostelry. Maybe they were sitting close to the outhouse.

223 The text is elliptic, but we do not know what is missing. Generally, בר means either "on the other hand" or "in addition".

תני גרף אחד של רעי ואחד של מים צריך להרחיק ממנו ארבע אמות. ושלפני המיטה נתן לתוכו מים כל־שהוא יקרא ואם לאו לא יקרא. רבי זכאי אמר נתן לתוכו רביעית מים יקרא ואם לאו לא יקרא. ומהו כדי רביעית רביעית בתוך רביעית. אחד כלי קטון ואחד כלי גדול. רבן שמעון בן גמליאל אומר שלאחר המיטה יקרא שלפני המיטה לא יקרא. רבי שמעון בן אלעזר אומר אפילו טרקלין עשר על עשר לא יקרא עד שיכסנו או עד שיניחנו תחת המיטה. רבי יעקב בר אחא בשם רבי חינא בר ווא הורי רבי חנינא תרתיה כהדא דרבי שמעון בן אלעזר.

It is stated: One must remove himself four cubits from a chamberpot, be it used for excrement or for urine²²⁴. If it is before the bed, if he put some water in the pot he may recite²²⁵, otherwise he may not recite. Rabbi Zakkai²²⁶ said, if he put a *quartarius*²²⁷ of water in, he may recite; otherwise, he may not recite. How many corresponding *quartarii*? One

quartarius corresponding to one *quartarius*²²⁸, be the vessel small or large. Rabban Simeon ben Gamliel said, if it stands behind the bed he may recite, before the bed he may not recite. Rabbi Simeon ben Eleazar said, even in a dining hall²²⁹ large ten-by-ten²³⁰ he may not recite until he covers it up or until he puts it under the couch. Rabbi Jacob bar Aḥa in the name of Rabbi Hiyya bar Abba: Rabbi Ḥanina Tortayya²³¹ ruled following Rabbi Simeon ben Eleazar.

224 Since in the preceding paragraph one dealt with visible excrement, it follows that in this entire paragraph we are dealing with a chamberpot used at night which is empty at present but still smells from its prior use. The Tosephta (*Berakhot* 2:16) is quite explicit: "A chamberpot *with him in the house*, he has to remove himself four cubits." The Babli (25a) deals separately with full and empty chamberpots.

225 The *Shema*'.

226 Rabbi Zakkai the First, Tanna of the fifth generation, contemporary of Rabbi.

227 A quarter of a *log* of .533 liter or about 4.5 fl. oz. U.S.

228 As much water as was the volume of urine or excrement in the last use.

229 Latin *triclinium*, from Greek τρικλίνιον "dining room", a hall of three dining couches arranged in U-shape.

230 Probably 10 by 10 cubits, which gives a diagonal distance of 14 cubits, taken as an example. The Babli (25a) speaks of a "dining hall of 100 cubits" where "cubits" stands for "square cubits". [The use of "cubit" for "square cubit" is frequent in Yerushalmi *Kilaim*.]

231 A student of Rabbi Yoḥanan; his birthplace, Torta, has not been identified. His decision is also quoted in the Babli as decision of the earlier generations, later overruled by Rava (bar Joseph bar Ḥama), the leader of the fifth generation of Amoraim in Babylonia.

רבי בנימין בר יפת בשם רבי יוחנן צוֹאֵה כָּל־שְׁהוּא מִבְּטֵלָה בְּרוּק. רבי זְעוּרָא
 רבי יַעֲקֹב בַּר זְבִדִי הוּוּ יִתְבִּין חֲמִין צוֹאֵתָה. קָם רבי יַעֲקֹב בַּר זְבִדִי רָקַק עֲלֶיהָ.
 אָמַר לִיהָ רבי זְעוּרָא מִן יָמָא לְטִיגְנָא.

Rebbi Benjamin ben Yephet²³² in the name of Rebbi Yoḥanan: A minute amount of excrement can be eliminated by spit. Rebbi Zeïra and Rebbi Jacob bar Zavdi were sitting; they saw some excrement. Rebbi Jacob bar Zavdi got up and spat on it. Rebbi Zeïra said to him: From the sea to the pan^{233!}

232 A student of Rebbi Yoḥanan. Rebbi Zeïra is on record (Babli *Berakhot* 38b, *Yerushalmi Pesahim* 2:5) that R. Benjamin is not trustworthy as witness to the opinions of Rebbi Yoḥanan. His statement is quoted in the Babli (25b) as original Babylonian tradition.

233 Greek τήγανov. Rashi (Babli *Qiddushin* 44a) and 'Arukh (1 טגן) explain this expression to mean:

"immediately", like a fish that has to be fried immediately before it spoils. Most commentators explain that R. Zeïra declares the entire rule invalid since spit dries quickly and afterwards is useless. The Babli avoids the problem by allowing only thick spit, probably from the bronchiae, which does not evaporate. One may consider the treatment of the Babli as answer to R. Zeïra's criticism.

תיבָה שְׁהִיא מְלֵאָה סְפָרִים נוֹתְנָה מְרֵאשׁוֹתֵי הַמִּיטָה וְאִינָה נוֹתְנָה מִרְגְּלוֹת הַמִּיטָה. רַבִּי אֲבוּן בְּשֵׁם רַבִּי חוּנָא וְהוּא שֶׁתְּהֵא הַמִּיטָה גְבוּהָ עֲשָׂרָה טְפָחִים. וּבְלֵבֶד שְׁלֵא יְהוּ חֲבָלֵי הַמִּיטָה נוֹגְעִין בְּתִיבָה. הוֹרִי רַבִּי יִסָּא בְּמִקְוֵי דְרַבִּי שְׁמוּאֵל בְּרַב יִצְחָק כְּהֵדָא דְרַבִּי חוּנָה.

²³⁴A chest full of scrolls one may put under the head of the bed but one may not put it under the foot end of the bed. Rebbi Abun in the name of Rebbi Huna: But only if the bed is 10 hand-breadths²³⁵ high, and only if the ropes of the bed do not touch the chest. Rebbi Yasa taught the ruling of Rebbi Huna in the town of Rebbi Samuel bar Rav Isaac.

234 After discussing what may or may not be put under one's bed, one continues with the case of holy scrolls

in one's room, first under the bed and then in the room.

235 A *tefah* (hand-breadth) is one-

sixth of a cubit. The basic information one has about length is that the distance one may travel from a town on Sabbath is one *mil* or 2000 cubits. If the *mil* is taken to be the traditional 1111m = 3648 feet then a cubit is 1.824 ft and a *tefaḥ* is 3.65 inches. (If the *mil* is taken to be an unlikely Roman mile of 1473.2m = 4833.33 ft, then a cubit is 2.417 ft and a *tefaḥ* is 4.836 inches.)

Another approach is based on

Mishnah *Kelim* 17:11 which reports an opinion that fluid measures are Roman. The Babli (*Pesahim* 109 a/b) defines 40 *seah* as three cubic cubits. By the data quoted in note 164, the cubit would be 55.47 cm and the *tefaḥ* 9.25 cm or 3.64 in.

Anything more than 10 *tefaḥ* above the ground is considered to be in another domain. This reason also applies to the next paragraph.

לא ישמש אדם מיטתו וספר תורה עמו בבית. רבי ירמיה בשם רבי אבהו אם
היה כרוך במפה או שהיה נתון בחלון שהוא גבוה עשרה טפחים מותר. רבי
הושע בן לוי עושה לו כיליון.

A person should not have sexual intercourse when there is a Torah scroll with him in the room. Rabbi Jeremiah in the name of Rabbi Abbahu: it is permitted if it was wrapped in a wrapper or if it was in a window opening that is ten hand-breadths above the ground. Rabbi Joshua ben Levi made a small curtain²³⁶ for it.

236 Diminutive of כילה "curtain". (The parallel statement in the Babli, *Berakhot* 25b, states the dangers of sexual intercourse in the presence of a Torah scroll; its connection with the

preceding discussion of praying in presence of a chamberpot can be understood only as a commentary on the Yerushalmi.)

לא ישב אדם על גבי ספסל שספר תורה נתון עליו. מעשה ברבי אליעזר
שהיה יושב על גבי ספסל שספר תורה נתון עליו והרתיע מלפניו כמרתיע
מלפני נחש. אם היה נתון על גבי דבר אחר מותר. עד היכן. רבי אבא בשם
רבי חונא טפח. רבי ירמיה בשם רבי זעורא אפילו כל-שהוא.

A person should not sit on a low bench²³⁷ on which a Torah scroll was placed. It happened that Rebbi Eliezer sat down on a low bench on which a Torah scroll was placed and he recoiled from it as one recoils before a snake²³⁸. If it was placed on something other, it is permitted. How far? Rebbi Abba in the name of Rebbi Ḥuna: One handbreadth. Rebbi Jeremiah in the name of Rebbi Zeïra: Anything.

237 Latin *subsellium* "bench".

"You shall fear My holy things." This is

238 Cf. *Massekhet Soferim* 3:13, and *Massekhet Sefer Torah* 3:10 (where it says "he got up as if bitten by a snake"); also quoted in Babli *Menahot* 32b. The reason given is the verse (*Lev.* 26:6):

then qualified that one may not sit on a bench on which there is a Torah scroll, but if the scroll is on a separate table or chair, there is no minimum distance to be kept.

דייסקי שְׁהִיא מְלֵאָה סִפְרִים אוֹ שְׁהִיוּ בְּתוֹכָהּ עֲצָמוֹת הַמֵּת הָרִי זֶה מִפְּשִׁילָן
מֵאַחֲרָיו וְרוֹכֵב.

A double sack²³⁹ full of scrolls or if there were in it bones of a dead person²⁴⁰, one carries it on his back and rides.

239 Greek *δισάκκιον*, "saddle bag", a sack made to be carried by a donkey (or horse) hanging down on both sides of the animal. The rule is inserted here in the sequence of rules dealing with the respect due to holy things. The

respect shown here is that the sack may not be put on the animal but must be carried on the person even if the latter is riding.

240 For reburial in an ossuary in a cave.

תְּפִילִין תּוֹלָה אוֹתָן מִרְאֲשׁוֹת הַמִּיטָה וְאִינוּ תּוֹלָה אוֹתָם מִרְגְּלוֹת הַמִּיטָה. רַבִּי
שְׁמוּאֵל רַבִּי אֲבָהוּ רַבִּי אֶלְעָזָר בְּשֵׁם רַבִּי חֲנִינְאִי רַבִּי הִזְקִיָּה תּוֹלָה אֶת הַתְּפִילִין
בְּמִרְאֲשׁוֹת הַמִּיטָה. רַבִּי חֲזַקְיָה בְּשֵׁם רַבִּי אֲבָהוּ וּבִלְבָד דְּלֹא יַעֲבִיד כְּהֵדִין
דִּיקְלָרָא אֶלֶּא תְּפִילִין מִלְּמַעְלָן וְרֻצוּעוֹת מִלְּמַטָּן.

Tefillin one may hang on the headboard of the bed but one may not hang them at the foot end of the bed²⁴¹. Rebbi Samuel²⁴², Rebbi Abbahu, Rebbi Eleazar in the name of Rebbi Ḥanina: Rebbi did hang his *tefillin* on the headboard of his bed. Rebbi Hizqiah in the name of Rebbi Abbahu: But only that he should not do in the way of makers of palm leaf baskets but *tefillin* on top and the straps on the bottom²⁴³.

241 For the same reason as before, to show respect.

242 Since he was a student of R. Abbahu and sometimes student of R. Zeïra, the chain of transmission here are four uninterrupted generations. It seems that only R. Samuel made a formal statement out of an informal tradition; however, in the Babli (24a) the statement is in the name of R. Ḥanina himself.

243 In the interpretation of J. Levy, basket makers put their wares on a rope from which they are hanging down. *Tefillin* should never hang

down. [While ריקולא are palm-leaf baskets, the Latin ending *-arius* is suspect. It might be better to derive the word from Latin *collare, collarium* "neck chain, collar", with the prefix די meaning either "double" or being the Aramaic relative pronoun (E. G.). *Tefillin* should not hang as a pendant from its chain.]

In the Babli (24a), this is a rejected opinion. One requires there that the *tefillin* be put in a pouch, the pouch then may be hung at the head of the bed.

תנא רבי חלפתא בן שאול העוֹטֵשׁ בתפילתו סימן רע לו. הָדָא דְאֵתְ אָמַר מלמטה אָבֵל מלמעלה לא. אתיא דמר רבי חנינא אני ראיתי את רבי מפהק ומעטש ונותן יָדוֹ עַל פִּי אָבֵל לא רוקק. רבי יוחנן אמר אפילו רוקק כְּדִי שִׁיְהָא כּוֹסוֹ נָקִי. לִפְנֵי אָסוֹר לְאַחֲרֵי מוֹתֵר. לִימִינוֹ אָסוֹר לְשִׂמְאֵלוֹ מוֹתֵר. הָדָא הוּא דְכְּתִיב וּפַל מִצְדָּד אֶלְפִי. כָּל־עֲמָא מוֹדִי בְּהֵינּוּ דְרִקֵּק אִיצְטְלִין דְּהוּא אָסוֹר. רבי יהושע בן לוי אומר הרוקק בבית הכנסת כְּרוֹקֵק בְּבֵבֶת עֵינוֹ. רבי יונה רַקֵּק וְשִׁינִי. רבי ירמיה רבי שמואל בר חלפתא בְּשֵׁם רב אָדָא בַר אֲחִינֹה המתפלל אל ירוק עד שיהלך ארבע אמות. אמר רבי יוסי בירבי אבון וכן הרוקק אל יתפלל עד שיהלך ארבע אמות.

Rebbi Ḥalaphta ben Shaul²⁴⁴ stated: It is a bad sign if one lets wind during one's prayer. That means on one's bottom, but not on one's top. This parallels what Rebbi Ḥanina said: I saw Rebbi yawning, belching, putting his hand on his mouth, but not spitting²⁴⁵. Rebbi Yoḥanan said, one may even spit so that one's cup²⁴⁶ should be clean; forward is forbidden, behind oneself is permitted²⁴⁷. To one's right is forbidden, to one's left is permitted; that is what is written (*Ps.* 91: 7): "On your left hand side will fall a thousand.²⁴⁸" Everybody agrees about one who spits toward the stele²⁴⁹, that he is forbidden to do so. Rebbi Joshua ben Levi says, he who spits in the synagogue is like one who spits into his own eye²⁵⁰. Rebbi Jonah spat and rubbed out. Rebbi Jeremiah, Rebbi Samuel bar Ḥalaphta in the name of Rav Ada bar Aḥava: He who prayed should not spit until he walked four cubits. Rebbi Yose bar Rebbi Abun said, similarly he who spat should not pray until he walked four cubits.

244 An Amora of the first generation, of the collectors of *baraitot*. In the Babli, he mostly appears as Rebbi Tahḥipha ben Shaul. The section here is a continuation of the discussion of respect due to either places of holiness (the synagogue) or acts of holiness (prayer).

245 In the Babli (24a/b), R. Ḥanina reports that he saw Rebbi spitting; this is permitted in the Babli only for people who were disgusted if they had to spit into their garments.

246 I. e., one's mouth.

247 In the Babli (24b) this is reported as an act of Rav Ashi, the first

editor of the Babylonian Talmud. Its theoretical justification must be sought here in the Yerushalmi.

248 As usual, the real argument is from the later part of the verse which is not quoted: "On your left hand side will fall a thousand, but ten thousand on your right hand side." Hence, the right hand side is ten times as important as the left hand side.

249 Greek *στήλη*. The stele in the synagogue was the pulpit on which the Torah scroll was laid for reading and was a place of particular holiness [Cf. Y. Brand, *Izṭelin*, *Lēšōnēnū* 32 (5728), 276-277]. This passage appears in

many corrupt versions in early medieval rabbinic authors (e. g., R. Abraham bar David and the student of Rabbenu Jonah) and has given rise to many

phantastic conjectures.

250 A parallel in the Babli (24b) states "he is as if he spat out before the king."

וכן המטיל מים אל יתפלל עד שיהלך ארבע אמות. אמר רבי יעקב בר אהא לא סוף דבר עד שיהלך ארבע אמות. אלא אפילו שהא כדי הילוך ארבע אמות. אמר רבי אממי אם אומר אתה עד שיהלך ארבע אמות יהא אסור אני אומר אחר בא והטיל שם.

Similarly, he who urinates should not pray until he walks four cubits²⁵¹. Rabbi Jacob bar Aḥa said: not only that he walks four cubits but even if he waits corresponding to a walk of four cubits. Rabbi Ammi said, if you say that he is forbidden until he removes himself four cubits, I say that maybe somebody else came and urinated there²⁵².

251 In the Tosephta (*Berakhot* 2:19), the language is more restrictive: "A person should not urinate at the place where he prays unless he removes himself four cubits. Once he urinated he should not pray unless he removed himself four cubits. If it is dry or absorbed (in the earth) it is permitted." This text is the basis of the discussion

of the Babli (*Megillah* 27b) but not of the Yerushalmi.

252 And there is no place in the world where he could pray. The Babli (*Berakhot* 25a) explicitly rules out this argument and states that one is forbidden only at a place where certainly somebody urinated and the moisture is still recognizable.

רבי אבא בשם רב צואה עד שתיבש כעצם. מים כל-זמן שהן מטפוחין. גניבא אמר כל-זמן שרישומן ניכר. שמואל אמר עד שיקרמו פניה. שמעון בר ווא בשם רבי יוחנן עד שיקרמו פניה. רבי ירמיה רבי זעורא בשם רב צואה אפילו כעצם אסורה. שמואל אמר עד שיקרמו פניה. שמעון בר ווא אמר בשם רבי יוחנן עד שיקרמו פניה. אמר חזקיה רבי אבא מחמיר במים יותר

מִן הַצֹּאֵה. אָמַר לִיה רַבִּי מְנָא מִן הַדָּא דְגִיבָא. אָמַר לוֹ אֶפִּילוּ עֲשׂוּיָה כְעֵצִים
אֲסוּרָה שְׁמִמְשָׁה²⁵³ קִיִּים מִים אִין מִמְשָׁה קִיִּים.

Rebbi Abba in the name of Rav: Excrement until it is hardened like bone, urine all the time it makes moist²⁵⁴. Ganiva²⁵⁵ said: All the time that its impression is visible. Samuel said: Until its²⁵⁶ surface is hardened. Simeon bar Abba in the name of Rebbi Yoḥanan: Until its surface is hardened. Rebbi Jeremiah, Rebbi Zeira in the name of Rav: Excrement is forbidden even if it is hard like bone. Samuel said: Until its surface is hardened. Simeon bar Abba in the name of Rebbi Yoḥanan: Until its surface is hardened²⁵⁷.

Hizqiah said: Rebbi Abba is more restrictive for urine than for excrement? Rebbi Mana said to him: From that of Ganiva²⁵⁸; he said to him: Even if it is hard like bone it is forbidden because its matter exists; urine's matter no longer exists²⁵⁹

253 Reading of the Rome ms. Venice and Leyden: מִשְׁמֶשֶׁה (both times).

254 This refers to the earlier statement that one has to remove himself from excrement until he no longer sees it, and from urine four cubits. The question is how long excrement legally is in its state.

In the Babli (25a), the statement of Samuel/R. Yoḥanan is attributed to Rav by Rav Yehudah and Rebbi Abba's statement about urine to Samuel/Rebbi Yoḥanan. There is no difference between the Talmudim *in praxi* for urine but the conclusion, that excrement is forbidden even if it is

hard like bone, while supported there in the name of R. Yoḥanan, is finally rejected as a matter of common practice.

255 A colleague of Rav in Babylonia. He was an extreme political opponent of the then Resh Galuta and was executed by the Persian king as a trouble maker (without the intervention of the Resh Galuta.) His statement refers to urine and is quoted as such in the Babli (25a).

256 Refers to excrement only.

257 The seeming repetition shows that Rebbi Zeira formulated the entire statement concerning the opinions of

Rav, Samuel, and R. Yoḥanan. In the first half, the statements of Rabbi Abba, Samuel, and Rabbi Yoḥanan are three independent statements.

258 "As long as it is recognizable"

applies both to excrement and to urine. Since excrement is recognizable even if it is hard as bone (Rome ms.: "hard as wood"), it remains forbidden.

259 As recognizable entity.

משנה ו: זב שראה קרי ונדח שפלטו שכבת זרע והמשמשות שראתה נדה צריכה טבילה ורבי יונה פוטר.

Mishnah 6: The person with gonorrhea who had an emission of semen, as well as a menstruating woman who lost semen, and the woman who started menstruating while having intercourse, need immersion, but Rabbi Yehudah frees them²⁶⁰

260 It is explained in *Lev.* 15 that the man with gonorrhea makes everything around himself impure and cannot be become pure except by a lengthy procedure. Similarly, the menstruating woman needs at least seven days for her purification. If any of these is polluted by the minor impurity of *qeri* as explained in the preceding *halakhah*, any immersion for *qeri* has no influence on the severe impurity already existing (or the one additional in the case of the woman who notices her period while she is already impure by having intercourse).

Rebbi Yehudah notes that since the immersion for *qeri* has no practical consequences, it is not needed. The other sages seem to think that since the immersion does not need *miqweh* or flowing water and since it is needed to let the persons pray it is of a completely different character and independent of the other impurities. Since the woman noticing her period during intercourse has to stop it immediately, even before emission of semen, it is clear that her impurity is not the Biblical one described in *Lev.* 15:16-18 but the rabbinic one of *qeri*.

הלכה ו: עד קדון זב שראה קרי ואפילו (fol. 7a) קרי שראה זב מועיל הוא שהוא טובל. נשמענה מן הדא המשמשת שראתה נדה צריכה טבילה. ורבי יודה פוטר.

Halakhah 6: So far the person with gonorrhea who had an emission of semen; is it good for anything if the person immerses himself who had an emission and afterwards has an episode of gonorrhea? We hear it from this: "The woman who started menstruating while having intercourse needs immersion, but Rabbi Yehudah frees her.²⁶¹"

261 In both cases, the impurity of *qeri* preceded the severe Biblical impurity and, nevertheless, the disagreement between the majority and Rabbi Yehudah is the same as when the severe impurity precedes *qeri*. This

particular case, which is not in the Mishnah, is treated in Babli 26a where it is stated explicitly not only that Rabbi Yehudah does not require immersion but that the majority require it.

מה טעם דרבי יודה משם מה מועיל הוא שהוא טובל שאם שם לטומאה קלה אצל טומאה חמורה. מה נפק מביניהון ראה קרי אין תימר מה מועיל שהוא טובל מועיל הוא הוי לית טעמיה דלא משום שאין שם לטומאה קלה אצל טומאה חמורה.

What is Rabbi Yehudah's reason? Is it because what would one profit if he immersed himself²⁶² or whether there is a name for light impurity in the presence of severe impurity²⁶³? What is the difference between these possibilities? If he saw *qeri*, if you say what would one profit if he immersed himself, he would profit²⁶⁴! Hence, the only reason is that there is no name for light impurity in the presence of severe impurity!

262 Since the person remains impure as before.

simply add another level of impurity?

263 Does the severe impurity eliminate the minor impurity, or does it

264 He eliminates the rabbinic prohibition against studying Torah and reciting *Shema'* without washing.

עד כְּדוֹן כְּשֶׁבָּאת לוֹ טוּמְאָה קְלָה בְּסוּף. אֲפִילוּ בָּאת לוֹ טוּמְאָה חֲמוּרָה בְּסוּף.
 נִשְׁמְעִינָה מִן הַדָּא וְהַמְשַׁמְשֵׁת שְׂרָאָתָה נִדָּה צְרִיכָה טְבִילָה וְרַבֵּי יוֹדֵה פּוֹטֵר.
 הַדָּא אֲמַרָה הִיא הַדָּא הִיא הַדָּא.

That is if the light impurity came at the end. Is it even if the severe impurity came at the end²⁶⁵? We may understand it from this: "The woman who started menstruating while having intercourse needs immersion, but Rabbi Yehudah frees her." That means, one case is like the other case.

265 Does the severe impurity add to the minor impurity or does it supersede the minor impurity?

תפילת השחר פרק רביעי

משנה א: תפילת השחר עד חצות. רבי יהודה אומר עד ארבע שעות. תפילת המנחה עד הערב. רבי יהודה אומר עד פלג המנחה. תפילת הערב אין לה קבע. ושל מוספין כל היום.

Mishnah 1: Morning prayers are until noon; Rabbi Yehudah says, until four hours¹. Afternoon² prayers are until evening, Rabbi Yehudah says until half of *Minḥah*. Evening prayers have no fixed time. *Musaph* prayers have all day.

1 One hour being one twelfth of the time difference between sunrise and sundown (according to some interpreters of the Babli, from dawn to dusk).

2 "*Minḥah*" prayers. This expression refers to the Temple service when the flour offering after the afternoon sacrifice signalled the end of the day. The preferred time fixed for this

offering was 2h 30min. before sundown. Hence, "half of *Minḥah*" is 1h 15min. before sundown. The earliest time for the evening sacrifices (on Passover eve) was 30 minutes after noontime. *Musaph* prayers were added on days when there were additional public sacrifices between morning and afternoon sacrifices.

הלכה א: כתיב לאהבה את יי אלהיכם ולעבדו בכל לבבכם ובכל נפשכם וכי יש עבודה בלב. ואי זו זו תפילה. וכן הוא אומר אלהך די אנת פלח ליה בתדירא הוא ישזבנה. וכי יש פולחן בבבל. ואי זו זו תפילה.

Halakhah 1: It is written (*Deut.* 11:13) "To love the Eternal, your God, and to work³ for Him with all your heart and all your soul," does there exist work in the heart? This refers to prayer. And so it says (*Dan.* 6:17):

"Your God, whom you serve permanently, may rescue you." Is there any service in Babylonia? This refers to prayer.

3 The root עבד means "to work, to serve" and implies some physical exertion. In the religious sense, עבודה without qualifier always means the Temple service, the actual offering of sacrifices and all that is connected with it. (Hence, as noted in reference to Daniel, it cannot take place in Babylonia.) In the Babli (*Taanit* 2a), prayer is explicitly qualified as "service by the heart".

יכול יהא מתפלל שלשתו כאחת פרש בדניאל וזמניו תלתא ביומא הוא ברך על ברכוהי וגומר. יכול יהא מתפלל לכל-ריח שיירצה. תלמוד לומר וכיון פתיחין ליה נגד ירושלם. יכול משבאו לגולה כן תלמוד לומר כל-קבל די הנה עבד מן קדמת דנא. יכול יהא מתפלל שלשתו בכל-שעה שיירצה. כבר פירש דוד ערב ובוקר וצהרים. יכול יהא מגביה קולו ויתפלל. פירש בחנה וחנוה היא מדברת על לבה. יכול יהא מהרהר בלב. תלמוד לומר רק שפתיה נעות. הא כיצד מרחיש בשפתותיו.

One might think that one may pray all three⁴ together - it is explained in Daniel (*Dan.* 6:11): "Three times a day he fell on his knees, etc." One might think that one may pray in any direction one wants - the verse says "slits were open for him in the direction of Jerusalem." One might think that he started after he went into captivity - the verse says "as was his wont from before that." One might think that one may pray all three at any time he wishes - already David did explain (*Ps.* 55:18): "Morning, evening, and afternoon." One might think that one may pray aloud - it was explained about Hannah (*ISam.* 1:13): "Hannah was speaking to herself." One might assume that he might simply think - the verse says "only her lips moved." How is that? One whispers with one's lips.

4 It will be explained later that the three daily prayers were either inherited from the patriarchs or they were fashioned after the Temple service. The verse in Daniel is not discussed in the order it is written, neither is the order of the verse

preserved in the Tosephta (*Berakhot* 3:6) or in the Babli (31a), whose text is close to the Tosephta. The last remarks about moving one's lips is neither in the Babli nor in the Tosephta.

אָמַר רַבִּי יוֹסִי בַר חֲנִינְיָא מִן הַפְּסוּק הַזֶּה אֵת לְמַד אַרְבָּעָה דְּבָרִים. וְחֲנָה הִיא מְדַבֶּרֶת עַל לִבָּהּ. מִיכֵן שֶׁהִתְפִּילָה צְרִיכָה כְּוֹנָה. רַק שִׁפְתֶיהָ נָעוּת. מִיכֵן שֶׁהוּא צָרִיךְ לְהִרְחִישׁ בְּשִׁפְתָיו. וְקוֹלָהּ לֹא יִשְׁמַע. מִיכֵן שֶׁלֹּא יְהִי אָדָם מְגַבִּיהַ קוֹלוֹ וַיִּתְפַּלֵּל. וַיִּחְשְׁבֶהָ עָלֵי לְשִׁכּוּרָהּ. מִיכֵן שֶׁהִשְׁכוֹר אָסוּר לְהִתְפַּלֵּל.

Rebbi Yose bar Hanina said: From this verse (*ISam.* 1:13) you may learn four things. "Hannah was speaking to her heart," from here that prayer needs attention. "Only her lips moved," from here that one must whisper with one's lips. "Her voice was not heard," from here that nobody should pray at high voice. "And Eli thought that she was drunk," from here that a drunk is forbidden to pray.⁵

5 This paragraph is given in the Hamnuna, a Babylonian contemporary Babli (31a) in the name of Rav of Rebbi Yose bar Hanina.

מִלֵּתָא דְחֲנַן בַּר בָּא פְּלִיגָא דְחֲנַן בַּר בָּא אָמַר לְחַבְרַיָא גִימור לְכוּן מִלֵּתָא טְבָא דְחֲמִית לְרַב עֲבִיד וְאִמְרִיתָהּ קוּמִי שְׁמוּאֵל וְקָם וְנָשַׁק עַל פּוּמִי. בְּרוּךְ אַתָּה שׁוֹחֵחַ. בָּא לְהַזְכִּיר אֵת הַשֵּׁם זִקְוִי. שְׁמוּאֵל אָמַר אֲנִי אִמְרִית טַעֲמָא יֵי זִקְוִי כְּפּוּפִים. אָמַר רַבִּי אֲמִי לֹא מִסְתַּבְּרָא אֶלָּא מִפְּנֵי שְׁמֵי נִיחַת הוּא. אָמַר רַבִּי אֲבוּן אֵלּוּ הוּא כְּתִיב בְּשְׁמֵי נִיחַת הוּא יֵאוּת. לֵית כְּתִיב אֶלָּא מִפְּנֵי שְׁמֵי נִיחַת הוּא. קוֹדָם עַד שֶׁלֹּא הִזְכִּיר אֵת הַשֵּׁם כְּבָר נִיחַת הוּא.

The word of Hanan bar Abba⁶ disagrees since Hanan bar Abba said to the colleagues: I shall tell you one of the good things that I saw Rav do

and, when I told it before Samuel he got up and kissed me on my mouth. At "praised are You", he bows down. When he comes to mention *Hashem*, he straightens up. Samuel said: I shall give the reason (*Ps.* 35:10): "The Lord straightens the bent ones." Rabbi Ammi said: It is not reasonable, but (*Mal.* 2:5): "Before My Name he is low." Rabbi Abun said: If it were written "at My Name he is low" then you would be right, but it is written "before My Name he is low", before he mentions *Hashem* he is low.

6 The entire paragraph does not belong here but is taken word by word from Chapter 1, Halakhah 8, at note 265 ff.

רבי אבא בר זבדא מצלי בקלא. רבי יונה בד הוא מצלי בכנישתא הנה מצלי בלחישא. בד הוא מצלי בביתא הנה מצלי בקלא עד דילפון בני ביתיה צלותא מיניה. אמר רבי מנא ובניה ביתיה דאבא ילפא צלותא מיניה.

Rebbi Abba bar Zavda prayed aloud⁷. Rebbi Jonah prayed whispering in the synagogue; he prayed aloud in his house so that the people in his house⁸ should learn prayer from him. Rebbi Mana⁹ said: Really, the people in my father's house learned prayer from him.

7 He opposes the generalization from Hannah's prayer to general rule. As a student of Rav, he represents generations later his opinion was accepted in Galilee.

8 His wife and children.

9 Rebbi Mana II, son of Rebbi Jonah.

מאיכן למדו ג תפילות. רבי שמואל בר נחמני אמר כנגד ג פעמים שהיום משתנה על הבריות. בשחר צריך אדם לומר מודה אני לפניך יי אלדי ואלדי אבותי שהוצאתני מאפילה לאורה. במנחה צריך אדם לומר מודה אני לפניך יי אלדי ואלדי אבותי כשם שזכיתני לראות החמה במזרח כך זכיתני לראות

במערב. בערב צריך לומר יהי רצון מלפניך יי אלדי ואלדי אבותי כשם שהייתי באפילה והוצאתני לאורה כך תוציאני מאפילה לאורה.

From where did they learn the three prayers? Rebbi Samuel bar Nahmani said¹⁰: According to the three times that the day changes for man. In the morning, one must say: I thank you, o Eternal, my God and God of my fathers, that you led me from darkness to light. At *Minhah*, one must say: I thank you, o Eternal, my God and God of my fathers, that just as You let me see the sun in the East, so I could see it in the West. In the evening, one must say: May it be Your pleasure, o Eternal, my God and God of my fathers, that just as I was in darkness and You led me into light, so may You lead me from darkness into light.

10 This paragraph is found *in extenso*, the next two paragraphs very shortened, in *Midrash Bereshit Rabba* 68(11). There, the order of prayers is evening, morning, afternoon, and the afternoon prayer is: "just as You let me see the sun in the East, so may You let

me see it in the West." The form of the Midrash is appropriate for early *Minhah* (half an hour after noon), the form of the Talmud is appropriate for the standard *Minhah*, close to evening. Neither of the two texts is a corruption of the other.

רבי יהושע בן לוי אמר תפילות מאבות למדום. תפילת השחר מאברהם אבינו וישכם אברהם בבוקר אל המקום אשר עמד שם את פני יי. ואין עמידה אלא תפילה כמה דתימר ויעמוד פינחס ויפלל. תפילת המנחה מיצחק אבינו. ויצא יצחק לשוח בשדה ואין שיהא אלא תפלה. כמה דתימר תפילה לעני כי יעטוף ולפני יי ישפוך שיחו. תפילת הערב מיצחק אבינו ויפגע (fol. 6b) במקום וילן שם. ואין פגיעה אלא תפילה כמה דתימר יפגעו נא בלי צבאות. ואומר אל תשא בעדם רינה ותפילה ואל תפגע בי.

Rebbi Joshua ben Levi¹¹ said: They¹² learned prayers from the patriarchs. Morning prayer from our father Abraham (*Gen.* 19:27): "Abraham got up early to the place where he had stood there in the

presence of the Eternal." Standing means praying, as it says (*Ps.* 106:30) "Phineas stood and prayed¹³." *Minḥah* prayers from our father Isaac. (*Gen.* 24:63) "Isaac went out to speak on the field¹⁴." Speaking means praying, as it says (*Ps.* 102:1) "A prayer of the deprived one when he faints and pours out his speech before the Eternal." Evening prayer from our father Jacob. (*Gen.* 28:11) "He entreated at the Place¹⁵." Entreaty means prayer, as it is said (*Jer.* 27:18) "Please, let them entreat the Eternal of hosts." And it says (*Jer.* 7:16): "Do not lift for them (your voice in) a cry and do not entreat me."

11 In the parallel in the Babli (26b), the opinion of Rebbi Joshua ben Levi is ascribed to R. Yose bar Ḥanina and the opinion of "the rabbis" in the following paragraph to R. Joshua ben Levi. The detailed derivation in both cases is declared to be a *baraita*, meaning that the two Amora'im quoted do not claim originality, they simply adopt pre-existing ideas.

12 The Men of the Great Assembly who instituted formal prayers and

benedictions.

13 Usually translated as "judged".

14 The essential proof is from the part of the verse that is not quoted: "To speak on the field towards evening." [The Arabic *شوا*, corresponding to Hebrew *שׁוּח*, means "to run, or fly, with outstretched arms".]

15 Usually translated "came suddenly upon the place." For the meaning of "Place", see H. Guggenheimer, *The Scholar's Haggadah*, pp. 268-269.

וּרְבִנְן אָמְרוּ תְּפִילֹת מִתְּמִידִין גְּמָרוּ. תְּפִילַת הַשַּׁחַר מִתְּמִיד שֶׁל שַׁחַר. אֵת
הַכָּבֵשׁ הָאֶחָד תַּעֲשֶׂה בְּבֹקֶר. תְּפִילַת הַמִּנְחָה מִתְּמִיד שֶׁל בֵּין הָעֶרְבִים. וְאֵת
הַכָּבֵשׁ הַשֵּׁנִי תַעֲשֶׂה בֵּין הָעֶרְבִים. תְּפִילַת הָעֶרֶב לֹא מֵצֵאוּ בְּמָה לְתִלּוּתָהּ וְשָׁנוּ
אוֹתָהּ סֵתָם. הִדָּא הוּא דְתַנִּינָן תְּפִילַת הָעֶרֶב אִין לָהּ קָבַע וְשֶׁל מוֹסְפִין
כָּל־הַיּוֹם. אָמַר רַבִּי תַנְחוּמָא עוֹד הִיא קָבַעוּ אוֹתָהּ כְּנֶגֶד אֵיכוּל אֵיבָרִים
וּפְדָרִים שֶׁהִיוּ מִתְּאֲכָלִין עַל גְּבֵי הַמִּזְבֵּחַ כָּל־הַלַּיְלָה.

The rabbis said, they inferred prayers from daily sacrifices. The morning prayer from the perpetual sacrifice of the morning (*Num.* 28:4): "The first lamb you should present in the morning." *Minḥah* prayer from the perpetual sacrifice of the evening: "And the second lamb you should present in the evening." They did not find anything to peg evening prayers onto it and simply stated it; that is what we have stated: Evening prayers have no fixed time. *Musaph* prayers are all day. Rabbi Tanḥuma¹⁶ said: In fact, they fixed it corresponding to the consumption of limbs and fat which were consumed on the altar during the entire night.

16 In the Babli (26b), this statement of a late Amora also is quoted as Tannaïtic.

מדברי תורה למד רבי יהודה. דתני רבי ישמעאל וחס השמש ונקמס בארבע שעות. אתה אומר בארבע שעות או אינו אלא בשש שעות. כשהוא אומר כחוס היום הרי שש אמור. הא מה אני מקיים וחס השמש ונקמס בארבע שעות. ואת דרש בבקר בבקר. מה בבקר שנאמר להלן בארבע שעות. אף בבקר שנאמר כאן בארבע שעות. בארבע שעין שמשא חמין וטולא קריר. בשית שעין שמשא חמין וטולא חמין. אמר רבי תנחומא מהו כחוס היום. בשעה שאין צל לכל-בריה.

Rebbi Yehudah¹⁷ learned from words of the Torah, since Rebbi Ismael stated: (*Ex.* 17:21) "The sun was hot and it melted," four hours into the day. You say four hours or should it be six hours? When it says (*Gen.* 18:1): "In the heat of the day", that means at six hours. Therefore, how can I interpret: "The sun was hot and it melted," four hours into the day!^{18!}

You derive it from (*Ex.* 17:21): "In the morning," (*Num.* 28:4) "in the morning." Since the first "morning" meant "four hours", "morning" mentioned there also means "four hours." At four hours the sun is warm and the shadow is cool. At six hours both sun and shadow are hot. Rebbi

Tanhuma said (*Gen. 18:1*): "In the heat of the day", at an hour when there is no shadow for any creature.

17 This paragraph is found also in the Babli (27a) and in both Mekhiltot (to *Ex. 17:21*). The second paragraph which connects the derivation to the previous association with sacrifices, and hence, with prayer, is found only in the Yerushalmi.

18 Here and in the next paragraph, one supposes, as in most Talmudic derivations, that the vocabulary of the

Torah is uniquely fixed and that different expressions must have different meanings. [The only Bible translation that can be clearly dated to Tannaitic times, the fragments of Aquilas's Greek translation from the school of Rebbis Eliezer and Joshua, systematically has one-on-one correspondence between Hebrew and Greek words.]

רבי יסא מצלי בתלת שיעין. רבי חייא בר ווא מצלי בתלת שיעין. רבי ברכיה
חמוניה קרי קרית שמע ומצלי בתר תלת שיעין. והא תנינן הקורא מיבן ואילך
לא הפסיד פאדם הקורא בתורה. נימר כבר קיבל מלכות שמים בעונתה.

Rebbi Yasa prayed at three hours¹⁹. Rebbi Hiyya bar Abba prayed at three hours. They saw Rebbi Berekhiah that he recited *Shema'* and prayed after three hours. But did we not formulate (*Berakhot* 1:5): "He who reads after that did not lose, he is like a man reading in the Torah." We may say that he accepted the yoke of heaven in its time²⁰.

19 While in theory in Mishnaic times the recitation of *Shema'* and prayer were separate activities, the practice in Amoraic times was to unite them. It is stated in the Babli (9b) in the name of Israeli authorities that it is preferable to pray immediately after the last benediction of *Shema'*. All authorities quoted here subscribe to

this usage; the first two pray at the correct time for the recitation of *Shema'*, the last one recites *Shema'* at the time of prayer according to Rebbi Yehudah.

20 It is current practice to recite the first verse of *Shema'* during the preliminary benedictions recited immediately after one gets dressed in

the morning. Then the remainder of Torah and may be delayed, in particular on Sabbath and holidays.

אי מעדות למד רבי יודה דמר רבי סימון בשם רבי יהושע בן לוי בימי מלכות ון היו משלשלו להן שתי קופות של זהב והיו מעליו להן שני טליים. פעם אחת שילשלו להן שתי קופות של זהב והיו מעליו להן שני גדיים. באותה שעה האיר הקדוש ברוך הוא עיניהם ומצאו שני טליים מבוקרים בלשכת הטלאים. על אותה שעה העיד רבי יהודה בר אבא על תמיד של שחר שקרב בארבע שעות.

Or Rabbi Yehudah learned from testimony²¹ since Rabbi Simon said in the name of Rabbi Joshua ben Levi: In the time of the hellenistic government²² they²³ lowered them two boxes with gold and they gave them two lambs to pull up. Once they lowered them two boxes with gold and they gave them two kid goats²⁴ to pull up. At that moment the Holy One, praise to Him, enlightened their eyes and they found two certified lambs in the hall of lambs²⁵. About that time did Rabbi Yehudah bar Abba²⁶ testify that the perpetual morning sacrifice was brought at four hours.

21 Since we said that the rules of prayer are imitations of the rules of sacrifices and we do not find that the perpetual sacrifice was ever brought later than four hours in the day. Usually it is brought at first dawn.

22 The Babli (*Menahot* 64b) telescopes this story and the next into one and dates it at the civil war of the two Hasmonian brothers Hyrkanos and Aristobulos.

23 The officials of the Temple

lowered the boxes from the wall of besieged Jerusalem; in each box was payment for the lamb to be placed in it for the daily sacrifice.

24 Which cannot be used for the perpetual sacrifice.

25 Since the verse (*Num.* 28:3) requires that the perpetual sacrifice be "a yearling sheep without blemish", the sheep were usually held in a separate "hall of lambs" and were inspected three times before being used as

sacrifice.

26 In the Babli (27a), the name is Rebbi Yehudah ben Baba. Levi Ginzberg points out that the name Yehudah bar Abba is found instead of Yehudah ben Baba in some Mishnah manuscripts at *Idiut* 6:1, 8:2, *Yebamot*

16:7 and that R. Yehudah ben Baba, who was killed in the aftermath of the war of Bar Kokhba, is much too late to testify about occurrences in the Temple. Hence, the name "bar Abba" should not be changed.

אמר רבי לוי אף בימי מלכות רשעא הזאת היו משלשלין להן שתי קופות של זהב והיו מעלין להן שני כבשים. ובסוף שלשלו להם שתי קופות של זהב ועלו להן שני חזירין. לא הספיקו להגיע לחצי חומה עד שנעץ החזיר בחומה ונזדעזעה החומה וקפץ מפרסה מארץ ישראל. באותה שעה גרמו העוונות ובטל התמיד וחרב הבית.

Rebbi Levi said: Also in the days of the present evil government²⁷ they lowered them two boxes with gold and they gave them two sheep to pull up. Once they lowered them two boxes with gold and they let them pull up two swine²⁸. They did not manage to get to half the height of the wall when the swine clawed the wall; the wall trembled, and [the swine] jumped 40 parasangs from the Land of Israel. At that time the sins caused that the perpetual sacrifice was stopped and the Temple destroyed.

27 In both Talmudim, the "evil government" or simply "government" is the Roman government.

28 In the Babli (*Menahot* 64b), there was only one swine and not only the wall but the entire Land of Israel

trembled. (The civil war was at the time when Pompey conquered the East for Rome but the story here clearly speaks of the war of Titus. However, it seems that the Babli tradition in this case is more correct.)

מה טעמון דרבנן. שנים ליום. חלוק את היום. טעמא דרבי יהודה שנים ליום. שני פרקליטין ליום. שנים ליום. שיתהא שחיתתן לשם היום.

What is the reason of the rabbis? (*Num.* 28:3) "Two for the day", split the day in two. The reason of Rebbi Yehudah³⁰: "two for the day", two advocates³¹ per day; "two for the day" that they should be slaughtered expressly for the day³².

30 Not the reason why prayer and sacrifice has to be finished at four hours but the reason why the verse is written as it is, "two for the day" and not "two in the day".

31 Greek παρακλήτος (also mea-

ning "intercessor").

32 The slaughterer must keep in mind that he slaughters for the perpetual sacrifice of that particular day. A sacrifice becomes invalid if it is slaughtered with the wrong intention.

שְׁנַיִם לַיּוֹם. שֶׁתְּהֵא שְׁחִיטָתוֹ כְּנֶגֶד הַיּוֹם. הַדָּא הֵיא דְתַנִּינָן תַּמְן תַּמִּיד שֶׁל שַׁחַר הָיָה נֶשְׁחָט עַל קֶרֶן מַעֲרָבִית צְפוֹנִית עַל טַבְעַת שְׁנֵיָה כְּנֶגֶד הַיּוֹם וְשֶׁל בֵּינָן הָעֶרְבִים הָיָה נֶשְׁחָט עַל קֶרֶן צְפוֹנִית מְזֻרְחִית עַל טַבְעַת שְׁנֵיָה כְּנֶגֶד הַיּוֹם. וְהוּא שְׂיֵהָא יוֹדֵעַ אִי זֶה מֵהֶן נֶשְׁחָט בְּשַׁחֲרִית וְאִי זֶה מֵהֶן נֶשְׁחָט בְּעֶרְבִים.

"Two for the day", that their slaughtering should be facing the day. That is what we have stated³³: The perpetual morning sacrifice was slaughtered at the Northwest corner at the second ring³⁴, facing the day³⁵, and the evening one was slaughtered at the Northeast corner at the second ring, facing the day. And³⁶ that he should know which one was to be slaughtered in the morning and which one in the evening.

33 Mishnah *Tamid* 4:1. The entire passage is in *Sifra Num.* 142, in changed form Babli *Yoma* 62a, *Tamid* 31b.

34 In the wall of the Temple enclosure, where the sacrifice is hung to be skinned and cut into pieces.

35 I. e., the sun. Every holocaust

sacrifice has to be slaughtered North of the altar (*Lev.* 1:11).

36 This is not a continuation of the previous argument but another interpretation of "two for the day", that the victims should be selected separately for the sacrifices of the day.

רבי חייא בשם רבי יוחנן תפילת המנחה ותפילת המוסף תפילת המנחה קודמת. הוון בעין מימר כשאין ביום כדי להתפלל שניהן אבל אם יש ביום כדי להתפלל שניהן תפילת מוסף קודמת. רבי זעירא בשם רבי יוחנן ואפילו יש ביום כדי להתפלל שניהן תפילת המנחה קודמת. רבי נתן בר טובי בשם רבי יוחנן ואפילו יש ביום כדי להתפלל שניהן תפילת המנחה קודמת. והתני הקדים תפילת המנחה לתפילת המוספין וצא. לשעבר הא בתחילה לא בדא. פתר לה בשלא הגיע זמן התפילה. כהדא רבי יהושע בן לוי מפקד לתלמידיו אין הנה לכוון אריסטון ומטא יומא לשית שעין עד דלא תסקון לארסטון תהוון מצלו דמנחתא עד דלא תסקון.

Rebbi Ḥiyya³⁷ in the name of Rebbi Yoḥanan: *Minḥah* and *Musaph* prayers³⁸, the *Minḥah* prayer has precedence. They wanted to say, that is if there is no time in the day to pray both of them; but if there is time in the day to pray both of them then the *Musaph* prayer has precedence. Rebbi Zeira in the name of Rebbi Yoḥanan: Even if there is time in the day to pray both of them, the *Minḥah* prayer has precedence³⁹. Rebbi Nathan bar Ṭobi⁴⁰ in the name of Rebbi Yoḥanan: Even if there is time in the day to pray both of them, the *Minḥah* prayer has precedence. But did we not state: "If somebody made *Minḥah* prayer precede *Musaph* prayer, he has done his duty." Retrospectively, but from the start, not so⁴¹. Explain it if the time for prayer has not yet arrived, as in the following: Rebbi Joshua ben Levi commanded his students: If you have lunch⁴² and the day progressed to six hours before you entered, then pray *Minḥah* before you enter⁴³.

37 Rebbi Ḥiyya bar Abba. In the Babli (28a), the statement is R. Yoḥanan's own.

38 If on a day that requires a *Musaph* prayer, a person has not

prayed *Musaph* before 12:30 pm local time and now he is obligated for two prayers.

39 Following the general principle: "If a frequent duty and an infrequent

one collide, the frequent one has precedence" (Babli *Pesahim* 114a, Yerushalmi *Berakhot* 8:1). It is reported in the Babli (28a) that Rabbi Zeira learned the rule not from R. Yohanan directly but from R. Nathan bar Tobi.

40 A student of R. Yohanan, whose house was close to the Academy.

41 Meaning: If somebody did, we let him get away with it. But if somebody comes to ask, we tell him not

to do it.

42 Greek ἄριστον ("breakfast", later also "main meal").

43 Even though one should not pray before 12:30 pm, it is preferable to pray too early than not to pray at all. In contrast to the recital of *Shema'* which is bound to rigid times, prayer may be said too early as explained later in this *Halakhah*.

יְכַמֵּהוּ הוּא פְּלַג הַמִּנְחָה אַחַת עֶשְׂרֵה שָׁעוֹת חֹסֵר רִבְעִי.

(Tosephta *Berakhot* 3:1) How much is half of *Minḥah*? Eleven hours minus a quarter⁴⁴.

44 The Babli (26b) has a parallel statement in the name of Rabbi Yehudah which is not from the Tosephta.

תָּמון תַּנִּינֵן תְּמִיד נִשְׁחַט בְּשִׁמוֹנָה וּמִחֻצָּה וְקָרֵב בְּתִשְׁעֵי וּמִחֻצָּה. עָרֵב פְּסָחִים נִשְׁחַט בְּשִׁבְעֵי וּמִחֻצָּה וְקָרֵב בְּשִׁמוֹנָה וּמִחֻצָּה בֵּין בָּחוּל בֵּין בְּשִׁבְתָּ. רַבִּי יִרְמְיָהוּ בְּעֵי הֵכָא אֵת עֶבֶד מִנְחָה שְׁתֵּי שָׁעוֹת וּמִחֻצָּה וְהֵכָא אֵת עֶבֶד מִנְחָה שְׁלֹשׁ שָׁעוֹת וּמִחֻצָּה. אָמַר רַבִּי יוֹסִי לֹא הוּקָשָׁה תְּפִילַת הַמִּנְחָה לְתִמְדָּה שֶׁל הָעֶרְבִים אֲלֵא לְקַטֹּרֶת. מֵה טַעַם תִּכְּן תְּפִילַתִּי קַטֹּרֶת לְפָנֶיךָ מִשָּׂאת כַּפֵּי מִנְחַת עָרֵב. צֵא שָׁעָה אַחַת לְעִיסוּקוֹ וְאֵת עֶבֶד מִנְחָה שְׁתֵּי שָׁעוֹת וּמִחֻצָּה.

There (*Pesahim* 5:1) we have stated: "The perpetual sacrifice is slaughtered at 8:30 hours⁴⁵ and brought at 9:30 hours. On Passover Eve days⁴⁶ it is sacrificed at 7:30 hours and brought at 8:30 hours, whether it be weekday or Sabbath." Rabbi Jeremiah asked: Here⁴⁷ you make *Minḥah* at two and a half hours and here you make *Minḥah* at three and a half hours? Rabbi Yose said, *Minḥah* prayer was not bound to the

perpetual sacrifice of evening but to incense burning⁴⁸. What is the reason? (*Ps.* 141:2): "May my prayer be prepared as incense before You, the lifting up of my hands as the gift of evening." Take one hour for its⁴⁹ preparation and you make *Minḥah* at two and one half hours.

45 The count starts at sunrise. At the equinox, 8:30 in the day is 2:30 pm (14:30).

46 The afternoons of the 14th of Nisan and of the 14th of Iyar.

47 Regarding prayer, the Mishnah states that *Minḥah* is 2¹/₂ hours before night. The next "here" refers to the evening sacrifice which on ordinary days is slaughtered at 8:30 hours, 3¹/₂

hours before sundown. If the rules of prayer are derived from the rules of sacrifice then the time of *Minḥah* prayers should be fixed at 3¹/₂ hours before sundown!

48 The evening portion of incense was burned at the time of lighting the candelabra, after all sacrifices had been offered (*Ex.* 30:8).

49 The perpetual sacrifice's.

רבי יוסי בן חנינא הִיאַת מִתְפַּלֵּל עִם דְּמִדּוּמֵי חֲמָה כְּדֵי שְׂיֵהָא עֲלָיו מוֹרָא שְׁמַיִם כָּל־הַיּוֹם. אָמַר רַבִּי יוֹסִי בֶן חֲנִינְא וַיְהִי חֲלָקֵי עִם הַמִּתְפַּלְלִים עִם דְּמִדּוּמֵי חֲמָה מָה טַעַם עַל זֹאת יִתְפַּלֵּל כָּל־חֲסִיד אֱלִיךָ לְעֵת מִצּוֹא. לְעֵת מִצּוּיֹו שֶׁל יוֹם.

Rebbi Yose ben Hanina used to pray when the sun set so that the fear of Heaven should be on him the entire day long. Rebbi Yose ben Hanina said: May my lot be with those who pray at sunset⁵⁰. What is the reason? (*Ps.* 32:6) "For that, every pious person should pray to You at the time of *מצא*", at the time when the day is pushed out⁵¹.

50 In the Babli (29b), the statement is attributed to Rebbi Hiyya bar Abba in the name of Rebbi Yoḥanan, also Galilean sages. Nevertheless, it is stated there that in "the West", i. e., the Land of Israel, one curses those who pray at sunset since if anything

happens at that time, the time of prayer will have passed whereas if one plans for earlier prayer, one always has space to accommodate emergencies. This opinion must be dated to the time after the work on the Jerusalem Talmud had stopped.

The root **דמם** appears only in the expression **דמומי חמה**. While in the Babli this means "dawn or dusk", in the Yerushalmi it means only "sunset" as is clear from *Pesahim* 5:1 (fol. 31c),

where **דמומי חמה** is the opposite of **הנץ החמה** "sunrise". The same verbal stem in Arabic means "to eliminate by force."

51 Replacing the verb **מצא** "to find" by **מצה** "to squeeze dry, suck dry".

אחוויה דאימיה דרבי אדא הוה מצויץ גולתיה דרב בצומא רבא. אמר ליה כד תחמי שימשא בריש דקלי תיהב לי גולתי דנצלי דמנחתא. ושמשא בריש דיקלי איממא הוא. הכא דמר רבי יוחנן האומר לצולה חרבי זו בביל שהיא זוטו של עולם. אמר רבי יוחנן למה נקרא שמה צולה ששם צללו מיתי דור המבול. גם בבבל לנפול חללי ישראל גם בבבל נפלו חללי כל הארץ. כתיב וימצאו בקעה בארץ שנער וישבו שם. אמר ריש לקיש למה נקרא שמה שנער ששם ננערו מיתי דור המבול. דבר אחר שהם מתים בתשנוק בלא נר בלא מרחץ. דבר אחר שנער שהם מנוערים מן המצוות בלא תרומה ובלא מעשר. דבר אחר שנער ששריה מתים נערים. דבר אחר שנער שהעמידה שונא ונר להקדוש ברוך הוא ואי זה זה נבוכדנצר הרשע.

The maternal uncle of Rabbi Ada⁵² had rolled up the kaftan of Rav on the Great Fastday⁵³. He said to him: When you see the sun on top of the date palms⁵⁴, give me my kaftan so that we may pray *Minhah*. And when the sun is on top of the date palms it is daytime. As⁵⁵ Rabbi Yohanan said (*Is.* 44:27): "He Who said to the deep: dry up!", that is Babylonia, the filth⁵⁶ of the world.

Rebbi Yohanan said⁵⁷: Why is it called "the deep", because there the dead of the Deluge were submerged, (*Jer.* 51:49) "Also in Babylonia the slain of Israel will fall, also in Babylonia the corpses of all the earth⁵⁸ did fall." It is written (*Gen.* 11:2) "They found a valley in the land Shinar and dwelt there." Rebbi Simeon ben Laqish said, why is it called Shinar? Because there the dead of the Deluge were thrown⁵⁹. Another explanation: Because they die in strangulation⁶⁰, without light⁶¹ or public

baths. Another explanation: Shinear, because they are stripped of *mizwot*, without *terumah* and without tithes⁶². Another explanation: Shinear, because its rulers die as youths. Another explanation: Shinear, because it produced a hater and enemy of the Holy One, praise to Him. Who is that? That is Nebuchadnezzar the evil one.

52 Rav Ada bar Ahava.

53 Yom Kippur. The Babylonian scholars never prayed without wearing the kaftan with the prescribed belt. It seems that the Yeshivah of Rav had an intermission between *Musaph* and *Minhah* on Yom Kippur.

54 Since their synagogues were outside the cities in the fields, the sun on top of the date palms may indicate a rather early hour but probably inside the timeframe admitted by Rabbi Yehudah.

55 The text הנא makes no sense. In the absence of manuscript evidence, the text has been left unchanged but the translation follows Levi Ginzberg's conjecture that one has to read כָּהָא "As to that", by a simple metathesis of two letters. The argument is that in a deep valley running N-S, the sun on the top of trees on the slopes of the valley designates a rather early time.

56 Latin *situs* "situation; filth".

57 This paragraph is an aggadic interruption about Babylonia; the

discussion of Rav's action is continued in the following paragraph. This group of sermons is also found three times in *Midrash rabba: Gen. rabba 37:4, Threni rabba, Petihta 23, Eccl. rabba 12:7*. In the first two, there is an additional explanation of Shinear: A land whose (Jewish) rulers study Torah as youths (but do not continue studying as adults.)

58 Only in the Deluge the slain were of all mankind.

59 Taking שָׁנַר as *shaf'el* of the root נָעַר "to pour out"; a later explanation refers to נַעַר "to be a youth".

60 In the Targumim, תְּשֻׁנָּה means "strangulation." However, in Syriac the words means "suffering", which makes sense here.

61 Since they had no olive oil, they had to use sesame oil which does not adhere well to wicks. Public hot baths were a characteristic institution of the provinces of the Roman empire.

62 While in old times the exiles tried to fulfill the "obligations that are

incumbent on the Land of Israel" also were no longer observed there.
in Babylonia, in Talmudic times they

רב כרבי יודה. אין תעבדיניה כרבנן לית רבי יודה מודי. אין תעבדיניה כרבי
יודה אף רבנן מודו.

Rav acted according to Rabbi Yehudah. If you do it following the
rabbi, Rabbi Yehudah will not agree. If you do it following Rabbi
Yehudah, the rabbi also will agree⁶³.

63 The previous questionable interpretation based on the topography of Babylonia (which is a double valley, but a very flat one) is unnecessary: Since the time frame of Rabbi Yehudah

is more restrictive than that of the majority, if one follows Rabbi Yehudah one prays in a time frame acceptable to everybody.

מניין לנעילה. אמר רבי לוי גם כי תרבו תפלה. מכאן שקל-המרבה בתפילה
נענה. מחלפא שיטתיה דרבי לוי תמן אמר רבי אבא בריה דרבי פפי רבי
הושע דסיכנין בשם רבי לוי בכל-עצב יהיה מותר ודבר שפתים אד למחסור.
חנה על ידי שריבתה בתפילה קצרה בקמיו של שמואל שאמרה וישב שם עד
עולם והלא אין עולמו של לוי אלא חמשים שנה. דכתיב ומבן חמשים שנה
שוב מצבא העבודה. והוון ליה חמשים ותרתין. אמר רבי יוסי בירבי בון
שפתים שגמלתו. (fol. 6c) וכא אמר הכין. אי אמרה כן ליחיד הן לציבור. רבי
חיא בשם רבי יוחנן רבי שמעון בן חלפתא בשם רבי מאיר והיה כי הרבתה
להתפלל לפני יי. מיכן שקל-המרבה בתפילה נענה.

From where about *Neilah*⁶⁴? Rabbi Levi said: (*Is. 1:15*) "Even if you
prolong your prayers.⁶⁵" From here that everyone who increases his
prayers will be answered.

The argument of Rabbi Levi is inverted. There says Rabbi Abba, the
son of Rabbi Pappai⁶⁶, Rabbi Joshua of Sikhnin in the name of Rabbi Levi
(*Prov. 14:23*) "In all excitement there is something superfluous; and the

word of the lips is but for deficit." Hannah, because she prayed too long, reduced the years of Samuel because she said (*ISam.* 1:22) "He shall dwell there forever" but "forever" for a Levite is only 50 years, as it is written (*Num.* 8:25): "At age fifty he should return from the worshipping hosts⁶⁷". But in fact it was 52⁶⁸. Rebbi Yose ben Rebbi Abun said two years until she weaned him. And here you say so⁶⁹? If he ever said it, one for private the other for public prayers.

Rebbi Hiyya⁷⁰ in the name of Rebbi Yoḥanan, Rebbi Simeon bar Halaphta in the name of Rebbi Meir (*ISam.* 1:12): "When she prayed very long before the Eternal," it follows that everyone who extends his prayers will be answered.

64 The additional, fifth prayer close to the end of Yom Kippur and the major fasts in a draught.

65 The argument is from the full sentence: "Even if you augment your prayers, I shall not hear." Since Isaiah presents this as a particular curse, it follows that, otherwise, if the people increase their prayers they will be heard.

66 Amora of the fourth generation, student of Rebbi Joshua from Sikhnin (Suknin in Lower Galilee), a student of Rebbi Levi. Only aggadic material is transmitted by these two sages.

67 In fact, Hannah gave that detailed dedication not in her prayer but only when she explained to her husband that she would not come with him to Shiloh until she had weaned the baby, so that

the boy could stay in the Tabernacle for the rest of his life. A Levite could serve (as carrier) only to age 50.

68 There is no Biblical source that gives Samuel 52 years; this Yerushalmi tradition is the result of a computation detailed in *Midrash Seder Olam*, Chap.13, and is based on the assertion (*ISam.* 13:1) that Saul ruled only for two years, and on certain not obvious principles of interpretation of the Bible. Shiloh was destroyed when Samuel was still relatively young and afterwards he never lived near the Tabernacle again.

69 That additional prayer is always good. The answer is that additional prayers are guaranteed to be heard only if the entire congregation prays together.

70 R. Hiyya bar Abba. In the Babli (32b) he supports the negative opinion of Rabbi Levi in the name of R. Yohanan, at least in the case that somebody prays with the certain idea that he must be heard. The Yerushalmi clearly accepts the first statement of R. Levi but not the second one.

אימתי היא נעילה רבנן דקיסרין אמרין איתפלגון רב ורבי יוחנן. רב אמר
בנעילת שְׁעָרֵי שָׁמַיִם. ורבי יוחנן אמר בנעילת שְׁעָרֵי הַיְכָל. אמר רבי יודן
אנתורדיא מתניתין מסייעא לרבי יוחנן. בשלושה פרקים הכהנים נושאים את
כפיהם ארבע פעמים ביום. בשחרית. במוסף. במנחה. ובנעילת שְׁעָרִים.
בתעניות. ובמעמדות. וביום הכיפורים. אית לך מימר נעילת שְׁעָרֵי שָׁמַיִם
ביום.

When is *Neilah*? The rabbis of Caesarea say: Rav and Rabbi Yohanan disagree. Rav said, when the gates of Heaven are locked⁷¹. And Rabbi Yohanan said, when the gates of the Temple are locked. Rabbi Yudan Antordaya⁷² said: A Mishnah supports Rabbi Yohanan (*Ta'aniot* 4:1): "On three occasions do the Cohanim lift their hands four times in one day, mornings, *Musaph*, *Minhah*, and at the locking of the gates: on fastdays⁷³, at support services⁷⁴, and on Yom Kippur. May you say that the gates of heaven are locked while it is still daytime⁷⁵?

71 It is not clear when the Gates of Heaven are locked. Maybe it is at sundown when the sun disappears, but it is more likely sometime after that when on a very clear day one may notice a sudden darkening of the sky in the middle of the gradual dusk. The gates of the Temple were locked for the public at the time of the lighting of the candelabra in the Sanctuary, which must be before sundown.

72 An Amora of the later generations who must be younger than the Amora R. Yose. His name appears variously as אנתורדיא, אנתוריא, אנתוריא. The name probably is a toponymic [from Antarados, on the Phoenician coast opposite the island city of Arados (Arwad). Antarados is mentioned in an old commentary to Pliny (V 20). (E. G.)]

73 Publicly declared additional

fastdays in case of a draught.

74 Since the perpetual sacrifices were offered from public money and in the name of the public, some public representatives had to be present at the sacrifice. For this purpose, the Land of Israel was divided into districts and each district sent a few representatives to Jerusalem for the week to which it was appointed. During that week, the people of that district conducted special services with prayers that the sacrifices should be accepted by God;

at these prayers the Cohanim recited the priestly blessing an additional time before nightfall, to coincide with an additional prayer for that purpose. It follows that the additional prayer was said year round on weekdays but every week at another district.

75 Since the priestly blessing may be recited only during daytime, the "locking of the gates" mentioned in the Mishnah must have been during daytime and cannot have been in the night, maybe not after sundown.

אָחוּיָה דְאִימִיָּה דְרַבִּי אָדָא הָוָא צִייר גּוֹלְתֵיהּ דְרַב בְּצוּמָא רַבָּא. אָמַר לִיה כֹּד
תִּיחַמֵי שִׁימְשָׂא בְרִישׁ דְקָלֵי תִיְהִיב לִי גּוֹלְתֵי דְנִצְלֵי נְעִילַת שְׁעָרִים. מַחְלָפָא
שִׁיטְתֵיהּ דְרַב תַּמּוֹן הוּא אָמַר בְּנְעִילַת שְׁעָרֵי שָׁמַיִם. וְכֹה אָמַר בְּנְעִילַת שְׁעָרֵי
הַיְכָל. אָמַר רַב מַתְנָה אַל יָדִי דְהָוָה מְאַרְיֵךְ רַב סִגְיֹן הָוָה מְגִיעַ לְנְעִילַת שְׁעָרֵי
שָׁמַיִם.

The maternal uncle of Rabbi Ada had rolled up the kaftan of Rav on the great fast. He said to him: When you see the sun on the top of the date palms, give me my kaftan so that we may pray the Locking of the Gates. The argument of Rav is inverted. There he says "the locking of the Gates of Heaven" and here he says "the locking of the gates of the Temple."⁷⁶ Rav Mattanah said: Since Rav needed a lot of time to pray, he reached the Locking of the Gates of Heaven⁷⁷.

76 Since the sun is on the top of the date palms quite some time before sunset, Rav cannot possibly pray at the Locking of the Gates of Heaven. Hence, his deeds contradict his teach-

ings.

77 It is clear from here that prayer may start before the closing of any gates, it just may not end earlier. This is the interpretation of Maimonides.

(Levi Ginzberg explains that Rav, in whose Yeshivah the Galilean *Minhag* of reciting poetic inserts was accepted, did spend the time until sundown in reciting prayers before the *Amidah* of *Neilah*. This interpretation is impossible since "prayer" always means "the *Amidah*."]

נְעִילָה מְהוּ שְׁתַּפְטוּר שֶׁל עֶרֶב. רַבִּי אָבָא לְרַב חוּנָא בְּשֵׁם רַב נְעִילָה פּוֹטְרֵת שֶׁל עֶרֶב. אָמַר לִיה רַבִּי אָבָא לְרַב חוּנָא הֵיאֵךְ הוּא מְזַכֵּיר שֶׁל הַבְּדֻלָּה. אָמַר רַבִּי יוֹנָה לְרַבִּי אָבָא הֵיאֵךְ יְהוּא שְׁבַע פּוֹטְרֵת שְׁמוֹנֶה עֶשְׂרֵה. אָמַר לִיה וְלֹא כָּבַר אֵיתִיתִיבַת. אָמַר לִיה בְּגִין דְּאֵיתִיתִיבַת תִּיבְטִיל. אָמַר רַבִּי יוֹסִי מַה דְּאֶקְשִׁי רַבִּי אָבָא קָשָׁה יְאוּת. מַה דְּאֶקְשִׁי רַבִּי יוֹנָה לָא קָשָׁה יְאוּת. קַל הַקִּילוּ עָלַי מִפְּנֵי תַעֲנִיתוּ שְׁיְהוּא שְׁבַע פּוֹטְרוֹת שְׁמוֹנֶה עֶשְׂרֵה. רַבִּי אָבָא בַר מָמַל אָמַר לְחַבְרֵינָא מְרִי מִן כּוֹלְהוֹן שְׁמַעִית שְׁאִין נְעִילָה פּוֹטְרֵת שֶׁל עֶרֶב. רַבִּי סִימוֹן בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לׁוֹי אִין נְעִילָה פּוֹטְרֵת שֶׁל עֶרֶב. אָמַר רַבִּי יוֹסִי בְּרַבִּי בּוֹן וְתַנִּי רַבִּי חֵינָא כֵן בְּכָל-יוֹם אָדָם מִתְפַּלֵּל שְׁמוֹנֶה עֶשְׂרֵה בְּמוֹצָאֵי שַׁבַּת וּבְמוֹצָאֵי יוֹם הַכִּפּוּרִים וּבְמוֹצָאֵי תַעֲנִית צִיבוּר.

May *Neilah* free one from evening prayers? Rabbi Abba⁷⁸, Rav Huna in the name of Rav: *Neilah* frees one from evening prayers⁷⁹. Rabbi Abba said to Rav Huna: How may he mention *havdalah*⁸⁰? Rabbi Jonah said to Rabbi Abba⁸¹: How may seven⁸² free one from eighteen? He said to him, did I not already contradict it? He said to him: Because you contradicted it, should it be abandoned⁸³? Rabbi Yose⁸⁴ said, what Rabbi Abba asked is truly difficult. What Rabbi Jonah asked is not at all difficult, they made it easy on people because of the fast, that seven should free one from eighteen. Rabbi Abba bar Mamal⁸⁵ said to his colleagues: From all of them I understand that *Neilah* does not free one from evening prayers. Rabbi Simon in the name of Rabbi Joshua ben Levi: *Neilah* does not free one from evening prayers. Rabbi Yose bar Abun said: Did not Rabbi Hiyya state this: "Every day one prays eighteen

benedictions, including the end of Sabbath, end of Yom Kippur, and end of public fast days⁸⁶."

78 Rebbi Abba, the student of Rav Huna, taught the statement in the name of Rav Huna when he came to Galilee and mentioned his own objection to Rav Huna's teaching.

79 According to Rav's original opinion that one prays at the Locking of the Gates of Heaven, *Neilah* may be started only when evening prayers may already be said. It does not make sense to recite two prayers at one time.

80 It will be explained in Mishnah 5:2 that at the end of Sabbath or holiday work is permitted only if *havdalah* ("distinction") was recited in the evening *Amidah*. Hence, Rav's decision seems to be impossible. (Even though it is possible, but undesirable, to recite *havdalah* only on a cup of wine, in particular after Yom Kippur when no fire is lit for *havdalah*.)

81 Rebbi Jonah, of the fifth generation of Galilean Amora'im, apparently knew Rebbi Abba of the third generation.

82 The seven benedictions of the holiday *Amidah*.

83 If somebody could find a satisfactory answer to your question, there would be no reason to abandon the ruling of Rav.

84 The Amora, contemporary of Rebbi Jonah.

85 Or, from Mamal (Khirbet Mamleh in the valley of Genezareth), Amora of the second/third generation. He seems to refer to the decision of Babylonian scholars, reported by Rebbi Abba the Babylonian. This contradicts the position of the Babli (*Yoma* 87b) which reports the opinion of Rav that *Neilah* does free one from evening prayers and explains that, in the opinion of Rav, the evening *Amidah* is not really obligatory (and, hence, is eliminated by the contemporaneous *Neilah*.) *Havdalah* is said over a cup of wine.

The next statement in the name of Rebbi Joshua ben Levi is strictly from the Land of Israel.

86 This *baraita* is a commentary on Mishnah 3; it explains the opinion of Rabban Gamliel that a full 18 benedictions have to be prayed three times every day (see the end of this Hala-khah), including the end of Sabbath and Yom Kippur (against the opinion of Rebbi Aqiba that on those occasions there are 19 benedictions, including a separate benediction for *havdalah*), and the end of public fasts for rain, to

exclude the opinion that *Neilah* Israeli position is thus supported by a eliminates the evening prayer. The tannaïtic statement.

רבי יצחק בר נחמן בשם רבי יהושע בן לוי יום הכיפורים שחל להיות בשבת אף על פי שאין נעילה בשבת מזכיר של שבת בנעילה. אוספון עליה ראש חדש שחל להיות בתענית ציבור אף על פי שאין נעילה בראש חדש מזכיר של ראש חדש בנעילה. רבי סימון בשם רבי יהושע בן לוי שבת שחלה להיות בחנוכה אף על פי שאין מוסף בחנוכה מזכיר של חנוכה במוסף. אוספון עליה ראש חדש שחל להיות בתוכה אף על פי שאין מוסף בחנוכה מזכיר של חנוכה במוסף.

Rebbi Isaac bar Nahman in the name of Rebbi Joshua ben Levi⁸⁷: If Yom Kippur happens to be on the Sabbath, one mentions Sabbath in *Neilah* even though there is no *Neilah* for Sabbath. They added to it: If the New Moon happens to be on a public fast-day, one mentions the New Moon in *Neilah* even though there is no *Neilah* for the New Moon⁸⁸. Rebbi Simon in the name of Rebbi Joshua ben Levi: On a Sabbath that falls on *Hanukkah*, one mentions *Hanukkah* for *Musaph* even though there is no *Musaph* for *Hanukkah*. They added to it the New Moon that happens to be in it, one mentions *Hanukkah* for *Musaph* even though there is no *Musaph* for *Hanukkah*⁸⁹.

87 These rules are inserted here because they are about statements of Rebbi Joshua ben Levi in the order of *Amidah* prayers.

88 In general, fasting is forbidden on the days of the New Moon. The one exception is in the case of a prolonged draught when one fasts while praying for rain. In such a case, once they started the severe fasts, they continue

Mondays and Thursdays without interruptions as explained in Tractate *Ta'aniot*.

89 The parallel in the Babli (*Šabbat* 34b) is in the name of Rebbi Joshua ben Levi only; there the reason is stated that "the day requires four (or five) prayers", and since the addition is required for some of the prayers it is required for all of them.

ראש חדש שחל להיות בתענית היאך מזכיר הוא של ראש חדש. רבי זעירא אמר בהודיה. רבי אבא בר קמל אמר בעבודה. רבי אבינא אמר אומר ברכה רביעית. אמר רבי אבא מה מציינו בכל מקום אומרה ברכה רביעית. אף כאן אומרה ברכה רביעית. וכן נפק עבדא כהדה דרבי אבא.

When the New Moon falls on a fast day, how does one mention the New Moon⁹⁰? Rabbi Zeira said, in "thanksgiving". Rabbi Abba bar Mamal said, in "Temple service". Rabbi Avina said, he says it as the fourth benediction. Rabbi Abba said, how do we find everywhere that he says it as the fourth benediction, here also as the fourth benediction. And so it was acted upon according to Rabbi Abba⁹¹.

90 This paragraph is extremely difficult to understand and the greatest authorities of the Middle Ages, Rashba (R. Abraham ben Adrat, on Babli *Berakhot* 32b) and Rosh (R. Asher ben Yehiel, to Chap. 5, #10) felt compelled to emend the text. Since three of the four prayers of the New Moon are weekday prayers with an addition added in "Temple service" (רצה the 16th benediction in the Yerushalmi version) as given later in Chapter 5, Halakhah 2, the only question can be about *Musaph*. However, we never hear that the particular inserts in the morning prayers of a fast day were recited also for *Musaph*. On the other hand, as Rosh points out, the previous paragraph certainly implies that the one benediction recited on *all* fast-days except Yom Kippur, not only on those

for rain, known as ענו, must be recited also for *Musaph* since the day requires that the benediction be inserted in all prayers. One may at least understand the position of Rabbi Abba that on a fast day for rain which coincides with a day of the New Moon, one recites the usual *Musaph* with an additional fifth benediction which deals with the fast day, after the fourth for the New Moon. The dissenting opinions of Rebbis Zeira and Abba bar Mamal seem to imply that *Musaph* on a fast day consisted of the introductory and final benedictions that are common to all prayers and the additional benedictions for the fast day, whereas the section on the New Moon, for which *Musaph* is recited in the first place, is moved from its regular place to an insert in either the 16th or the

17th מורים), "thanksgiving", a place usually reserved for thanksgiving for past miracles) benediction.

91 A reported action on an opinion is the best proof that this is accepted practice, see Chap. 1, Note 125.

במה קוראין. רבי יוסי אומר קורין ברכות וקללות. אָמַר לִיה רַבִּי מְנָא כְּגוֹן מוֹדְעָתוֹן בּוּ תַעֲנִית רַבִּיעִין עַל מַעִיהוֹן וְלֹא יִדְעוּן דְּהִיא תַעֲנִיתָא. אָמַר לִיה לְהוֹדִיעַךְ שְׁקוֹרִין בְּרֻכּוֹת וְקֻלּוֹת. רַבִּי יוּדָן כְּפוֹדֵקֵי אָמַר קוֹמִי רַבִּי יוֹסִי בָשֵׁם רַבִּי יוּדָה בֶּן פָּזִי קוֹרִין בְּרֻכּוֹת וְקֻלּוֹת. קָם רַבִּי יוֹסִי עִם רַבִּי יוּדָה בֶּן פָּזִי. אָמַר לִיה אֵת שְׁמַעְתָּ מֵאֲבוּךְ הִדָּא מִלְתָּא. אָמַר לִיה אֲבָא לֹא הִיָּה אֹמֵר כֵּן אֶלָּא בְּעִינְטָב עַל יְדֵי דַּאֲינוּן יִדְעוּן דְּהוּא רִישׁ יְרֻחָא קוֹרִין בְּרֻכּוֹת וְקֻלּוֹת. הָא שְׂאָר כָּל-הַמְּקוֹמוֹת קוֹרִין בְּרֻכּוֹת וְקֻלּוֹת.

What does one read? Rabbi Yose said, one reads blessings and curses⁹². Rabbi Mana said to him: For example to tell them about the fast day? They are lying on their bellies⁹³ and should not know that it is a fast day? He said to him: To tell you that one reads blessings and curses⁹⁴. Rabbi Yudan the Kappadokian⁹⁵ said before Rabbi Yose in the name of Rabbi Yehudah ben Pazi: One reads about the New Moon. Rabbi Yose met Rabbi Yehudah ben Pazi. He asked him: Did you hear that from your father? He said to him: My father did not say so, except that at Eyn Tab⁹⁶, since they know for sure that it is the New Moon, they read about the New Moon. Hence, at all other places one reads blessings and curses.

92 Both on the day of the New Moon and on fast days one reads in the Torah. The readings are explained in Mishnah *Megillah* 3:6. On the day of the New Moon, one reads about its sacrifices, *Num.* 28:11-15 (in Babylonia, 28:1-15), and on fast days for rain, blessings and curses, *Lev.* 26:3-46. (In

Babylonia on other fast days, *Ex.* 32:11-14, 34:1-10). In Babylonia there would be no problem since there two Torah scrolls were used to read both portions, giving each person a larger share to read. However, in Israel the Torah was not read in the Babylonian one-year cycle but in an irregular three-year

cycle with shorter readings and where the regular reading was postponed for any special one. For example, on Sabbath *Ḥanukkah*, in Israel *only* the corresponding part of the dedication sacrifices (*Num.* 7) was read, whereas in Babylonia that was simply the reading from the second Torah scroll. Similarly, for a Sabbath New Moon one read in Israel only *Num.* 28:1-15 and not the regular Torah reading. Hence, there is a serious question which portion to read on the New Moon which is also a fast day.

93 Meaning, falling on their faces for private prayer after the *Amidah*, a penitential service (נפילה אפים) that is forbidden on semi-holidays like the day of the New Moon.

94 Not that the reading is to proclaim a fast day, but it is the reading appropriate for a fast day. If one already eliminates the prohibition of fasting on the New Moon, the

occasion is so serious that the Torah reading also is eliminated.

95 A scholar from Kappadokia in Anatolia; he is always mentioned in connection with the Amora Rebbi Yose.

96 After the destruction of the Academy of Jabneh and the move of the Patriarchate to Galilee, the declaration of New Moons and New Years (before the publication of the permanent calendar) did always take place at Eyn Tab "beautiful spring", known in Greek as *Kallirrhōē* (καλλιρρόή "the beautifully flowing one"); it possibly is *Ḥamat Gader*. Since the sequence of 30 day and 29 day months was not determined beforehand, only at Eyn Tab was the day of the New Moon fixed. Everywhere else one knew that it was certainly a fast day and probably a day of the New Moon; the certain has precedence over the probable.

יְרֵמְיָהּ סִפְרָא שְׂאֵל לְרַבִּי יְרֵמְיָהּ רֵאשׁ חֲדָשׁ שְׁחָל לְהִיּוֹת בְּשַׁבָּת בְּמָה קוֹרִין.
אָמַר לִיה קוֹרִין בְּרֵאשׁ חֲדָשׁ. אָמַר רַבִּי חֲלָבוֹ קוֹמֵי רַבִּי אֲמִי וּמִתְנִיתָא אֲמָרָה
כֵּן בְּכָל מַפְסִיקִין לְרֵאשֵׁי חֲדָשִׁים לְחֲנוּכָה וּלְפֻרִים.

Jeremiah the Scribe⁹⁷ asked before Rebbi Jeremiah: What does one read if the day of the New Moon is a Sabbath? He said to him: One reads about the New Moon. Rebbi *Ḥelbo* said before Rebbi *Ammi*: The Mishnah says so (*Megillah* 3:6), "One interrupts for everything, for New Moons, for *Ḥanukkah*, and for Purim."

97 A scholar not otherwise known. the *maphtir* as in Babylonia. The As explained before, in Israel one parallel discussion of this and the next interrupted the regular sequence of paragraph is in Babli *Megillah* 29b. Torah reading, not just the reading for

יִצְחָק סְחוּרָא שָׂאל לְרַבִּי יִצְחָק רִאשׁ חֲדָשׁ שְׁחָל לֵהִיּוֹת בְּחֲנוּכָה בְּמַה קּוֹרִין. אָמַר לִיה קוֹרִין שְׁלֹשָׁה בְּרִאשׁ חֲדָשׁ וְאַחַד בְּחֲנוּכָה. רַבִּי פִּינְחָס וְרַבִּי סִימוֹן רַבִּי אָבָא בַר זַמִּינָא מְטוּ בָּהּ בְּשֵׁם רַבִּי אֲבָדִימִי דְּמִן חִיפָה קוֹרִין שְׁלֹשָׁה בְּחֲנוּכָה וְאַחַד בְּרִאשׁ חֲדָשׁ. לְהוֹדִיעַךְ שֶׁלֹּא בָּא הַרְבִּיעִי אֶלָּא מִחֲמַת רִאשׁ חֲדָשׁ. בַּר שְׁלֵמְיָה סִפְרָא שָׂאל לְרַבִּי מְנָא הֲנֵעַ עֲצָמְךָ שְׁחָל רִאשׁ חֲדָשׁ שֶׁל חֲנוּכָה לֵהִיּוֹת בְּשַׁבָּת וְלֹא שְׁבַעָה אֵינוֹן קוֹרִין. אֵית לָךְ מִימַר שֶׁלֹּא בָּא הַרְבִּיעִי אֶלָּא מִחֲמַת רִאשׁ חֲדָשׁ. שְׂאִילְתֵּינְהוּ לְסִפְרָא אָמַר לִיה וְהֵדָא שְׂאִילְתָּא דְּסִפְרָא.

Isaac the trader asked Rabbi Isaac: What does one read on a New Moon that falls in Hanukkah? He said to him: Three for the New Moon and one for Hanukkah. Rabbi Phineas and Rabbi Simon, Rabbi Abba bar Zamina⁹⁸ brought it in the name of Rabbi Eudaimon of Haifa⁹⁹: Three read of Hanukka and one of the New Moon, to tell you that the fourth one comes only because of the New Moon¹⁰⁰. Bar Shelemiah the scribe asked Rabbi Mana: Think of it, if the New Moon of Hanukkah falls on a Sabbath, do not seven read? How can you say, to tell you that the fourth one comes only because of the New Moon? They asked the scribe¹⁰¹; he said to him: That is a true question of a scribe.

98 A student of Rabbi Zeira.

99 A teacher of Rabbi Zeira, Amora of the second/third generation. In the Babli (*Megillah* 29b) he is called Rabbi Dimi.

100 Usually on Hanukkah only three people read from the Torah, since it is

a regular workday. On the day of the New Moon, four persons read since it is a day with a *Musaph* sacrifice in the Temple. On the Sabbath, seven read (and the *maphtir* reads one additional portion). Hence, it seems impossible that the fourth person should read

about Hanukkah.

101 This phrase is missing in the parallels (*Yerushalmi Ta'aniot* 4:1, *Megillah* 3:4) but it may be justified to assume that the question was not his, but that he was asked by others on his authority as scribe to the rabbi. Most probably, as conjectured by Levi Ginzberg, it is a second version of

Rebbi Mana's answer, that this is a really stupid question from a scribe who has not learned to think by himself: Since one interrupts for the Sabbath, it is clear that the reading of the New Moon, which occurs at least 16 times a year, has precedence over Hanukkah which occurs only 8 times.

רבי מיפקד לאבדן אמוריה אכריז קומי ציבורא מאן דמצלי יצלי דרמשא עד יומא קאים. רבי חינא בר ווא מפקד לאמוריה אכריז קומי ציבורא מאן דמצלי יצלי דרמשא עד יומא קאים. אמר רבי חנינא משכני רבי ישמעאל בי רבי יוסי אצל פונדוק אחד אמר לי פאן נתפלל אבא של לילי שבת בערב שבת. אמר רבי אמי רבי יוחנן פליגי ולא הנה צריך מפלגה על הדא למה שכן מוסיפין מחול על הקודש. ועוד דסלקון חמרינא מן ערב לציפורין ואמרין כבר שבת רבי חנינא בן דוסא בעירו. וידה אמרה דא דאמר רבי חנינא משכני רבי ישמעאל בי רבי יוסי אצל פונדוק אחד אמר לי פאן נתפלל אבא של מוצאי שבת בשבת ואף עלה לא הנה צריך מפלגה דרבי מיפקד לאבדן אמוריה אכריז קומי ציבורא מאן דמצלי יצלי דרמשא עד יומא קאים. רבי חינא בר ווא מפקד לאמוריה אכריז קומי ציבורא מאן דמצלי יצלי דרמשא עד יומא קאים. דבית רבי ינאי אמרין עלה אדם על מיטתו אין מטריחין אותו לירד. אמר רבי זעירא כל מאן דהוינא עבד בן הוינא מפחד בליליא. לית לך אלא כהדא דרבי מיפקד לאבדן אמוריה אכריז קומי ציבורא מאן דמצלי יצלי עד יומא קאים. רבי חינא בר ווא מפקד לאמוריה כו.

Rebbi¹⁰² commanded his speaker Abdan¹⁰³: Proclaim before the congregation that he who wants to pray, should pray evening prayers as long as it is still daylight. Rebbi Hiyya bar Abba¹⁰⁴ commanded his speaker: Proclaim before the congregation that he who wants to pray should pray evening prayers as long as it is still daylight. Rebbi Hanina

said: Rabbi Ismael ben Rabbi Yose¹⁰⁵ drew me to an inn and said to me: Here my father prayed Saturday (Friday night) prayers on Friday. Rabbi Ammi said: Rabbi Yoḥanan disagrees¹⁰⁶ but he should not have disagreed since one adds from the profane to the holy time¹⁰⁷; in addition, donkey drivers come from Arab¹⁰⁸ to Sephoris and say, Rabbi Ḥanina ben Dosa already did consecrate the Sabbath in his town. But so it has been said, that Rabbi Ḥanina said: Rabbi Ismael ben Rabbi Yose drew me to an inn and said to me, here my father prayed Saturday night prayers on the Sabbath. But even with that he should not have disagreed, since Rabbi commanded his speaker Abdan: Proclaim before the congregation that he who wants to pray should pray evening prayers as long as it is still daylight. Rabbi Ḥiyya bar Abba commanded his speaker: Proclaim before the congregation that he who wants to pray should pray evening prayers as long as it is still daylight. In the house of Rabbi Yannai they said: If a man went to bed, one does not bother him to get up¹⁰⁹. Rabbi Zeira said, all the time that I followed this rule, I was afraid in the night¹¹⁰. You have only what Rabbi commanded his speaker Abdan: Proclaim before the congregation that he who wants to pray should pray evening prayers as long as it is still daylight. Rabbi Ḥiyya bar Abba commanded etc.

102 After the discussion of the side issues introduced by the mention of *Neilah* and fast days, the discussion returns to the last part of the Mishnah. The text appears in modified form also in *Bereshit rabba* 8:10, *Pesiqta rabbati* 23; the parallel in Babli *Berakhot* 27b disagrees fundamentally with the practice explained here.

According to the Mishnah, the time

of *Minḥah* is until $\frac{5}{4}$ hours before sundown for Rabbi Yehudah and until sundown for the other sages. As a corollary, the time of evening prayers starts at $\frac{5}{4}$ hours before sundown for Rabbi Yehudah and at sundown for the others. Since Rabbi was a student of Rabbi Yehudah, it is possible that he simply followed his teacher and himself was followed by his own

student R. Hiyya. Perhaps it is assumed here that we already know the result of the next paragraph, that evening prayer is not obligatory (this is also accepted in the Babli), and that because of this one permits evening prayer before sundown because it is a minor obligation and in Galilee apparently was not recited in the synagogue. This is the medieval Ashkenazic tradition. [The Babli states that evening prayers should be said in the night, that this is also Rebbi's position, but that in case of error, under very dark clouds, one does not have to repeat the prayer which in Babylonia was recited in the synagogue.]

103 It seems that his name was Abba Yudan. In the talmudic academies, the head of the academy never raised his voice to speak to a large class; he explained what he had to say to one or more speakers, *Amora'im*, who spoke in a loud voice. It is probable that the situation described here is that of Sabbath afternoon when everybody

came to listen to the sermon, since the audience is called "congregation" and not "students", who were the weekday audience.

104 He is Rebbi Hiyya the Great, in Rebbi's Academy, not the student of R. Yoḥanan.

105 Ben Halaphta, the Tanna.

106 And insists that Evening prayers may be said only after sundown.

107 It is an obligation to start the Sabbath (and holidays) before sundown and end it after sundown, not exactly at sundown. This obligation is not spelled out in the Babli; its source is here in the Yerushalmi.

108 The village of Arrabeh, North of Kafr Kanah in lower Galilee.

109 If one forgot to recite evening prayers. R. Yannai certainly agrees that evening prayers are not obligatory.

110 Even though evening prayers are not obligatory, it is the practice to recite them for peace of mind, subject to the leniencies of Rebbi and Rebbi Hiyya.

אָמַר רַבִּי יַעֲקֹב בֶּר אֲבָא תַנַּיִי תַמְן תְּפִילַת הָעֶרֶב מֵהוּ. רַבֵּן גַּמְלִיאֵל אָמַר
 חוּבָה. רַבִּי יְהוֹשֻׁעַ אָמַר רְשׁוּת. אָמַר רַבִּי חֲנִינְיָ אֶתִּין אֵילִין פְּלִגְוֵתָא כְּאִינוּן
 פְּלִגְוֵתָא מֵאֵן דְּמַר חוּבָה אִין נְעִילָה פּוֹטְרַת שְׁל עֶרֶב. וּמֵאֵן דְּמַר רְשׁוּת נְעִילָה
 פּוֹטְרַת שְׁל עֶרֶב.

Rebbi Jacob bar Abba¹¹¹ said: There, they did state, what is the status of evening prayer? Rabban Gamliel said, it is obligatory. Rebbi Joshua¹¹² said, it is voluntary. Rebbi Hanina said, this difference parallels the other difference: He who holds that evening prayer is obligatory, holds that *Neilah* does not free one from evening prayers. He who holds that it is voluntary, holds that *Neilah* frees one from evening prayers¹¹³.

111 An Israeli Amora of the second generation, student of Rav in Babylonia. His tradition from "there" (Babylonia) and the following story are reported at great length in Babli 27b.

112 In a dispute between Rebbi Joshua and Rabban Gamliel, practice

always follows Rebbi Joshua. There is never a doubt that the recitation of *Shema* is obligatory.

113 But, as stated before, evening prayers are still needed for mental health.

מעשה בתלמיד אחד שָׁבָא וְשָׁאַל אֶת רַבִּי יְהוֹשֻׁעַ תְּפִילַת הָעֶרֶב מֵהוּ. אָמַר לִיהוֹשֻׁעַ רְשׁוּת. בָּא וְשָׁאַל אֶת רַבִּי גַמְלִיאֵל תְּפִילַת הָעֶרֶב מֵהוּ. אָמַר לִיהוֹשֻׁעַ אָמַר לּוֹ וְהָא רַבִּי יְהוֹשֻׁעַ אָמַר לִי רְשׁוּת. אָמַר לּוֹ מַחֵר לּוֹ מַחֵר כְּשֶׁאֲכַנֵּס לְבַיִת הַנּוֹעַד עֲמוּד וְשָׁאוּל אֶת הַהֲלָכָה (fol. 7d) הַזֹּאת. לְמַחֵר עָמַד אוֹתוֹ הַתְּלָמִיד וְשָׁאַל אֶת רַבִּן גַּמְלִיאֵל תְּפִילַת הָעֶרֶב מֵהוּ. אָמַר לּוֹ חוֹבָה. אָמַר לּוֹ וְהָא רַבִּי יְהוֹשֻׁעַ אָמַר לִי רְשׁוּת. אָמַר רַבִּן גַּמְלִיאֵל לְרַבִּי יְהוֹשֻׁעַ אֵת הוּא אוֹמֵר רְשׁוּת אָמַר לִיהוֹשֻׁעַ אָמַר לּוֹ עֲמוּד עַל רַגְלָיו עַד שֶׁרָנְנוּ כָּל הָעָם וְאָמְרוּ לְרַבִּי חֲצִפִּית הַתּוֹרָגְמָן הַפֶּטֶר אֶת הָעָם. אָמְרוּ לְרַבִּי זִינוּן הַחֲזוֹן אָמַר הַתְּחִיל וְאָמַר הַתְּחִילוּ. וְעָמְדוּ כָּל-הָעָם עַל רַגְלֵיהֶם וְאָמְרוּ לּוֹ כִּי עַל מִי לֹא עֲבָרָה רְעֵתְךָ תְּמִיד. הִלְכוּ וּמִינוּ אֶת רַבִּי אֶלְעָזָר בֶּן עֲזַרְיָה בִּישִׁיבָה בֶּן שֵׁשׁ עֶשְׂרֵה שָׁנָה וְנִתְמַלֵּא כָּל-רֵאשׁוֹ שִׁיבָה. וְהָיָה רַבִּי עֲקִיבָא יוֹשֵׁב וּמַצְטַעֵר וְאָמַר לֹא שְׂהוּא בֶּן תּוֹרָה יוֹתֵר מִמֶּנִּי אֲלֵא שְׂהוּא בֶּן גְּדוּלִים יוֹתֵר מִמֶּנִּי. אֲשֶׁרִי אָדָם שָׁזְכוּ לּוֹ אֲבוֹתָיו אֲשֶׁרִי אָדָם שֵׁישׁ לּוֹ יִתַּד בְּמִי לְהִתְלוֹת בָּהּ. וְכִי מֵה הֵיְתָה יִתִּידָתוֹ שֶׁל רַבִּי אֶלְעָזָר בֶּן עֲזַרְיָה שְׁהָיָה דוֹר עֲשִׁירֵי לְעֶזְרָא. וְכַמָּה סַפְסָלִין הָיוּ שָׁם. רַבִּי יַעֲקֹב בֶּן סִיסִי אָמַר שְׂמוֹנִים סַפְסָלִים הָיוּ

שם של תלמידי חכמים חוץ מן העומדין לאחורי הגדר. רבי יוסי בירבי אבון אמר שלש מאות היו שם חוץ מן העומדין לאחורי הגדר. כני דתנינן תמן ביום שהושיבו את רבי אלעזר בן עזריה בישיבה. תמן תנינן זה דרש רבי אלעזר בן עזריה לפני חכמים בכרם ביבנה. וכי כרם היה שם אלא אלו תלמידי חכמים שהיון עשויון שורות שורות ככרם. מיד הלך לו רבן גמליאל אצל כל אחד ואחד לפייסו בביתו. אזל גבי רבי יהושע אשכחיה יתיב עבד מחטין. אמר ליה אילין את חיי. אמר ליה ועד כדון את בעי מידעי. אוי לדור שאמה פרנסו. אמר לו נענתי לך. ושלחון גבי רבי אלעזר בן עזריה חד קצר. ואית דמרין רבי עקיבא הוה. אמר לו מי שהוה מזה בן מזה יזה מי שאינו לא מזה ולא בן מזה יימר למזה בן מזה מימיה מי מערה ואפרך אפר מקלה. אמר לו נתרציתם אני ואתם נשכים לפתחו של רבן גמליאל. אף על פי כן לא הורידו אותו מגדולתו אלא מינו אותו אב בית דין.

It happened that one student came and asked Rabbi Joshua: What is about evening prayer? He said to him: It is voluntary. He asked Rabban Gamliel: What is about evening prayer? He said to him: It is obligatory. He said to him: But Rabbi Joshua told me that it was voluntary. He said to him: Tomorrow, when I enter the assembly hall, stand up and ask me about this practice. The next day, this student stood up and asked Rabban Gamliel: What is about evening prayer? He said to him: It is obligatory. He said to him: But Rabbi Joshua told me that it was voluntary. Rabban Gamliel said to Rabbi Joshua: Are you the one who says it is voluntary? He answered him: No¹¹⁴. He said to him: Stand up on your feet so that they may testify against you. Then Rabban Gamliel was sitting down and lecturing while Rabbi Joshua was standing up until the people started talking and said to Rabbi Huzpit the interpreter¹¹⁵: Send the people home. They said to Rabbi Zenon the *hazan*¹¹⁶: Start! He said: Start! All the people stood up and said to him (*Nahum* 3:19): "Certainly, on whom did your evil not pass always?" They went and appointed¹¹⁷ Rabbi Eleazar

ben Azariah to the Yeshivah when he was 16 years old¹¹⁸; his head became all white. Rabbi Aqiba sat and was sad; he said, not that he is a greater Torah scholar than I am, but he comes from a greater family than I do; hail to the man whose forefathers created merit for him, hail to the man who has a peg to hang on to. What was Rabbi Eleazar ben Azariah's peg? He was the tenth generation after Ezra¹¹⁹.

How many seats were there¹²⁰? Rabbi Jacob ben Sisi¹²¹ said: Eighty seats were there of accomplished scholars, not to count those standing behind the railing. Rabbi Yose ben Rabbi Abun said 300 were there, not to count those standing behind the railing. As we have stated there (Mishnah *Zebahim* 1:3) "On the day Rabbi Eleazar ben Azariah was appointed to the Academy."¹²² There (Mishnah *Ketubot* 4:6) we have stated: "This inference did Rabbi Eleazar ben Azariah present before the sages at the vineyard of Jabneh." Was there a vineyard? It means that the scholars sat there in rows like vines in a vineyard.

Rabban Gamliel went immediately to pacify each one in his house. He came to Rabbi Joshua and found him occupied with the making of needles¹²³. He asked him: This is how you earn your living? He answered him: Until now you did not know? Woe to the generation whose caretaker you are! He said to him: I humble myself before you. They sent a washerman to Rabbi Eleazar ben Azariah, but some say that it was Rabbi Aqiba. He told him: The sprinkler, son of a sprinkler, should sprinkle. Should anyone who is neither a sprinkler nor the son of a sprinkler say to the sprinkler: your water is water from a cave and your ashes are ashes from a fireplace¹²⁴? He said to him: You made your peace with him! I and you shall go in the morning to Rabban Gamliel's door. Nevertheless they did not remove him from his dignity but made him head of the court.

114 Since Rabban Gamliel went to great lengths to insist on uniformity, not only of practice, but also of doctrine, Rabbi Joshua, the most important member of the generation preceding Rabban Gamliel, did not want to start a quarrel.

115 The "Amora" of Rabban Gamliel, one of the "Ten Martyrs".

116 The *ḥazan* was not only the reader in congregational prayers, but also the general organizer of religious affairs. In outlying communities he was the ritual slaughterer and the conduit through whom questions of religious practice were addressed to the Academies. Here it seems that he had to recite the prayer at the end of a study session discussed in the next Halakhah, that it was customary to start with a Bible verse and that the people spontaneously chose one which was a curse on the speaker.

117 In the Yerushalmi, "appoint" (מנה) is the equivalent of the Babli's "ordain" (סמך). Rabbi Eleazar ben Azariah was ordained the same day he was appointed head of the Synhedrion.

118 In pre-war Poland, that was the usual age for *sēmikha*. (In the Babli, the age is given as 18 years.) The difficulty of this age determination is discussed at length by the author in *The Scholar's Haggadah*, p. 265-266.

119 His family was of equal rank with that of the Patriarch. In the Rome manuscript, there is an addition that he alone was as rich as the Patriarch (and, hence, had the money to deal with the Roman government).

120 This insertion is more detailed in the Babli (28a), where the question is discussed how many seats *were added* when, with the deposition of Rabban Gamliel, also his elitistic exclusionary policies of admission to the Yeshivah were scrapped. The insertion is Amoraic, as is shown by the names of the authorities and the quotes from the Mishnah. The previous paragraph and the following one are Tannaïtic.

121 A Galilean Amora of the fourth generation, contemporary of the Amora R. Yose, older than R. Yose ben R. Abun.

122 In the tradition of the Babli, all of tractate *Idiut* was presented on that day.

123 In the Babli, his profession is given as charcoal-burner.

124 The argument is taken from the ritual of the ashes of the red heifer. The ashes have to be given into "living" water, drawn from a stream. Sprinkling the water was not a reserved profession, but it may be assumed that the care of the ashes, and

supervision of the cleansing ritual, was in the hands of the priests, of whom R. Eleazar ben Azariah was one. Hence, it was intimated to him that just as a

non-Cohen should not presume upon his duties, so an outsider should not presume upon the duties of the Patriarch.

משנה ב: רבי נחוניא בן הקנה היה מתפלל בכניסתו לבית המדרש וביציאתו תפילה קצרה. אמרו לו מה טיבה של תפילה זו. אמר להן בכניסתי אני מתפלל שלא תארע תקלה על ידי וביציאתי אני נותן הודיה על חלקי.

Mishnah 2: Rabbi Nehoniah ben Haqqanah¹²⁵ used to recite a short prayer when he entered and when he left the house of study. They asked him, what kind of prayer is this? He told them: When I enter, I pray that no mishap should come through me and when I leave I give thanks for my lot.

125 A Tanna of the second generation, teacher of Rabbi Ismael. In Medieval mysticism he is credited with

authorship of *Sefer Habahir* and many mystical teachings.

הלכה ב: בכניסתו מהו אומר יהי רצון מלפניך יי אלהי ואלהי אבותי שלא אקפיד כנגד חברי ולא חברי יקפידו כנגדי. שלא נטמא את הטהור ולא נטהר את הטמא. שלא נאסור את המותר ולא נתיר את האסור. ונמצאתי מתבייש לעולם הזה ולעולם הבא. וביציאתו מהו אומר מודה אני לפניך יי אלהי ואלהי אבותי שנתת חלקי מיושבי בית המדרש ובתי כנסיות ולא נתת חלקי בבתי תרסיות ובבתי קרקסיות שאני עמל והן עמליו. אני שוקד והן שוקדו. אני עמל לירש נן עדן. והן עמליו לבאר שחת שנאמר כי לא תעזוב נפשי לשאול לא תתן חסידך לראות שחת.

Halakhah 2: What does he say when he enters¹²⁶? May it be Your pleasure, o Eternal, my God and God of my fathers, that I should not be

offended by my colleagues and my colleagues should not be offended by me; that we should not declare impure that which is pure, nor declare pure what is impure; that we should not forbid that which is permitted, nor permit what is forbidden and I would be ashamed in this world and the world to come.

What does he say when he leaves? I thank You, o Eternal, my God and God of my fathers, that You ordained my lot with those who sit in the house of study and in synagogues and You did not ordain my lot in theaters and circuses¹²⁷. For I toil and they toil, I am diligent and they are diligent. I toil to inherit the Garden of Eden, but they toil for the pit of destruction as it is said (*Ps. 16:10*): "Certainly, You will not abandon my soul to the pit, You will not let Your pious ones see destruction."

126 The text in the Babli (28b) is similar in content but different in formulation. The manuscripts of the Babli and the quotes in Medieval authors differ widely in language.

127 This does *not* imply that Rebbi Neḥonia accepted the doctrine of predestination as conjectured by L. Finkelstein (מבוא לפרקי אבות ואבות דרבי פנקס) (נתן, ניו יורק חשי"א, נספח ב).

רבי פדת בשם רבי יעקב בר אידי רבי אלעזר היה מתפלל שלש תפילות.
לאחר תפילתו מהו אומר. יהי רצון מלפניך יי אלהי ואלהי אבותי שלא
תעלה שנאתינו על לב אדם ולא שנאת אדם תעלה על לבנו. ולא תעלה
קנאתינו על לב אדם ולא קנאת אדם תעלה על לבנו. ותהא תורתך
מלאכתנו כל-ימי חיינו ויהיו דברינו תחנונים לפניך. רבי חינא בר אבא
מוסיף ותנחך לבבינו ליראה את שמך ותרחקנו מכל-מה ששנאת ותקרבנו
לכל מה שאהבת ותעשה עמנו צדקה למען שמך.

Rebbi Pedat in the name of Rebbi Jacob bar Idi¹²⁸: Rebbi Eleazar used to recite three prayers. What did he say after his prayer? May it please You, o Eternal, my God and God of my fathers, that nobody should come

to hate us in his heart nor should we hate anybody in our hearts, that nobody should be envious of us nor we envious of anybody. May Your Torah be our occupation all the days of our life and may our words be supplications before You. Rabbi Hiyya bar Abba added: Make our hearts singleminded in the fear of Your name, remove us from all You hate and bring us close to all You love, and deal with us in charity for Your name's sake.

128 A list of similar prayers after the *Amidah* is given in the Babli, 16b-17a, where a different text appears in the name of Rabbi Eleazar. It is remarkable that Rabbi Pedat, son of Rabbi Eleazar (ben Pedat), gives his father's text in the name of Rabbi

Jacob bar Idi, student of Rabbi Yohanan and colleague of Rabbi Eleazar, rather than from his own knowledge of his father's practices. He also emphasizes that his father prayed three times, including evening prayers, as noted in the previous Halakhah.

דבית רבי ינאי אָמְרין הנוער משנתו צריך לומר בְּרוּךְ אַתָּה יי מְחַיֵּה הַמֵּתִים.
 רְבוּנֵי חֲטָאתֵי לָךְ יְהִי רְצוֹן מִלְּפָנֶיךָ יי אֱלֹהֵי שְׁתַּתֵּן לִי לֵב טוֹב חֶלֶק טוֹב יֵצֵר
 טוֹב סִבָּר טוֹב שֵׁם טוֹב עֵין טוֹבָה וְנֶפֶשׁ טוֹב וְנֶפֶשׁ שְׁפֵלָה וְרוּחַ נְמוּכָה. אֵל
 יִתְחַלֵּל שְׁמֶךָ בְּנוֹ אֵל תַּעֲשִׂינוּ שִׂיחָה בְּפִי כָל הַבְּרִיּוֹת וְאֵל תְּהִי אַחֲרֵיתֵינוּ לְהַכְרִית
 וְלֹא תִקְוֵתֵינוּ לְמַפָּח נֶפֶשׁ. וְאֵל תִּצְרִיכֵנוּ לַיְדֵי מִתְּנַת בְּשָׂר וָדָם וְאֵל תִּמְסֹר
 מְזוֹנוֹתֵינוּ בִּיְדֵי בָשָׂר וָדָם שְׁמִתְנָתָם מְעוּטָה וְחִרְפָתָם מְרוּבָה. וְתוֹן חֲלָקֵנוּ
 בְּתוֹרָתְךָ עִם עוֹשֵׂי רְצוֹנְךָ. בְּנֵה בֵיתְךָ הַיְכָלְךָ עֵירְךָ מִקְדָּשְׁךָ בְּמַהֲרָה בְּיָמֵינוּ.

In the house of Rabbi Yannai they say: He who awakes from his sleep must say "Praised are You, o Eternal, Who resurrects the dead. My Lord, I sinned before You. May it please You, o Eternal, my God, that You might give me a good heart, good part, good inclinations, good hope, good repute, benevolent eye, good soul, meek soul and meek spirit. Your Name should not be desecrated by us; do not make us a byword in the mouths of all creatures; our future should not end in destruction, nor our hope in

sorrow. Do not let us need the gifts of flesh and blood, do not deliver our subsistence into the hands of flesh and blood, for their gifts are small but the shame is big. Give our part in Your Torah with those who do Your will, build Your house, Your Temple, Your city, Your Sanctuary quickly, in our days¹²⁹.

129 This paragraph appears among the morning benedictions in the *Siddur* of Rav Amram Gaon. In modern prayer rites, the corresponding Babylonian prayer (Babli 60b) is universally accepted.

רבי חייא בר ווא מצלי יהי רצון מלפניך יי אלהינו ואלהי אבותינו שתתן
בלבנו לעשות תשובה שלימה לפניך שלא נבוש מאבותינו לעולם הבא. רבי
יודן בי רבי ישמעאל קבע לה לאמוריה דיימר בתר פרשתיה כן.

Rebbi Hiyya bar Abba prayed¹³⁰: May it please You, o Eternal, our God and God of our fathers, that You may put into our hearts to do complete repentance before You so that we should not be ashamed before our forefathers in the World to Come. Rebbi Yudan ben Rebbi Ismael¹³¹ made it permanent that his Amora should say this after his explanations.

130 This is Rebbi Hiyya bar Abba's personal prayer. The previous text mentioned in his name was his version of Rebbi Eleazar's prayer.

131 Galilean Amora of the third generation who was known for his great piety and assiduous study.

רבי תנחום בר איסקולסטיקא מצלי יהי רצון מלפניך יי אלהי ואלהי אבותי
שתשבור ותשבית עולו של יצר הרע מלבנו שפך בראתנו לעשות רצונך ואנו
חייבים לעשות רצונך את חפץ ואנו חפצים ומי מעכב שאור שבעיסה גלוי
וידוע שאין בנו כח לעמוד בו. אלא יהי רצון מלפניך יי אלהי ואלהי אבותי
שתשבייתהו מעלינו ותכניעהו ונעשה רצונך כרצוננו בלבב שלם.

Rebbi Tanḥum the scholar¹³² prayed: May it please You, o Eternal, my God and God of my fathers, that You may break and remove the yoke of evil inclinations from our hearts since so You created us to do Your will, and we are required to do Your will. You desire it and we desire it, who obstructs? The sour matter in the dough! It is obvious and known that we have no power to resist. But may it be Your pleasure, o Eternal, my God and God of my fathers, that You may remove it from us, subdue it, so that we may do Your will as our own with a willing heart.

132 A title, σχολαστικός "scholar", (17a) in the name of Rebbi Alexandri, also found in ancient synagogue inscriptions. The prayer, with minor variations, is reported in the Babli

כר may mean "son of"; it also may mean "endowed with the quality of".

רבי יוחנן הוה מצלי יהי רצון מלפניך יי אלהי ואלהי אבותי שתשכון בפוריינו אהבה ואחנה שלום ורעות ותצליח סופיינו אחרית ותקנה ותרבה גבולינו בתלמידים ונשיש בחלקיינו בגן עדן ותקננו לב טוב וחבר טוב ונשכים ונמצא ותבא לפניך קורת נפשינו לטובה.

Rebbi Yoḥanan prayed¹³³: May it please You, o Eternal, my God and God of my fathers, that You may make dwell in our marriage couches love and understanding, peace and friendship. Let our end succeed in future and hope, increase the students in our boundaries. May we enjoy our part in paradise; grant us a good heart and a good colleague; may we get up and find¹³⁴, and may the quiet of our minds come before You in kindness.

133 The prayer of Rebbi Yoḥanan in the Babli (16b) is completely different. The first prayer uses the wording of the last benediction at a wedding; the

meaning seems to be that he prays for a marriage that always retains the feelings of the wedding day. "Future and hope" means "existence in the

Future World."

134 Find the solutions of all prob-

lems that remained unsolved the previous evening.

וּבִיַּצִּיאֲתִי אֲנִי נוֹתֵן הַדָּוָה עַל חֻלְקִי. אָמַר רַבִּי אֲבוּן לְאֵל שְׁחָלַק לִי דְעָה וּמַעֲשֵׂה טוֹב.

"When I leave I give thanks for my lot¹³⁵." Rabbi Abun said, to God Who allotted me knowledge and good works.

135 Quote of the last clause in the Mishnah. Rabbi Abun seems to free

the mindless from responsibility if they do not live a religious life.

משנה ג: רבן גמליאל אומר בכל־יום אדם מתפלל שמונה עשרה. ורבי יהושע אומר מעין שמונה עשרה. רבי עקיבא אומר אם שגורה¹³⁶ תפילתו בפיו מתפלל שמונה עשרה ואם לאו מעין שמונה עשרה.

Mishnah 3: Rabban Gamliel says: Every day one prays¹³⁷ eighteen benedictions; Rabbi Joshua says, similar to eighteen benedictions. Rabbi Aqiba says, if he is fluent in his prayer then he prays eighteen benedictions, otherwise similar to eighteen benedictions.

136 In the Kaufman manuscript of the Mishnah, the vocalization is שְׁגִירָה, a reading not found in other traditions.

137 For the *Amidah*. The shortened version of Rabbi Joshua will be discussed in the Halakhah.

חלכה ג: ולמה שמונה עשרה. רבי יהושע בן לוי אומר כנגד שמונה עשר המזמורות שקתוב מראשו של (fol. 8a) תילים עד יעקב יי ביום צרה. אם יאמר לך תשע עשרה הן אמור לו למה רגשו גוים לית הוא מינון. מכן אמרו המתפלל ולא נענה צריך תענית. אמר רבי מנא רמז לתלמיד חכם שאדם צריך לומר לרבו תשמע תפילתך.

Halakhah 3: And why 18¹³⁸? Rabbi Joshua ben Levi says, corresponding to the 18 psalms that are written from the start of Psalms to (*Ps.* 20:2): "May the Lord listen to you on the day of need." If somebody would say to you they are 19, tell him (*Ps.* 2:1) "Why are the Gentiles in upheaval" is not in the count¹³⁹. From here they said that one who prayed and was not answered needs to fast. Rabbi Mana said, a hint that a Torah student must say to his teacher: May your prayers be answered¹⁴⁰.

138 The list of the Yerushalmi is quoted at length in *Tanḥuma Wayyera* 1, and from there in other Midrashim. The Babli (28b) has a shorter list with different names; many allusions given here are not in that list.

139 In most of Talmudic sources, Psalms 1 and 2 form one song. To compensate, *Ps.* 116 is divided in two.

140 Since *Ps.* 20:2 is addressed to David by his students (or the Synhedrion).

אָמַר רַבִּי סִימּוֹן כִּנְגַד שְׁמוֹנֶה עָשָׂר חוּלְיֹת שֶׁבְּשִׁדְרָה שֶׁבְּשָׁעָה שֶׁאָדָם עוֹמֵד וּמִתְפַּלֵּל צָרִיךְ לְשׁוּחַ בְּכוֹלָן. מַה טַעַם כָּל עֲצָמוֹתַי תֹּאמַרְנָה יי מִי כְמוֹךְ.

Rebbi Simon said, corresponding to the 18 bones in the spine since when a person prays he has to bend all of them bowing down. What is the reason? (*Ps.* 35:10) "All my bones shall say, o Eternal, who is like You?"¹⁴¹"

141 In the Babli (28b), this reason for the number 18 is given by Rebbi Tanḥum in the name of R. Joshua ben

Levi who notes that, when bowing down in prayer, all joints must be moved.

אָמַר רַבִּי לִוִי כִּנְגַד שְׁמוֹנֶה עָשָׂר הַזְּכוֹרוֹת שֶׁכְּתוּב בָּהֶבּוּ לִי בְנֵי אֱלֹהִים. אָמַר רַבִּי חִינָה אִם יֹאמַר לְךָ אָדָם שֶׁבַע עָשָׂר אֵינּוֹן. אָמַר לּוֹ שֶׁל מֵינִין כָּבֵר קִבְעוּ חֲכָמִים בְּיַבְנֶה. הֲתִיב רַבִּי אֶלְעָזָר בִּי רַבִּי יוֹסִי קוֹמִי רַבִּי יוֹסִי וְהִקְתִּיב אֵל הַכְּבוֹד הַרְעִים. אָמַר לִיָּה וְהִתְנִי כוֹלָל שֶׁל מֵינִין וְשֶׁל פּוֹשְׁעִים בְּמַכְנִיעַ זְדִים.

וְשֵׁל זְקֵנִים וְשֵׁל גְרִים בְּמִבְטָח לְצַדִּיקִים וְשֵׁל דָּוִד בְּבוֹנֵה יְרוּשָׁלַיִם. אֵיךְ לָךְ
מִסְפָּקָא לְכָל-תְּדָא וְתְדָא מִיְהוֹן אֲדַכְרָה.

Rebbi Levi¹⁴² said, corresponding to the 18 Divine Names written in (Ps. 29) "Give to the Eternal, o sons of the mighty." Rebbi Huna said: If it were said that they are 17, tell him the one against sectarians the Sages fixed already at Jabneh¹⁴³. Rebbi Eleazar ben Rebbi Yose objected before Rebbi Yose, but is it not written (Ps. 29:3) "the God of Glory thundered¹⁴⁴"? He said to him: Has it not been stated: He takes together the one against sectarians and sinners in "He Who subdues offenders"¹⁴⁵, the one for elders and proselytes in "Assurance to the righteous", and the one for David in "He Who builds Jerusalem."¹⁴⁶ Then you have enough to have a Divine name¹⁴⁷ for each one of them.

142 In the Babli, this is a statement of Rebbi Hillel, the son of Rebbi Samuel bar Nahmani. Also the following discussion has a parallel in the Babli.

143 Rebbi Huna's question is an attack against all who try to find a reason for the eighteen benedictions by pointing out that in the 500 years between the institution of formalized prayer by the Men of the Great Assembly and the Synhedrion of Rabban Gamliel, the *Amidah* prayer consisted of only 17 benedictions. Rebbi Huna's answer, not very satisfactory, is that the eighteenth benediction is also an institution of the Synhedrion, the legal successor of the Great Assembly, and, therefore, all

eighteen benedictions have the same status.

144 The mention of God introduces a nineteenth Divine name.

145 This implies that the benediction containing the curse upon apostates and sectarians (i. e., Christians) was not newly introduced at Jabneh but that it was a modification of an old benediction directed at those who wantonly transgress the commandments of the Torah. Hence, the original number of benedictions instituted by the Great Assembly was 18. The benediction has been changed in Christian surroundings beyond recognition. The text of Jabneh must have been close to today's Yemenite version: למשומרים אל תהי תקוה, כל המינים

והמוסרים כרגע יאבדו ומלכות זדון תעקור
 וחשבור מהרה בימינו. ברוך אתה יי שובר
 אויבים ומכניע זדים.

146 This is the Israeli version which has no separate benediction asking for the return of the Davidic rulers. The Babylonian version has no mention of the Davidic dynasty in the prayer for rebuilding Jerusalem; it is retained in today's Yemenite prayerbook. Current Ashkenazic and Sephardic versions combine the Israeli prayer, for Jerusalem and the Davidic dynasty in benediction 14, with the Babylonian

one for the Davidic dynasty alone in benediction 15. Hence, Psalm 29 accomodates both the Galilean (18) benedictions based on the number of mentions of the Tetragrammaton, and the Babylonian (19) versions, based on all invocations of the Deity in the Psalm.

147 The parallels ארכרה, הזכרות, ארכרה in this paragraph show that in the times of the Yerushalmi the sounds of $\tau / z /$ and soft $\nu / \delta /$ (voiced *th*) were almost indistinguishable.

רבי חנינה בשם רבי פינחס כנגד שמונה עשרה פעמים שאבות כתובין בתורה.
 אברהם יצחק יעקב. אם יאמר לך אדם תשע עשרה הן אמור לו והנה יי נצב
 עליו לית הוא מינהון. אם יאמר לך אדם שבע עשרה הן אמור לו ויקרא בהם
 שמי ושם אבותי אברהם ויצחק מינהון.

Rebbi Hanina in the name of Rebbi Phineas: Corresponding to the eighteen times the Patriarchs are mentioned together in the Torah, Abraham, Isaac, Jacob. If somebody will tell you that there are nineteen, tell him that (*Gen. 23:13*) "Behold, the Eternal was standing over him" is not counted¹⁴⁸. If somebody will tell you that there are seventeen, tell him that (*Gen. 48:16*) "My name should be called over them, as well the names of my fathers Abraham and Isaac" is counted¹⁴⁹.

148 Since Jacob is not mentioned in that verse.

149 Since Jacob is mentioned implicitly; he speaks about "my name".

רבי שמואל בר נחמני בשם רבי יוחנן כנגד שמונה עשרה ציוויין שקבת
בפרשת משכן שני. אמר רבי חיאי בר וואי ובלבד מן ואתו אהליאב בן
אחיסמך עד סופיה דספרא.

Rebbi Samuel bar Nahmani in the name of Rebbi Yohanan:
Corresponding to the eighteen times "commandment" is mentioned in the
second description of the tabernacle¹⁵⁰. Rebbi Hiyya bar Abba said, only
from (*Ex.* 38:23) "And with him Aholiab ben Ahisamakh" to the end of
the book¹⁵¹.

150 The description of the actual construction of the tabernacle.

section, v. 21, there would be 19 times mentioned that "the Eternal comman-

151 Since from the start of the

ded Moses".

שבע של שבת מניין. אמר רבי יצחק כנגד שבע קולות שקתוב בהבו לי בני
אלים. אמר רבי יודן ענתוריא כנגד שבע אזכרות שקתוב במזמור שיר ליום
השבת.

The seven¹⁵² of Sabbath, from where? Rebbi Isaac¹⁵³ said,
corresponding to the seven "voices" written in (*Ps.* 29) "Give to the
Eternal, o sons of the mighty." Rebbi Yudan Antoraya said, corresponding
to the seven Divine Names in (*Ps.* 92) "Psalm, Song for the Sabbath Day."

152 Benedictions of the *Amidah*.
There is no need to ask for a reason
for the seven benedictions of a holiday
since holidays in everything imitate the
Sabbath. In the Babli (29a) only the
first reason is given, in the name of R.
Halaphta ben Shaul.

In a *Midrash Yelamdenu* quoted in
Yalqut Shim'oni Psalms #863, the seven
voices are said to refer to the seven
kinds of voices heard at the theophany
at Sinai, which was on a Sabbath.

153 An Amora from the circle of
Rebbi Yohanan.

תשע של ראש השנה מניין. אמר רבי אבא קרטיגניא כנגד תשע אזכרות
שקתוב בפרשת חנה. וכתוב בסופה לי ידין אפסי ארץ.

Nine of New Year's Day, from where? Rebbi Abba from Carthage¹⁵⁴ said: Corresponding to the nine Divine Names in Hanna's prayer; there it is written at the end: (*ISam 2:10*) "The Eternal will judge the ends of the earth¹⁵⁵."

154 An Israeli Amora of the circle of Rebbi Yohanan and Resh Laqish. He is either from Carthage in North Africa or from Cartagena in Spain.

Israeli Amora'im; the Yerushalmi is the source for all abbreviated statements in the Babli. The verse from Hannah's prayer, not quoted in the Babli, is the reason that Hannah's prayer forms the Haphtarah of the first day of the New Year.

155 This is reported in shortened form in Babli 29a. The entire series of analogous numbers is given only by

עֲשָׂרִים וְאַרְבַּע שָׁל תַּעֲנִיּוֹת מְנִיין. רַבִּי חֵלְבוֹ וְרַבִּי שְׁמוּאֵל בַּר רַב נַחֲמָן תְּרוּיָהוּן אָמְרוּ כִּנְגַד עֲשָׂרִים וְאַרְבַּע פְּעָמִים שֶׁקְּתוּב בְּפֶרֶשׁהּ שֶׁל שְׁלֹמֹה רִינָה וְתַפִּילָה וְתַחֲנִנָה.

The twenty-four of fast days¹⁵⁶, from where? Rebbi Helbo and Rebbi Samuel bar Rav Nahman both say, corresponding to the twenty-four times that entreaty, prayer, and supplication are mentioned in Solomon's prayer (*IKings 8*).

156 Public fasts for rain in a year of draught. The argument is quoted in the

Babli (29a) in the name of Rebbi Helbo alone.

רַבִּי זְעִירָא בְּשֵׁם רַב יְרֵמְיָהּ יְחִיד בְּתַעֲנִיּוֹת צִיבוּר צָרִיךְ לְהִזְכִּיר מַעֲיֵן הַמַּאֲוָה. אִיכָן הוּא אוֹמְרָה בֵּין גּוֹאֵל יִשְׂרָאֵל לְרוֹפֵא חוֹלִים. וּמָהוּ אוֹמֵר עֲנֵנוּ יי עֲנֵנוּ בַּעַת וּבַעוֹנָה הַזֹּאת כִּי בַצָּרָה גְדוֹלָה אֲנַחְנוּ אֵל תִּסְתַּר פְּנֵיךָ מִמֶּנּוּ וְאֵל תִּתְעַלֵּם מִתַּחֲנִינָתֵנוּ כִּי אַתָּה יי עוֹנָה בַּעַת צָרָה וּמְצִיל בְּכָל עֵת מִצּוֹקָה וַיִּצְעֲקוּ אֵל יי בַּצָּר לָהֶם מִמִּצּוֹקוֹתֵיהֶם יוֹצִיאֵם. בְּרוּךְ אַתָּה יי עוֹנָה בַּעַת צָרָה. רַבִּי יַנְיִי בְּרַבִּי יִשְׁמַעֵאל בְּשֵׁם בֵּית רַבִּי יַנְיִי אוֹמֵר בְּשׁוּמַע תַּפִּילָה.

Rebbi Zeïra in the name of Rav Jeremiah, a private person has to mention the occasion on a public fast day¹⁵⁷. Where does he say it? Between "Redeemer of Israel" and "Healer of the sick."¹⁵⁸ What does he say? "Answer us, o Eternal, answer us in this time and season because we are in great trouble, do not hide Your presence from us, do not be oblivious to our supplications, because You, o Eternal, will answer in time of trouble, redeem and save in any time of distress. (Ps. 107.6) "They cried to the Eternal in their trouble, He led them out from their distress."¹⁵⁹ Praise to You, o Eternal, Answering in times of trouble.

Rebbi Yannai ben Rebbi Ismael¹⁶⁰ in the name of the House of Rebbi Yannai¹⁶¹ says: In "He Who hears prayer.¹⁶²"

157 The following discussions belong to tractate *Taäniot* (fol. 65c). They are inserted here because the 24 benedictions of fast days were mentioned. On the other hand, the correspondences to the 18, 7, and 9 benedictions on other days belong here and are repeated in *Taäniot* only because of the following text.

The 24 benedictions are recited by the reader in public prayer. In the Babli (*Taänit* 13b-14a) the opinion quoted here in the name of Rav Jeremiah (bar Abba, one of the most important students of Rav in Babylonia) is attributed to Rav himself.

158 Between the Seventh and Eighth benedictions, as a separate benediction.

159 The Galilean practice was to end every benediction in prayer or

Grace with a verse from the Bible. This practice has survived only sporadically. Even though this prayer text is given only in the *Yerushalmi*, (the Babli usually assumes that all texts are known) there are many variants already in the extant prayer manuals from the 8th to the 10th centuries.

160 This is the reading of the Rome ms. here and the Venice text in the parallel version in *Taäniot* 65c. Rebbi Yannai ben R. Ismael was a student of R. Yoḥanan and a colleague of R. Zeïra. (The Venice text here has **נִשְׁמַע** instead of **נִרְ**.)

161 The Yeshivah established by Rebbi Yannai in the first generation of Amoraïm; it continued after its founder's death.

162 In the 15th benediction. In the

Babylonian rite we never find that a private person adds a benediction to his prayer. The House of Rabbi Yannai omitted the final benediction in Rav Jeremiah's text.

רבי יונה בשם רב אפילו יחיד שגזר על עצמו תענית צריך להזכיר מעין המאורע. איכן הוא אומרה. רבי זעורא בשם רב חונא כלילי שבת וכיומו. אמר רבי מני אנא דלא בודקהתה אין כהדא דרב ירמיה. אין כהדא דרבי ינאי רבי ישמעאל סלקית לסדרה ושמעית רב חונה בשם רב אפילו יחיד שגזר על עצמו תענית צריך להזכיר מעין המאורע. התיב רבי יוסי והא מתניתא פליגא. בכל יום אדם מתפלל שמונה עשרה במוצאי שבת ובמוצאי יום הכיפורים ובמוצאי תענית ציבור. מן מה דמר רבי יוסי מתניתא פליגא. הנה כן אתתבת בין גואל ישראל לרופא חולים.

Rebbi Jonah in the name of Rav: Even an individual who decreed a fast day on himself has to mention the occasion¹⁶³. Where does he say it? Rebbi Zeira in the name of Rav Huna: Similar to Friday night and Sabbath day¹⁶⁴.

Rebbi Mani said: I, who did not check whether one follows Rav Jeremiah or Rebbi Yannai the son of Rebbi Ismael, went to the study hall and I heard: "Rav Huna in the name of Rav: Even an individual who decreed a fast day on himself has to mention the occasion. Rebbi Yose objected that a *baraita* disagrees: Every day one prays eighteen benedictions, including the night after Sabbath and the nights after Yom Kippur and after Public Fasts¹⁶⁵." Since Rebbi Yose said, this *baraita* disagrees¹⁶⁶, it contradicts the statement: between "Redeemer of Israel" and "Healer of the sick."

163 He also has to recite ענוי. [In practice, the fastdays of the 3rd of Tishre, 10th of Tevet, 13th of Adar, and 17th of Tammuz, follow the rules of private fast days.]
 164 During every prayer he has to

recite that day.

165 See Halakhah 1, Note 86.

166 Rabbi Mani's argument goes as follows: Since R. Yose stated that the *baraita* contradicts Rav, he takes the *baraita* to mean that a private person *always* recites 18 benedictions on weekdays, *never* 19, even on fast days. The additional days are mentioned to point out that insertions for a private person are always accommodated in an existing benediction, never as an additional one, in contrast to the opinion of R. Aqiba who states in Mishnah 5:2 that *Havdalah* Saturday

nights is a separate benediction. In addition, it is stated that on those days when *Ne'ilah* is recited, Yom Kippur and fast days for a severe draught, the *Ne'ilah* prayer does not replace the following night's prayer as discussed in Halakhah 1. The Yerushalmi does not address the question what the reader says on a public fast day which is not a fast for rain; the Babli decides that the reader will recite ענונו as a separate benediction between "Redeemer of Israel" and "Healer of the sick." This decision does not go against R. Mani's argument.

אמר רבי אחא בר יצחק בשם רבי הונא רבא דציפורין יחיד בתשעה באב צריך להזכיר מעין המאורע. מהוא אומר. רחם לי אלהינו ברחמיך הרבים ובחסדיך הנאמנים עלינו ועל עמך ישראל ועל ירושלים עירך ועל ציון משכן כבודך ועל העיר האבילה והחריבה וההרוסה והשוממה הנתונה ביד זרים הרמוסה ביד עריצים ויירשוה לגיונות וחללוה עובדי פסילים ולישראל עמך נתתה נחלה ולזרע ישורון ירושה הורשתה כי באש היצתה ובאש אתה עתיד לבנותה כאמור ואני אהיה לה נאם לי חומת אש סביב ולכבוד אהיה בתוכה.

Rebbi Aḥa bar Isaac¹⁶⁷ in the name of the older Rebbi Huna of Sepphoris¹⁶⁸: An individual must mention the occasion on the Ninth of Av. What does he say? "Have mercy, o Eternal, our God, in Your great mercy and your trusted kindness, towards us, Your people Israel, Your city Jerusalem, Zion the dwelling place of Your glory, and on the mourning, ruined, destroyed, and desolate city that is given into the hand of strangers, trampled down by haughty peoples, that was inherited by legions and desecrated by idol worshippers, when You had given her to

Your people Israel as property, and let her be inherited by the seed of Yeshurun, for in fire You set her on fire and with fire You will build her in the future as it has been said (*Zach. 2:9*): "But I shall be for her, says the Eternal, a wall of fire around, and Glory I shall be in her midst."¹⁶⁹

167 An Israeli Amora of the third generation, companion of Rebbi Abba bar Mamal and contemporary of Rebbi Ze'ira.

prayer in Talmudic sources; it is quoted in the manuals of Rif (R. Isaac Fassi) and Rosh (R. Asher ben Yehi'el). However, Maimonides has a different text from Gaonic sources and the currently used versions are derived from his. Also, most rituals have replaced רחם "have mercy" by נחם "console" as more appropriate in a prayer for Jerusalem.

168 A student of R. Yohanan whose sayings are reported by several sages of the third and fourth generations in Galilee. The name is correctly given in the Rome ms. and in the Venice text in *Ta'aniot*.

169 This is the only text of the

רבי אבדימא דציפורין בעא קומי רבי מנא איכן אומרה. אמר לו ואדיין אין את לזו. כל דבר שהיא לבוא אומרה בעבודה. וכל דבר שהיא לשעבר אומרה בהודאה. ומתניתא אומרה ונותן הודאה לשעבר וצועק לעתיד לבוא.

Rebbi Eudaimon of Sepphoris¹⁷⁰ asked before Rebbi Mana: Where does one say this? He said to him: You still do not understand? Anything for the future one says in "Service"¹⁷¹ and anything about the past one says in "Thanksgiving"¹⁷². The Mishnah (*Berakhot* 9:6) says as much: "One gives thanks for the past and cries about the future."

170 An Amora of the fifth generation, student of R. Mana.

the correct place for the insertion of the prayer for the Ninth of Ab. However, in all historical documents we have from Gaonic times and later, the insertion is made in the 14th benediction, which is a prayer for the

171 The 16th benediction in the Galilean service, a prayer for the restitution of the Temple service. In the opinion of the Yerushalmi, that is

rebuilding of Jerusalem. This is either a popular custom or a Gaonic institution. It is justified since the place is fitting and the later discussion will show that occasional variations in the

prayer text are welcomed.

172 The 17th benediction, the natural place for the mention of the miracles of Hanukkah and Purim.

אֵי זֶה הֵיא שְׁבַע מַעֲיִן שְׁמוֹנֶה עֶשְׂרֵה. רַב אָמַר סוֹף כָּל-בְּרָכָה וּבְרָכָה. וְשְׁמוּאֵל אָמַר רֵאשׁ כָּל-בְּרָכָה וּבְרָכָה. אֵית תְּנִי תְנִי שְׁבַע מַעֲיִן שְׁמוֹנֶה עֶשְׂרֵה. וְאֵית תְּנִי תְנִי שְׁמוֹנֶה עֶשְׂרֵה מַעֲיִן שְׁמוֹנֶה עֶשְׂרֵה. מֵאן דְּמַר שְׁבַע מַעֲיִן שְׁמוֹנֶה עֶשְׂרֵה מְסִייעַ לְשְׁמוּאֵל וּמֵאן דְּמַר שְׁמוֹנֶה עֶשְׂרֵה מַעֲיִן שְׁמוֹנֶה עֶשְׂרֵה מְסִייעַ לְרַב.

¹⁷³What are "seven similar to eighteen"? Rav says the end of each benediction¹⁷⁴ and Samuel says the head of each benediction¹⁷⁵. Some formulate "seven similar to eighteen" and some formulate "eighteen similar to eighteen."¹⁷⁶ He who says "seven similar to eighteen" supports Samuel, he who says "eighteen similar to eighteen" supports Rav.

173 After the digression about prayers on special days one returns to the discussion of the Mishnah and the statement of Rebbi Joshua that a private prayer on weekdays is "similar to the eighteen benedictions" recited by the reader in public service.

174 Rav requires the first three and the last three benedictions in full and of the twelve benedictions in between only the final doxology of each: Praise to You, o Eternal, Who bestows knowledge as a favor. Praise to You, o Eternal, Who desires repentance, etc.,

without any other text.

175 Samuel also requires the first and last three benedictions in full but of the text of the intermediate ones only a few words, as explained in full in the next paragraph. The statements of Rav and Samuel are in Babli 29a, the following connection with tannaïtic statements appears only in the Yerushalmi.

176 The disagreement of Rav and Samuel did not originate with them, but they follow different tannaïtic traditions.

רבי זעירא שלח לרבי נחום גבי רבי ינאי בירבי ישמעאל אמר ליה אי זו היא שבע מעין שמונה עשרה דשמואל. אמר ליה הביננו רצה תשובתינו סלח לנו גואלינו רפא חליינו ברה שנותינו. אמר רבי חנני אם היו גשמים אומרים בגשמי ברכה. אם היו טללים אומרים בטללי ברכה. כי מפוזרים אתה מקבץ ותועים עליה לשפוט ועל הרשעים תשית נדך וישמחו כל-חוסי בך בבנין עירך ובחידוש בית מקדשך ובצמח דויד עבדך כי טרם נקרא אתה תענה באמור והיה טרם יקראו ואני אענה עוד הם מדברים ואני אשמע ברוך אתה יי שומע תפילה. ואומר שלש ברכות ראשונות ושלש אחרונות. ואומר ברוך יי כי שמע קול תחנוני.

Rebbi Zeira sent Rebbi Nahum¹⁷⁷ to Rebbi Yannai ben Rebbi Ismael and said to him: What are the "seven similar to eighteen" of Samuel? He said to him:¹⁷⁸ Give us understanding, have pleasure in our repentance, forgive us, redeem us, heal our sicknesses, bless our years [Rebbi Haggai said, in the rainy season one says: with blessed rains, in the season of dew one says: with blessed dew¹⁷⁹], for You gather in the dispersed, Yours it is to judge the misguided, put down Your hand on the wicked, but in You may rejoice all who hope for You to rebuild Your city, to renew Your Temple with the offspring of Your servant David, because before we call You will answer as it is said¹⁸⁰ (*Is.* 65:24): "It shall be before they call that I shall answer, they still shall be talking while I will listen." Praise to You, o Eternal, Who hears prayer. And he says the first three and the last three benedictions. And he says¹⁸¹ (*Ps.* 28:6): Praised be the Eternal, Who certainly hears the voice of my supplications.

177 Probably identical with Rebbi Nahum, the organizer of the Yeshivah of Rebbi Abbahu.

178 The text in the Babli (29a) is different but based on the same

principles.

179 The Babli (29a) forbids the recitation of the shortened prayer in winter time because the change would disturb the memory of the person who

prays. It seems that in Babylonia the text of the prayer for blessed agricultural years was similar to today's Sephardic and Oriental versions where the summer prayer is short (in Rabbenu Saadia's *siddur* 19 words) and the winter prayer is long (in Rabbenu Saadia's *siddur* 48 words) and this change is not adaptable to the short prayer. In contrast, in the Ashkenazic tradition based on Yerushalmi sources, the difference between summer and winter prayer is just two words. One may note that the French *Mahzor Vitry*

from the school of Rashi combines the Babylonian text of הכינוי with the Israeli versions for summer and winter and, hence, allows the short prayer for the entire year following the Jerusalem Talmud.

180 The obligatory verse before the end of a longer benediction in the Israeli tradition. This verse is used in the middle of the currently used text of ענוני on fast days.

181 As private prayer after all seven required prayers.

רבי אליעזר אומר העושה תפילתו קבע אין תפילתו תחנונים. רבי אבהו בשם רבי אלעזר ובלבד שלא יהא כקורא באיגרת. רבי אחא בשם רבי יוסי צריד לחדש בה דבר בכל-יום. אחיתופל היה מתפלל שלש תפילות חדשות בכל-יום. אמר רבי זעירא כל זמן דהוינא עביד כן הוינא טעי. ולית לך אלא ביי דמר רבי אבהו בשם רבי אלעזר ובלבד שלא יהא כקורא באיגרת. רבי אלעזר היה מתפלל תפילה חדשה בכל-יום. רבי אבהו היה מברך ברכה חדשה בכל-יום.

"Rebbi Eliezer says: If one makes his prayer fixed, his prayer is not supplication¹⁸²." Rebbi Abbahu in the name of Rebbi Eleazar: Only that one should not be like one who reads a letter¹⁸³. Rebbi Aha in the name of Rebbi Yose: One has to say something new every day¹⁸⁴. Ahitophel¹⁸⁵ used to say three new prayers every day. Rebbi Zeira said: Any time that I was trying to do that, I was committing errors. Therefore, one has only what Rebbi Abbahu said in the name of Rebbi Eleazar: Only that one should not be like one who reads a letter. Rebbi Eleazar used to say a

new prayer every day. Rabbi Abbahu used to recite a new benediction every day¹⁸⁶.

182 This belongs to the next Mishnah; the paragraph explains this statement. Most newer editions of the Yerushalmi move the section from here to the end of Halakhah 3 or to Halakhah 4. However, it seems that the error is not with the copyists of the Yerushalmi but with the copyists of the Mishnah and that the statement of Rabbi Eliezer belongs to Mishnah 3 where Rabban Gamliel says that everybody always prays 18 fixed benedictions. R. Joshua says everybody prays a shortened but fixed version, and R. Aqiba notes that one should follow either course depending on one's knowledge. But Rabbi Eliezer insists that the appropriate form of prayer depends only on intent. In the first prints of the Babli, Soncino and Venice 5280, the statement of R. Eliezer belongs to Mishnah 3.

183 In the Babli (29b), it is the opinion of the anonymous rabbis that one should pronounce the prayers in form and intent of supplication.

184 While this explanation seems to fit best the standard Hebrew אין קבע it appears in the Babli only as an opinion

of the third generation Amora'im Rabba and Rav Joseph, and here as an opinion of the fourth generation R. Yose; hence, it is not acceptable as original intention of R. Eliezer. R. Zera (= R. Ze'ira) is also the one in the Babylonian Talmud who points out the practical impossibility of finding a new formulation in a fixed framework of 18 benedictions every day. One may also note that the statement of R. Simeon ben Nethanael (*Abot* 2:13) "do not make your prayer קבע" appears in *Abot deR. Nathan A* 17:8 as "do not make your prayer (idle) talk"; this agrees with the interpretation of Rabbi Eleazar.

185 In Agadah, he is the paradigm of a person who knows everything.

186 While Rebbis Eleazar and Aḥa are the authors of the lenient interpretation, that the use of a formulaic text is accepted by all sages, they did not want to use this leniency for themselves, R. Eleazar for the *Amidah* prayer and R. Aḥa for any of the permanent benedictions, possibly those to be recited in the morning before prayer.

רבי יוסי ציידנניא בשם רבי יוחנן לפני תפילתו הוא אומר יי שפתי תפתח ופי נגיד תהילתך. לאחר תפילתו הוא אומר יהיו לרצון אמרי פי והגיון לבי לפניך יי צורי וגואלי. רבי יודן היה אומר תרויהון קומי צלותיה.

Rebbi Yose from Sidon¹⁸⁷ in the name of Rebbi Yoḥanan: Before one's prayer one says (*Ps.* 51:17) "Master, open my lips that my mouth may proclaim Your praise." After one's prayer, one says (*Ps.* 19:15): "May the sayings of my mouth be agreeable and the thoughts of my heart, before You, my Rock and my Redeemer." Rebbi Yudan used to say both of them before his prayer.

187 A student of Rebbi Jeremiah, from the city of Sidon. The statements of R. Yoḥanan are in Babli 9b. There the requirement of recitation of these

verses is noted as "institutions of the Rabbis"; the Babli would not tolerate the action of Rebbi Yudan.

היה עומד וזכר שהתפלל רב אמר חותך. ושמואל אמר אינו חותך. שמעון בר ווא בשם רבי יוחנן ולואי שיתפלל (fol. 8b) אדם כל-היום. למה שאין תפילה מפקדת. רבי זעירא בעא קומי רבי יוסי לית מילתיה דרבי יוחנן אמרה ספק נתפלל ספק לא נתפלל אל תפלל. ולא אגיביה. אתא רבי אבהו בשם רבי יוחנן ספק נתפלל ספק לא נתפלל אל תפלל. רבי חנינא לא אמר כן אלא בעין קומי רבי יוחנן ספק נתפלל ספק לא נתפלל אמר לון ולואי שיתפלל אדם כל-היום. למה שאין תפילה מפקדת.

If one was praying and remembered that he already had prayed, Rav says, he cuts short, and Samuel says, he does not cut short. Simeon bar Abba in the name of Rebbi Yoḥanan¹⁸⁸: If only one would pray the whole day long, why, because prayer is never in vain. Rebbi Zeira asked before Rebbi Yose¹⁸⁹: Did not Rebbi Yoḥanan say that if one is in doubt whether he did pray or not, that he should not pray? He did not give him an answer. Rebbi Abbahu came in the name of Rebbi Yoḥanan: If one is

in doubt whether he did pray or not, he should not pray. Rabbi Hanina did not say so but: They asked before Rabbi Yohanan, if one is in doubt whether he did pray or not? He told them, if only one would pray the whole day long, why, because prayer is never in vain.

188 The statement of Rabbi Yo- following paragraph appear in Babli
hanan and his problem have been 21a.
explained in Chapter One, Notes 16 ff. 189 He is Rabbi Yasa (Assi).
The shortened parallel to this and the

הִזָּה עוֹמֵד וּמִתְפַּלֵּל בְּשַׁבָּת וְשָׂכַח שֶׁל שַׁבָּת וְהִזְכִּיר שֶׁל חוּל. רַבִּי חֲנִינָא אָמַר
אֵיתְּפַלְגוּן רַב נַחְמָן בַּר יַעֲקֹב וְרַב שֵׁשֶׁת. חַד אָמַר חוֹתֵךְ אֶת הַבְּרָכָה. וְחֲרָנָה
אָמַר גּוֹמֵר אֶת הַבְּרָכָה. הַכֹּל מוֹדִים בְּחוֹנֵן הַדַּעַת שֶׁהוּא גּוֹמְרָה. וְתָא כְּרַבִּי
דְּרַבִּי אָמַר תְּמִיחָה אֲנִי הַיָּאֵךְ בְּטַלּוֹ חוֹנֵן הַדַּעַת בְּשַׁבָּת. אִם אֵין דִּיעָה מְנִין
תְּפִילָה. אָמַר רַבִּי יַצְחָק גְּדוּלָה הִיא הַדִּיעָה שֶׁהִיא מְמוּצָעַת בֵּין שְׁתֵּי הַזְּכָרוֹת
שְׁנֵאמַר כִּי אֵל דַּעוֹת יֵי. אִית דְּבַעֵי מִשְׁמַעִינָה מִן הַדָּא אָז תְּבִין יִרְאֵת יֵי וְדַעַת
אֱלֹהִים תִּמְצָא.

If one was standing praying on the Sabbath; he forgot about the Sabbath and prayed for weekday. Rabbi Huna said, Rav Nahman bar Jacob¹⁹⁰ and Rav Sheshet¹⁹¹ disagree, one says he cuts the benediction short and the other says, he finishes the benediction. All agree that he finishes "Gracious Giver of knowledge"¹⁹². This follows Rabbi, since Rabbi said: I wonder why they eliminated "Gracious Giver of knowledge" on Sabbath; if there is no knowledge, from where comes prayer? Rabbi Isaac said: Knowledge is great because it is in the middle between two mentions of divine names as it is said (*1Samuel 2:3*): "Certainly, a God of knowledge is the Eternal". Some want to understand from here (*Prov. 2:5*): "Then you will understand the fear of the Eternal and the knowledge of God you will find."

190 He appears as Rav Nahman in the Babli, a student of Samuel and of the *Resh Galuta* Rabba bar Abuh, who became his father-in-law and appointed Rav Nahman as chief judge of the Jews in Babylonia. Hence, the opinions of Rav Nahman have the weight of Supreme Court decisions in all money matters. He is reported in the Babli (21a) to require that the benediction that was started must be finished. The contrary opinion, which therefore must be attributed to Rav Sheshet, is not mentioned in the Babli.

191 Rav Sheshet was a

contemporary of Rav Nahman, a student of Rav. He was blind and the greatest expert in Tannaïtic literature in his time. In the Babli, it is a Gaonic tradition that in disagreements between Rav Sheshet and Rav Nahman, practice follows Rav Sheshet in all matters that do not involve money. Hence, it is clear that the Babli, which wants to establish the rule that one must finish the benediction, cannot mention Rav Sheshet.

192 The first of the weekday benedictions, a prayer for knowledge and insight.

משנה ד: רבי אליעזר אומר העושה תפילתו קבע אין תפילתו תחנונים. רבי יהושע אומר המהלך במקום הסכנה מתפלל תפילה קצרה מעין שמונה עשרה ואומר הושיעה יי את עמך את ישראל בכל פרשת העיבור יהיו צרכיהם לקנין. ברוך אתה יי שומע תפילה ותחנונים.

Mishnah 4: Rabbi Eliezer says: If one makes his prayers fixed, his prayer is not a supplication¹⁹³. Rabbi Joshua says: He who passes through a place of danger recites a short prayer (similar to eighteen prayers)¹⁹⁴ and says: Help, o Eternal, your people Israel; in all passing situations may their needs be before You. Praised are You, o Eternal, Who hears prayer (and entreaties)¹⁹⁵.

193 The Gemara to this statement is found in the preceding Halakha.

194 This phrase is only found in

Mishnah codices of the Israeli tradition, never in the Babylonian Mishnah. It seems that for R. Joshua in the

Yerushalmi the short prayer is a replacement for Samuel's text of the middle part of the short *Amidah* as explained here later by (the Babylonian!) Rav Hisda, but in Babylon it is interpreted as an independent prayer

that must be complemented by a full *Amidah* once the danger has passed.

195 This is only in the Mishnah text in the Yerushalmi Halakhah (not in the Mishnah preceding the Chapter) and in a few Mishnah manuscripts.

הלכה ד: רבי שמעון בר אבא בשם רבי חנינא כל הדרך בחזקת סכנה. רבי נניי כד הנה נפיק לאכסניא הנה מפקד גו ביתיה. רבי מנא כד הנה אזיל מסחי במרחץ שהיא ניסוקת הנה מפקד גו ביתיה. רבי חנינא בריה דרבי אבהו רבי שמעון בר אבא בשם רבי יהושע בן לוי כל החולי בחזקת הסכנה.

Halakhah 4: Rebbi Simeon bar Abba in the name of Rebbi Hanina: Any travel is presumed to be dangerous¹⁹⁶. Rebbi Yannai, when he went abroad¹⁹⁷, commanded his household¹⁹⁸. Rebbi Mana commanded his household when he went to a bathhouse that was heated¹⁹⁹. Rebbi Hanina the son of Rebbi Abbahu²⁰⁰, Rebbi Simeon bar Abba in the name of Rebbi Joshua ben Levi: Every sickness is presumed to be dangerous.

196 And an occasion for the prayer of Rebbi Joshua.

would be in danger of being burned to death. This does not apply to geothermal bathhouses as in Tiberias; he made his will only when he went to thermal baths that were artificially heated.

197 Greek ξενία "hospitality; guest chamber".

198 Made his will and settled his affairs as if he expected to die.

200 Son of Rebbi Abbahu of Caesarea; studied in Tiberias and became his father's successor in Caesarea.

199 In Roman thermal baths, the water was heated in a room directly below the sauna room. If the floor was falling down, the people in the sauna

רבי אחא בשם רבי אסא כל-מה ששליח ציבור עובר לפני התיבה ותובע צרכי עמד לפניו. רבי פינחס רבי לוי רבי יוחנן בשם מנחם דגלייא זה שעובר לפני

התיבה אין אומר לו בוא והתפלל אלא בוא וקרב קרבינו עשה צרכינו עשה
מלחמותינו. פייס בעדינו.

²⁰¹Rebbi Aḥa in the name of Rebbi Assi: Everything that the representative of the congregation passes by before the Ark and requests the needs of Your people before You. Rebbi Phineas, Rebbi Levi, Rebbi Yoḥanan, in the name of Menaḥem from Gallia²⁰²: He²⁰³ does not say to the one who steps before the Ark "come and pray for us" but "come and present our presentation²⁰⁴, work our needs, wage our wars, pacify for us."

201 Here starts the discussion of R. Joshua's text, in particular the meaning of *בכל שעה העיבור*. The explanations of the Babli (29b) of this cryptic expression are varied and totally different. In Galilee, the reader passes (עובר) before the ark, in Babylonia he descends (יורד) before the ark. Hence, only in Galilee can the prayer of R. Joshua refer to the prayer of the cantor in the synagogue.

202 A Tanna of the last generation. His sayings are usually transmitted by R. Yoḥanan.

203 The person in charge of or-

ganizing services.

204 *קרב* may mean "battle" (explained here by "wars") or "to come near" (explained by "pacify for us") but in the liturgic sense, used here as main sense, it means a poem either inserted in the regular *Amidah* or replacing the *Amidah* prayer, as recognized by L. Ginzberg. Religious poetry was very important in Israel in these times; in Babylonia it was banned from synagogues except in the Yeshivah of Rav who was trained in Galilee. Hence, the Babylonian Talmud could not accept the interpretation given here.

אחרים אמרו צורכי עמך מרובין ודעתן קצרה אלא יהי רצון מלפניך יי
אלהינו ואלהי אבותינו שתתן לכל-בריה ובריה צרכיה ולכל-גויה וגויה די
מחסורה. ברוך יי כי שמעת²⁰⁵ קול תחנוני. ברוך אתה יי שומע תפילה. רב
חסדא אמר הלכה באחרים. רב חסדא אמר שלש ברכות הראשונות ושלש
האחרונות.

Others say²⁰⁶: "The needs of Your people are many and their minds are dull. May it be pleasure before You, o Eternal, our God and God of our fathers, that You may give every single creature its needs and to every single body according to his want. (*Ps.* 28:6) Praised be the Eternal, certainly He heard the sound of my supplications. Praised are You, o Eternal, Who hears prayer." Rav Hisda said: Practice follows "others". Rav Hisda said, the first and last three benedictions²⁰⁷.

205 A scribal error for שָׁמַע in the verse. The entire sentence is missing in the Rome ms.

in Babli 29b and Tosephta *Berakhot* 3:7. The statement that practice follows this text is Rav Huna's in the Babli.

206 This prayer is reported in Babylonian style (without the Biblical verse preceding the doxology) together with the prayers formulated by other rabbis

207 The "short prayer" is the middle one between the first and the last three of the *Amidah*; see the commentary to the Mishnah.

אֵית תְּנַיִי תְּנִי מִתְּפִלָּל וְאַחַר כֵּן תִּבְרַח צְרָכָיו וְאַחַר
כֵּן מִתְּפִלָּל. מֵאֵן דְּמַר מִתְּפִלָּל וְאַחַר כֵּן תִּבְרַח צְרָכָיו תְּפִלָּה לְעֵנִי כִי יַעֲטוּף
וְאַחַר כֵּן וְלִפְנֵי יי שְׁפוּךְ שִׁיחוֹ. וּמֵאֵן דְּמַר תִּבְרַח צְרָכָיו וְאַחַר כֵּן מִתְּפִלָּל
לְשִׁמוֹעַ אֶל הָרִינָה וְאַחַר כֵּן עַל הַתְּפִלָּה. דְּבַרֵי חֲכָמִים. רַבִּי זְעִירָא בְּשֵׁם רַב
חוּנָא יְחִיד תִּבְרַח צְרָכָיו בְּשִׁמוֹעַ תְּפִלָּה.

Some Tannaïm have stated: One should first pray and then ask for one's personal needs. Some Tannaïm have stated: One should first ask for one's personal needs and then pray.²⁰⁸ He who says, one should first pray and then ask for one's personal needs (*Ps.* 102:1) "Prayer of the deprived one who wraps himself up²⁰⁹" and afterwards "and before the Eternal he pours out his speech." But he who says, one should first ask for one's personal needs and then pray, (*IKings* 8:28) "To listen to lamentation²¹⁰" and after that "and to prayer." The opinion of the sages²¹¹: Rabbi Zeira in the name of Rav Huna, the private person asks for his personal needs in "He Who hears prayer"²¹².

208 In Babli *Avodah zarah* 7b, the first opinion is R. Joshua's, the second one R. Eliezer's. [If the Yerushalmi had mentioned the names, the order of the *baraitot* would have been inverted.] R. Joshua, whose opinion always prevails against R. Eliezer, requires that private prayers be said following completion of the prescribed 18 benedictions. This is accepted as a possible practice in Babli *Avodah zarah* 8a.

209 Usually translated: "who faints", but used here in the sense of "who

wraps himself in his prayer coat or shawl." The Babli uses the verse for the opposite argument since "prayer" is mentioned first.

210 The Babli (*Berakhot* 31a) is forced to re-interpret רנה as "prayer".

211 The consensus of the Amora'im.

212 But public entreaties are said either in the form of extra benedictions for rain fasts, or as penitential prayers in the sixth benediction "Merciful, Who forgives much."

רבי אבא רבי חינא בשם רבי יוחנן צריך אדם להתפלל במקום שהוא מיוחד לתפילה. ומה טעם בכל-המקום אשר אזכיר את שמי. אשר תזכיר את שמי אין כתוב פאן אלא בכל-המקום אשר אזכיר. אמר רבי תנחום בר חנינא צריך אדם ליחד לו מקום בבית הכנסת להתפלל. ומה טעם ויהי דוד בא עד הראש אשר השתחוה שם לאלהים אין כתוב פאן אלא אשר ישתחוה שם לאלהים.

Rebbi Abba, Rebbi Hiyya²¹³, in the name of Rebbi Yohanan: A person has to pray at a place that is dedicated for prayer. What is the reason? (*Ex.* 20:24) "At every place where I shall let My name be mentioned²¹⁴." It does not say "where you will mention" but "at every place where I shall let My name be mentioned." Rebbi Tanḥum bar Ḥanina²¹⁵ said: A person has to select a fixed place in the synagogue where he prays. What is the reason? (*2Sam.* 15:32) "David came to the top", it does not say "where he prostrated himself before God" but "where he was used to prostrate himself before God."

213 R. Hiyya bar Abba.

214 The verse ends: "I shall come there and bless you." One has to pray in the synagogue because only there is God's blessing guaranteed for one's prayers.

215 Probably identical with Rebbi Tanhūm bar Hanilai, a specialist in

Aggadah in the second generation who was in contact both with R. Yohanan and with R. Joshua ben Levi, as well as with R. Hiyya bar Abba of the following generation. A statement similar to his, but not restricted to a synagogue, is attributed in the Babli (6b) to R. Helbo in the name of Rav Huna.

רבי יקסא רבי חלבו. רבי ברקיה רבי חלבו מטי בה בשם רבי אבדומה דמן
 חיפה צריך אדם להשב פניו לכותל להתפלל. מה טעם וישב חזקיהו פניו אל
 הקיר. באיזה קיר נשא עיניו. רבי יהושע בן לוי אמר בקירה של רחב נשא
 עיניו כי ביתה בקיר החומה. אמר לפניו רבונו של עולם רחב הזונה שתי
 נפשות הצילה לך ראה כמה נפשות הצלת לה. הדיא הוא דכתיב ויבואו
 הנצרים וגומר. תני רבי שמעון בר יוחי אפילו היתה במשפחה מאתים
 אנשים והלכו ונדבקו במאתים משפחות כולקם ניצולו בזכותה. אבותי
 שקירבו לך כל הגרים האילו על אחת כמה וכמה. רבי חנניא בר פפא אמר
 בקירות בית המקדש נשא עיניו. בתתם ספס את סיפי ומזוזתם אצל מזוזתי
 והקיר ביני וביניהם. בני אדם גדולים היו ולא היו יכולין לעלות ולהתפלל
 בבית המקדש בכל שעה והיו מתפללין בתוך בתיהן. והקדוש ברוך הוא
 מעלה עליהם כאלו מתפללין בבית המקדש. אבותי שעשו לך כל השבח הזה
 על אחת כמה וכמה. רבי שמואל בר נחמן אמר בקירה של שונמית נשא עיניו
 שנאמר נעשה נא עלית קיר קטנה. אמר לפניו רבונו של עולם השונמית קיר
 אחת עשתה לעלישע והחית את בנה. אבותי שעשו לך כל השבח הזה על
 אחת כמה וכמה תתן לי נפשי. ורבנן אמרי בקירות לבו נשא עיניו. מעיי
 מעיי אוחילה קירות לבי הומה לי. אמר לפניו רבונו של עולם חיזרתי על
 רמח איברים שנתת בי ולא מצאתי שהכעסתיך באחת מהן אחת כמה וכמה
 תינתן לי נפשי.

Rebbi Yasa, Rebbi Ḥelbo. Rebbi Berekhiah, Rebbi Ḥelbo comes to it in the name of Rebbi Eudaimon from Ḥaifa: A person has to turn his face to the wall in order to pray. What is the reason? (*Is.* 38:2) "Hezekiah turned his face to the wall." Which wall did he lift his eyes to? Rebbi Joshua ben Levi said, he lifted his eyes to Raḥab's wall, (*Jos.* 2:15) "For her house was on the wall of the fortification." He said before Him: Master of the world, Raḥab the inn-keeper saved two souls for You, and see how many souls You saved for her. [That is what is written (*Jos.* 6:23): "The youths came, etc." Rebbi Simeon bar Yoḥai said, even if her family was 200 persons strong and they furthermore were related to another 200 families, all of these were saved by her merit²¹⁶.] My forefathers who brought to You all these proselytes, so much more²¹⁷.

Rebbi Hananiah bar Pappus²¹⁸ said, he lifted his eyes to the wall of the Temple. (*Ez.* 43:8) "When they put their lintel next to My lintel, their doorposts next to My doorpost, with the wall between Me and them²¹⁹." They were important people, they could not go and pray in the Temple every time, so they prayed in their house and the Holy One, praise to Him, considers it as if they had prayed in the Temple. My fathers who built for You all this glory, so much more.

Rebbi Samuel bar Naḥman²²⁰ said, he lifted his eyes to the wall of the woman from Sunem, as it was said (*2Kings* 4:10): "Let us make a small upper storey on the wall". He said before Him: Master of the world, the woman from Sunem made one wall for Elisha and You revived her son. My forefathers who built for You all this glory, so much more that You should give me my life.

The rabbis say, he lifted his eyes to the walls of his heart. (*Jer.* 4:19) "My innards, my innards I make tremble, the walls of my heart are in uproar." He said before Him: Master of the world, I checked all my 248

limbs²²¹ that You gave me and I did not find one of them I offended You with; so much more that You should give me my life.

216 The argument, as usual, refers to the part of the verse not quoted in the text: "The youths, the spies, came and removed Raḥab, her father, her mother, her brothers, and all her belongings; and they removed *all her families* and deposited them outside of the camp of Israel." One would have expected "all her family" but it says "all her families".

217 This expression is elliptic, see the last two paragraphs.

218 In the Babli, he is called Rabbi Ḥanina bar Pappus. He belongs to the circle of the students of R. Yoḥanan, but it is not known whether he was himself one of the latter's students. His

authority was accepted by Abbaie and Rava, the undisputed leaders of the fourth generation of Amora'im in Babylonia.

219 This verse ends with a curse upon the people addressed, the bad kings of Judea. But since the royal palace and the Temple were designed by David and built by Solomon, one must assume that the layout and use were done by praiseworthy kings.

220 In the Babli (10b), this sermon is by Rabbi Levi and the following one by R. Simeon ben Laqish.

221 This number is given in Mishnah *Ahilut* 1:8 where they are all enumerated in anatomic detail.

משנה ה: הָיָה רוֹכֵב עַל הַחֲמֹר יֵרֵד וְאִם אֵינוּ יָכוֹל לֵירֵד יַחְזִיר אֶת פְּנָיו וְאִם אֵינוּ יָכוֹל לְהַחְזִיר אֶת פְּנָיו יִכְוִין אֶת לְבוֹ כְּנֶגֶד בֵּית קִדְשֵׁי הַקְּדוֹשִׁים. הָיָה רוֹכֵב בְּסַפִּינָה אוֹ בְּאַסְדָּא יִכְוִין אֶת לְבוֹ כְּנֶגֶד בֵּית קִדְשֵׁי הַקְּדוֹשִׁים.

Mishna 5: If one was riding on a donkey²²², he should descend. If he cannot descend²²³, he should turn his head; if he cannot even turn his head, he should focus his intent towards the Holiest of Holies²²⁴. If he was riding in a ship or on a raft, he should focus his intent towards the Holiest of Holies.

222 If it is close to the end of the time allotted for the prayer, so that he must pray now.

223 Either because of danger or because he is in a caravan that would

not stop.

224 In praying, he should imagine himself praying in the direction of the Temple.

הלכה ה: תני הנה רוכב על החמור אם יש לו מי לאחוז בחמורו. ירד ומתפלל למטן. ואם לאו מתפלל במקומו. רבי אומר בין כך ובין כך מתפלל במקומו שכתב לבו מיושב. רבי יודה בן פזי בשם רבי יהושע בן לוי הלכה כרבי.

Halakhah 5: It has been stated²²⁵: One who was riding on a donkey, if he has somebody to hold his donkey, he should descend and pray on the ground, otherwise he should pray where he is. Rabbi says, in any case he should pray where he is because then his mind will be at peace²²⁶. Rabbi Judah ben Pazi in the name of Rabbi Joshua ben Levi: Practice follows Rabbi²²⁷.

225 Tosephta *Berakot* 3:18, Babli 30a (in slightly changed wording).

226 This is explained in *Midrash Tanhuma, Hayye Sarah* 1: He should not descend because he will be worried about valuables he has on the donkey or because of Gentiles.

227 This ruling is given in the Babli in the names of Rabbi Joshua ben Levi

and Rava. Since the Babylonian Rava (son of Rav Joseph bar Ḥama, the last Babylonian mentioned in the Yerushalmi) lived about 100 years after R. Joshua ben Levi, it appears that it took about 100 years for this Israeli practice to be accepted in Babylonia.

אמר רבי יעקב בר אבא תניי תמן לכול-הרוחות אין מחזירין אותו חוץ מרוח מזרחית. אמר רבי יוסי בר אבון בתחילה אחזריהם אל היכל יי ופניהם קדמה והמה משתחיים קדמה לשמש.

Rebbi Jacob bar Aḥa: It has been stated there²²⁸, in all directions one does not stop him except in the Eastern direction²²⁹. Rebbi Yose bar Abun said, as of old (*Ez.* 8:16)²³⁰: "Their backs to the Temple of the Eternal and their faces turned East, they were prostrating themselves Eastwards before the sun."

228 In Babylonia, where the direction towards the Temple in Jerusalem would be to the West.

229 When somebody turns his back to Jerusalem, he cannot pray. This formulation is not mentioned in the Babli except that the blind Rav Sheshet

ordered his servant not to let him pray in an Eastern direction because that was a Christian custom (*Bava Batra* 25a).

230 In Ezechiel's vision of all the abominations for which Jerusalem will be destroyed.

תני סומא ומי שאינו יכול לכוין את הרוחות הרי אילו מתפללין כלפי למעלן
שנאמר והתפללו אל יי. העומדין ומתפללין בחוצה לארץ הופכין את פניהן
כלפי ארץ ישראל. ומה טעם והתפללו אליה דרך ארצם אשר נתת לאבותם.
העומדין ומתפללין בארץ ישראל הופכין את פניהן כלפי ירושלים. ומה טעם
והתפללו (fol. 8d) אליה דרך העיר אשר בחרת בה. העומדין ומתפללין
בירושלים הופכין פניהן כלפי הר הבית. שנאמר והבית אשר בניתי לשמך.
העומדין ומתפללין בהר הבית הופכין פניהן כלפי בית קדשי הקדשים. ומה
טעם והתפללו אל המקום הזה ואתה תשמע אל מקום שבתך אל השמים
ושמעת וסלחת. נמצאו העומדין בצפון פניהן לדרום. העומדין בדרום פניהן
לצפון. העומדין במזרח פניהן למערב. למערב פניהן למזרח. נמצאו
כל-ישראל מתפללין אל מקום אחד. ההוא דכתיב כי ביתי בית תפלה יקרא
לכל-העמים.

It has been stated²³¹: One who is blind and one who cannot determine directions should have in mind to pray to Heaven as it is said (*IKings* 8:44) "They shall pray to the Eternal". Those who are praying outside the Land turn their faces towards the Land of Israel. What is the reason?

(*IKings* 8:48) "They will pray to You through their Land that You gave to their forefathers." Those who are praying in the Land of Israel turn their faces towards Jerusalem. What is the reason? (*2Chr.* 6:34) "They shall pray to You by way of this city that You chose." Those who are praying in Jerusalem turn their faces towards the Temple Mount, as it is said (*IKings* 8:48): "And the Temple that I built for Your Name." Those who are praying on the Temple Mount turn their faces towards the Holiest of Holies. What is the reason? (*IKings* 8:30) "They will pray to this place and You will hear at Your dwelling place in Heaven, You will hear and forgive." Those who stand North will be facing South, those who stand South will be facing North, those who stand East will be facing West, those who stand West will be facing East. It turns out that all of Israel pray towards one place. That is what is written (*Is.* 56:7) "For My house will be called a house of prayer for all people."

231 Shortened versions are in Tosephta *Berakhot* 3:13-16 and Babli *Berakhot* 30a; the entire text to the end of the Halakhah is in *Shir rabba* 4:11

with minor deviations. The tradition of the verses is somewhat garbled in order to make the point of the derivation clearer.

אמר רבי יהושע בן לוי הוא ההיכל לפני לפנים. היכל שכל־הפנים פונין לו. עד כאן בבנינו. בחורבנו מניין. אמר רבי אבון בנוי לתלפיות. תל שכל־הפיות מתפללין עליו. בבִּרְכָה בקרית שמע ובתפילה. בבִּרְכָה בונה ירושלים. בתפילה אלהי דוד ובונה ירושלים. בקרית שמע פורש סופת שלום עלינו ועל עמו ישראל מנחם ציון ובונה ירושלים.

Rebbi Joshua ben Levi said: (*IKings* 6:17) "That is the Temple לפני", Inside²³². A Temple towards which all turn. So far when it²³³ is standing. In its destruction, from where? Rebbi Abun said (*Cant.* 4:4): "Built for talpiot", a mound (הל) on which all mouths (פיות) pray, in Grace, recitation

of *Shema*, and *Amidah*. In Grace, "Builder of Jerusalem". In *Amidah*, "God of David Who builds Jerusalem²³⁵". In the recitation of *Shema'*, "He Who spreads a hut of peace over us and His people Israel, Consoler of Zion and Builder of Jerusalem.²³⁶"

232 The word לענים is missing in the Rome manuscript and in the quotes in Yalqut; it seems to be a marginal gloss that found its way into the text, to explain the unintelligible term לפני that in *IKings* really seems to mean what Rabbinic לענים "inside" expresses. [There is an expression in the Babylonian Talmud for the Holiest of Holies, לפני ולפנים, which probably should be vocalized לפני ולפנים, based on this Yerushalmi.] The explanation here suggests to read לפני as shorthand for לפנים פונים, "for faces to turn."

234 The Temple. The problem is, how do we know to pray in the

direction of the Temple after its destruction.

235 The standard Yerushalmi ending for benediction 14, see above Note 146.

236 The first part of this blessing is the Babylonian (current) version of the second benediction after the *Shema'* on Sabbaths and holidays. The entire benediction was the Yerushalmi version for everyday. The phrase "Consoler of Zion" is missing in the Leyden manuscript and Venice print but it is in the Rome manuscript and Genizah fragments and is supported by what is known of the Israeli prayer rites in the times of the Cairo Genizah.

כְּתוּב אֶחָד אֹמֵר אֶלְךָ אֲשׁוּבָה אֶל מְקוֹמִי. וְכָתוּב אֶחָד וְהָיוּ עֵינַי וְלִבִּי
שָׁם כָּל-הַיָּמִים. הָא כִּיצַד פָּנָיו לְמַעַלָּה וְעֵינָיו וְלִבּוֹ לְמַטָּה.

One verse says (*Hosea* 5:19) "I shall go, I shall return to My place". Another verse says (*IKings* 9:3) "My eyes and attention shall be there forever." How is that? One's face upwards, one's eyes and attention downwards²³⁷.

237 (The parallel in the Babli, *Yebamot* 105b, replaces the verse from *Hosea* by one from *Threni*. The ruling

here is credited there to R. Yose the Tanna.) The two verses speak of God. The first asserts that God has left the

earth and is found only in Heaven, the second that God's attention is always given to the Temple here on earth. Since prayer addresses God, it is

necessary to address it in the correct direction and how can one pray in two distinct directions?

וְאִם לֹא יִכְוֶינּוּ אֶת לְבָבוֹ כְּנֶגֶד בַּיִת קִדְשֵׁי הַקִּדְשִׁים. לֹאִי זֶה בַּיִת קִדְשֵׁי הַקִּדְשִׁים. רַבִּי חִינְיָא רַבָּא כְּנֶגֶד בַּיִת קִדְשֵׁי הַקִּדְשִׁים שֶׁל מַעְלָן. רַבִּי שְׁמַעוֹן בֶּן חֶלְפַתָּא אָמַר כְּנֶגֶד בַּיִת קִדְשֵׁי הַקִּדְשִׁים שֶׁל מַטָּן. אָמַר רַבִּי פִּינְחָס לֹא פְּלִיגֵי בַּיִת קִדְשֵׁי הַקִּדְשִׁים שֶׁלְמַטָּן מִכּוּוֹן כְּנֶגֶד בַּיִת קִדְשֵׁי הַקִּדְשִׁים שֶׁלְמַעְלָן. מִכּוּוֹן לְשַׁבְתָּהּ. מִכּוּוֹן כְּנֶגֶד שַׁבְתָּהּ.

"And if not he should focus his intent towards the Holiest of Holies.²³⁸" Toward which Holiest of Holies? The Great Rabbi Hiyya: towards the Heavenly Holiest of Holies. Rabbi Simeon ben Halaphta said, towards the earthly Holiest of Holies. Rabbi Phineas said, they do not disagree, the earthly Holiest of Holies corresponds to the Heavenly Holiest of Holies. (Ex. 15:16) "A base for Your throne", corresponding to Your throne²³⁹.

238 This is a shortened quote from the Mishnah, about the person who cannot stand and pray in the direction of the Temple.

derived not from the Biblical Hebrew root "to be based, solid", but from Aramaic/Rabbinic Hebrew כּוּן "to direct".

239 Rabbi Phineas takes מִכּוּוֹן to be

בְּהַר הַמּוֹרִיָּה. רַבִּי חִינְיָא רַבָּא וְרַבִּי יְנָי חַד אָמַר שְׁמֵשׁ הוֹרְיָה יוֹצֵאָה לְעוֹלָם. וְחֶרְנָה אָמַר שְׁמֵשׁ יֹרְאָה יוֹצֵאָה לְעוֹלָם. אַרְוֹן רַבִּי חִינְיָא רַבָּא וְרַבִּי יְנָי חַד אָמַר שְׁמֵשׁ אוֹרְהָ יוֹצֵאָה לְעוֹלָם. וְחֶרְנָה אָמַר שְׁמֵשׁ אֶרֶיְרָה יוֹצֵאָה לְעוֹלָם. דְּבִיר²⁴⁰ רַבִּי חִינְיָא וְרַבִּי יְנָי חַד אָמַר שְׁמֵשׁ דְּבִיר יוֹצֵא לְעוֹלָם. וְחֶרְנָה אָמַר שְׁמֵשׁ דִּיבְרוֹת יוֹצֵאוֹת לְעוֹלָם.

(2Chr. 3:1) On Mount Moriah²⁴¹. The Great Rabbi Hiyya and Rabbi Yannai, one of them said that from there teaching goes out to the world,

the other one said that from there fear goes out to the world. Ark. The Great Rabbi Ḥiyya and Rabbi Yannai, one of them said that from there light goes out to the world, the other one said that from there curse goes out to the world. Temple Hall. Rabbi Ḥiyya and Rabbi Yannai, one of them said that from there inspiration goes out to the world, the other one said that from there the commandments go out to the world.

240 Reading of the Rome ms. and *Berešit rabba*. The Venice print has דברי, from a scribal error in the Leyden ms.

241 This Aggadah is a continuation of the previous discussion about the place of the Holiest of Holies, which was on Mount Moriah. An enlarged parallel is in *Berešit rabba* 55(9); a very shortened version is in Babli

Taānit 16a.

מוריה is taken either from the root הורה "to teach, direct" or from מורא "fear". ארון is taken either as abstractum from אור "light" or from ארה "to curse" (the unbelievers). The use of דבר "Divine inspiration" in the explanation of רביר is from *Jer.* 5:13. דבר denoting one of the Ten Commandments is found in *Deut.* 4:13.

היא אסדה היא אספדיה²⁴² היא רפסודות. ונביאם לך רפסודות.

Assada is the same as σκεδία, which is the same as *rhapsodot*.²⁴³ (*2Chr.* 2:15) "We shall bring them to you as rafts."

242 The Yerushalmi text has אסרייה; the word is missing in ms. Rome. Musaphia in *Arukh*, s. v. אסרא, reads אסרייה, as does the Gaonic Commentary to Mishnah *Nega'im* 13:1. The other commentaries of *Nega'im* 13:1 read the word as אספדיה, Greek ἀσπείρα "beam; horn; projection", which does not make sense here. σκεδία means "raft." [The technical term רפסודה in late Biblical

Hebrew might be a Phoenician term derived from Greek ῥάπτω "string or link together" (E. G.).]

243 The end of the Halakhah explains the unusual word used for "raft" at the end of the Mishnah. The verse refers to the logs of cedar delivered by Hiram of Tyre to Solomon for the building of the Temple.

משנה ו: רבי אלעזר בן עזריה אומר אין תפילות המוספים אלא בקבר עיר. ונחמים אומרים בקבר עיר ושלא בקבר עיר. רבי יהודה אומר משמו כל־מקום שיש בו חבר עיר היחיד פטור מתפילת המוספין.

Mishnah 6: Rabbi Eleazar ben Azariah says, *Musaph* prayer is said only in an organized community, but the Sages say, with and without an organized community. Rabbi Yehudah says in his name²⁴⁴, at any place where there is an organized community a private person is free from reciting *Musaph* prayers.

244 Rabbi Eleazar ben Azariah's name. He disputes the tradition in the name of R. Eleazar that *Musaph* cannot be recited outside an organized community. According to Rabbi Yehudah, *Musaph* has to be recited

everywhere, but in a town with an organized synagogue it is enough to listen to the public prayer of the reader that he recited without a corresponding silent prayer of the congregation.

הלכה ו: רבי ביבי בשם רבי חנה אמר הלכה כרבי יודה שאמר משום רבי אלעזר בן עזריה. מילתיה דשמואל אמר כן דשמואל אמר אנא מן יומי לא צלית דמוספא אלא חד זמן דמית בריה דריש גלותא ולא צלו ציבורא וצלית.

Halakhah 6: Rabbi Bibi²⁴⁵ in the name of Rabbi Hana: Practice follows Rabbi Yehudah who said in the name of Rabbi Eleazar ben Azariah. What we know of Samuel means the same; for Samuel said: I never prayed *Musaph* except once when the son of the *Resh Galuta* died and there was no public prayer, then I prayed²⁴⁶.

245 Probably his name was Vivianus, an Amora of the third generation. Rabbi Hana's name appears twice in the Talmudim; he seems to have been a student of Rabbi Jeremiah. Neither Rabbi Bibi nor Rabbi Hana are great

authorities. In the Babli (30a-b), the author of the ruling is Hiyya, the son of Rav.

246 The story of Samuel in the Babli refers to a time when there was a military occupation of Nahardea.

מִלִּיהוּן דְּרַבְּנָן פְּלִיגוּ. דְּמַר רַבִּי יַעֲקֹב בַּר אִידִי בְּשֵׁם רַבִּי שְׁמַעוֹן חֲסִידָא
 בְּרוּעִים וּבְקִינִיצִים. הָא מִתְּנִיתִין לָא אִמַר אֱלָא²⁴⁷ בְּרוּעִים וּבְקִינִיצִים הָא שְׁאָר
 קָל-אָדָם חִיבִין. מִילְתִּיהָ דְּרַבִּי יוֹחָנָן אִמַר כֵּן דְּמַר רַבִּי יוֹחָנָן אֲנִי רְאִיתִי אֶת
 רַבִּי יַנָּאי עוֹמֵד וּמִתְפַּלֵּל בְּשׁוּק שֶׁל צִיפּוֹרִין וּמִהֲלַךְ דְּאֻמוֹת וּמִתְפַּלֵּל מוֹסָף.
 וְאִין חֲבַר עִיר בְּצִיפּוֹרִין. אֶת שְׁמַע מִיגִיה תֵּלַת. אֶת שְׁמַע מִיגִיה שְׁשׁוּקֵי שֶׁל
 צִיפּוֹרִין כְּצִיפּוֹרִין. אֶת שְׁמַע מִיגִיה חֲלוּקִין עַל רַבִּי יְהוּדָה שְׁאִמַר מִשׁוּם רַבִּי
 אֶלְעָזָר בֶּן עֲזַרְיָה. אֶת שְׁמַע מִיגִיה שְׁאָדָם מִתְפַּלֵּל וּמִהֲלַךְ דְּאֻמוֹת וּמִתְפַּלֵּל שֶׁל
 מוֹסָף. אִמַר רַבִּי אֲבָא לֹא סוּף דְּבַר שְׁיִהְלַךְ דְּאֻמוֹת אֱלָא אֲפִילוּ שְׁהָא כְּדִי
 הִילוּךְ דְּאֻמוֹת.

The words of the rabbis disagree since Rabbi Jacob bar Idi said in the name of Rabbi Simeon the pious²⁴⁸: For shepherds and field guards²⁴⁹. Hence, the Mishnah spoke only for shepherds and field guards; therefore, everybody else is obliged. The words of Rabbi Yohanan agree since Rabbi Yohanan said: I saw Rabbi Yannai standing in the market of Sepphoris praying; then he walked four cubits and prayed *Musaph*²⁵⁰. Is there no organized community in Sepphoris? You infer from this three conclusions. You infer that the markets of Sepphoris have the status of Sepphoris²⁵¹. You infer that one disagrees with Rabbi Yehudah who spoke in the name of Rabbi Eleazar ben Azariah. You infer that a person may pray, walk four cubits, and then pray *Musaph*. Rabbi Abba said, not necessarily four cubits but even if he waited the time necessary to walk four cubits²⁵².

247 Reading of the Rome manuscript. The word is missing in the Venice text.

248 An Amora of the first Galilean generation.

249 Persons whose occupation pre-

vents them from going to the synagogue. They probably were unable to pray *Musaph* by themselves since they were uneducated and prayerbooks were unknown at the time. Other uneducated people can attend the

synagogue and fulfill their duty by attentively follow the reader's repetition of the prayer word-by-word, but not shepherds and watchmen; hence a way has to be found to help them.

250 A shortened version, speaking only about the *Musaph* prayer, is in Babli 30b. In both Talmudim, it is clear that the sages who reject R. Yehudah's tradition are Galilean in the tradition of R. Yannai.

251 "Organized community" refers to

the whole town and not only to the buildings that are the property of the Jewish community.

252 The parallel in the Babli (30b) requires time to concentrate one's attention without giving a numerical estimate; that tradition is in the name of the Babylonian Rav Huna and the Babylonian-born Rebbi Ḥiyya. One may assume that the statement of Rebbi Abba reflects the opinions of his teacher Rav Huna.

רב אָמַר צָרִיךְ לְחַדֵּשׁ בְּהַ דְּבָר. וְשִׁמוּאֵל אָמַר אִין צָרִיךְ לְחַדֵּשׁ בְּהַ דְּבָר. רַבִּי זְעִירָא בְּעֵי קוּמִי רַבִּי יוֹסִי מַהוּ לְחַדֵּשׁ בְּהַ דְּבָר. אָמַר לֵיהּ אֶפִּילוּ אָמַר וְנִעְשָׂה לְפָנֶיךָ אֶת חוּבוֹתֵינוּ תְּמִידֵי יוֹם וְקָרְבַן מוֹסָף יָצָא.

Rav says, one must change the text²⁵³, but Samuel says, one does not have to change the text. Rebbi Zeïra asked before Rebbi Yose: What is the practice, to change the text? He said to him: even if one said only: "And we shall bring before You what is our duty, the perpetual sacrifice of the day and the *Musaph* sacrifices²⁵⁴", he has satisfied his duty.

253 Since the *Musaph* sacrifices are distinct for every holiday, the prayer must accomodate this distinction.

254 Every holiday has its own set of *Musaph* sacrifices but the language is uniform for all holidays. A *Musaph*

prayer is acceptable if the sentence quoted here is the only addition to the *Amidah* prayer for holidays, cf. Ezra Fleischer, *תפילה ומנהגי תפילה*, Jerusalem ארץ-ישראלים בחקופת הגניזה 1988.

רַבִּי שִׁילָא בְּשֵׁם רַב חֲנַנְאֵל נִתְפַּלֵּל וּמְצָא י בְּנֵי אָדָם מִתְפַּלְלִין מִתְפַּלֵּל עִמָּהֶן. רַבִּי זְעִירָא וְרַב נַחֲמָן בְּרַי יַעֲקֹב הָווּ יִתְבִּין. מִן דְּמַצְלוֹן אִתְתַּ צְלוּתָא קָם רַב נַחֲמָן בְּרַי יַעֲקֹב מַצְלֵיא. אָמַר לֵיהּ רַבִּי זְעִירָא וְלָא כְּבַר צְלִינָן. אָמַר לֵיהּ אֲנָא

מצלי וחזר ומצלי. דמר רבי שילא בשם רב חננאל נתפלל ומצא עשרה בני אדם מתפללין מתפלל עמהן.

Rebbi Shila²⁵⁵ in the name of Rav Hananel²⁵⁶: If he had prayed and found ten people who were praying, he prays with them. Rebbi Zeira and Rav Nahman bar Jacob were sitting. After they had prayed there came prayer²⁵⁷. Rav Nahman bar Jacob got up and prayed. Rebbi Zeira said to him: Did we not pray already? He said to him: I pray and pray again, since Rebbi Shila said in the name of Rav Hananel: If he had prayed and found ten people who were praying, he would pray with them.

255 The head of the Yeshivah of Nahardea at the end of the Mishnaic period. His title shows that he must have studied and obtained ordination in the Land of Israel.

256 He appears in both Talmudim as a student of Rav, who was younger than Rebbi Shila. The tradition here is difficult to accept but is not impossible; it might be that Rebbi Shila accepted the position of the school of Rav in this matter. The Babli (21a/b) quotes only the position of Samuel that one may repeat prayer with the community only

if one is able to pray a new text, different from the one already used. The tradition here seems to be based on the opinion, rejected in the Babli, that private prayer is considered nonexistent if compared to prayer in public with a quorum of ten adult males.

257 The congregation assembling for public prayer. The entire story happens in Babylonia; Rebbi Zeira represents the opinion of Samuel and Rav Nahman that of Rav.

רבי אחא רבי יונה בשם רבי זעירא נתפלל של שחרית ובא ומצאן מתפללין של מוסף מוסף מתפלל עמהן. לא נתפלל של שחרית ובא ומצאן מתפללין של מוסף. אם יודע הוא שהוא מתחיל וגומר עד שלא יתחיל שליח ציבור כדי לענות אחריו אמן יתפלל ואם לאו אל יתפלל. באי זה אמן אמרו. תרין אמוראין חד אמר באמן של האל הקדוש. וחרנה אמר באמן של שומע תפילה. אמר רבי פינחס ולא פליגי. מאן דמר באמן של האל הקדוש בשבת. ומאן דמר באמן של שומע תפילה בחול.

Rebbi Aḥa, Rebbi Jonah, in the name of Rebbi Zeira: If one had said the morning prayers and came and found them praying *Musaph*, he prays with them. If he did not pray the morning prayers and came and found them praying *Musaph*, if he knows that he may start and finish²⁵⁸ before the reader begins and he can answer "Amen", he may start, otherwise he may not start. About²⁵⁹ which "Amen" did they talk? Two Amora'im, one says the Amen of "the holy King" and the other says the Amen of "He Who listens to prayer". Rebbi Phineas said, they do not disagree. He who said: the Amen of "the holy King", on Sabbath, and he who said: the Amen of "He Who listens to prayer", on weekdays.

258 The morning prayer that has to precede *Musaph*. benedictions, the paragraph is out of place. It is copied word by word from

259 Since one speaks about *Musaph* prayer that has only seven Halakhah 3:2.

תָּמַן תִּנְיִן רַבֵּן גַּמְלִיאֵל אוֹמֵר שְׁלִיחַ צִיבּוֹר מוֹצִיא אֶת הַרְבִּים יְדֵי חוֹבְתָן. רַבִּי הוּנָא רָבָא דְצִיפּוֹרִין בְּשֵׁם רַבִּי יוֹחָנָן הִלְכָה כְּרַבֵּן גַּמְלִיאֵל בְּאֵילִין תְּקִיעָתָא. רַבִּי זְעִירָא וְרַב חֲסֵדָא הוּוּ יִתְבִּין תָּמַן בְּאֵילִין תְּקִיעָתָא. מִן דְּצִלוֹן אֶת צְלוֹתָא קָם רַב חֲסֵדָא מְצִילָא. אָמַר לֵיהּ רַבִּי זְעִירָא וְלֹא כָּבֵר צְלִינָן. אָמַר לֵיהּ מְצִילֵי אֲנָא וְחִזְר וּמְצִילֵי. דְּנַחְתוֹן מְעַרְבְּעֵי לְתָמַן וְאָמְרִין בְּשֵׁם רַבִּי יוֹחָנָן הִלְכָה כְּרַבֵּן גַּמְלִיאֵל בְּאֵילִין תְּקִיעָתָא. וְאֲנָא דְלֹא כְּוֵנִית הָא אֵלוּ כְּוֵנִית הוּינָא נְפִיק יְדֵי חוֹבְתֵי. אָמַר רַבִּי זְעִירָא וְיֵאוֹת כָּל־תְּנָאֵי תִנִּי בְּשֵׁם רַבֵּן גַּמְלִיאֵל. וְרַבִּי הוֹשְׁעִינָא תִנִּי לָהּ בְּשֵׁם חֲכָמִים. רַבִּי אֲדָא דְקִיסְרִין בְּשֵׁם רַבִּי יוֹחָנָן וְהוּא שְׂיִהֵיָה שֵׁם מְרֹאֵשׁ. אָמַר רַבִּי תַנְחוּם וּמִתְנִיתָא אֲמָרָה כּוֹן סִדְר בְּרֻכּוֹת אוֹמֵר אֲבוֹת וּגְבוּרוֹת וְקְדוּשַׁת הַשֵּׁם.

There²⁶⁰ we have stated: Rabban Gamliel says, the reader frees the public from their obligation²⁶¹. The older Rebbi Huna from Sepphoris in the name of Rebbi Yoḥanan: Practice follows Rabban Gamliel for the

prayer accompanying the blowing of the Shofar²⁶². Rabbi Zeïra and Rav Hisda were sitting there²⁶³ for the blowing of the Shofar. After they finished the prayer²⁶⁴, Rav Hisda got up and prayed. Rabbi Zeïra said to him: Did we not pray just now? He said to him, I prayed and I am repeating the prayer, because Westerners came down and said in the name of Rabbi Yoḥanan: Practice follows Rabban Gamliel for the prayer accompanying the blowing of the Shofar, but I was inattentive. If I had been attentive, I would have fulfilled my duty. Rabbi Zeïra said, that is fine²⁶⁵. All Tannaïm²⁶⁶ state it in the name of Rabban Gamliel, Rabbi Hoshai states it in the name of the Sages²⁶⁷. Rabbi Ada from Caesarea²⁶⁸ in the name of Rabbi Yoḥanan: This is only if he attended from the start. Rabbi Tanḥum said, the Mishnah²⁶⁹ expresses this: The order of benediction, one says "Forefathers", "Greatness", and "Sanctification of the Name".

260 In the last Mishnah of *Rosh Hashanah*. The entire piece is from the end of tractate *Rosh Hashanah*; at two places where the text of the Venice print here deviates from the one in *Rosh Hashanah*, the text follows the latter version. (The first, "Rabban Simeon ben Gamliel" instead of "Rabban Gamliel" is a clear scribal error, the second נחמ for נח is an echo of the previous story of R. Zeïra and Rav Nahman.)

261 The Mishnah deals with the *Musaph* prayer of New Year's day which contains nine benedictions; each

of the middle benedictions requires the quoting of at least 10 verses from the Bible. In the absence of prayerbooks, that prayer was possible only for learned specialists. In the time of later Gaonim (*Ozar Hagēonim Rosh Hashanah*, p. 68-69), two different Babylonian practices are reported. One, which seems to be alluded to in Babli *Rosh Hashanah* 35a, is that individuals first prayed a silent *Musaph* prayer of the usual seven benedictions for holidays and then listened to the nine benedictions of the reader (with shofar blowing) from beginning to end. The second, which

seems to be alluded to here, was that there was no silent *Musaph* prayer at all on *Rosh Hashanah*.

262 The Mishnah of Rabban Gamliel deals only with *Musaph* of Rosh Hashanah. From the statement of Rabbi Huna it seems that Rabban Gamliel held that a private person, even if educated, never needs to pray *Musaph* if he listens attentively to the reader in the synagogue. This remains a conjecture in the Babli (*Rosh Hashanah* 34b-35a).

263 In Babylonia. Perhaps "staying" would be better than "sitting".

264 From the following, it seems clear that they did not pray *Musaph* for themselves but listened to the reader from start to end.

265 Since Rav Hisda, the head of a Yeshivah, certainly is competent to recite his own nine benedictions for *Rosh Hashanah* from memory.

266 These *Tanna'im* are not the teachers of the Mishnaic period but the people who memorize Mishnah and *baraitot* to recite them in the Yeshivah when they are needed.

267 Most *Tanna'im* imply that in the days of Rabban Gamliel his opinion was a minority opinion, which became generally accepted only through the decision of Rabbi Yoḥanan. Rabbi Hoshaiah implies that Rabban Gamliel's was the generally accepted practice already in Mishnaic times.

268 Another student of R. Yoḥanan, of the third generation of Galilean *Amora'im*.

269 *Rosh Hashanah* 4:5, implying that the prayer is valid only if it is recited in the correct order. Hence, it is valid for the listener only if he listened in the correct order, starting from the very first word.

איך עומדין פרק חמישי

משנה א: אין עומדין להתפלל אלא מתוך כוֹבֵד רֵאשׁ. חסידים הראשונים היו שוהין שעה אחת ומתפללין כְּדֵי שִׁיכוֹנוּ אֶת לִבָּם. אִפִּילוּ הַמֶּלֶךְ שׂוֹאֵל בְּשִׁלוּמוֹ לֹא יִשְׁבְּנוּ. וְאִפִּילוּ נָחַשׁ כָּרוּךְ עַל עֲקֵבוֹ לֹא יַפְסִיק.

Mishnah 1: One starts to pray only in a serious frame of mind. The first *Hasidim* waited one hour¹ before praying in order to be able to concentrate. Even if the king greets one, he should not respond. Even if a snake is wound around one's heel², he should not interrupt.

- | | | |
|---|---|--|
| 1 | In preparation, reciting Psalms. | kill the snake. The Mishnah speaks |
| 2 | As explained in the Halakhah, if one sees a snake attacking from a distance one must interrupt and flee, or | only about the snake already being wound around his leg without biting; probably that is a nonpoisonous snake. |

(fol. 8d) **הלכה א:** רבי ירמיה בשם רבי אבא הבא מן הדרך אסור לו להתפלל. ומה טעם לכן שמעי נא זאת עניה ושכורת ולא מנין. רבי זריקן רבי יוחנן בשם רבי אליעזר בנו של רבי יוסי הגלילי המיצר אסור להתפלל לא קריין לכן שמעי נא זאת עניה ושכורת ולא מנין.

Halakhah 1: Rabbi Jeremiah in the name of Rabbi Abba: Prayer is forbidden to him who comes from a trip. What is the reason? (*Is.* 51:21) "Listen to that, poor woman, drunk and not from wine."³ Rabbi Zeriqan, Rabbi Yohanan in the name of Rabbi Eliezer, son of Rabbi Yose the Galilean⁴: Prayer is forbidden to one in pain; is that not our verse: "Listen to that, poor woman, drunk and not from wine"?

3 This proves that there is drunkenness not induced by alcohol. Formal prayer, the *Amidah*, is forbidden to a drunk. The parallel in the Babli (*Eruvin* 65a) even notes that after a lengthy caravan trip one needs three

days to get one's thoughts together.

4 Tanna of the fourth generation, active in the aftermath of the war of Bar Kokhba. He tried to systematize aggadic interpretation of the Bible.

תני לא יעמוד אדם ויתפלל לא מתוך שיחה ולא מתוך שחוק ולא מתוך קלות ראש ולא מתוך דברים בטליו אלא מתוך דבר של תורה וכן אל יפטר אדם מתוך חבירו⁵ לא מתוך שיחה ולא מתוך שחוק ולא מתוך קלות ראש ולא מתוך דברים בטליו אלא מתוך דבר של תורה. שכן מצינו בנביאים הראשונים שהיו חותמין את דבריהן בדברי שבח ובדברי נחמה. אמר רבי אלעזר חוץ מירמיהו שחתם בדברי תוכחות. אמר לו רבי יוחנן עוד הוא בדברי נחמות חתם ואמר ככה תשקע בגבל. לפי שהיה ירמיה חוזר ומתנבא על בית המקדש. יכול בחורבן בית המקדש חתם. תלמוד לומר עד הנה דברי ירמיה במפולת של מחריביו חתם. לא חתם בדברי תוכחות. והכתיב והיו דראון לכל-בשר. בגויים היא עסיקין. והכתיב כי מאוס מאסתנו. השיבנו תחת כי מאוס מאסתנו. אף אליהו לא נפטר מאלישע אלא מתוך דבר של תורה. ויהי המה הולכים הלוך ודבר. במה היו עוסקין רבי אהוה ברבי זעירא אמר בקרית שמע היו עוסקין. היך מה דאמר אמר ודברת בם. רבי יודה בן פזי אמר בבריאת עולם היו עוסקין. היך מה דאמר בדבר יי שמים נעשו. רבי יודן בריה דרבי איבו אמר בנחמות ירושלים היו עוסקין. כמה דאמר דברו על לב ירושלים. ורבנן אמרין במרובה היו עוסקין. היך מה דאת אמר והנה רכב אש וסוסי אש וגו'.

It is stated⁶: "One should pray neither out of conversation, nor out of jokes, nor out of frivolities, nor out of idle occupations, but out of words of Torah. Similarly, one should not take leave from one's friend either out of conversation, or out of jokes, or out of frivolities, or out of idle occupations, but out of words of Torah, since we find that the earlier

prophets were closing their words with expressions of praise and consolation." Rabbi Eleazar said, except for Jeremiah who closed with words of reprobation. Rabbi Yoḥanan said to him, still he closed with words of consolation and said (*Jer.* 51:64) "So Babylon shall sink." Because Jeremiah continued to prophesy about the Temple. One could think that he closed with the destruction of the Temple, but the verse states (*Jer.* 51:64) "So far the words of Jeremiah," he finished with the downfall of its destroyers, he did not close with words of reprobation⁷. But is it not written (*Is.* 66:24): "They will be a horror for all flesh?"⁸ That verse deals with Gentiles. But is it not written (*Lament.* 5:22): "But You much despised us"⁹? (*Lament.* 5:21) "Make us return" replaces "But You much despised us". Also Elijah did take leave from Elisha only out of words of Torah, (*2Kings* 2:11) "they walked talking." What did they talk of? Rabbi Aḥawa the son of Rabbi Zeira¹⁰ said, they discussed the recitation of *Shema'*, (*Deut.* 6:7) "you should talk about them." Rabbi Judah ben Pazi said, they were discussing Creation, (*Ps.* 33:6) "through the word of the Eternal the heavens were made." Rabbi Yudan, the son of Rabbi Ayvu¹¹, said, they were occupied with the consolations of Jerusalem, as you say (*Is.* 40:2) "Speak to Jerusalem's heart." But the rabbis say, they were occupied with the Divine Chariot, as you say (*2Kings* 2:11) "behold, a chariot of fire and horses of fire, etc."

5 Probably a scribal error for מְחַיְירוּ.

6 We have three versions of this formulation, in the Yerushalmi, the Babli (*Berakhot* 31a), and the Tosephta (3:21). The main difference in formulation is between the Tosephta and the Talmudim, since the Tosephta

requires that one start prayer מְחַיְירוּ רַבֵּי. In Mishnaic Hebrew, as in Modern Sefhardic Hebrew usage, the *Hakham* is the rabbi, and *dibrē hokhmāh* are halakhic rulings; as in the following paragraph, practices universally accepted and not subject to

doubt or discussion. From the order of the Yerushalmi it seems that in practice the text of the Yerushalmi should be interpreted as implying the statement of the Tosephta. The tradition of the Babli is uncertain; see *Diqduq Soferim, Berakhot*, p. 160, note 7. The Venice print of the Babli requires that one start prayer "out of joy over commandments". Rashi, the Munich manuscript of the Babli, Halakhot Gedolot and the students of Rabbenu Jonah have simply "out of joy." The Koronel manuscript and *Menorat Hamaör* have "out of joy of Torah", parallel to the Yerushalmi. A Florence manuscript that is typically Sephardic has "out of joy of Halakhah", directly parallel to the Tosephta. Rabbenu Asher ben Yehiel (Rosh) has "out of words of joy"; the insistence on "words" is parallel to Yerushalmi and Tosephta. While the Babli in the printed version would refer to the state of mind required for the *Amidah*, as implied in the two rulings preceding this Tosephta in the Yerushalmi, the Tosephta and the Yerushalmi require the correct state of mind before one starts with the preparatory sections of prayer, even preceding the recitation of *Shema'*. This seems also to be confirmed by the preparatory prayer reported later by R. Hizqiah in the

name of R. Abbahu. Most of the variants of the Babli text would demand an interpretation similar to that of the Tosephta. All three versions agree that one should start afternoon prayers with a word of Torah or Halakhah directly before the *Amidah*.

7 The last chapter of the book of Jeremiah is not attributed by the Talmud to Jeremiah; it is a historical addition by the editor, Barukh ben Neriah.

8 Last verse in Isaiah.

9 Last verse of Lamentations. A possible interpretation of the statement is that the last two verses of the book, chapter 5, were considered as one; then the book ends with a prayer.

10 In the Babli, his name is R. Ahavah, son of Rabbi Zera, son of the famous Rabbi Zeira. He was *Tanna*, a memorizer of tannaitic material, in his father's Yeshivah. The entire section is a digression induced by the ancillary statements of the Tosephta.

11 Rabbi Ayyu was one of the main promoters of *Aggadah* in the third generation of Amora'im. He learned from all Galilean Amora'im of the second generation. His son Rabbi Yudan might be the Rabbi Yudan who otherwise is quoted without mention of his father's name.

ר' ירמיה אמר לא יעמוד אדם ויתפלל אלא מתוך דין של הלכה. רב ירמיה אמר העוסק בצורכי ציבור כעוסק בדברי תורה. רב חונא אמר הרוואה סיפה כעין חרדל יושבת ומשמרת עליו שבגה נקיים וקאים ומצלי. זעירא בר חיננא אמר המקיז דם בקדשים מעל. עוד היא מהלכות קצובות. תני רבי קפרא אמר אחד עשר יום שבין נידה לנידה הלכה למשה מסיני. תני רבי הושעיא מרבה אדם דגן ותבן ומערים עליו לפוטרו מן המעשרות. אבדן שאל לרבי כמה מעלות בקודש. והוא אמר ליה ארבע. וכמה מעלות בתרומה. והוא אמר שלש וקאים ומצלי.

Rav Jeremiah said, one should start to pray only from a practical rule¹². Rav Jeremiah said, he who deals with public needs is like him who studies Torah¹³. Rav Huna said: a woman who saw a spot like a mustard seed sits and watches seven days of purification because of it¹⁴; then he stood up and prayed. Zeira bar Hinena¹⁵ said: He who draws blood from a dedicated animal committed larceny¹⁶; that is one of the decided practices. Bar Qappara stated: Eleven days between periods is a practice taught to Moses at Sinai¹⁷. Rebbi Hoshaiah stated: One may add produce on the stalk and be tricky in order to free it from tithes¹⁸. Abdan asked Rebbi: How many levels¹⁹ are there for dedicated things? He answered him: four. And how many levels for *Terumah*? He answered: three, then he stood up and prayed.

12 In the Babli (31a), this is a *baraita* and is considered a contrast to, not an explanation of, the requirement of the Mishnah that one pray only in a serious frame of mind. In the Yerushalmi it is considered to be the genuine interpretation of the Mishnah. דין של הלכה means a practical ruling that is well established, that gives no cause

for discussion which could interfere with the concentration needed for prayer. The Babli and the personalities whose practices in preparation of prayer are reported are so early that the name here must be Rav Jeremiah and not Rebbi Jeremiah.

13 This Halakhah is not found in the Babli, so it is accepted there.

14 This appears in the Babli (31a) in the name of Rav Huna's student Rebbi Ze'ira. A menstruating woman is ritually unclean and prohibited from having sexual contact until seven days have passed. On the other hand, a woman having a discharge looking like blood is subject to quite different rules that are more lenient for an occasional occurrence and much more strict for recurrent discharges. A decision about the character of the discharge can be made only by a competent rabbi. In theory all women should show their discharges to a rabbi. Even in the time of the Temple, that was a practice only of wives of Cohanim who had to minimize their time of impurity by all means. It may be assumed that all other women chose to follow the method described here, to consider any discharge as a recurrent discharge and to wait seven days after the last day of discharge. In that way, no problems arise that would require a rabbi in intimate matters. Since this is a stringency adopted by Jewish women in excess of the strict Biblical law, there cannot be any rabbinic discussion about limits or details.

15 Galilean Amora of the second generation. He was once imprisoned by Zenobia, queen of Palmyra, and saved by the intervention of Rebbi Ammi and

Rebbi Samuel. The parallel in the Babli (31a) is ascribed to Ze'iri, a contemporary of Ze'ira and student of Rav.

16 An animal dedicated as sacrifice in the Temple cannot be used for any other purpose whatsoever, not even to draw blood from it.

17 If a woman has a discharge between the 8th and the 19th day of the begin of her last period, that discharge cannot be menstrual blood and must be treated by the rules of נדה-discharge. This is a tradition ascribed to Moses and, therefore, is a fact not subject to discussion.

18 Grain is subject to *Terumah* and tithes after the harvest, when it is separated from the stalk and collected in heaps or silos. By a rabbinic ordinance, it is forbidden to eat grain on the stalk as a meal, once it has been transported from the field to the farmhouse or barn. However, eating it as snack from the grain on the stalk is still permitted. Now Rebbi Hoshaiyah approves of setting aside as much of the produce for animal feed as one desires, without incurring an obligation for *Terumah* and tithes. This is also quoted as beyond doubt in Babli 31a.

19 Of derivative impurity. If originally impure matter (אב הטומאה "father of impurity") touches something

that can become impure, the latter becomes "first in impurity". If a "first in impurity" touches other secular matter, nothing happens except if that matter is food, it will become "second in impurity". If "second in impurity" touches anything secular, nothing happens, but if it touches either *terumah* or sacrificial meat, these

become "third in impurity". Sacrificial meat only can become "fourth in impurity" which will make it unusable either for the altar or for consumption by Cohanim. (Mishnah *Hagigah* 2:3, *Tahorot* 2:1). The additional levels of impurity are a rabbinic institution, not subject to discussion.

רבי חזקיה רבי יעקב בר אהא רבי יסא בשם רבי יוחנן לעולם אל יהא הפסוק הזה זו מתוך פיך יי צבאות עמנו משגב לנו אלהי יעקב סלה. רבי יוסי בי רבי אבין רבי אבהו בשם רבי יוחנן וחברייה יי צבאות אשרי אדם בוטח בך.

Rebbi Hizqiah, Rebbi Jacob bar Aḥa, Rebbi Yasa in the name of Rebbi Yoḥanan: The following verse should never leave your lips²⁰: (*Ps.* 46:12) "The Eternal of hosts is with us, the God of Jacob is a refuge to us, Selah". Rebbi Yose ben Rebbi Abin, Rebbi Abbahu in the name of Rebbi Yoḥanan and the colleagues: (*Ps.* 84:13) "O Eternal of hosts, hail to the man who trusts in You".

20 Meaning, they should be mentioned in every prayer service. However, in current rituals, the verses

are used only in the morning service and the קדושה דסדרא.

רבי חזקיה בשם רבי אבהו יהי רצון מלפניך יי אלהינו ואלהי אבותינו שתצילנו משעות החצופות הקשות הרעות היוצאות המתרגשות לבוא לעולם.

Rebbi Hizqiah in the name of Rebbi Abbahu: May it be please You, o Eternal, our God and God of our fathers, that You may save us from aggressive, hard, evil hours that organize to come upon the world²¹.

21 This is clearly a supplication to be recited before the start of formal prayers, see the discussion above; in our prayerbooks its equivalent is a modification of a prayer of Rav (Babli *Berakhot* 16b).

אין עומדין להתפלל אלא מתוך כבוד ראש. רבי יהושע בן לוי אמר השתחווי ליי בהדרת קדש בהדרת קדש. רבי יוסי בן חנינא אמר עבדו את יי ביראה וגילו ברעה. אמר רבי אחא לכשיבוא יום רעה תגילו.

"One starts to pray only in a serious frame of mind."²² Rabbi Joshua ben Levi said, (*Ps.* 29:2) "Bow down before the Eternal in the splendor of the sanctuary," in fear of the holy²³. Rabbi Yose ben Hanina said, (*Ps.* 2:11) "Serve the Eternal in fear, rejoice in trembling." Rabbi Aha said, when an evil day should come, you may rejoice²⁴.

22 With this quote from the Mishnah, the detailed discussion starts. The following verses seek to prove that a serious state of mind is required in a place of holiness (Babli 30b).

23 In some Galilean and all Babylonian dialects, ה and ח sounded the same and were not distinguished.

In other dialects, the sounds were close.

24 The person to rejoice even in bad times is the Just, who has nothing to fear. In the opinion of Tosaphot (*Berakhot* 31a, s. v. במקום), R. Aha gives the simple sense of the verse, in contrast to the homiletics of R. Yose ben R. Hanina.

אמר רבי יהושע בן לוי זה שהוא עומד ומתפלל צריך לישוב שתי ישיבות. אחת עד שלא יתפלל ואחת משיתפלל. עד שלא יתפלל אשרי יושבי ביתך. ואחת משיתפלל אך צדיקים יודו לשמך ישובו ישרים את פניך.

Rebbi Joshua ben Levi said, he who is about to pray has to sit down twice. Once before he prays and once after he prays. Before he prays, (*Ps.* 84:5) "Hail to those who sit in Your house." Once after he prays, (*Ps.* 140:14) "But the righteous will thank Your name, the upright ones will sit before You."²⁵

25 Under the influence of the tradition given in the next paragraph, the parallel of the Babli (32b) requires in the name of R. Joshua ben Levi that one sit in the synagogue one hour each before and after prayer. "One hour" probably means "some time." The

argument given here is that in Ps. 84 there is no qualification for those in God's house, but in Ps. 140 this is restricted to the righteous, those who have fulfilled their obligation in praying.

חֲסִידִים הָרִאשׁוֹנִים הָיוּ שׁוֹהֵין שְׁעָה אַחַת וּמִתְפַּלְלִין שְׁעָה וְשׁוֹהֵין שְׁעָה אַחַת אַחַר תְּפִילָתוֹ. אֵימְתִי עוֹסְקִין בְּתוֹרָה. אֵימְתִי עוֹסְקִין בְּמִלְאכְתּוֹ. אָמַר רַבִּי יִצְחָק בִּי רַבִּי אֶלְעָזָר עַל יְדֵי שֶׁהָיוּ חֲסִידִים הֵיטָה בְּרָכָה נִתְּנָת בְּתוֹרָתוֹ וּבְרָכָה נִתְּנָת בְּמִלְאכְתּוֹ.

"The first *Hasidim* waited one hour before praying,²⁶ they prayed for one hour and waited an hour after their prayer. When did they study Torah? When did they work? Rabbi Isaac ben Rabbi Eleazar²⁷ said, because they were pious, their study was blessed and their work was blessed.

26 Quote from the Mishnah.

27 The explanation of R. Isaac ben R. Eleazar is part of the *baraita* in the Babli (32b); this may indicate that the author here is the earlier of two Amora'im of that name, a student of R. Yoḥanan. The Babli, which notes explicitly that the pious were spending 9 hours in prayer, must take "an hour"

in its exact sense; the Yerushalmi may accept "an hour" as "some time". On the other hand, the replacement of "sitting down" by "waiting" may indicate that in this paragraph ישב has its original Biblical meaning of "being occupied, being at one's regular place of business."

חוּנָה אָמַר הַמִּתְפַּלֵּל אַחֲרָיו בֵּית הַכְּנֶסֶת נִקְרָא רְשָׁע. שְׁנַאמַר סָבִיב רְשָׁעִים יִתְהַלְכוּ. רַב חוּנָה אָמַר כָּל־מִי שְׁאִינוּ נִכְנָס בְּבֵית הַכְּנֶסֶת בְּעוֹלָם הִזָּה אֵינוּ נִכְנָס לְבֵית הַכְּנֶסֶת לְעֵתִיד לְבוֹא. מֵה טַעַם סָבִיב רְשָׁעִים יִתְהַלְכוּ.

Huna²⁸ said, he who prays behind the synagogue is called criminal as it is said (*Ps.* 12:9) "Criminals walk around." Rav Huna²⁹ said, one who does not enter a synagogue in this world will not enter the synagogue in the future world. What is the reason? (*Ps.* 12:9) "Criminals walk around."

28 The parallel in the Babli (6b) shows that this is Rav Huna, the Babylonian. Authors of later generations in the Babli attenuate this statement to label as criminals only those who pray behind the synagogue facing away from the building; this is

not accepted in the Yerushalmi.

29 In the (Yerushalmi) *Midrash Tehillim* the parallel statement is one of R. Joshua ben Levi, the author of the preceding homiletics, and is part of his homiletics on *Ps.* 84:5.

אמר רבי יוחנן המתפלל בתוך ביתו כאילו מקיפו חומה של ברזל. מחלפה שיטתיה דרבי יוחנן. תמן אמר רבי אבא אמר רבי חינא בשם רבי יוחנן צריך לאדם להתפלל במקום שהוא מיוחד לתפילה. וכה אמר הקין. כאן ביחיד כאן בציבור.

Rebbi Yoḥanan said: He who prays in his own house is as if he were surrounded by an iron wall³⁰. The argument of Rebbi Yoḥanan is inverted. There³¹ Rebbi Abba said, Rebbi Ḥiyya said in the name of Rebbi Yoḥanan, one has to pray at a place that is dedicated to prayer³². And here he says that? One is about a single person, the other about the public³³.

30 I. e., his prayer is not heard because he is enclosed by such a wall. (Interpretation of R. Solomon Cirillo.)

31 Chapter 4, Halakhah 4.

32 Not necessarily in the synagogue, but in one's own house only at a place that is dedicated to prayer. Hence,

private prayer is acceptable and no wall will hinder the prayer from being heard.

33 A person living at a place where there is no synagogue has to pray at a dedicated place in his house. If, however, there is public prayer at his

place of residence then private prayer
in one's house will not be heard.
However, that statement is relativized

by the statement of Rabbi Abbahu
below that a place of Torah study is
equal (or superior) to a synagogue.

רבי פינחס בשם רבי הושעיא המתפלל בבית הכנסת כאילו מקריב מנחה
טהורה. מה טעם כאשר יביאו בני ישראל את המנחה בכלי טהור בית יי.
רבי ירמיה³⁴ בשם רבי אבהו דרשו את יי בהמצאו. איכן הוא מצוי. בבתי
כנסיות ובבתי מדרשות. קראוהו (fol. 9a) בהיותו קרוב. איכן הוא קרוב.
בבתי כנסיות ובבתי מדרשות.³⁵ אמר רבי יצחק בי רבי אלעזר ולא עוד אלא
שאליהון עומד על גבן. מאי טעמא אלהים נצב בעדת אל בקרב אלהים
ישפוט.

Rebbi Phineas in the name of Rebbi Hoshi'ah: He who prays in the
synagogue is as if he had sacrificed a pure flour offering. What is the
reason? (*Is.* 66:20) "As the children of Israel bring flour offering in a pure
vessel in the Eternal's House."³⁶ Rebbi Jeremiah in the name of Rebbi
Abbahu: (*Is.* 55:6) "Seek the Eternal where He is to be found". Where is
He to be found? In synagogues and houses of study. "Call on Him when
He is close." Where is He close? In synagogues and houses of study.
Rebbi Isaac ben Rebbi Eleazar said, not only that but their God stands
over them. What is the reason? (*Ps.* 81:1) "God stands in the assembly of
the mighty; from the inside God will judge."

34 This is the reading of *Yalqut Shim'oni Isaiah* §481. The Venice-Leyden version "R. Abbahu" is certainly corrupt.

35 Text of the Rome manuscript; the

sentence is missing in the Leyden ms. and the Venice print.

36 Since the actual flour offering was brought by the Cohanim, the prophet speaks here of a symbolic act.

רב חסדא אמר זה שנכנס לבית הכנסת צריך להכנס לפני משני דלתות. מה
טעם אשרי אדם שומע לי לשקוד על דלתותי תמיד. דלתותי ולא דלתי.
מזוזות ולא מזוזות. אם עשה כן מה כתיב תמן כי מוצאי מצא חיים.

Rav Hisda said: He who enters the synagogue must enter inside two doors. What is the reason (*Prov.* 8:34) "Hail to the man who listens to Me, always to be diligent at My doors³⁷." My doors and not my door. Doorposts and not doorpost³⁸. If he did that, what is written there? (*Prov.* 8:35) "Because he who found Me found life."³⁹

37 The verse is spoken by Wisdom (or the Torah) but is interpreted as God's word.

38 This refers to the end of the verse which is omitted here: "To guard the doorposts of my entrances always."

39 In the Babli (8b), the statement of Rav Hisda appears without

justification, but it follows a statement of R. Joshua ben Levi that he who frequents the synagogue will live long and which is supported by the two verses quoted here. Hence, the Babli is dependent on the Yerushalmi in this case.

רב חונא אָמַר זֶה שֶׁהוּא הוֹלֵךְ לְבֵית הַכְּנֶסֶת צָרִיךְ לְהַקְלֵל אֶת רַגְלָיו. מַה טַּעַם נִדְעָה נִרְדְּפָה לְדַעַת אֶת יי. וּכְשֶׁהוּא יוֹצֵא צָרִיךְ לְהַלְךְ קַמְעָא. מַה טַּעַם כִּי אַתָּה⁴⁰ צָעִדִי תִסְפּוֹר.

Rav Huna said: He who goes to the synagogue must be light-footed. What is the reason? (*Hos.* 6:3) "We shall know, let us run to know the Eternal." But when one leaves, one has to go in small steps. What is the reason? (*Job* 14:16) "For now You will count my steps."⁴¹

40 In the Biblical text עַתָּה "now".

41 In the Babli (6b), Rav Huna is credited only with the second statement (without supporting verse). The

first statement, with the supporting verse, is given by Abbaye, two generations later; clearly under the influence of the Yerushalmi tradition.

אָמַר רַבִּי יוֹחָנָן בְּרִית כְּרוּתָהּ הִיא הִיגַע תְּלַמּוּדוֹ בְּבֵית הַכְּנֶסֶת לֹא בַמְהָרָה הוּא מְשַׁכֵּחַ. אָמַר רַבִּי חֲנִינְא עֵינְתוֹנְנָא בְּרִית כְּרוּתָהּ הִיא הִיגַע תְּלַמּוּדוֹ בְּצַנְעָה לֹא בַמְהָרָה הוּא מְשַׁכֵּחַ. מַה טַּעַם וְאֵת צְנוּעִים חֲכָמָה. אָמַר רַבִּי יוֹחָנָן בְּרִית

כְּרוּתָהּ הִיא הַלְמֵד אֶנְדָּה מִתּוֹךְ הַסֵּפֶר לֹא בִמְהֵרָה הוּא מְשַׁכַּח. אָמַר רַבִּי תַנְחֻם הַסּוֹבֵר תִּלְמֹדוֹ לֹא בִמְהֵרָה הוּא מְשַׁכַּח. מֵה טַעַם פֶּן תִּשְׁכַּח אֶת הַדְּבָרִים אֲשֶׁר רָאוּ עֵינֶיךָ.

Rebbi Yoḥanan said: A covenant is sealed that he who labors at his studies in the synagogue will not quickly forget. Rebbi Ḥanina from Ein Tana said: A covenant is sealed that he who labors at his studies in modesty will not quickly forget. What is the reason? (*Prov.* 11:2) "Wisdom is with the modest." Rebbi Yoḥanan said: A covenant is sealed that he who studies homiletics from a book will not quickly forget. Rebbi Tanḥum said: He who understands what he has learned will not quickly forget. What is the reason? (*Deut.* 4:9) "That you shall not forget the things your eyes understood."⁴²

42 The order of the items is not correct; it is better in the Rome manuscript and the fragments of the Yerushalmi from the Genizah: First come the two statements of the second generation Rebbi Yoḥanan. The first one is a continuation of the description of good behavior in the synagogue; the synagogue is a good place for study between times for prayer. The second statement appears here because it is from R. Yoḥanan; it is a polemic against the opinion of R. Joshua ben Levi (*Yerushalmi Šabbat* 16:1) that homiletics is a part of "oral Torah" that

may not be written down. Next comes the statement of R. Ḥanina of Ein Tana, Amora of the fourth generation and student of R. Zeira. (His name is corrupted in the Venice print to R. Yoḥanan of Ein Tana; it is correct in the Rome ms. Ein Tana was a place near Sepphoris.) At the end comes the statement of the fifth generation Rebbi Tanḥum (Tanḥuma bar Abba, the first known author of a collection of *Midrashim* and greatest of the preachers of the period of the Talmud Yerushalmi).

רַבִּי יוֹנָה בְּשֵׁם רַבִּי תַנְחֻם בִּי רַבִּי חֵינָא זֶה שֶׁהוּא רוֹאֶה חֲלוּם קָשָׁה צָרִיךְ לוֹמַר יְהִי רְצוֹן מִלְּפָנֶיךָ יי אֱלֹהֵי וְאֱלֹהֵי אֲבוֹתַי שִׁיְהוּ כָל־חֲלוּמוֹתַי שֶׁחֲלַמְתִּי בֵּין

בְּלִילָה הַזֶּה בֵּין בְּשָׂאֵר הַלַּיְלוֹת בֵּין שְׁחֲלַמְתִּי אֲנִי וּבֵין שְׁחֲלַמְוֹ לִי אַחֲרַיִם. אִם טוֹבִים הֵם יִתְקַיְיֶמוּ עָלַי לְשִׁשׁוֹן וּלְשִׁמְחָה לְבָרְכָה וּלְחַיִּים. וְאִם לְדָבָר אַחֵר כְּשֵׁם שֶׁהִפְכָת אֶת מִי הַמָּרָה לְמִתְיָקָה וּמִי יִרְיָחוֹ עַל יַדִּי אֶלְיָשָׁע לְמִתְיָקָה. וְאֶת קָלֶלֶת בֶּן בְּעוֹר לְבָרְכָה כֵּן תִּהְפּוֹד אֶת כָּל חֲלוּמוֹת הַקָּשִׁין. וּמָה שְׁחֲלַמְוֹ אַחֲרַיִם לְטוֹבָה לְבָרְכָה וְלִרְפוּאָה וּלְחַיִּים לְשִׁמְחָה וּלְשִׁשׁוֹן וּלְשָׁלוֹם. הִפְכָת מִסְפָּדֵי לְמַחֹל לִי פִתְחַת שָׁקִי וַתִּאֲזַרְיֵנִי שִׁמְחָה. לְמַעַן יִזְמַרְדְּ כָבוֹד וְלֹא יָדוּם יי אֱלֹהֵי לְעוֹלָם אֹדְדֶךָ. וְלֹא אָבָה יי אֱלֹהֶיךָ לְשִׁמוּעַ אֶל בְּלָעַם וַיִּהְפּוֹד יי אֱלֹהֶיךָ אֶת הַקָּלָלָה לְבָרְכָה כִּי אֶהְבֶּד יי אֱלֹהֶיךָ. אִז תִּשְׂמַח בְּתוֹלָה בְּמַחֹל וּבְחֹרִים וּזְקָנִים יִחַדְדוּ וְהִפְכָתִי אֲבָלָם לְשִׁשׁוֹן וְנִיחַמְתִּים וְשִׁימְחִיתִים מִיָּגוֹן.

Rebbi Jonah in the name of Rebbi Tanḥum ben Rebbi Hiyya⁴³, He who sees a disquieting dream must say: "May it be Your pleasure. o Eternal, my God and God of my fathers, that all my dreams that I dreamed, in this night or in any other night, whether I dreamed or others dreamed about me, if they are good they should be fulfilled for me in enjoyment and joy, blessing and life. If they are something else then, just as You turned bitter water to sweet waters, the waters of Jericho to sweet ones through Elisha, and the curse of the son of Beōr to a blessing, so may You turn all bad dreams, including what others dreamed about me, to good, blessing, healing, life, joy and enjoyment, and peace. (*Ps.* 30:12-13) 'You turned my wailing into a dance, you opened my sackcloth and girded me with joy. So that the liver may sing to You and never be silent; o Eternal, my God, I shall eternally thank You! (*Deut.* 23:6) The Eternal, your God, refused to listen to Bileam, the Eternal, your God, turned curse into blessing since the Eternal, your God, loves you. (*Jer.* 31:12) Then the maiden will rejoice in dance, young and old men together; I shall turn their mourning to enjoyment and I shall console them and give them joy out of their hurt."

43 The parallel in the Babli (55b) contains two traditions. The first one, attributed to the earlier R. Yoḥanan, is that one should assemble three people (a court of law) and declare before them: I saw a good dream. They should answer: It is good, should be good, the All-Merciful shall turn it into a good one sevenfold; may they decree from heaven that it should be good. Then they should recite the verses given here at the end, add three verses of

peace and three of redemption. The second one, of Rav Ashi, Amemar, and Mar Zuṭra, two generations later than the authors in the Yerushalmi, has a text similar to the one given here but without the verses. Hence, the Yerushalmi represents an intermediate stage in the development of this prayer. The Babli requires, in contrast to the Yerushalmi, that the prayer be said during the priestly blessing given at morning prayers.

אָפּילוּ הַמֶּלֶךְ שׁוֹאֵל בְּשִׁלּוּמוֹ לֹא יִשְׁיבֵנוּ. אָמַר רַבִּי אֶחָא הִדָּא דְאָמַר בְּמַלְכֵי
יִשְׂרָאֵל. אָבֵל בְּמַלְכֵי אוּמוֹת הָעוֹלָם מְשִׁיב שְׂאִילַת שְׁלוֹם. תְּנִי הֵיךְ כּוֹתֵב אֶת
הַשֵּׁם אָפּילוּ מֶלֶךְ שׁוֹאֵל בְּשִׁלּוּמוֹ לֹא יִשְׁיבֵנוּ. הֵיךְ כּוֹתֵב שְׁנַיִם אוֹ שְׁלֹשָׁה שְׁמוֹת
כְּגוֹן אֵל אֱלֹהִים יי הָרִי זֶה גּוֹמֵר אֶת אֶחָד מֵהֶן וּמְשִׁיב שְׂאִילַת שְׁלוֹם.

"Even if the king greets one, he should not respond.⁴⁴" Rabbi Aḥa said, that is, if the greeter is a king of Israel. But one returns greeting from a Gentile king. It was stated⁴⁵: If one is writing a Divine name, then even if the king greets him, he should not respond. If he is writing two or three Names, e. g. (*Jos. 22:22*) "Powerful, God, Eternal", he finishes one of them⁴⁶ and then responds to the greeting.

44 Quote from the Mishnah, title of the following discussion. The statement of R. Aḥa is quoted in the Babli (32b) in the name of the slightly earlier Rav Joseph.

45 Slightly different versions appear in Tosephta *Berakhot* 3:22, *Massekhet Soferim* 5:6.

46 The one he is currently writing.

רַבִּי יוֹחָנָן הָיָה יְתִיב קָרִי קוֹמֵי כְּנִישְׁתָּא דְבַבְלָא בְּצִיפּוֹרִין עֲבַר אֲרַכּוּנָא וְלֹא קָם
לֵיהּ קוֹמוֹי אֲתוֹן בְּעֵזְרָא מִימְחוּנִיָּה. אָמַר לוֹן אֲרַפּוּנִיָּה בְּנִימוּסָא דְבְּרִיָּה הוּא

עסיק. רבי חנינא ורבי יהושע בן לוי עלון קומי אנטיופוטא דקיסרין חמתון וקם מן קומיהון. אמרו ליה מן קומוי אילין יהודאי את קאים. אמר לון אפיהון דמלאכין חמית. רבי יונה ורבי יוסי עלון קומוי ארסקינס באנטוכינא חמתון וקם מן קומיהון. אמרין ליה מן קומוי אילין יהודאי את קאים. אמר לון אפיהון דהני אנא חזי בקרבא ונצח. רבי אבון על קומוי מלכותא כי נפק חפד קדל. אתון בעיון מיקטליגיה וחמון תרין זיקוקין דנור נפקין מקדליה ושבקהו. לקים מה שנאמר וראו כל עמי הארץ כי שם יי נקרא עליך ויראו ממך.

Rebbi Yohanan⁴⁷ was sitting and reciting in front of the Babylonian synagogue of Sepphoris. The prefect passed by and he did not get up before him. They wanted to whip him; he said to them: Let him, he is occupied in the laws of his Creator. Rebbi Hanina and Rebbi Joshua ben Levi appeared before the proconsul⁴⁸ of Caesarea. He saw them and rose before them. They said to him, you get up before these Jews? He said to them, I saw faces of angels. Rebbi Jonah and Rebbi Jose appeared before Ursicinus⁴⁹ in Antiochia. He saw them and rose before them. They said to him, you get up before these Jews? He said, I win in battle if I see the faces of these. Rebbi Abun appeared before the king⁵⁰. When he left, he turned his neck. They came and wanted to kill him but they saw two sparks of fire emanating from his neck, so they let him go, to affirm what is said (*Deut.* 28:10): "All peoples of the earth will see that the Name of the Eternal is called over you and they will be afraid of you."⁵¹

47 The following notes show that the permission to accommodate Gentile rulers is not prescriptive but can be disregarded by genuinely holy men (though not by any other Jew.) The stories are ordered by rank of the

Gentile involved. Rebbi Yohanan was reciting *Shema'* when the ἄρχων, the prefect of the district, passed by. He was in danger to be beaten up by prefect's bodyguard but, as ruler of a city with an important Jewish popu

lation, he was acquainted with their behavior and their adherence to the νόμος, "the law" of the Torah.

48 Ἀνθύπατος "proconsul", the Roman governor of an entire province. Both prefect and proconsul were also the local military commanders.

49 The general in charge of all of Syria and Palestine under the Caesar Gallus, around 350 C. E.

50 The "king" is either the emperor Diocletian or one of his immediate successors, so probably R. Abun here is R. Abun II. Diocletian changed the formally republican Roman principate into an absolute monarchy in which the sacred person of the emperor required veneration as a godlike person (this was not abolished by his Christian successors.) In particular, after an audience the visitor was supposed to

walk backwards with his face always towards the throne. R. Abun's act was one of denial of the godlike nature of the king. After this incident, R. Abun escaped to Babylonia, as noted in Babli *Hulin* 106a, "when Rabin came, it was because he was in danger of being killed."

51 This is a reference to a statement in Babli 6a: "All peoples of the earth will see that the name of the Eternal is called over you and they will be afraid of you;" the great Rebbi Eliezer said: These are the *tefillin* on the head. It can be safely assumed that this statement of an Israeli Tanna was known to the editors of the Yerushalmi, so they had no need for an explicit statement that the sparks came from the straps of R. Abun's *tefillin*.

תְּנִי רַבִּי שְׁמֵעוֹן בֶּן יוֹחֵי וְרֵאוּ כָּל-עַמֵּי הָאָרֶץ כִּי שֵׁם יי נִקְרָא עָלֶיךָ. כָּל אֲפִילוּ רֹחוֹת אֲפִילוּ שְׂדִים. רַבִּי יַנָּי וְרַבִּי יוֹנָתָן הָיוּ מְטִיילִין בְּאֶסְלִטִין חֲמִתּוֹן חַד וְשָׂאֵל בְּהוֹן אָמַר לְהוֹן שְׁלַמְכוֹן רַבִּינָא. אָמְרִין אֲפִילוּ תוֹאֵר חֲבֵרוֹת אֵין עֲלֵינוּ לְרָעָה.

Rebbi Simeon ben Yoḥai stated: "All peoples of the earth will see that the name of the Eternal is called over you", all - even spirits and demons. Rebbi Yannai and Rebbi Jonathan were promenading in a forest⁵². One saw them, greeted them, and said: "Peace upon you, rabbis." They said, even the religious title does not harm us.

52 The hapax אסלטין seems to be Latin *saltus*, "forest". The Rome ms. reading is אסרטין, Latin *strata*, "street",

Genizah fragments read אסטין "stadium." The forest is a more likely place to find promenading rabbis greeted by a demon.

רבי שמעון בן לקיש מיהגי באורייתא סגין הוה נפיק לבר מתחומא דשבתא והוא לא ידע לקים באהבתה תשגה תמיד. רבי יודן בי רבי ישמעאל מיהגי באורייתא סגין הות גולתיה שרעה מיניה [והוא לא ידע לקים באהבתה תשגה תמיד. רבי אלעזר בירבי שמעון מיהגי באורייתא סגין הות גולתיה שרעה מיניה]⁵³ והות חכינא מזהרה לה. אמרין ליה תלמידוי רבי הא גולתידך שריעה. אמר לון ולית ההיא רשיעתא זהירה לה.

Rebbi Simeon ben Laqish⁵⁴ was thinking very hard about Torah. He overstepped the Sabbath boundary without noticing it, to confirm (*Prov.* 5:19): "In its love you will always err." Rebbi Yudan ben Rebbi Ismael was thinking very hard about Torah. His toga slipped off from him and he did not notice it, to confirm: "In its love you will always err." Rebbi Eleazar ben Rebbi Simeon was thinking very hard about Torah. His toga slipped off from him but a viper was caring for it. His students told him: Teacher, your toga has slipped off. He said to them, does this evil one not care for it?

53 The text here is that of the Yerushalmi from the Genizah and, partially, from the Rome manuscript; the Leyden/Venice text is shortened by omission of the words in parenthesis.

lowing ones. First, it shows that great scholars are apt to be absent-minded (and, hence, may not notice the presence of potentially dangerous men or situations) and, second, to show that even snakes can be helpful to Torah sages.

54 This paragraph is a connection between the preceding and the fol-

אפילו נחש כרוך על עקבו לא יפסיק. רבי חונא בשם רבי יוסי לא שנו אלא נחש. אבל עקרב מפסיק. למה דמחינא וחזרה ומחינא. רבי אילא אמר לא

אָמרו אַלאַ קרוך אַבל אם הִיה מרתיע כַּנְגֵדוּ הָרִי זֶה מִסְתִּיר מִלְפָּנָיו. וּבִלְבָד
שְׁלֵא יִפְסִיק אֶת תְּפִילָּתוֹ. תְּנִי הִיָּה עוֹמֵד בְּאַסְרֵיטִינְא אוּ בְּפִלְטִינְא הָרִי זֶה
מִעֲבִיר מִפְּנֵי הַחֲמוֹר וּמִפְּנֵי הַקָּרוֹן וּבִלְבָד שְׁלֵא יִפְסִיק אֶת תְּפִילָּתוֹ.

"Even if a snake is wound around one's heel, one should not interrupt."

Rebbi Huna in the name of Rebbi Yose: They mentioned only a snake, but for a scorpion he interrupts⁵⁵. Why, because it stings repeatedly. Rebbi Ilai said: They stated only "wound around", but if a snake is attacking him, he hides before him but he should not interrupt his prayer. It is stated: If he was praying in a thoroughfare or on a square⁵⁶ he removes himself from before a donkey or before a cart but he should not interrupt his prayer⁵⁷.

55 In the Babli (33a), the statement is in the name of the earlier Rav Sheshet; no reason is given there.

56 Greek πλατεῖα (ὁδός) "wide open" (road). "Cart" is from Greek κάρρος, κάρρον. "Thoroughfare" is also found in Arabic as مَرَاة.

57 The Babli (32a) states that one should shorten his prayer (by reciting only the final doxologies of all the

remaining benedictions). R. Isaac Alfassi's version is: "If he can shorten, he should shorten, and if not, he should interrupt." In the Yerushalmi, one is permitted in an emergency to change his place and then continue with prayer at another place, but in the Babli the prayer is interrupted automatically if one moves.

אָמְרִין עָלָיו עַל רַבִּי חֲנִינְא בֶן דּוּסָא שֶׁהִיָּה עוֹמֵד וּמִתְפַּלֵּל וּבָא חֲבַרְבָּר וְהִכִּישׁוּ
לֹא הִפְסִיק אֶת תְּפִילָּתוֹ וְהִלְכוּ וּמָצְאוּ אוֹתוֹ חֲבַרְבָּר מִת מוּטָל עַל פִּי חוֹרוֹ.
אָמְרוּ אִי לֹא לְאָדָם שֶׁנֶּשְׁכוּ חֲבַרְבָּר. וְאִי לֹא לְחֲבַרְבָּר שֶׁנֶּשְׁךְ אֶת רַבִּי חֲנִינְא בֶן
דּוּסָא. מַה עִיסְקִיָּה דְהֵדִין חֲבַרְבָּרִיא כִּד הוּה נְכִית לְבַר נְשָׂא אִין בַּר נְשָׂא
קֳדָם לְמִנְא חֲבַרְבָּרָא מִיִּית. וְאִין חֲבַרְבָּרִיא קֳדָם לְמִנְא בַּר נְשָׂא מִיִּית. אָמְרוּ
לֹא תִלְמִידֵיו רַבִּי לֹא הִרְגִּישְׁתִּי. אָמַר לְהוֹן יְבֵא עָלֵי מִמָּה שֶׁהִיָּה לְבִי מִתְכוּן
בְּתִפְלָה אִם הִרְגִּישְׁתִּי. אָמַר רַבִּי יִצְחָק בַּר אֲלֶעָזָר בְּרָא לֹא הִקְדוּשׁ בְּרוּךְ הוּא

מַעֲנֵן תַּחַת כַּפּוֹת רַגְלָיו לְקַיֵּם מָה שֶׁנֶּאֱמַר רְצוֹן יִרְאִיו יַעֲשֶׂה וְאֵת שְׂוֹעֲתֵם יִשְׁמַע
וַיּוֹשִׁיעֵם.

They said about Rebbi Ḥanina ben Dosa⁵⁸ that he was standing in prayer when a brightly dotted snake⁵⁹ came and bit him. He did not interrupt his prayer. They went and found that dotted snake lying dead at the entrance of its hole. They said, woe to the human who is bitten by a dotted snake, but woe to the dotted snake that bites Rebbi Ḥanina ben Dosa. [What is the nature of that dotted snake? If it bites a human and the human reaches water first, the dotted snake dies, but if the dotted snake reaches water first, the human dies.] His students asked him: Rabbi, did you not notice? He said to them: There should happen to me these things⁶⁰; I was concentrating on my prayer and did not notice! Rebbi Isaac ben Eleazar⁶¹ said, the Holy One, praise to Him, created a well under his foot soles, to confirm what has been said (*Ps.* 145: 19): "He will do the will of those who fear Him, He will hear their entreaties and save them."

58 Tanna of the first generation, from lower Galilee, companion of Rabban Yohanan ben Zakkai. He is the perfectly holy man who never committed a single sin. All his traditions are about ethical maxims. A text close to the present one [without the Aramaic insert] appears in Tosephta *Berakhot* 3:30; a very different version is in Babli 33a.

59 In Biblical Hebrew, חֲכַרְכָרוֹת are the spots of a leopard. The root חֲכַר "to shine" appears once more in the Bible

(*Job* 16:4); in Arabic the parallel root is חֲכַר "to be richly ornamented" [distinguished from Hebrew חֲכַר, Arabic חֲכַר, "to be joined"]. The word could also denote a brightly striped snake. The more brightly a snake is colored, the more poisonous it is.

60 A formula of affirmation, taking the place of an oath.

61 This Amoraic addition belongs to the explanation given in the insert and is not part of the *baraita* tradition.

משנה ב: מזכירין גבורות גשמים בתחיית המתים ושואלין גשמים בברכת השנים והבדלה בחונו הדעת. רבי עקיבה אומר אומרה ברקה רביעית בפני עצמה. רבי אליעזר אומר בהודאה.

Mishnah 2: One mentions the power of rains in "resurrection of the dead"⁶²; one prays for rain in the benediction "of years" and *Havdalah*⁶² in "He Who by His grace grants knowledge;" Rabbi Aqiba said: it is recited as separate fourth benediction; Rabbi Eliezer says, in "thanksgiving".

62 The second benediction of the *Amidah*. The benediction "for years" is the ninth, a prayer for a plentiful harvest. *Havdalah* is the required declaration of a "difference" between Sabbath (or holiday) and weekday,

after the end of the Sabbath or holiday. No work may be performed before some form of *Havdalah*. The benediction for being granted knowledge is the fourth, the one for thanksgiving the 17th.

הלכה ב: כשם שתחיית המתים חיים לעולם כך ירידת גשמים חיים לעולם. רבי חייא בר אבא שמע לה מן הדא יחיינו מיומים ביום השלישי יקימנו ונחיה לפניו. נדעה נרדפה לדעת את יי כשחר נכון מוצא.

Halakhah 2: Just as the resurrection of the dead brings life to the world, so rains bring life to the world⁶³. Rabbi Hiyya bar Abba understood it from here (*Hos.* 6:2-3): "He will resurrect us after two days, on the third day He will raise us up and we shall live before Him. We shall know, we shall pursue to know the Eternal, like morning his appearance is well-based⁶⁴."

63 These are all arguments that God has to be praised for rain in the prayer for resurrection during the rainy season. The first verse of Hosea clearly speaks of resurrection, the second one ends: "it (knowing God) will come like

rain to us, like late rains that pour on the Land."

64 These verses are further discussed in Yerushalmi *Ta'aniot* 1:1 (fol. 63d), *Sanhedrin* 11:8 (fol. 30c), *Babli Roš Haššanah* 31a, *Sanhedrin* 97a.

קְתִיב וַיֹּאמֶר אֵלָיו הַתְּשִׁבִי מִתְּשִׁבֵי גִלְעָד אֶל אַחָב חֵי יי אֱלֹהֵי יִשְׂרָאֵל אֲשֶׁר
 עֲמַדְתִּי לְפָנָיו אִם יִהְיֶה הַשָּׁנִים הָאֵלֶּה טַל וּמָטָר כִּי אִם לְפִי דְבָרִי. רַבֵּי בְּרַכְיָה
 אָמַר רַבִּי יֵסָא וּרְבָנָן חַד אָמַר בֵּין עַל הַטַּל וּבֵין עַל הַמָּטָר נִשְׁמַע לוֹ וְחִרְנָא
 אָמַר עַל הַמָּטָר נִשְׁמַע לוֹ וְעַל הַטַּל (fol. 9b) לֹא נִשְׁמַע לוֹ. מִן הַדָּא לְךָ הִרְאָה
 אֶל אַחָב וְאַתְּנָה מָטָר וְגוֹמֵר. וּמִן דְּמַר בֵּין עַל הַטַּל וּבֵין עַל הַמָּטָר נִשְׁמַע לוֹ.
 אִיכּוּן הוּוּתֵר גְּדֵרוֹ שֶׁל טַל. אָמַר רַבִּי תַנְחוּמָא עֲדְרַעֲיָא סְבָרִין מֵימַר נִדְרֵי
 שְׁהוּתֵר מִקְלָלוֹ הוּתֵר כּוּלוּ. אֵית דְּבַעֲי מֵימַר בְּבִנְהָ שֶׁל צְרַפִּית וַיִּקְרָא אֶל יי
 וַיֹּאמֶר יי אֱלֹהֵי וְגוֹמֵר. אָמַר רַבִּי יוֹדָה בֶּן פָּזִי לְאַחַד שְׁגַבֵּי נִרְתִּיקוֹ שֶׁל רוּפָא.
 עִם כְּשֶׁהוּא יוֹצֵא נִפְצַע בְּנוֹ. חִזֵּר עֲצָלוֹ אָמַר לוֹ אֲדוּנֵי הַרוּפָא רְפָא אֶת בְּנֵי.
 אָמַר לוֹ לְךָ וְהַחֲזֵר אֶת הַנִּרְתֵּק שְׁכָל-מֵינֵי רְפוּאוֹת נְתוּנִין בּוֹ וְאֲנִי מִרְפָּה אֶת
 בְּנֵיךָ. כֵּךְ אָמַר לוֹ הַקְדוּשׁ בְּרוּךְ הוּא לְאֵלָיו לְךָ וְהַתֵּר גְּדֵרוֹ שֶׁל טַל שְׁאִין
 הַמֵּתִים חַיִּים אֲלָא בְטָלִים וְאֲנִי מַחִיָּה אֶת בְּנֵהָ שֶׁל הַצְּרַפִּית. וּמִנִּין שְׁאִין
 הַמֵּתִים חַיִּין אֲלָא בְטָלִים. יְחִיו מֵיִתִּיד נְבִלְתֵי יְקוּמוּן הַקִּיצוֹ וְרַנְנוּ שׁוֹכְנֵי עָפָר
 כִּי טַל אֹרוֹת טַלְךָ וְאַרְצְךָ רְפָאִים תְּפִיל. אָמַר רַבִּי תַנְחוּם עֲדְרַעֲיָא וְאַרְעָה
 תְּפַקִּידֶיהָ תְּפַלֵּט.

It is written (*IKings* 17:1) "Elijah the Tisbite, from the inhabitants of Gilead, said to Ahab: By the Living Eternal One, the God of Israel, before Whom I stood, there will not be dew nor rain these years except by my word." Rabbi Berekhia said, Rabbi Yasa and the rabbis. One of them said, he was heard both for dew and for rain; the other one said, he was heard for rain but was not heard for dew, from (*IKings* 18:1): "Go, appear before Ahab and I shall give rain⁶⁵, etc." And he who said, he was heard both for dew and for rain, where was the vow of dew dissolved? Rabbi Tanhuma from Edrei⁶⁶ said, they are of the opinion that a vow that was dissolved partially is dissolved totally. Some want to say, on the occasion of the son of the woman from Sarepta, (*IKings* 17:20) "He called on the Eternal and said, o Eternal, my God, etc." Rabbi Judah ben Pazi said, about one who stole a doctor's bag⁶⁷. When he left, his son was injured.

He returned to him and said: Please, sir doctor, heal my son. He said to him: Go and return my bag because it is full of medicines, and I shall heal your son. So the Holy One, praise to Him, said to Elijah: Go and lift the vow of dew because the dead are resurrected only by dew, then I shall resurrect the son of the Sareptan. And from where that the dead will live only by dew? (*Is. 26:19*) "Your dead will live, the corpses will arise. Wake up and jubilate, those who dwell in dust! For a dew of light is Your dew, **וְאֶרֶץ רְפָאִים תְּפִיל**." Rebbi Tanhūm from Edrei said, "the earth will give up those that are deposited in it."⁶⁸

65 But dew is not mentioned. The entire piece, whose main place is in *Ta'aniot* 1:1, is included to explain the connection of the (summer) praise for dew in the benediction on "resurrection". The praise for dew was included in the Yerushalmi prayer rite.

66 He is mentioned only here (and in the parallel in *Ta'aniot*). Since he appears together with Rebbi Berekhiah, he must belong to the last generation of Amora'im in Israel.

It is the minority opinion of Rebbi Aqiba (*Nedarim* 9:6) that if in an earthly court part of a vow is annulled because it was executed under false

intent, then the entire vow is annulled. This is not the majority opinion, hence, it is not the practice and does not imply Heavenly standards.

67 Greek *várhoξ*, a plant (*Ferula communis*), word also used for "casket for unguents", and title of medical works. Hesiod has Prometheus carry off the fire in the stalk of a *várhoξ*.

68 Rebbi Tanhūm from Edrei explains the difficult phrase **וְאֶרֶץ רְפָאִים תְּפִיל** "it will fell Netherworlds" by taking **תְּפִיל** in the sense of Rabbinic Hebrew, "having a miscarriage", the Netherworld will expel what is in it.

רבי יַעֲקֹב דְּכָפַר חָנָן בְּשֵׁם רִישׁ לְקִישׁ בְּשֶׁעָה שֶׁעָשָׂה אֲבָרְהָם זְקִינָן רְצוּנִי
נִשְׁבַּעְתִּי לוֹ שְׂאִינִי זֶה טַל מִבְּנֵי לְעוֹלָם מֵה טַעַם לָךְ טַל יִלְדוּתְךָ. וְכִתִּיב בְּתַרְיָה
נִשְׁבַּע יי וְלֹא יִנְחַם. אָמַר רַבִּי יוֹדָה בֶּן פִּזִּי בְּדִיּוּתִיקִי נִתְּתִיו לְאַבְרָהָם בְּמִתְנָה
נִתְּתִיו לוֹ. וַיִּתֵּן לָךְ הָאֱלֹהִים מִטַּל הַשָּׁמַיִם. אָמַר רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי בְּשֶׁעָה

שִׁשְׂרָאֵל בָּאִין לִיּוֹדֵי עֲבִירָה וּמַעֲשִׂים רָעִים הַגִּשְׁמִים נֶעְצְרִין הוּ מְבִיאִין לְהוּ זָקוֹן
אֶחָד כְּגוֹן רַבִּי יוֹסִי הַגָּלִילִי וְהוּא מְפָגִיעַ בְּעַדָּם וְהַגִּשְׁמִים יוֹרְדִין אֲבָל הַטֶּל אֵינָה
יורֵד בְּזָכוֹת בְּרִינָה מַה טַעַם כָּטֹל מֵאֵת יי כְּרַבִּיבִים עָלַי עֲשֵׂב אֲשֶׁר לֹא יִקְנָה
לְאִישׁ וְלֹא יִיחַל לְבְנֵי אָדָם.

Rebbi Jacob from Kefar Hanan⁶⁹ in the name of Resh Laqish: When Abraham their forefather did My will, I swore to him that dew will never move away from his descendants forever; what is the reason? (*Ps.* 110:3) "You have the dew of your youth." And it is written after that (*Ps.* 110:4) "The Eternal swore and He will not change His intention." Rebbi Judah ben Pazi said, by a will⁷⁰ I gave it to Abraham, as a gift I gave it to him. (*Gen.* 27:28) "God may give you from the dew of heaven." Rebbi Samuel ben Nahmani said, when Israel sin and do evil the rains are arrested. They bring an old man like Rebbi Yose the Galilean, he prays for them and the rains come. But dew does not descend by the merit of any creature, what is the reason? (*Micah* 5:6) "Like dew from the Eternal, like light showers on grass, that do not listen to anybody nor wait for humans."

69 This paragraph explains the reason of those who say that Elijah's prediction that there would be no dew never came true. The homily belongs to the school of R. Simeon ben Laqish

(Resh Laqish). R. Jacob from Kefar Hanan was his student in homiletics.

70 Greek διαθήκη "will, permanent disposition."

רַבִּי זְעִירָא בְּשֵׁם רַבִּי חֲנִינָא הִזְה עוֹמֵד בְּגִשְׁם וְהַזְכִּיר שֶׁל טַל אֵין מְחִזְרִין
אוֹתוֹ. בְּטַל וְהַזְכִּיר שֶׁל גִּשְׁם מְחִזְרִין אוֹתוֹ. וְהִתְנִי בְּטַל וּבְרוּחוֹת לֹא חֵיבּוֹ
חֲכָמִים לְהַזְכִּיר וְאִם רָצָה לְהַזְכִּיר מְזַכֵּיר. לֹא דְמִי לְהַהוּא דְמִיִּקְל וְהַהוּא דְלֹא
מְצַלִּי וְלֹא מִיִּקְל. בְּגִשְׁם וְהַזְכִּיר שֶׁל טַל אֵין מְחִזְרִין אוֹתוֹ. וְהִתְנִי אִם לֹא
שָׂאל בְּבִרְכַת הַשָּׁנִים אוֹ שְׁלֹא הַזְכִּיר גְּבוּרוֹת גִּשְׁמִים בְּתַחֲיִית הַמַּתִּים מְחִזְרִין
אוֹתוֹ. בְּהַהוּא דְלֹא אֲדַכֵּר לֹא טַל וְלֹא מָטָר.

Rebbi Zeïra in the name of Rebbi Ḥanina: When someone stood [praying] in the rainy season and mentioned dew one does not make him repeat. In the season of dew and he mentioned rain one makes him repeat. But is it not stated⁷¹: The sages did not oblige one to mention dew and winds but if he wants to mention them, he may mention? One cannot compare one who takes it easy⁷² to one who does not pray and does not take it easy⁷³. "When he stood in the rainy season and mentioned dew one does not make him repeat." But is it not stated: If he did not ask for it in the benediction "for years", or he did not mention the power of rains in "resurrection of the dead", one makes him repeat? That is about one who mentioned neither dew nor rain.

71 The discussion follows the general pattern: If a statement contains statements A and then B, the discussion will discuss first B, then A. Hence, the first clause of the *baraita* will be repeated before the discussion turns to it. The statement of Rebbi Ḥanina and the discussion of its last part is quoted in Alfassi *Taanit* 1:1 where it is added to the tradition of the same Rebbi Ḥanina in the Babylonian Talmud (*Taanit* 3b): "In summertime, one who says 'He Who makes the wind blow' does not have to repeat; if he says 'He Who makes rain descend,' he has to repeat. In wintertime, one who omits 'He Who makes the wind blow' does not have to repeat; if he omits 'He Who makes rain descend,' he has to repeat." Alfassi gives no interpretation of the Yerushalmi he quotes but the early

Medieval authorities R. Zerahia Halevi, R. Abraham ben David, Nachmanides, and R. Nissim Gerondi all have different interpretations (mutually contradictory) and most of them also have different readings. Among manuscripts, the expression *דלא מצלי ולא* appears with or without one or both *לא*. The following interpretation follows Nachmanides closely. [Most commentaries agree with R. Nissim Gerondi in taking *מיקל* as a *Pa'el* form of a contracted form of *קלל* "to curse"; such a form *קיל* is nowhere attested, but *קיל* "to take, make easy" is frequent.]

72 And does not mention the dew which he needs, but mentions the rain out of season.

73 Who prays neither for dew, nor for rain, nor for winds, and therefore does not slight anything.

רבי זעורא בשם רבי חונא אם לא שאל בברכת השנים אומרה בשומע תפילה. ודכותה אם לא הזכיר גבורות גשמים בתחיית המתים אומרה בשומע תפילה. מה אם שאלה שהיא מדוחק אומרה בשומע תפילה. אזכרה שהיא מרינוח לא כל-שכן. והתני אם לא שאל בברכת השנים או שלא הזכיר גבורות גשמים בתחיית המתים מחזירין אותו. אמר רבי אבדימי אחוי דרבי יוסי בשלא אמר בשומע תפילה.

Rebbi Ze'ira in the name of Rebbi Huna: If he did not ask⁷⁴ in the benediction "for years" he says it in "He Who hears prayer". Similarly, if he did not mention the power of rains in "resurrection of the dead" he says it in "He Who hears prayer". If the request, made under duress, may be recited in "He Who hears prayer," the mention, made under easy circumstances, so much more! But is it not stated: If he did not ask in the benediction "for years" or that he did not mention the power of rains in "resurrection of the dead", one makes him repeat⁷⁵? Rebbi Eudaimon the brother of Rebbi Yose⁷⁶ said, if he did not say it in "He Who hears prayer"!

74 The request for rain is made only in the rainy season, "under duress" when rain is urgently needed. The mention of rain in the second benediction already starts "under easy circumstances" around the time of the fall equinox, some weeks before rain is needed. The benediction "He Who hears prayer" is the last of the middle benedictions, #15 on weekdays.

75 As a tannaïtic statement, this has precedence over the statement of

Rebbi Huna. How can R. Huna present his statement about power of rains? [The Babli, *Berakhot* 29a, has the statement formulated here in the name of Rav Assi from the Yeshivah of Rav in Babylonia; the Babli mentions neither the statement of Rebbi Huna nor the explanation of Rebbi Eudaimon.]

76 Brother of the Amora R. Yose of the fourth generation.

איכן הוא חוזר. כדמר רבי שמעון בר ווא בשם רבי יוחנן בראש חודש אם עקר את רגליו חוזר לראש ואם לאו חוזר לעבודה. אף הקא אם עקר את רגליו חוזר לכתחילה.

Where does he return to⁷⁷? Just as Rabbi Simeon bar Abba said in the name of Rabbi Yohanan: On the day of the New Moon⁷⁸, if he had moved his feet⁷⁹ he repeats from the start, otherwise from "Temple service". Here also, if he had moved his feet he repeats from the start⁸⁰.

77 If he forgot either prayer for or mention of rain, and realizes his omission at the end of the *Amidah*.

78 When the day has to be mentioned in "Temple service", the first of the last three benedictions; cf. Chapter 3, Halakhah 1.

79 During *Amidah* it is forbidden to move one's feet since the angels do not move their feet. Hence, moving after prayer is the outward sign that prayer is finished.

80 Otherwise, he returns to "He Who hears prayer."

בנינוה צרכון מיעבד תענית בתר פסחא. אתון שייילון לרבי אמר לון רבי לכו נעשו ובלבד שלא תשנו מטביעה של תפילה. איכן הוא אומר. רבי ירמיה סבר מימר אומרה בשומע תפילה. אמר ליה רבי יוסי לא כן אמר רבי זעירא בשם רב חונא אם לא שאל בברכת השנים או שלא הזכיר גבורות גשמים בתחיית המתים מחזירין אותו בשומע תפילה. ומר לון רבי לכו נעשו ובלבד שלא תשנו מטביעה של תפילה. על דעתיה דרבי יוסי איכן הוא אומר. בשש שהוא מוסיף. עד כדון ציבור שיש לו שש. יחיד שאין לו שש מניין אמר רבי חנינא לא כן אמר רבי זעירא בשם רב חונא יחיד שואל צרכיו בשומע תפילה ואילו צרכיו הן.

At Nineveh⁸¹ they needed to make a fast-day after Passover⁸². They came to ask Rabbi. He told them, go ahead and make one but do not change the form of prayer⁸³. Where may he say it? Rabbi Jeremiah thought to say that he says it in "He Who hears prayer." Rabbi Yose said to him: Did not Rabbi Zeira say in the name of Rabbi Huna: If he did not

ask in the benediction "for years", or that he failed to mention the power of rains in "resurrection of the dead", one makes him repeat at "He Who hears prayer"^{84?} But Rebbi said to them, go ahead and make one but do not change the form of prayer! According to the opinion of Rebbi Yose, where does one say it? In the six that he adds⁸⁵. That works for the public which has six. A private person who does not have six, where? Rebbi Ḥanina said, did not Rebbi Zeïra say in the name of Rav Ḥuna⁸⁶, a private person asks for his personal needs in "He Who hears prayer," and these are his needs.

81 This is not Biblical Niniveh but Naveh in the center of the Bashan plateau, see *Demay* 2:1. (Eusebius mentions that the Jews call it Nineveh.) On the Golan plain, one needs spring rains if the winter was relatively dry.

82 This again is a text from *Taānīot* 1:1; the question and the answer, without the discussion, are mentioned succinctly in Babli *Taānit* 14b.

83 Do not mention the power of rain in "Resurrection" nor a prayer for rain in "years." On the other hand, if one already fasts for rain one must pray for rain in one's *Amidah*.

84 In the parallel in *Taānīot* the text is easier to understand; there it says "he says" instead of "one makes him repeat"; meaning that a prayer for rain at "He Who hears prayer" belongs to the regular form of prayer in winter and, therefore, by Rebbi's statement is excluded from summer prayer.

85 Six additional benedictions that the reader inserts in the public prayer of fast days for rain, as explained in the second chapter of Mishnah *Taānit*. Rebbi Yose must imply that even a local fast for rain is a public fast.

86 In Halakhah 4:4.

וְהַבְדִּילָהּ בְּחֻנֵּן הַדָּעַת. שְׁמַעוֹן בֵּר וְנָה בְּעַא קוֹמִי רַבִּי יוֹחֲנָן דָּבַר שֶׁהוּא נוֹהַג וְבָא חֲכָמִים חוֹלְקִין עָלָיו. אָמַר לוֹ עַל יְדֵי שְׁעִיקָרָה בְּכּוֹס שְׁכַחוּהָ בְּתַפִּילָהּ. מִלְתִּיהָ אָמְרָה שְׁעִיקָרָה בְּכּוֹס. רַבִּי יַעֲקֹב בֵּר אִידִי בְּשֵׁם רַבִּי יִצְחָק רוּבֵּא אָמְרָה בְּכּוֹס אָמְרָה בְּתַפִּילָהּ בְּשָׁבִיל לְזָכוֹת אֶת הַתִּינוּקוֹת. מִלְתִּיהָ אָמְרָה שְׁעִיקָרָה בְּתַפִּילָהּ. רַבִּי זְעוּרָא רַב יְהוּדָה בְּשֵׁם שְׁמוּאֵל אָמְרָה בְּכּוֹס אָמְרָה בְּתַפִּילָהּ אָמְרָה בְּתַפִּילָהּ אָמְרָה בְּכּוֹס. מִלְתִּיהָ אָמְרָה שְׁעִיקָרָה כֵּאן וְכֵאן.

"And *Havdalah* in 'He Who by His grace grants knowledge'"⁸⁷. Simeon bar Abba asked before Rabbi Yoḥanan: Something that one does all the time, and the Sages differ about it? He said to him: Since its main place is over a cup they forgot it in prayer⁸⁸. His statement means that its main place is over a cup⁸⁹. Rabbi Jacob bar Idi in the name of the old Rabbi Isaac⁹⁰: If he said it over a cup he must repeat it in prayer; it was⁹¹ in order to let children participate. His statement means that its main place is in prayer⁹². Rabbi Ze'ira, Rav Yehudah in the name of Samuel: If he said it over a cup he must repeat it in prayer, if he said it in prayer he must repeat it over a cup. His statement means that its main place is here as well as there⁹³.

87 Quote from the Mishnah to indicate the text to be discussed now.

88 The discussion is quoted more in detail in Babli 33a: "Rabbi Simeon bar Abba asked Rabbi Yoḥanan: Since the Men of the Great Assembly instituted the forms of benedictions, prayers, *Qiddush* and *Havdalah*, why does one not check and see what they instituted? He answered him: Originally, they instituted *Havdalah* in prayer. When they got rich, they instituted it over a cup of wine. When they became poor again, they went back and instituted it back in prayer." This implies that the differences of opinion expressed in the Mishnah refer to the second institution of prayer and that the order of the first institution therefore is irrelevant. In the Yerushalmi, the question is, how

can there arise a difference of usage in something that every Jew has been doing every week since the times of the Great Assembly? The answer also here is that there was a time where only *Havdalah* over a cup of wine was practiced.

89 Since *Havdalah* over a cup was not disestablished, the mention in prayer is additional.

90 His full name was Rabbi Isaac bar Eudaimon, a Tanna of the first generation, a member of Rabbi's Academy. He is called "old" to distinguish him from Rav Isaac bar Eudaimon, a Babylonian Amora of the third generation.

91 *Havdalah* was said over the cup only to teach children.

92 In the Babli (33a), this is a

statement of the Babylonian Rav Nahman bar Isaac.

93 In contrast to Rebbi Yohanan, Samuel insists that the later institution did not replace the benediction over a cup of wine by a benediction inserted

in prayer, but that prayer is additional to the benediction over a cup of wine.

In the Babli (33b) this is the final statement of the later Amora Rava. In the Yerushalmi also, the last statement has to be taken as the final one.

רבי אֶלְעִזֶּזֶר אוֹמֵר בְּהוֹדִינָהּ. רבי יוחנן בשם רבי מטין כְּרַבִּי אֶלְעִזֶּזֶר בְּיוֹם טוב שְׁחַל לְהִיּוֹת בְּמוֹצָאֵי שַׁבַּת מִיַּד. רבי יצחק רְבָה בְּשֵׁם רבי הֶלְכָה כְּרַבִּי אֶלְעִזֶּזֶר בְּיוֹם טוב שְׁחַל לְהִיּוֹת בְּמוֹצָאֵי שַׁבַּת. רבי יצחק בְּרַ נְחֻמָּן בְּשֵׁם רבי חֲנִינָא בְּן גַּמְלִיאֵל הֶלְכָה כְּרַבִּי אֶלְעִזֶּזֶר לְעוֹלָם. רבי אֶבְהוֹ בְּשֵׁם רבי אֶלְעִזֶּזֶר הֶלְכָה כְּרַבִּי אֶלְעִזֶּזֶר לְעוֹלָם. אָמַר רבי יַעֲקֹב בְּרַ אֶחָא לֹא בְּגִין דְּאֵתוֹן תְּרַתֵּי שְׁמוּעִין אֶלָּא בְּגִין דְּרַבִּי יַצְחָק בְּרַ נְחֻמָּן וְרַבִּי אֶלְעִזֶּזֶר תְּרוּוּיְהוֹן בְּשֵׁם רבי חֲנִינָא בְּן גַּמְלִיאֵל הֶלְכָה כְּרַבִּי אֶלְעִזֶּזֶר לְעוֹלָם.

"Rebbi Eliezer says, in 'thanksgiving'". Rebbi Yohanan in the name of Rebbi: One is inclined toward Rebbi Eliezer's opinion on a holiday that falls immediately after the Sabbath⁹⁴. The old Rebbi Isaac in the name of Rebbi: Practice follows Rebbi Eliezer on a holiday that falls after the Sabbath. Rebbi Isaac bar Nahman in the name of Rebbi Hanina ben Gamliel⁹⁵: Practice follows Rebbi Eliezer at all times. Rebbi Abbahu in the name of Rebbi Eleazar: Practice follows Rebbi Eliezer at all times. Rebbi Jacob bar Aha, not because there are two traditions, but because Rebbi Isaac bar Nahman and Rebbi Eleazar both say in the name of Rebbi Hanina ben Gamliel: Practice follows Rebbi Eliezer at all times.

94 Privately, one prefers to act in the sense of Rebbi Eliezer but one does not declare it publicly. The first two statements of this paragraph are quoted in the Babli (33b) as Israeli practice,

whereas in Babylonia one follows Rav and Samuel in an insertion in the middle benediction of the *Amidah* for the holiday. The last two statements are quoted in Babli *Niddah* 8a.

95 The oldest son of Rabban Gamliel I of Jabneh, brother of Rabban Simeon ben Gamliel. It seems that he died before the Patriarchate was reestablished after a long interruption in the aftermath of the war of Bar Kokhba.

וְאֶבְדְּלָהּ בְּחוּגֵי הַדְּעָת דְּבְרֵי⁹⁶ חֲכָמִים רַבִּי עֲקִיבָה אוֹמֵר אוֹמְרָה בְּרָכָה רְבִיעִית בְּעֶצְמָהּ. רַבִּי יַעֲקֹב בַּר אֲחָא בְּשֵׁם שְׁמוּאֵל אוֹמֵר בְּרָכָה רְבִיעִית. אָמַר רַבִּי יוֹדָן אוֹמֵר מִטְּבַע בְּרָכָה וְאַחַר כֵּן מִבְּדִיל. וְתִיָּא כְּרַבִּי דְרַבִּי אָמַר תַּמְהַנִּי הִיאֲדָ בְּטָלוּ חוּגֵי הַדְּעָת בְּשַׁבָּת אִם אֵין דְּעָה תְּפִילָה מְנִיין. וְכֹה אִם אֵין דְּעָה הַבְּדֻלָּה מְנִיין. אָמַר רַבִּי יִצְחָק בַּר אֶלְעָזָר מִבְּדִיל וְאַחַר כֵּן אוֹמֵר מִטְּבַע בְּרָכָה.

"And *Havdalah* in "He Who in His grace grants knowledge", the words of the Sages. Rabbi Aqibah said: one says it as separate fourth benediction⁹⁷" Rabbi Jacob bar Aḥa in the name of Samuel: He says it as fourth benediction. Rabbi Yudan says, the text of the benediction⁹⁸ and after that he says *Havdalah*. His version agrees with Rabbi⁹⁹, since Rabbi said: I wonder why they eliminated "He Who in His grace grants knowledge" on Sabbath; if there is no knowledge, where is prayer? And here, if there is no knowledge, where is *Havdalah*? Rabbi Isaac ben Eleazar said, he says *Havdalah* and afterwards adds the text of the benediction.

96 Text of the Rome ms., in place of *דְּרַבִּי* in the Venice print.

97 Almost a quote from the Mishnah, to introduce discussion on the way *Havdalah* has to be recited according to Rabbi Aqiba, even though his way of doing it is not accepted as practice. Hence, the discussion in this paragraph is purely theoretical.

98 The text of the regular fourth

benediction, "He Who in His grace grants knowledge". This is the meaning of the phrase also in the statement of Rabbi Isaac bar Eleazar.

99 His opinion parallels that of Rabbi. [A slightly different version is in Babli 33a in the name of Rav Joseph: "Since *Havdalah* presupposes knowledge, it was incorporated in the benediction for knowledge."]

רבי אלעזר בן רבי הושעיא ובלבד שלא יפחות משלש אבדלות. אמר רבי יוחנן אמרו הפוחת לא יפחות משלש והמוסיף לא יוסיף יותר משבעה אבדלות. לוי אמר ובלבד מאבדלות האמורות בתורה. נחום בירבי סימאי נפק ומר בשם אבוי ואפילו אבדלה אחת. ואמר רבי אבהו וצריך לחתום בהבדלה. רבי מנא בעי מעתה אפילו פתח במבדיל בין קודש לחול וחוזר וחותם במבדיל בין קודש לחול. אמר רבי יוסי בי רבי בון ולא מברכות שפותחין בהן בברוך וחותמין בברוך הן.

Rebbi Eleazar ben Rebbi Hoshaiah¹⁰⁰: Only one should not mention less than three separations. Rebbi Yohanan said, they said that he who says little should not say less than three and he who adds should not add more than seven separations. Levi said, but only separations mentioned in the Torah¹⁰¹. Nahum¹⁰² ben Rebbi Simai went out and said in his father's name: even one separation. But Rebbi Abbahu said, one must seal with "separation". Rebbi Mana objected, even if he started by "He Who separates between holy and worldly" and ends, seals by "He Who separates between holy and worldly"¹⁰³? Rebbi Yose ben Rebbi Abun said, is it not from the benedictions that one starts with "praised" and ends with "praised"¹⁰⁴?

100 Son of Rebbi Hoshaiah (see Chap. 2, Note 169). The statement is in the Babli (*Pesahim* 103b-104a) in the name of Rebbi Oshaya (Babylonian form of Hoshaiah). The entire paragraph has the appearance of being written by a person unable to pronounce an "h".

101 For example, He Who separates between holy and private (*Lev.* 10:10), between light and darkness (*Gen.* 1:4),

between Israel and the Gentiles (*Lev.* 20:26). There are no more than seven separations mentioned in the Torah. [The other four are between upper and lower waters, between day and night, between pure and impure, between Levites and other Israelites.]

102 Also called Menaḥem ben R. Simai, an Amora of the first generation who was renowned for his holiness.

103 Would Rebbi Abbahu agree

with R. Naḥum ben R. Simai that a benediction would be: "Praise to You, o Eternal, our God, King of the universe, Who separates between holy and wordly. Praise to You, Eternal, Who separates between holy and wordly"? That text looks too silly to be acceptable.

104 As stated in Halakhah 1:4. However, Rabbi Abbahu is more specific and requires the final bene-

diction to contain the word המכדיל. In the Babli (*Pesahim* 104a) there is a discussion whether the separation referred to in the concluding benediction is the first or the last one of the list. In any case, it is clear that R. Abbahu cannot agree with R. Naḥum bar Simai to produce the meaningless formula of R. Mana. Hence, the opinion of R. Naḥum must be rejected.

רבי אלעזר בן אנטיוגוס בשם רבי אלעזר בירבי ינאי זאת אומרת שְאָסור
לַעֲשׂוֹת מְלָאכָה עַד שְׁיַבְדִּיל. (fol. 9c) כְּמָה דְאָמַר אָמַר אָסור לַעֲשׂוֹת מְלָאכָה
עַד שְׁיַבְדִּיל. וְדַכּוֹתָהּ אָסור לֹא לְאָדָם לְתַבּוֹעַ צְרָכָיו עַד שְׁיַבְדִּיל.

Rebbi Eleazar ben Antigonos in the name of Rebbi Eleazar ben Rebbi Yannai¹⁰⁵: That means¹⁰⁶ that one is forbidden from doing any work before one recites *Havdalah*. As he said, he said that one is forbidden from doing any work before one recites *Havdalah*, and similarly one is forbidden to pray for one's needs before one recites *Havdalah*.

105 Tanna of the last generation; his only known student is R. Eleazar ben Antigonos. In the Babli (*Sabbath* 150b), the statement is in the name of Rebbi Eliezer ben Jacob, one of the last students of Rebbi Aqiba and a major authority. In the Babli, the statement is relativized to mean that one does not even have to pray but just to recite "Praise to Him Who separates between holy and wordly" to be able to do any work. There is no such relativization

in the Yerushalmi; however, it is implied by the next paragraph.

106 Refers to the majority opinion in the Mishnah, that *Havdalah* has to be inserted in the first weekday benediction of the *Amidah*. Hence, it is the first thing that one has to do. The argument in this paragraph takes this up: Since it was ordained that *Havdalah* precedes the weekday prayer with its supplications for wordly needs, it also must precede worldly

deeds. [The first weekday benediction also contains a supplication but, as Rabbi is quoted in an earlier para-

graph, a prayer for knowledge is acceptable also for the Sabbath.]

רבי זעירא רבי אלעזר בן אנטיוגנוס בשם רבי אלעזר¹⁰⁷ בירבי ינאי בשם רבי יודה בריבי אם לא הבדיל במוצאי שבת מבדיל אפילו בחמישי בשבת. הָדָא דָאָתָא אָמַר בְּמַבְדִּיל בֵּין קוֹדֶשׁ לְחוֹל. אָבַל בּוֹרָא מְאוּרֵי הָאֵשׁ אוֹמְרָה מִיָּד.

Rebbi Zeïra, Rebbi Eleazar ben Antigonos in the name of Rebbi Eleazar ben Rebbi Yannai in the name of the important Rebbi Yehudah¹⁰⁸: If he did not recite *Havdalah* at the end of Sabbath, he recites even on Thursday. That is restricted to *Havdalah* proper, but "illuminating fire" he may say only immediately¹⁰⁹.

107 Reading of the Rome manuscript; "Rebbi Eleazar ben" is missing from the Venice text but R. Yannai is later than R. Eleazar ben R. Antigonos.

108 He is Rebbi Yehudah bar Illai. In the Babli (*Pesahim* 106a), R. Zeïra is quoted as permitting the recitation of *Havdalah* only until Wednesday afternoon.

109 At nightfall one is permitted to light a new fire. The benediction has

been formulated because at the end of the first Sabbath of Creation, Adam invented artificial fire as the first engineering feat of newly created man (Yerushalmi *Berakhot* 12b (8:6), Babli *Pesahim* 54a). Hence, it makes no sense to recite the benediction at any other time. The rule proclaimed here is attributed in the Babli (*Pesahim* 54a) to R. Jacob ben Idi.

רבי זעורא בשם רב יהודה רבי אבא בשם אבא בר ירמיה אפילו יום טוב שחל להיות באמצע שבת אומר בין יום השביעי לששת ימי המעשה. אָמַר רבי זעורא לרב יהודה וכי ששת ימי מעשה לפניו. אָמַר ליה וכי יש טומאה וְטָהָרָה לְפָנָיו.

Rebbi Zeïra in the name of Rav Yehudah, Rebbi Abba in the name of Abba bar Jeremiah: Even if a holiday falls in the middle of the week one

recites "He Who separates between Sabbath and the six workdays¹¹⁰"
 Rabbi Zeïra said to Rav Yehudah: Has one six workdays before him? He
 said to him: Has one impurity and purity before him¹¹¹?

110 This is the last "separation" in *Havdalah* before the final doxology. That "separation" is not in the Torah and not in the list of 3 - 7 separations, but necessitated by the circumstances. The statement really means that the text of *Havdalah* for holidays is

identical with that for the Sabbath. In the Babli (*Hulin* 26b) the statement is attributed to R. Zeïra only, without discussion.

111 This is one of the seven "separations" mentioned in the Torah but today purity is impossible for us.

רבי ירמיה רבי זעירא בשם רב חינא בר אשי צריך לומר החל עלינו את
 הזמנים ששת ימי המעשה הבאים לקראתינו לשלום. רבי אבא מוסיף
 והשמיענו בהן ששון ושמחה. רבי חזקיה בשם רבי ירמיה הביננו ולמדינו.
 רבי חזקיה בשם רבי ירמיה העונין אמן צריכין ליתן עיניהן בכוס ועיניהן
 בנר. רבי חזקיה בשם רבי ירמיה ארבעת מינין שבלולב ניטלין דרך גידוליהן.

Rebbi Jeremiah, Rebbi Zeïra in the name of Rav Hiyya bar Ashi: One must say, "start the days, the six coming workdays¹¹², for peace." Rebbi Abba adds: "And let us hear in them rejoicing and joy." Rebbi Hizqiah in the name of Rebbi Jeremiah: "Let us understand and teach us." Rebbi Hizqiah in the name of Rebbi Jeremiah: Those who answer Amen¹¹³ have to look at the cup and the candle. Rebbi Hizqiah in the name of Rebbi Jeremiah¹¹⁴: The four kinds of the *lulav* must be taken in the direction of their growth.

112 "The six coming workdays" is missing in the Rome ms. and might be superfluous. It is not in the received Ashkenazic prayer texts of *Havdalah*. Sephardic and Oriental rites do not

have the phrase.

113 Since they want to discharge their own obligation by listening to another person making *Havdalah* over a cup, they must see what he is doing.

114 In order to complete the list of traditions of Rabbi Hizqiah in the name of Rabbi Jeremiah regarding holidays, this extraneous tradition is included. In the parallel in Babli *Sukkah* 35b, it is stated that no obligation connected with things that grow can be executed

other than using them in the way they grew (bottom down, head up). [In the Babli, "Hizqiah" should be "Rebbi Hizqiah" since "Hizqiah" without title refers to the son of Rabbi Hiyya, older than Rabbi Zeira.]

משנה ג: האומר על קן צפור גייעו רחמיך ועל טוב יזכר שמך מודים מודים משתקין אותו. העובר לפני התיבה וטעה יעבור אחר תחתינו ולא יהא סרבן באותה שעה. ומאין הוא מתחיל מתחילת ברכה שטעה זה.

Mishnah 3: One silences someone¹¹⁵ who says "Your mercy will reach over a bird's nest,¹¹⁶" "Your name shall be remembered on good things," "we thank, we thank."¹¹⁷ ¹¹⁸If the one standing before the arc¹¹⁹ makes a mistake, another person should replace him and he should not refuse at that moment¹²⁰. Where does he start? From the start of the benediction where the other person made the mistake.

115 The reader in public prayer.

116 Probably in the benediction "He Who hears prayer" where one prays for Divine mercy. The reference is to *Deut. 22:6-8*.

117 In the benediction "Thanksgiving."

118 In the separate Mishnah, this is the start of Mishnah 4. Hence, in the Gemara text, the next Mishnah will be #5.

119 The "emissary of the congre-

gation", שליח צבור, in English texts usually called "the reader" but who in Talmudic times was not a reader but leader of the congregation in prayers recited by heart or prayers of his own composition. If he stumbled, there was no way to correct him from a written text and one had to try another person.

120 Usually, if a nonprofessional is asked to perform as "emissary of the congregation", he is supposed to point out his unworthiness and accede to the

summons only at the third call. In an emergency, if he knows that he can do the job, he has to agree immediately.

הלכה ג: רבי פינחס¹²¹ בשם רבי סימון כקורא תיגר על מדותיו של הקדוש ברוך הוא. על קן צפור הגיעו רחמיה ועל אותו האיש לא הגיעו רחמיה. רבי יוסי בשם רבי סימון כנותן קצבא למדותיו של הקדוש ברוך הוא. עד קן צפור הגיעו רחמיה. את תנני תני על. ואית תנני תני עד. מאן דמר על מסייע לרבי פינחס. ומאן דמר עד מסייע לרבי יוסי. אמר רבי יוסי בי רבי בון לא אבדין טבות שעושין למדותיו של הקדוש ברוך הוא רחמים. ואילין דמתרגמין עמי בני ישראל כמה דאנא רחמן בשמים כד תהוון רחמנין בארעא. תורתא או רחילה תה ונת ברה לא תיכסון תרניהון ביומא חד לא אבדין טבאות שהן עושין מדותיו של הקדוש ברוך הוא רחמים.

Halakhah 3: Rabbi Phineas in the name of Rabbi Simeon: He is like one who quarrels with the measures of the Holy One, praise to Him: Your mercies reached¹²² over a bird's nest but did not reach this man¹²³! Rabbi Yose in the name of Rabbi Simeon: He is like one who makes finite the measures of the Holy One, praise to Him: Your mercies reach down to the bird's nest¹²⁴. Some Tanna'im formulate "over", some Tanna'im formulate "to". He who says "over" supports Rabbi Phineas, he who says "to" supports Rabbi Yose. Rabbi Yose bar Abun said¹²⁵: They do not act well who declare the measures of the Holy One, praise to Him, to be mercy. And those¹²⁶ who translate (*Lev. 22:21*) "My people Israel, just as I am merciful in Heaven so you should be merciful on earth. A cow or a mother sheep, it and its young you should not slaughter together on one day," they do not act well because they declare the measures of the Holy One, praise to Him, to be mercy.

121 This is the reading in the Rome manuscript and the Genizah fragments.

The Venice print has "Rebbi Isaac" which is impossible because Rebbi

Isaac is older than Rebbi Simon and because later the Talmud text refers to Rebbi Phineas.

122 All Mishnah manuscripts, all Yerushalmi sources of the Mishnah, and all Babli sources (*Berakhot* 33b, *Megillah* 25a) have יגיעו but all texts in the discussion have הגיעו.

123 "This man" in Talmudic speech means "me". (The same usage is found

in Greek (ὄδῃ) and Latin (*hic*), (E. G.))

124 His mercies reach down to a bird's nest but not to insects and worms.

125 In Babli sources (*Berakhot* 33b, *Megillah* 25a), the statement is attributed either to R. Yose bar Abun or to R. Yose bar Zabida.

126 Targum Yerushalmi (Pseudo-Jonathan) to *Lev.* 22:28, with minor changes.

מוֹדִים מוֹדִים מְשַׁתְּקִין אוֹתוֹ. אָמַר רַבִּי שְׁמוּאֵל בֶּר רַב יִצְחָק כִּי יִסְכַּר פִּי דוֹבְרֵי שְׁקָר. הִדָּא דְאָמַר בְּצִיבוּר. אָבַל בְּיַחֲדִיד תַּחֲנוּנִים הֵן.

"One silences one who says 'we thank, we thank.'¹²⁷" Rebbi Samuel bar Rav Isaac said (*Ps.* 63:12): "For the mouth of those who speak lies will be dammed up.¹²⁸" That is, in public. But in private it is supplication.

127 Quote from the Mishnah, to be discussed.

128 This verse explains that it is an obligation to "dam up, wall in" the mouths of those who speak lies. Its is not explained what the lies are of those who repeat "we thank." In the Babli (*loc. cit.*) it is explained that the one who says so, like the one who wants to

mention God's name only on good things, gives the impression that there are two independent forces, God for the good and Satan-Ahriman for the bad. The Babli objects to the opinion expressed here that any repetition of sections of prayer texts is permitted in private for emphasis.

הַלְכָה ד': הַעוֹבֵר לְפָנֵי הַתִּיבָה וְטָעָה. רַבִּי יוֹסִי בֶן חֲנִינָא בְּשֵׁם רַבִּי חֲנַנְיָה בֶן גַּמְלִיאֵל טָעָה בְּשֵׁלֶשׁ בְּרָכוֹת הָרְאוּשׁוֹנוֹת חוּזָר בְּתַחֲלִילָה. אָדָּא בֶר בַּר חֲנָה גְּנִיבָה בְּשֵׁם רַב טָעָה בְּשֵׁלֶשׁ בְּרָכוֹת הָאֲחֵרוֹנוֹת חוּזָר לְעִבּוּדָה. רַבִּי חֲלָבוּ רַב חוּנָה

בְּשֵׁם רַב טָעָה בְּשֵׁלֶשׁ בְּרָכוֹת הָרִאשׁוֹנוֹת חֹזֵר בְּתַחֲלִילָהּ. בְּשֵׁלֶשׁ בְּרָכוֹת הָאַחֲרוֹנוֹת חֹזֵר לְעַבְדָּתָהּ. טָעָה וְאִינוּ יוֹדֵעַ אֵיכֵן טָעָה חֹזֵר לְמָקוֹם הַבְּרוּר לוֹ.

Halakhah 4: "If the one standing before the arc makes a mistake.¹²⁹"

Rebbi Yose ben Ḥanina in the name of Rebbi Ḥananiah¹³⁰ ben Gamliel: If one erred in one of the first three benedictions, he starts anew¹³¹. Ada bar bar Ḥana¹³², Ganiva in the name of Rav: If one erred in one of the last three benedictions, he returns to "Temple Service." Rebbi Ḥelbo, Rav Huna in the name of Rav¹³³: If one erred in one of the first three benedictions, he starts anew; in one of the last three benedictions, he returns to "Temple Service"; if he erred and he cannot remember where he erred he returns to the place that is clear to him.

129 Quote from the Mishnah. However, the following statements apply mainly to one who errs in his private prayer.

130 A/k/a R. Ḥanina ben Gamliel.

131 Even though the Mishnah states that one returns to the start of the incorrect benediction, this does not apply to the first and last three benedictions, which are an obligatory part of any *Amidah*. Each one of these groups has the status of a single benediction in this respect.

132 There exists no Babylonian Amora of that name. The name is

similarly corrupt in the Rome manuscript and the Genizah fragments. It must be either Abba bar bar Ḥana, cousin of Rav, or his father Abba bar Ḥana.

133 There is no discrepancy between this statement and the prior ones, except that Rebbi Ḥelbo insists that the entire statement is Rav's and that he adds the prescription how to behave if the error is committed in the middle benedictions. The last rule is parallel to the one given for errors in the recitation of *Shema'* in Halakhah 2:4.

רַבִּי אָחָא וְרַבִּי יוֹדָה בֶּן פִּזִּי יִתְבִּין בְּחַד כְּנִישְׁתָּא אֲתֵי עֲבַר חַד קוּמֵי תִּיבּוֹתָא וְאֶשְׁגֵר חַד בְּרָכָה. אֲתוֹן וְשִׁיְלוֹן לְרַבִּי סִימוֹן. אָמַר לוֹן רַבִּי סִימוֹן בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי שְׁלִיחַ צִיבוּר שְׁהַשְׁגִּיר שְׁתֵּים שְׁלֹשׁ בְּרָכוֹת אִין מַחְזִירִין אוֹתוֹ.

אֶשְׁכַּח תְּנִי וּפְלִיג. לְכָל אֵין מִחֲזִירִין אוֹתוֹ חוּץ מִמִּי שֶׁלֹּא אָמַר מִתְּחִיל הַמִּתִּים
וּמִכְנִיעַ זָדִים וּבֹנֵה יְרוּשָׁלַיִם. אֲנִי אוֹמֵר מִין הוּא. שְׁמוּאֵל הַקָּטָן עֶבֶר קוֹמֵי
תִּיבוֹתָא וְאַשְׁגַר מִכְנִיעַ זָדִים בְּסוּפָה שְׂרֵי מִשְׁקִיף עֲלֵיהוֹן. אֲמַרִין לֵיה לֹא
שִׁיעֲרוּ חֲכָמִים בְּךָ.

Rebbi Aḥa and Rebbi Judah ben Pazy were sitting in a synagogue. One came and stood before the ark and forgot one benediction. They went and asked Rebbi Simon. Rebbi Simon said to them in the name of Rebbi Joshua ben Levi: One does not remove an emissary of the congregation who forgot two or three benedictions¹³⁴. They found a formulation that made a difference: One does not remove him for anything except if he did not say "He Who revives the dead", "He Who subdues evildoers", "He Who builds Jerusalem;" I say that he is a sectarian¹³⁵. Samuel Minor¹³⁶ stood before the ark and forgot "He Who subdues evildoers." At the end he started looking at them¹³⁷. They said to him, the Sages did not take you as a yardstick.

134 But an individual has to repeat following the standards of the Mishnah.

135 If he does not believe in resurrection of the body, he is a Sadducee. If he refrains from uttering the deprecation against Christians or expressing the hope that Jerusalem will be rebuilt before a Second Coming, he is a Christian.

136 A Tanna of the second generation. He was the person who formulated the prayer against Christians in the first place (Babli 28b-29a), but after that he forgot what he himself had formulated. He is called

"minor" because his stature was not as great as that of the prophet Samuel, but greater than everybody else in his generation.

137 When at the end he realized that he had forgotten the benediction and also remembered that with the introduction of his formulation came the order to remove any "emissary of the congregation" who omitted that benediction, he started wondering about the reaction of his audience which according to the Babli was the Synhedrion at Jabneh. The Babli goes into a lengthy discussion why they did

not remove him under suspicion of a belated sympathy with Christians. One answers that he started the benediction and only got lost in the middle; one removes only an emissary who leaves it out altogether. This is clearly in contradiction to the version of the Yerushalmi.

In Israel, the holy ark was movable and for prayer it was transported in front of the congregation; the emissary

of the congregation then stood in front of the ark. Therefore, removal of the reader is denoted in the Yerushalmi by מחזירין "one returns him (to his seat in the synagogue)". In Babylonia, the ark was built-in and the place of the reader was lower than the floor of the synagogue; hence removal of the reader in the Babli is expressed by מעלין "one moves him up (from the low place of the reader)".

רבי יעקב בר אבא רבי שמעון בר אבא בשם רבי אלעזר ספק הזכיר של ראש חודש ספק לא הזכיר מחזירין אותו. לאיכן הוא חוזר. שמעון בר ווא בשם רבי יוחנן אם עקר את רגליו חוזר לכתחילה. ואם לאו חוזר לעבודה. אמר רבי יודה בן פזי הסייע דעת כמי שעקר את רגליו. ואילין תחנוניא צריכה.

Rebbi Jacob bar Aha, Rebbi Simeon bar Abba in the name of Rebbi Eleazar: If one is in doubt whether he mentioned the New Moon or not, one makes him repeat. Where does he return to? Simeon bar Abba in the name of Rebbi Yohanan, if he had moved his feet, he repeats from the start, otherwise from "Temple Service."¹³⁸ Rebbi Judah ben Pazi said, if he let his thoughts wander that is as if he had moved his feet¹³⁹. The private supplications¹⁴⁰ are a problem.

138 All this has been explained earlier in this chapter, Halakhah 2, Notes 79-80.

139 If the person praying did not move his feet but started thinking of other things, it is as if he had moved his feet.

140 Private prayers said after the

conclusion of the official 18 benedictions of the *Amidah*, as exemplified in the texts presented in Halakhah 4:2. They are certainly part of prayer and recited while standing still, but not part of official prayers. Hence, their status in respect to repetition is unclear.

רבי אבא בריה דרבי חינא בר אבא בשם רבי יוחנן הנה קורא בתורה
ונשתתק זה שהוא עומד תחתיו יתחיל ממקום שהתחיל הראשון. אם אמר
את ממקום שפסק הראשונים נתברכו לפניו ולא נתברכו לאחריו.
והאחרונים נתברכו לאחריו ולא נתברכו לפניו וכתוב תורת יי תמימה
משיבת נפש. שתהא כולה תמימה.

Rebbi Abba the son of Rebbi Ḥiyya bar Abba in the name of Rebbi
Yohanan¹⁴¹: If one became paralyzed while reading in the Torah¹⁴², the
one who steps in for him should start from the place the first one started.
For if you say from the place he stopped, the first verses would have been
blessed before them but not after them, the last ones after them but not
before them, but it is written (*Ps.* 19:8): "The Torah of the Eternal is
perfect, restores the soul", that it should be totally perfect.

141 Torah reading is discussed in tractate *Megillah*. The main place of this paragraph is in *Megillah* Halakhah 4:5.

142 In public, where every section read in public needs a benediction before and one after the reading. [Ezra

Fleischer has recently published Genizah texts which might imply that private Bible readings also need benedictions before and after the reading: קטעים מקובצי חפילה ארץ-ישראליים [מן הגניזה, קובץ על יד יג (כג) תשנ"ו]

תני לא יהו שנים קורין בתורה ואחד מתרגם. אמר רבי זעירא מפני הברכה.
והתני לא יהו שנים מתרגמין ואחד קורא אית לך מימר מפני הברכה אלא
משום שאין שני קולות נכנסין לתוך אוזן אחת.

It has been stated¹⁴³: Two should not read the Torah¹⁴⁴ and one translate¹⁴⁵. Rebbi Zeira said, because of the benedictions¹⁴⁶. But has it not been stated: Two should not translate and one read; could you say that is because of the benedictions? But it is because two voices do not enter into one ear.

143 Tosephta *Megillah* 3:20. The parallel to this discussion is found in Yerushalmi *Megillah* 4:1. The Babli (*Rosh Hashanah* 27a) quotes only the result of the present discussion.

144 Simultaneously, in public.

145 It was the usage, as it is still today in some Yemenite congregations, that someone read one verse in the

Torah and then another person, the *meturgeman*, translated the verse into Aramaic (Onkelos for Eastern, Yerushalmi for Western congregations). In Greek speaking congregations, the Greek text (Septuagint, later Aquila, Symmachos, or Theodotion) was used.

146 On one text, only one set of benedictions is admissible.

תני שנים קורין בתורה ואין שנים מפטירין בנביא. אמר רבי עולא קרויות בתורה ואין קרויות בנביא.

It has been stated: "Two may read in the Torah but two may not read the *haphtarah* in the prophets." Rabbi Ulla¹⁴⁷ said, one calls several people to the Torah¹⁴⁸ but one does not call several people for the prophets.

147 A student of Rebbis Yohanan and Eleazar who used to commute between Babylonia and Galilee.

148 The *baraita* does not speak of simultaneous, but of successive readers. It asserts that the *haphtarah* after the

Torah reading on Sabbaths, holidays, and fastdays, cannot be split between different readers, but the Torah reading should be split among different people for different sections.

אמר רבי יהושע דרומינא שלשה דברים רובן ומיעוטן רע ובינוננתן יפה השאור והמלח והשרוב. בתחילה מסרב שנייה מעמעם. ובשלישית רץ ובא. רבי חונא הנה יתיב בחד כנשתא עאל חזנא ואטרח על חד דייעול ולא קביל עילוי. בסופא אתא לגבי רבי אלעזר אמר ליה לא יכעוס מרי עלי בגין דלא הוינא מיתער לא עלית. אמר ליה עלך לא כעסית אלא על הדין דאטרח.

Rebbi Joshua the Southerner¹⁴⁹ said: There are three things of which too little or too much is bad and average is good: sour dough, salt, and

refusal¹⁵⁰. The first time he refuses, the second time he hesitates, the third time he runs and comes. Rabbi Huna¹⁵¹ was sitting in a synagogue. The organizer came and importuned one¹⁵² to go up and he did not accept it. At the end, that one came to Rabbi Eleazar and said to him: My master should not be angry with me; I did not go up because I was not fully awake. He said to him: I am not mad at you but at the one who importuned.

149 A Galilean Amora of the fourth generation, student of R. Jonah and R. Aḥa. A similar statement is quoted in the Babli (34a) as tannaïtic text.

150 This refers to the part of the Mishnah which declares that in an emergency, if a reader has to be removed, his replacement should not refuse. It follows that without an

emergency one should refuse; the rules are spelled out here.

151 In the Rome ms.: Rabbi Eleazar, the better reading.

152 Asked him more than three times and did not realize that if somebody refuses three times, he must have a valid reason not to be "emissary of the congregation."

בְּטִיטִי אֲשַׁתֶּק בְּאוֹפְנֵיָא אֲתוֹן וְשִׁילוֹן לְרַבִּי אָבוֹן. אָמַר לוֹן רַבִּי אָבוֹן בְּשֵׁם
רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי זֶה שְׁעוֹבֵר תַּחֲתֵיו וְתַחִיל מִמְקוֹם שְׁפָסַק. אָמְרִין לִיה וְהָא
תַּנִּינָן מִתַּחִיל הַבְּרָכָה שְׁטָעָה זֶה. אָמַר לוֹן מַכִּינָן דְּעָנִיתוֹן קְדוּשָׁתָא כְּמוֹ שְׁהוּא
תַּחִילַת בְּרָכָה.

Batitay was paralyzed at *ophanim*¹⁵³. They went and asked Rabbi Abun. Rabbi Abun said to them in the name of Rabbi Joshua ben Levi: His replacement should start at the place where he interrupted. They said to him: But did we not state: "He starts from the start of the benediction where the other person made the error?" He said to them: Since you answered *Qedušah*, it is as if you started a new benediction.

153 The second part of the *Qedušah*, the recitation of *Is. 6:3* and *Ez. 3:12* in

the middle of the first benediction of *Shema*'. [The paragraph cannot deal

with *Qedušah* in the *Amidah* since there *ophanim* are not mentioned in the introductory sentence and any error in the first three benedictions requires restarting anyhow.] Rabbi Abun's answer shows that Baṭītai the reader was paralyzed not during, but after his recitation of the sentence connecting *Is.* 6:3 and *Ez.* 3:12 since the congregation already had answered the second verse.

The first part of the benediction speaks of the creation of the world and

leads up to *Qedušah*; the second part after *Qedušah* is a hymn to God in His relation to man; it has a different subject. The Yerushalmi here assumes that the *Qedušah* before the *Shema'* could not be recited in private prayers. Hence, the two parts of the benediction, both of which can be recited in private prayer, in public service have the status of two distinct benedictions in the sense of the Mishnah.

משנה ה: העובר לפני התיבה לא יענה אחר הכהנים אמן מפני הטירוף. ואם אין שם כהן אלא הוא לא ישא את כפיו. ואם הבתחתו שהוא נושא את כפיו יחזור לתפילתו רשאי.

Mishnah 5: He who stands before the arc should not answer Amen after the Cohanim because of the distraction¹⁵⁴. If there is no Cohen there but him, he should not lift his hands. But if he is sure that he can lift his hands and return to his prayer, he may do so¹⁵⁵.

¹⁵⁴ The "emissary of the congregation" who stands before the arc and has to recite the priestly blessing (between the last two benedictions) so that the Cohanim may repeat the blessing aloud should not say "Amen" after each sentence of the priestly blessing because he must go on reciting

the appropriate words (and the following last benediction) without the help of a prayer book.

¹⁵⁵ *Midrash Rabba Devarim* 7(1), an early Israeli *Yelammedenu* Midrash, extends the last sentence, "but if he is sure that he can return to his prayer, he may do so," also to answering Amen

after the Cohanim, "because there is nothing greater before the Holy One, praise to Him, than the Amen which Israel answer." It is very likely that

when this Midrash was composed, the flowering of synagogal poetry already had led to the writing of prayer books for the reader.

הלכה ה: תני הפורס את שמע והעובר לפני התיבה והנושא את כפיו והקורא בתורה והמפסיר בנביא והמברך על אחת מקל-מצות האמורות בתורה לא יענה אחר עצמו אמן. ואם ענה הרי זה בור. אית תנאי תני הרי זה בור. ואית תנאי תני הרי זה חכם. אמר רב חסדא מאן דמר הרי זה חכם בעונה בסוף. ומאן דמר הרי זה בור בעונה על ברכה וברכה.

Halakhah 5: It was stated¹⁵⁶: He who recites the blessings for the *Shema*¹⁵⁷, he who stands before the ark, he who lifts his hands, he who reads in the Torah, he who recites *Haphtarah* from the prophets, and he who recites any blessing for obligations spelled out in the Torah, should not recite Amen after his own benediction. If he answered, he is uncivilized. Some Tanna'im have stated: he is uncivilized; and some Tanna'im have stated: he is wise. Rav Hisda said: He who said "he is wise" refers to him who answers at the end¹⁵⁸, but he who says "he is uncivilized" refers to him who answers every single benediction.

156 Tosephta *Megillah* 3:27 is similar to this text.

157 The Hebrew expression meant different things at different times. The translation follows the consensus of the Gaonic responsa that פורס means "recites the benediction" on basis of *Targum Jonathan to 1Sam. 9:13* where הוא פריס הוא is rendered by יוכר הזבח מיוזא. The Gaonic interpretation is that, even though at the end of a full prayer

one may recite Amen on his own prayer, this does not apply to the benedictions after the *Shema*'. Most Medieval commentators take פורס to mean "to parcel out" and apply the term to a group of people who prayed with less than a quorum and after the *Amidah* found themselves with 10 adult males; they then may appoint a reader who recites half *Kaddish* ברכו, possibly the first benediction for the *Shema*'.

and the repetition of the *Amidah* with *Qedushah* and the priestly blessings. The Ashkenazic interpretation is supported by the reading of the Tosephta (*loc. cit.*) where פורס clearly means "breaking, parcel out".

158 In Sephardic and Oriental interpretation, this refers to all prayers, when one recites "Amen" after one's own benediction at the end of a well defined unit of several benedictions which form a whole that can stand for

itself (except the benedictions for the recitation of *Shema'*). This is the reasonable interpretation of the Yerushalmi here. In the Babli, the parallel discussion is *Berakhot* 45b on reciting Grace after the meal, where Amen separates the part which is a Biblical obligation from the rest which is purely rabbinic. Hence, Ashkenazic interpretation restricts "Amen" after one's own benediction to the third benediction of Grace.

אָמַר רַבִּי חֲנִינְא שְׁנַיִם יִשְׂרָאֵל וְאַחַד כֹּהֵן מְמַצְעִין אֶת הַכֹּהֵן. אֵימָתַי בְּזִמְנוֹ שְׂכוּלָם שׁוֹיִן. אֲבָל אִם הָיָה אֶחָד מֵהֶן תִּלְמִיד חָכָם מְמַצְעִין אֶת הַחֲבֵר.

Rebbi Hanina said¹⁵⁹: Two Israel¹⁶⁰ and one Cohen, one takes the Cohen in the middle¹⁶¹. That is, when they are all equal. But if one of them is learned, one takes the one with a title¹⁶² in the middle.

159 Since the Mishnah speaks about the priestly blessing, some rules are added here about the preference given to Cohanim in the society of Non-Cohanim. The parallel to the second statement of R. Hanina is in Babli *Yoma* 37a.

160 Jews who are not Cohanim.

Levites seem to be included in the general denomination of "Israel".

161 To give the place of honor to the Cohen.

162 A rabbinic title. A compacted version of the Yerushalmi is quoted in *Raviah* #577.

אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי מִיָּמַי לֹא בִּרְכֵיתִי לִפְנֵי כֹהֵן וְלֹא הִנַּחְתִּי יִשְׂרָאֵל לְבָרֵךְ לִפְנֵי.

Rebbi Joshua ben Levi said: I never recited Grace¹⁶³ in the presence of a Cohen and I never let an Israel say Grace before me¹⁶⁴.

163 Reciting Grace aloud for all the participants in a meal. Rabbi Joshua ben Levi was the greatest authority in his generation; nevertheless he refused for himself the precedence granted the rabbinical authority by Rabbi Ḥanina. In the Babli, *Megillah* 28a, that is rather vehemently opposed by R. Yohanan.

164 In the parallel, *Yerushalmi Gittin* 5:9, the reading is "before him", meaning the Cohen. In that version, R. Joshua ben Levi negates the entire

ruling of R. Ḥanina and states that the Cohen always has precedence. Nevertheless, since his statement is formulated as a personal act, not as a precept for everybody, the *Yerushalmi Gittin* proves by this statement that the precedence given the Cohen is a Rabbinic ordinance, not a Torah law. [R. Eliahu Fulda and R. Z. Frankel hold that R. Joshua was a Levite and extends the rule of R. Ḥanina to place the Levite between Cohen and Israel in order of precedence.]

רבי יודה בן פזי בשם רבי אלעזר כל־כהן שֶהוא עומד בבית הכנסת ואינו נושא את כפיו עובר בעשה. רבי יודה בן פזי כד הנה תשיש הנה חזיק רישיה וקאים ליה אחורי עמודה. רבי אלעזר נפיק ליה לברא.

Rebbi Judah ben Pazi in the name of Rabbi Eleazar: Every Cohen who stays in the synagogue and does not lift his hands transgresses a positive commandment¹⁶⁵. When Rebbi Judah ben Pazi was weak he supported his head¹⁶⁶ and stood behind a pillar. Rabbi Eleazar went outside.

165 This statement has been discussed in *Halakha* 3:1, Notes 84-89. The two tradents here were both Cohanim and they had different ways to evade their duty if they felt sick or weak. [In the Babli (*Sotah* 38b) three

positive commandments are enumerated that the Cohen transgresses by his inaction.]

166 Possibly he bandaged his head so that it was clear to everybody that he was not well.

רבי אחא רבי תנחומא ברבי חינא בשם רבי שמלאי עיר שכולה כהנים נושאים את כפיהו. למי הו מברכיו לאחיהו שבצפון לאחיהו שבדרום לאחיהו שבמזרח לאחיהו שבמערב. ומי עונה אחריהו אמן הנשים והטף.

Rebbi Aḥa, Rebbi Tanḥuma ben Rebbi Ḥiyya in the name of Rebbi Simlai: They lift their hands in a town where all are Cohanim¹⁶⁷. Whom do they bless? Their brethren in North, South, East, and West. Who answers Amen after them? Women and small children.

167 And there is nobody left in the men's section of the synagogue whom they could bless. In the parallel in the Babli (*Soṭa* 38b) it is required that 10 Cohanim remain in their places in order to answer Amen after the

blessings. The Babli is everywhere opposed to giving women a place in services or study. From here to the end of the Halakhah, the text is found (almost) word by word in Yerushalmi *Gittin* 5:9.

תָּנָא אַבְיֵי בֵי רַבִּי בְּנִימֹן הָעוֹמְדִין לְאַחֲרֵי הַכֹּהֲנִים אֵינָן בְּכָלל בְּרַכָּה. הָעוֹמְדִין לְפָנֵי הַכֹּהֲנִים אָמַר רַבִּי חִיָּא בַר וִנָּא אֶפִּילוּ חוּמָה שֶׁל בְּרָזֶל הַבְּרַכָּה מִפְּסָקָתָא. הָעוֹמְדִין מִן הַצְּדָדִים נִשְׁמַעִינָה מִן הָדָא נִתְכַּוֵּן לְהַזֹּת לְפָנָיו וְהִזָּה לְאַחֲרָיו. לְאַחֲרָיו וְהִזָּה לְפָנָיו הִזְיִיתוּ פְסוּלָה. לְפָנָיו וְהִזָּה עַל הַצְּדָדִין שֶׁלְּפָנָיו הִזְיִיתוּ כְּשִׁירָה. הָדָא אָמַרְהָ אִף הָעוֹמְדִין מִן הַצְּדָדִים מְכַלֵּל בְּרַכָּה הֵן.

Abbaye ben Rebbi Benjamin¹⁶⁸ stated: Those who stand behind the Cohanim are not included in their blessing. Those who stand before the Cohanim; Rebbi Ḥiyya bar Abba said the blessing even cuts through an iron wall¹⁶⁹. About those who stand on the side, we may understand from the following¹⁷⁰: If he wanted to sprinkle before him and he sprinkled behind him, behind him and he sprinkled before him, his sprinkling is invalid. Before him and he sprinkled on his sides, his sprinkling is valid. This implies that those who stand on the side are included in the blessing¹⁷¹.

168 In the Babli (*Soṭah* 38b) he is called Abba the son of Rav Minyamin bar Ḥiyya, a Babylonian Amora of the

third generation.

169 In the Babli (*loc. cit.*) this is a tradition of R. Joshua ben Levi.

170 Mishnah *Parah* 12:2, dealing with a man who wants to sprinkle from the water mixed with ashes from the red heifer on a person impure by contact with a dead body. It is a general rule that the water used for this purpose becomes invalid if, after it was taken from a flowing source, the person in charge of the water lets it slip from his mind. An action that

contradicts the intention has the status of a slip of mind.

171 Since the Cohanim intend to bless the people before them, this intention automatically includes those who stand on their sides and excludes only those behind their backs. (The same reason is given in the Babli, *loc. cit.*)

אָמַר רַב חֲסֵדָא וְצָרִיד שְׂיֵהָא חֲזָן יִשְׂרָאֵל. רַב נַחְמָן בַּר יַעֲקֹב אָמַר אִם הִיא כְּהֵן אֶחָד אֹמֵר כְּהֵן אִם הִיוּ שְׁנַיִם אֹמְרִים כְּהֵנִים. אָמַר רַב חֲסֵדָא אֶפִּילוּ כְּהֵן אֶחָד אֹמֵר כְּהֵנִים שְׂאִינוּ קוֹרָא אֶלָּא לְשַׁבֵּט.

Rav Hisda said, the organizer¹⁷² must be an Israel¹⁷³. Rav Nahman bar Jacob said, if there was one Cohen he calls "Cohen"¹⁷⁴, if there are two they call "Cohanim". Rav Hisda¹⁷⁵ said, even if there was only one Cohen he says "Cohanim", because he only calls the tribe.

172 In old sources, the חֲזָן is not the person who sings in the service but the organizer of the community. The statement of the Yerushalmi implies that the call "Cohanim" to alert the priests to recite the benediction preceding the priestly blessing is not pronounced by the reader (who has to pronounce every word of the priestly blessing before it is recited aloud by the Cohanim) but by the organizer (or the servant) of the community.

that only a Cohen may call "Cohanim". However, in one manuscript (Rome) of the Babli, the reading is not "a Cohen may call 'Cohanim'" but "one Cohen calls 'Cohanim'" and then the statement would be parallel to the Yerushalmi. This reading of the Babli is the basis of the interpretation of (the Italian) *Shibbole Halleqet*.

174 In the Babli (*loc. cit.*), Abbaye declares that one Cohen is not called at all but he starts by himself.

173 In the Babli (*Soṭah* 38a), Rav Hisda is quoted to the opposite effect

175 In Yerushalmi *Giṭṭin*, the author of this statement is Rav Ḥuna.

משנה ו: המתפלל וטעה סימן רע הוא לו. ואם שליח ציבור הוא סימן רע לשולחיו ששלוחו של אדם כמותו. אמרו עליו על רבי חנינא בן דוסא שהיה מתפלל על החולים ואומר זה חי וזה מת. אמרו לו מניין אתה יודע. אמר להן אם שגורה תפילתי בפי יודע אני שהוא מקובל. ואם לאו יודע אני שהוא מטורף.

Mishnah 6: It is a bad sign for him who prays when he makes a mistake. And if he is an emissary of the congregation, it is a bad sign for those who sent him because the emissary of somebody is like that person. They said about Rabbi Hanina ben Dosa that he was praying for sick people and saying that this one was going to live and that one was dying. They asked him, how do you know? He said to them, if my prayer comes easily from my lips I know that he has been accepted; otherwise, I know that he is being torn.

הלכה ו: רב אחא בר יעקב אמר ובלבד באבות.

Halakha 6: Rav Aḥa bar Jacob said, only at "Forefathers."¹⁷⁶

176 Is it a bad omen if he errs there. The tradent here is Babylonian. In the Babli (*Berakhot* 34b), the parallel statement is attributed to the Babylonian-born Rabbi Hiyya (bar Abba) in

the name of (the third generation) Babylonian Rav Safra. The statement must be Babylonian since the Yerushalmi requires attention for the entire *Amidah*.

מעשה ברבן גמליאל שחלה בנו ושלח שני תלמידי חכמים אצל רבי חנינא בן דוסא בעירו. אמר לון המתינו לי עד שאעלה לעליה ועלה לעליה וירד אמר להן בטוח אני שנינוח בנו של רבן גמליאל מחלייו וסיימו באותה שעה תבע מזון. אמר רבי שמואל ברבי נחמני אם כוננת את לבך בתפילה תהא מבושר שנשמעה תפילתך. ומה טעם תכין לבס תקשיב אָזְנֶיךָ. אמר רבי יהושע בן לוי אם עשו שפתותיו של אדם תנובה יהא מבושר שנשמעה תפילתו. מה

טַעַם בּוֹרָא נִיב שְׁפָתַיִם שְׁלוֹם שְׁלוֹם לְרַחוּק וְלִקְרוֹב אָמַר יי וּרְפָתֵינוּ.

It happened that the son of Rabban Gamliel fell ill and he sent two scholars to Rabbi Hanina ben Dosa in the latter's city. He said to them, wait until I go to the upper floor. He went to the upper floor, came back, and said to them: I am sure that Rabban Gamliel's son will get respite from his sickness. They noted that at this hour he asked for food¹⁷⁷. Rabbi Samuel ben Rabbi Nahmani said: If you were able to concentrate your attention on your prayer, you are told that your prayer was heard. What is the reason? (*Ps.* 10:17) "You prepare their hearts, You will listen with Your ears."¹⁷⁸

Rabbi Joshua ben Levi said: If a person's lips bore fruit¹⁷⁹ he is told that his prayer was heard. What is the reason? (*Is.* 57:19) "He Who created the fruit of lips: peace, peace to the far and the near said the Eternal, I shall heal him."

177 In the Babli (34b) he is reported to have asked for water.

178 The first "you" refers to the person, the others to God.

179 Not only that he concentrated his attention as required by R. Samuel ben Nahmani, but that his lips produced a well-formed result.

כיצד מברכין פרק ששי

משנה א: כיצד מברכין על הפירות על פירות האילן הוא אומר בורא פרי העץ. חוץ מן היין שעל היין הוא אומר בורא פרי הגפן. ועל פירות הארץ הוא אומר בורא פרי האדמה. חוץ מן הפת שעל הפת הוא אומר המוציא לחם מן הארץ. ועל הירקות הוא אומר בורא פרי האדמה. רבי יהודה אומר בורא מיני דשאים.

Mishnah 1: Which benedictions are recited on produce¹? On tree-grown fruits one says "Creator of the fruit of the tree" except for wine, because on wine one says "Creator of the fruit of the vine." But on fruits of the land one says "Creator of the fruit of the soil" except for bread, because on bread² one says "He Who produces bread from the earth." On vegetables one says "Creator of the fruit of the soil", Rabbi Yehudah says: "Creator of kinds of vegetables³."

1 Before one eats of these fruits, as will be explained in the Halakhah. All benedictions start with "Praise to You, Eternal, our God, King of the Universe". This formula is understood and does not have to be repeated.

2 The words "because on bread" are

not in the Venice print but since they appear in the Leyden manuscript the omission seems to be a printer's error.

3 Rabbi Yehudah insists that benedictions should be exact and vegetables without seeds do not qualify as "fruits".

הלכה א: כתיב ליי הארץ ומלואה תכל ויושבי בה. הננה כלום מן העולם מעל עד שיתירו לו המצות. אמר רבי אבהו כתיב פן תקדש המלאה הזרע אשר תזרע ותבואת הכרם. העולם כולו ומלואו עשוי ככרם. ומהו פדיונו

בְּרַכָּהּ. רַבִּי חִזְקִיָּה רַבִּי אֲבוּן בְּשֵׁם רַבִּי שְׁמַעוֹן בֶּן לָקִישׁ אָמְרַתְּ לִי יי אַתָּה
 טוֹבְתִי בַל עֲלִיד. אִם אָכַלְתָּ וּבִירַכְתָּ כְּאִילוּ מִשְׁלָךְ אָכַלְתָּ. דָּבָר אַחַר
 טוֹבְתִי בַל עֲלִיד מְבַלָּה אֲנִי טוֹבְתִי בְּגוֹפֶךָ. דָּבָר אַחַר טוֹבְתִי בַל עֲלִיד. (fol. 10a)
 יִבְלָלוּ כָּל הַטּוֹבוֹת וַיָּבֹאוּ עֲלֶיךָ. אָמַר רַבִּי אַחָא מַהוּ בַל עֲלִיד. שְׂאִינִי מְבִיא
 טוֹבָה עַל הָעוֹלָם מִבְּלַעְדֶּיךָ. כִּמְהָ דְאַתָּ אָמַר וּמִבְּלַעְדֶּיךָ לֹא יָרִים אִישׁ אֶת יָדוֹ.
 תַּנִּי רַבִּי חִיָּא קוֹדֵשׁ הִילּוּלִים מִלְּמַד שְׁטַעוֹן בְּרַכָּה לְפָנָיו וּלְאַחֲרָיו. מִיִּכֵן הִנֵּה
 רַבִּי עֲקִיבָה אוֹמֵר לֹא יִטְעוּם אָדָם כְּלוּם עַד שְׂיִבְרַךְ.

Halakhah 1: It is written (*Ps.* 24:1): "The Eternal's are the earth and what is in it, the dry land and its inhabitants." He who profits from the world commits larceny⁴ until good deeds will permit him⁵. Rabbi Abbahu said, it is written (*Deut.* 22:9) "Lest the fullness of the seed that you sow and the yield of the vineyard should be forbidden." The entire world and its contents are like a vineyard. What is its redemption? The benediction⁶. Rabbi Hizqiah, Rabbi Abun in the name of Rabbi Simeon ben Laqish: (*Ps.* 16:2) "Say to the Eternal, You are my Master⁷, my good is only with You." If you ate and recited the benedictions then it is as if you ate from your own. Another explanation⁸: "My good is בַּל with you", I am feeding My goodness to your body. Another explanation: "My good is בַּל with you", all good things may be mixed together and come to you. Rabbi Aḥa said, what is "only with you?" I shall not bring any good things to the world without you. As it is said (*Gen.* 41:44) "Without you nobody may lift his hand."⁹ Rabbi Hiyya stated: (*Lev.* 19:24) "Holy for praises", this shows that it needs benediction before and after. From here did Rabbi Aqiba say that nobody should taste anything before he gives praise¹⁰.

4 Since he uses God's property, not his own.

5 The obligation to say Grace after a meal is spelled out in *Deut.* 8:10. The

obligation to recite blessings before one eats is not mentioned explicitly in the Torah. Since Grace is only treated in the next Chapter, one has to find here Biblical allusions to this duty and (in the next section) to the duty of reciting a benediction before fulfilling specified commandments.

The verse appears in the Babli (35a) in the name of Samuel. R. Levi compares the verse (*Ps.* 115:16) "Heaven is the Eternal's heaven but the earth He gave to mankind", explaining that before a benediction everything is the Eternal's property but after a benediction it becomes human property. While Rebbi Levi is a Galilean teacher, the Yerushalmi rejects his combination since in the third paragraph earthly enjoyment is only "as if one ate from one's own". The text of the Yerushalmi is from Tosephta *Berakhot* 4:1 which is identical with the Talmudic text except that there it says "until all good deeds will permit him", meaning that only if the preparation of food is completely within the commandments of the Torah then the last step of the preparation, the recitation of the benediction, will allow the food to be given to man as his own.

6 This argument is very difficult to understand and the commentators

either chose to ignore it or give very incongruous explanations. The best explanation is that of R. Eliahu Fulda who in his Yerushalmi edition suppresses the word לֶסֶת "lest". One would have to assume that Rebbi Abbahu's text did not have the word but that later scribes added it from memory. By it the negative implication of the verse (which speaks about growing different kinds of plants in a vineyard) are changed to a positive one which now should be translated: "That you shall sanctify the fullness of the seed that you sow and the yield of the vineyard." Since the sanctity is not that of sacrifices, the sanctity may be removed by redemption (*Lev.* 27:11). However, there can be no monetary redemption of anything not explicitly authorized in the Torah. Hence, the redemption is non-monetary and is the traditional praise given to God in benedictions. [The simple sense of the verse is that produce grown in a vineyard becomes forbidden for private use as if it were dedicated for sacrifice.]

7 The translation follows the Biblical text, not the text written here.

8 The verse is extremely hard to understand; the next two interpretations have nothing to do with the topic on hand; they are only added to indicate translations that might be

considered if בל is not a negation but a verb form derived from בלל, which may mean either "to give food" (*Jud.* 19:24) or, more frequently, "mixed with fluid, moistened."

9 Taking בל as shorthand for בלעדי "without".

10 This is also quoted in the Babli

(35a); the source of both Talmudim is *Sifra* on the verse. The verse speaks of the fruits of a vineyard in its fourth year when the grapes can be used for the first time after having been forbidden for the first three years. This is only a hint for any other food.

רבי חגי ורבי ירמיה סלקון לבי חנוּתא קפץ רבי חגי ובירך עליהן. אמר ליה רבי ירמיה? אות עבדת שקל המצות טעונות ברכה. ומנין שקל המצות טעונות ברכה. רבי תנחומא רבי אבא בר כהנא בשם רבי אלעזר ואתנה לה את לוחות האבן התורה והמצוה. הקיש תורה למצוה. מה תורה טעונה ברכה אף מצוה טעונה ברכה.

Rebbi Ḥaggai and Rebbi Jeremiah went to the Bazaar¹¹. Rebbi Ḥaggai was quick to recite a blessing. Rebbi Jeremiah said to him: You acted correctly because all commandments need a benediction. And from where that all commandments¹² need a benediction? Rebbi Tanḥuma, Rebbi Abba bar Cahana in the name of Rebbi Eleazar: (*Ex.* 24:12) "I want to give you the stone tablets, the Torah and the commandment¹³." It brackets Torah and commandment. Just as Torah needs a benediction, a commandment also needs benediction.

11 The translation is tentative; בית חנוּתא means "the house of stores", which might be a description of a *shuq* even though it is difficult to explain why the word שוקא was not used. It is not clear what kind of *mizwah* the two rabbis performed in the market. In the opinion of R. Eleazar Askari they were

agoranomoi, overseers of weights and measures, and Rebbi Ḥaggai recited a benediction before starting to go from stall to stall and checking the balances for correctness since that is a Biblical commandment repeated several times in the Pentateuch (*Deut.* 25:15, *Lev.* 19:36) in addition to the prohibition of

fraudulent business practices.

The Rome manuscript has instead of *מִי תִּשָּׂאֶהָ בֵּית הַחוֹמָה* "the water for the ashes of the read heifer", the drawing of which certainly would need a benediction. The Talmud reports that Rebbi Ḥaggai finished his Talmud studies with Rav Ḥuna I at age 18 and lived to be 160 years old; so, as shown in the commentary to Mishnah 1:1, he still could have seen ashes of the read heifer, but these could not have been preserved at the time of Rebbi Jeremiah who lived during the third and fourth generations of Amora'im, even if these ashes were uniquely reserved for Cohanim eating

Terumah.

R. Zachariah Frankel wants to emend to *בֵּית הַחֲנוּמָה* "place of a wedding" but his reading has no basis in antique or medieval sources.

12 After establishing benedictions before the consumption of food one establishes now the need for benedictions before the execution of positive commandments (by tradition, only those to be performed at specific times or occasions, not those that are always valid).

13 The verse really reads: "both Torah and Commandments". The double *vav* in the verse is essential for R. Eleazar's argument.

רַבִּי יוֹחָנָן נָסַב זֵיתָא וּבִירַךְ לְפָנָיו וּלְאַחֲרָיו וְהוּהוּ רַבִּי חִינָא בַר וּנָא מִסְתַּכֵּל בֵּיהּ. אָמַר לֵיהּ רַבִּי יוֹחָנָן בְּבִלְגָא לָמָּה אַתְּ מִסְתַּכֵּל בֵּי. לֵית לָךְ כֵּל־שְׁהוּא מִמִּין שְׁבַעָה טְעוֹן בְּרַכָּה לְפָנָיו וּלְאַחֲרָיו. אֵית לֵיהּ. וּמָה צְרִיכָא לֵיהּ. מִפְּנֵי שְׁגִלְעִינְתוּ מִמַּעֲטוֹ. וְלֵית לֵיהּ לְרַבִּי יוֹחָנָן שְׁגִלְעִינְתוּ מִמַּעֲטוֹ. מָה עָבַד לֵיהּ רַבִּי יוֹחָנָן מִשּׁוּם בִּירְיָהּ. מִלְתִּיהּ דְּרַבִּי יוֹחָנָן אָמְרָה שְׁכֹן אֶפִּילוּ אֲכַל פְּרִידָה אַחַת שֶׁל רִימוֹן שְׁהוּא טְעוֹן בְּרַכָּה לְפָנָיהּ וּלְאַחֲרֶיהּ.

Rebbi Yoḥanan took an olive¹⁴ and recited a benediction before and after. Rebbi Hiyya bar Abba was looking at him. Rebbi Yoḥanan said to him: Babylonian, why are you looking at me? Don't you agree that everything from the Seven Kinds¹⁵ needs a benediction before and after? He agrees. What is his problem? Because its pit reduces it¹⁶. Does Rebbi Yoḥanan agree that its pit reduces it? What Rebbi Yoḥanan did was because of a creature¹⁷. The word of Rebbi Yoḥanan implies that even one berry from a pomegranate needs a benediction before and after¹⁸.

14 Here starts the actual discussion of the rules given in the Mishnah. R. Hiyya bar Abba's report on the story appears also in the Babli (38b-39a) but there the argument and the inferences drawn are totally different. In the Babli, R. Hiyya bar Abba reports that the olive was salted, which seems natural since raw olives are bitter. The discussion in the Babli is whether pickling or cooking changes the applicable benediction; it is clear from this paragraph that at least for the "Seven Kinds" the Yerushalmi does not contemplate any change in benedictions.

15 The Seven Kinds are "the fruits for which the Land of Israel is praised", enumerated in *Deut.* 8:8: "A land of wheat and barley, vine and fig, and pomegranate; a land of oil olive and (date) honey." Since in v. 10 it is stated "when you will eat and be satiated, you must praise the Eternal, your God, for the good land that He gave you," it follows that these kinds need a benediction afterwards that contains praise for food, land, (and Jerusalem.)

This is called "one benediction in the kind of three"; the three benedictions are reserved for grain eaten in the form of bread. The benediction before is the applicable one of those mentioned in the Mishnah.

16 In general, anything smaller than the volume of an average olive is too insignificant to require a benediction. The edible part of an olive is much smaller than the volume of an average olive.

17 The Babli (*loc. cit.*) conjectures that R. Yoḥanan ate a large olive which even if pitted still has the size of an average olive. The Yerushalmi here is emphatic that any complete edible fruit needs a benediction before and after it is eaten, irrespective of size.

18 A pomegranate is full of seeds; each seed is surrounded by fruit flesh encased in a membrane. One such cell containing the seed and the fruit flesh is a berry. Without the seed it would not be a creature and without the fruit flesh it would not be edible but with both it needs benediction before and after if the membrane is untouched.

יין בזמן שהוא כמות שהוא אומר עליו בורא פרי העץ ואין נוטלין ממנו
 לידים. בזמן שהוא מזוג אומר עליו בורא פרי הגפן ונוטלין ממנו לידים דברי
 רבי אליעזר. וחכמים אומרים בין חי בין מזוג אומרים עליו בורא פרי הגפן
 ונוטלין ממנו לידים. אמר רבי אבא אין בו משום אבדן אוכלין.

¹⁹"Wine in its natural state²⁰, one says for it 'Creator of the fruit of the tree'²¹ and one may not use it to wash his hands²²; when it is mixed²³, one says for it 'Creator of the fruit of the vine' and one may use it to wash his hands; these are the words of Rabbi Eliezer. But the Sages say, both pure and mixed one says over it 'Creator of the fruit of the vine' and one may use it to wash his hands²⁴." Rabbi Abba said, it is not forbidden because of wasting food²⁵.

19 Parallel texts in Tosephta *Berakhot* 4:3 and Babli 50b.

20 A heavy subtropical wine with an alcohol content of close to 15%, unmixed with any water.

21 R. Eliezer holds that no human will want to drink such a heavy dose of alcohol or at least it is not admissible to have such unmixed wine at a formal dinner.

22 Hands must be washed with water and while fruit juice is considered water, in the opinion of R. Eliezer pure wine is not.

23 Standard mixing is one part wine to two parts water for an alcohol content of about 5%, Mishnah *Niddah* 2:7.

24 All sources of the Tosephta read everywhere "one may not" where the

Yerushalmi has "one may", and "one may" where the Yerushalmi has "one may not". In the Babli, all sources read "one may" the first and last time but in the second instance some manuscripts and authorities follow readings of the Tosephta and some (Munich manuscript and some Medieval authorities) the readings of the Yerushalmi.

25 In general, wilful spoiling of food is a sin. It seems that the Yerushalmi restricts the use of fruit juice for washing of the hands to the ritual washing before eating bread, since that is part of the meal, but that washing with fruit juice just for cleansing is forbidden. The Gaonic *Halakhot Gedolot* explains that the prohibition of the Sages (in the version of the Babli) refers to the sin of wasting food.

רבי יעקב בר זבדי בשם רבי אבהו שמן זית אומר עליו בורא פרי העץ. אמר רבי חינא בר פפא קומי רבי זעירא ומתניתא אמרה כן. חוץ מן היין שעל

הַיֵּין הוּא אוֹמֵר בּוֹרֵא פְּרֵי הַגֶּפֶן. וַיֵּין לֹא שְׁחוּק הוּא. לֹא מֵר אֶלָּא חוּץ מִן
הַיֵּין הָא שְׁאֵר כָּל-הַדְּבָרִים אֵף עַל פִּי שְׁשֻׁחֻקִין בְּעֵינֵי הוּן.

Rebbi Jacob bar Zavdi in the name of Rebbi Abbahu²⁶: On olive oil one recites "Creator of the fruit of the tree." Rebbi Hiyya bar Pappus²⁷ said before Rebbi Zeira: The Mishnah says so. "Except for wine because on wine one says 'Creator of the fruit of the vine.'" Is wine not mashed²⁸? But it says only "except for wine", hence all other things even if they are mashed are recognizable in their state.

26 In the Babli (35b) this is a statement of R. Yohanan. The argument of R. Hiyya bar Pappus is purely Yerushalmi.

27 An otherwise unknown Galilean Amora. In the Rome manuscript, his name is Rebbi Hinenā bar Pappus.

28 Grape juice is really pressed, but so is olive oil, and only second and third pressings of oil are from ground olives. In any case, wine goes through a fermentation process and cannot be described as being "recognizable in its state."

רַבִּי אֲבָא אָמַר רַב וְשִׁמוּאֵל תְּרִוּיָהוֹן אָמְרִין יָרֵק שְׁלוּק אוֹמֵר עֲלֵיו שְׁהַכֵּל נִהְיָה
בְּדַבְּרוֹ. רַבִּי זְעִירָא בְּשֵׁם שְׁמוּאֵל רָאִשִׁי לַפְתּוֹת שְׁשָׁלְקוֹן אִם בְּעֵינֵי הוּן אוֹמֵר
עֲלֵיהוֹן בּוֹרֵא פְּרֵי הָאֲדָמָה. שְׁחָקוֹן אוֹמֵר עֲלֵיהוֹן שְׁהַכֵּל נִהְיָה בְּדַבְּרוֹ. אָמַר רַבִּי
יוֹסִי וּמִתְנִיתָא אָמְרָה כֵּן. חוּץ מִן הַפֶּת שְׁעַל הַפֶּת הוּא אוֹמֵר הַמוֹצֵיא לַחֵם מִן
הָאָרֶץ. וּפֶת לֹא שְׁחוּק הוּא. לֹא מֵר אֶלָּא חוּץ מִן הַפֶּת הָא שְׁאֵר כָּל-הַדְּבָרִים
אֵף עַל פִּי שְׁשֻׁחֻקִין בְּעֵינֵי הוּן.

Rebbi Abba²⁹ said: Rav and Samuel both say, on cooked vegetable one says "that everything was created by His word." Rebbi Zeira in the name of Samuel: Large cooked³⁰ pieces of *liftan*³¹, if they are recognizable one says on them "Creator of the fruit of the earth;" if one mashed them one says "He, by Whose word everything was created." Rebbi Yose said, does the Mishnah say so? "Except for bread because on bread one says 'He Who produces bread from the earth.'" Is bread not mashed³²? But it says

only "except for bread", hence all other things even if they are mashed are recognizable in their state³³.

29 In the Babli (38b), Samuel is said to hold a different opinion. The Galilean authorities quoted there are those of the next paragraph. The interpretations of Babli and Yerushalmi differ.

30 שלוק "cooked in water" in contrast to מבושל "cooked in broth".

31 As a plant, לפתח means "beets", but generally it means cooked vegetables served as main dish with bread (pitta bread to be used as fork and spoon in

the absence of tableware except knives.) Meat was only eaten on special occasions, such as Sabbath, holidays, visits of important people, and after bleeding.

32 Flour is ground ("mashed") grain, one of the Seven Kinds.

33 Hence, the statement of Rebbi Abba is superior to that of Rebbi Zeira. This conclusion is the opposite of that of the Babli.

רבי חייא בר ונא בשם רבי יוחנן זית כבוש אומר עליו בורא פרי העץ. רבי בנימן בר יפת בשם רבי יוחנן ירק שלוק אומר עליו שהכל נהיה בדברו. אמר רבי שמואל בר רב יצחק מתניתא מסייעא לרבי בנימן בר יפת. אבל לא כבושין ולא שלוקין ולא מבושלין אם בעיינן הו אדם יוצא בהן ידי חובתו בפסח. אמר רבי זעירא מאן ידע משמע מן רבי יוחנן יאות רבי חייא בר ונא או רבי בנימן בר יפת. לא רבי חייא בר ונא. ועוד מן הדא מן מה דאנן חמיין רבנן רב רבאי עלון לאברייתא ונסבין תורמוסין ומברכין עליהן בורא פרי האדמה. ותורמוסין לאו שלוקין הן. אין תימר שנייא היא שאמרה התורה מרורין תורמוסין כיון ששלקו בטלה מרתן. אמר רבי יוסי בי רבי אבון ולא פליגין. זית על ידי שדרכו לאכל חי אף על פי שכבוש בעינו הוא. ירק כיון ששלקו נשתנה.

³⁴Rebbi Hiyya bar Abba in the name of Rebbi Yohanan: One says "Creator of the fruit of the tree" on marinated³⁵ olives. Rebbi Benjamin bar Jepheth in the name of Rebbi Yohanan: One says "By Whose word

everything was created³⁶ on water-cooked vegetables. Rabbi Samuel bar Rav Isaac said: a Mishnah supports Rabbi Benjamin bar Yephet: (*Pesahim* 2:6) "but not marinated or cooked in water or cooked in broth³⁷"; if they were recognizable in their state one could fulfill his duty with them on Passover. Rabbi Zeira said, who understands well what Rabbi Yoḥanan said, Rabbi Ḥiyya bar Abba or Rabbi Benjamin bar Yephet? Not Rabbi Ḥiyya bar Abba?³⁸ And in addition from the fact that we see great rabbis going to a mourner's meal, eat lupines³⁹ and recite on them "Creator of the fruit of the earth;" Are not lupines certainly cooked? If you want, you may say there is a difference, since the Torah said "bitter herbs", and cooked lupines have lost their bitterness. Rabbi Yose ben Rabbi Abun said, they⁴⁰ have no disagreement. Since olives usually are eaten fresh, they are recognizable in their state even if they are marinated. Vegetables are changed once they are cooked⁴¹.

34 The entire paragraph is also found in *Pesahim* 2:5. One word in the current text has been corrected following that Yerushalmi text.

35 This is the exact meaning of the corresponding Arabic **بِزَّة**.

36 The general benediction on everything not expressly mentioned in the Mishnah.

37 The Mishnah enumerates all herbs which qualify as "bitter herbs" on Passover, adding that these herbs are not usable if cooked or marinated. The implication is that after treatment they are no longer herbs but general food.

38 R. Ḥiyya bar Abba studied much

more intensively than R. Benjamin bar Yephet. This is the argument and conclusion of the Babli (38b). The refutation of Rabbi Zeira's argument is not in that Talmud.

39 Greek θέριος. Raw lupines are cattle feed, too bitter for human consumption. They become edible only after long cooking. This statement supports R. Ḥiyya bar Abba.

40 R. Ḥiyya bar Abba and R. Benjamin bar Yephet.

41 One must assume that roots of lupine keep their shape and general appearance in cooking just as olives do. The rule that vegetables which are

inedible unless cooked require the blessing "Creator of the fruit of the earth" is the opinion of Rav Hisda in the Babli (*loc. cit.*).

רבי יעקב בר אהא איתפלגון רבי נחמיה ורבנן. רבי נחמיה⁴² אמר המוציא לחם מן הארץ. ורבנן אמרי מוציא לחם מן הארץ. אתייה אילין פלוגנותא כאינון פלוגנותא. לפת רבי חננא בר יצחק ורבי שמואל בר אימי חד אמר לפת לא פת היתה. וחרנא אמר לפת לא פת היא עתידה להיות. יהי פישת בר בארץ בראש הרים. רבי ירמיה בריד קומי רבי זעירא המוציא לחם מן הארץ וקלסיה. מה כרבי נחמיה שלא לערב ראשי אותיות. מעתה המין הארץ. על דעתיה רבי נחמיה הבורא פרי הגפן. ועל דעתהון דרבנן בורא פרי הגפן.

Rebbi Jacob bar Aha: Rebbi Nehemiah and the rabbis disagree. Rebbi Nehemiah said: "Who produced bread from the earth." But the rabbis say, "Who produces bread from the earth."⁴³ This disagreement is like that disagreement: לפת, Rebbi Hinena bar Isaac⁴⁴ and Rebbi Samuel bar Immi⁴⁵; one said "lefet, was it not bread?"⁴⁵ and the other one said "lefet, will it not be bread"? (*Ps. 72:16*) "There will be a piece of flour on the land, on mountain tops."⁴⁷ Rebbi Jeremiah recited before Rebbi Zeira "Who produced bread from the earth" and the latter praised him. Following Rebbi Nehemiah⁴⁸? Not to amalgamate the letters⁴⁹! If it is so, המין הארץ⁵⁰? In the opinion of Rebbi Nehemiah⁵¹, "He Who created the fruit of the vine"; in the opinion of the rabbis "Who creates the fruit of the vine."

42 Reading of the Rome ms., Genizah fragments, and the parallel to this paragraph in *Midrash Bereshit rabba*. The Leyden ms. and Venice print have רב נחמן. The name of an Amora is impossible in a tannaïtic disagreement.

43 In the Babli (38a), the opinion ascribed here to the rabbis is that of Rebbi Nehemiah and vice versa. This eliminates the question which the Yerushalmi raises about the current text of the benediction. In the opinion

of the Babli, the preferred version (R. Nehemiah here, the rabbis in the Babli) takes the present participle in an atemporal sense.

44 A preacher of the third generation of Galilean Amora'im. The name of his teacher is unknown.

45 A Galilean Amora of the third generation who also appears as R. Samuel bar Ammi. His father and father-in-law also were rabbis.

46 While the traditional vocalization is לֶפֶת which corresponds to Arabic لَبَن "beets, kohlrabi", it is clear from the homilies that the vocalization was לֶחֶם. This is extended to לֶאֱמָ "not bread" since writing an *aleph* is optional in the spelling of the Yerushalmi. The entire paragraph is copied in *Midrash Bereshit rabba* 15(8) to prove that the fruit of the tree that Adam and Eve ate was bread.

47 Since flour cannot form a loaf

until it is baked, this means that bread will grow on mountain tops. This is a homily of R. Yoḥanan in *Midrash Tehillim* 92(6), which appears in the name of several other Amora'im in Babli *Šabbat* 30b, *Ketubot* 111b.

48 One is not supposed to follow a minority of one, much less to be praised for it.

49 So that הָעוֹלָם מוֹצֵיא should not be pronounced *ha'ōlāmōzī*, but clearly be said in two distinct words.

50 Since לֶחֶם מִן also has two consecutive *mem* and could be read together. However, the change proposed here makes no sense; nobody wants to pronounce a meaningless benediction that would be close to blasphemy. The question does not merit an answer.

51 One wonders why they disagree only about the language for bread and not for wine.

רַבִּי זְרִיקוֹן אָמַר רַבִּי זְעוּרָא בְּעֵי אֶהוּ דְנָסַב תּוֹרְמוֹסָא וּמְבָרַךְ עֵילוּי וְנָפַל מִינְיָה
מַהוּ מְבָרַךְ עֵילוּי זָמֵן תְּנִינּוּת. מַה בֵּינוּ לְבֵין אַמְתַּי הַמִּים. אֶמְרִין תַּמָּן לְכַךְ
כִּיּוֹן דַּעְתּוֹ מִתְחִילָה. בְּרַם הָכָא לֹא לְכַךְ כִּיּוֹן דַּעְתּוֹ מִתְחִילָה. תְּנִי רַבִּי חִינְיָה
אִין מְבָרַכִין עַל הַפֶּת אֶלָּא בְּשַׁעָה שְׁהוּא פּוֹרַס. אָמַר רַבִּי חִינְיָה בְּרַ וְנָא הִדָּא
אֶמְרָה אֶהוּ דְנָסַב עֵיגוּלָא וּמְבָרַךְ עֵילוּי וְהָכָא לֹא אֶתִי בְּיַדִּיהָ צְרִיךְ מְבָרַךְ
עֵילוּי זָמֵן תְּנִינּוּת. אָמַר רַבִּי תַנְחוּם בְּרַ יוּדָן צְרִיךְ לומר בְּרוּךְ שֵׁם כְּבוֹד
מַלְכוּתוֹ לְעוֹלָם וָעַד. שְׁלֹא לְהַזְכִּיר שֵׁם שְׁמַיִם לְבִטְלָה.

Rebbi Zeriqan said: Rebbi Zeira asked: He who took a lupine and was reciting the benediction over it when it fell from his hand, does he have to recite a second benediction⁵²? What is the difference between that and a water canal⁵³? They said, there he intended it from the start, but here he did not intend it from the start. Rebbi Ḥiyya stated: One recites the benediction on bread only when one breaks it⁵⁴. Rebbi Ḥiyya bar Abba said: This means that he who took a loaf⁵⁵ and pronounced the benediction on it before it came to his hand, must recite a second benediction. Rebbi Tanḥum bar Yudan⁵⁶ said, he must say "Praised be the Name of the Glory of His kingdom forever and ever," in order not to utter the Name of Heaven in vain⁵⁷.

52 Since the cooked lupine root becomes inedible when it falls into the dust, he has to take another one, not the one for which the benediction was intended.

53 Since one has to say the benediction on water before one starts to drink, the water drops one drinks are not those that were in the same place at the moment of the benediction.

54 The formulation in the Babli (39a) is: Rebbi Ḥiyya said, the benediction and the breaking of the bread must be finished simultaneously. This is accepted practice in the Yerushalmi, but is rejected in the Babli in favor of a ruling of the much later, fourth generation Babylonian Amora

Rava who requires that the benediction be completely recited before one starts to break the bread.

55 The usual expression לחם for bread designates a pittaḥ; לחם יוגל here is a loaf of bread; it might be a round cake of pressed figs. R. Asher ben Yeḥiel copies the passage (Chapter 6, #20) which has לחם יוגל "a radish" instead of "a loaf". That reading seems to be a copyist's error.

56 A Galilean Amora whose time cannot be determined.

57 By a statement of R. Yoḥanan and R. Simeon ben Laqish in the Babli (33a), any unnecessary benediction is a violation of the Fifth Commandment.

עד כמה יפרוס. רבי חננא ורבי מנא חד אמר עד כזית. וחרנא אמר עד פחות מכזית. מאן דמר כזית. כני דתנינן תמן וכולן פתייתין כזית. מאן דמר עד פחות מכזית תני רבי ישמעאל אפילו מחזירה לסולתה. תני כל-שאומר אחריו שלשה ברכות אומר לפניו המוציא לחם מן הארץ. וכל-שאינ אחריו שלש ברכות אין אומר לפניו המוציא לחם מן הארץ. התיבון הרי פחות מכזית הרי אין אומר לאחריו שלש ברכות. מעתה לא יאמרו לפניו המוציא לחם מן הארץ. רבי יעקב בר אהא אמר לשאר המינין נצרכה.

How far may he break⁵⁸? Rebbi Hinena and Rebbi Mana, one says down to the size of an olive, the other says even smaller than the size of an olive. He who says down to the size of an olive, as it is stated "all⁵⁹ are crumbled into olive-size pieces." He who says, smaller than the size of an olive: "Rebbi Ismael stated, even if he reduced it⁶⁰ to its original form of fine flour." It has been stated⁶¹: "On everything that needs three benedictions at the end one says 'He Who produces bread from the earth' at the start, but on everything that does not need three benedictions at the end one does not say 'He Who produces bread from the earth' at the start." They objected: But if it is less than the size of an olive, one does not say three benedictions at the end. Does this mean that one should not say "He Who produces bread from the earth" at the start? Rebbi Jacob bar Aha said, it is needed for other kinds⁶².

58 There are two connected problems here. The first one, what is the minimum size of a piece of bread (or any other food) that requires a benediction beforehand; the second, if one person makes a benediction over bread for an entire company (with the other participants answering "Amen" instead of reciting their own bene-

dictions), what is the minimal size of a piece of bread that every participant has to receive and eat after the benediction. For Grace after meals, the situation is clear. The requirement from the Torah (*Deut.* 8:10) is "when you will have eaten and will be satiated then you must praise the Eternal . . ."; the Biblical obligation

applies only after a full meal. The rabbinic obligation explicitly applies to food that fills at least the volume of an olive; smaller amounts do not require Grace and, according the preceding paragraph, one may not recite Grace for such minute amounts. But since benedictions before eating are all rabbinic institutions, the problem is whether food in an amount less than the volume of an average olive must (or may) have a benediction and, if a benediction is recited on a larger loaf, whether the piece eaten immediately after the recitation of the benediction must be the size of an olive or not.

The Babli (37b) has another angle to the problem. Since bread has a separate benediction from cereal and cakes, how small may the recognizable

pieces of bread in cereal or soup be so that it still falls under the category of bread rather than cereal or soup?

59 This refers to Mishnah *Menahot* 7:4 that all flour offerings prepared in a vessel (baked or fried) must be broken into pieces before a handful of them is burned on the altar. There are two opinions on the size of admissible pieces (also reported Babli *Berakhot* 37a).

60 The baked or fried flour-offering.

61 The first half of this statement appears in Tosephta *Berakhot* 4:7.

62 The statement does not refer to size, but to kinds of food; if it is not bread it does not receive the benediction for bread. Hence, no conclusion as to the correct practice can be drawn.

רבי אבא בשם רב מסובין אסורין לטעום כלום עד שיטעום המברך. רבי יהושע בן לוי אמר שותין אף על פי שלא שתה. מה פליג. מה דמר רב כשהיו כולם זקוקין לכבר אחד מה דמר רבי יהושע כשהיה כל אחד ואחד כוסו בידו.

Rebbi Abba in the name of Rav: Those assembled may not taste anything before the one who recited the benediction did taste. Rebbi Joshua ben Levi said: They may drink even if he did not drink. Do they disagree? Rav said in case all need the same loaf⁶³ but Rebbi Joshua said when each one had his own cup in his hand.

63 Which is the normal case if there is a real loaf of bread and not pittot. But wine everybody drinks from his

own glass that was filled beforehand. The question whether the one who recites the benediction should eat first

and then distribute the bread or vice versa is addressed in the next paragraph. [The parallel in the Babli (47a) has only the statement of Rav; there it is explained that לטעום "to taste", usually applied to drinking, here means "eating" as is clear from the Yerushalmi.]

תני המברך פושט ידו תחילה אלא אם רצה לחלוק לו כבוד לרבו או למי שגדול ממנו בתורה הרשות בידו. רב כד הנה קצי הנה טעים בשמאליה ומפליג בימינייה. רב הונא אמר אהן דמר סב ובריה סב ובריה אין בו משום הפסק ברכה. הב אחונא לתוריא יש בו משום הפסק ברכה.

It has been stated: The one who recited the benediction takes first⁶⁴ but if he wants to honor his teacher or someone who is greater than himself in Torah, he has the right to do so. When Rav was breaking bread he was eating with his left hand and distributing with his right hand⁶⁵. Rav Huna said: "Take and recite a benediction, take and recite a benediction" is not an interruption for the benediction⁶⁶; "give hay to the oxen" is an interruption for the benediction⁶⁷.

64 From the food on his plate (Babli 47a).

65 To minimize the time between the benediction and the actual eating by the other participants in the meal.

66 Since it is needed for the other person's benediction, it will not cause the person who made the original benediction to forget that he made the

benediction in order to eat.

67 In the Babli (40a) this is the opinion of R. Yoḥanan (i. e., the Yerushalmi), but there practice follows R. Sheshet who quotes Rav to the effect that nobody may eat as long as his animals are hungry; hence, the order to feed the oxen is a necessary step in preparing to eat.

רב חונא אמר הדיא שתיתא והדיא מורתא שחיקתא (fol. 10b) אומר עליי שהכל נהיה בדברו.

Rab Huna said: On *shatita*⁶⁸, which is ground *moretum*, one recites "that everything was created by His word".

68 The Aramaic *shatita* is the same as Latin *moretum*, a dish made by mixing pounded roasted flour or pounded roasted pea meal with water or vinegar (and other ingredients.) Its preparation is described in the Babli *Avodah zarah* 36b and in great detail in the poem *Moretum* in *Appendix Vergiliana* [cf. E. and H. Guggenheimer, *לשוננו* vol. 36 (5733) pp. 105-112]. In the Babli (*Berakhot* 31a), the rule of R.

Huna applies only to watery *moretum*. This and the following rule are placed here to collect all formal statements of Rav Huna on benedictions for food. [An intermediate between *šēitā* and *moretum* may be Greek *μυττωτός* "dish composed of pounded ingredients", title of a poem by Virgil's teacher Parthenios and model of Virgil's *moretum* (E. G.).]

רב הונא אמר הרי שנתנו לתוך פיו ושכח ולא בירך אם היו משקיין פולטין. אם היו אוכלין מסלקין לצדדיו. רבי יצחק בר מרי קומי רבי יוסי בי רבי אבון בשם רבי יוחנן אפילו אוכלין פולטין דכתיב ימלא פי תהילתך כל-היום תפארתך.

Rav Huna said: If one put something into his mouth and forgot to recite the benediction, if it is fluid he spits it out, if it is food he puts it to one side⁶⁹. Rabbi Isaac bar Mari⁷⁰ before Rabbi Yose ben Rabbi Abun in the name of Rabbi Yohanan even if it is food he takes it out since it is written (*Ps.* 71:8) "May my mouth be full of Your praise⁷², all day long of Your glory."

69 In the Babli (50b-51a), Rav Yehudah, a student of Rav but mainly of Samuel, has three categories: Fluids he swallows, food that can be taken out he takes out, food that one cannot touch once it is in the mouth he puts into one cheek. In the Babli, the verse of R. Yohanan is quoted to prove that food which can be taken out without

problems must be taken out. While the Yerushalmi states a clear difference between Babylonian and Israeli practice, the Babli harmonizes both practices.

70 His name appears only here. In the Babli (*loc. cit.*) he is called רבי יצחק בר מרי קסקסא, cf. Latin *cascus* "old, old-fashioned" (E. G.). [The word קסקסים

that appears in Tosephta and Babli is explained by Rashi as weeds, by S. Lieberman as rock outcrops in a field, from קשקשים "fins", by J. Levy as clumps of earth or stones hewn from a rock.]

71 It should not be half full of food and half of praise.

הכוסט את החיטים אומר עליהן בורא מיני זרעונים. אפינו ובשלו בזמן שהפרוסות קיימות אומר עליהן המוציא לחם מן הארץ ומברך לאחריו שלש ברכות. אם אין הפרוסות קיימות אומר עליהן בורא מיני מזונות ומברך אחריו ברכה אחת מעין שלש. עד כמה יהוא פרוסות. רבי יוסי בי רבי אבון כהנא בר מלקיה בשם רב עד קזיתים.

He who chews wheat kernels says on them "Creator of kinds of seeds." If he baked or cooked them, as long as pieces are recognizable he recites on them "He Who produces bread from the earth" and afterwards three benedictions. If the pieces are not recognizable, he recites "Creator of kinds of food" and afterwards one benediction in the kind of three⁷². Down to which size are there pieces? Rebbi Yose bar Rebbi Abun, Cahana bar Malkiah⁷³ in the name of Rav: down to olive-sized bits.

72 This text is also in Tosephta *Berakhot* 4:6. It is quoted in Babli 37a where, however, the formula "Creator of kinds of seeds" is replaced by "Creator of the fruit of the earth" since the Babli does not recognize any benediction for produce not mentioned by the majority opinion in the Mishnah.

73 Rav Cahana bar Malkio in the Babli, whose quote of a statement of

Rav is quoted by Rebbi Jeremiah. Hence, his time has to be fixed between Rav and the emigration of Rebbi Jeremiah from Babylonia. The statement here is not identical with the earlier one that dealt with pieces of bread eaten by themselves. In the interpretation of Tosaphot (37b), his statement is rejected by the Babli.

הכוסט את האורז אומר עליו בורא מיני זרעונים. אפינו ובשלו אף על פי שהפרוסות קיימות אומר עליו בורא מיני מזונות ואינו צריך אחריו לברך.

רבי ירמיה אמר בורא פרי האדמה. בר מרינה בריך קומי רבי זעורא וקומי רבי חייא בר אבא שהכל נהיה בדברו. רבי שמעון חסידה אמר בורא מיני מעדנים. אמר רבי יוסי בי רבי אבון ולא פליגון מאן דמר בורא מיני מזונות בההוא דעביד בול. מאן דמר בורא פרי האדמה בההוא דבריר. מאן דמר שהכל נהיה בדברו בההוא דשליק. מאן דמר בורא מיני מעדנים בההוא דטריף.

He who chews rice⁷⁴ says for it: "Creator of kinds of seeds." If he baked or cooked it, even if there are recognizable pieces he says for it: "Creator of kinds of food" and he does not have to recite a benediction afterwards⁷⁵. Rabbi Jeremiah said, "Creator of the fruit of the earth." Bar Marina recited before Rabbi Zeïra and Rabbi Hiyya bar Abba "By Whose word everything was created."⁷⁶ Rabbi Simeon the pious said "Creator of all sorts of delicacies." Rabbi Yose bar Rabbi Abun said: They do not disagree. He who says "Creator of kinds of food", if he made it into a ball. He who said "Creator of the fruit of the earth", if it is separated⁷⁷. He who said "By Whose word everything was created", if it is cooked in water a long time⁷⁸. He who said "Creator of all sorts of delicacies", if it is torn⁷⁹.

74 Greek ὄσυζα.

75 Tosephta *Berakhot* 4:7. Rabbi Jeremiah quotes the Tosephta in the Babli (37a) which also disagrees about the concluding benediction. The next paragraph will show that "no benediction afterwards" really means "no lengthy benediction afterwards", only the short form.

76 From their silence one may infer that they agreed.

77 If the individual kernels are still recognizable, in contrast to the ball (Latin *bulla*) in which no individual kernels are visible.

78 If it is a mash.

79 If one bakes any kind of rice product with spices, except whole grains. [The Babli does not admit different benedictions for different cases.]

עד כְּדוֹן בְּתַחֲלִיָּהּ. בְּסוּף רַבִּי יוֹנָה בְּשֵׁם רַבִּי שְׁמַעוֹן חֲסִידָא אֲשֶׁר בָּרָא מִיָּנִי
מַעֲדָנִים לְעַדוֹן בְּהוֹן נֶפֶשׁ כָּל חַי בְּרוּךְ אַתָּה יי עַל הָאָרֶץ וְעַל מַעֲדָנֶיהָ.

That is beforehand. Afterwards, Rabbi Jonah in the name of Rabbi Simeon the pious: "He Who created all sorts of delicacies to delight with them the souls of all living. Praise to You, Eternal, for the Land and its delicacies."⁸⁰

80 It is implied that the four admissible benedictions for baked or cooked rice (and all other food not covered otherwise) requires a final benediction adapted to the

corresponding initial benediction. [Again, the Babli has only one form of the short final benediction, the one given in the Yerushalmi for meat.]

רַבִּי אֲבָא בַר יַעֲקֹב בְּשֵׁם רַבִּי יִצְחָק רוּבִּי רַבִּי כְּשֶׁהֵיךְ אוֹכֵל בָּשָׂר אוֹ בֵּיצָה הֵיךְ
אוֹמֵר בּוֹרָא נְפֹשׁוֹת רַבּוֹת לְהַחְיֹת בְּהוֹן נֶפֶשׁ כָּל חַי. בְּרוּךְ אַתָּה יי חַי הַעוֹלָמִים.

Rebbi Abba bar Jacob in the name of the great Rebbi Isaac⁸¹: When Rebbi was eating meat or an egg he used to say: "Creator of many living things to sustain with them all living souls. Praise to You, Eternal, Life of the worlds."⁸²

81 He is Rebbi Isaac (Nappaḥa), Amora of the second generation. His formula is quoted in the Babli (37a) for cooked cereal but without the final doxology. [Current practice is to

include the doxology without invoking the Name, cf. Tosaphot 37a, s. v. כּוּרָא.]

82 If the vocalization is חַי הַעוֹלָמִים (rejected by Maimonides), the translation would be: "Eternally living."

עַד כְּדוֹן בְּסוּף. בְּתַחֲלִיָּהּ אָמַר רַבִּי תַנַּיִי בּוֹרָא מִיָּנִי נְפֹשׁוֹת. הֵתִיב רַבִּי יוֹסִי
מִתְנַיְתָא פְּלִינָא. עַל הַחוּמָץ וְעַל הַגּוֹבֵי וְעַל הַנוֹבְלוֹת הוּא אוֹמֵר שֶׁהַכֹּל נִהְיָה
בְּדַבְּרוֹ. וְהַדִּין גּוֹבֵי לֹא מִן נֶפֶשׁ הוּא.

That is at the end. At the start? Rebbi Haggai said: "Creator of kinds of living things." Rebbi Yose objected, does not the Mishnah (6:4) disagree? "On vinegar, on locusts, and on fallen fruits he says: "By Whose word everything was created." And is a locust not a living thing⁸³?

83 The Mishnah states explicitly that "on everything that is not growing from the earth one says 'By Whose word everything was created.'" The mention of vinegar (soured wine) and fallen fruits is meant to show that even produce that has become almost worthless needs this benediction;

(edible) locusts are a scourge and the emphasis is that nevertheless they need a benediction if roasted and eaten. Hence, the statement of Rebbi Haggai has no justification. In Hebrew and Aramaic, "living" applies only to animals but not to plants.

אֲתֵיָא דְרַבִּי שְׁמַעוֹן חֲסִידָא כְּרַבִּי וְדַבְרֵי שְׁנֵיהוֹן כְּרַבָּן גַּמְלִיאֵל. דְּתַנִּי זֶה הַכָּלֵל
שֶׁהֵיָה רַבִּי יְהוּדָה אוֹמֵר מִשּׁוֹם רַבָּן גַּמְלִיאֵל כָּל־שֶׁהוּא מִמִּין שֶׁבַע וְאִינוּ מִמִּין
דְּגוּן מִין דְּגוּן וְלֹא אֶפְאוּ פֶת רַבָּן גַּמְלִיאֵל אוֹמֵר מְבַרֵךְ לְאַחֲרָיו שְׁלֹשׁ בְּרָכוֹת.
וְחֲכָמִים אוֹמְרִים בְּרָכָה אַחַת. וְכָל־שֶׁאִינוּ מִמִּין שֶׁבַע וְלֹא מִמִּין דְּגוּן רַבָּן
גַּמְלִיאֵל אוֹמֵר מְבַרֵךְ לְפָנָיו וְלְאַחֲרָיו. וְחֲכָמִים אוֹמְרִים לְפָנֶיהָ וְלֹא לְאַחֲרֶיהָ.

The statement of Rebbi Simeon the pious⁸⁴ turns out like that of Rebbi⁸⁵ and both of them like Rabban Gamliel⁸⁶, as it was stated: "The following is the principle: Rebbi Yehudah said in the name of Rabban Gamliel that on everything that is of the Seven Kinds but is not flour, or flour⁸⁷ but not baked as bread, Rabban Gamliel says that he recites afterwards three benedictions; but the Sages say, one benediction. On everything that is neither from the Seven Kinds nor a kind of flour, Rabban Gamliel says he recites benedictions before and after, but the sages say before, but not after⁸⁸."

84 He requires a formal "benediction in the kind of three" for delicacies made from any kind of flour. We now return to the main topic after the digression about non-vegetable food.

85 He requires a final doxology from "Creator of many living things."

86 The second statement of his is in Tosephta *Berakhot* 4:7. The first part of this Tosephta is quoted in Babli 37a.

87 Including grain flour that is not enumerated in the verse, e. g., rye and spelt.

88 Meaning "Creator of all kinds of living things" without the final doxology; it is not considered a formal benediction. Rebbi Simeon the Pious and Rebbi follow Rabban Gamliel who in this case does not spell out which benediction he requires at the end.

רבי יעקב בר אידי בשם רבי חנינא כל־שהוא כעין סולת וכעין חליטה ומחמשת המינין אומר עליו בורא מיני מזונות ומברך לאחריה ברכה אחת מעין שלש. וכל־שהוא כעין סולת וכעין חליטה ואינו מחמשת המינין. אמר רבי יונה שלח רבי זעירא גב אילין דבית רבי ינאי ואמרו ליה לית אגא ידע מה אמרו ליה. מי כדון. אמר רבי יוסי מסתברא שהכל נהיה בדברו. רבי ירמיה בעי הדין דאכל סולת מהו למיברכה בסופה. אמר רבי יוסי והכן לא אכל רבי ירמיה סולת מן יומי. לית צורכה דאי לא.

Rebbi Jacob bar Idi in the name of Rebbi Hanina: Everything that is cereal and like dough put in boiling water and is of the Five Kinds⁸⁹, over it one says "Creator of kinds of foods", and one recites after it one benediction imitating three. And everything that is cereal and like dough put in boiling water, but is not of the Five Kinds, Rebbi Jonah said that Rebbi Zeira sent to those of the Yeshivah of Rebbi Yannai⁹⁰ and they told him, but I do not know what they told him. What is it? Rebbi Yose said, it is reasonable to assume "That everything was created by His word."⁹¹ Rebbi Jeremiah inquired: He who ate cereal, what does he recite at the end⁹³? Rebbi Yose said, and therefore Rebbi Jeremiah never ate any cereal⁹⁴. That is the only one thing about which he was in doubt⁹⁵.

89 The five kinds of flour that are admissible for *matzot* on Passover because they can become sour: Wheat, barley, oats, rye, and spelt. Only these produce bread that needs full Grace and pastries that need "one benediction imitating three (or, in our text today, four) benedictions," i. e., its text contains one sentence each for each benediction of full Grace.

90 Still existing two generations after the death of Rabbi Yannai.

91 The catch-all for all food not covered by anything else and that will allow one to eat all foods.

93 "One benediction imitating three" or "Creator of many living things."

94 Except in a meal that was covered by the benediction over bread at the start and Grace afterwards.

95 צורכא, a technical expression, frequent in the Yerushalmi in this sense, and difficult to translate verbally.

לְמָה הוּא חוֹתֵם בֶּה בְּאֶרֶץ. נַעֲשִׂית כְּבִרְכַת פּוֹעֲלִים. דְּתַנִּי הַפּוֹעֲלִים שְׁהִיו
 עוֹשִׂין מְלֵאכָה עִם בְּעַל הַבַּיִת הָרִי אֱלוּ מְבָרְכִין בְּרָכָה רִאשׁוֹנָה וְכוּלְלִין שֶׁל
 יְרוּשָׁלַיִם בְּשֵׁל הָאֶרֶץ וְחוֹתְמִין בְּשֵׁל הָאֶרֶץ. אֲבָל אִם הָיוּ עוֹשִׂין עִמּוֹ בְּסַעֲדוֹן אוֹ
 שְׁהִיָּה בְּעַל הַבַּיִת אוֹכֵל עִמָּהוּן הָרִי אֱלוּ מְבָרְכִין אַרְבַּע. דְּבֵית רַבִּי יַנָּאי עָבְדִין
 לָהּ כְּמִטְבֵּעַ בְּרָכָה.

Why does one finish⁹⁶ with "the Land"? It is similar to Grace for day laborers. As has been stated⁹⁷: "Workers who were doing work with the owner shall recite the first benediction, include Jerusalem in the benediction for the Land and finish with 'the Land.' But if they were working for their food⁹⁸ or if the employer was eating with them, then they recite four benedictions." In the school of Rabbi Yannai they treated it as a formula of benediction⁹⁹.

96 The "benediction imitating three" is recited for wine, the Seven Fruits, and baked goods other than bread. That benediction first gives praise for the food, then for the Land of Israel, then prays for the rebuilding of

Jerusalem (and adds a sentence for the Rabbinic fourth benediction of Grace, praising God as source of all good.) The question is why only the first two themes are repeated at the end since the final doxology reads in all cases:

"Praise to You, Eternal, for the Land and . . . (here the specific food is named)."

97 Tosephta *Berakhot* 5:24, Babli 16a. Day laborers who are paid by the hour and whose lunch break counts as worked time have the obligation to spend as little time as possible on their lunch and, in any case, their worship of

God should not be paid by the employer except for the legal minimum.

98 Without any cash payments the employer is legally required to give them time for full standard Grace.

99 They formulated the fixed "benediction imitating three" and did not tolerate any deviation.

מהו להזכיר בה מעין המאורע. אמר רבי אבא בר זמינא רבי זעירא הנה מזכיר בה מעין המאורע. אמר רבי ירמיה הוואיל וחס לה רבי זעירא צריכין אנו מיחוש.

Does one have to mention in it the occasion¹⁰⁰? Rabbi Abba bar Zamina said that Rabbi Zeira used to mention the occasion in it. Rabbi Jeremiah said: Since Rabbi Zeira took notice of it, so we have to take notice¹⁰¹.

100 Does one have to mention the Sabbath, holidays, and the days of the New Moon in the "benediction imitating three"?

Sabbath and holidays. (This was adopted as formal practice by Maimonides from the Yerushalmi, cf. Babli 39a, Tosaphot s. v. העץ).

101 Hence, one has to mention

תני מברכין על הדגן כשהוא מן המובחר. קלוסקין ושלמה של בעל הבית אומר על הקלוסקין. פרוסה של קלוסקין ושלמה של בעל הבית אומר השלמה של בעל הבית. פת חטין ופת שעורין אומר על של חטין. פרוסה של חטים ושלמה של שעורים אומר על הפרושה של חטין. פת שעורין ופת כוסמין אומר על של שעורין. והלא של כוסמין יפה ממנו. אלא שזו ממין שבעה וזו אין ממין שבעה. רבי יעקב בר אחא בשם רבי זעירא דרבי יודה היא דרבי יודה אמר אם יש ביניהן ממין שבעה עליו הוא מברך. פת טמאה

ופת טהורה רבי חינא בר ווא אָמַר אוֹמַר עַל הַטְּהוֹרָה. פַּת נְקִינָה טְמֵאָה וּפַת קִיבֵר טְהוֹרָה. רַבִּי חִינָא בַר אֲדָא בְּשֵׁם רַבִּי אֶתָּא עַל אֵיזָה מֵהֵן שְׂרִיצָה מִבְּרֵךְ.

It has been stated¹⁰²: "One recites the benediction on the better kind of flour. Rolls¹⁰³ and a full home baked loaf, one recites over a roll. A broken roll and a full home baked loaf, one recites on the full home baked loaf. Wheat bread and barley bread, one recites on wheat bread. A broken loaf of wheat bread and a full loaf of barley bread, one recites on the broken wheat bread. Barley bread and spelt bread, one recites on barley bread. But is not spelt bread better? But this is from one of the Seven Kinds, that one is not of the Seven Kinds." Rabbi Jacob bar Aḥa in the name of Rabbi Zeira: This is from Rabbi Yehudah, since Rabbi Yehudah said (Mishnah 4), "if there is¹⁰⁴ among them a fruit of the Seven Kinds, on it he recites the benediction." Impure bread and pure bread, Rabbi Ḥiyya bar Abba said, he recites on the pure one¹⁰⁵. Impure white bread and pure coarse¹⁰⁶ bread, Rabbi Ḥiyya bar Ada in the name of Rabbi Aḥa: He may recite on the one that he prefers¹⁰⁷.

102 Tosephta *Berakhot* 4:15; a small part of it is quoted in Babli 39b as statement of Amora'im. The problem is that only the first bread of a meal needs a benediction; all other foods of that meal can then be eaten without additional benedictions. The food that is chosen for benediction should be distinguished.

103 Greek, singular κόλλιξ, "roll".

104 On a fruit plate; one has to choose one fruit to eat first for a benediction, on the strength of which one may then eat all other fruits

without additional benediction. The sages opposing Rabbi Yehudah assert that one makes the benediction over the fruit (or here, bread) one prefers, to let God's praise come from a full heart. The Babli in practice follows the Sages but the Yerushalmi follows Rabbi Yehudah.

105 In the time of Rabbi Ḥiyya bar Abba, this was a theoretical question only, since at that time nobody was free from the impurity associated with the dead. It must be assumed that the food in question is secular and impure

by transfer from something that is the source of impurity; in that case, it cannot pollute the person who touches and eats it with due care.

106 Levy declares it to be from

Greek κυσηβία, τά (plur.) "bran, shells of grain kernels," Krauss and Löw from *cibarius (panis)* "coarse bread."

107 Since each one has good and bad qualities.

קורא רבי יעקב בר אבא בשם שמואל אומר עליו בורא פרי העץ. תנא רבי חלפתא בן שאול שהכל נהיה בדברו. תני רבי יהושע בורא מיני דשאים. מתניתא דרבי אושעיא פליגא עליו ואלו הן מיני דשאים הקינרס והחלימה והדמוע והאטד.

Young palm shoots. Rebbi Jacob bar Aḥa in the name of Samuel: He recites on it "Creator of the fruit of the tree¹⁰⁸." Rebbi Ḥalaphṭa ben Saul stated, "By Whose word everything was created¹⁰⁹." Rebbi Joshua stated: "Creator of kinds of grasses.¹¹⁰" The *baraita* of Rebbi Oshaiah disagrees: "The following are the kinds of grasses: artichoke¹¹¹, *ḥalimah*¹¹², *demua*¹¹³, and lycium¹¹⁴.

108 In the Babli (36a), the opinion of Rav Yehudah, accepted by his teacher Samuel, is to say "Creator of the fruit of the earth" since it is a vegetable growth but cannot qualify as "fruit" of the tree, since it will turn into inedible wood.

109 This is the original opinion of Samuel in the Babli, since nobody grows date palms for the few shoots one can eat each spring. Hence, it does not qualify as "fruit" of anything.

110 This is the only genuinely old tradition quoted, but it is rejected even by the Yerushalmi which admits a

variety of formulas of benedictions, since young palm shoots cannot qualify as grasses. As the following list shows, thistles and thorny plants may qualify as grasses.

While it is clear that in the Babli קורא means "heart of the palm", in the statement of R. Joshua the word might refer to Arabic קרה "cardamine, meadow cress"

111 Greek κυάρα, κινάρα.

112 This plant is defined by *Arukh*, the talmudic dictionary of 11th cent. R. Nathan of Rome, as mallow or okra. However, the Syriac dictionaries define

the word as equivalent of Latin *anchusa*, "ox tongue".

113 An otherwise unknown grassy plant; the corresponding Arabic word *ساع* is explained in classical Arabic

dictionaries as "seemingly the name of a plant."

115 A spiny plant frequent in the Jordan valley.

משנה ב: בִּירֵךְ עַל פִּירוֹת הָאֵילָן בּוֹרָא פְּרֵי הָאֲדָמָה יֵצֵא. עַל פִּירוֹת הָאֲדָמָה בּוֹרָא פְּרֵי הָעֵץ לֹא יֵצֵא. וְעַל כּוֹלָם אִם אָמַר שֶׁהִפְלֵךְ יֵצֵא.

Mishnah 2: If he pronounced the benediction "Creator of the fruit of the soil" on fruits of the tree, he has fulfilled his obligation, on fruits of the soil "Creator of the fruit of the tree", he has not fulfilled his obligation. On all of them if he pronounced "everything was created"¹¹⁶, he has fulfilled his obligation.

116 "By Whose word everything was created." While this is not the preferred benediction, the statement is true and therefore admissible.

הלכה ב: רבי חזקיה בשם רבי יעקב בר אבהו דרבי יודה היא דרבי יודה עבדי את האילנות כקשים. אמר רבי יוסי דברי הכל היא פירות האילן בכלל פירות האדמה. ואין פירות האדמה בכלל פירות העץ. רב הונא אמר חוץ מן היין ומן הפת. מתניתא אמרה כן חוץ מן היין שעל היין הוא אומר בורא פרי הגפן. חוץ מן הפת שעל הפת הוא אומר המוציא לחם מן הארץ.

Halakhah 2: Rabbi Hizqiah in the name of Rabbi Jacob bar Aha: This is Rabbi Yehuda's since Rabbi Yehudah makes trees like straws¹¹⁷. Rabbi Yose said, it is everybody's opinion since fruits of a tree are also fruits of the soil but fruits of the soil are not fruits of the tree¹¹⁸. Rav Huna said¹¹⁹, except for bread and wine. The Mishnah (6:1) says so: Except for wine because on wine one says "Creator of the fruit of the vine;" except

for bread because on bread one says "He Who produces bread from the earth."

117 In the Babli (40a) this is the accepted opinion, in the name of Rav Nahman. The proof is from Mishnah *Bikkurim* 1:8 which states that if a tree was felled, its owner may not bring the first fruits of that tree to the Temple, but Rabbi Yehudah insists that he may. Since everybody agrees that grain may be offered as first-fruits, and grain can be brought only after it was cut and separated from the straw, it follows that Rabbi Yehudah treats trees simply as stalks for their fruits.

118 In contrast to the opinion of the Tanna R. Yose quoted in the next paragraph, every true statement about food is acceptable.

119 Babli 40b. His opinion is rejected in the Babli in favor of a dissenting one of Rabbi Yohanan not mentioned in the Yerushalmi. The next paragraph, which relativizes the statement of Rav Huna, requires a separate benediction for bread even if it is not the one formulated by the Men of the Great Assembly.

תני רבי יוסי אומר כל-המשנה על המטבע שטבעו חכמים לא יצא ידי חובתו. רבי יודה אומר כל-שנשתנה מבריתו ולא שינה ברכתו לא יצא. רבי מאיר אומר אפילו אמר ברוך שברא החפץ הזה. מה נאה הוא זה יצא. רבי יעקב בר אהא בשם שמואל הלכה כרבי מאיר. מילתיה דרב אמרה כן. חד פרסוי אתא לגבי רב בגין דאנא אכל פיסתי ולא אנא חכים מברכה עליה ואנא אמר ברוך דברא הדין פיסא נפיק אנא ידי חובתי. אמר ליה אין.

It has been stated¹²⁰: Rabbi Yose says, anyone who changes the formula established by the Sages did not fulfill his duty. Rabbi Yehudah says, everything that has been changed from the way it was created but one did not change its benediction, he did not fulfill his duty¹²¹. Rabbi Meir says, even if he says: "Praised be He Who created this property, how beautiful it is," he has fulfilled his duty. Rabbi Jacob bar Aha in the name of Samuel: practice follows Rabbi Meir. The words of Rav also say so. A Persian¹²² came before Rav: "Since I am eating my piece of bread, but I

do not know how to recite the benediction over it, I use to say: 'Praise to Him Who created this piece of bread,' did I fulfill my duty?" He said to him: yes.

120 Tosephta *Berakhot* 4:5.

121 Rabbi Yose accepts only the formulas established by the Men of the Great Assembly. Rabbi Yehudah accepts these formulas as guidelines which have to be adapted to varying circumstances and this adaptation is more important than using the approved formulas. The great number of different formulas of benediction in the Yerushalmi and fragments of Yerushalmi rite prayer books show that the opinion of Rabbi Yehudah was the dominant one in the Land of Israel. In

staying with this attitude, it was even discussed at the start of this *halakha* that the anonymous Mishnah should present the opinion of Rabbi Yehudah. In the parallel in the Babli (40b), Rabbi Yehudah's opinion is not even quoted; in Babylonia only the opinions of Rabbi Yose (for those who know Hebrew) and of Rabbi Meir (for the illiterate) are accepted.

122 A Persian Jew. In the Babli (40b), he is called Benjamin the shepherd.

רב יהודה בשם אבא בר בר חנה בר קפרא ותרין תלמידוי נתארו אצל בעל
הבית בהדין פונדקא דברכתא אפיק קומיהון פרגין ואחונינא
(fol. 10c) וקפלוטין. אמרי נברך על קפלוטה דו פטר אחוניתא ולא פטר פרגיתא.
נברך על אחוניתא לא פטר לא דין ולא דין. קפץ חד ובירך על פרגיתא
שהפל נהיה בדברו. נחיד ליה חברים. אמר ליה בר קפרא לא לזה גורגון
אלא לך לוגון. זה עשה בגרגרותו אתה למה לגלות. ולזה אמר חכם אין
כאן זקן אין כאן. אמרו לא נצאה שנתן עד שמתו. אמר רבי יוסי הא אזלין
תרין ולא שמעינן מינה כלום. מיי כדון מסתברא מברך על הקפלוט שהפל
נהיה בדברו טפילה לירק¹²³.

Rav Yehudah in the name of Abba bar bar Hana¹²⁴: Bar Qappara and two of his students were with the innkeeper at the "inn of blessings". He brought before them partridge, orach¹²⁵, and leeks¹²⁶. They said, if we

recite the benediction on leeks¹²⁷, it will serve also for orach but not for the partridge¹²⁸. If we recite on orach, it will not serve for anything else. One of them jumped the gun and recited "by Whose word everything was created" on the partridge. His colleague¹²⁹ laughed at him. Bar Qappara said to that one, not about that glutton but about you scoffer¹³⁰. This one acted in his gluttony, why did you laugh? And to the other one he said, is there no rabbi here, is there no old man here? They said, within a year they both died. Rebbi Yose said, there two are gone and we did not learn anything from the incident. What is it? It is reasonable that one recites the benediction on leeks because "By Whose word everything was created" is secondary for vegetables¹³¹.

123 Reading of the Rome manuscript. The Venice text has לו.

124 He is Rabba bar bar Ḥana. A slightly different version is in Babli 39a as a tannaitic statement.

125 A salty plant, *Atriplex rosea*, growing mainly in salt marshes, that was used as (relatively cheap) vegetable. [The identification of the plant (and of the bird species) is Rashi's in the Babli, reported in the name of R. Isaac ben R. Yehudah of Worms.] The vegetable cannot be eaten raw, but must be cooked and, therefore, must have a changed benediction according to Rebbi Yehudah.

126 Greek κεφαλωτός, "having a head". The identification as leeks is from Rashi in Babli *Yom Ṭov* and the use of the word in Syriac.

127 It seems that these leeks were raw; hence, their benediction is "Creator of the fruit of the soil" and that will serve also for the cooked vegetable by the reasoning given in the Mishnah; however, a benediction over the cooked vegetable, which is a changed one following Rebbi Yehudah, cannot serve for raw leeks.

128 The benediction for partridge is "everything." The story makes two points. First, that in benedictions one did follow Rebbi Yehudah in frequently changing the wording of benedictions. [This principle, absent in the Babli, is the cause that the reports about and conclusions from this story in the two Talmudim are not comparable.] The second, more important one, is that the language of

the Mishnah, "On all of them if he pronounced 'everything', he has fulfilled his obligation" does *not* mean that one may recite that benediction on anything that specifically needs it and then extend it to fruits and vegetables, only that if one recited the benediction on agricultural produce it also is valid, but not preferred.

129 The Aramaic text seems to have a scribal error for תְּבַרֵּיָהּ

130 I am angry.

131 The meaning of the statement is that one should not start with the benediction over the quail because that benediction is also applicable to vegetables and, hence, cannot be

recited a second time for the same meal without taking God's name in vain. But, as explained earlier, the benediction "everything" is not valid for vegetables if recited on meat and, in any case, is undesirable for plants that have their own more specific benediction. Hence, the person reciting the benediction first on partridge cannot eat of the vegetables. On the other hand, if he makes the first benediction "Creator of the fruit of the soil" for the vegetables, then he can make a second benediction "that all was by His word" for the bird and all is fine.

משנה ג: על דבר שאין גידוליו מן הארץ אומר שהכל נהיה בדברו. על החומץ ועל הגוביי ועל הנובלות הוא אומר שהכל נהיה בדברו. רבי יהודה אומר כל־שהוא מין קללה אין מברכין עליו.

Mishnah 3: On food that is not grown on the soil one recites "that all was by His word." On vinegar¹³², on locusts, and on wind-fall fruit one recites "that all was by His word." Rebbi Yehudah says, one does not recite a benediction on a kind that comes from a curse.

132 Vinegar which came from wine turned sour, not vinegar that was

produced as such from the start.

הלכה ג: החמיץ יינו אומר ברוך דיין אמת. בא לאכלו אומר שהכל נהיה בדברו. ראה גוביי אומר ברוך דיין אמת. בא לאכלן אומר שהכל נהיה בדברו. ראה נובלות שנשרו אומר ברוך דיין אמת. בא לאכלן אומר שהכל נהיה בדברו

Halakha 3: If his wine turned sour, he recites "praise to the True Judge"¹³³. When he consumes it, he recites "that all was by His word." If he sees a locust¹³⁴, he recites "praise to the True Judge". When he consumes it, he recites "that all was by His word." If he sees fallen fruit, he recites "praise to the True Judge". When he consumes it, he recites "that all was by His word."

133 The standard benediction on bad news, cf. Mishnah 9:6.

swarms which destroy crops. Hence seeing one presages disaster.

134 The edible locusts come in

משנה ד: היו לפניו מינין הרבה רבי יהודה אומר אם יש ביניהן ממין שבבעה עליו הוא מברך. וחכמים אומרים על אי זה מהן שירצה.

Mishnah 4: If there were many kinds before him¹³⁵, Rabbi Yehudah said, if among them is one of the Seven Kinds¹⁵ that is the one over which he recites the benediction. But the Sages say, on any one that he wishes¹³⁶.

135 He wants to eat of all of them, they all require the same benediction, and he may recite one benediction only.

Sages to mean that the fruit to be chosen for benediction should be the one that he likes best personally. It seems that the Yerushalmi means quite literally "any one that he wants".

136 The Babli (41a) interprets the

הלכה ד: רבי יהושע בן לוי אמר מה פליגין רבי יהודה ורבנן. כשהיה בדעתו לאכל פת. אבל אין בדעתו לאכל פת כל-עמא מודוויי שאם יש ביניהן ממין שבעה עליו הוא מברך. אמר רבי אבא צריך לברך בסוף. אמר רבי יוסי הדין דרבי בא פליגא על דרבי יהושע בן לוי דרבי יהושע בן לוי אמר מה פליגין רבי יודה ורבנן בשהיה בדעתו לאכל פת אבל אין בדעתו לאכל פת כל-עמא מודוויי שאם יש ביניהן ממין שבעה עליו הוא מברך. ומר רבי אבא וצריך לברך בסוף לא בירך נעשה טפילה. דתנינן תמן כל-שהוא עיקר ועמו טפילה מברך על העיקר ופוטרי את הטפילה.

Halakhah 4: Rabbi Joshua ben Levi said, Rabbi Yehudah and the rabbis disagree only when he intended afterwards to eat bread¹³⁷, but if he did not intend to eat bread afterwards, everybody agrees that if among them one is of the Seven Kinds, that is the one over which he recites the benediction. Rabbi Abba said, he has to recite a benediction at the end¹³⁸. Rabbi Yose said, the statement of Rabbi Abba disagrees with Rabbi Joshua ben Levi since Rabbi Joshua ben Levi said, Rabbi Yehudah and the rabbis disagree only when he intended afterwards to eat bread, but if he did not intend to eat bread afterwards everybody agrees that if among them is one of the Seven Kinds, that is the one over which he recites the benediction; but Rabbi Abba said, he has to recite a benediction at the end. If he did not recite a benediction at the end it¹³⁹ became an accessory and we have stated there (Mishna 7): "In every situation where there is a main course and side dishes, one recites the benediction for the main course and thereby frees the side dishes."¹⁴⁰

137 If the fruits are eaten as appetizers to be followed by a meal, then the benediction over bread for the main meal is a benediction over one of the Seven Kinds, even over the most

important of the Seven Kinds. Hence, a benediction on some other fruit is no slight for the Land of Israel. But if the snack of fruits is not followed by bread and Grace after the meal then the

fruits of the Land of Israel take precedence since they require at the end a "benediction imitating three benedictions" whereas other fruits only require the short benediction "Creator of living things" that earlier was considered to be "nothing".

138 Even if Grace is recited afterwards.

139 The fruit eaten as appetizer.

140 Hence, bread being the most important food and requiring recitation of full Grace, any fruit eaten beforehand becomes a side dish for the bread and should be covered by Grace. The Yerushalmi takes Mishnah 7 to apply also to benedictions after the meal, not only before the meal.

הָדָא גְרִיזְמָתָא רַבִּי יְרֵמְיָהּ בְּשֵׁם רַבִּי אַמִּי מְבָרַךְ עַל הַתּוֹרְמוֹסָא. אָמַר רַבִּי לְוִי
עַל שֵׁם אֵל תִּגְזֹל דָּל כִּי דָל הוּא.

*Garizmata*¹⁴¹. Rabbi Jeremiah in the name of Rabbi Ammi, he recites the benediction over the lupine¹⁴². Rabbi Levi said, because of (*Prov.* 22:22) "do not rob a poor one¹⁴³ because he is poor."

141 The exact meaning of the word, its vocalization and etymology are unknown. It is clear from Midrashim (*Lev. rabba* 9, *Thr. rabba* introduction) that it refers to a dessert. The *Arukh* translates the word by Italian קוֹצִיאִי which Perles misread as *guscio* "trestle; shell, hull". Even *coccio* "potsherd" does not make much sense. The older commentaries to the Yerushalmi were misled by a scribal "correction" in the *Arukh* that identified *gryzmth* with lupines, which refers to the next word in the text. Levy's dictionary, following Perles, derives the word from a non-existing Greek word γαρῖσμα [but compare γαρῖσμός, ὄ, "an

unknown fish", γάρσος, ὄ "paste of brine and small fish", γάρσον, τὸ "fish sauce".] Jastrow considers the word as Par'el from (Hebrew and Arabic) גָּרַם "to cut in pieces". From the usage in the next Halakhah it seems that one speaks of baked, in contrast to cooked, goods. It is possible to connect the word with Arabic جردم, גרדם, "to devour voraciously" (said of worms and other pests.)

The background of the remark is that this kind of dessert at a formal dinner, being extraordinary and not part of a regular meal, is not covered by the benediction over the bread at the start of the meal and, hence, needs

its own benediction.

probably are the cheapest dish on the

142 He may make the benediction

plate.

even on lupines even though they

143 Of its benediction.

עד כְּדוֹן כְּשֵׁישׁ בְּדַעְתּוֹ לֶאֱכֹל פֶּת. אֵין בְּדַעְתּוֹ לֶאֱכֹל פֶּת לֹא בְּדָא. רַבֵּן גַּמְלִיאֵל
 זִיגָא סַלְק גַּבֵּי אֵילָין דְּבֵית רַבִּי יַנַּאי חֲמֵתוֹן נֶסְבִּין זִיתָא וּמְבָרְכִין לְפָנָיו
 וְלֵאחֲרָיו. אָמַר לוֹן וְעַבְדִּין כְּדוֹן. רַבִּי זְעִירָא שְׁלַח שְׁאַל לְרַבִּי שְׁמוּאֵל בַּר נַחֲמָן
 רַבִּי כְּהֵנָּה בְּשֵׁם רַבִּי אֶבְיָנָא כָּל־עַמָּא מוֹדֵי שְׁאֵם יֵשׁ בִּינְיָהֶן מִמֵּין שְׁבַעָה עָלָיו
 הוּא מְבָרַךְ. אָמַר רַבִּי זְעִירָא וְיֵאוּת. מִן מֵאן דְּאָנֹן חֲמִינֵן רַבְּנֵן סַלְקִין לְרֵישׁ
 יְרֵחָא וְאֶכְלִין עַגְבִּין וְלֹא מְבָרְכִין בְּסוּפָה. לֹא בְּשֵׁישׁ בְּדַעְתּוֹ לֶאֱכֹל פֶּת.

That is if it is his intention to eat bread¹⁴⁴. But if it is not his intention to eat bread, that does not apply. (Rabban) Gamliel the twin¹⁴⁵ went to those of the house of Rabbi Yannai. He saw them eat an olive¹⁴⁶ and recite the benediction before and afterwards. He said to them: Does one do that? Rabbi Zeira sent and asked Rabbi Samuel bar Nahman. Rabbi Cahana¹⁴⁷ in the name of Rabbi Avina¹⁴⁸: Everybody agrees that if among them was one of the Seven Kinds, that is the one over which he recites the benediction. Rabbi Zeira said, that must be correct, since we see the rabbis assembling for the proclamation of the New Moon and eat grapes but they do not recite a benediction afterwards. That is because it is his¹⁴⁹ intention to eat bread.

144 One returns to the opinion of the Sages in the Mishnah and the interpretation given by R. Joshua ben Levi.

oraries, not formulating his own rules. The title "Rabban" was given to him here by a thoughtless scribe; everywhere else his name appears without title.

145 The name of his twin brother was Hillel. He was an Amora of the third generation who usually appears asking questions from his contemp-

146 As an appetizer before a meal with bread.

147 Rabbi Cohen at other places in

the Talmud.

148 A student of Ganiva, also of Rav Huna and Rav Yehudah, who immigrated into Israel and was or-

dained in the Yeshivah of Rabbi Ammi.

149 It is their intention to have a full meal after the formal proclamation of the New Moon.

היו לפניו מינין שבָּעָה עַל אֵי זֶה מֵהֶן הוּא מְבָרֵךְ. תָּמֹן אֲמָרִין כָּל הַקּוֹדֵם לְמַקְרָא קוֹדֵם לְבִרְכָה וְכָל הַסְּמוּךְ לְאֶרֶץ קוֹדֵם לְכָל.

If there were before him of the Seven Kinds, on which one does he recite the benediction? There¹⁵⁰ they say: Everything that has precedence in the verse has precedence for benediction and everything that is close to "the Land" has precedence over everything else¹⁵¹.

150 In Babylonia; Babli 41a.

and (2) barley, (3) grapes, and (4) figs,

151 Hence, the orders of preference are (*Deut.* 8:6): "A land of (1) wheat

and (5) pomegranates; a land of (1) oil olives and (2) date honey.

משנה ה': בִּירֵךְ עַל הַיַּיִן שֶׁלִּפְנֵי הַמֶּזֶן פֶּטַר אֶת הַיַּיִן שֶׁלְאַחַר הַמֶּזֶן. בִּירֵךְ עַל הַפְּרֻפְרוֹת שֶׁלִּפְנֵי הַמֶּזֶן פֶּטַר אֶת הַפְּרֻפְרוֹת שֶׁלְאַחַר הַמֶּזֶן. בִּירֵךְ עַל הַפֶּטַר אֶת הַפְּרֻפְרוֹת. בִּירֵךְ עַל הַפְּרֻפְרוֹת לֹא פֶטַר אֶת הַפֶּטַר. בֵּית שְׁמַאי אוֹמְרִים אֵף לֹא מַעֲשֶׂה קְדִינָה.

Mishnah 5: If one recited the benediction on wine before the meal¹⁵², he also covers wine after the meal. If one recited the benediction on little pieces¹⁵³ before the meal, he also covers little pieces after the meal. If one recited the benediction on bread, he also covers little pieces; if one recited the benediction on little pieces, he did not cover bread; the House of Shammai say, neither did he cover cooked food.

152 Given as an appetizer. They drank wine after the main meal but before Grace was recited. Since Grace covers all food, it is obvious that anything consumed after Grace needs a new benediction. Both wine and cookies were served before and after the meal only on festive dinners as explained in Chapter 8; they do not belong to everyday meals. Their rules need to be spelled out.

153 The verb פָּרַר means "to break

into little pieces, crumble". It is possible that פָּרַר is a *pilpel* form of פָּרַר. This is the opinion of the dictionaries. It is more likely that פָּרַר is derived from παρὰφέρω "to serve, bring to one's side" (food), or the passive "set on table, served" (definitions of Liddell & Scott). The correct translation then is "side dish before or after meal; appetizer or dessert, snacks." The vocalization should be פָּרַרָה (E. G.).

הלכה ה: אָמַר רב חסדא לא תנינן אָלָא בִּירַךְ עַל הַיַּיִן שְׁלִפְנֵי הַמְּזוֹן פְּטוּר אֶת הַיַּיִן שְׁלֵאֲחֵר הַמְּזוֹן. אָבָל אִם בִּירַךְ עַל הַיַּיִן שְׁבִתוּךְ הַמְּזוֹן לֹא פְּטוּר אֶת הַיַּיִן שְׁלֵאֲחֵר הַמְּזוֹן. תָּמָן אָמְרִין אֶפִּילוּ בִּירַךְ עַל הַיַּיִן שְׁלִפְנֵי הַמְּזוֹן לֹא פְּטוּר אֶת הַיַּיִן שְׁלֵאֲחֵר הַמְּזוֹן. וְהָא תְּנִינָן בִּירַךְ עַל הַיַּיִן שְׁלִפְנֵי הַמְּזוֹן פְּטוּר אֶת הַיַּיִן שְׁלֵאֲחֵר הַמְּזוֹן. רַב הוֹנָא וְרַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי. חַד אָמַר בְּהַדִּין¹⁵⁴ דְּשִׁתִּי קוֹנְדִיטוּן. וְחֵרְנָא אָמַר בְּהַדִּין דְּשִׁתִּי חֵמַר אַחַר בִּילְגִי.

Halakhah 5: Rav Hisda said, we stated only "if one recited the benediction on wine before the meal, he also covers wine after the meal", but if one recited the benediction for wine during the meal¹⁵⁵, he did not cover the wine after the meal. There¹⁵⁶ they say, even if one recited the benediction on wine before the meal, he did not cover wine after the meal. But did we not state "if one recited the benediction on wine before the meal, he also covers wine after the meal"? Rav Huna and Rabbi Joshua ben Levi, one of them said, if he drank spiced wine¹⁵⁷, the other one said, if he drank wine after the bath¹⁵⁸.

154 Reading of the Rome manuscript. Venice print: בהרין

155 When wine serves only to wash down the food. But wine after the

meal is consumed for its own sake.

156 In Babylonia, where wine was a rarity and only used on Sabbath and holidays. Their usual drink was beer made from date syrup. The entire discussion is Babylonian, cf. Babli 42b.

157 Latin *conditum* (scil., *vinum*); this wine cannot be compared to regular

wine and therefore needs an extra benediction.

158 Latin *balnea, -orum* (plur.), a sauna. Since the first wine after return from the sauna is taken for medical reasons, its benediction does not cover wine consumed as food.

רבי חֵלְבוֹ רב הוֹנָא רב בְּשֵׁם רבי חייא רובא פת הבָּאָה כִּיסְנִין אַחַר הַמְּזוֹן
טְעוּנָה בְּרָכָה לְפָנֶיהָ וְלֵאחֲרֶיהָ. אָמַר רבי אַמִּי רבי יוֹחָנָן פְּלִיג. אָמַר רבי מְנָא
לְרַבִּי חִזְקִיָּה בְּמָה הוּא פְּלִיג. כְּשֶׁאֲכַל מֵאוֹתוֹ הַמְּזוֹן בְּאַמְצַע הַמְּזוֹן. אָמַר לִיה
אֶפִּילוּ לֹא אֲכַל מֵאוֹתוֹ הַמִּין בְּאַמְצַע הַמְּזוֹן. אֶתָּא רב חַיִּי בְּשֵׁם רבי זְעִירָא
אֶפִּילוּ לֹא אֲכַל מֵאוֹתוֹ הַמִּין בְּאַמְצַע הַמְּזוֹן.

Rebbi Ḥelbo, Rav Huna, Rav, in the name of the great Rebbi Hiyya: Bread that comes *kisnīn*¹⁵⁹ needs a benediction before and after. Rebbi Ammi said that Rebbi Yoḥanan disagrees. Rebbi Mana asked Rebbi Hizqiah, in what does he disagree? When one ate from the same food¹⁶⁰ during the meal? He said to him, even if one did not eat from the same kind during the meal. Rav Ḥaggai came in the name of Rebbi Zeira: Even if one did not eat from the same kind during the meal¹⁶¹.

159 Rav Hai Gaon explains that *kisnīn*-bread is called כֵּכַך in Arabic. This is "pastry, small baked goods" in common Arabic, "donuts" in Syrian dialect. Rabbenu Ḥananel and Rashi explain that it is a baked shell filled with candied almonds and other nuts. Since it is baked it needs a benediction, but since it is not baked as bread it is not covered by the benediction over

bread. The Babli (42a) quotes only the opinion of Samuel who seems to agree with Rebbi Yoḥanan here.

160 The Rome ms. has here הַמִּין, conforming to the next two sentences.

161 Any baked goods eaten after the benediction over bread and before Grace are covered by these two benedictions.

רבי חנינא בר סיסיי הוון אילין דנשייא משלחין ליה נקלווסין ונהוה שבק לון
 בְּתַר מְזוּנִיָּה וּמְבַרְךְ עֲלֵיהֶן תְּחִילָה וְסוּף. רב חונא אכל תְּמָרִין עִם פִּישְׁתִּיָּה.
 אָמַר לִיה רב חייא בר אשי פְּלִיג אַת עַל רֶבֶד שׁוּבְקִין בְּתַר מְזוּנָךְ וְאַתְּ מְבַרְךְ
 עֲלֵיהֶן תְּחִילָה וְסוּף. אָמַר לִיה אינין אינין עֵיקַר נְגִישְׁתִּי. רבי יונה וְרַבִּי יוֹסִי
 סָלְקוּן לְמִשְׁתֵּיתִיָּה דְרַבִּי חֲנִינָא עֲנִתְנִיָּה אֶפִּיק קוּמִיהוּן פֶּת הַבָּאָה בְּכִיסְנִין
 לְאַחַר הַמְּזוּן. אָמְרִין נִישְׁבּוּק אֹלְפָנָא וְנִיתִי לָן לְמִתְנִיתָא. דְּתַנִּי רַבִּי מְנָא
 מְשׁוּם רַבִּי יוֹדָה שְׁאָמַר מְשׁוּם רַבִּי יוֹסִי הַגְּלִילִי פֶּת הַבָּאָה כִּיסְנִין לְאַחַר הַמְּזוּן
 טְעוּנָה בְּרָכָה לְפָנֶיהָ וְלְאַחֲרֶיהָ. אָמְרִי מִכִּיּוֹן דְּהוּ יַחֲדִיזִי וְרַבָּנָן פְּלִיגִין עֲלוּי
 נְעַבְד כְּרַבָּנָן.

From the Patriarch they sent Nicolaus dates¹⁶² to Rebbi Hanina bar
 Sisai¹⁶³. He left them for dessert after his meal and recited a benediction
 over them before and after. Rav Huna ate dates with his bread. Rav
 Hiyya bar Ashi said to him, are you disagreeing with your teacher¹⁶⁴?
 Leave them for dessert after your meal and you may recite a benediction
 over them before and after. He said to him, they are the main thing my
 teeth get to bite. Rebbi Jonah and Rebbi Yose went to the marriage feast
 of Rebbi Hanina Eyntanaya. They brought before them *kisnīn* bread after
 the meal. They said, let us leave our learning and let us bring a *baraita*:
 Rebbi Mana stated in the name of Rebbi Yehudah, who said in the name
 of Rebbi Yose the Galilean: Bread that comes *kisnīn* after the meal needs
 a benediction before and after. They said, since they are the minority and
 the rabbis disagree with them, let us act following the rabbis¹⁶⁵.

162 A kind of large Syrian dates, in Arabic אֲנִקְלָא .

163 He is also called Ininai bar Sisai (in the Yerushalmi) and Anani bar Sason (in the Babli); Amora of the second generation and student of Rebbi

Hanina.

164 Rav, who said that food eaten after the main meal, without bread, needs separate benedictions.

165 That bread covers all food which comes regularly with a meal,

whether during the main course or as a dessert. This, as report of an action, is the final decision in the matter.

אמר מרינוס בן רבי יהושע אהן אכל גריזמי וסלית אף על גב דהוא מברך על גריזמתא בסופה לא פטר סולתא. מה כבית שמאי דבית שמאי אומר אף לא מעשה קדירה. אמר רבי יוסי דברי הכל היא. בירך על הפת פטר את הפרפרת ואת מעשה קדירה. בית שמאי אומרים לא פטר את מעשה קדירה. אבל אם בירך על הפרפרת תחילה כל-עמא מודוי דלא פטר את הפת ולא מעשה קדירה. רבי אבא בריה דרבי פפי בעי. אהן דאכל סולת וברעתיה מיכול פיתא מהו מברכה על סולתא בסופה. רבנן דקיסרין פשטין לה צריך לברך בסוף.

Marinos, the son of Rabbi Joshua¹⁶⁶ said: He who ate dessert¹⁴¹ and cereal¹⁶⁷, even though he recites a benediction on the dessert at the end, he did not cover cereal¹⁶⁸. Is he like the House of Shammai, since the House of Shammai say¹⁶⁹, "neither cooked food?" Rabbi Yose said, this is everybody's opinion. If one recited the benediction on bread, he also covers little pieces and cooked food; the House of Shammai say, neither did he cover cooked food. But if one first recited the benediction over little pieces, everybody agrees that he covered neither bread nor cooked food¹⁷⁰. Rabbi Abba, the son of Rabbi Haggai asked: He who ate cereal and he has the intention of later eating bread, does he have to recite a separate benediction for cereal at the end? The rabbis of Caesarea find it obvious that he has to recite a separate benediction at the end¹⁷¹.

166 At other places in the Yerushalmi, he is called Marinos, the son of the great Rabbi Oshayah; an Israeli Amora between the first and second generations.

167 Cereal made from flour or

flakes of grain that can be used to make bread.

168 Since vegetable dessert needs only a short benediction afterwards but cereal needs a "benediction imitating three."

169 In the Mishnah. Except if it is explicitly stated, practice never follows the House of Shammai; Marinos should not follow it.

170 They need the "benediction imitating three." The Yerushalmi takes it as obvious that the remark on the House of Shammai refers to the sentence just preceding their remark. In the Babli (42b) it remains undecided whether the House of Shammai refer to

the first or the second clause in the Mishnah.

171 In Israel, one never ate cereal with bread. R. Zeira (himself a native Babylonian) is quoted in the Babli (*Beza* 16a) as making fun of "those stupid Babylonians who eat bread with bread" because they eat bread with cereal. Hence, in Caesarea, someone eating cereal is not presumed to have the intention to eat bread.

משנה ו: היו יושבין כל-אחד ואחד מברך לעצמו. היסיבו אחד מברך לכיולן. בא להן יין בתוך המזון כל-אחד מברך לעצמו לאחר המזון אחד מברך לכיולן. ואומר על המוגמר.

Mishnah 6: If they were sitting¹⁷², every one makes the benediction for himself¹⁷³. If they were lying on couches¹⁷⁴, one would make the benediction for everybody¹⁷⁵. If wine were served to them in the middle of the meal, everyone would make the benediction for himself¹⁷⁶; after the meal one person makes the benediction for everybody, and he makes the benediction on *mugmar*¹⁷⁷.

172 In a sitting room, not in a dining room, either for talk or before a meal. (Some Mishnah manuscripts have "sitting before a meal" but the addition seems irrelevant.) In Mishnaic times, a formal meal was always taken lying down on couches, supporting oneself with one's left arm and eating with the

right hand.

173 For wine, pastries, or fruit.

174 Assembled to eat a meal as a company.

175 On bread and/or wine. The other participants must answer "Amen" so that the benediction is counted also for them.

176 Since people may be eating, their mouth is not free to answer "Amen".

177 The Hebrew verb גמר, Arabic *gamar* means "to roast on burning coals".

Mugmar are spices or incense roasted on burning coals, used as air-freshener after a meal and also to perfume garments.

חלכה ו: רבי יהושע בן לוי אמר בשבוע הבן היא מתניתא. הא בעל הבית בתוך ביתו לא. תני רבי חייא אפילו בעל הבית בתוך ביתו.

Halakhah 7: Rabbi Joshua ben Levi said, the Mishnah deals with a party for circumcision¹⁷⁸. Hence, it does not apply to a man in his own house¹⁷⁹. Rabbi Hiyya stated¹⁸⁰, even a man in his own house.

178 And similar festive occasions when a formal dinner takes place.

179 Since all members of the household look to the head of the house to start the meal, he should make the benediction for all of them even if they are sitting and not reclining, since not every apartment has a formal dining

room.

180 In one of his *baraitot*. He allows a common benediction only in a formal dining room. The disagreement between him and R. Joshua ben Levi is not resolved; both are authorities of equal standing.

תני סדר סעודה אורחין נכנסין ויושבין על הספסלין ועל הקתדרות עד שכולן מתכנסין. הביאו להן יין כל אחד ואחד מברך לעצמו. הביאו להן לנדים כל אחד ואחד נוטל ידו אחת. הביאו להן פרפרת כל אחד ואחד מברך לעצמו. עלו והסיבו הביאו להן יין אף על פי שבירך על הראשון צריך לברך על השני. ואחד מברך על ידי כולם. הביאו להן לנדים אף על פי שנטל ידו אחת צריך ליטול שתי ידיו. הביאו להן פרפרת אחד מברך על ידי כולם. ואין רשות לאורח ליכנס אחר שלש פרפראות.

It was stated¹⁸¹: The order of a formal meal: Guests enter and sit on low benches¹⁸² or on chairs¹⁸³ until all of them are assembled. They are served wine; everyone makes the benediction for himself. They bring

them water, everyone washes one hand. They bring them snacks, everyone makes the benediction for himself. When they entered¹⁸⁴ and lie down on couches they are served wine; even though one made the benediction on the first one, he must now make the benediction on the second one; one of them makes the benediction for all of them. They bring them water; even though one had washed one hand, he now has to wash both hands. When they are served snacks, one makes the benediction for all of them. No guest may enter after three servings of snacks.

181 Tosephta *Berakhot* 4:8; Babli

183 Greek καθέδρα.

43a. This Tosephta explains the background of the Mishnah.

184 The dining room. הסב means "to lie on couches" in Mishnaic Hebrew.

182 Latin *subsellium*.

תמן תנינן סוכה שבעה כיצד. גמר מלאכול לא יתיר את סופתו אכל מוריד הוא את הפלים מן המנחה ולמעלה בשביל כבוד יום טוב האחרון. רבי אבא בר כהנא רב חינא בר אשי בשם רב צריך אדם לפסול סופתו מבעוד יום. רבי יהושע בן לוי אמר צריך לקדש בתוך ביתו. רבי יעקב בר אחא בשם שמואל קידש בבית זה ונמלך לאכול בבית אחר צריך לקדש. רבי אחא רבי חינא בשם רבי הושעיא מי שסופתו עריבה עליו מקדש לילי יום טוב האחרון בתוך ביתו ועולה ואוכל בתוך סופתו. אמר רבי אבין ולא פליגין. מה דמר רב כשלא הנה בדתו לאכול בבית אחר. ומה דמר שמואל כשהנה בדתו לאכול בבית אחר. אמר רבי מנא אתיא דשמואל כרבי חינא ודרבי הושעיא כרבי יהושע בן לוי.

There (Mishnah *Sukkah* 4:5) we have stated: "Sukkah seven days, how is this¹⁸⁵? If he finished to eat he should not take down his *sukkah*¹⁸⁶, but he takes out the vessels starting from the time of afternoon prayers because of the honor due to the last holiday." Rebbi Abba bar Cahana,

Rav Hiyya bar Ashi in the name of Rav: A person must make his *sukkah* invalid¹⁸⁷ as long as it is still day. Rabbi Joshua ben Levi said, a person must make *Qiddush*¹⁸⁸ inside his house¹⁸⁹. Rabbi Jacob bar Aḥa in the name of Samuel: If one made *Qiddush* in one house and changed his mind to eat in another house he must make *Qiddush*¹⁹⁰. Rabbi Aḥa, Rabbi Hinenā in the name of Rabbi Hoshaiāh¹⁹¹: He who loves his *sukkah* makes *Qiddush* of the last holiday in his house and goes to eat in his *sukkah*¹⁹². Rabbi Abun said, they do not disagree. What Rav said was, if he did not have the intention to eat in another house¹⁹³. But what Samuel said was if he had the intention to eat in another house. Rabbi Mana said¹⁹⁴, Samuel comes like Rabbi¹⁹⁵ Hiyya and Rabbi Hoshaiāh like Rabbi Joshua ben Levi¹⁹⁶.

185 The holiday of Sukkot is seven days; the eighth day, *Shemini Azeret*, is an additional festive day, where the obligation to live in a *sukkah* does not apply. Since one may not add to the commandments of the Torah (*Deut.* 13:1), in Israel, where holidays are only one day, one may not live in the *sukkah* on the eighth day.

186 The obligation to live in the *sukkah* extends until nightfall of the eighth day.

187 That it would no longer qualify as *sukkah*. At the end of the discussion, the interpretation is that one must make the *sukkah* invalid as *sukkah* only if one intends to eat in the *sukkah* during the holiday of *Shemini Azeret*. One makes the *sukkah* invalid

either by removing some of the roofing, or by putting up a sheet of cloth under the roofing, or in a similar way.

188 The sanctification of (Sabbath and) holidays, pronounced over a cup of wine.

189 On *Shemini Azeret*, irrespective of the place of the meal.

190 This parallels the statement of Samuel in Babli *Pesahim* 101a that "there cannot be *Qiddush* except at the place of the holiday meal."

191 The Venice text reads: Rabbi Joshua; the text here is from the Rome manuscript. The correct text is in the parallel in *Sukkah* 4:5: Rabbi Hoshaiāh in the name of Rav. In the sequel, this statement will be referred to either as

Rebbi Hoshaiah's or Rav's.

192 Contradicting the statement of Samuel, that *Qiddush* must be said at the place of the meal.

193 So that at the moment of recitation of *Qiddush*, his intention was valid; a valid benediction cannot be voided retroactively.

194 The explanation of R. Abun is impossible since then we would have two contradictory statements in the name of Rav. Rav Ḥiyya bar Ashi said in his name that one must make the *sukkah* invalid before the start of the eighth day if one wants to use it during that day; hence, if Rebbi Hoshaiah requires in Rav's name that one make *Qiddush* in the house it is obvious that he had the prior intention to eat in the *sukkah*. Hence, Rav must disagree with Samuel. If Rav Ḥiyya bar Ashi made his statement without reference to Rav we may refer to the Babli (*Pesahim* 100b) that Rav disagrees explicitly with Samuel but that Rav Huna, Rav's foremost student, agrees with Samuel. Rav Huna would not have gone against Rav if not at least one of the latter's colleagues in his Yeshivah, e. g., Rav

Ḥiyya bar Ashi, had supported Samuel.

Hence, the attribution of the statement of Rav Ḥiyya bar Ashi to Rav seems to be in error, even though it is supported by both manuscripts of the Yerushalmi.

195 Scribal error for "Rav". Since Rav Ḥiyya bar Ashi requires that one eat in an invalid *sukkah* he must require that *Qiddush* be in that invalid *sukkah*.

196 This seemingly unrelated topic is discussed here because it has an implicit relationship with the foregoing Tosephta and the Mishnah. According to R. Joshua ben Levi, one may make *Qiddush* in the house and then continue eating and drinking wine in the *sukkah*. This means that one may start drinking wine at one place and then continue drinking at another place without reciting a new benediction. This contradicts the previous Tosephta that the benediction over wine in the sitting room does not free one from reciting a new benediction in the dining room. Samuel (seconded by Rebbi Yoḥanan in Babli *Pesahim* 101a/b) will agree to the conclusion from the Tosephta.

שָׁאֵלוּ אֶת בֶּן זֹמְאָא מִפְּנֵי מָה בָּא לָהּוֹן יִין בְּתוֹךְ הַמְּזוֹן כָּל-אֶחָד מִבְּרֵךְ לְעַצְמוֹ.
אָמַר לָהּוֹן מִפְּנֵי שָׂאִין בֵּית הַבְּלִיעָה פְּנוּי. אָמַר רַבִּי מְנָא הִדָּא אָמְרָה אֵהוֹן
דְּעָטִישׁ גּוּ מִיכְלָא אֲסִיר לְמִימַר יִיס בְּגִין סְכִנְתָּא דְנִפְשָׁא.

They asked Ben Zoma¹⁹⁷: Why, if wine was served to them in the middle of the meal, everyone makes the benediction for himself? He said to them, because the place of swallowing is not empty¹⁹⁸. Rabbi Mana said, this means that if someone sneezes during the meal one may not say to him "for health¹⁹⁹" because of danger to one's life.

197 Tosephta *Berakhot* 4:12, Babli 43a.

198 Talking during swallowing may bring food into one's windpipe and cause one's death by asphyxiation.

199 Greek ἵασις. The *Arukh* reads here ט, Greek ζήτω "for life!" The Tosephta (*Šabbat* 7:5) declares this to be a non-Jewish custom.

מה בין מוגמר ובין יין. מוגמר כולן מריחין. יין אֶחָד הוּא טוֹעַם. רַבִּי זְעִירָא בְּשֵׁם רַב יְרֵמְיָה מוּגְמָר כִּינוּ שְׁהַעֲלָה עֵשֶׂן צְרִידָא לְבָרְדָא. רַבִּי יְרֵמְיָה בְּעָא מִיבְדּוּק לְרַבִּי זְעִירָא. אָמַר לֵיהּ כִּיֻּצַּד הוּא אוֹמֵר עַל שְׁמֹן עָרַב. אָמַר לֵיהּ אֲשֶׁר נָתַן רִיחַ טוֹב בְּשְׁמֹן עָרַב. אָמַר לֵיהּ אֲשֶׁר נָתַן רִיחַ טוֹב בְּעֲצֵי בְּשָׂמִים. יִצְחָק בְּרַ אָבָא בְּרַ מְחַסְיָה וְרַב חֲנַנְאֵל הוּון יְתַבִּין חַד אָמַר בְּרוּךְ שֶׁנָּתַן רִיחַ טוֹב בְּעֲצֵי בְּשָׂמִים. וְחֲרַנְאָא אָמַר בְּרוּךְ שֶׁנָּתַן רִיחַ טוֹב בְּעֵשֶׂב הָאֲרָץ. מַתִּיב מִן דְּמַר בְּעֵשֶׂב הָאֲרָץ לָמֵן דְּמַר בְּעֲצֵי בְּשָׂמִים. וְכִי עֲצִים הֵן. אָמַר לֵיהּ וְהִכְתִּיב וְתִיטְמַנְם בְּפִשְׁתֵּי הָעֵץ. וְכִי עֲצִים הֵן. סִלְקִין לְבֵית רַב וְשָׁמְעוּן רַב חוּנָא בְּשֵׁם רַב אֲשֶׁר נָתַן רִיחַ טוֹב בְּעֲצֵי בְּשָׂמִים. גְּנִיבָא אָמַר שְׁמֹן לְזוּהָמָה אִינוּ צְרִידָא לְבָרְדָא. אָמַר רַבִּי יוֹדֵן אָפִילוּ קְרוּי לְתוּךְ יָדוּ. רַבִּי חֲלָבּוּ רַב חוּנָא בְּשֵׁם רַב הַמְרַבֵּץ אֱלִינִיתִית בְּתוּךְ בֵּיתוֹ אִינוּ צְרִידָא לְבָרְדָא. אָמַר רַב חֲסֵדָא עַל כּוֹלָן הוּא אוֹמֵר אֲשֶׁר נָתַן רִיחַ טוֹב בְּעֲצֵי בְּשָׂמִים. בְּרַ מִן אֲהוּן מוֹסְכִין דִּיִּימַר אֲשֶׁר נָתַן רִיחַ טוֹב בְּמִינֵי בְּשָׂמִים.

What is the difference between *mugmar* and wine? Everybody smells *mugmar*, each person tastes wine. Rabbi Zeira in the name of Rav Jeremiah²⁰⁰: One has to recite the benediction for *mugmar* as soon as the smoke rises. Rav²⁰¹ Jeremiah wanted to examine Rabbi Zeira. He said to him, which benediction does one recite on perfumed oil? He said, "He

Who gave pleasant fragrance in perfumed oil." He said to him, "He Who gave pleasant fragrance in spice wood." Isaac bar Abba from Mehasiah²⁰² and Rav Hananel were sitting. One said, "Praise to Him Who gave pleasant fragrance in spice wood." The other one said, "Praise to Him Who gave pleasant fragrance in the plants of the earth." He who said "in the plants of the earth" objected to him who said "in spice wood": are they wood? He answered him, is it not written (*Jos.* 2:6) "She hid them in the hemp of wood", are these wood? They went to the Yeshivah of Rav and heard Rav Huna²⁰³ in the name of Rav: "He Who gave pleasant fragrance in spice wood." Ganiva said, he who uses oil for dirt²⁰⁴ does not have to recite a benediction. Rabbi Yudan said, even if he collects it into his hand. Rabbi Helbo, Rav Huna in the name of Rav: He who sprinkles *olentia*²⁰⁵ in his house²⁰⁶ does not have to recite a benediction. Rav Hisda said, on everything he recites "He Who gave pleasant fragrance in spice wood" except for musk on which he recites "He who gave pleasant fragrance in all kinds of spices."²⁰⁷

200 The entire discussion is paralleled in Babli 43a/b.

201 The text, "Rebbi", is in error since Rebbi Zeira was the student of Rav Jeremiah in Babylonia and the teacher of Rebbi Jeremiah in Galilee.

202 A Babylonian; twice mentioned as associate of Rav Hananel. Mata ("City of") Mehasia was the place of Rav's Yeshivah.

203 Head of the Yeshivah of Rav after Rav's death.

204 If the oil is used primarily for cleaning and it does not matter that it

is perfumed. This applies to all other cleaning fluids also.

205 Latin *olens, olentis* "sweet smelling" (E. G.). Most authors equate the word with *oleamentum*, "ointment made from olive oil"; this fits neither the spelling of the word nor the context.

206 If the main intent is to either bind the dirt or to get rid of bad odors, not to produce the pleasant fragrance.

207 Musk is of animal, not vegetable, origin. The statement of Rav Hisda in the Babli is quoted in the

name of Rav; but there the benediction except for balsamum.
for musk is accepted for everything

משנה ז: הביאו לפניו מליח ופת עמו מברך על המליח ופוטר את הפת שהפת
טפילה לו. זה הכלל כל־שהוא עיקר ועמו טפילה מברך על העיקר ופוטר את
הטפילה.

Mishnah 7: If salted fish²⁰⁸ was brought before him with bread, one recites the benediction over the salted fish and frees the bread²⁰⁹ because the bread is accessory. The following is the principle: Anything that is the main dish and comes with a side dish, one recites the benediction on the main dish and this frees the side dish.

208 This is the usual interpretation of "salted" and is the correct interpretation of Mishnah and Yerushalmi by the testimony of the *Arukh* who quotes the Mishnah *Nedarim* 6:3: "He who makes a vow not to eat any salted

foods, is forbidden only salted fish."

209 From having to recite the benediction because salted fish cannot be eaten without bread; hence, the bread would not have been eaten were it not for the salted fish.

הלכה ז: רבי שמואל בר נחמן בשם רבי יונתן מתנייתא עד שלא למדו סעודת מלכים ובמקום שעושין את המליח עיקר. אבל במקום שאין עושין את המליח עיקר לא בדא. רבי ירמיה בשם רב פיתא ופירור אומר על הפירור במקום שעושין את הפירור עיקר. אבל במקום שאין עושין את הפירור עיקר לא בדא. רבי סימון בשם רבי שמעון בן לקיש שקיזמי ופיתא אומר על השקיזמי במקום שעושין את השקיזמי עיקר. אבל במקום שאין עושין את השקיזמי עיקר לא בדא.

Halakhah 7: Rabbi Samuel bar Nahman in the name of Rabbi Jonathan²¹⁰: The Mishnah was from before they learned royal meals and

at a place where the salted fish is the main food, but at a place where salted fish is not the main food that does not apply²¹¹. Rav²¹² Jeremiah in the name of Rav, *pitta* bread and morsels, one recites on the morsels at a place where the morsels are the main food²¹³. But at a place where morsels are not the main food that does not apply. Rabbi Simon in the name of Rabbi Simeon ben Laqish, *ṣeqizmi*²¹⁴ and bread, one recites on the *ṣeqizmi* at a place where the *ṣeqizmi* are the main food. But at a place where *ṣeqizmi* are not the main food that does not apply.

210 Israeli Amora of the first generation, close to R. Joshua ben Levi, Rabbi Ḥiyya the Great and R. Ḥanina.

211 Hence, for the Babli (44a) it no longer applies.

212 Again, "Rebbi" is scribal error.

213 This does not contradict the statement in Halakhah 1 that one makes the benediction on a complete loaf of bread if at all possible since the morsels here are not eaten as morsels, but are collected and milk is poured over them; the whole is left standing

until it gets moldy. The result was considered in Babylonia to be an exquisite delicacy called "Babylonian *kutah*". The authorities involved here are all Babylonian.

214 An unidentified word. [*Pne Mosheh* (Margalit), followed by Levy in his dictionary, takes the word to mean a delicacy made from almonds (שקר) with ך replacing soft ד. *Pne Mosheh* (Ben Ḥabib) identifies *ṣeqizmi* as kinds of fruit.]

משנה ח: אכל תאנים וענבים ורמונים מברך עליהן שלש ברכות דברי רבן גמליאל. וחכמים אומרים ברכה אחת מעין שלש. רבי עקיבא אומר אפילו אכל שלק והוא מזונו מברך עליו שלש ברכות. השוטה מים לצמאו אומר שהכל נהיה בדברו. רבי טרפון אומר בורא נפשות רבות.

Mishna 8: One who ate figs, grapes, or pomegranates²¹⁵ recites for them three benedictions²¹⁶, the words of Rabban Gamliel; but the Sages

say, one benediction imitating three. Rabbi Aqiba says, even if one ate cooked food and that is his meal he recites for it three benedictions²¹⁷. He who drinks water for his thirst²¹⁸ says "By Whose word everything was created." Rabbi Tarphon²¹⁹ said, "Creator of many living things"²²⁰.

215 Or any other of the "Seven Fruits" that has not been made into bread; see note ¹⁵.

216 Full grace; this Mishnah is the introduction to the subject of Grace which will occupy the next two chapters.

217 Since the verse says: (*Deut.* 8:10) "When you will eat and will have been satiated then you must praise the Eternal, your God, for the good land that He has given you." There is no mention of bread. The three benedictions are (1) for the food, (2) for the Land, (3) for Jerusalem.

218 He drinks water for itself and not to accompany or wash down food.

219 Probably the Greek name

Τροφῶν. He was old enough to have served as a priest in the Temple before its destruction. The text of the Yerushalmi in the Halakhah, a manuscript of the Babli, and some quotes from Medieval authorities have "R. Yehudah" instead of "R. Tarphon". Since the main thrust of the Mishnah is about concluding benedictions, it is not clear whether R. Tarphon/Yehudah speaks of a first benediction, contradicting R. Aqiba, or about the concluding benediction for food that needs neither "three benedictions" nor "one benediction imitating three."

220 Some Mishnah manuscripts have here the full text of the minor benediction after food.

הלכה ת: רבי סימון רבי תדאי בשם רבי הושעיא²²¹ אכל במזרחא של תאינה וברא לאכל במערבה צריך לברך. אבא בר רב חונא אמר יין יין חדש צריך לברך. שינוי יין אין צריך לברך. שינוי מקום צריך לברך. הסיע דעתו כמי שהוא שינוי מקום. רבי על כל-חבית וחבית שהיה פותח היה מברך עליה. ומה היה אומר. רבי יצחק רובא בשם רבי ברוך הטוב והמטיב. מעשה ברבי עקיבה שעשה משתה לשמעון בנו על כל-חבית וחבית שהיה פותח היה מברך עליה ואומר חמרא טבא לרבנן ולתלמידיהו.

Halakhah 8: Rabbi Simon, Rabbi Thaddeus²²², in the name of Rabbi Hoshai: If one ate East of a fig tree and then changed to West of it²²³ to eat, he must make a benediction. Abba bar Rav Huna said: old wine, new wine, he has to recite a benediction²²⁴. Change of wine he does not have to make a benediction. Change of place he has to make a benediction. If he took his mind off²²⁵ it is equal to change of place. Rabbi was reciting a benediction on any wine amphora that he was opening. What did he say? The old Rabbi Isaac in the name of Rebbi: "He Who is good and does good²²⁶." When Rabbi Aqiba was making a marriage feast for his son Simeon, he said a benediction over every wine amphora that he opened and said: "Good wine for the rabbis and their students."

221 Reading of the Rome manuscript. The Leyden manuscript and Venice print have again "R. Joshua".

222 Israeli Amora of the second generation. His sayings are reported either by R. Simon or by R. Abba.

223 Assuming that the fig tree is very old and large enough so that he cannot see his old place from the new one.

224 Since the benediction, as explained later in this Halakhah, is for the quality of the wine, one would expect that the change from new to old wine should require a benediction rather than the other way around.

However, one has to assume that one deals with wine stored in cheap pottery amphoras rather than in extremely expensive glass bottles. The amphoras are porous and most of the alcohol will have vanished by the time the amphora is opened and also the flavor will have deteriorated under the influence of the air seeping in from the outside. Hence, the text here is justified.

225 After some time has passed. If one then returns to drink, it is a new activity.

226 Benediction on getting good news.

הַשׁוֹתֵה מִיִּם לְצִמָּאוֹ אוֹמֵר שֶׁהִכֵּל נִהְיָ בְּדַבְרוֹ. אָמַר רַבִּי יוֹנָה חוֹץ מִמִּי דְקָרִים. אָמַר רַבִּי יוֹסִי וּלְכָל־מִיִּם שֶׁהוּא צָמָא לֶהֱן. אָמַר רַבִּי אֶבּוֹן הַשׁוֹתֵה מִי

דְּקָרִים מֵהוּ אֹמֵר בְּרוּךְ שֶׁבָּרָא מִי רְפוּאוֹת. אֵית תְּנִי תְנִי מִי דְקָרִים. אֵית תְּנִי תְנִי מִי דְקָלִים. מֵאן דְּמַר מִי דְקָרִים שֶׁהוּ דוֹקְרִין אֶת הַמָּרָה. וּמֵא דְמַר מִי דְקָלִים שֶׁהוּ יוֹצֵאֵן מִבֵּין שְׁנֵי דְקָלִים.

"²²⁷He who drinks water for his thirst says 'That everything was created by His word.'" Rebbi Jonah said, except pick-axe water²²⁸. Rebbi Yose said, on any water that he thirsts for²²⁹. Rebbi Abun said, he who drinks pick-axe water, what does he say? "Praise to Him Who created medicinal waters."²³⁰ Some Tannaïm state "*deqarim* water", other Tannaïm state "*deqalim* waters". He who said *deqarim* (pick-axe) waters, because they pierce the gall bladder. And he who says *deqalim* (date palm) waters, because they gush forth between two palm trees²³¹.

227 Quote from the Mishnah.

228 As is clear from the text, this is water drunk only for medicinal purposes.

229 If somebody drinks medicinal waters for his thirst, he has to recite the benediction for water, not that for medicinal waters. If he drinks water not for his thirst (in the language of

the Babli, 44b, if a piece of food is stuck in his esophagus,) he does not have to recite any benediction.

230 The fact that a benediction is due is also noted in the Babli (38a), but the text is given only here.

231 Compare Latin *decalicator* "hard drinker", one who is able to empty a *calix*, a goblet, at one draught (E. G.).

שלשה שאכלו פרק שביעי

משנה א: שלשה שאכלו כאחת חייבין לזמן. אכל דמאי ומעשר ראשון שניטלה תרומתו ומעשר שני והקדש שניפדו והשמש שאכל כזית והכותי מזמנין עליהן. אבל אם אכל טבל ומעשר ראשון שלא ניטלה תרומתו ומעשר שני והקדש שלא ניפדו והשמש שאכל פחות מכזית והנכרי אין מזמנין עליהן.

Mishnah 1: Three persons who ate together are required to "invite"¹. If one ate *demai*², or first tithe of which the heave was taken³, or second tithe⁴ or dedicated foods⁵ that were redeemed, or the waiter who ate the volume of an olive⁶, or a Samaritan⁷, these can be invited. But if one ate untithed produce, or first tithe of which the heave was not taken, or the second tithe⁸ or dedicated foods that were not redeemed⁹, or the waiter who ate less than the volume of an olive, or a Gentile¹⁰, these cannot be invited.

1 Three adult males who ate together are obliged to recite Grace as a group and start with a special invitation to all participants to join in the praise of the Lord by Whose kindness we live. The text of the "invitation" is given in Mishnah 3.

2 Newly harvested produce is subject to several obligatory gifts and tithes. The first one is the heave, תְּרוּמָה, that can be given to any Cohen. This *terumah* must be eaten by a Cohen's

family in ritual purity. There is no rate set for *terumah* in the Torah but in times when ritual purity can be observed, the rabbinically established rate was 2 percent. Next, the tithe of 10% must be given to a Levite. This *ma'aser* again is subject to a 10% *terumah of the tithe* to be given to the Cohen. The remainder of this *first tithe* is secular private property of the Levite and need not be kept in purity. However, consumption by a non-Cohen

of any food containing still *terumah* (and of impure *terumah* by a Cohen) is a deadly sin. In Temple times it was established that all Jews, educated and uneducated, observant and nonobservant alike, did separate *terumah* and give it to a Cohen. However, the first tithe was not given by a substantial minority of uneducated and nonobservant. Since untithed produce still contains the *terumah of the tithe* and its consumption would be a deadly sin, it was instituted that observant Jews have to separate at least the *terumah of the tithe* for produce bought from unreliable sources. Since a majority of all agricultural producers did give the tithe, the obligation to tithe is conditional and is waved for the poor. Produce sold by unreliable persons is called *demai*; the rules under which *demai* has to be given are spelled out in a separate Tractate. In any case, since any person might give away all his property and then become poor and eat *demai* without tithing, *demai* is potentially permitted food for everybody and the person who eats it does not commit blasphemy in reciting Grace.

3 The Babli explains, even if the heave was taken somewhat irregularly. There is no mention of that in the

Yerushalmi.

4 The second tithe remains the property of the farmer but either it must be eaten in Jerusalem or it must be redeemed and the proceeds taken to Jerusalem and spent there for food. Second tithe that was redeemed is normal food permitted to everybody.

5 This is food from an animal not of the kind that may be sacrificed, or vegetables that may not be sacrificed, but were given to support the upkeep of the Temple. These gifts are then sold and the money used for the Temple. After the sale, the food is profane, for everybody to eat. Also, an animal dedicated for the altar that develops a blemish before it is sacrificed, can be redeemed and then becomes secular food which, however, must be consumed in a dignified manner.

6 Nobody may recite Grace who did not eat at least food of the volume of an average olive. The waiter is acceptable even though he did not sit down with the guests he served.

7 The descendants of the people settled in Samaria by the king of Assyria (2Kings 17) who accepted the written Torah but not the oral law. [Since they did not resist the effort made by Diocletian to unify the Roman Empire in pagan rite, this statement of

the Mishnah no longer applies. It does apply, however, to Karaites.]

8 Outside of Jerusalem.

9 Except for the second tithe, the consumption of the foods mentioned here is a deadly sin; hence,

pronouncing a benediction over that food would be the additional sin of blasphemy.

10 He is not obliged to recite Grace and has no part in the Land for which we give praise.

הלכה א: הקא איתמר אין רשאין לחלק. וְכֹא אִיתְמַר חִיבִין לְזַמֵּן. שְׂמוּאֵל אָמַר כֹּאן בְּתַחִילָה כֹּאן בְּסוּף. אִי זֶהוּ בְּתַחִילָה וְאִי זֶהוּ בְּסוּף. תְּרִין אַמּוּרַין חַד אָמַר נִתְּנוּ דַעַת לְאֹכֵל זֶהוּ בְּתַחִילָה. אֶכְלוּ כְּזִית זֶהוּ בְּסוּף. וְחֶרְנָא אָמַר אֶכְלוּ כְּזִית זֶהוּ בְּתַחִילָה. גָּמְרוּ אֶכִּילְתוּ זֶהוּ בְּסוּף.

Halakha 1: Here¹¹ it has been said "they are not allowed to split" and here it has been said "they are required to 'invite'"¹². Samuel said, one is at the start and one is at the end. What means "beginning" and what means "end"? Two Amoraim; one said if they decided to eat together that is the start¹³, when they ate the volume of an olive that is the end¹⁴. But the other one said, if they ate the volume of an olive that is the start¹⁵, when they finished their meal that is the end¹⁶.

11 Mishnah 5: Three who ate together are not allowed to split. [There the emphasis is on the fact that six people who ate together may split into two groups of three.] The Yerushalmi is discussed at length by *Tosaphot Berakhot* 45a and *Talmid Rabbenu Jonah, Rosh* on Mishnah 5.

12 The two Mishnayot seem to say the same thing, so one of them would be superfluous.

13 They are no longer allowed to split.

14 They are required to recite Grace together with the formal "invitation."

15 They are no longer allowed to eat each one for himself.

16 They must recite Grace together; if one of them finishes early he is not allowed to recite Grace for himself and then leave.

רבי אבא בשם רב הונא רבי זעירא בשם אבא בר ירמיה שלשה חובה שנים רשות. אמרה רבי זעירא קומי רבי יסא. אמר ליה אני אין לי אלא משנה שלשה שאכלו כאחת חיבין לזמן. רבנן דהכא דדעתון. רבנן דהתם דדעתון. שמואל אמר שנים שדנו דינן דין אלא שהוא נקרא בית דין חצוף. רבי יוחנן ורבי שמעון בן לקיש תרויהון אמרין אפילו שנים שדנו אין דינן דין.

Rebbi Abba in the name of Rav Huna, Rebbi Zeira in the name of Abba bar Jeremiah: Three are required, two have permission. Rebbi Zeira said this before Rebbi Yasa. He said to him: I have only the Mishnah, three who ate together are required to "invite"¹⁷. The rabbis of here stick by their opinion, the rabbis of there¹⁸ stick by their opinion. Samuel said, two who judged, their judgment is valid but they are called an insolent court. Rebbi Yohanan and Rebbi Simeon ben Laqish both say, two who judged, their judgment is invalid.

17 But two may not recite Grace together with the formula of invitation. The Babli (45a/b) comes to the same conclusion that the old tradition of Babylonia was that two may say Grace together but three must do it, but the Israeli tradition was always to exclude two if three are required.

between Samuel and R. Yohanan / R. Simeon ben Laqish belongs to tractate *Sanhedrin*; in Babli *Sanhedrin* (5b/6a) this is a disagreement between Samuel and Rebbi Abbahu, student of R. Simeon ben Laqish and R. Yohanan. The Babli (*Berakhot* 45b) only hints that the difference has its roots in different local traditions.

18 Babylonia. The disagreement

רב הונא אמר שלשה שאכלו זה בפני עצמו וזה בפני עצמו וזה בפני עצמו ונתעברו מזמנין. רב חסדא אמר והן שבאו משלש חבורות. על דעתיה דרבי זירא וחבורתיה והן שאכלו שלשה כאחת. רבי יונה על הדא דרב חונא הטביל שלש איזובות זה בפני עצמו וזה בפני עצמו וזה בפני עצמו ונתעברו מזה בהן. רב חסדא אמר והן שבאו משלש חבילות. על דעתיה דרבי זעירא וחבורתיה והן שהטביל שלשתן כאחת. אין תימר אין למידין אזור מברכה.

וְאֵן חֲזִינָן רַבָּנָן קִימִין בְּסוּכָה וְיִלְפִין מִטֵּיט הַנְּרוּק. כִּי דְתַנְיָנָן תַּמָּן הִרְחִיק אֶת הַסִּיכּוֹךְ מִן הַדְּפָנוֹת שְׁלֹשָׁה טַפָּחִים פְּסוּלָה. הָא פְּחוֹת מֵיכֵן כְּשִׁירָה. מַהוּ לִישָׁן תַּחְתָּיו. הִתִּיב רַבִּי יִצְחָק בֶּן אֶלְיָשׁוּב הָרִי טֵיט הַנְּרוּק מִשָּׁלִים בְּמִקְוֶה וְאִין מְטַבִּילִין בּוֹ. אִף הִכָּא מִשָּׁלִים בְּסוּכָה וְאִין יְשִׁינִין תַּחְתָּיו.

Rav Huna said, three who ate each one by himself¹⁹ and then came together²⁰ do "invite". Rav Hisda said, only if they came from three groups²¹. According to the opinion of Rabbi Zeira²² and his group, only if all three ate together²³. Rabbi Jonah on that of Rav Huna: If he dipped three stalks of hyssop each one by himself and then took them together, he may sprinkle with it²⁴. Rav Hisda said, only if they came from three bundles. According to the opinion of Rabbi Zeira and his group, only if all three were dipped together. If you want to say that we do not infer rules of hyssop from rules of benedictions, do we not see the rabbis deal with *sukkah* and learn from pourable mud?²⁵ As we have stated (Mishnah *Sukkah* 1:10): "If the roofing was three hand-breadths away from the walls it is invalid.²⁶" Hence less than that is acceptable. May one sleep under that²⁷? Rabbi Isaac ben Elyashib²⁸ answered, pourable mud completes a *miqweh*²⁹ but one may not immerse in it, here also it completes the *sukkah* but one may not sleep under it.

19 Different food at different tables, or at one table but they are strangers to one another and each one eats his own food that he brought with him. The disagreement between Rav Huna and Rav Hisda is explained differently in the Babli, 50a.

20 At one table (or on one group of couches) before they recited Grace.

21 Every one of the three was

required to recite Grace with "invitation"; he may fulfill his obligation even in another group. But if three people were not obligated to "invite" during their meal they cannot become subject to "inviting" after they had finished eating.

22 Here he is called by his Babylonian name זִירָא since, under the influence of Accadic, the Jews in

Babylonia early on had lost the sound of ν . While his Israeli name appears in the list of R. Jonah, the entire piece seems to have had a Babylonian editor; so it uses the Babylonian Aramaic ܘܢ "to see" instead of the usual Israeli וּן .

23 From the start. (In the Babli, 50a, this is the opinion of Samuel, but here it is the opinion only of the rabbis in Israel). Connected with this is the *Tosephta* (*Berakhot* 5:23, cf. end of Halakhah 5) that people in a caravan, if they eat while walking, cannot recite Grace together even if they all ate from the same food, but if they sit together at a rest stop, they must recite Grace together even if everyone ate his own provisions. In contrast to the Babli, the Yerushalmi never entertains the thought that for common Grace one would have to lie down on couches.

24 Used for cleansing a person or utensils impure by contact with a corpse; cleansing needs sprinkling with a bunch of hyssop that was dipped in water in which some of the ashes of a red heifer were dissolved (*Num.* 19, Mishnah *Parah*). A "bunch" is a minimum of three stalks. The opinions here are attributed to the older authorities by Rebbi Jonah.

25 This proof that one requires logical consistency even in fields that are rather remote from each other is

also a belated justification of the previous comparison of the rules of Grace with the composition of a court of law.

26 The essence of the *sukkah* is that its roof must be botanical (but only materials that cannot become ritually unclean). The branches or other material must be arranged so that there is more shadow than sun inside the *sukkah*. If there is a place where that condition is not satisfied for three hand-breadths horizontally from a wall, the *sukkah* cannot be used to fulfill the commandment "to dwell" in it (*Lev.* 23:42).

27 The place, less than two hand-breadths wide, under which there is more sun than shadow. Instead of sleeping, the question could have been asked about eating.

28 An Israeli Amora of the fourth generation, colleague of Rebbi Mana; a holy man and worker of miracles.

29 A ritual bath can be used for cleansing impurities only if it contains 40 *seäh*, about 135 gallons. If there is not enough clear water, the desired volume can be obtained by adding mud that is so moist that it can be poured from a bucket (Mishnah *Miqwaöt* 7:1). The complete argument is in Yerushalmi *Sukkah* 1:10, Babli *Sukkah* 19a.

שְׁלֹשָׁה שְׂאֵכְלוּ כְּאַחַת וּבִקֵּשׁ אֶחָד מֵהֶן לִילָךְ לוֹ רַב אָמַר יִבְרַךְ בְּרָכָה רִאשׁוֹנָה וַיִּלָּךְ לוֹ. אִי זֶה הוּא בְּרָכָה רִאשׁוֹנָה. דְּבֵית רַב אָמְרוּ זֶה בְּרַכַּת הַזִּימּוֹן. רַבִּי זְעִירָא בְּשֵׁם רַב יְרֵמְיָהּ זֶה הֵזֵן אֶת הַכֹּל. רַבִּי חֲלָבוּ רַב חָנַן בְּשֵׁם רַב זִי הֵזֵן אֶת הַכֹּל. הַתִּיב רַב שֵׁשֶׁת וְהָא מִתְּנִיתָא פְּלִיגָא שְׁנַיִם שְׁלֹשָׁה חִיבִין בְּבִרְכַת הַזִּימּוֹן. אִין תִּימַר בְּרַכַת זִימּוֹן רִאשׁוֹנָה נִתְּנִי אַרְבָּעָה. אֲשַׁכְּחֵן תְּנִי אַרְבָּעָה. אִין תִּימַר זֶה הֵזֵן אֶת הַכֹּל קִשְׂיָא. אִין תִּימַר זֶה הַטּוֹב וְהַמְּטִיב. לֵית אֶתְּ יָכִיל. שְׁנִינְיָא דְאָמַר רַב חוּנָא מִשְׁנִיתֵנוּ הַרוּגִי בֵּיתָר לַקְּבוּרָה נִקְבָּעָא הַטּוֹב וְהַמְּטִיב. הַטּוֹב שְׁלָא נִסְרַחוּ וְהַמְּטִיב שְׁנִיתֵנוּ לַקְּבוּרָה. אָמַר רַב חוּנָא תִּפְתָּר כְּרַבִּי יִשְׁמַעְעָל דְּרַבִּי יִשְׁמַעְעָל אָמַר הַטּוֹב וְהַמְּטִיב דְּבַר תּוֹרָה דְּכֹתִיב וְאָכַלְתָּ וְשָׂבַעְתָּ וּבִרְכַת זֶה בְּרַכַת הַזִּימּוֹן. אֶת יֵי אֶלְהִידָּהּ זֶה הֵזֵן אֶת הַכֹּל. עַל הָאֶרֶץ זֶה בְּרַכַת הָאֶרֶץ. הַטּוֹבָה זֶה בְּרַכַת בּוֹנֵה יְרוּשָׁלַיִם. וְכֵן הוּא אוֹמֵר הֵהָר הַטּוֹב הַזֶּה וְהַלְבָּנוּן. אֲשֶׁר נִתְּן לָךְ זֶה הַטּוֹב וְהַמְּטִיב.

Three who ate together and one wants to leave, Rav said he should recite the first benediction, then he may leave. What is the first benediction? In the Yeshivah of Rav³⁰ they said, the benediction of invitation. Rabbi Zeira in the name of Rav Jeremiah: that is "He Who feeds all."³¹ Rabbi Helbo, Rav Hanan in the name of Rav: that is "He Who feeds all." Rav Sheshet objected, but a *baraita* disagrees: "Two, three are obliged to recite Grace."³² If you want to say the benediction of invitation is the first one, one should state "four." They found stated "four." If you want to say this is "He Who feeds all", it is difficult. If you want to say that it³³ is "He Who is good and does good", you cannot do that, there is a difference³⁴ because Rav Huna said that "He Who is good and does good" was fixed³⁵ after permission was received to bury the slain of Betar³⁶, "He Who is good" because the dead did not decompose and "He Who does good" that they could be buried. Rav Huna said, you may explain it following Rabbi Ismael since Rabbi Ismael said³⁷, "He Who is good and does good" is an obligation from the Torah as it is written (*Deut.*

8:10): *You will eat and be satiated, then you must praise*, that is the benediction of invitation; *the Eternal, your God*, that is "He Who feeds all"³⁸; *for the Land*, that is the benediction over the Land; *the good one*, that is the benediction "builder of Jerusalem" [and so it says (*Deut. 3:25*) "this good mountain and the Lebanon³⁹"]; *that He gave you*, that is "He Who is good and does good".

30 After Rav's death.

31 The first benediction of Grace when recited without "invitation". It seems that Rebbi Zeira also agrees that the one who wants to leave has to recite the benediction "of invitation" aloud so that the other two may answer and fulfill their duty to recite Grace with "invitation"; the disagreement is only about how much he has to recite aloud, whether only the "invitation" or also the first benediction of Grace proper. [If all three recite Grace together, the one who recites the "invitation" has to recite all of Grace aloud; this custom has disappeared in Eastern European Ashkenazic Jewry after the invention of printing and the availability of inexpensive prayer books for everyone.]

32 It is generally agreed that ברכת הזימון is a scribal error and that the correct reading is that of Alfassi ברכת המזון "Grace". The explanation of the elliptical *baraita* is according to Alfassi: If two or three people sit together and

neither of them knows how to recite the entire Grace but each of them knows one or two benedictions that the others do not, then they take turns in reciting the benedictions and they all have fulfilled their obligations, the one reciting by pronouncing the benediction and the others by listening and answering "Amen". The numbers are important to show that we require one person to recite an entire benediction; it is not permissible to split one benediction among several people. Hence, the maximal number of people who can share in reciting Grace is the number of benedictions in Grace.

33 The fourth benediction according to him who requires the first benediction to include "He Who feeds all."

34 Between the first three benedictions that are Torah obligations and the fourth one who seems to be Rabbinic in character.

35 It says "fixed", not "instituted" as in the parallel in the Babli (48b). According to the Yerushalmi, the

fourth benediction is old, probably Biblical, but it was not permanently required in earlier times; the problem is discussed in the author's *The Scholar's Haggadah* (Northvale NJ, 1995) p. 358-359.

36 Roman law did not allow the burial of rebels against the government. Hence, the dead of Betar, the last of Bar Kokhba's fortresses, could certainly not be buried during Hadrian's lifetime. It is not known which of his successors gave permission to bury the dead. We may assume that it was the same emperor who permitted

the re-establishment of the Synhedrion.

37 *Mekhilta deR. Ismael* Ba 16.

38 Since the name "God" represents God as Creator of the physical world.

39 "Lebanon" means the Temple; this identification goes back at least to the time of Rabban Yohanan ben Zakkai who predicted to Vespasian that he would become emperor, since he would destroy the Temple and it is written (*Is.* 10:34) "the Lebanon will fall through a powerful one" (*Babli Gittin* 56b; Yerushalmi sources: *Abot deR. Nathan* 4, *Midrash Ekha rabba* 1).

כתוב בתורה בְּרָכָה לְפָנֶיהָ וְאִינוּ כְּתוּב בַּתּוֹרָה בְּרָכָה לְאַחֲרֶיהָ. מֵה כְּתוּב בָּהּ לְפָנֶיהָ כִּי שֵׁם יי אֶקְרָא הֵבוּ גוֹדֵל לְאַלְהֵינוּ. כְּתִיב בְּמִזּוֹן בְּרָכָה לְאַחֲרֶיהָ וְאִינוּ כְּתוּב לְפָנֶיהָ. מֵה כְּתִיב לְאַחֲרָיו וְאַכְלֵת וְשִׁבְעַת וּבִרְכָתָהּ. וּמִנִּיּוֹ לִיתֵן אֶת הָאִמּוֹר בָּזָה וְאֶת הָאִמּוֹר בָּזָה בָּזָה. רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי בְּשֵׁם רַבִּי יוֹנָתָן אֲתִיא שֵׁם שֵׁם לְגִזְרָה שְׁנָה. מֵה שֵׁם שְׁנַאֲמַר בַּתּוֹרָה בְּרָכָה לְפָנָיו אִף שֵׁם שְׁנַאֲמַר בְּמִזּוֹן בְּרָכָה לְפָנָיו. וּמֵה שֵׁם שְׁנַאֲמַר בְּמִזּוֹן בְּרָכָה לְאַחֲרָיו. אִף שֵׁם שְׁנַאֲמַר בַּתּוֹרָה בְּרָכָה לְאַחֲרֶיהָ. עַד כְּדוֹן כְּרַבִּי עֲקִיבָה כְּרַבִּי יִשְׁמַעֵאל. רַבִּי יוֹחָנָן בְּשֵׁם רַבִּי יִשְׁמַעֵאל קַל וְחוֹמֵר. מֵה אִם מִזּוֹן שְׂאִינוּ טְעוֹן בְּרָכָה לְפָנָיו טְעוֹן בְּרָכָה לְאַחֲרָיו תּוֹרָה שֶׁהִיא טְעוֹנָה בְּרָכָה לְפָנֶיהָ. אִינוּ דִּין שֶׁתִּהְיֶה טְעוֹנָה בְּרָכָה לְאַחֲרֶיהָ. עַד כְּדוֹן תּוֹרָה. מִזּוֹן מֵה. אִם תּוֹרָה שְׂאִינָה טְעוֹנָה בְּרָכָה לְאַחֲרֶיהָ טְעוֹנָה בְּרָכָה לְפָנֶיהָ. מִזּוֹן שֶׁהוּא טְעוֹן בְּרָכָה לְאַחֲרָיו. אִינוּ דִּין שְׁטְעוֹן בְּרָכָה לְפָנָיו. רַבִּי יֵאֱחָק וְרַבִּי נֶתָן אָמַר כִּי הוּא יִבְרַךְ אֶת הַזְּבַח אַחֲרֵי כֵן יֵאֱכְלוּ הַקְּרוֹאִים. רַבִּי נֶתָן אָמַר וְעַבְדְּתֶם אֶת יי אֱלֹהֵיכֶם וּבִרְךְ אֶת לַחֲמֶךָ וְאֶת מִימֶךָ. אִימְתִי הוּא קְרוִי לַחֲמֶךָ וְאֶת מִימֶךָ. עַד שֶׁלֹּא אֲכַלְתָּ. רַבִּי אָמַר מֵה אִם בְּשַׁעָה שְׂאֵכֵל וְשִׁבַּע צְרִיךְ לְבַרְךְ בְּשַׁעָה שֶׁהוּא תָאֵב לְאָכֵל לֹא כָל־שֶׁכֶן.

עד קדון מזון. תורה מה. אם מזון שאינו אלא חיי שעה טעון ברכה לפניו
ולאחריו. תורה שהיא חיי עד לא כל־שכן.

For Torah⁴⁰ there is written a benediction before, but no benediction is written after. What is written before it? (*Deut.* 32:3) "For I am invoking the name of the Eternal, attribute greatness to our God." For food there is written a benediction after, but no benediction is written before. What is written after it? (*Deut.* 8:10): "You will eat and be satiated, then you must praise". From where that which is said about one on the other and vice-versa? Rabbi Samuel bar Nahmani in the name of Rabbi Jonathan: The Name is mentioned in both verses as parallel expressions⁴¹. Just as the Name that is mentioned concerning Torah implies a benediction before, so the Name that is mentioned concerning food implies a benediction before. And just as the Name that is mentioned concerning food implies a benediction after, so the Name that is mentioned concerning Torah implies a benediction after. That follows Rabbi Aqiba⁴². What following Rabbi Ismael? Rabbi Yohanan in the name of Rabbi Ismael, an inference from the lesser to the greater⁴³. If food that needs no explicit benediction before, needs a benediction afterwards, regarding Torah that needs a benediction before, it is only logical that it should need a benediction afterwards. That works for Torah; what about food? If Torah that needs no benediction afterwards, needs a benediction before, regarding food that needs a benediction afterwards, it is only logical that it should need a benediction before. Rabbi Isaac and Rabbi Nathan say, (*ISam.* 9:13): "For he will recite the benediction over the sacrifice and after that the invited guests will eat."⁴⁴ Rabbi Nathan⁴⁵ said, (*Ex.* 23:24) "you shall serve the Eternal, your God and give praise for your bread and your water"; when is it called your bread and your water, before you eat⁴⁶. Rabbi said, if he has to give praise when he ate and is satiated, so

much more at a time when he is hungry for food. That is for food, what about Torah? If food, which sustains only temporary life, needs a benediction before and after, Torah, which sustains eternal life, so much more⁴⁷.

40 Torah study, including Torah reading.

41 In general, it is assumed in the system of Rabbi Aqiba that a word can have only one meaning. A stronger implication, agreed to by all tannaïtic authorities, is a "parallel expression". The formal definition of the school of R. Ismael is that *if* one has a tradition that two equal or synonymous expressions are written in the Torah for purposes of comparison and *if* these two words are not used for any other inference, *then* all laws connected with one word apply to the other and vice-versa. The derivation here does not fulfill these conditions; hence, it is labelled to follow the rules of R. Aqiba who is not known to require too much formality in case the verse is used to give a biblical base to an old tradition.

42 Who is an exponent of intensional interpretation, whereas R. Ismael is an exponent of extensional interpretation. The rules of R. Ismael are systematized in his "13 rules" given in the introduction to the halakhic Midrash *Sifra on Leviticus*. The problem of

both Rabbi Aqiba and Rabbi Ismael is that in its mishnaic-talmudic form, the rules of Jewish conduct form a logically consistent whole. It was shown earlier in this chapter, Notes 24 – 29, that rules must be consistent from one application to the next, such as rules of Grace and forming a court of law. But the basis of these laws, the words of the Torah, are unsystematic, fragmentary, and sometimes appear contradictory. Hence, one needs a method of translating the aphoristic text of the Torah in a legally consistent new language; cf. the author's *Logical problems in Jewish tradition*, in: *Confrontations with Judaism*, ed. P. Longworth, Blond, London 1966, 171-196. The rules are discussed in the medieval texts *Introduction to the Talmud* by R. Samuel Hanaggid and *Sefer Keritut* of R. Simson of Sens.

43 קל וחומר, the first rule of R. Ismael. If there are two commandments, A and B, and if every rule for A is no more stringent than the corresponding rule for B, then a rule expressed for A that has no equivalent for B is valid also for

B. The Babli (21a) quotes the following *qal wahomer* in the name of R. Yoḥanan only and points out that the application here is not justified since it is self-contradictory. The Yerushalmi seems to be of the opinion that in the formulation given here, with "not more stringent" instead of "less stringent", the argument is logically admissible.

44 In the Babli (48b) and in the *Mekhilta* (*loc. cit.*) this is given in the name of R. Nathan only. A verse from Samuel (Biblical but not Pentateuchal) cannot prove a commandment but can prove a practice.

45 In the Babli and the *Mekhilta*, this appears in the name of Rabbi Isaac.

46 The full verse seems to read: "You shall serve the Eternal, your God, then He will bless your bread and your

water and I will remove sickness from your midst." The switch from third to first person is awkward in any case. In the Babli (in particular, in the Sephardic incunabula print) it is spelled out: Do not read *יְבַרְךָ* "He will bless" but *יְבַרְךָ* "and praise". However, the Bible Concordance of G. Lisowsky (Stuttgart 1958) takes the verse, as it stands, to mean "You shall serve the Eternal, your God, and praise for your bread and your water, then I will remove sickness from your midst." One may recite a benediction one one's bread and one's water only before it is consumed; afterwards one may speak only of nourishment and sustenance.

47 In the Babli and the *Mekhilta* this is a *qal wahomer* of Rabbi Ismael.

רַבִּי זְעוּרָא בְּעֵי (fol. 11b) אֵילִין שְׁלֹשׁ קְרוּיוֹת מֵה אֶת עֶבֶד לֹן. כְּשֶׁלֶּשָׁה
שְׁאָכְלוּ כְּאַחַת. אוֹ כְּשֶׁלֶּשָׁה שְׁאָכְלוּ זֶה בְּפָנַי עֲצָמוּ וְזֶה בְּפָנַי עֲצָמוּ וְזֶה בְּפָנַי
עֲצָמוּ. אִין תַּעֲבֹדִינוּן כְּשֶׁלֶּשָׁה שְׁאָכְלוּ כְּאַחַת. הִרְאִינוּן מִבְּרַךְ בְּרַכָּה רֵאשׁוּנָה.
וְהֵאחֲרוֹן בְּרַכָּה אַחֲרוֹנָה. וְהֵאמְצָעֵי אִינוּן מִבְּרַךְ כָּל-עֵינָר. אִין תַּעֲבֹדִינוּן
כְּשֶׁלֶּשָׁה שְׁאָכְלוּ זֶה בְּפָנַי עֲצָמוּ וְזֶה בְּפָנַי עֲצָמוּ וְזֶה בְּפָנַי עֲצָמוּ. אֶפִּילוּ הֵאמְצָעֵי
מִבְּרַךְ לְפָנָיו וְלֵאחֲרָיו. אָמַר רַבִּי שְׁמוּאֵל בַּר אֲבָדִימִי לֹא לְמַדּוּ בְּרַכַּת הַתּוֹרָה
מִבְּרַכַּת הַמֶּזֶן אֶלָּא לְרַבִּים. וְאִם לְרַבִּים אֶפִּילוּ בֵּינוּ לְבֵין עֲצָמוּ לֹא יְבַרְךָ.
אָמַר רַבִּי אֲבָ מְרִי אַחֲוֵי דְרַבִּי יוֹסִי עֲשֵׂאוּהָ כְּשֵׁאֲרָ כָּל-הַמִּצְוֹת שֶׁל תּוֹרָה. מֵה
שְׁאֲרָ כָּל-הַמִּצְוֹת טְעוּנוֹת בְּרַכָּה. אִף זִו טְעוּנָה בְּרַכָּה.

Rebbi Ze'ira asked: These three that are called⁴⁸, how are you treating them? As three who ate together or as three who ate each one for

himself? If you treat them as three who ate together then the first one recites the benediction before, the last one recites the benediction after, and the middle one does not recite any benediction at all. If you treat them as three who ate each one for himself then even the middle one recites benedictions before and after. Rabbi Samuel ben Eudaimon said, they did learn the benedictions for the Torah from Grace⁴⁹ only in public⁵⁰. If in public, then in private one should not recite any benediction! Rabbi Abba Mari, the brother of Rabbi Yose⁵¹, said: They made it equal to other commandments of the Torah. Just as other commandments of the Torah need benedictions, this also needs a benediction⁵².

48 For reading the Torah in public. Since the preceding arguments tied benedictions over Torah reading to Grace, one has to ask in which way they are comparable. In the Babli *Megillah* 21b there is a *baraita*: "(In reading the Torah) he who starts recites the benediction before and he who finishes recites the benediction after." On that, the Gemara notes: But today, all recite benedictions before and after. This "today" may be long after the work on the Yerushalmi stopped. In any case, the *baraita* seems to represent the early Babylonian practice; we do not know of any direct Yerushalmi source that let people read the Torah without benediction. Rabbi Zeira, the Galilean head of academy who had come from Babylonia, is the

right person to ask for the reasons and the correct practice. Since his questions remain without answers, both practices might be acceptable. Both the preceding paragraph and R. Zeira's question presuppose that private Torah reading requires benedictions before and after, cf. מסכת סופרים Chap. 13 and Ezra Fleischer, קטעים מקובצי תפילה, ארץ-ישראלים מן הגניזה, קובץ על יד יג (כג) 139-141, 188-189.

49 Text of the parallel in *Megillah* 4:1; the Venice print has here "benediction of 'invitation'", a scribal error המזון for הימון.

50 R. Samuel ben Eudaimon seems to object to reciting a benediction after Torah study. Also, since Torah study is a permanent obligation (*Jos.* 1:8), one benediction in the morning is enough to

cover all Torah study during the day and evening; one does not have to recite a new benediction for study after an interruption. The prayer manuals of Yerushalmi type (see Note 48) which have benedictions after the reading of Pentateuch, Prophets, and Hagiographs require these only for reading the Bible, not oral Torah study.

51 An Amora of the fourth generation who is never mentioned in

the Babli.

52 Most commandments need only a benediction before, not after their execution. Thus, the benediction for the Torah in private study follows the general rule of benedictions over commandments. The quote for benediction for the Torah before the reading, *Deut.* 32:3, is clearly addressed to the public and, therefore, not applicable to private study.

אָכַל דְּמַאי. הָדָא אָמְרָה אָכַל פִּירוֹת סָפֵק נִיתְקְנוּ סָפֵק לֹא נִיתְקְנוּ מִזְמַנִּין.
אָמַר רַבִּי שְׁמַעוֹן אַחֵיו דְּרַבִּי בְּרַכְיָה. בְּשַׁעַר שְׁגָזְרוּ עַל הַדְּמַאי רֹב עַמֵּי הָאָרֶץ
הָיוּ מְכַנְיְסִין לְבִתְיָהוּ. וַיִּי דָא אָמְרָה דָא כּוֹתֵי מִזְמַנִּין עָלֵיו. וְאַהֲוֹ כּוֹתֵי לָאו
סָפֵק הוּא. אָמַר רַבִּי אֲבָא תִּפְתָּר כְּמֹן דְּמַר כּוֹתֵי כְּגוּי דְּבַרֵּי רַבִּי. רַבֵּן שְׁמַעוֹן
בֶּן גַּמְלִיאֵל אוֹמֵר כּוֹתֵי כִּישְׂרָאֵל לְכָל-דְּבָר.

"If one ate *demai*."⁵³ This means that, if one ate produce which perhaps was tithed⁵⁴ and perhaps was not tithed, one invites him. Rabbi Simeon, the brother of Rabbi Berekhiah⁵⁵: At the time when they were instituting *demai*, most of the unlearned brought the harvest into their houses⁵⁶. Which one says that⁵⁷? "One invites the Samaritan." And is that Samaritan not doubtful⁵⁸? Rabbi Abba said, explain it following what is said⁵⁹: A Samaritan is like a Gentile, the words of Rabbi. Rabban Simeon ben Gamliel says, a Samaritan is like a Jew in all respects.

53 Quote from the Mishnah.

54 Food of which *terumah* and *terumah of the tithe* were taken so that it may be consumed without incurring guilt

55 He is not otherwise mentioned in the Talmud.

56 The obligation to give *terumah* and tithe starts when produce is brought through the door of the house

(or barn). The expression here implies that most of the unlearned followed the rules and ate only produce that was in order; only because of the severity of the offense of eating *tevel* was the rule of *demai* decreed since a minority of uneducated did not follow the rules for produce sold; in that case the probability of having produce that was not in order was less than 50%. There is therefore no inference possible for the problem under discussion, where the probability of things being wrong is

50%.

57 Which part of the Mishnah does speak to our problem?

58 Since Samaritans do not follow rabbinic rules, we cannot check on the status of their produce.

59 Referring to the opinion of Rabban Simeon ben Gamliel in the *baraita*; for him the Mishnah simply declares that Samaritans are counted as Jews and no inference is possible for our case. The question is left without answer.

משנה ב: נשים ועבדים וקטנים אין מזמנין עליהן. עד כמה מזמנין עד כזית.
רבי יהודה אומר עד כביצה.

Mishnah 2: One does not 'invite'⁶⁰ women, slaves, and minors. What is the minimum to 'invite'? Down to the size of an olive, Rabbi Yehudah says to the size of an egg⁶¹.

60 To recite the invitation aloud and to count them for a group of three. [The Babli notes that women for themselves and slaves for themselves may recite Grace with "invitation"; we

cannot know what was the position of the Yerushalmi in that matter.]

61 That the total food consumed by each person is at least the volume of an average olive or chicken egg.

הלכה ב: רבי סימון בשם רבי יהושע בן לוי רבי יוסי בן שאול בשם רבי קטן עושין אותו סניף לעשרה. והתני אין מדקדקין בקטן. אמר רבי יוסי קיימא רבי סימון רבי חנינא רבי סימון בשם רבי יהושע בן לוי לשני קטנים נצרכה. שאם היתה קטן עושין אותו ספק. ספק עושין אותו ודאי. רבי יהודה בר פזי

בְּשֵׁם רֵבִי יוֹסִי תִשָּׁעָה נִרְאִין כְּעֶשְׂרֵה מֵה מְזַמְנִין מִסּוּיִימִין. אֵלֶּא אֶפִּילוּ קָטָן
בֵּינֵיהֶן.

Halakhah 2: Rebbi Simon in the name of Rebbi Joshua ben Levi, Rebbi Yose ben Shaul in the name of Rebbi: One makes a minor an appendix for ten⁶². But did we not state: One does not investigate a minor⁶³? Rebbi Yose said, one confirms Rebbi Simon, Rebbi Hanina, Rebbi Simon in the name of Rebbi Joshua ben Levi⁶⁴: it⁶⁵ is needed for two minors; if he is a minor, one considers him doubtful, if he is doubtful⁶⁶, one considers him certain. Rebbi Yehudah ben Pazi in the name of Rebbi Yose: nine that look like ten⁶⁷, does one "invite" only those that are certain? Also if a minor was among them?

62 The next Mishnah explains that the formula of "invitation" for three is "let us praise Him of Whose bounty we ate" whereas for ten it is "let us praise our God of Whose bounty we ate". The question is whether the ten all have to be male adults or whether they have to be just ten males (of which nine are certain adults and the tenth possibly a minor as "appendix.") In the Babli (47b/48a), R. Joshua ben Levi is quoted as permitting the tenth (for reciting Grace) even to be a baby lying in a crib. However, from the continuation of the discussion here it seems that the Yerushalmi does not even consider allowing a minor to join for the long form of "invitation" but only for Torah reading or other *public* services.

Rebbi Yose ben Shaul was a student of Rebbi. He transmits sayings of Rebbi only.

63 One version of the full *baraita* is quoted in Babli 47b: "A minor who grew two pubic hairs may take part in 'invitation', a minor who did not grow two pubic hairs may not take part in 'invitation' but one does not investigate a minor." The other version is in Tosephta *Berakhot* 5:18: "A minor who can eat an olive may take part in 'invitation', a minor who cannot eat an olive may not take part in 'invitation'; one does not investigate a minor." Most commentators refer the Yerushalmi to the version in *Berakhot* but it seems clear that the Yerushalmi is based on a text close to the Tosephta and

emphatically disagrees with the Babli, cf. *Tosephta Kifshutah, ad loc.*

64 The entire text is also in *Bereshit rabba* 91; there it says correctly "Rebbi Yose said, one confirms Rebbi Simon in the name of Rebbi Joshua ben Levi".

The last part of the *Tosephta* implies that if a boy is on the threshold of manhood (*bar mizwah*), one can make him take part in any ceremony that needs ten adults by simply asking him if he is of age; one does not have to investigate if what he says is true. The implication here is that if one has a boy who looks younger than the age of puberty, one certainly cannot take him as tenth man.

65 The *Tosephta* which insists that

one does not investigate but that the boy should not look too young.

66 If he has reached the age, but we do not know whether he started growing pubic hair. The sentence speaks of all other occasions where one needs ten adult males, such as public prayer and Torah reading, but not of Grace which depends only on whether the child is able to eat an olive-size piece made of grain (in a country and time where children were usually nursed for between three and five years.)

67 Where the Babli (47b) agrees that one may recite the invitation formula for ten adults.

רבי ברכיה אמר רבי יעקב בר זבדי בעא קומי רבי יוסי במה דברים אמורים
תמן קטן עושין אותו סניפין לעשרה. ומר אף הכא עושין אותו סניף לשלשה.
מה תמן שמזכירין את השם עושין אותו סניף. כאן שאין מזכירין את השם
לא כל-שכן. אמר ליה והא אינו כל-שכן. תמן על ידי שהן אומרים את השם
עושין אותו סניף. וכאן שאין קורין את השם אין עושין אותו סניף.

Rebbi Berekhiah said that Rebbi Jacob bar Zavdi asked before Rebbi Yose: "What are we dealing with? There⁶⁸ one makes him an appendix for ten, one should say that here⁶⁹ one should make him an appendix for three. Since there one makes him an appendix for the mention of the Divine Name, here, when one does not mention the Divine Name, *a fortiori* should one make him an appendix." He answered him: "It is not *a fortiori*! There, since they must mention the Name⁷⁰, one makes him an

appendix; here, since one does not recite the Name⁷¹, there is no need to make him an appendix!"

68 In the case of public reading of the Torah, as given in the next paragraph.

69 Reciting Grace.

70 In an obligatory public service.

71 In private.

תני קטן וספר תורה עושין אותו סניף. אמר רבי יודן כיני מתניתא קטן
לספר תורה עושין אותו סניף.

It has been stated: One may take a minor and a Torah scroll as appendix. Rabbi Judan said: So is the *baraita*: One may take a minor as appendix for the purpose of Torah reading⁷².

72 But the Torah scroll is not a human and one never will get by with only eight adult males. The original

baraita is close to a statement of Rav Huna in the Babli (47b) which there is corrected differently.

מאימתי עושין אותו סניף. רבי אבינא אמר איתפלגון רב חונא ורב יהודה
תרויהון בשם שמואל. חד אמר כדי שהוא יודע טיב ברכה. וחרנא אמר
שיהא יודע למי הוא מברך. אמר רבי נסא כמה זימנין אכלית עם רבי
תחליפא אבא ועם אניניא בר סיסיי חביבי ולא זמנין עלי עד שהבאתי שתי
שערות.

When does one start to make him an appendix? Rabbi Avina said: Rab Huna and Rav Yehudah disagreed, both in the name of Samuel. One said, that he has to understand the nature of a benediction; the other one said that he has to understand to Whom one has to recite the benediction⁷³. Rabbi Nassa said, many times did I eat with my father Tahlipha and my uncle Aninia bar Sisai and they did not recite the 'invitation' with me until I grew two pubic hairs⁷⁴.

73 In the Babli (48a), this is the opinion of Rav Nahman, another student of Samuel.

best proof, it is shown that one never uses a minor as appendix for reciting Grace with 'invitation'.

74 Since report of an action is the

שמואל בר שילת בעא קומי רב. ואית דאמרין בעון קומי רבי שמואל בר שילת. תשעה פת ואחד ירק. אמר להן מזמנין. שמונה פת ושתיים ירק אמר לון מזמנין. שבעה פת ושלושה ירק אמר לון מזמנין. רבי אבינא בעי מחצה למחצה מהו. אמר רבי זעירא עד דאנא תמן אצרכת לי מיצרי לי מינד לא שלתייה.

Samuel bar Shilat⁷⁵ asked before Rav, but some say that it was asked before Rav Samuel bar Shilat: Nine ate bread and one ate vegetable⁷⁶? He said to them: One 'invites'. Eight ate bread and two ate vegetable? He said to them: One 'invites'. Seven ate bread and two ate vegetable? He said to them: One 'invites'. Rabbi Avina asked: What is the rule for half and half⁷⁷? Rabbi Zeira said, as long as I was there, I would have needed that. I regret that I did not ask.

75 A student of Rav who is regarded as the ideal teacher in the Babli. For nine years he did not have time to tend his garden because he was caring about the children in his school. The title "Ribbi" given him in the next sentence is a scribal error.

invocation of the Name.

76 Nine are required to recite Grace. The tenth is only required to recite the short formula but he is there to form a quorum of ten adult males for the

77 Does one need a majority of those who are required to recite Grace or is it enough to have ten adult males present. In the Babli (48a), Rabbi Zeira is of the opinion that not only does one need a majority but one even needs a qualified majority and seven is the minimal number for reciting the 'invitation' with the Name.

רבי ירמיה בעי אותו שאכל ירק מהו שיברך. מחלפא שיטתיה דרבי ירמיה. תני שלש מאות נזירין עלו בימי רבי שמעון בן שטח מאה וחמשים מצא להן פתח. ומאה וחמשים לא מצא להן פתח. אתא גבי ינאי מלכא. אמר ליה אית הקא תלת מאה נזירין בעיין תשע מאות קרבנין. אלא יהב את פלגא מן דידך ואנא פלגא מן דידי. שלח ליה ארבע מאה וחמשים. אזל לשנא בישא ומר ליה לא יהב מן דידיה כלום. שמע ינאי מלכא וכעס. דחל שמעון בן שטח וערק. בתר יומין סלקון בני נש רברבין מן מלכותא דפרס גבי ינאי מלכא. מן דיתבין אכלין אמרין ליה נהירין אנו דהנה אית הקא חד גבר סב והנה אמר קומין מילין דחכמה. תני לון עובדא. אמרין ליה שלח ואייתיתיה שלח ויהיב ליה מילא ואתא וניתב בין מלכא למלכתא. אמר ליה למה אפליית לי. אמר ליה לא אפליית בך את מממונדך ואנא מן אורייתך. דכתיב כי בצל חכמה בצל הכסף. אמר ליה ולמה ערקת. אמר ליה שמעית דמרי כעס עלי ובעית מקיימה הדין קרייא חבי כמעט רגע עד יעבר זעם. וקרא עלוי ויתרון דעת החכמה תחיה בעליה. אמר ליה ולמה יתבת בין מלכא ומלכתא. אמר ליה בספרא דבן סירא כתיב סלסלה ותרוממן ובין נגידיס תושיבך. אמר הבו ליה כסא דליבריך. נסב כסא ומר נברך על המזון שאכל ינאי וחביריו. אמר ליה עד כדון את בקשייתך. אמר ליה ומה נאמר על המזון שלא אכלנו. אמר הבון ליה דליכול. יהבו ליה ואכל. ומר נברך על המזון שאכלנו. אמר רבי יוחנן חולקין על רבי שמעון בן שטח. רבי ירמיה אמר על הראשונה. רבי אבא אמר על השנייה. מחלפא שיטתיה דרבי ירמיה. התם צריכה ליה. וכה פשיטא ליה. הו דצריכא ליה כרבגן הו דפשיטא ליה כרבן שמעון בן גמליאל. תני עלה היסב ואכל עמהו אף על פי שלא אכל כזית דגן מזמנין דברי חכמים. רבי יעקב בר אחא בשם רבי יוחנן לעולם אין מזמנין עליו עד שיאכל כזית דגן. והתני שנים פת ואחד ירק מזמנין. מתניתה כרבן שמעון בן גמליאל.

Rebbi Jeremiah asked: May he who ate vegetable recite Grace? Rebbi Jeremiah seems to contradict himself^{78!} It has been stated: 300 *nezirim*⁷⁹ came in the days of Simeon ben Shetah⁸⁰. For 150 of them he found an

opening⁸¹, for 150 of them he did not find an opening. He came to king Yannai and said to him: There are here 300 *nezirim* who need 900 sacrifices. You should give half of them from your side, I shall give half from my side. The king sent him 450 animals. An informer went around and said that the other one had not given anything from his own money. King Yannai heard about it and got angry. Simeon ben Shetaḥ feared and fled⁸². After some time, important people from the Persian empire came to king Yannai⁸³. At the meal, they said to him: We remember that there was here an old man who gave us a rabbinic discourse. He told them what had happened. They said to him, send and bring him! He sent and gave him his word⁸⁴; he came and sat between king and queen. He said to him, why did you trick me? He said, I did not trick you; you with your money and I with my learning, as it is written (*Eccl. 7:12*) "In the shadow of wisdom, in the shadow of money⁸⁵." He said to him, why did you disappear? He said to him, I heard that my lord was angry with me and I wanted to fulfill the verse (*Is. 26:20*) "Hide a little bit until the rage passes;" he used about himself (*Eccl. 7:12*): "Knowledge is an advantage, wisdom lets its possessor live." He said to him, why did you sit between king and queen? He said to him, it is written in the book of Ben Sirach⁸⁶: "Esteem it and it will raise you and set you between princes." He said, bring him a cup that he may recite Grace. He took the cup and said: "Let us give praise for the food that Yannai and his company ate." He said to him, are you still obstinate as ever? He said to him, what should I say, "for the food that we did not eat?" He said, bring him something that he may eat. They brought, he ate and recited: "For the food that we ate."

Rebbi Yoḥanan said, his colleagues disagree with Simeon ben Shetaḥ. Rebbi Jeremiah said, about the first action⁸⁷; Rebbi Abba said, about the second action. Rebbi Jeremiah seems to contradict himself! There he

wondered about it and here⁸⁸ it is obvious for him! He wondered following the Sages; it is obvious for him following Rabban Simeon ben Gamliel. We have stated about this: If one was lying on a couch and ate⁸⁹ with them, even if he did not eat grain the volume of an olive one 'invites' with him, the words of the Sages. Rebbi Jacob bar Aḥa in the name of Rebbi Yoḥanan: One never 'invites' anyone unless he had eaten grain the volume of an olive⁹⁰. But did we not formulate, "two bread and one vegetable, then one 'invites'?" This *baraita* follows Rabban Simeon ben Gamliel.

78 The contradiction will be explained in the following lengthy story.

79 People who made a vow to abstain from all grape products, let their hair grow, and kept themselves in strict ritual purity for a certain amount of time. At the end of that time, the *nazir* could terminate his vow only if he offered a sheep as holocaust sacrifice, a female sheep for a sin-offering, and a goat for a family sacrifice (*Num.* 6). Most of these *nezirim* were poor people who relied on charity to fulfill their obligations in the Temple.

80 President of the Synhedrion in the times of the Hasmonean king Alexander Yannai and brother of queen Shlomzion (Salome Alexandra).

81 An "opening of regrets", an argument that made the *nazir* regret

his original decision to become a *nazir*; this invalidates the vow retroactively so that no sacrifice may be brought.

82 In the parallel in the Babli (48ab), Simeon ben Shetaḥ went into hiding because Alexander Yannai sided with the Sadducees when it was reported to him that some Pharisees thought him to be unfit as priest.

83 During all of the Second Commonwealth and certainly during the reign of Alexander Yannai, the Jewish state relied on contributions from the Jews in the diaspora, both from Rome and from Persia (then, Parthia). It may be assumed that the delegation brought the yearly subsidy and, therefore, was in a position to enforce their will.

84 That it was safe and nothing would happen to him. In the Babli, it was the queen, Simeon's sister, who

arranged matters.

85 Wisdom and money are equivalent to give protection.

86 This verse cannot be reconstructed with confidence, since the manuscripts of the Babli and parallel sources all have different versions.

87 That he tricked Yannai to give the animals for sacrifices under false pretenses, even though formally Simeon ben Shetaḥ was correct. The second action was that he refused to recite Grace without having eaten at least a minimal meal.

The text here is clearly corrupt since by the statement of the Talmud, Rabbi Jeremiah disagrees with Simeon ben Shetaḥ about the recitation of Grace. The correct text, that R. Abba refers to the first action and R. Jeremiah to the second, is in the Yerushalmi source *Midrash Bereshit rabba* 51. [In the Babli, 48a, it is R. Abba the son of R. Ḥiyya bar Abba in the name of R. Yoḥanan who declares that Grace cannot be recited by someone who did not eat bread. But the

Babli cannot be used for the text of the Yerushalmi.]

88 In his theoretical question he wonders, in his critique of Simeon ben Shetaḥ following R. Yoḥanan he is certain.

89 In the Midrash, the Rome manuscript, the Tosephta, (and the Babli) "dipped (some vegetable in broth)". Both in the Yerushalmi, here and *Nazir* 5:5, and the prints of the Midrash, this is labelled "words of the Sages." But in the Tosephta (5:20) and manuscripts of the Midrash (and in the Babli 48a), the statement is attributed to Rabban Simeon ben Gamliel. It seems that the attribution here to the Sages is a scribal error since the opinion attributed to Rabban Simeon ben Gamliel in the last *baraita* is the one given in the Tosephta and R. Jeremiah is reported as following the latter's opinion in the interpretation of the story of Simeon ben Shetaḥ.

90 In the restrictive spirit of the Yerushalmi as explained earlier.

מַשְׁנֵה ג: כִּי צִד מְזַמְּנִין בְּשֵׁלֶשָׁה אוֹמֵר נְבָרָךְ. בְּשֵׁלֶשָׁה וְהוּא אוֹמֵר
 בְּרַכּוֹ. בְּעֵשְׂרָה אוֹמֵר נְבָרָךְ לֹא לְהִינּוּ. בְּעֵשְׂרָה וְהוּא אוֹמֵר בְּרַכּוֹ. אֶחָד עֵשְׂרָה
 וְאֶחָד עֶשֶׂר רְבוּא. בְּמֵאָה אוֹמֵר נְבָרָךְ לִי אֱלֹהֵינוּ. בְּמֵאָה וְהוּא אוֹמֵר בְּרַכּוֹ.

בְּאֶלֶף אוֹמֵר נִבְרַךְ לֵי אֱלֹהֵינוּ אֱלֹהֵי יִשְׂרָאֵל. בְּאֶלֶף וְהוּא אוֹמֵר בְּרָכוּ. בְּרִבּוֹא אוֹמֵר נִבְרַךְ לֵי אֱלֹהֵינוּ אֱלֹהֵי יִשְׂרָאֵל אֱלֹהֵי הַצְּבָאוֹת יֵשֵׁב הַכְּרוּבִים עַל הַמְּזוּזוֹן שְׂאֲכָלְנוּ. רַבִּי יוֹסֵי הַגָּלִילִי אוֹמֵר לְפִי רוֹב הַקָּהָל מְבָרְכִין שְׁנֵאָמַר בְּמִקְהֵלוֹת בְּרָכוּ אֱלֹהִים יי מִמְּקוֹר יִשְׂרָאֵל.

Mishnah 3: How does one 'invite'? If there are three, he says: let us praise⁹¹. If there are three in addition to himself, he says: praise!⁹² If there are ten, he says: let us praise our God. If there are ten in addition to himself, he says: praise! There is no difference between ten and ten myriads⁹³. If there are a hundred, he says: let us praise the Eternal, our God. If there are a hundred in addition to himself, he says: praise! If there are a thousand, he says: let us praise the Eternal, our God, the God of Israel. If there are a thousand in addition to himself, he says: praise! If there are ten thousand, he says: let us praise the Eternal, our God, the God of Israel, God of Hosts, Who thrones over the Cherubim, for the food that we ate. Rabbi Yose the Galilean says, the praise has to be according to the multitude of the assembled, as it is said (*Ps. 68:27*): "In assemblies⁹⁴ praise God, the Lord, from the root of Israel."

91 The changes apply only to the start of the invitation; in all cases one continues with "Him, Whose food we ate".

92 Since there are three without him, he may address them without including himself.

93 This is the majority opinion; the rest of the Mishnah is Rabbi Yose the

Galilean's, as explained at the end of the Mishnah.

94 It will be clear in the Halakhah that the difference between the Sages and R. Yose the Galilean is in the interpretation of this word, whether it means "assemblies", i. e., different assemblies recite different praises, or "choirs" that all sing together.

(fol. 11b) הַלְכָה ג': דְּלִמָּוָה. רַבִּי זְעִירָא וְרַבִּי יַעֲקֹב בְּרַ אֲחָא וְרַבִּי חִינְיָא בְּרַ בָּא וְרַבִּי חִינְיָא חֲבֵרוֹן דְּרַבְּנֵן הוּוּ יְתַבִּין אֶכְלִין. נִסָּב רַבִּי יַעֲקֹב בְּרַ אֲחָא כְּפָא

וּבִירַד וְאָמַר נְבָרַךְ וְלֹא אָמַר בְּרַכּוּ. אָמַר לִיָּה רַבִּי חִיָּיא בַר אֲבָא. וְלָמַה לֹא
 אָמַרְתָּ בְּרַכּוּ. אָמַר לִיָּה וְלֹא כֹן תִּנִּי אִין מְדַקְדָּקִין בְּדָבָר. בֵּין שְׁאָמַר נְבָרַךְ בֵּין
 שְׁאָמַר בְּרַכּוּ אִין (fol. 11c) תּוֹפְסִין אוֹתוֹ עַל כֵּן. וְהַנּוֹקְדָּנִין תּוֹפְסִין אוֹתוֹ עַל
 כֵּן. וּבְאִישׁ לְרַבִּי זְעִירָא בְּגִין דְּצוּחַ רַבִּי יַעֲקֹב בַּר אֲחָא לְרַבִּי חִיָּיא בַר אֲבָא
 נּוֹקְדָנָא.

Halakhah 3: Clarification. Rabbi Zeira, Rabbi Jacob bar Aḥa, Rabbi Hiyya bar Abba, and Rabbi Ḥanina the colleague of the rabbis, were sitting and eating together. Rabbi Jacob bar Aḥa took the cup⁹⁵ and said "let us praise", he did not say: "praise!". Rabbi Hiyya bar Abba asked him, why did you not say "praise!" He said to him, did we not state⁹⁶: "One does not insist on the formulation. Whether he says 'let us praise'. or he says 'praise!', one does not criticize him, but the pedants⁹⁷ criticize him for that." Rabbi Zeira felt badly that Rabbi Jacob bar Abba had called Rabbi Hiyya bar Abba a pedant.

95 The cup of wine over which Grace is recited. Since there were four sages eating together, the Mishnah would require that he start with "praise!".

96 Tosephta *Berakhot* 5:18, Babli 50a.

97 The reading of the *Arukh* is נְקִרְיָין

"nitpickers." The Babli (50a) interprets the Tosephta to mean that "praise!" is acceptable but not preferred; the Yerushalmi seems to accept Samuel's statement (also Babli 49b) at face value that "praise!" should not be used in practice.

שְׁמוּאֵל אָמַר אֵינִי מוֹצִיא אֶת עַצְמִי מִן הַכָּלָל. הִיתִּיבוּן הָרִי בְּרַכַּת הַתּוֹרָה הָרִי
 הוּא אוֹמֵר בְּרַכּוּ. אָמַר רַבִּי אֲבוּן מַכִּיּוֹן דִּיִּימַר הַמְּבוֹרָךְ אִף הוּא אֵינּוּ מוֹצִיא
 אֶת עַצְמוֹ מִן הַכָּלָל.

Samuel said: I do not want to exclude myself from the group⁹⁸. They objected: look at the benediction for the Torah where he says "praise!" Rabbi Abun said, since he will conclude by "the Praised One", he does not exclude himself from the group.⁹⁹

98 In the Babli, Samuel is quoted as saying "nobody should exclude himself from the group" as obligatory ruling, whereas here he is quoted as stating his personal preference for נבדך against the Mishnah.

99 It is explained in the next Mishnah that the benediction for reading the Torah starts with "Praise the Eternal" according to Rabbi Aqiba, and "Praise the Eternal, the Praised One" according to Rabbi Ismael. Rabbi Abun indicates that practice follows

Rebbi Ismael. The Babli (50a) indicates that in Torah reading, the people forced adherence to the opinion of R. Ismael, apparently against the resistance of some rabbis (called "black vessels" by Rava) who preferred to follow Rabbi Aqiba. It seems that R. Hiyya bar Abba, a native Babylonian, felt that R. Jacob bar Aha was following the uneducated, but in Galilee everybody followed Samuel and popular opinion.

רבי אבא בר זמינא הוה משמש קומי זעירא. מזג ליה כסא. אמר ליה סב בריך. אמר ליה¹⁰⁰ והב דעתך דאת מישתי הרנה. דתני השמש מברך על כל-כוס וכוס. ואינו מברך על כל-פרוסה ופרוסה. אמר ליה כהא דאנא יהב דעתי מפקא יתך די חובך בברכתה. כן יהב דעתך מפקא ידי חובתי באמן. אמר רבי תנחום בר ירמיה מתניתא אמרה כן המתעסק לא יצא והשומע מן המתעסק לא יצא.

Rebbi Abba bar Zamina waited upon Zeïra and mixed him a cup. He¹⁰⁰ said to him: Old man, make the benediction, and have the intention of drinking another one, as we have stated: The waiter makes a benediction for every single cup¹⁰¹ but not for every morsel. He answered him: Just as I have the intention of absolving you of your obligation by the benediction so you must have the intention of absolving me of my obligation¹⁰² by "Amen". Rebbi Tanhum bar Jeremiah¹⁰³ said, a Mishnah (*Rosh Hashanah* 4:8) states this: The absent-minded¹⁰⁴ did not fulfill his obligation and he who heard from the absent-minded did not fulfill his obligation.

100 The last two words are not in the Rome manuscript and are probably dittography.

101 Since he cannot expect to get another cup, he cannot have the intention to make one benediction for more than one cup. On the other hand, in the opinion of the Yerushalmi the waiter will always have occasion to eat some food from the kitchen, hence he may make a benediction for the future. In the Babli (*Hulin* 107b), this *baraita* is a statement of Rav and is restricted there to formal dinners. The Babli also quotes an opinion of the Galilean R. Yohanan that for solid food also the waiter cannot make a benediction for the uncertain future; since this is not mentioned here one has to conclude that the Yerushalmi rejects the distinction made in the Babli.

102 All commentators except R. Moshe Margalit declare this passage to be corrupt and that it should read מִפְּקָא יְדֵי חוֹבְתָךְ "fulfill your obligation"; this

seems to be required by the following quote (which is formulated for sounding the *shofar* but is valid for all obligations that may be fulfilled by listening.)

103 A student of R. Mana II of the fifth generation.

104 The word means usually "absent-minded" but can also mean "practicing" and that probably is the primary meaning in this Mishnah, that one who blows the *shofar* in order to learn the technique cannot by the same act fulfill his obligation, neither can anyone who hears him. But in our application, the intended meaning is "absent-minded." R. Abba bar Zamina's implication is that in hearing a benediction one must answer "Amen" in order to make sure that the listener is not absent-minded either. This explains the placing of this paragraph here, following another one where also one person recites Grace in order for all others (even a hundred thousand) to be freed from their obligation.

במאה אומר וכו'. אָמַר רַבִּי יוֹחָנָן זו דְּבַרֵי רַבִּי יוֹסִי הַגָּלִילִי אָבֵל דְּבַרֵי חֲכָמִים
אֶחָד עֶשְׂרִי וְאַחַד עֶשְׂרִי רַבּוּא. רַבָּא אָמַר הִלְכָה כְּמִי שְׂאוּמֵר אֶחָד עֶשְׂרִי וְאַחַד
עֶשְׂרִי רַבּוּא.

"If there are a hundred" etc. Rabbi Yohanan said, these are the words of Rabbi Jose the Galilean, but the Sages say "there is no difference between ten and ten myriads". Rava¹⁰⁵ said, practice follows him who states that there is no difference between ten and ten myriads.

105 It seems that here an apostrophe is missing and the name is R. Abba who is frequently mentioned in the Yerushalmi, rather than Rava (Rav Abba), one of the architects of dialectics in the Babli who lived at the time when the work on the Yerushalmi came to an end. The latter is mentioned only once in the Yerushalmi [*Beza* 1:3 (fol. 60b)] as Rebbi (!) Abba bar Josef [in the parallel in the Babli, based on the

Yerushalmi, his full name is given as Rava bar Rav Josef bar Hama in contrast to Babylonian material where his name consistently is only Rava]. In the Babli, (50a) Rava is quoted as saying that "the people follow R. Ismael", i. e., there is no binding ruling in the matter but a silent consensus, whereas the statement in the Yerushalmi indicates a rabbinic ruling.

מניין לעדה שהיא עשרה. רבי בא ורבי יסא בשם רבי יוחנן נאמר כאן עדה ונאמר להלן עדה. מה עדה שנאמר להלן עשרה. אף עדה שנאמר כאן עשרה. אמר רבי סימון נאמר כאן תוך ונאמר להלן תוך ויבואו בני ישראל לשבור בתוך הבאים. מה תוך האמור להלן עשרה. אף כאן עשרה. אמר ליה רבי יוסי בי רבי בון כי אם מתוך את יליף סגין אינון. אלא נאמר כאן בני ישראל ונאמר להלן בני ישראל. מה בני ישראל האמור להלן עשרה. אף כאן עשרה.

From where that "congregation" means ten people¹⁰⁶? Rebbi Abba and Rebbi Yasa in the name of Rebbi Yoḥanan: It is said here "congregation" and it says there¹⁰⁷ "congregation". Since "congregation" mentioned there means ten, so also "congregation" mentioned here must mean ten. Rebbi Simon said, it is said here "in the midst" and it is said there "in the midst" (*Gen.* 42:5): "The sons of Israel came to buy grain in the midst of those who came." Since "in the midst" said there means ten, so also here it must mean ten. Rebbi Yose ben Rebbi Abun said to him, if you deduce from "in the midst", there are too many of them¹⁰⁸. But it is said here "the children of Israel" and it is said there "the children of Israel." Since "children of Israel" said there means ten, so here it also must mean ten.

106 The discussion here is to prove that for a public invocation of the Name one needs a congregation of at least ten adult males. The relevant verses are *Lev. 19:2* "Speak to the entire congregation of the children of Israel and tell them: conduct yourselves in holiness because I, The Eternal, your God, Am Holy" and *Lev. 22:32* "I shall be sanctified in the midst of the children of Israel." The same discussion is reported *Megillah 4:4*, *Sanhedrin 1:4*. The parallel discussion in the Babli, *Megillah 23a*, in the name of the first generation Rabbi Hiyya, is based on the second verse and is intelligible only if it is understood as reference to the derivation in the Yerushalmi.

107 "Here" refers to *Lev. 19:2*, "there" to *Num. 14:27*: "How long for this evil congregation", speaking of the

ten spies who argued against entering the Land. There were twelve spies in all; Joshua and Caleb were in the opposition; accordingly there were ten evil persons who formed the congregation.

108 In particular, in *Lev. 22:32*, "in the midst" must mean 600'000 adult males. In the Babli, *Lev. 22:32* is used to establish a formal parallel, known as *gezerah shawah*, between this verse and the one from Genesis. The latter verse is then used to arrive at the number ten (since of the twelve tribes, Joseph and Benjamin were missing). From the Babli it seems that there was a tradition linking the two verses (since in its opinion, *gezerah shawah* must be based on a tradition) and, therefore, R. Simon is forced to quote a verse that in itself seems to be less adequate than the one used before.

מה מקיימין רבנן טעמא דרבי יוסי הגלילי במקהלות בכל־קהילה וקהילה.
אמר רבי חנינא בריה דרבי אבהו במקהלת כתיב.

How do the Sages use the reason of Rabbi Yose the Galilean? "In assemblies", in each separate congregation. Rabbi Hanina the son of Rabbi Abbahu said, it is written במקהלת¹⁰⁹.

109 The opinion of the sages is that the plural "assemblies" points to different assemblies at different places and not to different categories of the

same assembly. R. Hanina notes that in R. Yose the Galilean's tradition, the word was written defective and could be read as a singular מקהלה "assembly".

Hence, if the word is vocalized as a plural, it is an ideal plural that refers to different stages of the same assembly. In all our sources, the word in Psalms is written *plene* to support the position of the Sages; the Masorah to *Num.* 32:25/26 (composed several centuries after the conclusion of the Talmudim) notes that מקהל appears as

geographical name only in *Num.* and that in Psalms, מקהלות is a *hapax legomenon*. The parallel Babli (50a) refers the verse in Psalms, in the name of R. Meir, to the choir of children at the Red Sea, a tradition more justly attributed to Rabban Gamliel in Yerushalmi *Sota* 5:6.

משנה ד: אמר רבי עקיבה מה מצינו בבית הכנסת אחד מרובין ואחד מועטין אומר ברכו את יי רבי ישמעאל אומר ברכו את יי המבורך.

Mishnah 4: Rabbi Aqiba said, do we not find in the synagoge that one recites "Praise the Eternal" whether there are many or few? Rabbi Ismael says, "Praise the Eternal, the Praised One!"¹¹⁰

110 This Mishnah is sequel to the preceding one and presents the argument of the Sages against Rabbi Yose the Galilean. The difference in text

between the two authorities already was discussed in the preceding Halakhah.

הלכה ד: רבי חייה בר אשי קם מקרי באורייתא ואמר ברכו ולא אמר המבורך. בעין מישתקוניה אמר להו רב ארפוגיה. דנהיג כרבי עקיבה. רבי זעירא קם מקרי כהו במקום לוי ובירך לפניה ולאחריה ובעין מישתקוניה אמר להו רבי חייה בר אשי ארפוגיה. דכן אינון נהיגין גבייהו.

Halakhah 4: Rav Hiyya bar Ashi rose to read in the Torah and said "Praise the Eternal," he did not add "the Praised One!" They wanted to silence him. Rav said to them, let him, because he follows Rabbi Aqiba¹¹¹.

Rebbi Zeïra rose to read as Cohen in place of a Levite and recited the benediction before and after. They wanted to silence him. Rav Hiyya bar Ashi said to them, let him, because that is their way of doing it¹¹².

111 The title "Rebbi" found twice in the text is a scribal error; Rav Hiyya Bar Ashi never went to Israel.

It seems that Rav, when he returned to Babylonia from his studies in Galilee, followed the Galilean order of prayers. [Even centuries later, we still find that Rav's Yeshivah in Surah followed the *minhag Eretz Israel* in reciting liturgical poems in the prayers, whereas the autochthonous Yeshivah of Pumbeditha (Nahardea) never recited them.] Rav Hiyya Bar Ashi became a member of Rav's Yeshivah but kept the old Babylonian *minhag* following Rebbi Aqiba. Rav had to explain to his students that this way also is acceptable. The parallel in the Babli (50a) tells a similar story about Rafrem bar Papa, a student of Rav's student Rav Huna; there, Rava notes that even in Babylonia "the people follow Rebbi Ismaël." This shows that common practice was settled only three generations after Rav. (The Rome ms. has "Rav Ada" instead of "Rav". Since

Rav Ada was one of Rav's students, ranking much below Rav Hiyya bar Ashi, the reading has to be rejected.)

112 This second story deals with another subject. The original practice, as spelled out in the Mishnah *Megillah* 3:1, was that the first to read in the Torah pronounced the benediction before the reading and the last one the benediction after the reading. Even in Mishnaic times it became customary that every reader recited his own benediction. Here, Rebbi Zeïra had read his portion as Cohen; in the absence of a Levite he was called a second time to read and he started by reciting the benedictions again. It is reported in the Babli (*Avodah Zarah* 16b) that R. Zeïra studied some time in the Yeshivah of R. Hiyya bar Ashi after having been ordained by Rav Yehudah and before his immigration to Galilee. The action of R. Zeïra, therefore, reflects the practice of the Yeshivah of Nahardea.

כתיב וַיְבָרֵךְ עֶזְרָא אֶת יי אֱלֹהִים הַגָּדוֹל. בְּמָה הוּא גוֹדְלוֹ. גוֹדְלוֹ בְּשֵׁם
 הַמְפֹרָשׁ. רב מתנה אמר גודלו בברכה. רבי סימון בשם רבי יהושע בן לוי
 למה נקרו אנשי כנסת הגדולה שהחזירו הגדולה ליושנה. אמר רבי פינחס
 משה התקין מטבעה של תפילה האל הגדול הגיבור והנורא. ירמיה אמר האל
 הגדול הגיבור ולא אמר הנורא. למה אמר הגיבור לזה נאה לקרות גיבור
 שהוא רואה חורבן ושותק. ולמה לא אמר נורא אלא שאין נורא אלא בית
 המקדש שנאמר נורא אלהים ממקדשך. דניאל אמר האל הגדול והנורא ולא
 אמר הגיבור בניו מסורין בקולרין היכן היא גבורתו. ולמה אמר והנורא.
 לזה נאה לקרות נורא בנראות שעשה לנו בכבשן האש. וכיון שעמדו אנשי
 כנסת הגדולה החזירו את הגדולה ליושנה. האל הגדול הגיבור והנורא. ובשר
 ידם יש בו כוח ליתן קצבה לדברים הללו. אמר רבי יצחק בן אלעזר יודעין
 הו הנביאים שאליהן אמת ואינן מחניפין לו.

It is written (*Neh.* 8:6): "Ezra praised the Eternal, the great God." In
 what did he declare Him great? He declared Him great by the Explicit
 Name¹¹³. Rav Mattanah said, he declared Him great by a benediction.
 Rabbi Simon in the name of Rabbi Joshua ben Levi: Why are they called
 the Men of the Great Assembly¹¹⁴? Because they returned the Crown to
 its former status. Rabbi Phineas said, Moses fixed the formula of
 benediction, (*Deut.* 10:17) "the Great, Strong, and Awesome God."
 Jeremiah said (*Jer.* 32:18): "the Great, Strong God," but he left out
 "Awesome." Why did he say "the Strong"? He may rightly be called
 strong because He sees the destruction and is silent. And why did he not
 say "the Awesome"? Awesome is only the Temple, as it is said (*Ps.* 68:36):
 "Awesome is the Eternal from Your holy place." Daniel said (*Dan.* 9:4)¹¹⁵:
 "the Great and Awesome God," he did not say "the Strong"; His sons are
 put in neck-irons¹¹⁶, where is His strength? Why did he say: "the
 Awesome?" He may well be called "the Awesome" by the wonders He did
 for us in the fiery oven. But when the Men of the Great Assembly came,

they restituted Greatness to its former place, "the Great, Strong, and Awesome God." Does flesh and blood have power to set limits in these matters? Rabbi Isaac ben Eleazar¹¹⁷ said, the prophets know that their God is Truth and they will not fawn before him.

113 The name YHWH pronounced with the correct vocalization that is unknown to us.

114 The parallel is in *Megillah* 3:8; in Babli *Yoma* 69b it is spelled out that Rav Mattanah means the first benediction of the 'Amidah that contains the sentence "the Great, Strong, and Awesome God" chosen by the Men of the Great Assembly, and the observation of R. Joshua ben Levi is

intended to buttress the argument of Rav Mattanah.

115 The same expression is used by Nehemiah, *Neh.* 1:5.

116 Latin *collare* "neck-iron."

117 There were two sages of this name, one a student of R. Yoḥanan and the other in the fourth generation, a colleague of R. Mana. In the Babli, the statement is attributed to R. Eleazar.

מִשְׁנָה ה': שְׁלוֹשָׁה שָׂאֲכְלוּ כְּאַחַת אֵינָן רְשָׁאִין לִיחְלַק וְכֵן אַרְבָּעָה וְכֵן חֲמִשָּׁה. שֵׁשָׁה נִחְלְקִין עַד עֶשְׂרֵה. וְעֶשְׂרֵה אֵינָן נִחְלְקִין עַד שְׁיֵהוּ עֶשְׂרִים. (fol. 11a)

Mishnah 5: Three who ate together are not permitted to split¹¹⁸, neither are four or five. Six may split and so on up to ten. Ten may not split and so on unless they are twenty.

118 Since three together are required to recite the "invitation" whereas two or one do not recite it; the minimum number required for two separate recitations of Grace is six.

Nine may form three groups, but ten are required to recite the "invitation" with an invocation of the Name. Hence, 10 to 19 people in a group may not split in the recitation of Grace.

(fol. 11c) חלכה ה: תני הנה אוכל ויושב בשבת ושכח ולא הזכיר של שבת. רב אמר חוזר. ושמואל אמר אינו חוזר.

Halakhah 5: It was stated: If one was eating sitting down on Sabbath and forgot and did not mention Sabbath, Rav said: he must repeat, and Samuel said: he need not repeat¹¹⁹.

119 In the parallel in the Babli, 49b, the opinion of Samuel is not mentioned; even Rav Nahman, the student of Samuel, is reported to follow the ruling of Rav. Later commentators state that, since on the Sabbath one may not fast, eating on the Sabbath is a

consequence of it being Sabbath and the Sabbath has to be mentioned in reciting Grace. Samuel might be of the opinion that anything not mentioned in the verse *Deut. 8:10* cannot be a reason for repeating Grace.

שמעון בר בא בשם רבי יוחנן ספק הזכיר של ראש חודש. ספק לא הזכיר אין מחזירין אותו. אשכח תני ופליג. כל-יום שיש בו קרבן מוסף כגון ראש חודש וחולו של מועד צריך להזכיר מעין המאורע ואם לא הזכיר מחזירין אותו. וכל-שאין בו קרבן מוסף כגון חנוכה ופורים צריך להזכיר מעין המאורע ואם לא הזכיר אין מחזירין אותו.

Simeon bar Abba in the name of Rabbi Yohanan: If one is in doubt whether he mentioned the New Moon or did not mention it, one does not make him repeat¹²⁰. They found a dissenting statement: On every day that has a *Musaph* sacrifice (e. g., the day of the new moon and the intermediate days of holidays,) he must mention the occasion and if he did not mention it, one makes him repeat. But on every day that has no *Musaph* sacrifice (e. g., Hanukkah and Purim,) he must mention the occasion but if he did not, one does not make him repeat.

120 In the Babli (49b) there is a similar statement by Rav Nahman in

the name of Samuel that, if someone forgot the day of the New Moon in

Grace, one does not make him repeat. According to the Yerushalmi, that seems obvious as the opinion of Samuel. However, the mention of Samuel is not in the Munich manuscript of the Babli, and the Spanish incunabula prints of *Berakhot* Babli have "Rav" instead of "Samuel"; this seems to be the correct

reading. According to the Babli, one does not have to repeat even if he is sure that he did not mention the day; according to the way the Yerushalmi quotes the formulation, one has to repeat even if there was only a doubt that he did not mention the day.

חָנוּ בַר אַבְבָּא וְחֻבְרִינָא הוּוּ אֶכְלִי בְשַׁבָּתָא. מִן דְּאֶכְלִי וּבִרְכִין קָם אֶזֶל לִיה. חֲזַר לְגַבֵּי אֲשַׁכְּחֵנוּ בְּרִכִין. אָמַר וְלֹא כָּבֵר בְּרַכְנֵנוּ. אָמְרִין לִיה מְבָרְכִין וְחוֹזְרִין וּמְבָרְכִין דְּאֲשַׁכְּחֵנוּ מִדְּפָרָא דְשַׁבָּתָא. לֹא אָמַר כֵּן רַבִּי בָּא בְּשֵׁם רַבִּי חוּנָא וְרַבִּי יִרְמְיָה מְטוּ בְּהַ בְּשֵׁם רַב שְׂכַח וְלֹא הִזְכִּיר שֶׁל שַׁבָּת אוֹמֵר אֲשֶׁר נָתַן מְנוּחָה לְעַמּוֹ יִשְׂרָאֵל. כֵּן בְּשֶׁהִסִּיעַ דַּעְתּוֹ וְכֵן בְּשֶׁלֹּא הִסִּיעַ דַּעְתּוֹ.

Hanan bar Abba and the colleagues were eating on Sabbath. After they had eaten and recited Grace he got up and left. When he returned, he found them reciting Grace. He said, did we not recite Grace already? They said to him, we recited, but now we recite again because we forgot to mention the Sabbath. Rabbi Abba in the name of Rav¹²¹ Huna (Rav Jeremiah extends it in the name of Rav) did not say so: If he forgot to mention the Sabbath, he says: He¹²² Who gave rest to His people Israel. Here¹²³ if he turned¹²⁴ his mind away, there if he did not turn his mind away.

121 The titles of Huna and Jeremiah must be Rav, not Rabbi as in the Hebrew text, since the entire discussion is between students of Rav.

122 The full benediction would be: Praised are You, Eternal, our God, King of the universe, Who gave . . .

123 One has to repeat if he turned from reciting Grace to other activities; one recites an additional benediction if he realizes the omission before he has finished. The Babli (49a/b) gives the full text of this benediction and the corresponding one for holidays, but

there it is authorized only (in the name of Rav) if one realizes the omission before one starts the next benediction. This certainly is not the position of the

Yerushalmi.

124 "he moved away", appears in the Babli as הסיח ; e or n were inaudible in Babylonian speech.

תני עשרה בני אדם שהיו מהלכין בדרך אף על פי שכולם אוכלין מכפר אחד כל-אחד ואחד מברך לעצמו. ישבו ואכלו אף על פי שכל-אחד ואחד אוכל מכפר עצמו אחד מברך על ידי כולם. רבי ירמיה זמין לחבריא בפונדקא.

It is stated¹²⁵ : Ten people walking on the road, even if all of them eat from the same loaf, each one recites Grace for himself. If they sat down and ate, even though each one eats his own loaf, one recites Grace for all of them. Rabbi Jeremiah "invited" his colleagues at an inn¹²⁶.

125 A similar text appears in Babli 42a and Tosephta *Berakhot* 5:23. In both these texts, the second sentence reads "if they sat down to eat"; this is interpreted in the Babli to mean that they are sitting together by a common decision. Hence, they form a group and have to recite Grace together. The language of the Yerushalmi, "they sat down and ate," points to a spontaneous act that would not require Grace to be

recited in common in the opinion of the Babli.

126 It is assumed that everybody pays for his own meal (or, if the hostelry has no restaurant, eats from his own provisions) in an inn and, also, that the formation of the group is casual rather than planned. Nevertheless, they have to recite Grace together; see the preceding note.

משנה ו: שתי חבורות שהיו אוכלין בבית אחד בזמן שמקצתן רואין אילו את אילו הרי אילו מצטרפין לזימון. ואם לאו אילו מזמנין לעצמן ואילו מזמנין לעצמן. ואין מברכין על הנין עד שיתן לתוכו מים דברי רבי אליעזר. וחכמים אומרים מברכין.

Mishnah 6: Two groups that ate in one house, if some of one group saw some of the other group they join in "invitation"; otherwise, each group recites the "invitation" for itself. One does not recite a benediction over wine¹²⁶ unless he added water; these are the words of Rabbi Eliezer. But the Sages say, one may recite the benediction.

126 Instead, one uses the benediction "Creator of the fruit of the tree," appropriate for fruit juice.

הלכה ו: רבי יונה ורבי אבא בר זמינא בשם רבי זעירא לשני בתים
נצרכה. (fol. 11c)

Halakha 6: Rabbi Jonah and Rabbi Abba bar Zamina in the name of Rabbi Zeira: For two houses, there is a problem¹²⁷.

127 The Mishnah gives the rule for two groups assembled at different places in one house. The problem of two groups which eat in different houses but see one another is not treated and one may make arguments both ways. [Tosaphot in *Babli* 50b read the statement as : "[The Mishnah] is

only needed for two houses," the inference being that if they see one another they can join in saying Grace. This transfers the meaning of Babylonian צריכא ("it is necessary") to the Palestinian expression נצרכה ("it is problematic") used here!]

אמר רבי יוחנן והן שנכנסו משעה ראשונה על מנת כן.

Rabbi Yohanan said, it applies only if they entered with that in mind¹²⁸.

128 R. Yohanan refers to the Mishnah: Two groups not in the same room may recite common Grace only if they started the meal with that intention. This corresponds to the opinion of Babli and Tosephta in the case of the

caravan travelling together, discussed at the end of the previous Halakha. However, since it is necessary to state this rule for people in two different rooms, it follows that the Yerushalmi does not require common intent for

people in one room; R. Yoḥanan agrees in the preceding Halakhah.
with his student's student R. Jeremiah

אֵילָן בֵּית נְשִׂיאֵי מָה אֶת עֶבֶד לֹון בְּבֵית אֶחָד אוֹ בְּשְׁנֵי בָתִּים. נֹאמֵר אִם דֶּרֶךְ
לְעָבוֹר אֵילָו עַל אֵילָו מְזַמְנִין. וְאִם לֹאוֹ אֵין מְזַמְנִין. רַבִּי בְּרַכְיָה מוֹקִים
לְאִמְרוּרִיהָ עַל תְּרַעַמָּא מְצִיעֵנָא דְבִי מְדַרְשָׁא וְהוּא מְזַמֵּן עַל אֵילָו וְעַל אֵילָו.

What do you do with those at the house of the patriarch, like one house or like two houses¹²⁹? Let us say that if they usually walk over from one group to the other then they "invite" together; otherwise they do not "invite" together. Rebbi Berekhiah used to place his speaker in the middle of the door of the house of study and he recited the "invitation" together with both groups¹³⁰.

129 The Babli (50a) notes that at a dinner in the house of the Resh Galuta, the head of the Jews of Babylonia, one recites Grace in small groups since the place is so noisy that one could not hear a person at the dais reciting Grace. Here it seems that the Patriarch held his formal dinners in a very large hall with several groups forming circles and not communicating with one

another. The question is whether the room acts as a common enclosure for all these groups or not.

130 The meals in the Yeshivah were taken in two adjacent rooms. A similar note in the Babli (50b) states that if the same waiter waits upon several groups in a very large room, the waiter makes them one group.

אֵין מְבַרְכִין עַל הַיַּיִן עַד שֶׁיִּתֵּן לְתוֹכוֹ מִים דְּבָרֵי רַבִּי אֶלְיעֶזֶר. וְחֻקָּמִים אוֹמְרִים
מְבַרְכִין: רַבִּי זְרִיקָא בְּשֵׁם רַבִּי יוֹסִי בֶן חֲנִינָא מוֹדִים חֻקָּמִים לְרַבִּי אֶלְיעֶזֶר
בְּכּוֹס שֶׁל בְּרַכָּה שֶׁהוּא נוֹתֵן לְתוֹכוֹ מִים כָּל־שֶׁהוּא. נְהִיגִין רַבָּנָן בְּהֵהוּן כְּפָא
דְּקִידוּשָׁא. מִילְתָּא דְרַבִּי יוֹסֵה פְּלִיגָא אֲדַרְבֵּי יוֹנָה. דְּרַבִּי יוֹנָה טַעַם כְּפָא
וּמְתַקֵּן לָהּ. אֵין תִּימֵר דְּהוּא מְזוּג. וְהִתְנִי הַשּׁוֹתָה מְשַׁקִּין מְזוּגִין שְׁעָבֵר עֲלֵיהוֹן
הַלְּזִלָּה דְמוֹ בְּרֵאשׁוֹ. אָמַר רַבִּי יוֹחָנָן וְהוּא שְׁלָנוּ בְּכָלִי מִתְכּוֹת.

"One does not recite a benediction over wine unless he added water; these are the words of Rabbi Eliezer. But the Sages say, one may recite the benediction." Rabbi Zeriqa in the name of Rabbi Yose ben Hanina: The Sages agree with Rabbi Eliezer that one has to add a small amount of water into the cup used for Grace¹³¹. The rabbis do so for the *Qiddush* cup. The statement of Rabbi Yose disagrees with Rabbi Jonah, for Rabbi Jonah tasted it and restored it¹³². If you imply that it was mixed, did we not formulate: He who drinks mixed drinks that were standing through the night, his blood is on his head. Rabbi Yoḥanan said, that is only if it was standing in metal vessels¹³³.

131 Because that is the civilized way of acting and religious obligations should be executed with dignity.

132 Rabbi Jonah tasted from the cup for *Qiddush* of Friday evening, then left the rest standing in the cup and "repaired" it the next morning by filling it again with more wine. As will be explained later in this Halakhah, a cup that has been drunk from cannot be used for another benediction; hence, it has to be replenished. The question is, if R. Jonah put water into his

Qiddush cup, how could he leave it standing half full through the night?

133 The last two statements are also in the Babli (*Niddah* 17a); the *baraita* is very close to the text in *Derekh Erez Rabba*, Chapter 11. Both of these sources give a list of things that are dangerous to one's health. In the Yerushalmi, the statement of R. Yoḥanan answers the question raised: R. Jonah might add water to his wine as long as his cup was not of metal.

רבי ירמיה בשם רבי יוחנן ראשונים היו שואלין שמאל מהו שתסייע לימין
בכוס של ברכה. את שמע מיניה תלת. את שמע שהוא צריך לתופסו בימין.
וצריך שתהא ידו גבוהה מן השלחן טפת. (וצריך שנותן עיניו בו.

Rebbi Jeremiah¹³⁴ in the name of Rabbi Yoḥanan: The first generations asked whether the left hand may help the right hand with the

cup used for reciting Grace. You may infer from this three things. You infer that one must hold the cup with his right hand¹³⁵, that one's hand must be lifted from the table at least a hand-breadth¹³⁶, and that one has to look at the cup¹³⁷.

134 The parallel statement in the Babli (51a) is in the name of R. Hiyya bar Abba. The inferences are not given there but they follow from the parallel to the next statement.

135 If the left hand only is required to help, the main action is done by the

right hand.

136 For a lesser height than a hand-breadth (one sixth of a cubit), no help would be necessary.

137 Otherwise, it would not be necessary to lift the cup during recital of the benedictions.

אָמַר רַבִּי אַחָא שְׁלֹשָׁה דְּבָרִים נֶאֱמָרוּ בְּכוֹס שֶׁל בְּרַכָּה מְלֵא. עֵיטוֹר. וּמוֹדָח.
וּשְׁלֹשָׁתָן בְּפְסוּק אֶחָד נִפְתְּלֵי שֶׁבַע רְצוֹן וּמְלֵא בְּרַכַּת יי. שֶׁבַע עֵיטוֹר. רְצוֹן
מוֹדָח. מְלֵא כְּמִשְׁמָעוֹ. אָמַר רַבִּי חֲנִינָא אִם עָשִׂיתָה כֵּן מָה כְּתִיב תִּמְנָן י
וְדָרוֹם יִרְשָׁה. אֵת זֹכָה לִירֵשׁ הָעוֹלָם הַזֶּה וְהָעוֹלָם הַבָּא.

Rebbi Aḥa said: Three things were said about the cup of Grace: full, decorated, and washed. All three come from one verse (*Deut.* 33:23): "Naphtali is satiated with goodwill, full of the blessings of the Eternal." Satiated - decorated¹³⁸, goodwill - washed¹³⁹, full as its acception. Rebbi Hanina said, if you did so, what is written there: "West and South his inheritance," you merit to inherit this world and the world to come¹⁴⁰.

138 There are different lists in the Babli (51a); one also mentions "decorated" and different interpretations are given. Rav Yehudah is reported to have surrounded himself with his students when he recited Grace over a cup of wine; Rav Hiṣda surrounded the

(larger) cup of benediction with smaller cups that presumably were filled with wine. This second interpretation seems to be the one original with the Yerushalmi which identifies satiated with decorated, i. e., more than enough wine to fulfill every desire.

139 So that everybody would willingly take the cup and drink from it. The Babli is a little more explicit and requires "rinsed and dried."

140 This homily is given in the Babli in the name of R. Yose ben R. Ḥanina; R. Yohanan says that he is given boundless property. Both seem to note

the incongruence of Naphtali inheriting West and South when in fact his territory was the North-Eastern corner of the Land of Israel. Hence, the allusion cannot be meant to describe his territory but is either a geographic amplification or refers to another world.

אָמַר רַבִּי אֶלְעָזָר כּוֹס פְּגוּם אֵין מְבַרְכִין עָלָיו. טַעְמוֹ פְּגָמוֹ. אֵת שְׁמַע מִינָה
תָּלַת. שְׁמַע מִינָה כּוֹס פְּגוּם אֵין מְבַרְכִין עָלָיו. וְצָרִיד שִׁיחָא בּוֹ כְּשִׁיעוּר. וְטַעְמוֹ
פְּגָמוֹ.

Rebbi Eleazar said: One does not recite benedictions on a damaged cup. If one tasted from it, he damaged it. You may infer from this three things. You infer that one does not recite benedictions on a damaged cup. And that it must contain a measure. And if one tasted from it, he damaged it¹⁴¹.

141 Two of the three statements are exactly what Rebbi Eleazar said. The only inference to be drawn from the fact that the cup should not be "damaged" is that it must contain a minimum measure (a *reviit*, a quarter *log*) to be valid. In the Babli (*Pesahim* 105b/106 a), the derivation is both from the argument given here and from a *baraita* about *Havdalah* after the Sabbath. The parallel argument would

have been to derive the necessity of a minimal volume of wine from the next paragraph which implies that if one does not have enough wine for *Qiddush* both Friday night and Sabbath morning one leaves all the wine for the morning. Otherwise, one simply could divide the wine and drink the volume of a liquor glass each time. The order of topics here does not exclude that this also is the Yerushalmi reasoning.

אָמַר רַבִּי תַנְחוּם בְּרַי יוֹדֵן כְּבוֹד הַיּוֹם קוֹדֵם לְכְבוֹד הַלַּיְלָה. קְדוּשַׁת הַלַּיְלָה
קוֹדְמַת לְקְדוּשַׁת הַיּוֹם. אֵי זֶהוּ כְּבוֹד הַיּוֹם רַבִּי יוֹסֵה בְּשֵׁם רַבִּי יַעֲקֹב בְּרַ אַחָא
וְרַבִּי אֶלְעָזָר בְּרַ יוֹסֵף בְּשֵׁם רַב בּוֹרַא פְּרִי הַגֶּפֶן.

Rebbi Tanḥum bar Yudan said: The honor of the day takes precedence over the honor of the night. The *Qiddush* of the night takes precedence over the *Qiddush* of the day. What is the honor of the day? Rebbi Yosi in the name of Rebbi Jacob bar Aḥa, and Rebbi Eleazar bar Joseph¹⁴² in the name of Rav: "He Who created the fruit of the vine."¹⁴³

142 An otherwise unknown student of Rav.

143 This means that the primary obligation of reciting *Qiddush* is in the night. The obligation of honoring the Sabbath is mainly during the day. Hence, if there is only one cup of wine, *Qiddush* of the night should be recited over bread. The *honor* of the day,

referred to in the Babli euphemistically as "great *Qiddush*," consists in reciting the benediction over wine only, without any additions, over a specially dedicated cup of wine. This is reported and endorsed in the Babli (*Pesahim* 106a) as the action "of an old man," confirming a Yerushalmi practice.

רַבִּי זְרִיקָן בֶּר חֲמוּי דְרַבִּי זְרִיקָן הַזְכִּיר שֶׁל חֲנוּכָּה בְּאַרְץ וְקִיְלְסוּ אוֹתוֹ. רַבִּי בָּא
בְּרִיָּה דְרַבִּי חִיָּיא בֶר בָּא הַזְכִּיר דִּינָן אֲמַת בְּהַטּוֹב וְהַמְטִיב וְקִלְסוּ אוֹתוֹ.

Rebbi Zeriqan, son of the father-in-law of Rebbi Zeriqan, mentioned Ḥanukkah in "the Land" and they praised him¹⁴⁴. Rebbi Abba, son of Rebbi Ḥiyya bar Abba, mentioned "the true Judge"¹⁴⁵ in "He Who is good and does good" and they praised him.

144 It was stated in an earlier *baraita* in Halakhah 5 that Ḥanukkah should be mentioned. Here, the place of the mention is fixed in the second benediction of Grace. The Babli (*Šabbath* 24a) concurs, but notes that the mention is not obligatory.

145 The prayer in a house of mourning. The Babli (*Berakhot* 46b) quotes

a *baraita* in the name of Rebbi Aqiba which seems to imply that in a house of mourning the benediction "He Who is good" is replaced by "the True Judge"; the Talmud then reinterprets the *baraita* to mean that "the True Judge" is inserted in "He Who is good." The Yerushalmi here gives a date for the re-interpretation.

רבי בא בריה דרבי חייה בר בא אוכל מהלך עומד ומבדך. אוכל עומד יושב ומבדך. אוכל יושב מיסב ומבדך. אוכל מיסב מתעטף ומבדך. אם עשה כן הרי הוא כמלאכי השרת. מה טעמא בשתים יכסה פניו ובשתים יכסה רגליו.

Rebbi Abba, son of Rebbi Hiyya bar Abba: If one eats walking, he stands still for Grace. If one eats standing, he sits down for Grace. If one eats sitting, he reclines¹⁴⁶ for Grace. If one eats reclining, he wraps himself in his toga¹⁴⁷ for Grace. If one acts in this fashion, he is like an Angel of Service¹⁴⁸. What is the reason? (*Is.* 6:2) "With two [wings] he would cover his face, and with two [wings] he would cover his feet."

146 On a couch, as for a formal dinner. The statement, that for Grace one always increases one step in dignity, is reported in the Babli (51b) as a *baraita* but is rejected. There it is declared that one always recites Grace sitting upright. There as here, this is

the end of the Chapter; one has to see in the Babli an intentional answer to the Yerushalmi.

147 The *tallit* with *tzitzit*.

148 The angels who serve the Divine Presence.

אלו דברים פרק שמיני

משנה א: אילו דברים שגין בית שמאי ובית הלל בסעודה. בית שמאי אומרים מברך על היום ואחר כך מברך על היין. ובית הלל אומרים מברך על היין ואחר כך מברך על היום.

Mishnah 1: These are the matters between the House of Shammai and the House of Hillel about meals. The House of Shammai say, one pronounces the benediction of the day¹ and then the one over wine. But the House of Hillel say, one pronounces the benediction over wine and afterwards the one of the day.

1 The *Qiddush* of Friday night and holidays that has to precede the meal.

הלכה א: מה טעמהון דבית שמאי שקדושת היום גרמה לין שיבוא וכבר נתחייב בקדושת היום עד שלא בא היין. מה טעמהון דבית הלל שהיין גורם לקדושת היום שתאמר. דבר אחר היין תדיר וקדושה אינה תדירה.

Halakhah 1: What² is the reason of the House of Shammai? The Sanctification of the Day causes the wine to be served; he was obligated for the Sanctification of the Day³ before the wine was served. What is the reason of the House of Hillel? The wine causes the Sanctification of the Day to be recited⁴. Another explanation: The wine is frequent, Sanctification is less frequent⁵.

2 The entire section is paralleled in Yerushalmi *Pesahim* 10:2 (with a slightly better text). The content of

this paragraph is paralleled in Babli *Berakhot* 51b and, in language very close to the Babli, in Tosephta *Bera-*

khot 5:25. Both Babli and Tosephta add that "practice follows the House of Hillel," a seemingly unnecessary statement since practice always follows the House of Hillel (except if noted otherwise.) It seems that the Tosephta is very old, from before the times of Rabban Gamliel. The Yerushalmi either suppressed the note that was no longer relevant or quotes another source which never had that statement.

3 Since there is a Biblical injunction (*Ex.* 20:8): "Remember the Sabbath Day to declare it holy" and this obligation starts immediately at nightfall, whereas the meal is held later for technical reasons. The laws of *Qiddush* are discussed in Chapter 10 of *Pesahim* and reviewed in the author's *The Scholar's Haggadah*, pp. 209–227.

4 The Sanctification cannot be recited without food especially designated for the Sabbath. (However, *Qiddush* may also be recited over the Sabbath bread but this is not the preferred way, at least not in the Land of Israel where wine was and is abundant.)

5 The principle of sacral actions is: The more frequent action (or benediction) has precedence. This is spelled out by the Babli here; Yerushalmi sources are: *Yoma* 2:3, *Šeqalim* 8:6, *Sukkah* 5:6, *Ta'aniot* 4:5. The principle is implied by the Yerushalmi here. Both Houses have two reasons for their positions. Wine is more frequent since it is also used during weekdays and it may also be used for *Havdalah*.

אמר רבי יוסה מדברי שניהו זין והבדלה זין קודם. כלום טעמהו דבית שמאי אלא שקדושת היום גרמה לזין שיבוא. וכאן הואיל ולא אבדלה גרמה לזין שיבוא זין קודם. כלום טעמהו דבית הלל אלא שהזין תדיר וקדושה אינה תדירה. וכן הואיל והזין תדיר ואבדלה אינה תדירה זין קודם. אמר רבי מנא מדברי שניהו זין ואבדלה אבדלה קודמת. כלום טעמהו דבית שמאי אלא שקבר נתחייב בקדושת היום עד שלא בא הזין. וכאן הואיל ונתחייב בהבדלה עד שלא בא הזין אבדלה קודמת. כלום טעמהו דבית הלל אלא שהזין גורם לקדושת היום שתאמר. וכאן הואיל ואין זין גורם לאבדלה שתאמר אבדלה קודמת.

Rebbi Yose⁶ said: From the words of both of them⁷ it follows that for wine and *Havdalah*⁸, the wine comes first. Is not the reason of the House

of Shammai that the Sanctification of the Day causes the wine to be served? But here, *Havdalah* does not cause the wine to be served⁹; wine therefore has precedence. Is not the reason of the House of Hillel that the wine is frequent, Sanctification of the Day is less frequent? Also here, wine is frequent and *Havdalah* is less frequent: the wine has precedence. Rabbi Mana said: From the words of both of them it follows that for wine and *Havdalah*, *Havdalah* comes first. Is not the reason of the House of Shammai that he was obligated for the Sanctification of the Day before the wine came? Also here, since he is obligated for *Havdalah* before the wine came, *Havdalah* has precedence. Is not the reason of the House of Hillel that the wine causes the Sanctification of the Day to be recited? But here, the wine does not cause *Havdalah* to be recited: *Havdalah* has precedence⁹.

6 He is R. Yasa (Assi), colleague of R. Mana I.

7 The Houses of Hillel and Shammai.

8 The "separation" between Sabbath and weekdays that has to be recited at the end of Sabbath. The obligation of reciting *Havdalah* starts at the very moment of nightfall.

9 *Havdalah* may be recited over any alcoholic beverage (in the opinion of the Babli, over any beverage, other

than water, that is common in the country.) *Qiddush* may be recited only over wine or possibly the Sabbath bread.

10 Hence, the problem is undecided and both practices, that of R. Yose and that of R. Mana, are possible, since the two reasons given by each of the two Houses lead to contradictory results if applied to *Havdalah*.

אמר רבי זעירא מדברי שניהן מבדילין בלא יין ואין מקדשין בלא יין. היא דעתיה דרבי זעירא. דרבי זעירא אמר מבדילין על השכר ואזלון מן אתר לאתר משום קדושה.

Rebbi Zeira said: One infers from the words of both of them¹¹ that one may make *Havdalah* without wine but one may not make *Qiddush* without wine¹². That is the opinion of Rebbi Zeira since Rebbi Zeira said: One makes *Havdalah* on alcoholic beverages¹³ but one goes from one place¹⁴ to another to hear *Qiddush*.

11 Rebbi Yose and Rebbi Mana.

12 Whereas the Babli (*Pesahim* 106b) allows one to make *Qiddush* over bread, at least in Babylonia where wine is hard to come by.

13 Any alcoholic beverage, including low grade beer. The opinion of the Babli is not clearly stated (*Pesahim* 107a), but the practice there is spelled out that any alcoholic beverage

common in a country may be used for *Havdalah*. Current practice allows even non-alcoholic beverages, except water, as long as they are commonly used (*Orah Hayyim* 296(2)).

14 The physical exertion of the walk may interfere with one's Sabbath rest but the duty to hear *Qiddush* recited over wine has precedence.

אָמַר רַבִּי יוֹסֵי בְּרִיבֵי נְהִיגִין תַּמָּן בְּמִקּוֹם שְׂאִין יֵין שְׁלִיחַ צִיבוּר עוֹבֵר לַפְּנֵי הַתֵּיבָה וְאוֹמֵר בְּרַכָּה אַחַת מֵעֵין שֶׁבַע וְחוֹתֵם בְּמִקְדָּשׁ יִשְׂרָאֵל וְאֵת יוֹם הַשַּׁבָּת.

The Great Rebbi Yose said: Over there¹⁵, they have the custom that at a place without wine, the reader stands before the Ark¹⁶, recites one benediction that contains seven¹⁷, and closes by "He Who sanctifies Israel and the Sabbath Day¹⁸."

15 In Babylonia.

16 For a formal prayer, a kind of shortened repetition of the 'Amidah. Normally, evening prayers are communal without a reader.

17 The middle portion of the prayer by the reader contains allusions to all seven benedictions of the Sabbath

'Amidah: "(1) Shield of the Patriarch, (2) He Who revives the dead by His command, (3) the Holy God, (4) Who gives rest to His people, (5) before Him we shall serve (6) and give thanks to His name, God of thanksgiving, (7) Master of peace." Today, the benediction is recited always except the

first night of Passover when everybody is required to drink four cups of wine; thus, there is no reason to replace *Qiddush* by public prayer. In Babylonian sources, the benediction is not mentioned explicitly; in Medieval sources, a different reason is given for

the benediction.

18 This is the Israeli formula. The Babylonian one has only "He Who sanctifies the Sabbath," probably because the Sabbath is a cosmic day of rest in contrast to holidays that exist only in Jewish history.

וְקָשְׁיָא עַל דְּבֵית שְׁמַאי בְּלִילֵי שַׁבַּת הֵיאֵךְ עָבִידָא. הִיָּה יוֹשֵׁב וְאוֹכֵל בְּעֶרְבַּ שַׁבַּת וְחֻשְׁבָּה לִילֵי שַׁבַּת וְאִין שָׁם אָלָא אוֹתוּ הַכּוֹס אֶתְ אָמַר מְנִיחוּ לְאַחַר הַמְּזוֹן וּמְשַׁלְּשֵׁל כּוֹלָם עָלָיו. מַה נִּפְשָׁךְ יְבָרַךְ עַל הַיּוֹם הַמְּזוֹן קוֹדֵם. יְבָרַךְ עַל הַיּוֹם הַיּוֹם קוֹדֵם. נִשְׁמְעִינָה מִן הַדָּא. בָּא לְהֵן יַיִן אַחַר הַמְּזוֹן וְאִין שָׁם אָלָא אוֹתוּ הַכּוֹס. אָמַר רַבִּי בָּא עַל יְדֵי שְׁהִיא בְּרַכָּה קְטָנָה שְׁמָא יִשְׁכַּח וְיִשְׁתָּה. בָּרַם הַכָּא מְשַׁלְּשָׁה עַל יְדֵי הַכּוֹס אִינוּ שׁוֹכְחִי. כִּי צִד יַעֲשׂוּ עַל דְּבָרֵי בֵּית שְׁמַאי יְבָרַךְ עַל הַמְּזוֹן וְתַחֲלִילָה וְאַחַר כֵּךְ מְבָרַךְ עַל הַיּוֹם וְאַחַר כֵּךְ עַל הַיּוֹן.

It is difficult in the opinion of the House of Shammai, how to proceed on Friday evening if someone was sitting and eating on Friday afternoon, it got dark, and there was only one cup of wine¹⁹? You must say that he reserves the cup until after the recitation of Grace and includes all other benedictions. Obviously, if he would want to pronounce the benediction for the day, Grace has precedence²⁰. If he wants to recite the benediction over wine, the day has precedence²¹. One may infer this from the following (*Mishnah* 8:9): "If wine was brought to them after the meal and there was only one cup.²²" Rabbi Abba said: Because it is a very short benediction, he might forget and drink²³. But here, he connects everything with the cup of wine and he will not forget. How should he proceed according to the House of Shammai? He should recite Grace first, after that he makes *Qiddush*, and only after that he recites the benediction over the wine.

19 One returns to the discussion of the Mishnah. One may not start a meal Friday afternoon close to the Sabbath (Mishnah *Shabbat* 1:2) but one may start earlier and continue until nightfall. The Talmud (Babli *Pesahim* 100a, Yerushalmi *Pesahim* 10:1, fol. 37b) reports that R. Yehudah bar Illai requires one to stop before nightfall, but R. Yose bar Halaphta lets him continue, and practice follows R. Yose. It is assumed here that even the House of Shammai will accept the position of R. Yose.

20 Even if one continues, the Sabbath meal must be separate since eating on Sabbath is a religious obligation.

Hence, Grace must be said for the preceding meal and, if one has wine, it must be recited over a cup of wine.

21 According to the House of Shammai.

22 In that situation, the House of Shammai say that one starts Grace with the benediction over wine while the House of Hillel require the benediction for wine after Grace. It would seem that in our situation also, the wine could come before *Qiddush*.

23 He might inadvertently drink from the wine after Grace without a benediction. This is a special situation and the House of Shammai will not agree to apply that Mishnah to it.

וְקָשְׂיָא עַל דְּבַרְיָ בֵּית הַלֵּל בְּמוֹצָאֵי שַׁבָּת הֵיאֵךְ עֲבִידָא. הִיָּה יוֹשֵׁב וְאוֹכֵל בְּשַׁעֲתָ וְחֻשְׁכָּה מוֹצָאֵי שַׁבָּת וְאִין שָׁם אֵלָא אוֹתוּ הַכּוֹס אֶת אִמְר מְנִיחוּ לְאַחַר הַמְּזוֹן וּמְשַׁלְּשֵׁל כּוֹלָם עֲלֵיו. מַה נִּפְשָׁךְ יְבָרַךְ (fol. 12a) עַל הֵינּוּ הַמְּזוֹן קוֹדֵם. יְבָרַךְ עַל הַמְּזוֹן הֵנָּה קוֹדֵם. יְבָרַךְ עַל הֵנָּה אֲבָדְלָה קוֹדֶמֶת. נִשְׁמְעִינָה מִן הַדָּא. אִמְר רַבִּי הַהוּדָה לֹא נִחְלְקוּ בֵּית שְׁמַאי וּבֵית הַלֵּל עַל בְּרַכַּת הַמְּזוֹן שֶׁהִיא בְּתַחֲלִילָה וְלֹא עַל הַבְּדֻלָּה שֶׁהִיא בְּסוּף. עַל מַה נִּחְלְקוּ עַל הֵנָּה וְעַל הַבְּשָׂמִים שֶׁבֵּית שְׁמַאי אוֹמְרִים בְּשָׂמִים וְאַחַר כֵּךְ נָר. וּבֵית הַלֵּל אוֹמְרִים מְאוּר וְאַחַר כֵּךְ בְּשָׂמִים. רַבָּא וְרַב הַהוּדָה הִלְכָה כְּמִי שֶׁהוּא אוֹמֵר בְּשָׂמִים וְאַחַר כֵּךְ נָר. כִּינֵצַד יַעֲשׂוּ עַל דְּבַרְיָ בֵּית הַלֵּל. יְבָרַךְ עַל הַמְּזוֹן תַּחֲלִילָה וְאַחַר כֵּךְ יְבָרַךְ עַל הֵינּוּ וְאַחַר כֵּךְ עַל הֵנָּה.

It is difficult in the opinion of the House of Hillel, how may one proceed at the end of the Sabbath if someone was sitting and eating on Sabbath, it got dark, and there was only one cup of wine? You say, he

reserves it²⁴ until after the meal and connects everything to it. What can you say? Shall he recite the benediction for the wine, Grace has precedence. Shall he recite Grace, the light has precedence²⁵. Shall he recite for the light, *Havdalah* has precedence. We may infer from the following²⁶: "Rebbi Yehudah said, the house of Shammai and the house of Hillel do not disagree that Grace comes first and *Havdalah* at the end. They disagree only over light and spices because the House of Shammai say spices and afterwards light, but the house of Hillel say light and afterwards spices." Rebbi Abba and Rav Jehudah²⁷: Practice follows him who says spices and afterwards light. What should he do following the opinion of the House of Hillel? He should say Grace first, afterwards he should recite the benediction over wine and afterwards *Havdalah*.

24 The cup of wine that should follow Grace and precede *Havdalah*.

25 After the end of the Sabbath, one has to recite not only *Havdalah* but with it a benediction for man-made fire (that was forbidden on the Sabbath and now can be kindled anew) and spices (to make up for the loss of the intensified pleasure one derives from the Sabbath that now is being lost.) The invention of man-made fire is traditionally attributed to Adam at the end of his first Sabbath, see Halakhah 6. The problem here is that one must make the benediction for the light as soon as one profits from newly lit fire.

26 Tosephta *Berakhot* 5:30, Babli

Berakhot 52a. In both of these sources, the House of Shammai is reported to require light before spices and the House of Hillel spices before light. R. Arie Leib Yellin in his *Yephe Enayim* points out that the text of the Yerushalmi is consistent with all the inferences drawn here and in Halakhah 5. Hence, there is a genuine difference in tradition between Galilee and Babylonia.

27 Two Babylonians, one an authority in Galilee, the other in Babylonia. They are responsible for enforcing uniformity in Jewish custom in both countries.

יום טוב שחל להיות במוצאי שבת. רבי יוחנן אמר יק"נה יין קידוש גר
הבדלה. חנין בר בא אמר בשם רב יין קידוש גר הבדלה סוכה וזמן. רבי
חנינא אמר ²⁸נהי"ק. אתיא דשמואל כהדא דרבי חנינא דאמר רבי אחא
בשם רבי יהושע בן לוי מלך יוצא ושלטון נכנס מליון את המלך ואחר כך
מכניסין את השלטון. לוי אמר ינה"ק. מסתברא דלוי אמר מעין שניהם.
²⁹רבי זעירא בעא קומי רבי יוסי היה עבדין עובדא. אמר ליה כרב וכרבי
יוחנן. וכן נפק עובדה כרב וכרבי יוחנן.

A holiday that starts at the end of Sabbath. Rabbi Yohanan said YQNH, wine, *Qiddush*, light, *Havdalah*. Hanan bar Abba said in the name of Rav: Wine, *Qiddush*, light, *Havdalah*, *sukkah*, time³⁰. Rabbi Hanina said, NHYQ³¹. Samuel follows the opinion of Rabbi Hanina since Rabbi Aha said in the name of Rabbi Joshua ben Levi³²: A king³³ leaves and a prefect comes. One accompanies the king and only afterwards does one receive the prefect. Levi said YNHQ³⁴. It seems that Levi says it both ways³⁵. Rabbi Zeira asked before Rabbi Yose³⁶: What does one do in practice? He said to him: one follows Rav and Rabbi Yohanan. And so it became the practice following Rav and Rabbi Yohanan.

28 The Venice text here is self-contradictory: שמאל לא אמר. Hence, the text chosen for the next three words is that of the Rome manuscript.

29 The Venice text has here a superfluous אמר that is not found in the Rome ms.

30 He agrees with Rabbi Yohanan but includes all possibilities that may be appropriate for a holiday. The benediction for time is: "He Who let us live, kept us, and let us reach this time." This benediction is not recited on the

last day of Passover. Hence, Rabbi Yohanan gives the minimal formula as pointed out in the Babli (*Pesahim* 101b).

31 Light, *Havdalah*, wine, *Qiddush*. In the Babli (*Pesahim* 102a), this order is attributed to R. Joshua, the early highest authority who is given his full name, R. Joshua ben Hananiah. It is possible that this led to the substitution of "R. Joshua ben Levi" for "Samuel" in the following parable. However, Rashbam (R. Samuel ben Meir), in his

commentary to Babli *Pesahim*, quotes R. Hanina as requiring YNHQ, wine, light, *Havdalah*, *Qiddush*. But this is the undisputed order of Levi here who is described as taking a middle road between R. Hanina and R. Yoḥanan. The Venice print of the Yerushalmi has the impossible reading YNHYQ which is a confluence of the codes attributed to R. Hanina in the Babli and the Yerushalmi.

32 Rashbam quotes "in the name of Samuel". In the Babli, as mentioned earlier, this parable is from "R. Hanina illustrating the words of R. Joshua ben Hananiah."

33 The king is the Sabbath and the subordinate prefect is the holiday; the Sabbath has to be mentioned first, including the light that belongs to the

ceremony of Sabbath end, before making *Qiddush* for the holiday. Since holidays also give one spiritual ease, spices are not added at the end of a Sabbath that is the start of a holiday.

34 Wine, light, *Havdalah*, *Qiddush*; first the full *Havdalah* and then an appended *Qiddush*. In the Babli (*Pesahim* 102a), Levi is reported as requiring QNYH, in opposition to everybody mentioned here.

35 He puts wine first following R. Yoḥanan and *Havdalah* before *Qiddush* following R. Hanina.

36 R. Yasa (Assi) elsewhere. The Babylonian R. Zeira inquired from the Tiberian R. Assi whether the practice in Galilee was identical with the Babylonian.

רבי אבהו כד הנה אָזיל לְרֹמָה הנה עֲבִיד כְּרַבִּי חֲנִינָא. וְכֵן הֵנָּה נְחִית
לְטִיבְרִיא הֵנָּה עֲבִיד כְּרַבִּי יוֹחָנָן. דְּלֹא מְפִלְגַל עַל בְּרִנְשׁ בְּאַתְרֵיהּ.

When Rebbi Abbahu went to the South³⁷, he followed Rebbi Hanina. When he descended³⁸ to Tiberias, he followed Rebbi Yoḥanan in order not to disagree with anybody in his home town.

37 The region of Lod, the only remaining Jewish settlement in Judea and the Southern plain. R. Abbahu lived in Caesarea and personally followed the rule of R. Hanina who always speaks in the name of the

authority of Rebbi.

38 Tiberias is below sea level. From Caesarea Philippi (Banias) one has to descend, from Caesarea Maritima via Bet Shean one would ascend.

על דעתיה דרבי חנינא נחא. וקשיא על³⁹ רבי יוחנן אילו בשאר ימות השנה אינו מברך על הנר שלא יכבה. וכא מברך על הנר שלא יכבה. מה עבד ליה רבי יוחנן מכיון שיש לו יין אין נרו כובה. ויברך על הנר בסוף. שלא לעקור זמן מן השבתות הבאות.

The opinion of Rebbi Ḥanina is understandable. It is difficult to understand Rebbi Yoḥanan: Does one not pronounce the benediction over the light at all other days that one should extinguish it⁴⁰? And here, he makes the benediction over the light so that he should not extinguish it⁴¹. How does Rebbi Yoḥanan handle this? Since he has wine⁴², his light will not go out. Then he might say the benediction over the light at the end⁴³. In order not to disturb its timing from other Sabbaths⁴⁴.

39 Reading of the Rome ms. The Venice print has יומן על.

40 Since the light is for celebration only; it is extinguished after *Havdalah*. The light for *Havdalah* is preferably a torch, but the light for a meal is from a lamp.

41 On a holiday, one may light a fire (from an existing one) but one may not extinguish it. Hence, the light in our case is a light for the meal, not for *Havdalah*, and should precede *Qiddush* irrespective of the order of *Qiddush* and *Havdalah*. [In current practice, the

wife lights the candles first with her own benediction and the husband then recites his benediction (after *Qiddush*) over the same lights. That does not seem to be reasonable. It may be assumed that R. Ḥanina requires either husband or wife to recite the first benediction over light.]

42 For a full meal for which the light is needed.

43 When the light is really needed for the food.

44 To keep the order wine - (spices) - light - *Havdalah* as a matter of course.

מסנה ב: בית שמאי אומרים נוטלין לנדים ואחר כך מוזגין את הכוס. ובית הלל אומרים מוזגין הכוס תחילה ואחר כך נוטלין לנדים.

Mishnah 2: The House of Shammai say that one washes his hands and after that he mixes the cup, but the House of Hillel say that one mixes the cup first and then he washes his hands⁴⁵.

45 The cup here is the *Qiddush* cup. *Qiddush* is followed by a meal with bread for which one must wash his hands. The details and reasons are spelled out in the Halakhah. This disagreement has nothing to do with

the question whether one washes his hands before (following R. Moses Isserls) or after (following R. Joseph Caro) *Qiddush*; in both cases, the cup is filled before one washes his hands.

הַלְכָה ב: מִה טַעֲמוֹן דְּבֵית שְׁמַאי שֶׁלֹּא יִטְמָאוּ מִשְׁקִין שְׁאַחֲרֵי הַכּוֹס
מִנְדִּיּוֹ וְיִחַזְרוּ וַיִּטְמָאוּ אֶת הַכּוֹס.

Halakhah 2: What is the reason of the House of Shammai? The fluids on the back of the cup should not become impure from his hands and in their turn defile the cup⁴⁶.

46 The Biblical principles on ritual impurity are spelled out in the book of *Leviticus*. A Biblical source of impurity is called אב הטומאה "father of impurity". The only possible objects of impurity are humans, vessels, and food. Any object that becomes impure secondarily, usually by contact, is "first in impurity." For profane objects, the two stages are the only ones. However, by rabbinic tradition there exists a "second in impurity" for profane and "third, fourth" for certain holy objects. The general principle is that any transmitted impurity decreases by one degree. There is one important

exception. Since body fluids of a person with gonorrhoea are "fathers of impurity", it was decreed that any impurity involving fluids is at least "first in impurity." Also, unwashed hands are always assumed to be "second in impurity." If one touches a dry cup with unwashed hands, nothing happens. But if there should be drops of wine on the outside of the cup, these drops will become "first in impurity" and defile the contents of the cup. It is the characteristic of Rabbinic (pharisaic) Judaism that one tries to eat one's profane meals in a way reasonably consistent with rules of

ritual purity. It seems that the House of Shammai assumes that a "full cup" required for *Qiddush* is full to the rim, kept together only by surface tension, and, hence, it is unlikely that the back

of the cup will be dry. (For pottery vessels, other rules apply.)

The text of the explanation is from the Tosephta (*Berakhot* 5:26).

מה טעמו דבית הלל לעולם אחורי הכוס טמאין. דבר אחר אין נטילת ידיים אלא סמוך לברכה.

What is the reason of the House of Hillel? The back of the cup is always impure⁴⁷. Another explanation: Washing of the hands should be as close as possible to the benediction⁴⁸.

47 The back of the cup is impure ("second in impurity") by Rabbinic decree, as explained in the next paragraph. If one washes his hands first and does not dry them very thoroughly, then the hands will become "first in impurity" by holding the cup, as explained in the previous note, and one is worse off than with unwashed hands. (This is also the explanation of the Babli, 52a.) The House of Hillel

assume that a "full cup" is one filled close to the rim but leaving a reasonable safety margin as hedge against a spill.

48 It is not clear whether the benediction in question is that over bread (R. Joseph Caro) or the wine for *Qiddush* (R. Moshe Isserls). Here also both explanations are from the Tosephta (*loc. cit.*)

רבי ביבן בשם רבי יוחנן אתיא דבית שמאי כרבי יוסי ודבית הלל כרבי מאיר. דתנינן תמן רבי מאיר אומר לידים טמאות וטהורות. אמר רבי יוסי לא אמרן אלא לידים טהורות בלבד.

Rebbi Vivan⁴⁹ in the name of Rebbi Yohanan: It turns out that the House of Shammai is consistent with Rebbi Yose and the House of Hillel with Rebbi Meir⁵⁰, since we have stated there (*Mishnah Kelim* 25:7)⁵¹: "Rebbi Meir said, for impure and pure hands. Rebbi Yose said, they spoke only about pure hands."

49 A Galilean Amora of the third generation, student of all the great Amoraïm of R. Johanan's generation. His name probably was Vivianus. In other quotes, his name is shortened to Bibi, Vivi.

50 This is paradoxical since practice follows the House of Hillel and Rebbi Yose. The Babli (52a/b) explains otherwise, that the Houses of Shammai and Hillel disagree on whether one may use a cup which is impure outside at all if one cares about consuming food in purity.

51 Chapter 25 starts: "All vessels have an inside and an outside." For earthenware vessels, it is a decree of the Torah that they become impure only if an impure "father of impurity" is found in the volume enclosed by the vessel (even without touching the walls,) never from the outside (even if the "father of impurity" touches the wall.) From this is derived a Rabbinic decree that also all other vessels, e. g. metal vessels that become impure from a biblical "father of impurity" by simple touch, cannot become impure inside if a Rabbinic impurity touches from the outside (but not vice versa.) Mishnah 7 then reads: "All vessels

have an outside, an inside, and a rim. Rebbi Tarphon said, [one speaks of] a large wooden trough, Rebbi Aqiba said, of cups. Rebbi Meïr said for impure and pure hands, R. Yose said, they spoke only about pure hands." Since inside and outside have been discussed before, the opinions of Rabbis Meïr and Yose, students of R. Aqiba, deal with the rim, the part of the outside of the cup that is slightly bent outward or otherwise distinguished as place for the lips when one drinks from the cup. The explanation of the Mishnah is given in Tosephta *Kelim Baba bathra* 3:9-10: "R. Meïr said: How is it for impure hands? If one's hands are impure, the outside of the cup is pure; if it has moist spots then he may hold the cup by its rim without worry. R. Yose said: How is it for pure hands? If his hands were pure and moist, but the outside of the cup impure, then he may hold the cup at the rim without worrying that the moisture of his hand should become impure from the outside and then defile his hand." It follows that for R. Yose, the hands have to be pure (i. e., washed) and for R. Meïr they may be impure.

רבי יוסי בשם רבי שבתי ורבי חייה בשם רבי שמעון בן לקיש לחלה ולנטילת
 ידים אדם מהלך ארבע מיל. רבי אבהו בשם רבי יוסי בי רבי חנינא הדיא
 דאמר לפניו אבל לאחריו אין מטריחין עליו.

Rebbi Yose⁵² in the name of Rebbi Sabbatai⁵³ and Rebbi Hiyya⁵⁴ in the
 name of Rebbi Simeon ben Laqish: For *hallah*⁵⁵ and for washing one's
 hands⁵⁶, he has to walk⁵⁷ up to four *mil*. Rebbi Abbahu in the name of
 Rebbi Yose ben Rebbi Hanina: That is, going forward; but one does not
 bother him to return on his way⁵⁸.

52 He is R. Yasa (Assi).

53 An Israeli Amora of the first
 generation, student of Hizqiah the son
 of Rebbi Hiyya.

54 He is Rebbi Hiyya bar Abba.

55 *Hallah* is the gift for the Cohen
 from newly kneaded dough. It has the
 status of holiness of *Terumah*; hence, it
 has to be separated from the dough in
 purity which, in all cases, means also
 that in the Land of Israel one has to
 wash his hands before taking it. (All
 other countries are impure anyhow and
 their *hallah* must be burned.)

56 For any action for which the
 washing of one's hands is required.

57 If no water is available one has to
 wait, e. g., to eat bread, until he has
 washed his hands. If the distance to
 water is greater than 4 *mil* then the
 Babli declares in the name of the
 Galilean sages that one should clean his
 hands with sand or any other cleaning
 material.

58 The Babli (15a) has a different
 rule, that one has to return if the
 distance required is less than one *mil*.

שומרי גנות ופרדסים מה את עבד להן כלפניהן כלאחריהן. נשמענה מן הדיא
 האשה יושבת וקוצה לה חלתה ערומה מפני שהיא יכולה לכסות את עצמה
 אבל לא האיש. והדיא אשה לא בתוך הבית היא יושבת ואת אמר אין
 מטריחין עליה. וכאן אין מטריחין עליו.

How does one treat watchmen in gardens and orchards, as before them,
 as after them⁵⁹? Let us hear it from this (Mishnah *Hallah* 2:3): "A woman
 may sit down naked and separate her *hallah*⁶⁰ because she can cover

herself, but a man may not." Is that woman not sitting inside her house⁶¹ and you say that one does not bother her? Also here, one does not bother him⁶².

59 Do they have to go up to four *mil* in search of water or may they clean their hands with sand or other cleansers?

60 Since the separation of *hallah* needs a benediction, it may not be done if one's genitals are visible. A woman may hide her genitals by sitting down but a man cannot do that.

61 And, presumably, has some clothes there that she could put on.

The entire argument is possible only for the Yerushalmi which does not require any retracing of one's steps at all in the search for water; it is impossible for the Babli which requires retracing one's steps, if only for a reduced distance.

62 One does not bother him at all and if there is no water at his place, he need not leave it in his search for water.

תני מים שלפני המזון רשות ושל אחר המזון חובה. אלא שבראשונים נוטל ומפסיק. ובשניים נוטל ואינו מפסיק. מה הוא נוטל ומפסיק. רבי יעקב בר אחא אמר נוטל ושונה. רבי שמואל בר יצחק אמר בעי נוטל ושונה ואף אמרת רשות.

It has been stated⁶³: "Water before the meal is conditional⁶⁴, after the meal it is obligatory. Only that for the first one he takes and interrupts⁶⁵; for the second he takes and may not interrupt⁶⁶." What is: "He takes and interrupts"? Rabbi Jacob bar Aha said, he takes⁶⁷ and repeats. Rabbi Samuel bar Isaac said⁶⁸, I asked: "He takes and interrupts⁶⁹" and you say it is conditional?

63 The language is close to Tosephta *Berakhot* 5:13. Since the Mishnah introduces laws of washing one's hands, the details are discussed from here on.

64 In the language of the Babli, רשות

means "permitted." However, in the language of the Mishnah and the Yerushalmi, i. e., the language of the Land of Israel, רשות means "a minor obligation" as shown by S. Lieberman

[ירושלמי, *Tarbiz* 5 (5694), pp. 97-110]. The same language is found in the Tosephta, in *Tanḥuma Balaq* 15, and in other Galilean Midrashim. The *Tanḥuma* explains the expression "conditional" for something that is required, by "it is optional in the sense that if one decides not to eat bread with his meal, he does not have to wash his hands."

65 Most commentators explain this expression from the Mishnah *Yadayim* 2:1-3 that rules, if one washed his hands with less than a *revi'it* of water for each hand then he has to wash each hand twice. However, in that case it is not true that one may interrupt the washing because if he does not keep his mind concentrated on watching his hands they become impure again. As S. Lieberman points out, one might follow the interpretation of R. Isaiah I of Trani (*Pisqē RYD* on *Berakhot* 52a) that the Yerushalmi here stays with the previous topic of *Qiddush* and speaks of washing one's hands twice, once for *Qiddush* for cleanliness and after that for food for ritual purity. This agrees with Tosephta *Berakhot* 4:8, which requires the washing of one hand for the wine drunk as appetizer before a

formal dinner.

66 Washing one's hands after the meal is not a ritual requirement. Since spoons and forks were not used, the hands were dirty by necessity. Washing one's hands after any meal involving sauces was a necessity for cleanliness (in the opinion of the Yerushalmi, later in this Halakhah) or for health reasons (in the opinion of the Babli). In any case, since no ritual impurity is involved, there is no required minimum volume of water and one does not have to repeat the washing.

67 Takes water and pours it over his hands.

68 In the parallel in *Hallah* it reads: "Rebbi Jacob bar Isaac asked: . . ." This language is somewhat easier but the reading R. Samuel bar Isaac is better; since it refers to an Amora also otherwise known, there is no reason to cross out the word "said" here. In the Rome ms., the reading is: רבי שמואל בר ר. יצחק את מימר דבעי ואח אמר רשות "R. Samuel bar Isaac: You say that it is needed and you say that it is conditional?"

69 In peremptory language.

אמר רבי יעקב בר אידי על הראשונים נאכל בשר חזיר. על השניים נצאה
אשה מביתה. ויש אומרים שנהרגו עליה שלשה נפשות.

Rebbi Jacob bar Idi said: Because of the first⁷⁰, pork was eaten. Because of the second⁷¹, a woman had to leave her house; some say, three persons were killed.

70 The water used for washing one's hands before the meal. The text is given in the name of Rav Dimi in Babli *Hulin* 106a, the opinion of "some say" is ascribed there to Ravin (Rebbi Abin). The full story is in *Tanḥuma Buber Balaq* 24 [quoted also in *Tanḥuma Balaq* 15, *Bemidbar rabba Balaq* 2(20)]: In a time of persecution, when one could not show one's Jewishness openly, a shopkeeper had both kosher and non-kosher food prepared. Since he could not ask his customers whether they were Jewish, he gave the kosher food to people who washed before eating bread and pig's meat to customers who did not wash. When a man came in who did not wash his hands, he was taken for a Gentile and served non-kosher food. [For halakhic consequences of this story, see *Šulḥan 'Arukh Yore Deä* 178, Note #4 of *Šifte Cohen*.]

71 The washing of one's hands after

the meal. The story is told in Babli *Yoma* 83b of a man who unlawfully kept a money-pouch that was deposited with him. He did not wash his hands, so the victimized person saw that he had eaten peas, went to the wife of the thief and told her that her husband wanted her to give him the pouch and as sign of recognition he told him to tell her that their last meal was peas. The wife then gave him back the money pouch. When the husband came back, he was so incensed that he killed his wife. It seems that the Yerushalmi has a first version in which the husband simply divorced his wife and in the second version he killed his wife, the intended victim, and himself. In the Yerushalmi source, *Tanḥuma Buber*, quoted above, the husband was not a thief, but he was the victim of a man who tricked the wife out of a precious ring by the identification of the food of his last meal.

שְׂמוּאֵל סָלַק לְגַבֵּי רַב. חָמָא יְתִיבָא אֲכַל בְּחִתָּהּ יְדִיָּה.⁷² אָמַר לִיה מַהוּ כֵּן. אָמַר לִיה אֶסְתַּנִּיס אֲנִי. רַבִּי זְעִירָא כַּד סָלִיק לְהִכָּא חָמָא כְּהִנָּא אֲכָלִין בְּחִתָּהּ יְדִיָּה. אָמַר לוֹן הָא אֲזִילָא הֵהִיא דְרַב וְשְׂמוּאֵל. אֶתָּא רַבִּי יוֹסִי בְּרַ בְּרַ כְּהִנָּא בְּשֵׁם שְׂמוּאֵל נְטִילַת יְדִים לְחוּלִין אִין נְטִילַת יְדִים לְתַרּוּמָה. רַבִּי יוֹסִי אָמַר לְתַרּוּמָה וּלְחוּלִין.

Samuel went to visit Rav and saw him eating with his hands covered by cloth. He asked him, what is that⁷³? He answered him, I am asthenic⁷⁴. When Rebbi Zeïra immigrated here, he saw Cohanim eating with their hands covered by cloth⁷⁵. He told them, was not that of Rav and Samuel explained away? Rebbi Yose bar bar Cahana⁷⁶ came in the name of Samuel: Handwashing is for profane food⁷⁷, not for *terumah*. Rebbi Yose⁷⁸ says, for *terumah* and for profane food.

72 In the Venice print and Leyden manuscript, the reading is כהתם "as there", which makes no sense. The reading here is from the Rome manuscript; Yerushalmi כהתם is parallel to Babylonian סכיתא "sack, sackcloth."

73 He thought that Rav did not wash his hands and used the cloth, which cannot become impure from one's hands, to eat bread without incurring an obligation to wash. Samuel wondered, since that subterfuge is permitted only for people who would have to walk more than four *mil* to the next water source. The parallel in the Babli is *Hullin* 107a.

74 I washed my hands but am unable to eat without gloves.

75 Without washing their hands.

76 In the Rome manuscript, the name is R. Yose bar Huna Cahana. Neither of these names appears a second time;

it is impossible to decide between the readings. In the Babli (*Hullin* 107a/b), the name is Rav Taḥlifa bar Abime, a known student of Samuel.

77 If someone wants to eat profane food "in the discipline of *terumah*," he must wash his hands. While this washing is taken from the discipline of *terumah*, one opinion allows Cohanim to eat *terumah* without washing but wearing gloves since a Cohen knows that eating impure *terumah* is a deadly sin, so he will avoid any contact between his hands and the food. But for profane food where washing is simply a matter of discipline (although taken from the rules of *terumah*), it cannot be circumvented, cf. Babli *Hullin* 106a.

78 He seems to be the Tanna R. Yose (ben Ḥalaphta.)

רבי יוסה בשם רבי חינא בר אבא ורבי יונה ורבי חינא בר אשי בשם רב
 נטילת ידים לתרומה עד הפרק. ובחולין עד קשרי אצבעותיו. מיישא בר
 בריה דרבי יהושע בן לוי אמר מן דהנה אכל עם סבי ולא משטוף ידוי עד
 הפרק לא הנה אכל עימיה.

Rebbi Yose in the name of Rebbi Ḥiyya bar Abba, and Rebbi Jonah, and Rav Ḥiyya bar Ashi in the name of Rav: Handwashing for *terumah* is to the wrist but for profane food it is to the finger joints. Maisha, the grandson of Rebbi Joshua ben Levi said: If someone wanted to eat with my grandfather and he did not rinse his hands to the wrist, he would not eat with him⁷⁹.

79 The parallel is in Babli *Hullin* 106a/b. Since R. Joshua ben Levi is a higher authority than Rav, practice in both Talmudim requires washing to the wrist also for profane food. The

identification of פרק as wrist and קשרי as the joint of fingers to the hand follows *Raviah* (R. Eliezer ben Joel Halevi), not Rashi and Tosaphot in their commentaries on the Babli.

רב הונא אמר אין נטילת ידים אלא לפת בלבד. תני רבי הושעיא כל דבך
 שיש בו לכלוך משקה. רבי זעירא אמר אפילו מקצץ תורמוסין הנה נטל ידיו.

Rav Huna said: Handwashing is only for bread. Rebbi Hoshaya stated: For anything getting dirty by a fluid⁸⁰. Rebbi Zeïra said: Even when cutting lupines⁸¹, he used to wash his hands.

80 This is also reported in Babli *Pesahim* 115a to explain why at the *Seder* ceremony one has to wash his hands before touching the vegetable that is to be dipped in fluid. For any sacred food like *terumah* or the Passover sacrifice, it is obvious that one has to wash his hands before touching

fluids since the secondary impurity of hands causes primary impurity for the fluid. Hence, for the *Seder* it is only a question whether one should pronounce a benediction, as in the times of the Temple, or whether one washes his hands as a remembrance of Temple times. Here, the question is posed for

everyday food, since handwashing for profane food comes from the "discipline of *terumah*." Rav is of the opinion that the Rabbinic institution of handwashing applies only to bread whereas Rebbi Hoshaya requires handwashing for profane food in all situations where it would be required

for *terumah*. In Antiquity, in the absence of spoons most foods in sauce were scooped up with pitta bread. Hence, the real difference between Rav and R. Hoshaya was in food handling as explained by R. Zeira.

81 They do not contain much sap.

רב אמר נטל נדיו שחרית אין מטריחין עליו בין הערבים. רבי אבינא מפקד לחמריה הו דאתו משכחון מיסתהון מנא נסבין ידיכון ומתני על כל-יומא.

Rav⁸² said: If one washed his hands in the morning, one does not bother him in the evening. Rebbi Avina commanded the donkey drivers: If you find water to wash, wash your hands and condition them for the entire day.

82 In the Babli (*Hullin* 106b/107a), Rav is quoted as requiring an explicit declaration to make the washing of the hands valid for the entire day and Rebbi Avina seems to restrict this to desert-like conditions where water is not easily found. The latter interpretation is then rejected by the Talmud. In the Yerushalmi it seems

that Rav is reported to require only one washing per day and Rebbi Avina restricts it to people like donkey drivers who cannot easily find water. Since he is the Israeli authority, it may be presumed that the Yerushalmi prefers the interpretation that is rejected in the Babli.

רבי זעירא סליק גביה רבי אבהו לקיסרין אשכחיה אמר אזל למיכול יהב ליה גגולה דקצי. אמר ליה סב בריך אמר ליה בעל הבית יודע כחו של כפרו. מן דאכלין אמר ליה סב בריך. אמר ליה חכם רבי לרב הונא אנשא רבא. והוא הוה אמר הפותח הוא החותם. מתניתא פליגא על רב הונא. דתני סדר נטילת ידים עד חמשא מתחילין מן הגדול. יותר מיכן מן הקטון. באמצע המזון מתחילין מן הגדול. לאחר המזון מתחילין מן המברך לא שיתקין עצמו

לברכה. אין תימר הפותח הוא חותם כבר מתוקן הוא. אמר רבי יצחק
תיפטר באילין דהוי עליו קטעין קטעין ולא ידעין מה מברכה.

Rebbi Zeïra went up to Rebbi Abbahu in Caesarea. When he met him he said: Come to eat. He [R. Abbahu] gave him a loaf to break and told him: Take it and recite the benediction. He [R. Zeïra] said to him: The householder knows best the qualities of his loaf. After they had eaten, he [R. Abbahu] said to him: Start and recite Grace. He [R. Zeïra] said to him: The rabbi knows Rav Huna who is a great man and he used to say that he who starts is the one who finishes⁸³. A *baraita* disagrees with Rav Huna, as it was stated⁸⁴: "The order of washing of the hands⁹⁵. Up to five persons, one starts with the most important personality. More than that, one starts with the least important one⁸⁶. In the middle of the meal one starts with the most important one⁸⁷. After the meal one starts with him who will recite Grace." Does that not mean that he may prepare himself for reciting Grace⁸⁸? If you say that the one who starts is the one who finishes, he already is prepared! Rebbi Isaac said, explain it for those who come separately and do not know who will recite Grace.

83 The parallel to this story is in the Babli, *Berakhot* 46a. There, the Babli adds that practice follows R. Joḥanan (in the name of R. Simeon bar Yoḥai) who declares that the head of the household should recite the benediction for the bread since he is the host but that the guest should recite Grace and add to it a public blessing for the host. Even though the two authors quoted are Israeli, it follows from the Yerushalmi here that the public

blessing for the host was never accepted practice in Galilee.

84 A similar formulation is in Tosephta *Berakhot* 5:6 and a different one in Babli *Berakhot* 46b. It seems that the three texts represent three different traditions.

85 When people are reclining on couches, the servants have to bring them pitchers of water and a basin for the used water. Hence, rules of good order are necessary.

86 Since one cannot ask the V.I.P. to wait a long time between washing and breaking the bread. Once the hands are washed, one may not let his attention be diverted from them, otherwise he has to wash again.

87 In the Tosephta, this sentence does not refer to washing one's hands at all, but to pouring wine. The Babli (*Hullin* 105a/b) quotes a *baraita* that declares washing of hands in the

middle of the meal (between courses) to be voluntary; the exact halakhic meaning of this statement is in doubt.

88 The Babli (46b) brings a story that Rebbi asked Rav to wash his hands first, meaning that he should recite Grace aloud for the entire company. It follows that Rebbi emphatically denies the rule of Rav Huna that, as noted earlier, was never accepted in Babylonia.

מִשְׁנָה ג': בֵּית שְׁמַאי אוֹמְרִים מְכַבְּדִין אֶת הַבַּיִת וְאַחַר כֵּךְ נוֹטְלִין לְיָדִים. וּבֵית הֵלֵל אוֹמְרִים נוֹטְלִין לְיָדִים וְאַחַר כֵּךְ מְכַבְּדִין אֶת הַבַּיִת.

Mishnah 3: The House of Shammai say, one sweeps the house and after that one washes his hands⁸⁹. But the House of Hillel say, one washes his hands and after that he sweeps the house.

89 One sweeps the house if he ate sitting on the floor, or the table if he ate reclining on a couch. The washing of hands here is that after the meal; the problem of the House of Shammai is

that spilled water from washing may spoil bits of food still lying around. The rule of the House of Hillel is optional; that of the House of Shammai is obligatory.

הַלְכָה ג': מִה טַעֲמָהוֹן דְּבֵית שְׁמַאי מִפְּנֵי אוֹבְדָן אוֹכְלִין. וּמִה טַעֲמָהוֹן דְּבֵית הֵלֵל אִם הַשְּׂמֶשׁ פִּיקַח הָרִי זֶה מַעֲבִיר פִּירוּרִין פְּחוֹת מְכַזֵּית וְנוֹטְלִין לְיָדִים וְאַחַר כֵּךְ מְכַבְּדִין אֶת הַבַּיִת.

Halakha 3: What⁹⁰ is the reason of the House of Shammai? Because of loss of food. But what is the reason of the House of Hillel? If the

waiter is intelligent he removes the leftovers, even less than the volume of an olive; then one may wash his hands and after that sweep the house⁹¹.

90 The Babli (52b) and the Tosephta (5:28) speak only about morsels the size of an olive. The Tosephta also includes the reason given here for the House of Shammai in its text.

91 The Babli and the Tosephta are unanimous that morsels smaller than the size of an olive may be deliberately

spoiled; only larger morsels count as food and fall under the Biblical prohibition to destroy usable things. A second difference between Yerushalmi and Babli is that the Yerushalmi permits washing first if the waiter is intelligent; in Babli and Tosephta it is required that the waiter be learned.

fol. 11d) **משנה ד:** בית שמאי אומרים מקנה ידיו במפה ומניחה על השולחן. בית הלל אומרים על הכסא.

Mishnah 4: The House of Shammai say, one dries his hands⁹² with a towel and puts the latter on the table; the House of Hillel say, on the pillow.

92 After washing one's hands for the meal.

fol. 12a) **הלכה ד:** מתניתא בשולחן של שיש ושל פרקים שאינו מקבל טומאה. מה טעמון דבית שמאי שלא יטמאו משקין שבמפה מן הכסא ויחזרו ויטמאו את ידיו.

Halakhah 4: The Mishnah deals with a table of marble or one of parts screwed together that cannot become impure⁹³. What is the reason of the House of Shammai? That the fluids on the towel should not become impure from the pillow⁹⁴ and in turn defile his hands.

93 The House of Shammai can prefer the table over the pillow only if the table cannot become impure and, hence, not impart any impurity to the fluids on the towel. No vessel made of stone can become impure; that includes marble tables. The Tosephta (*Kelim Bava bathra* 1:10) even states that a wooden table that contains a frame into which a marble table top is put cannot become impure since wooden implements become impure only if they enclose a volume and in this case the frame is filled with material that cannot become impure. The table whose legs are screwed in and can be unscrewed without tools is covered by the Tosephta (*loc. cit.* 1:11): "Restaurant chairs, even those having holes, that have their legs screwed in are permanently pure; if legs are fixed with a nail then they may become impure." The parallel in the Babli (52b) states that the House of Shammai

will forbid the use of a table that is ritually unclean; both Babli and Tosephta (5:27) note that the House of Hillel will never allow one to put the towel on the table because the fluid on the towel might touch the food and render it impure in the second degree (and by eating from it an amount greater than the volume of two eggs one's body becomes impure in the second degree, Mishnah *Tahorot* 2:2). The arguments of the Babli are incompatible with those of the Yerushalmi.

94 Since fluids in contact with primary or secondary impurity become a primary source of impurity and, while a human can become impure only from a "father of impurity", his hands become secondarily impure from contact with primary impurity. The arrangement would be more logical if the order of these two sentences were inverted.

ומה טעמו דבית הלל לעולם ספק משקין לידיים טהור. דבר אחר אין ידים לחולין.

What is the reason of the House of Hillel? In case of doubt, fluids and hands are considered pure⁹⁵. Another explanation: "Hands" are not for profane food⁹⁶.

95 Mishnah *Tahorot* 4:11: "In doubtful cases involving hands to

become impure, to transmit impurity, or to be pure, they are declared pure."

Hence, since the House of Shammai agree that the entire matter is one of doubt, there is no problem since the hands of the person eating remain pure. 96 The entire institution of secondary impurity for hands has no Biblical basis for profane food; it has been

instituted following "the discipline of *terumah*." Hence, there is no reason to follow strict rules in case of doubt since it is a principle that doubts regarding Rabbinic institutions must be resolved leniently.

וכבית שמאי יש ידים לחולין. תיפתר או כרבי שמעון בן אלעזר או כרבי אלעזר בן רבי צדוק. כרבי שמעון בן אלעזר דתני רבי שמעון בן אלעזר אומר משום רבי מאיר הידים תחילה לחולין ושניות לתרומה. או כרבי אלעזר בן רבי צדוק דתנינו תמן חולין שנעשו על טהרת הקודש הרי אילו כחולין. רבי אלעזר בן רבי צדוק אומר הרי אילו כתרומה לטמא שנים ולפסול אחד.

Do the House of Shammai hold that "hands" are for profane food⁹⁷? Explain it either following Rabbi Simeon ben Eleazar or following Rabbi Eleazar, son of Rabbi Zadoq. Following Rabbi Simeon ben Eleazar as it has been stated⁹⁸: "Rabbi Simeon ben Eleazar said in the name of Rabbi Meir, hands are primarily impure for profane food and secondarily for *terumah*." Or following Rabbi Eleazar, son of Rabbi Zadoq, as we have stated there⁹⁹: "Profane food that was prepared under the rules of purity of sacrifices is still profane food. Rabbi Eleazar, the son of Rabbi Zadoq said, it is like *terumah* becoming impure in two stages and unusable in a third."

97 Given the explanation of the House of Hillel, they seem to presuppose that the secondary impurity of hands has a Biblical root. This is incredible.

98 Tosephta *Tahorot* 1:6 in the reading of Rabbenu Simson of Sens. In

the printed editions and the Vienna manuscript, the reading is "hands are of primary impurity for sacrifices." That reading is rejected by R. David Pardo in his commentary on the Tosephta. The statement is quoted several times in the Yerushalmi and also in Babli

Hulin 33b. The interpretation here is that profane food can become impure only from the source of impurity or primary impurity. Hence, unwashed hands must be of primary impurity in order to influence profane food. In contrast, *terumah* becomes unusable if it was in contact with secondary impurity; hence, primary impurity causes the same result for profane food as secondary impurity for *terumah*. This seems to be the opinion of Maimonides (הלכות אכילת הטומאה יא:טו), who often is influenced by the Yerushalmi, also in *Hulin*; it is incompatible with Rashi's

interpretation of the text in *Hulin*. There it is stated that hands can become primarily impure only if held into the windows of a house afflicted with leprosy. That would not make a good reason for the House of Shammai. 99 Mishnah *Tahorot* 2:8, quoted in Babli *Hagigah* 20a, *Hulin* 35b. Profane food can receive only primary impurity. *Terumah* can receive both primary and secondary impurity; the third stage is called "unusable" since it cannot be eaten, but it does not transmit the impurity further. Sacrifices become impure also in a tertiary way; only the fourth stage is "unusable."

תָּמַן תַּנִּינֵן הַסֹּד שֶׁמֶן טָהוֹר נִטְמָא וְיֵרֵד וְטָבַל. בֵּית שְׁמַאי אוֹמְרִים אִף עַל פִּי מִנְטָף טָהוֹר. וּבֵית הֵלֵל אוֹמְרִים (fol. 12b) טָמֵא¹⁰⁰. וְאִם הִיָּה שֶׁמֶן טָמֵא מִתְחִילְתָּן בֵּית שְׁמַאי אוֹמְרִים כְּדִי סִיכַת אֶבֶר קָטָן. וּבֵית הֵלֵל אוֹמְרִים מִשְׁקָה טוֹפָח. רַבִּי יְהוּדָה אוֹמֵר מִשּׁוּם בֵּית הֵלֵל טוֹפָח וּמִטְפִּיחַ. מוּחֲלָפֶת שִׁטְתָּהוֹן דְּבֵית הֵלֵל תָּמַן אֶמְרִין טָמֵא וְהִכָּא אֶמְרִין טָהוֹר. תָּמַן בְּעֵינוּ הוּא. וְהִכָּא בְּלוּעַ בְּמִפָּה הוּא.

There (Mishnah *Idiut* 4:6) we have stated: "Someone who rubbed himself with pure oil, then he became impure, he descended¹⁰¹ and immersed himself. The House of Shammai say, he is pure even if it¹⁰² drips, but the House of Hillel say impure¹⁰³. But if the oil was impure to start out with, the House of Shammai say, up to the anointing of a small limb¹⁰⁴; but the House of Hillel say, moist fluid¹⁰⁵. Rabbi Yehudah says in the name of the House of Hillel, moist and making moist." The opinions of the House of Hillel are reversed! There they say "impure" and here they say "pure." There it is visible, here it is absorbed in the towel.

100 The Rome ms. has here an insert: מחלפה שיטתהון דבית שמאי חמן אמרין טהור והכא אמרין טמא חמן (מאוס) [מסוס] ברם הכא בעינו הוא (The word in parenthesis has been corrected following the text of the commentary of R. Abraham ben David (*Ravad*) to *Idiut*. "The opinions of the House of Shammai are reversed, there (*Idiut*) they say it is pure, here (*Berakhot*) they say it is impure. There it is melted into the body, here it is visible." Since a similar discussion is given for the House of Hillel, the insertion is part of the Yerushalmi that was lost from the Leyden ms. by oversight.

101 He descended into the *miqweh* for purification.

102 The oil was not washed off but is still on his body. Since his body is pure, so is the rubbing oil which became part of his body.

103 It seems that they declare only the oil to remain impure, but one can also make the argument that the person remains impure since the water of the *miqweh* cannot touch his skin where it is covered by oil.

104 Both Talmudim (*Yerushalmi Šabbat* 8:1, *Babli Šabbat* 77a) agree that "a small limb" is a small limb of a newborn. This is the maximum amount that can become pure by immersion of one's body.

105 It feels moist but does not transfer moisture to anything that touches it.

(fol. 11d) **משנה ה:** בית שמאי אומרים גר ומזון בשמים והבדלה. ובית הלל אומרים גר ובשמים ומזון והבדלה.

Mishnah 5: The House of Shammai say: Light, Grace, spices and *Havdalah*¹⁰⁶. But the House of Hillel say, Light, spices, Grace, and *Havdalah*.

106 Order of benedictions if the Sabbath meal extended until after nightfall when *Havdalah* is required in addition to Grace.

(fol. 12b) **הלכה ה:** תני אמר רבי יהודה לא נחלקו בית שמאי ובית הלל על ברכת המזון שהיא בתחילה ולא על הבדלה שהיא בסוף. על מה נחלקו על

הַנֶּר וְעַל הַבְּשָׂמִים שֶׁבֵּית שְׁמַאי אוֹמְרִים בְּשָׂמִים וְאַחַר כֵּן נֵר. וּבֵית הַלֵּל אוֹמְרִים מְאוּר וְאַחַר כֵּן בְּשָׂמִים. רַבִּי גָּא וְרַב יְהוּדָה הִלְכָה כְּמִי שֶׁהוּא אוֹמֵר בְּשָׂמִים וְאַחַר כֵּן מְאוּר.

Halakhah 5: It was stated: "Rebbi Yehudah said, the house of Shammai and the house of Hillel did not disagree that Grace comes first and *Havdalah* at the end. They disagree only over light and spices because the House of Shammai say spices and afterwards light, but the house of Hillel say light and afterwards spices." Rebbi Abba and Rav Yehudah: Practice follows him who says spices and afterwards light¹⁰⁷.

107 The entire paragraph was discussed in Halakha 1, fol. 11d.

בֵּית שְׁמַאי אוֹמְרִים כּוֹס בְּיַמִּינוֹ וְשֶׁמֶן עָרַב בְּשְׂמָאלוֹ אוֹמֵר עַל הַכּוֹס וְאַחַר כֵּן עַל שֶׁמֶן עָרַב. בֵּית הַלֵּל אוֹמְרִים שֶׁמֶן עָרַב בְּיַמִּינוֹ וְכוֹס בְּשְׂמָאלוֹ אוֹמֵר עַל שֶׁמֶן עָרַב וְטָחוּ עַל רֹאשׁ הַשֶּׁמֶשׁ. אִם הָיָה שֶׁמֶשׁ תַּלְמִיד חָכֵם טָחוּ בְּכוֹתֵל. שְׂאִין שֶׁבָּרוּ שֶׁל תַּלְמִיד חָכֵם לְהִיּוֹת יוֹצֵא מְבוֹשָׁם.

The¹⁰⁸ House of Shammai say, the cup in his right hand and perfumed oil¹⁰⁹ in his left hand; first he says the benediction over the cup and then over the perfumed oil. The House of Hillel say, perfumed oil in his right hand and the cup in his left hand, he recites the benediction over the perfumed oil and rubs it on the head of the waiter¹¹⁰. But if the waiter was learned, he would rub it on the wall because it does no credit¹¹¹ to the learned to walk around perfumed.

108 Tosephta *Berakhot* 5:29, Babli 43b. The text of the Tosephta manuscripts is close to the Yerushalmi. In the Babli and the traditional printed text of the Tosephta, the rôles of the Houses of Shammai and Hillel are

reversed. The Babli starts: "When they brought to them oil and wine . . ." meaning that it was brought in the middle of the dinner for enjoyment. This is the opinion of R. Abraham ben David. According to Maimonides

(*Berakhot* 7:14), wine and spiced oil were brought after dinner, to recite Grace over them. According to Rashi, this wine was brought after Grace had already been recited.

109 As an air freshener.

110 To have some use for it since he must get rid of the perfumed oil in order not to walk around perfumed.

111 The Babli is more explicit and calls it "a shame."

אבא בר בר חנא ורב חנא הוון יתבין אכלין. והוה רבי זעירא קאים משמש קומיהון על וטעין תרניהון בחדא ידא. אמר ליה אבא בר בר חנא מה ידיך חוריתא קטעין. וכעס עלוי אבוי. אמר ליה לא מיסתך דאת רביע והוא קאים משמש. ועוד דהוא כהן ואמר שמואל המשתמש בכהונה מעל את מיכל ליה. גזירה דהוא רבע ואת קאים ומשמש תחתיו. מנין המשתמש בכהונה מעל. רבי אהא בשם שמואל אמר ואומרה להם אתם קודש ליי והכלים קודש. מה כלים המשתמש בהן מעל. אף המשתמש בכהונה מעל.

Abba¹¹² bar bar Hana and Rav Huna were sitting down and eating and Rabbi Zeira was standing and serving them. He came and carried both in one hand¹¹³. Abba bar bar Hana said to him: Is your other hand cut off? His father got angry with him and said to him: "Is it not enough for you that you are reclining and he stands and serves? But in addition, he is a Cohen and you make fun of him when Samuel said that he who uses a Cohen commits larceny¹¹⁴. I order that he should recline and you get up and serve in his stead." From where that he who uses a Cohen commits larceny? Rabbi Aha in the name of Samuel said (*Ezra* 8:28): "I said to them, you are holy and the vessels are holy." Since one who uses the Temple vessels commits larceny, also one who uses a Cohen commits larceny!

112 There is a parallel to this story in *Yalqut Šim'oni Ezra* 1089(8); there the names are Rabbi Abba and Rav

Huna. This is more reasonable, but there the names do not fit either since it says that Rav Huna insulted Rabbi

Zeira and Rabbi Abba told him to get up and serve. This is totally impossible since both Rebbis Abba and Zeira were students of Rav Huna. On the other hand, the reading אבוי "his father" is impossible in the Yerushalmi since R. Abba bar bar Ḥana's full name was R. Abba bar R. Abba bar Ḥana, which shows that he was a posthumous child and his father could not get angry with him. The most reasonable scenario is that R. Abba insulted the much younger R. Zeira and R. Huna ordered them to switch places; but this has no manu-

script evidence.

113 It seems that Rabbi Zeira knew the diverging traditions about the sayings of the Houses of Hillel and Shammai in this matter, as explained in the preceding paragraph, and, therefore, decided to circumvent all problems (since practice has to follow the House of Hillel) by carrying both wine and perfumed oil in one hand.

114 *Meilah*, the particular larceny committed in using Temple property for profane ends (*Lev. 5:14-16*).

מִשְׁנֵהּ וְ: בֵּית שְׁמַאי אוֹמְרִים שֶׁבָּרָא מְאוֹר הָאֵשׁ. וּבֵית הֵלֵל אוֹמְרִים
בוֹרָא מְאוֹרֵי הָאֵשׁ.

Mishnah 6: The House of Shammai say: "He Who created illumination by fire." But the House of Hillel say, "He Who is creating illuminations by fire."¹¹⁵

115 There are two differences between the formulas of the two Houses for the benediction over the light at the end of Sabbath. For the House of Shammai, the creation is complete and in the past. For the House of Hillel,

creation is a continuous process and comprises many kinds of light, including light created by human engineering that in the Babli (*Pesahim 54a*) is called "divine inspiration."

הַלְכָהּ וְ: עַל דְּעִתְהוֹן דְּבֵית שְׁמַאי אֲשֶׁר בָּרָא פְּרִי הַגֶּפֶן. עַל דְּעִתְהוֹן
דְּבֵית הֵלֵל בוֹרָא פְּרִי הַגֶּפֶן. יֵין מִתְחַדֵּשׁ בְּכָל־שָׁנָה וְשָׁנָה. הָאֵשׁ אֵינוֹ מִתְחַדֵּשׁ
בְּכָל־שָׁעָה.

Halakha 6: According to the opinion of the House of Shammai, should one not say: "He Who created the fruit of the vine?" According to the opinion of the House of Hillel, one should say: "Creator of the fruit of the vine."¹¹⁶ Wine is new¹¹⁷ every year; fire is not different every hour.

116 There is no source that would even hint at the proposed formula of the House of Shammai. Hence, the House of Shammai will not insist on using the past in the benediction for wine.
117 With a different taste. Hence, the past would be inappropriate here.

הָאֵשׁ וְהַכֶּלָּאִים אֵף עַל פִּי שְׁלֵא נִבְרָאוּ מִשֶּׁשֶׁת יָמֵי בְּרֵאשִׁית אֲבָל עָלוּ בְּמַחֲשָׁבָה מִשֶּׁשֶׁת יָמֵי בְּרֵאשִׁית. הַכֶּלָּאִים וּבְגֵי צִבְעוֹן וְאֵיָא וְעֵנָה הוּא עֵנָה אֲשֶׁר מִצָּא אֶת הַיָּמִים בְּמַדְבָּר. מֵהוּ יָיִמִים. רַבִּי יְהוּדָה בֶּן סִימּוֹן אוֹמֵר הַמִּיּוֹנָס וְרַבָּנָן אֶמְרִין הַיָּיִמִים. חֲצִיּוֹ סוּס וְחֲצִיּוֹ חֲמוֹר. וְאֵילוֹ הֵן הַסִּימְנִין. אָמַר רַבִּי יְהוּדָה כָּל שְׂאֲזָנָיו קָטְנוֹת אִמּוֹ סוּס וְאָבִיו חֲמוֹר. גְּדוּלוֹת אִמּוֹ חֲמוֹרָה וְאָבִיו סוּס. רַבִּי מָנָא מִפְקֵד לֵאמֹר לַאֲיָלִין דְּנִשְׂאָהָ אֵין בְּעִיתוֹן מִיזְבוֹן מוֹלִיּוֹן תְּהוּן זְבָנִין אֵילִין דְּאוּדְנִיהוֹן דְּקִיקִין שְׂאֵמוֹ סוּסָה וְאָבִיו חֲמוֹר.

Fire and hybrids were not created in the six days of Creation but they were in the Divine plan of the six days of Creation¹¹⁸. Hybrids (*Gen.* 36:24): "These are the sons of Ziv'on, Ayyah and Anah. He is the Anah who invented the *yemim* in the prairie." What is *yemim*? Rabbi Yehudah¹¹⁹ ben Simon said ἡμίονος ("Half she-ass, mule") and the rabbis say ἡμίονος ("half"), half horse and half donkey. These¹²⁰ are its signs: Rabbi Jonah says, if it has small ears, its mother is a horse and its father a donkey. If they are large, its mother is a donkey and its father a horse. Rabbi Mana ordered those of the patriarch's estate: If you want to buy a mule¹²¹, you should buy one with small ears whose mother is a horse and whose father is a donkey.

118 Tosephta *Berakhot* 5:31, as reason for the benediction over fire as will be explained later. In the Tosephta, R. Yose disagrees and says the fire of hell was created on the Second Day; in the opinion of the Babli (*Pesahim* 54a) hell and its fire precede the Creation. The Yerushalmi takes no position on this. The text of this and the following two sections are also in *Bereshit rabba* 82(17); there is a parallel in Babli *Pesahim* 54a.

As is normal in the Talmudim, a proposition of subjects A B is discussed in order B A.

119 Son of Rabbi Simon, an Amora

of the third/fourth generation in Galilee, known as preacher.

120 This and the following sentence are redundant. The sentences are copied here from *Kil'aim* 8:3. The reading "R. Jonah" is from the Venice print in *Kil'aim*, the Rome manuscript here, and *Bereshit rabba*. There is no Amora who is called Rabbi Jehudah (reading of the Venice print and Leyden ms.) without mention of his father's name. In the Babli (*Hullin* 79a), the criterion is ascribed to Rav Papa, fifth generation Babylonian Amora.

121 Latin *mulus, i, m.* "mule".

מה עשה צבעון וענה. זימן חמורה והעלה עליה סוס זכר ויצא מהן פרדה. אמר הקדוש ברוך הוא להם. אתם הבאתם לעולם דבר שהוא מזיקן אף אני מביא על אותו האיש דבר שהוא מזיקו. מה עשה הקדוש ברוך הוא זימן חכינה והעלה עליה חרדון ויצא ממנה חברבר. מימיו לא יאמר לך אדם שעקצו חברבר וחיה. נשכו כלב שוטה וחיה. שבטו פרדה וחיה. ובלבד פירדה לבנה.

What did²² Ziv'on and Anah do? He prepared a female donkey and mated her with a male horse; a mule came out from them. The Holy One, praise to Him, said to them: You brought into the world a harmful thing, I shall bring over that man something that will harm him. What did the Holy One, praise to Him, do? He prepared a snake and mated her with a *Hardaun*²³; a brightly colored snake²⁴ came out of them. Nobody will ever tell you that he was bitten by a brightly colored snake and survived, bitten by a rabid dog and survived, hit by a mule and survived (but only by a white female mule²⁵).

122 The text here is difficult. The parallel in *Bereshit rabba* has only "Anah" and is in the singular throughout, but here it starts with two persons but then in the middle of God's speech switches from plural to singular. One has to assume that there were two texts, one dealing only with Anah and the other with Ziv'on and Anah and

that our text here is a confluence of both of them.

123 Arabic name of a large kind of lizard.

124 Arabic حبر "embellish, decorate".

125 The Babli (*Hulin* 7b) adds that the only mule that kills with its hoof is a white one even whose hoofs are white.

רבי לוי בשם רבי נזירה¹²⁶ שלשים וישש שעות שימשה אותה האורה שנבראת ביום הראשון. שתיים עשרה בערב שבת ושתיים עשרה בלילי שבת ושתיים עשרה בשבת. והיה אדם הראשון מביט בו מסוף העולם ועד סופו. כיון שלא פסקה האורה התחיל כל העולם כולו משורר שנאמר תחת כל השמים ישרהו. למי שאורו על כנפות הארץ. כיון שיצת שבת התחיל משמש החושך ובא ונתיירא אדם ואמר אלו הוא שכתוב בו הוא יושףך ראש ואתה תשופנו עקב. שמא בא לנשכני ואמר אך חושך יושפני. אמר רבי לוי באותה השעה זמן לו הקדוש ברוך הוא שני רעפין והקישן זה לזה ויצא מהן האור. הן הוא דכתיב וליקה אור בעדני. ובירך עליה בורא מאורי האש. שמואל אמר לפיכך מברכין על האש במוצאי שבתות שהיא תחילת ברייתתה.

R. Levi in the name of Bar Nazira¹²⁶: Thirty-six hours did Man enjoy the light that was created on the First Day of Creation¹²⁷, twelve on Friday, twelve in the night of Sabbath, and twelve during the day of Sabbath; in this light Adam saw from one end of the world to the other. In this unending light, the entire Creation started singing God's praise as it is said (*Job* 37:2), "All under the heavens sing to Him, His light is on the corners of the world." When the Sabbath ended, darkness came. Adam was afraid that this was what was said (*Gen.* 3:15): "You will crush its head and it will crush your heel;" certainly it will crush me, so he said (*Ps.* 139:11), "But the darkness will crush me." R. Levi said: At this moment

the Holy One, praised be He, let him find two flintstones that he knocked against each other¹²⁸ and made fire; that is what is said (*Ps.* 139:11), "Now the night is light for me," and he praised the Creator of the illuminating fire. Samuel says: Therefore we give praise for the [man-made] fire at the end of Sabbath because that was the time of its first production.

126 Name from the parallel in the Midrash. The text here has בּוֹרֵר ר', an otherwise unknown person.

Book of Psalms, but in all of talmudic literature it is taken to describe the experiences of Adam.

127 The vanished light of the Creation is reserved for the just in the future world (Babli *Hagigah* 12a). Psalm 139 is ascribed to David in the

128 In the Babli (*Pesahim* 54a), the discovery of man-made fire is called "a heavenly inspiration."

רב הונא בשם [רב]¹²⁹ רבי אבהו בשם רבי יוחנן אף במוצאי יום הכיפורים
מברך עליה שקבר שבת האור כל אותו היום.

Rav Huna in the name of Rav, Rebbi Abbahu in the name of Rebbi Yohanan: At the end of Yom Kippur one also recites the benediction since the light had rested all that day long¹³⁰.

129 Insert following the text on *Bereshit rabba*. The omission in the other sources makes no sense since Rav Huna preceded Rebbi Abbahu. The note "Rav Huna in the name of Rav" is

missing in the parallel (Babli *Pesahim* 54a).

130 But, as noted in the Babli (*loc. cit.*), one does not recite the benediction over *newly lit* fire.

מסנה ז: אין מברכין על הנר ועל הבשמים של גוים ועל הנר ועל
הבשמים של מתים ועל הנר ועל הבשמים שלפני עבודה זרה. ואין מברכין על
הנר עד שיאותו לאורו.

Mishnah 7: One does not recite a benediction¹³¹ over a lamp and spices of Gentiles, or over lamp and spices for the dead¹³², or over lamp and spices set before an idol. Also, one does not recite the benediction over a lamp unless he has profited from its light.

131 For *Havdalah*.

132 Light and perfumes set before a casket.

(fol. 12b) **הלכה ז:** תנא רבי יעקב קומי רבי ירמיה מברכין על הבשמים של גוים. מהו פליג. קיומונה במעשין¹³³ לפני חנותו.

Halakha 7: Rabbi Jacob stated¹³⁴ before Rabbi Jeremiah: One recites a benediction over spices of Gentiles. How can he disagree? Uphold it for someone who burns spices in front of his store¹³⁵.

133 Reading of the Rome ms. Venice and Leyden: במעשיו.

134 Not that he formulated it, but he quoted the tannaïtic formulation in the Yeshivah of R. Jeremiah.

135 He does it to attract customers, not for idolatrous practices. The reason of the original prohibition is that any perfuming by Gentiles is done for their idols.

עשית אף על פי שלא כבת מברכין עליה. נר בתוך חיקו או בתוך פנס או בתוך ספקלריא רואה את השלהבת ואינו משתמש לאורה. משתמש לאורה ואינו רואה את השלהבת. לעולם אין מברכין עד שיהא רואה את השלהבת ומשתמש לאורה.

One may make the benediction over a lantern even if it did not go out¹³⁶. A lamp in his bosom or in a lantern¹³⁷ or in glass¹³⁸, if he sees the flame and does not use its light, or uses the light but does not see the flame, one never recites the benediction until one sees the flame and uses the light.

136 This is the language of the Tosephta (5:31) following the Erfurth manuscript. The Babli (53a) has a slightly different formulation for the same statement. Since one permits a benediction over light that was burning at nightfall, the Tosephta must deal

with the benediction after *Yom Kippur*.

137 Greek φανός, "torch, light".

138 Latin *specularia* "transparence; window panes, window (adj., plur. n.)". This term is missing in the Tosephta (5:31) and the parallel in the Babli (53b).

חמשה דברים נאמרו בנחלת וחמשה בשלהבת. נחלת של הקדש מועלין בה. והשלהבת לא נהגין ולא מועלין. נחלת של עבודה זרה אסורה ושללהבת מותרת. המודר הנאה מחבירו אסור בנחלתו ומותר בשלהבתו. המוציא את הנחלת לרשות הרבים חייב והשלהבת פטור. מברכין על השלהבת ואין מברכין על הנחלת. רבי חייא בר אשי בשם רב אם היו הגחלים לוחשות מברכין. רבי יוחנן דקרציון בשם רבי נחום בר סימאי בלבד הנקטפת.

Five¹³⁹ things were said about burning charcoal and five about the flame. One commits larceny with the burning charcoal of the Temple; one may not use its flame but one cannot commit larceny with the latter¹⁴⁰. Burning charcoal of idolatry is forbidden, its flame is allowed. He who makes a vow not to use anything of another person may not use his burning charcoal but is allowed his flame. He who carries out burning charcoal into the public domain¹⁴¹ is guilty but for the flame he is free of punishment. One makes the benediction over the flame but not over glowing charcoal. Rav Hiyya bar Ashi in the name of Rav¹⁴²: If the charcoal was crackling one makes the benediction. Rebbi Yoḥanan from Karzion¹⁴³ in the name of Rebbi Naḥum bar Simai: Only if [the flame] is jumping off¹⁴⁴.

139 Tosephta *Bezah* 4:7. There is a similar *baraita* in Babli *Bezah* 29a but it has no reference to *Havdalah*.

140 Coal is a material, so if one takes it for unauthorized use he commits larceny. A flame is essentially

immaterial; the Babli (*Bezah* 29a) declares the prohibition of its use as Rabbinic decree. The following cases all derive from the same principle.

141 On the Sabbath. The Babli (*Bezah* 29a) discusses how one could possibly move the flame without the underlying coal.

142 In the Babli (53b) this is a *baraita* which specifies explicitly that glowing but not crackling coals are not

to be used for the benediction. [The title "Rebbi" in the text is again a scribal error.]

143 An Amora whose time cannot be determined since he appears only here. Karzion is today's Kazion in Upper Galilee; the reading קייציון of the Rome ms. might be better.

144 More or less this is the definition of "crackling."

תני גוי שהדליק מישראל וישראל שהדליק מגוי. ניהא גוי שהדליק מישראל.
מעשה אפילו גוי מגוי. אשכח תני גוי מגוי אין מברכין.

It was stated "A Gentile who lit from a Jew and a Jew who lit from a Gentile.¹⁴⁵" One understands a Gentile who lit from a Jew¹⁴⁶, but then even a Gentile who lit from a Gentile? It was found that it was stated: "One does not recite the benediction if a Gentile [lit] from a Gentile."

145 Tosephta *Berakhot* 5:31. The text continues: "One recites the benediction." In the Babli (53a) there is a *baraita* that combines the two formulations of the Yerushalmi.

146 Since the Jew made new fire after the end of Sabbath. Similarly,

one considers the act of lighting a fire from the existing fire of a Gentile as creation of a new light by a Jew after the end of Sabbath. But a Gentile lighting from a Gentile cannot do this since he never had a moment when making a fire was forbidden to him.

רבי אבהו בשם רבי יוחנן מבוי שכולו גוים וישראל אחד דר בתוכו ויצא משם האור. מברכין עליה בשביל אותו ישראל ששם. רבי אבהו בשם רבי יוחנן אין מברכין לא על הבשמים של לילי שבת בטבריא ולא על הבשמים של מוצאי שבת בצפורין ולא על הנר ולא על הבשמים של אור ערב שבת בצפורין שאינן אלא לדבר אחר.

Rebbi Abbahu in the name of Rebbi Yoḥanan: A dead end street of Gentiles and one Jew lives in it, if light comes from there one recites the benediction because of the one Jew who is there¹⁴⁷. Rebbi Abbahu in the name of Rebbi Yoḥanan: One does not recite the benediction on the spices¹⁴⁸ of Friday afternoon in Tiberias, nor on the spices of Sabbath night of Sepphoris, nor on light¹⁴⁹ and spices of Friday Eve in Sepphoris, because they are for other purposes.

147 If the one who sees the light knows the Jew living there.

148 Obviously, here one does not speak about *Havdalah* but about the benediction that is required for the enjoyment of perfume. In the Babli (53a), R. Yoḥanan is more explicit and

says that these perfumes are burned to disinfect clothes; hence, they are not produced for human enjoyment.

149 The mention of light here makes no sense, but it is found in both mss.

ועל הגר ועל הבשמים של מתים. רבי חזקיה ורבי יעקב בר אהא בשם רבי יוסי בי רבי חנינא הדיא דאדת אמר בנתונין למעלה ממיטתו של מת. אבל אם היו נתונין לפני מיטתו של מת מברכין. אני אומר לכבוד החיים הן עשוין.

"Nor over lamp and spices for the dead.¹⁵⁰" Rebbi Hizqiah and Rebbi Jacob bar Aḥa in the name of Rebbi Yose, son of Rebbi Ḥanina: That is, if they are put at the head of the bier. But if they are put in front of the bier one may recite the benediction; I say they are put there for the honor of the living¹⁵¹.

150 Quote from the Mishnah.

151 The reason that one may not recite the benediction over perfumes and light arranged for the deceased is that one may not have any use from things given to the dead. But if they are arranged for the convenience of

the living who are paying their respects, one may use them for a benediction. The parallel in the Babli (53a) has another definition: Light burning only in the night is acceptable; that which burns day and night is not.

ולא על הנר ועל הבשמים של עבודה זרה. ולא היא של גוים (fol. 12c) היא של עבודה זרה. תיפתר בעבודה זרה של ישראל.

"Nor over lamp and spices set before an idol.¹⁵⁰" Is not that of Gentiles identical¹⁵² with that of idolatry? Explain it with the idol of a Jew.

152 Why are light of idolatry and light of Gentiles mentioned as separate items in the Mishnah?

ואין מברכין על הנר עד שיאיתנו לאורו. דרש רבי זעירה בריה דרבי אבהו וינרא אלהים את האור כי טוב ואחר כך ויבדל אלהים בין האור ובין החושך. אמר רבי ברכיה כן דרשו שני גדולי עולם רבי יוחנן ורבי שמעון בן לקיש ויבדל אלהים אבדלה ודאי. רבי יהודה בי רבי סימון אמר הבדילו לו. ורבניו אמרין הבדילו לצדיקים לעתיד לבוא. משלו משל למה הדבר דומה למלך שהיו לו שני איסטרטיגין זה אומר אני משמש ביום וזה אומר אני משמש ביום. קרא לראשון ואמר לו היום יהא תחומך. קרא לשני ואמר לו הלילה יהא תחומך. הדא הוא דכתיב ויקרא אלהים לאור יום וגומר. לאור אמר לו היום יהא תחומך ולחושך אמר לו הלילה יהא תחומך. אמר רבי יוחנן הוא שאמר לו הקדוש ברוך הוא לאיוב המימיה צוית בקר ודעת השחר מקומו. ודעת אי זה מקומו של אור ששת ימי בראשית איכן נגנז. אמר רבי תנחומא אנה אמרית טעמא יוצר אור ובורא חושך עושה שלום משניצא עושה שלום ביניהן.

"Also, one does not recite the benediction over a lamp unless one has profited from its light.¹⁵⁰" Rabbi Zeira, the son of Rabbi Abbahu, preached: (*Gen. 1:4*) "God saw the light that it was good" and after that, "God separated between the light and the darkness.¹⁵³". Rabbi Berekhiah said: The following was preached by the two greats of the world, Rabbi Yohanan and Rabbi Simeon ben Laqish: "God separated," a true separation. Rabbi Yehudah, the son of Rabbi Simon, said: He separated it for Himself¹⁵⁴. But the rabbis say, He separated it for the just in the

future world. They gave a parable, to what can this situation be compared? To a king who had two generals¹⁵⁵; both of them said: "I want to command during the day." He called the first one and told him: day shall be your domain. He called the second one and told him: night shall be your domain. That is what is written: (*Gen. 1:5*) "God called the light 'day', etc." To the light he said: day shall be your domain; but to the darkness he said: night shall be your domain. Rabbi Yohanan said, that it is which the Holy One, praise to Him, said to Job: (*Job 38:12*) "Did you ever command the morning, did you inform the morning of its place?" Do you know the place where the light of the Six Days of Creation was hidden? Rabbi Tanhuma said: I shall give its reason. (*Is. 45:7*) "He Who fashioned the light and created darkness, He makes peace." When it left¹⁵⁶, it made peace between them.

153 In *imitatio Dei*, one should not make *Havdalah* until he saw the light and that it is useful. The same paragraph is found in *Bereshit rabba* 3(7) in slightly more explicit language.
154 That this is the light of the *She-*

khinah.
155 Greek (sing.) στρατηγός.
156 In *Bereshit rabba*: "From the moment that they were created, He is making peace."

אין מברכין על הנר עד שִׁיִּאֲוֹתוֹ לְאוֹרוֹ. רַב אָמַר יְאוֹתוֹ. וְשְׂמוּאֵל אָמַר יְעוֹתוֹ. מֵאֵן דְּמַר יְאוֹתוֹ אֵד בְּזֹאת נְאוֹת לְכֶם. מֵאֵן דְּמַר יְעוֹתוֹ לְדַעַת לְעוֹת אֵת עֲנִין דְּבַר. תַּמָּן תַּנִּינָן כִּיֵּצַד מְאֲבָרִין אֶת הָעָרִים. רַב אָמַר מְאֲבָרִין. וְשְׂמוּאֵל אָמַר מְעַבְרִין. מֵאֵן דְּמַר מְאֲבָרִין מוֹסִיפִין לָהּ אֲבָר. וּמֵאֵן דְּמַר מְעַבְרִין כְּאִשָּׁה עוֹבְרָה. תַּמָּן תַּנִּינָן לְפָנֵי אִידִיהוֹן שֶׁל גוֹיִם. רַב אָמַר עִידִיהוֹן וְשְׂמוּאֵל אָמַר אִידִיהוֹן. מֵאֵן דְּמַר אִידִיהוֹן כִּי קְרוֹב יוֹם אִידָם. וּמֵאֵן דְּמַר עִידִיהוֹן וְעִידִיהֶם הֵמָּה בֵּל יִרְאוּ וּבֵל יִדְעוּ לְמַעַן יְבוֹשׁוּ. מֵאֵן מְקַיִים שְׂמוּאֵל טַעְמֵי דְרַב וְעִידִיהֶם הֵמָּה שְׁהוֹן עֲתִידִין לְבַגֵּשׁ אֶת עוֹבְדֵיהוֹן לְיוֹם הַדִּין.

"One does not recite the benediction over a lamp unless one has profited from its light." Rav says *y'utu*, and Samuel says *y'utu*¹⁵⁷. He who says *y'utu*, (*Gen. 34:15*) "But with this we shall be agreeable (*nē'ōt*) to you." He who says *y'utu*, (*Is. 50:4*) "To know, to inform (*lā'ūt*) the weary of wisdom." There (*Mishnah Erubin 5:1*) we have stated: How does one complete cities¹⁵⁸? Rav says *m'abberin*, and Samuel says *m'abberin*. He who says *m'abberin*, one adds a limb (*אבר*) to it. And he who says *m'abberin*, like a pregnant (*עוברת*) woman. There (*Mishnah Avodah zarah 1:1*) we have stated: Before the holidays of the Gentiles¹⁵⁹. Rav says *'ēdēhen* and Samuel says *'ēdēhen*. He who says *'ēdēhen*, (*Deut. 32:35*) "For the day of their misfortune (*אירם*) is near." He who says *'ēdēhen*, (*Is. 44:9*) "They¹⁶⁰ are their witnesses (*עידיהם*), may they neither see nor know, so that they may come to naught." How does Samuel deal with Rav's reason? They are their witnesses, in the future they will bring to naught their worshippers on the day of judgment.

157 Under the influence of Accadic, Babylonian Jews early on had lost the difference between *aleph* (') and *ayin* (') (and *he*, *het*); they re-acquired the differences only later under the influence of Arabic. Similarly, under the influence of Greek, in the speech of most Galileans also *aleph* and *ayin* had become silent. Since the Mishnah was transmitted orally, there was no difference in pronunciation between the two silent consonants and the interpretation of the words depended on whether one was imagining one or the other.

The particular case here is not discussed in the Babli. The examples from *Eruvin* and *Avodah zarah* are discussed following these Mishnayot in the Babli where at other places one also finds examples of a silent *n* (*Bezah 35b*) and switches between *ṣ* (s) and *ṣ* (ss) (*Bava qama 116b*). In most cases, roots of Rabbinic expressions are sought in Biblical Hebrew.

158 "Completion" is the determination of a rectangle oriented NS, EW whose edges are distant 2000 cubits from the last house of the city in that direction.

- 159 One may not trade with them. *zarah* 2a), the interpretation of this
 160 The idols. In the Babli (*Avodah* verse takes up several pages.

אין מְבַרְכִין עַל הַנֵּר עַד שְׂאִיאוֹתוֹ לְאוּרוֹ. רַב יְהוּדָה בְּשֵׁם שְׁמוּאֵל כְּדֵי שְׂיֵהוּ
 הַנְּשִׂים טוֹת לְאוּרוֹ. אָמַר רַבִּי יוֹחָנָן כְּדֵי שְׂעִינוּ רוֹאָה מָה בְּכוֹס וּמָה שְׁבַקְעָרָה.
 אָמַר רַב חִינְנָא כְּדֵי שְׂיֵהָא יוֹדֵעַ לְהַבְחִין בֵּין מְטִבֵּעַ לְמְטִבֵּעַ.

"One does not recite the benediction over a lamp unless he has profited from its light." Rav Yehudah in the name of Samuel: So that women would be able to spin by its light. Rabbi Yohanan said: So that his eye should see what is in the cup or in the bowl. Rav Hinena said, so that he should be able to distinguish between two coins¹⁶¹.

161 Rav Yehudah is the most restrictive, following the old Babylonian custom. In the Babli (53b) there are two opinions, both by early Galilean authorities; so it seems that R. Hinena, the student of R. Yohanan, is referring to earlier statements. In the opinion of Ulla, one must be able to distinguish

between an *as* ($1/24$ denarius) and a *dupondius* ($1/12$ denarius); in the opinion of Hizqiah, one has to distinguish between local coins of the same weight and value but different mints. Since R. Hinena is the student of R. Yohanan, it seems that he is following Ulla's opinion.

תְּנִי רַבִּי אוֹשְׁעִינָא אֶפִּילוּ טְרַקְלִין עֶשֶׂר עַל עֶשֶׂר מְבַרְכִין. רַבִּי זְעִירָא מְקַרִּיב
 קוּמִי בּוֹצִינָא. אָמְרוּ לוֹ תְּלַמִּידָיו רַבְּנוּ מָה אֵת מַחְמִיר עֲלָנוּ. וְהַתְּנִי רַבִּי
 אוֹשְׁעִינָא אֶפִּילוּ טְרַקְלִין עֶשֶׂר עַל עֶשֶׂר מְבַרְכִין.

Rebbi Oshaia stated: Even if it was a banquet hall of ten by ten¹⁶², one recites the benediction. Rebbi Zeira went close to the light. His students told him: Why does our teacher make it so difficult for us, did not Rebbi Oshaya formulate: "even if it was a banquet hall of ten by ten, one recites the benediction^{163?}"

162 Since the *triclinium* is a banquet hall in the Roman style, the "ten" probably are not Jewish cubits but Roman *passus*, of 4.5 feet each. Then the distance from a light kindled in one corner to the observer in the corner diagonally opposed would be about 67 feet; based on cubits it would be 48 feet, still a great distance in an otherwise dark room.

163 In the Babli (53a), R. Zeïra is quoted that originally he insisted on

making the benediction over his own light (following an old Babylonian custom), but that he changed his opinion after hearing that great authorities allow one to make the benediction even over fire lit by other people in their houses, as explained earlier in this Halakhah. That report must date from the time when he visited Babylonia after becoming head of his own Yeshivah in Galilee.

(fol. 11d) **משנה ח:** מי שאכל ושכח ולא בירך. בית שמאי אומרים יחזור למקומו ויברך. ובית הלל אומרים יברך במקום שנזכר. ועד מתי מברך עד כדי שיתאכל המזון שבמעיו.

Mishnah 8: He who ate, forgot, and did not recite Grace. The House of Shammai say, he should return to his place¹⁶⁴ and recite. The House of Hillel say, he should recite at the place where he remembers it. How long¹⁶⁵ may he recite? Until the food is digested in his bowels.

164 The place of the meal.

that he should not be guilty of dis-

165 After the end of the meal, so

regarding a biblical commandment.

(fol. 12c) **הלכה ח:** רבי יוסטא בר שונם אמר תרין אמורין חד אמר טעמון דבית שמאי וחד אמר טעמון דבית הלל. מאן דמר טעמון דבית שמאי אילוי שכיח שם כיס אבנים טובות ומרגליות שקמא לא הניח חוזר ונוטל כיסו. אף הקא יחזור למקומו ויברך. מאן דמר טעמון דבית הלל אלן פועל עושה בראש הדקל או בתוך הבור שקמא מטריחין שיחזור למקומו ויברך. אלא מברך במקום שנזכר. אף הקא מברך במקום שנזכר.

Halakha 8: Rebbi Justus bar Shunem¹⁶⁶ said: Two Amoraïm, one proposed the reason of the House of Shammai and the other proposed the reason of the House of Hillel. He who proposed the reason of the House of Shammai: If he had forgotten there a wallet full of precious stones and pearls, would he not go back and retrieve his wallet? Here also, let him return to his place and recite Grace. He who proposed the reason of the House of Hillel: A worker who worked at the top of a date palm or at the bottom of a cistern, would one bother him to return and recite Grace? No, he should recite at the place where he remembers. So here also, he should recite at the place where he remembers¹⁶⁷.

166 A late Amora, student of Rebbi Mana II.

167 In the formulation here, it is agreed that a worker at a dangerous place does not have to return (a) to expose himself to unnecessary danger and (b) to spend unproductive time at the expense of his employer who is required to pay his entire day. In the Babli (53b), the entire discussion is a

baraita and the argument of the House of Hillel precedes that of the House of Shammai. Hence, its implication is that the House of Shammai require the worker to return to his dangerous place and his employer to pay for the time lost. In this case, it seems that the Yerushalmi reports a deliberate change from earlier practice in order to embody a change in labor law.

עד מתי מברך רבי חייה בשם שמואל עד שיתעכל המזון במעיו וחכמים
אומרים כל זמן שהוא צמא מחמת אותה סעודה. רבי יוחנן אומר עד שיירעב.

How long may he recite? Rebbi Hiyya in the name of Samuel, until the food in his bowels is digested. But the sages say, all the time that he is thirsty because of that meal¹⁶⁸. Rebbi Yohanan says, until he gets hungry again¹⁶⁹.

168 Presumably, if he did not drink during the meal.

169 The Babli (53b) quotes R. Yohanan as is he quoted here and

attributes the statement of the Sages (that would guide practice here) to R. Simeon ben Laqish, whose opinion carries less weight than that of R. Yoḥanan. Another statement of R. Simeon ben Laqish, who gives as maximum the time it would take to walk four *mil*, 1 hour 12 min., has no parallel in the Yerushalmi. The difference between the Galilean יתאכל and the Babylonian יתעכל is dialectal; the

Babylonian Mishnah has יתעכל. Since Samuel was a medical doctor, his explanation "until the food was digested" may have been practical for him; it certainly is not practical for everybody else. It is therefore not necessary to say that R. Yoḥanan is more restrictive than the Mishnah (as is the opinion of the student of Rabbenu Jonah in his commentary on Alfassi.)

(fol. 11d) **משנה ט:** בא להן יין אחר המזון ואין שם אלא אותו הכוס. בית שמאי אומרים מברך על היין ואחר כך מברך על המזון. ובית הלל אומרים מברך על המזון ואחר כך מברך על היין. עונין אמן אחר ישראל מברך ואין עונין אמן אחר כותי מברך עד שישמע כל־הברכה.

Mishnah 9: If wine was brought to them after the meal and there was only one cup. The House of Shammai say, he recites the benediction over wine and afterwards says Grace, but the House of Hillel say, he recites Grace and afterwards the benediction over wine. One answers "Amen" after a Jew but one does not answer "Amen" after a Samaritan unless one has heard the entire benediction¹⁷⁰.

170 Since the Samaritan follows a non-standard form of Judaism, one may not answer after his benediction unless

one has ascertained that his benediction is compatible with our rules.

(fol. 12c) **הלכה ט:** אמר רבי בא על ידי שהיא ברכה קטנה שמא ישכח וישתה. ברם הקא משלשה על ידי הכוס אינו שוכח.

Halakha 9: Rabbi Abba said: Because it is a very short benediction, he might forget and drink¹⁷⁰. But here, he connects everything with the cup of wine and will not forget.

170 While Grace should be recited over an untouched cup of wine, in the opinion of the House of Shammai this does not apply here; see the start of

Halakhah 1. The next sentence belongs only there (Note 23); it was copied here by mistake.

הָא אַחַר יִשְׂרָאֵל עֹנִין אָמֵן אַף עַל פִּי שְׁלֵא שָׁמַע. לֹא כֵן תְּנִי שָׁמַע וְלֹא עָנָה
 יָצָא. עָנָה וְלֹא שָׁמַע לֹא יָצָא. חֵינָה בְּרִיָּה דְרַב אָמֵר בְּשֵׁלֵא אֲכַל עִמָּהֶן כְּזֵית.

Hence¹⁷¹, one answers "Amen" after a Jew even though one did not hear. Did we not formulate: If he heard¹⁷² but did not answer, he did his duty. If he answered but did not hear, he did not do his duty. Hiyya, the son of Rav¹⁷³, said: when he did not eat with them the volume of an olive¹⁷⁴.

171 This is implied by the last sentence of the Mishnah.

172 Any of the obligatory prayers (if he himself is unable to recite them, or under the conditions discussed in the next paragraph) or benedictions may be performed by listening to an equally obliged person.

173 The only known son of Rav, who had the best of Rav's students as teachers; hence, he must have been born to Rav rather late in his life. After the death of Rav, he was a

student of Samuel. He is usually quoted without any title (maybe he did not want to be addressed with a title that was the commonly used nickname of his father) but it is known that he acted in a Rabbinical capacity. He had a son who also was a scholar.

174 He answers "Amen" for the benediction but not in order to fulfill his own obligation. The parallel, without the question asked, appears in Babli 53b.

הָבָא מִתְּנִיתָא תְּנִי שְׁמַע וְלֹא עָנָה יֵצֵא. עָנָה וְלֹא שְׁמַע לֹא יֵצֵא. רַב בְּשֵׁם אַבְבָּא
 בְּרַ חֲנָה וְאִית דְּאִמְרֵי לֵה אַבְבָּא בְּרַ חֲנָה בְּשֵׁם רַב וְהוּא שְׁעָנָה רֵאשִׁי פְּרָקִים.
 רַבִּי זְעִירָא בְּעֵי הִי אֵינּוּן רֵאשִׁי פְּרָקִים. הִלְלוּ יְהִי הִלְלוּ עַבְדֵּי יִי הִלְלוּ אֶת שֵׁם יִי
 בְּעוֹן קוּמֵי רַבִּי חֵיזָא בְּרַ אַבְבָּא מְנִיין שְׂאִים שְׁמַע וְלֹא עָנָה יֵצֵא. אָמַר מִן מַה
 דְּאִנּוּן חֲמֵי רַבְּנָן וּבְרַבְּנָא עַבְדֵּינּוּ כֹּן. אֵינּוּן קִיְיָמִין בְּצִיבּוּרָא דְּאֵילִין אִמְרִין דִּין
 בְּרַדְדָּה הָבָא וְאֵילִין אִמְרִין בְּשֵׁם יִי. וְאֵילִין וְאֵילִין יוֹצֵאִין יְדֵי חוֹבְתָנּוּ.

Here¹⁷⁵, a *baraita* states: "If he heard but did not answer, he did his duty. If he answered but did not hear, he did not do his duty." Rav in the name of Abba bar Hana¹⁷⁶, or, as some say, Abba bar Hana in the name of Rav, that is only if he answered the beginnings of chapters. Rebbi Zeira inquired, what are beginnings of chapters? (*Ps.* 113:1) "Hallelujah, praise, you servants of the Eternal, praise the name of the Eternal."¹⁷⁷ They asked before Rebbi Hiyya bar Abba, from where do we know that if somebody heard but did not answer, that he fulfilled his duty? He said, because we see great rabbis acting accordingly. They stand in the congregation where some say (*Ps.* 118:26): "Blessed he who comes," and the others say: "in the name of the Eternal," and all have fulfilled their duty¹⁷⁸.

175 This paragraph is a copy of the corresponding one in *Sukkah* 3:12; "here" refers to the discussion of *Hallel* in that tractate. The entire paragraph deals with the recitation of *Hallel*; the parallel in the Babli is *Sukkah* 38b.

176 A cousin of Rav who studied with him under their common uncle R. Hiyya. In contrast to Rav, Rebbi Abba bar Hana did not return to Babylonia permanently. In the Babli, the state-

ment is reported in the name of Rav's son-in-law Rav Hanan bar Abba.

177 Neither here nor in the Babli is it clear whether "headings" means only the first sentence of *Hallel* or the first sentence of every Psalm to be recited; cf. Tosaphot *Sukkah* 38b, s. v. מֵאָן.

178 Hence, it is unnecessary in the recitation of Psalms or synagogal poetry that in responsively recited pieces everyone should pronounce

everything; the practice given here is also endorsed by the Babli (*Sukkah* 38b) and is accepted in most Jewish groups.

תָּנָא רַבִּי אוֹשְׁעִינָא עוֹנֵה הוּא אָדָם אָמֵן אֶפִּילוּ לֹא אָכַל. וְאִינוּ אוֹמְרֵי נְבָרְךָ
שְׂאֲכַלְנוּ מִשְׁלוּ אֱלֹהִים אִם כֵּן אָכַל.

Rebbi Oshaya stated: One answers "Amen" even if he did not eat¹⁷⁹, but he may not say: "Let us bless Him, of Whose bounty we ate," except if he did eat.

179 This is the rule formulated by Hiyya bar Rav. The second rule was illustrated by R. Simeon ben Shetah and king Yannai, Halakhah 7:2.

תַּנִּי אֵין עוֹנִין אָמֵן יְתוּמָה וְלֹא אָמֵן קְטוּפָה וְלֹא אָמֵן חֲטוּפָה. בֶּן עֲזַאי אוֹמֵר
כָּל הָעוֹנֵה אָמֵן יְתוּמָה יְהִיוּ בָנָיו יְתוּמִים. חֲטוּפָה יִתְחַטְּפוּ יָמָיו. קְטוּפָה תִקְטָפוּ
נְשָׁמָתוֹ. אֲרוּכָה מְאֲרִיכִין לוֹ יָמָיו וּשְׁנוֹתָיו בְּטוּבָה: אֵי זוֹ הִיא אָמֵן יְתוּמָה אָמֵר
רַב הוּנָא דִּין דִּי תִיב לְמִיבְרָכָה וְהוּא עָנָה וְלֹא יָדַע לָמָה הוּא עָנָה.

It is stated¹⁸⁰: "One answers neither an orphan Amen, nor a plucked¹⁸¹ Amen, nor a hurried Amen. Ben Azai said, if one answered an orphan Amen, may his children be orphans; hurried, may the end of his days be hurried; plucked, may his soul be plucked off. For a long Amen, they lengthen his days and years in a good way." What is an orphan Amen? Rav Huna said, that is one who sits to recite a blessing, he answers Amen, and is not conscious for what he answered Amen.

180 Tosephta *Megillah* 3:27, also Babli *Berakhot* 47a.

181 Amen not completely pronounced.

תָּנָא גוֹי שְׁבִירְךָ אֶת הַשֵּׁם עוֹנִין אַחֲרָיו אָמֵן בְּשֵׁם אֵין עוֹנִין אַחֲרָיו אָמֵן. אָמֵר
רַבִּי תַנְחוּמָא אִם בִּירְכֶךָ גוֹי עָנָה אַחֲרָיו אָמֵן דְּכַתִּיב בְּרוּךְ תִּהְיֶה מְכַל הָעַמִּים.
גוֹי אֲחָד פָּגַע אֶת רַבִּי יְהוֹשֻׁעַ וּבְרָכוּ. אָמַר לוֹ כָּבֵר מִלֵּתְךָ אֲמוֹרָה. פָּגַע

אַחֲרֵינָא וְקָלְלוּ אָמַר לוֹ כְּבֵר מִלְּתֶךָ אַמּוּרָה. אָמְרוּ לוֹ תַלְמִידֵי רַבִּי כָּמָה
 דְּאָמַרְתָּ לְהַדִּין אַמְרַתְּ לְהַדִּין. אָמַר לוֹן כֵּן כְּתוּב אוֹרְרִיךָ אַרְוֵר וּמְבָרְכִיךָ בְּרוּךְ.

It is stated: One answers Amen after a Gentile who recited a benediction for the Eternal, [but if he recited a benediction with the Name one does not answer¹⁸².] Rebbi Tanhuma said, if a Gentile blesses you, answer after him Amen since it is written (*Deut. 7:14*) "You shall be blessed by all peoples." A Gentile met Rebbi Joshua and blessed him. He answered: The word about you has already been said. He met a second one who cursed him; he answered: The word about you has already been said. His students said to him: Rebbi, did you say to the one what you said to the other? He said to them, so it is written (*Gen. 27:29*): "Those who curse you are cursed, but those who bless you are blessed."

182 The text in parenthesis is from the Rome manuscript; it seems that it is missing from the Leyden manuscript and the Venice print because here also, the final clause "one answers only if one heard the entire benediction" is missing since it is implied by the Mishnah. The complete text is that of most sources of the Tosephta (*Berakhot*

5:21). The correct interpretation seems to be that given by R. Saul Lieberman in *Tosephta kifshutah*: Since the Gentile is not subject to our rules, if he praises the Eternal, one answers after him Amen. But if he uses a Jewish formula, one may not answer after him Amen unless one has ascertained that he conformed with our rules.

הרואה פרק תשיעי

משנה א: הרואה מקום שנעשו בו נסים לישראל אומר ברוך שעשה נסים לאבותינו במקום הזה.

Mishnah 1: He who sees a place where wonders were done for Israel, says: Praise to Him¹ Who did wonders for our forefathers at this place.

1 In all these Mishnayot, "Praise to Him" stands for "Praised are You, Eternal, our God, King of the Universe, Who ...

הלכה א: מתניתין בנסי ישראל. אבל בנסי יחידי שנעשו לו אינו צריך לברך. (fol. 12d)

Halakhah 1: The Mishnah deals with wonders of Israel². But for wonders of a single person that happened to him³, one does not have to recite a benediction.

2 *Pne Mosheh* (Margalit) notes that circumstances.

probably "Israel" here means "more than 50% of all of Israel" as in other 3 Happened to that single person, not to the person who passes by the place.

מהו שיברך אדם על נסי אביו ועל נסי רבו. ואם היה אדם מסוים כגון יואב בן צרויה וחביריו. ואדם שנקדש בו שם שמים כגון חנניה מישאל ועזריה. ונסי שבטים מהו שיברך. מאן דאמר כל שבט ושבט איקרי קהל צריך לברך. מאן דאמר כל השבטים קרוין קהל אין צריך לברך.

Does one have to recite a benediction for the wonders that were done for his father or his teacher⁴? Or if he was a famous person like Joab ben Zeruiah and his companions? Or a man through whom the Name of

Heaven was sanctified, for example Ḥananiah, Mishael, and Azariah⁵? About wonders done for one of the tribes? According to him who said⁶ that each tribe is called "assembly", one has to recite the benediction; but according to him who said that only all tribes together are called "assembly", one does not have to recite the benediction.

4 From the question it follows that a person who had a miraculous escape from danger must recite the benediction ("Who did wonders for me at this place.") This is explicit in the Babli (54a).

5 This is the text of the Leyden manuscript and the Venice print; in this version, only the last question has an answer, all others are left dangling. However, *Rosh* [Rabbenu Asher ben Yehiel] has a different reading: "Does one have to recite a benediction for the wonders that were done for his father or his teacher? Or if he was a famous person like Joab ben Zeruiah and his

companions? Or a man through whom the Name of Heaven was sanctified, for example Daniel and his companions? He recites a benediction." In this version, all questions are being answered and the next sentence starts a new paragraph. *Rosh* also quotes from Rav Hai Gaon a reading in the Babli, referring to the previous paragraph, that for a miraculous escape a man, his son, and his grandson have to recite the (appropriate) benediction.

6 Rebbi Yehudah and Rebbi Simeon in *Horayot* (Yerushalmi 1:6, fol. 46a; Babli 5b). The opposite opinion is that of Rebbi Meir.

הַרְוָאָה בְּבַל צְרִיךְ לְבָרַךְ חֲמֵשׁ בְּרָכוֹת: רֵאָה פָּרַת אוֹמֵר בְּרוּךְ עוֹשֶׂה בְּרֵאשִׁית.
 רֵאָה מְרְקוּלִיס אוֹמֵר בְּרוּךְ אֶרֶךְ אַפִּים. רֵאָה בֵּיתוֹ שֶׁל נְבוּכַדְנֶצַּר אוֹמֵר בְּרוּךְ
 שֶׁהַחֲרִיב בֵּיתוֹ שֶׁל אוֹתוֹ רָשָׁע. רֵאָה מְקוֹם כְּבָשׁוֹן הָאֵשׁ וְגוֹב הָאֲרָיוֹת אוֹמֵר
 בְּרוּךְ שֶׁעָשָׂה נִיסִים לְאַבוֹתֵינוּ בְּמְקוֹם הַזֶּה. רֵאָה מְקוֹם שְׁנוּטְלִין מִמֶּנּוּ עֶפְרַיִם
 אוֹמֵר בְּרוּךְ אוֹמֵר וְעוֹשֶׂה בְּרוּךְ גּוֹזֵר וּמְקַיֵּם. רֵאָה בְּבַל אוֹמֵר וְטַאטְאֵתִיָּה
 בְּמַטְאֵטָא הַשְּׂמֵד.

He who sees Babylon has to recite five benedictions⁷. If he sees the Euphrates, he says: "Praise to Him Who made the Creation." If he sees a

(statue of) Mercury⁸, he says: "Praise to Him, Who is patient." If he sees the house of Nabucadnezzar, he says: "Praise to Him, Who destroyed the house of that evil one." If he sees the fiery oven⁹ or the lions' den, he says: "Praise to Him, Who did wonders for our forefathers at this place." If he sees a place from which one takes dust¹⁰, he says: "Praise to Him, Who pronounces and does, decrees and upholds." If one sees Babylon, he says (*Is.* 14:23): "I shall sweep her out with the broom of destruction¹¹."

7 In the Babli (57b), this is a sermon of Rav Hamnuna, in a slightly different order. In travel reports of Medieval travelers, it is reported that the ruin labelled "house of Nabucadnezzar" is outside of the ruins of the main wall, confirming the order of the Yerushalmi against the Babli.

8 According to both Talmudim, in the Eastern provinces of the Roman Empire, a Hermes (or Mercury) could be simply a heap of stones to which passers-by added in order to show their respect. [Note Greek ἐγμολογέω (τάφον) "build with loose stones (grave)" (E. G.)]. The benediction refers to the fact that God allows idols to exist; the Hermes is singled out since it was ubiquitous at intersections of roads.

9 Traditionally shown at Babylon even though the story in Daniel is set in the valley of Dura. This sentence confirms the reading of the Rome manuscript in the previous paragraph, that all questions asked were answered positively.

10 I. e., uses old Babylon as a quarry. The decrees referred to which are upheld are the prophecies of doom pronounced over Babylon in the books of Isaiah and Jeremiah.

11 In the Babli it is told that Mar, son of Ravina, a colleague of Rava in the fourth generation, when he visited the ruins of Babylon, collected some dust and recited the verse from Isaiah. It seems that he followed a Yerushalmi custom.

רבי זעירא ורבי יהודה בשם רב כל-בִּרְכָה שָׂאִין עִמָּה מַלְכוּת אֵינָה בִּרְכָה.
אָמַר רבי תְּנַחֲוּמָא אֲנָא אָמַר טַעֲמָא אֲרוּמְמָד אֱלֹהֵי הַמֶּלֶךְ. רב אָמַר צְרִיד
לוֹמַר אַתָּה וְשִׁמוּאֵל אָמַר אֵינּוּ צְרִיד לֹמַר אַתָּה.

Rebbi Zeïra and Rebbi Yehudah¹² in the name of Rav¹³: Any benediction without mention of the Kingdom is no benediction. Rebbi Tanhuma said, I shall give the reason (*Ps.* 145:1): "I shall elevate You, my God, o King!" Rav said, one has to say "You," but Samuel said, one does not have to say "You¹⁴."

12 Since he is mentioned after Rebbi Zeïra, he must be Rebbi Yehudah Nešia, Patriarch and grandson of Rebbi.

13 In the Babli (40b), Rav is reported to have said that no benediction is valid without mention of the Name (YHWH), and Rebbi Yoḥanan notes that, in addition, the Kingdom must be mentioned. [The formula for the Kingdom: "our God, King of the Universe," probably was introduced to counter Christian ideas that God's kingdom is not of this world.] In addition, Abbaye notes in the Babli that Rav will not require R. Yoḥanan's addition. The formulation of the Yerushalmi shows that in Galilee, they interpreted the statement of Rav that one is required to say "You" to mean that one has to say "You, o Eternal,"

since in addressing somebody in the second person one must specify the addressee. Hence, the statement of R. Yoḥanan in the Babli was meant as clarification of Rav's statement, not a new requirement; it does not have to be mentioned since Rebbi Yoḥanan would disclaim any originality. Only in Babylonia they adopted a narrow interpretation of Rav's words. [In practice, reference to the Kingdom is required only for benedictions that either stand alone or start a series of benedictions.]

14 A practical reminder of Samuel's opinion is the formula of Grace for people who are too ignorant to pray in Hebrew: "Praised be the All-merciful, Owner of this bread."

רבי יוחנן ורבי יונתן אֶזְלוּ מֵעֶבֶד שְׁלָמָא בְּאֵילָיו קְרִינְתָא דְדִרּוּמָה עֲלוֹן לְחָד
אֶתְר וְאֶשְׁכַּחוּן לְחֻזְנָא דְאֶמֶר הָאֵל הַגָּדוֹל הַגָּבוֹר וְהַנּוֹרָא הַאֲבִיר וְהָאֲמִיץ
וְשִׁיתְקוּ אוֹתוֹ. אָמְרוּ לוֹ אֵין לָךְ רְשׁוֹת לְהוֹסִיף עַל מְטַבֵּעַ שְׁטַבְעוּ חֲכָמִים
בְּבִרְכוֹת. רַב הוֹנָא בְּשֵׁם רַב שְׂדִי לֹא מְצָאנוּהוּ שְׂגִיָא כֹת. לֹא מְצִינוּ כֹחוֹ
וְגִבּוֹרְתוֹ שֶׁל הַקְדוּשׁ בְּרוּךְ הוּא. רַבִּי אֶבְהוּ בְּשֵׁם רַבִּי יוֹחָנָן הִסּוּפֵר לוֹ כִּי אֲדַבֵּר

אם אָמַר אִישׁ כִּי יְבוֹלַע. אִם בָּא אָדָם לְסַפֵּר גְּבוּרָתוֹ שֶׁל הַקָּדוֹשׁ בְּרוּךְ הוּא
 נִתְבַּלַּע מִן הָעוֹלָם. אָמַר רַבִּי שְׁמוּאֵל בֶּר נַחְמָן מִי יִמְלַל גְּבוּרוֹת יי כְּגוֹן אָנִי
 וְנַחְבְּרִי. אָמַר רַבִּי אֲבוּן מִי יִמְלַל גְּבוּרוֹת יי. תִּרְגַּם יַעֲקֹב כִּפָּר נְבוּרֵיָא בְּצוּר לָךְ
 דּוּמִיָּה תְהִילָה אֱלֹהִים בְּצִיּוֹן. סָמָא דְכוּלָּא מִשְׁתּוֹקָא. לְמַרְגְּלִית דְּלִית לָה טִימִי
 כָּל־שְׁמִשְׁתַּבַּח בָּה פְּגָמָה.

Rebbi Yoḥanan¹⁵ and Rebbi Jonathan went to make peace in the Southern settlements. They came to a place where they found the reader saying¹⁶: "The great God, the strong and awe-inspiring, the noble and overpowering;" they stopped him and told him: you are not permitted to add to the formula the Sages coined for benedictions. Rav Huna in the name of Rav: (*Job* 37:23) "The All-powerful, we did not find for Him the fullness of His might," we did not find out the might and strength of the Holy One, praise to Him!¹⁷ Rebbi Abbahu in the name of Rebbi Yoḥanan: (*Job* 37:20) "Can it be told to Him if I should speak, if a man tells, he certainly will be swallowed up." If a man comes to tell the strengths of the Holy One, praise to Him, he sets himself up to be swallowed away from the world. Rebbi Samuel bar Nahman said (*Ps.* 106:2) "Who can tell the strengths of the Eternal?" For example, I and my colleagues¹⁸. Rebbi Abun said: "Who can ever tell the strengths of the Eternal?" Jacob¹⁹ of Kefar Naburaia explained in Tyre: (*Ps.* 65:2) "Silence is praise for You, God in Zion!" The medicine for everything is silence; like a priceless²⁰ jewel: everyone who adorns himself with it, diminishes it.

15 The Rome ms. has "R. Ḥanina" and that must be the correct reading since R. Yoḥanan belongs to the generation after R. Jonathan but R. Ḥanina (the Amora) was an older colleague of R. Jonathan and should be mentioned first.

16 In the first benediction of the 'Amidah. The parallel in the Babli (33b) is in the name of R. Ḥanina only who notes there that the three attributes we mention are only permitted because Moses used them in the Torah

and the Men of the Great Assembly adopted them for prayer.

In the Babli, R. Hanina let the reader finish and only afterwards asked him: Did you finish all that can be said about your Creator? This argument also is accepted by the Yerushalmi since the explanations of the verses that follow are based on the principle that God's infinity cannot be expressed in finite words. In the Yerushalmi tradition, anyone who deviates from the pattern instituted by the Sages has to be stopped in the middle of his prayer.

17 It is too much for finite man.

18 Not Rabbi Samuel bar Nahman

but King David, meaning that Psalms cannot be composed without inspiration. This side remark is only brought as preliminary to Rabbi Abun's interpretation.

19 In the parallel in the Babli (*Megillah* 18a) he is called Rabbi Yehudah from Kefar Giborai. His birthplace is a village North of Safed. He is mentioned as being in Tyre, where Rabbi Haggai had him whipped because he proposed the principle of patrilineal descent for Jews [*Midrash Qohelet rabba* 7(44), *Bereshit rabba* 7(3), *Bemidbar rabba* 19].

20 Greek τιμή "value, price".

תני הפותח ביו"ד ה"א וחותם ביו"ד ה"א הרי זה חכם. באלף למ"ד וחותם
באלף למ"ד הרי זה בור. באלף למ"ד וחותם ביו"ד ה"א הרי זה בינוני.
ביו"ד ה"א וחותם באלף למ"ד הרי זה דרך אחרת.

It was stated²¹: He who starts²² with YH and closes with YH is wise, with 'L²³ and closes with 'L is ignorant, with 'L and closes with YH is average²⁴, with YH and closes with 'L is not Jewish²⁵.

21 Tosephta *Berakhot* 6:20; an older source dealing with a different set of circumstances; see the last note in this paragraph.

22 A longer benediction, that should start with the formula: "Praise to You, o Eternal, our God, King of the universe . . ." and ends: "Praise to You, o

Eternal." In the normal form, there are two invocations of the Name, YHWH, one at the start and one at the end. Anyone following this format is wise.

23 If instead of the Name *ādōnāy*, standing in for the unpronounceable YHWH, he uses *ēlōhīm* "God"; he fails to specify God's name.

24 Since he specifies that God's name is YHWH.

25 Since he starts with the Name YHWH and ends with the plural form *ēlōhīm*, he asserts that YHWH is a name common to a trinity. Hence, he is not Jewish but a Christian. This statement introduces the following discussions of Rebbi Simlai with Jewish Christians. [R. Saul Liebermann points out that the Tosephta may deal with a different period in Jewish history. In the Tosephta, the sequence 'L-'L is

termed "not Jewish" and YH-'L as "ignorant." He conjectures that the Tosephta is directed against sects similar to the Dead Sea sect in whose "Discipline of the community", IQS, one finds a formula: בְּרוּךְ אַתָּה אֱלֹהֵינוּ "Praise to You, my God (singular form)." (The prayer manual of the sect, IQH, always uses the *ādōnāi* as replacement for YHWH.) In the time of the Yerushalmi, such sects no longer existed.]

הַמִּינִין שָׁאָלוּ אֶת רַבִּי שְׁמַלַי כַּמָּה אֱלֹהִים בָּרְאוּ אֶת הָעוֹלָם. אָמַר לָהֶן לִי אַתֶּם שׂוֹאֲלִין. לָכוֹ וְשָׁאָלוּ אֶת אָדָם הָרִאשׁוֹן שֶׁנֶּאֱמַר כִּי שָׁאֵל נָא לְיָמִים הָרִאשׁוֹנִים וְגוֹמֵר. אֲשֶׁר בָּרְאוּ אֱלֹהִים אָדָם עַל הָאָרֶץ אִין כְּתִיב בָּאֵן אֶלָּא לְמֵן הַיּוֹם אֲשֶׁר בָּרָא אֱלֹהִים אָדָם עַל הָאָרֶץ. אָמְרוּ לוֹ וְהִכְתִּיב בְּרֵאשִׁית בָּרָא אֱלֹהִים. אָמַר לָהֶן וְכִי בָרְאוּ כְּתִיב אִין כְּתִיב אֶלָּא בָרָא. אָמַר רַבִּי שְׁמַלַי כָּל-מְקוֹם שֶׁפָּרְקוּ²⁶ הַמִּינִין תְּשׁוּבְתֵן בְּצִידָן.

(Jewish) Christians asked Rebbi Simlai: How many aspects of divinity created the world? He answered them: Are you asking me? Go and ask the first Adam, as it is said (*Deut. 4:32*): "Please ask the first days etc²⁷." It does not say there "when gods created man on the earth" but "from the day that God created man on the earth". They said to him, but it is written (*Gen. 1:1*): "In the beginning, *ēlōhīm* created . . ." He said to them: Is it written "they created" (plural)? It says "he created" (singular). Rebbi Simlai said, every place where the Christians read heretic meanings²⁸, their answer is at that place.

26 Probably a scribal error for בקרו, but there is no manuscript evidence. In the parallel, *Bereshit rabba* 8(8), the text reads: כל מקום שאחה מוצא פתחון פה למינין "any place where you find that heretics can open their mouth".

There, the entire sequence is found.

27 "Please ask the first days that were before you, starting from the day that God created man on the earth . . ."

28 That *ēlōhīm* is a genuine plural, not one of majesty.

קָזְרוּ וְשָׂאֵלוּ אוֹתוֹ. מָה אֵהוּ דְכָתִיב נַעֲשֶׂה אָדָם בְּצַלְמֵנוּ כְּדַמוֹתֵנוּ. אָמַר לָהֶן וַיִּבְרָאוּ אֱלֹהִים אֶת הָאָדָם בְּצַלְמָם אֵין כְּתִיב כָּאֵן אֶלָּא וַיִּבְרָא אֱלֹהִים אֶת הָאָדָם בְּצַלְמוֹ. אָמְרוּ לוֹ תַלְמִידָיו לְאֵלוּ דְחִיתָה בְּקַנְהָ לָנוּ מָה אַתָּה מְשִׁיב. אָמַר לָהֶן לְשַׁעֲבַר אָדָם נִבְרָא מִן הָעֶפֶר וְחַוָּה נִבְרָאת מִן הָאָדָם. מֵאָדָם וְאֵילָךְ בְּצַלְמֵנוּ כְּדַמוֹתֵנוּ. אֵי אֶפְשָׁר לְאִישׁ בְּלֹא אִשָּׁה. וְאֵי אֶפְשָׁר לְאִשָּׁה בְּלֹא אִישׁ. אֵי אֶפְשָׁר לְשִׁנְיָהֶן בְּלֹא שְׂכִינָה.

They came back and asked him: What is that which is written (*Gen.* 1:26): "Let us make a human in our image, as in our pattern." He answered them, it is not written: "*ēlōhīm* created man in their image" but (*Gen.* 1:27): "God created man in His image." His students told him: these you pushed away with a stick, what can you answer us²⁹? He said to them: Adam was created from dust, Eve was created from Adam. After Adam "in our image, like our pattern;" it is impossible for a man without a woman, or for a woman without a man, and for both of them without the *Shekhinah*³⁰.

29 The verse presents a real difficulty, not for the plural, which is one of majesty, but for shape and form which cannot be attributes of God.

formulated as: There are three partners in the creation of a child: Father, mother, and the Holy One, praise to Him (who gives soul and intelligence.)

30 In the Babli (*Niddah* 31a) this is

קָזְרוּ וְשָׂאֵלוּ אוֹתוֹ. מָה הָהֶן דְכָתִיב אֵל אֱלֹהִים יי אֵל אֱלֹהִים יי הוּא יוֹדֵעַ. אָמַר לָהֶן הֵם יוֹדְעִים אֵין כְּתִיב כָּאֵן אֶלָּא הוּא יוֹדֵעַ כְּתִיב. אָמְרוּ לוֹ תַלְמִידָיו

רבי לאלו דחיתה בקנה לנו מה אתה משיב. אמר להן שלשתן שם אחד
כאינש דאמר בסיליוס קיסר אוגוסטוס.

They came back and asked him: What is that which is written (*Jos.* 22:22): "God, *ēlōhīm*, Eternal, God, *ēlōhīm*, Eternal³¹, He knows." He answered them, it is not written: "they know", but "He knows." His students told him: Teacher, these you pushed away with a stick, what can you answer us? He said to them: All three are one name, as if a man would say "King³², Caesar, Augustus."

31 Three names for the Divinity, 32 Greek βασιλεύς.
twice repeated.

חזרו ושאלו אותו. מהו דכתיב אל (fol. 13a) אלהים יי דבר ויקרא ארץ. אמר
להן וכי דיברו ויקראו כתיב כאן אלא דבר ויקרא ארץ. אמרו לו תלמידי
רבי לאלו דחיתה בקנה לנו מה אתה משיב. אמר להן שלשתן שם אחד
כאינש דאמר אומנון בניין ארכיטקטון.

They came back and asked him: What is that which is written (*Ps.* 50:2): "God, *ēlōhīm*, Eternal, He spoke and called the earth." He answered them, it is not written: "they spoke and called", but "He spoke and called." His students told him: Teacher, these you pushed away with a stick, what can you answer us? He said to them: All three are one name, as if a man would say "professional, builder, architect³³."

33 Greek ἀρχιτέκτων. The first graph is missing in *Bereshit rabba*.
probably should be a γ. This para-

חזרו ושאלו אותו. מהו דכתיב כי אלהים קדושים הוא. אמר להן קדושים
הם אין כתיב כאן אלא הוא אל קנוא הוא. אמרו לו תלמידי רבי לאלו
דחיתה בקנה לנו מה אתה משיב. אמר רבי יצחק קדוש בכל מיני קדושות.
דאמר רבי יודן בשם רבי אחא הקדוש ברוך הוא ירכו בקדושה. דיברו

בְּקִדּוּשָׁה. וַיִּשׁוּבוּ בְּקִדּוּשָׁה. חֲשִׁיפַת זְרוּעוֹ בְּקִדּוּשָׁה. אֱלֹהִים נֹרָא וְאֲדִיר
 בְּקִדּוּשָׁה. דָּרְכוּ בְּקִדּוּשָׁה. אֱלֹהִים בְּקִדּוּשׁ דָּרְכָךְ. הִלּוּכוּ בְּקִדּוּשָׁה. הִלִּיכוֹת
 אֵלֵי מַלְכֵי בְּקִדּוּשׁ. מוֹשְׁבוֹ בְּקִדּוּשָׁה. אֱלֹהִים יֹשֵׁב עַל כִּסֵּא קִדְשׁוֹ. דִּיבּוּרוֹ
 בְּקִדּוּשָׁה. אֱלֹהִים דָּבַר. חֲשִׁיפַת זְרוּעוֹ בְּקִדּוּשָׁה. חֲשַׁף יְיָ אֶת זְרוּעַ קִדְשׁוֹ. נֹרָא
 וְאֲדִיר בְּקִדּוּשָׁה. מִי כְמוֹכָה נֹאדָר בְּקִדּוּשׁ.

They came back and asked him: What is that which is written (*Jos.* 24:19): "For He is a holy God." He answered them, it is not written: "they", but "He," "He is a jealous God." His students told him: Teacher, these you pushed away with a stick, what can you answer us? Rebbi Isaac said, He is holy in all kinds of holiness, as Rebbi Yudan said in the name of Rebbi Aḥa: The Holy One, praise to Him, is holy in all kinds of holiness. His speech is in holiness, His throning is in holiness, the baring of His arm is in holiness, God is awesome and majestic in holiness. His way is in holiness, (*Ps.* 77:14) "God, Your way is in holiness." His walking is in holiness, (*Ps.* 68:25) "the course of my God, my King, in holiness." His throning is in holiness, (*Ps.* 47:9) "God throned on His holy throne." His speech is in holiness, (*Ps.* 60:8) "God spoke [in His holiness]." The baring of His arm is in holiness, (*Is.* 52:10) "The Eternal bared His holy arm." He is awesome and glorious in holiness, (*Ex.* 15:11) "Who is like You, glorious in holiness!"

חִזְרוּ וְשָׂאֵלוּ אוֹתוֹ. מַה אֶהָן דְּכַתִּיב מִי גוֹי גָּדוֹל אֲשֶׁר לוֹ אֱלֹהִים קְרוּבִים אֵלָיו.
 אָמַר לָהֶן כֵּי אֱלֹהֵינוּ בְּכָל־קְרָאֵינוּ אֵלֵיהֶם אֵין כְּתִיב כָּאֵן אֵלָא בְּכָל־קְרָאֵינוּ
 אֵלָיו. אָמְרוּ לוֹ תַלְמִידָיו רַבִּי לֵאמֹר דְּחִיתָהּ בְּקִנְיָה לָנוּ מַה אַתָּה מְשִׁיב. אָמַר
 לָהֶן קְרוּב בְּכָל מֵינֵי קְרִיבוֹת. דְּאָמַר רַבִּי פִּינְחָס בְּשֵׁם רַבִּי יְהוּדָה בַּר סִימוֹן
 עֲבוּדָה זָרָה נִרְאִית קְרוּבָה וְאֵינָה אֵלָא רְחוּקָה. מַה טַּעְמָא יִשְׁאוּהוּ עַל כְּתָף
 יִסְבְּלוּהוּ וְגוֹמַר. סוּף דְּבַר אֱלוֹהוּ עִמּוֹ בְּבֵית וְהוּא צוּעַק עַד שְׂיִמּוֹת וְלֹא יִשְׁמַע
 וְלֹא יוֹשִׁיעַ מִצָּרָתוֹ. אֲבָל הַקְדוּשׁ בְּרוּךְ הוּא נִרְאָה רְחוּק וְאֵין קְרוּב מִמֶּנּוּ.

דָּאָמַר לְוֵי מִהָאָרֶץ וְעַד לְרַקִּיעַ מִהֶלֶךְ הָ מֵאוֹת שָׁנָה. וּמִרַקִּיעַ לְרַקִּיעַ מִהֶלֶךְ תֵּק שָׁנָה. וְעֵבִיו שֶׁל רַקִּיעַ תֵּק שָׁנָה וְכוּ לְכָל־רַקִּיעַ וְרַקִּיעַ. וְאָמַר רַבִּי בְּרַכְיָה וְרַבִּי חִלְבוּ בְּשֵׁם רַבִּי אֲבָא סְמוּקָה אִף טַלְפֵי הַחַיִּוֹת מִהֶלֶךְ הָ מֵאוֹת שָׁנָה וְחֲמִשׁ עֶשְׂרֵה מִנְיֵן יִשְׂרָאֵל. רָאָה בָּמָה הוּא גְבוּהָ מֵעוֹלָמוֹ. וְאָדָם נִכְנָס לְבַיִת הַפְּנִסָּת וְעוֹמֵד אַחֲרָי הַעֲמוּד וּמִתְפַּלֵּל בְּלַחֲשֵׁה וְהַקְדוּשׁ בְּרוּךְ הוּא מֵאֲזִין אֶת תְּפִלָּתוֹ. שְׁנֵאמַר וְחִנָּה הִיא מִדְּבַרְתַּ עַל לִבָּה רַק שְׁפָתֶיהָ נְעוּת וְקוֹלָהּ לֹא יִשְׁמַע. וְהֵאֲזִין הַקְדוּשׁ בְּרוּךְ הוּא אֶת תְּפִלָּתָהּ. וְכוּ כָל־בְּרִיּוֹתָיו שְׁנֵאמַר תְּפִלָּה לְעֵנִי כִי נַעֲטוּף. כְּאָדָם הַמְּשִׁיחַ בְּאֶזְן חֲבִירוֹ וְהוּא שׁוֹמֵעַ. וְכִי יֵשׁ לָךְ אֵלוֹהַ קְרוֹב מִזֶּה. שְׁהוּא קְרוֹב לְבְרִיּוֹתָיו כְּפֶה לְאֶזְן.

They³⁴ came back and asked him: What is that which is written (*Deut.* 4:8): "Where is a great people that has *ēlōhīm* close³⁵ to them?" He answered them, it is not written: "Like the Eternal, our *ēlōhīm*, always when we call on them", but "always when we call on Him." His students told him: Teacher, these you pushed away with a stick, what can you answer us? He said to them, he is close in all kinds of closeness, as Rebbi Phineas said in the name of Rebbi Yehudah bar Simon: Idolatry seems close but is very far. What is the reason? (*Is.* 46:7) "They take it on the shoulder, carry it, etc." Finally, his god is with him in the house and he cries until he dies but that one will not hear and not save him from his distress. But the Holy One, praise to Him, seems to be far away when there is no one closer than Him³⁶, as Levi said³⁷: From the earth to the (first) heaven is a distance of 500 years' walk. From one heaven to the next is a distance of 500 years' walk. The thickness of each heaven is a distance of 500 years' walk. And Rebbi Berekhiah and Rebbi Helbo in the name of Red Rebbi Abba³⁸ said, also the toes of the heavenly *Hayot*³⁹ are a length of 515 years' walk, the number YŠRH⁴⁰. See how much higher He is than His world! But a person enters the synagogue, stands behind a pillar, prays in a whisper, and the Holy One, praise to Him, listens to his

prayer, as it has been said (*ISam.* 1:13): "Hannah spoke to herself, only her lips were moving, but her voice was not heard." But the Holy One, praise to Him, listened to her prayer. And so it is with all His creatures, as it has been said (*Ps.* 102:1): "Prayer of the poor when he wraps himself up⁴¹," just like a man whispering into the ear of his friend and the latter understands. Can you have a God who is closer than that to His creatures, from mouth to ear?"

34 This is the start of a lengthy sermon that continues to the end of the Halakhah. It has been subdivided for the benefit of the reader. Since the name of Rebbi Berekhiah, one of the authors and collectors of *Midrash Bereshit rabba*, is mentioned in this sermon, one may take it as a proof that *Midrash Shemot rabba*, which in the middle switches from a style identical to that of *Midrash Bereshit rabba* to extended sermons based on the starting verses of the weekly portions, does not necessarily have two different collectors or editors.

35 Plural.

36 The following argument is in disagreement with the generally accepted doctrine of R. Yose bar Halaph-ta that God is the place of the world but the world is not His place [*Bereshit rabba* 68(8), *Shemot rabba* 45(6), *Midrash Tehillim* 90, *Tanhuma Ki Tissa*

27, *Tanhuma Buber Ki Tissa* 16, *Yalqut Shim'oni* 117, 563, 841]. The piece is a homily and not a theological essay.

37 Without attribution of a name, the statement has been quoted in Chapter 1, Halakhah 1.

38 A third generation Galilean Amora whose sermons were collected by Rebbi Berekhiah.

39 They carry the Throne of Heavenly Glory in the vision of Ezechiel (*Ez.* 1).

40 The homily disregards the conclusion drawn from the verse in Halakhah 1:1 (fol. 2c), that one has to pray with feet parallel one to the other. The numerical value of ישרה is $10+300+200+5 = 515$.

41 Usually, יעטף is translated "he faints." But here, it is taken in the Mishnaic sense of "wrapping oneself in a garment," a toga or prayer shawl, to exclude the world from one's prayers.

רבי יודן בשם רבי יצחק אמר בה ארבע שיטין. בשר ודם יש לו פטרון. אמרו לו נתפס בן ביתך אמר להן אני מקיים עליו. אמרו לו הרי יוצא לידון. אמר להן אני מקיים עליו. אמרו לו הרי הוא יוצא ליתלות. היכן הוא ואיכן פטרונו. אבל הקדוש ברוך הוא הציל את משה מחרב פרעה. אמר רבי ינאי כתיב ויברח משה מפני פרעה. ואפשר לבשר ודם לברוח מן המלכות. אלא בשעה שתפס פרעה את משה חייבו להתיר את ראשו וקחת החרב מעל צוורו של משה ונשברה. הדיא הוא דכתיב צנארה כמגדל השן. זה צנארו של משה. רבי אמר רבי אביתר ולא עוד אלא שנתן החרב מעל צנארו של משה על צנארו של קוצנטר⁴² והרגתו. הדיא הוא דכתיב ויצילני מחרב פרעה. לי הציל וקוסטר נהרג. רבי ברביה קרא עליו כופר לצדיק רשע. רבי אבון קרא עליו צדיק מצרה נחלץ ויבא רשע תחתיו. תני בר קפרא מלאך ירד ונדמה להן כדמות משה ותפסו את המלאך וברח משה. אמר רבי יהושע בן לוי בשעה שברח משה מפני פרעה נעשו כל-אוכלוסינו שלו אילמין ומהן חרשין ומהן סומין. אמר לאילמין היכן הוא משה ולא היו מדברים. אמר לחרשים ולא היו שומעין. אמר לסומין ולא היו רואין. הוא שהקדוש ברוך הוא אמר לו למשה מי שם פה לאדם או מי ישום אלם וגומר. תמן קמת לך והכא לית אנא קאים. ההוא דכתיב מי כלי אלהינו בכל-קראינו אליו.

Rebbi Yudan in the name of Rebbi Isaac said it in four versions. Flesh and blood has a protector⁴³. When they tell him, your client was arrested, he will say: I will protect him. When they tell him, he is going before a court, he will say: I will protect him. When they tell him, he is taken to be hanged, where is he and where is his protector? But the Holy One, praise to Him, saved Moses from the sword of Pharaoh; that is what is written (*Ex. 18:4*): "He saved me from the sword of Pharaoh." Rebbi Yannai said⁴⁴, it is written (*Ex. 2:15*): "Moses fled from before Pharaoh." Is it possible for flesh and blood to flee from the government?⁴⁵ But at the moment when Pharaoh arrested Moses, he sentenced him to have him beheaded. The sword slipped off the neck of Moses and broke. That is

what is written (*Songs* 7:5): "Your neck is like the ivory tower," that is Moses's neck. Rebbi⁴⁶ said, Rebbi Eviathar: Not only that, but He moved the sword from the neck of Moses on the neck of the executioner and killed him. That is what is written: "He saved me from the sword of Pharaoh." He saved *me*, but killed the executioner. Rebbi Berekhiah quoted on this (*Prov.* 21:18) "The evil one is ransom for the just one." Rebbi Abun quoted on this (*Prov.* 11:8): "The just will be extricated from distress, the evil one will take his place." Bar Qappara stated: An angel came down and appeared to them in the shape of Moses. They arrested the angel and Moses fled. Rebbi Joshua ben Levi said: when Moses fled from before Pharaoh, all his troops⁴⁷ became dumb, deaf, or blind. He asked the dumb, where is Moses? But they could not speak. He asked the deaf, they could not hear. He asked the blind, they could not see. That is what the Holy One, praise to Him, said to Moses (*Ex.* 4:11): "Who gave man a mouth, or who makes dumb?" There it upheld you and here you do not want to uphold. That is what is written (*Deut.* 4:8): "Who is like the Eternal, our *ēlōhīm*, always when we call on Him!"

42 Reading of the Rome ms. Venice:

קוטחירי, *Arukh* reads קוטטירי. Late Latin

quaestionarius, "torturer, executioner."

43 Latin *patronus*, who was obliged to protect his *clients*.

44 Most of the following is also in *Exodus rabba* 1(37).

45 R. Yannai takes the sentence to mean that "Moses fled from before the face of Pharaoh," as translated here, and not "Moses fled because of Pharaoh," as

usually understood.

46 The name of the tradent is missing; he cannot be Rebbi since R. Eviathar belongs to the second generation of Amora'im and exchanged letters with Rav Hīśda and Rav Sheshet. The sentence is missing in *Shemot rabba*.

47 Semitic plural of Greek ὄχλος, "multitude" (of people, troops).

רבי יודן בשם רבי יצחק שיטה אחרת. בשר ודם יש לו פטרון. אמרו לו נתפס בן ביתך אמר להן אני מקיים עליו. אמרו לו הרי יוצא לידון. אמר להן אני מקיים עליו. אמרו לו הרי הוא מושלך למים. היכן הוא ואיכן פטרונו. אבל הקדוש ברוך הוא הציל את יונה ממעי הדגה. הרי הוא אומר ויאמר יי לדג ויקא את יונה.

Rebbi Yudan in the name of Rebbi Isaac in another version. Flesh and blood has a protector. When they tell him, your client was arrested, he will say: I will protect him. When they tell him, he is going before a court, he will say: I will protect him. When they tell him, he is being thrown into the water, where is he and where is his protector? But the Holy One, praise to Him, saved Jonah from inside the fish, since it says (*Jonah* 2:11): "The Eternal commanded the fish and it threw Jonah up."

רבי יודן בשם רבי יצחק אמר בשיטה אחרת. בשר ודם יש לו פטרון. אמרו לו נתפס בן ביתך אמר להן אני מקיים עליו. אמרו לו הרי יוצא לידון. אמר להן אני מקיים עליו. אמרו לו הרי הוא מושלך לאש. היכן הוא ואיכן פטרונו. אבל הקדוש ברוך הוא הציל לחנניה מישאל ועזריה מכבשן האש. והוא דכתיב ענה נבוכדנצר ואמר בריך אלההון די שדרך מישך ועבד נגו וגומר.

Rebbi Yudan in the name of Rebbi Isaac said in another version: Flesh and blood has a protector. When they tell him, your client was arrested, he will say: I will protect him. When they tell him, he is going before a court, he will say: I will protect him. When they tell him, he is being thrown into fire, where is he and where is his protector? But the Holy One, praise to Him, saved Hananiah, Mishael, and Azariah from the fiery oven; this is what is written (*Dan*. 3:14): "Nebucadnezzar declared and said, praised be the God of Shadrakh, Meshakh, and Abed Nego, etc."

רבי יודן בשם רבי יצחק אמר בה שיטה אחרת. בשר ודם יש לו פטרון כו' עד הרי הוא מושלך לחיות. אבל הקדוש ברוך הוא הציל את דניאל מגוב האריות. ההוא דכתיב אלהי שלח מלאכיה וסגר פום אריותא. וגו'.

Rebbi Yudan in the name of Rebbi Isaac said in another version: Flesh and blood has a protector, etc. until: he is being thrown to the wild beasts. But the Holy One, praise to Him, saved Daniel from the lions' den. That is what is written (*Dan.* 6:23): "My God sent his angel who closed the mouth of the lions, etc."

רבי יודן אמר משמיה דידיה בשר ודם יש לו פטרון. אם באת לו את צרה אינו נכנס אצלו פתאום. אלא בא ועמד על פתחו של פטרון וקורא לעבדו או לבן ביתו והוא אומר איש פלוני עומד על פתח חצירך. שמה מכניסו ושמה מניחו. אבל הקדוש ברוך הוא אינו כן אם באה על אדם צרה לא יצווח לא למיכאל ולא לגבריאל אלא לי יצווח ואני עונה לו מיד ההוא דכתיב כל אשר יקרא בשם יי ימלט.

Rebbi Judan said in his own name⁴⁸: Flesh and blood has a protector. If someone is in trouble, he does not enter the protector's place suddenly but rather stands at his door and calls his slave or familiar and that one will say: the man X is standing at the door of your courtyard. Maybe he will make him enter, maybe he will let him stand. But the Holy One, praise to Him, is not like this: If a human is in trouble, he should cry neither to Michael nor to Gabriel, rather he should cry to Me and I shall answer him immediately; that is what is written (*Joel* 3:5): "Every one who calls on⁴⁹ the name of the Eternal will escape."

48 In *Yalqut Shim'oni Joel* (#537), the paragraph and the next one are quoted in a shortened form in the name of Rebbi Yehudah in the name of Rebbi Jeremiah.

49 The sentence is slightly ambiguous; one could also translate "who invokes the Name"; that is the meaning given to the verse in the next paragraph.

אָמַר רַבִּי פִּינְחָס עוֹבְדָא הָוָה בְּרַב דְּהָוָה עֵינֵל מַחְמַתָּה דְּטִיבְרִיא פְּגַעוֹן בִּיה
 רֹמָאֵי. אָמְרוּ לִיה מִן דְּמָאן אַתָּ. אָמַר לוֹן מִן דְּסוֹפִיִינוֹס וּפְנִינִיה. בְּרַמְשָׁא
 אַתּוּ לְגַבִּיה אָמְרוּ לִיה עַד אֵימְתִי אַתְּ מְקִיִּים אֵילִין יְהוּדָאֵי אָמַר לוֹן לְמָה.
 אָמְרוּ לִיה פְּגַעִינָן בְּחַד אָמַר לוֹן יְהוּדָאֵי וְאָמְרִין לִיה מִן דְּמָאן אַתָּ אָמַר לוֹן
 דְּסוֹפִיִינוֹס. אָמַר לוֹן וּמָה עַבְדִּיתוֹן לִיה. אָמְרוּ לִיה דִּיו פְּנִינָן (fol. 13b) יְתִיה.
 אָמַר לוֹן יְאוֹת עַבְדִּיתוֹן. וּמָה מִי שְׁהוּא נִתְלָה בְּבִשְׂרָ וְדָם נִיצוֹל. מִי שְׁהוּא
 נִתְלָה בְּהַקְדוּשׁ בְּרוּךְ הוּא לֹא כָל שְׂכָן. הֵהוּא דְכְתִיב כָּל אֲשֶׁר יִקְרָא בְּשֵׁם יי
 יִמְלֹט.

Rebbi Phineas said: It happened to Rav⁵⁰ that he was ascending from the hot springs of Tiberias⁵¹ that he met Romans. They asked him, of whose party are you? He said, of Sophianus⁵²; they let him go. The next morning, they came to him and asked him, how long did you carry on with these Jews? He asked them, why? They said to him, we met a Jew and asked him, of whose party are you? He said, of Sophianus. He asked them, what did you do to him? They said to him, it was enough, we let him go. He said to them, you did well. And if a person who attaches himself on to the party of a human is saved, someone who attaches himself to the Holy One, praise to Him, so much more. That is what is written (*Joel* 3:5): "Every one who calls on⁵³ the name of the Eternal will escape."

50 In the parallel in *Yalqut Joel*, the story is told of "some man." This seems to be a more correct version, since Rav spent his time in the Yeshivah of Rebbi in Shephar'am and Beth She'arim in Western Galilee. Also, the setting fits much more the time of the military anarchy after the murder of Alexander Severus when Rav had long since

returned to Babylonia.

51 "Of Tiberias" is missing in the Rome manuscript.

52 In *Yalqut Joel*, the name is Popianus. The name is unidentifiable [could be Pompeianus (E. G.)]. [Z. Frankel wants to emend the name to (Septimius) Severus; but this identification is impossible for many

reasons (it would require that Rav stayed at the Yeshiva of Rebbi at least 25 years, that Severus should have ever been in Galilee, and that in Galilee one spoke Hebrew with a German pronunciation that identified *waw* and *phe, v* and *f*.)] The setting looks much more like that of a local conflict that was possible only during the military

anarchy. The history of that period is not detailed enough to enumerate all local rulers. (There is a Roman surname Sophus.)

53 The sentence is slightly ambiguous; one could also translate "who invokes the Name"; that is the meaning given to the verse in the next paragraph.

אמר רבי אלכסנדר עובדא בחד ארכון דהוה שמייה אלכסנדרוס והוה קיים
דיין חד ליסטיס. אמר ליה מה שמך אלכסנדרוס. אמר אלכסנדרוס פנה
לאלכסנדריה. ומה מי שהוא ששמו כשמו של בבשר ודם הוא ניצול. מי
ששמו כשמו של הקדוש ברוך הוא לא כל שכן. ההוא דכתיב כל אשר יקרא
בשם ה' ימלט.

Rebbi Alexandri said, it happened that a prefect by the name of Alexander sat and judged a robber⁵⁴. He asked him, what is your name? Alexander! He said, Alexander, go to Alexandria⁵⁵. And if a person whose name is the name of a human is saved, someone whose name is that of the Holy One, praise to Him, so much more. That is what is written (*Joel* 3:5): "Every one who is called by the name of the Eternal will escape."

54 Note the exact transliteration of Greek ληστής.

Alexander was executed. Alexandria was a very big city in which one more

55 So that people should not say,

robber would not make a difference.

רבי פינחס אמר בה תרתי חדא בשם רבי זעירא וחד בשם רבי תנחום בר
חנילאי. רבי פינחס בשם רבי זעירא אמר בשך ודם יש לו פטרון. אם הטריח
אליו ביותר הוא אומר אשכח פלן דקא מטרחא לי. אבל הקדוש ברוך הוא
אינו כן. אלא כל-מה שאת מטרחי עליו הוא מקבילך. ההוא דכתיב השלך על

לִי יִקְבֹּד וְהוּא יְכַלְכֵּלֵךְ. רַבִּי פִינְחָס בְּשֵׁם רַבִּי תַנְחוּם בַּר חַנִּילַי אָמַר בְּשֵׁר וְדָם יֵשׁ לוֹ פֶּטְרוֹן. וּבָאוּ שׁוֹנְאִים וְתַפְּשׂוּ אוֹתוֹ עַל פֶּתַח חֲצִירוֹ שֶׁל פֶּטְרוֹנוֹ. עַד דְּצוּחוּ לֵיהּ עַד דְּהוּא נִפְקַע עֲבֶרֶת חֲרָבָא עַל קְדָלְיָה וְקִטְלָהּ זַתִּיהּ. אֲבָל הַקְדוּשׁ בְּרוּךְ הוּא הֲצִיל אֶת יְהוֹשָׁפָט מִחֲרַב אֲרָם. דְּכַתִּיב וַיִּזְעַק יְהוֹשָׁפָט וַיִּלְעָזְרוּ וַיְסִיתֶם אֱלֹהִים מִמֶּנּוּ. מִלְּמַד שֶׁלֹּא הָיָה חֶסֶר אֶלָּא חִיתוּךְ הָרֹאשׁ וַיְסִיתֶם אֱלֹהִים מִמֶּנּוּ.

Rebbi Phineas gave on this subject two sermons, one in the name of Rebbi Zeira, the other in the name of Rebbi Tanḥum bar Ḥanilai. Rebbi Phineas said in the name of Rebbi Zeira, flesh and blood has a protector. If he bothers him too much, he will say: "There is X who will bother me." But the Holy One, praise to Him, is not like that; He will receive you with all that you might bother him with. That is what is written (*Ps.* 55:23) "Throw on the Eternal your burden and He will provide for you!" Rebbi Phineas said in the name of Rebbi Tanḥum bar Ḥanilai, flesh and blood has a protector. Enemies come and grab him at the door of his protector's courtyard. While he is crying and before someone could come out, the sword already passes over his neck and kills him. But the Holy One, praise to Him, saved Jehoshaphat from the sword of the Syrians as it is written (*2Chr.* 18:34): "Jehoshaphat cried, the Eternal helped him and God turned them away from him." That shows that only the cutting off of the head was missing, but God deflected them from him.

רַבִּי זְעִירָא בְּרִיהּ דְּרַבִּי אֲבָהוּ רַבִּי אֲבָהוּ בְּשֵׁם רַבִּי אֲלֻעָזַר אֲשֶׁרִי שְׂאֵל יַעֲקֹב בְּעָזְרוּ וּגו'. מַה כְּתִיב בְּתַרְיָה עֶשֶׂה שָׁמַיִם וָאָרֶץ. וְכִי מַה עָנִין זֶה לָזֶה. אֶלָּא מִלֵּךְ בְּשֵׁר וְדָם יֵשׁ לוֹ פֶּטְרוֹן שׁוֹלֵט בְּאִיפְרַכְיָא אַחַת וְאֵינוֹ שׁוֹלֵט בְּאִיפְרַכְיָא אַחֲרָת. קוֹזְמוֹקְלוֹטוֹר שׁוֹלֵט בִּבְבִשָּׁה שְׂמָא שׁוֹלֵט בִּיָּם. אֲבָל הַקְדוּשׁ בְּרוּךְ הוּא שׁוֹלֵט בִּיָּם וְשׁוֹלֵט בִּבְבִשָּׁה. וּמְצִיל בִּיָּם מִן הַמַּיִם וּבִבְבִשָּׁה מִן הָאֵשׁ. הוּא שֶׁהֲצִיל אֶת מֹשֶׁה מִחֲרַב פְּרָעוֹ. הֲצִיל אֶת יוֹנָה מִמַּעַי הַדָּגָה. חֲנִנְיָהּ מִשְׂאֵל וְעֲזָרְיָהּ

מִכְבָּשׁוֹן הָאֵשׁ. לְדַנְיָאֵל מִבּוֹר הָאֲרִיּוֹת. הֵהוּא דְכָתִיב עוֹשֶׂה שָׁמַיִם וָאָרֶץ אֵת הַיָּם וְאֵת כָּל-אֲשֶׁר בָּם.

Rebbi Zeira, son of Rebbi Abbahu, Rebbi Abbahu in the name of Rebbi Eleazar (*Ps.* 146:5): "Happy is he whom the God of Jacob helps." What is written after that (*Ps.* 146:6): "He makes Heaven and Earth." What has one to do with the other? But a king of flesh and blood needs a protector⁵⁶, he rules over one district⁵⁷ but not over another district. A universal ruler⁵⁸ rules over dry land; does he rule over the ocean? But the Holy One, praise to Him, rules over ocean and dry land. He saves in the ocean from the water and on the dry land from the fire. He saved Moses from Pharaoh's sword. He saved Jonah from inside the fish, Hananiah, Mishael, and Azariah, from the fiery oven, Daniel from the lions' den. That is what is written (*Ps.* 146:6) "He makes Heaven and Earth, the oceans and all that is in them."

56 "King" was a title forbidden in Rome; a 'king' is a small local potentate who needs a Roman (or, possibly, a Persian) emperor as a protector.

57 Greek ἐπαρχία.

58 Greek κοσμοκράτωρ. In the parallel, *Avodah zarah* 1:1, the word is written קוֹמוֹקְרַטוֹר. There, the universal ruler is Alexander the Great.

אָמַר רַבִּי תַנְחוּמָא מְעַשֶׂה בְּסַפִּינָה אַחַת שֶׁל גּוֹיִם שֶׁהִיְתָה פּוֹרְשֶׁת בֵּינָם⁵⁹ הַגְּדוֹל וְהִזָּה בָּהּ תִּינּוֹק אֶחָד יְהוּדִי. עָמַד עֲלֵיהֶן סַעַר גְּדוֹל בֵּינָם וְעָמַד כָּל-אֶחָד וְאֶחָד מֵהֶן וְהִתְחִיל נוֹטֵל יְרֵאָתוֹ בְּיָדוֹ וְקוֹרָא וְלֹא הוֹעִיל כָּלוּם. כִּינּוֹן שָׂרָאוֹ שֶׁלֹּא הוֹעִילוּ כָלוּם אָמְרוּ לְאוֹתוֹ הִיְהוּדִי. בְּנֵי קוֹם קָרָא אֶל אֱלֹהֵיךְ שֶׁשָּׁמְעֵנוּ שֶׁהוּא עוֹנֶה אֶתְכֶם כְּשֶׁאַתֶּם צוֹעְקִים אֵלָיו וְהוּא גִיבּוֹר. מִיָּד עָמַד הַתִּינּוֹק בְּכָל לְבוֹ וְצָעַק וְקִיבַל מִמֶּנּוּ הַקְּדוֹשׁ בְּרוּךְ הוּא תְּפִילָתוֹ וְשִׁתַּק הַיָּם. כִּינּוֹן שֶׁיִּרְדּוּ לִיבְשָׁה יִרְדּוּ כָּל-אֶחָד וְאֶחָד לְקִנּוֹת צָרְכָיו. אָמְרוּ לוֹ לְאוֹתוֹ תִּינּוֹק לִית אֵת בְּעֵי מִזְבִּין לָךְ כָּלוּם. אָמַר לְהוֹן מַה אַתּוֹן בְּעוֹ מִן הָהֵן אַכְסֵנְיָא עֲלוּבָה. אָמְרוּ לוֹ אֵת

אֶכְסָנִיָּא עֲלוּבָה. אִינּוּן אֶכְסָנִיָּא עֲלוּבָה אִינּוּן הָכָא וְטַעוּנְתְּהוֹן בְּבַבְל. אִינּוּן הָכָא וְטַעוּנְתְּהוֹן בְּרוּמִי. וְאִינּוּן הָכָא וְטַעוּנְתְּהוֹן עֲמַהוֹן וְלֹא מְהַנּוּן לְהוֹן כְּלוּם. אֶבֶל אַתְּ כָּל-אֶהוּן דְּאַתְּ אֲזַל אֶלְהִיךָ עִמָּךְ. הֵהוּא דִּיכְתִּיב כִּי אֶלְהִינוּ בְּכָל-קְרָאִינוּ אֱלֹוֵי.

Rebbi Tanhuma said: A happening with a ship of Gentiles that sailed the great sea and on it was a Jewish child. There came upon them a big storm; each one got up, took his idol in his hand and called upon it, without result. When they saw that it was of no use, they said to that Jew: Son, get up, call on your God, for we heard that He answers you when you cry and He is strong. The child immediately got up with a full heart and cried; the Holy One, praise to Him, received his prayer and the sea quited down. When they came to dry land, each one descended to buy his needs. They said to that child, do you not want to buy anything for yourself? He said to them, what do you want from that unhappy stranger⁶⁰. They said to him: Are you an unhappy stranger? They are an unhappy stranger; they are here and their errors⁶¹ are in Babylonia, they are here and their errors are in Rome, they are here and their errors are with them, but are of no use to them. But you, everywhere you go, your God is with you. That is what is written (*Deut.* 4:7): "Like the Eternal, our God, always when we call on Him!"

59 Reading of the Rome manuscript; the spelling is אכסניי Greek ξένος
Venice print מים "stranger, guest", with prothetic א

60 At other places in the Yerushalmi, 61 Their idols.

רַבִּי שְׁמַעוֹן בֶּן לֵקִישׁ אָמַר בְּשָׂר וְדָם יֵשׁ לוֹ קָרוֹב. אִם הִיָּה עֲשִׂיר הוּא מוֹדָה בּוֹ. וְאִם הִיָּה עֲנִי כּוֹפֵר בּוֹ. אֶבֶל הַקְּדוֹשׁ בְּרוּךְ הוּא אִינוּן כֵּן אֶלָּא אֶפִּילוּ יִשְׂרָאֵל נִתְּוִינִן בִּירִידָה הַתַּחְתּוֹנָה הוּא קוֹרָא אוֹתָם אַחֵי וְרַעֲי. וּמָה טַעַם לְמַעַן אַחֵי וְרַעֲי. רַבִּי אֲבוּן וְרַבִּי אַחָא וְרַבִּי שְׁמַעוֹן בֶּן לֵקִישׁ בְּשָׂר וְדָם יֵשׁ לוֹ קָרוֹב. אִם

הִזָּה פִּילוֹסוֹפּוֹס הוּא אוֹמֵר הֵן פֶּלֶן מִתְקַרֵּב לוֹן. אֲבָל הַקְּדוֹשׁ בְּרוּךְ הוּא
 קוֹרֵא לְכָל־יִשְׂרָאֵל קְרוֹבִים הֵהוּא דְכָתִיב וַיִּרְם קֶרֶן לְעַמּוֹ.

Rebbi Simeon bar Laqish said, flesh and blood has a relative. If he is rich, he acknowledges him. If he is poor, he disavows him. But the Holy One, praise to Him, is not like this; even if Israel is in deepest distress, He calls them My brothers and My friends. What is the reason (*Ps.* 122:8): "For My brothers and friends." Rebbi Abun, Rebbi Aḥa, and Rebbi Simeon ben Laqish: flesh and blood has a relative. If he is a philosopher, he says: "This X is related to us." But the Holy One, praise to Him, calls all of Israel relatives; that is what is written (*Ps.* 148:14): "He raises the fortunes of His people."⁶²

62 While there are numerous verses declaring Israel as His people, it belongs to the style of a sermon to close with a verse promising a better

future. The quote may indicate that **ע** should be translated as "relative"; this is the meaning attributed to the root in theophorous names.

מְשֻׁנָּה ב: מְקוֹם שֶׁנֶּעְקְרָה מִמֶּנּוּ עֲבוֹדַת זָרָה אוֹמֵר בְּרוּךְ שֶׁעָקַר עֲבוֹדַת
 זָרָה מֵאַרְצֵנוּ.

Mishnah 2: At a place from which paganism was uprooted⁶², one says: Praise to Him Who uprooted paganism from our Land.

62 A place where a pagan temple was destroyed or converted to profane use.

הַלְכָה ב: מִתְנִיתָא כְּשֶׁנֶּעְקְרָא מִכָּל־מְקוֹמוֹת אֶרֶץ יִשְׂרָאֵל אֲבָל אִם
 נֶעְקְרָא מִמְּקוֹם אֶחָד אוֹמֵר בְּרוּךְ שֶׁעָקַר עֲבוֹדַת זָרָה מִן הַמְּקוֹם הַזֶּה. נֶעְקְרָה
 מִמְּקוֹם אֶחָד וְנִקְבְּעָה בְּמְקוֹם אֲחֵר. מְקוֹם שֶׁנִּיתְּנָה בוֹ אוֹמֵר בְּרוּךְ אֶרֶךְ אַפַּיִם.
 וּמְקוֹם שֶׁנֶּעְקְרָה מִמֶּנּוּ אוֹמֵר בְּרוּךְ שֶׁעָקַר עֲבוֹדַת זָרָה מִן הַמְּקוֹם הַזֶּה. יְהִי

רצון מלפניך יי אלהינו ואלהי אבותינו כשם שעקרתה אותה מן המקום הזה כדי תעקור אותה מן המקומות כולם ותחזיר לב עובדיה לעובדך. ולא נמצא מתפלל על עובדי עבודה זרה. תני רבי שמעון בן גמליאל אומר אף בחוץ לארץ צריך לומר כן.

Halakhah 2: Our Mishnah if it was uprooted from all places of the Land of Israel, but if it was uprooted only from one place, he says: "Praise to Him Who uprooted paganism from this place.⁶³" If it was uprooted from one place but established at another place, there where it was reestablished he says: "Praise to Him Who is patient." Where it was uprooted from, he says: "Praise to Him Who uprooted paganism from this place. May it be Your pleasure, our God and God of our fathers, that just as You uprooted it from this place, so uproot it from all other places and turn the heart of its worshippers to worship You." Does he not pray for pagan worshippers⁶⁴? It was stated: Rabbi Simeon⁶⁵ ben Gamliel says, also outside of the Land he must say this.

63 This version is not found in the parallels, Babli 57b, Tosephta *Berakhot* 6:2, *Ruth rabba* 3(2); they all apply the text of the Mishnah to a single destroyed temple, even though *Ruth rabba* is a (later) text in the Galilean tradition. The following three sentences appear in the version of the Mishnah in these three sources.

64 The answer to this question is given piecemeal in the next para-

graphs.

65 Reading of the Rome manuscript; the Venice print has "R. Ismael ben Gamliel" who otherwise is unknown. In the Babli, the name is R. Simeon ben Eleazar and it is explained that even the first Tanna requires the benediction to be recited, only without the following prayer. There, R. Simeon's reason is that at the End of Days all peoples will abandon paganism.

אמר רבי יוחנן כי מי אשר יחובר. יבחר כתיב. אלא כל־החיים יש בטחון שכל־זמן שאדם חי יש לו תקוה. מת עבדה תקוותו. מה טעמא במות אדם רשע תאבד תקוה.

Rebbi Yoḥanan⁶⁶ said (*Eccl.* 9:4): "Who is it that has been connected?" It is written: "may choose." All living beings have the certitude that as long as a human is alive, he has hope. When he dies, his hope is lost. What is the reason (*Prov.* 11:7): "When an evil man dies, hope becomes lost."

66 In the parallel in *Ruth rabba*, this paragraph and the one after the next are taken together; the insertion of the next paragraph is difficult to understand.

The argument of R. Yoḥanan refers mostly to the parts of this and the preceding verses that are not quoted. "That is evil in all which is done under the sun, that the same happens to all; also, the heart of humans is full of evil, hooliganism is in their thoughts during their lifetime, but their end is with the dead. Who is *being joined*, all living

beings have confidence; truly a living dog is better than a dead lion." *Is being joined* is the *qere*, the way the word is read, but "may choose" is the *ketib*, the way it is written. The interpretation given the *ketib* here is: All the living can have confidence that they may choose (the way of virtue), but death is final; nothing can be changed after death. Hence, a living dog (a living sinner) is better (might by repentance attain a higher state of holiness) than a dead lion (a good person.)

תני רבי יהודה אומר שלשה דברים צריך אדם לומר בכל יום ברוך שלא עשני גוי. ברוך שלא עשני בור. ברוך שלא עשני אשה. ברוך שלא עשני גוי שאין הגוים כלום כל הגוים כאין נגדו. ברוך שלא עשני בור שאין בור ירא חטא. ברוך שלא עשני אשה שאין האשה מצווה על המצוות.

It has been stated: Rebbi Yehudah⁶⁷ says, three things a man has to recite every day: Praise to Him Who did not make me a Gentile. Praise to Him Who did not make me uncivilized⁶⁸. Praise to Him Who did not make me a woman. "Praise to Him Who did not make me a Gentile," because Gentiles are not considered to be anything, (*Is.* 40:17) "all Gentiles are nothing before Him." "Praise to Him Who did not make me

uncivilized," because an uncivilized person cannot fear sin⁶⁹. "Praise to Him Who did not make me a woman," because women are not commanded about benedictions⁷⁰.

67 In the print of the Babli, *Menahot* 43b, "R. Meïr." However, R. Rabinowitz notes a German and an Egyptian manuscript of the Babli that have "R. Yehudah", as well R. Isaac Fasi and *Rosh*, in line with the Yerushalmi and the Tosephta, *Berakhot* 6:17. The entire paragraph is from R. Yehudah in the Tosephta.

68 The uncivilized person is one who knows no Bible, no Mishnah, and no trade. Since he cannot know what is forbidden, he cannot fear sin. In the

Babli (*Menahot* 43b-44a) it is reported that R. Jacob bar Aḥa changed this benediction to "Who did not make me a slave," since an uncivilized person can become civilized; his state of ignorance is not God-given.

69 Mishnah *Pirque Avot* 2:6.

70 Here מצוות cannot mean "commandments", not even "positive commandments tied to a fixed time" that do not apply to women, but "benedictions", as in Chapter 6, Halakhah 1, first paragraph.

אמר רבי אהא כי מי אשר יחובר. אפילו אותם שפשוט ידיהם בזבול יש להם בטחון. לקרבן אי אפשר שבבר פשוט ידיהם בזבול. לרחקן אי אפשר שעשו תשובה. עליהן הוא אומר וישנו שנת עולם ולא יקיצו. רבנן דקיסרין אמרין קטני גוים וחילותיו של נבוכדנצר אין חיון ואין נדונין. עליהן הכתוב אומר וישנו שנת עולם וגו'.

Rebbi Aḥa said, "Who is it that has been connected⁷¹?" Even those that stretched out their arms against the Sanctuary⁷² have certitude. It is impossible to bring them near since they stretched out their arms against the Sanctuary. It is impossible to keep them far since they repented. On them it says (*Jer.* 51:39): "They will sleep eternal sleep and never awake." The rabbis of Caesarea say, Gentile minors⁷³ and the armies of Nebuchadnezzar⁷⁴ will not live, but never will they be judged. On them Scripture says: "They will sleep eternal sleep, etc."

71 Rebbi Aḥa explains the verse such as it is written, who is the one who is connected to God and the future world? Every human, as long as he is alive, has this possibility. The paragraph is inserted here because the verse was mentioned.

72 Tried to destroy the Temple or helped in destroying it. By necessity, these are Gentiles.

73 Who, as minors, are incapable of sin, but who, growing up as idolators, cannot have merit. [In Tosephta *Sanhedrin* 13:1, the opinion of Rabban Gamliel is quoted that children of (Jewish) evil doers (who die in infancy)

have no part in the Future World, against the (prevailing) opinion of R. Joshua that all who die as children have part in the Future World, as it is written (*Ps.* 116:6): "The Eternal is the guardian of the simple ones."]

74 Who destroyed the Temple but who, in contrast to the Romans, did not do so out of hatred of Jews and Judaism. In Tosephta *Sanhedrin* 13:5 it is said that "for those who stretched out their arms against the Sanctuary, the gates of hell will be locked and they will be punished there for all eternity." It is explained here that this is valid only if they did not repent.

העוֹבֵר לִפְנֵי בַּיִת עֲבוּדָה זָרָה אוֹמֵר בֵּית גֵּאִים יִסַּח יי. רַבִּי יוֹסִי בֵּי רַבִּי בּוֹן
בְּשֵׁם רַבִּי לְוִי רָאָה אוֹתָם מְזַבְּחִין לְעֲבוּדָה זָרָה אוֹמֵר זֹבֵחַ לְאֱלֹהִים יִחָרֵם.

He who passes by a pagan temple says (*Prov.* 15:25): "The Eternal will tear down the house of the haughty." Rebbi Yose, son of Rebbi Abun, in the name of Rebbi Levi: "If he saw them sacrificing⁷⁵ to an idol, he says (*Ex.* 22:19): He who sacrifices to gods shall be devoted to destruction."

75 This is the reading of the Rome manuscript. The Venice print has מִזְבִּיחַ

"bringing manure," meaning the same, but using language of contempt.

הַרוּאָה אֶת הַכּוֹשֵׁי וְאֶת הַגִּיחור וְאֶת הַלְּוֹקֵן וְאֶת הַכִּיפָּח וְאֶת הַנִּנָּס אוֹמֵר בְּרוּךְ
מִשְׁנֵה אֶת הַבְּרִיּוֹת. אֶת הַקְּטוּעַ וְאֶת הַסּוּמָא וְאֶת מוֹכֵי שַׁחִין אוֹמֵר בְּרוּךְ דִּינִן
אָמַת. מִתְּנִיתִין כְּשֶׁהֵיוּ שְׁלָמִים וְנִשְׁתַּנּוּ. אֲבָל אִם הָיָה כּוֹן מִמְעֵי אִמּוֹ בְּרוּךְ
מִשְׁנֵה אֶת הַבְּרִיּוֹת.

He who sees a black man⁷⁶, a red man, an albino⁷⁷, a beanstalk⁷⁸, or a dwarf, says: Praise to Him who makes unusual creatures; the amputee, the blind, or a person covered with boils, he says: Praise to the True Judge. This *baraitha* if they were whole and then changed. But if they were so from the mother's womb: Praise to Him who makes unusual creatures.

76 "Black man" here does not mean a Negro but a Caucasian with a swarthy complexion since it is stated in Babli *Bekhorot* 45b that a "black" man should not marry a "black" woman lest their children would be genuinely "black".

77 Greek λευκός "white".

78 In the Babli (58b), written קמח, in

the Tosephta ביטיח Rashi gives two explanations: 1) a potbelly, 2) a tall person with a bloated face. However, the Babli *Bekhorot* 45b defines קמח as a tall person whose frame is much too thin; the Mayence commentary ascribed to Rabbenu Gershom is the source of Rashi's second explanation.

הַרְוֵאָה אֵילָנוֹת נְאִים וּבְנֵי אָדָם נְאִים אוֹמֵר בְּרוּךְ שְׁכֵן בְּרִיּוֹת נְאוֹת
 בְּעוֹלָמוֹ. מַעֲשֵׂה בְרָבֵן גַּמְלִיאֵל שֶׁרָאָה גּוֹיָה אִשָּׁה נְאִיָּה וּבִירַךְ עָלֶיהָ. לֹא כֵן
 אָמַר רִבִּי זְעִירָא (fol. 13c) בְּשֵׁם רִבִּי יוֹסִי בַר חֲנִינָא בְּשֵׁם רִבִּי יוֹחָנָן לֹא תַחֲנִים
 לֹא תַתֵּן עָלֵיהֶן חַן. מַה אָמַר. אֲבִסְקִנְטָא⁷⁹ לֹא אָמַר. אֶלָּא שְׁכֵן בְּרִיּוֹת
 נְאוֹת בְּעוֹלָמוֹ. שְׁכֵן אֶפִּילוֹ רָאָה טוֹס נְאִיָּה חֲמוֹר נְאִיָּה אוֹמֵר בְּרוּךְ שְׁכֵן בְּרִיּוֹת
 בְּרִיּוֹת נְאוֹת בְּעוֹלָמוֹ. זוֹ דְרָכּוֹ שֶׁל רַבֵּן גַּמְלִיאֵל לְהַסְתַּכֵּל בְּנָשִׁים. אֶלָּא דָּרַךְ
 עֲקוּמוּמִיתָא הִיָּתָה. כְּגוֹן הָהוּן פּוּפְטוּס. וְהָבִיט בָּהּ שְׁלֹא בְטוֹבָתוֹ.

He who sees beautiful trees or beautiful people says: Praise to Him Who created beautiful creatures in His world⁸⁰. It happened that Rabban Gamliel saw a beautiful Gentile woman and recited a benediction over her. Did not say Rebbi Zeira in the name of Rebbi Yose bar Hanina in the name of Rebbi Yohanan (*Deut. 7:2*): "Do not favour them," do not ascribe charm to them? He did not say "may there be no harm" but "Who created beautiful creatures in His world," since even if one sees a beautiful horse or a beautiful donkey, one says: Praise to Him Who created

beautiful creatures in His world. Does Rabban Gamliel usually look at women? It was a curved road, like a *pwpsdws*⁸¹; he looked at her because he could not avoid her.

79 Reading of the Rome ms. Venice: אבסקטא, but in *Avodah zarah* 1:9, the Venice text is equal to the Rome text here. Greek ἀβάσκαντα, "secure against witchcraft, free from harm" (D. de Lara in כחר כהונה). In the Babli, *Avodah zarah* 20a/b, Rabban (Simeon ben) Gamliel is reported to have quoted a verse (*Ps.* 104:24): "How great are Your works, o Eternal!"

80 In the Babli (58b) and the Tosephta (6:4), the formula is "Who has

beautiful creatures in His world," without reference to Creation.

81 This word is unexplained. In the parallel in *Avodah zarah* and in *Arukh*, the spelling is גסוורוס. R. Salomon Cirillo has גיוטרס. R. J. Levy conjectures Greek σπειρά "a spiral (road)". R. M. Margalit (פני משה) thinks the word is Latinate, similar to Italian *passavia* "passageway; bridge." It could be Greek περίσδος, ἡ "way around, circuit, circular path" (E. G.).

קרא הגבר אומר ברוך חכם הרזים מי שת בטוחות חכמה. אמר רבי לוי בערבניא קורין לאימרא יובלא. והיה במשוך בקרן היובל. באפריקנא קורין לנידה גלמודה. ואני שכולה וגלמודה. ברומי צונחין לתרנגולא שכוי. או מי נתן לשכוי בינה.

If the cock crowed, one says: Praise to Him Who is wise in secrets; (*Job* 38:36) "Who put wisdom in kidneys?⁸²". Rebbi Levi said, in Arabia one calls sheep *yovel*⁸³; (*Jos.* 6:5) "it will be when the ram's horn is blown." In Africa⁸⁴, the menstruating woman is called *galmudah*, (*Is.* 49:21) "I am childless and barren." In Rome⁸⁵, one calls a chicken *śekhwi* (*Job* 38:36) "who gave understanding to the *śekhwi*?"

82 The full verse is: Who put wisdom into kidneys, who gave insight to the *śekhwi*?" The insight of the *śekhwi* is compared to the hidden

knowledge of the kidneys, only accessible to God. The verse lends itself better to the Babylonian version (60b): "Praise to Him Who gave insight to the

śekhwi to distinguish between day and night." The text of the Galilean benediction is a disapproved version of a benediction to be recited if one sees a great scholar, Babli *Berakhot* 58b. The following explanation of words, parallel to one given in Babli *Rosh Hashanah* 26a, refers to the determination of the meaning of the word *śekhwi* (that is not quoted, only understood, at this moment.)

83 The same identification is given

by R. Aqiba in Babli *Rosh Hashanah* 26a; it must refer to the Hebrew usage of Jewish tribes in Arabia, not to Arabic. [There is an Arabic word *نבל* "giving lots of milk".]

84 In the Babli, the place referred to is Gallia (or Galatia). The etymology of the word has connections with Arabic *גלמוד*, *גלמוד* "rock."

85 In the Babli, on the authority of R. Simeon ben Laqish, the place is Greek-speaking *Kenisrin*, near Aleppo.

הַרְוָאָה אוֹכְלִסִּין אוֹמֵר בְּרוּךְ חֲכַם הַרְזִים. כִּשֶׁם שֶׁאִין פְּרָצוּפֵיהֶן דּוֹמִין זֶה לָזֶה. כִּדְ אִין דַּעְתָּן דּוֹמָה זֶה לָזֶה: בֶּן זֹמָא פִּשְׁהִיָּה רוּאָה אוֹכְלוּסִין בִּירוּשָׁלַיִם אוֹמֵר בְּרוּךְ שֶׁבְּרָא כָּל-אֵילוֹ לְשִׁמְשֵׁנִי. כִּמָּה יִגַּע אָדָם הָרֵאשׁוֹן עַד שֶׁלֹּא אָכַל פְּרוּסָה. חֲרַשׁ זָרַע נִיכֵשׁ עֵידֵר קָצֵר עֵימֵר דֵּשׁ זָרָה בִּירֵר טַחֲן הִרְקִיד לֶשׁ וְקִיטַף וְאָפָה וְאַחַר כִּדְ אָכַל פְּרוּסָה וְאֲנִי עוֹמֵד בְּשַׁחֲרִית וּמוֹצָא כָּל-אֵלוֹ לְפָנָי. רָאָה כִּמָּה יִגִּיעוֹת יִגַּע אָדָם הָרֵאשׁוֹן עַד שֶׁמָּצָא חֲלוּק לְלַבּוֹשׁ. גָּזָז וְלִיבָן וְנִיפֶס וְצָבַע וְטוֹנָה וְאַרְגָּ כֶּבֶס וְתִפְרָ וְאַחַר כִּדְ מָצָא חֲלוּק לְלַבּוֹשׁ. וְאֲנִי עוֹמֵד בְּשַׁחֲרִית וּמוֹצָא כָּל-אֵלוֹ מִתּוֹקָן לְפָנָי. כִּמָּה בְּעַלֵּי אוֹמְנִיּוֹת מִשְׁכִּימִים וּמַעֲרִיבִים. וְאֲנִי עוֹמֵד בְּשַׁחֲרִית וּמוֹצָא כָּל-אֵלוֹ לְפָנָי. וְכֵן הִיָּה בֶּן זֹמָא אוֹמֵר אוֹרַח רָע מֵהוּ אוֹמֵר וְכִי מָה אֶכְלֵתִי מִשָּׁל בְּעַל הַבַּיִת וְכִי מָה שְׁתִּיתִי מִשָּׁל בְּעַל הַבַּיִת חֲתִיכָה אַחַת אֶכְלֵתִי לוֹ. כּוֹס יַיִן שְׁתִּיתִי לוֹ. וְכָל-טוֹרַח שֶׁטָּרַח לֹא טָרַח אֶלָּא בְּשִׁבִיל אֲשֶׁתּוֹ וּבְנָיִו. אָבַל אוֹרַח טוֹב אוֹמֵר בְּרוּךְ בְּעַל הַבַּיִת זְכוּר בְּעַל הַבַּיִת לְטוֹבָה. כִּמָּה יַיִן הִבִּיא לְפָנָי. כִּמָּה חֲתִיכוֹת הִבִּיא לְפָנָי. כִּמָּה טוֹרַח טָרַח לְפָנָי. כָּל-מָה שֶׁטָּרַח לֹא טָרַח אֶלָּא בְּשִׁבִילִי. וְכֵן הוּא אוֹמֵר זְכוּר כִּי תִשְׁגִּיא פְּעָלוֹ אֲשֶׁר שׁוֹרְרוּ אֲנָשִׁים:

He⁸⁶ who sees multitudes says: Praise to Him Who is wise in secrets!
Just as their faces are not similar one to the other, so the opinions of one

are not similar to another's. When ben Zoma saw multitudes in Jerusalem, he said: Praise to Him Who created all these to serve me. How much did Adam toil until he could eat one piece of bread! He plowed, sowed, harrowed, weeded, harvested, bound sheaves, threshed, winnowed, selected, milled, sifted, made dough, split it, baked, and only after that could he eat a piece of bread. But I get up in the morning and find everything before me. See, how much toil Adam had to expend until he obtained a garment to wear! He sheared, bleached, separated the fibers, dyed, spun, weaved, washed, sewed, and after that he obtained a garment to wear. But I get up in the morning and find all before me. How many professionals work mornings and evenings! But I get up in the morning and find all before me. Similarly, ben Zoma said: What does a bad guest say? What did I eat from the householder, what did I drink from the householder? One piece I ate from him, one cup of wine I drank from him. All the effort he put in he did only for his wife and children! But a good guest says, praised be the householder, may the householder be remembered in a good way! How much wine did he bring before me, how many cuts did he bring before me! How much work did he do for me! All that effort he did only for me! And so it says (*Job*. 36:24): "Remember to magnify his work that people saw!"

86 All three sections are in almost identical form also in the Babli (58a) and the Tosephta (6:2). In both Babli and Tosephta, the good guest appears

before the bad one; then for the quote from *Job* one has to return to the good guest. Hence, the version of the Yerushalmi looks more original.

משנה ג: על הזיקים ועל הזועות ועל הבקקים ועל הרעמים ועל הרוחות הוא אומר ברוך שפוחו מלא העולמים.⁸⁷ על ההרים ועל הגבעות ועל הימים ועל הנהרות ועל המדברות הוא אומר ברוך עושה בראשית. רבי יהודה אומר הרואה את הזים הגדול אומר ברוך שעשה את הזים הגדול בזמן שהוא רואהו לפרקים. על הגשמים ועל בשורות טובות הוא אומר ברוך הטוב והמטיב. ועל שמועות הרעות הוא אומר ברוך דין האמת. בנה בית חדש וקנה כלים חדשים אומר ברוך שהגיענו לזמן הזה. מברך על הרעה מעין הטובה ועל הטובה מעין הרעה.

Mishnah 3: On *ziqin*⁸⁸, earthquakes, lightning, thunder, and hurricanes, one says: Praise to Him Whose power⁸⁹ fills the world. On mountains, hills, seas, rivers, and deserts, one says: Praise to the Maker of Creation⁹⁰. Rabbi Yehudah says, he who sees the ocean says: Praise to Him Who made the ocean; if he sees it at intervals⁹¹. On rains⁹² and good tidings one says: Praise to Him Who is good and does good. On bad news, one says: Praise to the True Judge. ⁹³If one built a new house or bought new garments, he says: Praise to Him Who let us reach this time. One recites the benediction for bad news containing good and for good ones containing bad⁹⁴.

87 This is the text of the Mishnah in the Halakhah, fol. 14c. In the separate Mishnah, fol. 13c: שכחו וגבורתו מלא עולם.

88 The Yerushalmi does not define זיקא. In the Babli (58b), Samuel defines it as "star with a tail", which may mean either a comet (*Arukh* s. v. ככב) or a meteorite (Rashi). *Arukh* s. v. זק quotes Rav Hai Gaon as defining זיקא as thunderless lightning that illuminates an entire cloud. The latter

determination is probably the correct one since it fits the context of the Mishnah and its author has the highest authority among those who explain difficult words in the Talmudim.

89 In the Rome manuscript and in many (mostly Ashkenazic) manuscripts of the Babli and the Mishnah, one adds וגבורתו "and His strength."

90 The same manuscripts that add "His strength" in the first sentence, add

"the work of Creation" here.

91 This is the reading of all manuscripts of Yerushalmi, Babli, and Mishnah, except the Leyden manuscript and the Venice print who have this language only in the Mishnah, but the quote in the Halakhah reads: "Rebbi Yehudah says, he who sees the ocean says: Praise to Him Who made the ocean; if he sees it at intervals, he says: Praise to the Maker of Creation." However, from the discussion in the Talmud it is clear that this is a scribal error.

92 In Israel, where there is only one rainy season.

93 In the Mishnah, this is Mishnah 4.

However, in the Halakhah, the discussion belongs to Halakhah 3; Halakhot 4,5,6,7 belong to Mishnayot 5,6,7,8, respectively. The numbering of Mishnayot has been changed to correspond to that of the Halakhot.

94 This sentence is not commented on in the Halakhah; hence, the translation follows the interpretation of the Babli: If his crop was ruined by a flood that deposited a layer of new earth on his field, it is bad news now and requires the benediction for bad news, even though he will gain an advantage when it is time to plant next year's crop.

הלכה ג: תני בר קפרא מתריעין על הזעזועות.

Halakhah 3: Bar Kappara stated: One blows the *shofar* because of an earthquake⁹⁵.

95 Blowing the *shofar* on days other than Rosh Hashanah was only done on public fast days. This means that Bar Qappara declares an earthquake a

catastrophe which requires repentance; hence, he disagrees with the Mishnah and requires the benediction "the True Judge" for an earthquake.

שְׂמוּאֵל אָמַר אִין עֵבֶר הָהוּ זִיקָא בְּכַסִּיל מַחְרִיב הָעוֹלָם. מִתִּיבּוּן לְשְׂמוּאֵל וְאַנָּן חֲמִינָן לִיָּה עֵבֶר. אָמַר לְהוֹן לִית אֲפָשֶׁר אוֹ לְעִיל מִינָה אוֹ לְרַע מִינָה. שְׂמוּאֵל אָמַר חֲכִים אָנָּה בְּשִׁקְיָי שְׂמוּאֵל כְּשִׁקְיָי נְהַרְדְּעָא קְרַתִּי. בַּר מִן הָהוּ זִיקָא לִית אָנָּה יָדַע מָה הוּא. וְכִי שְׂמוּאֵל עָלָה לְשָׂמִים. אָלָּא עַל שֵׁם מִי יִסְפֵּר שְׂמִים בְּחֻמְקָה.

Samuel said: If that *ziqa* would pass by *Kesil*⁹⁶, it would destroy the world. They objected to Samuel: Do we not see that it passes by it? He said to them: It is impossible; either above or below it. Samuel said: I know the places⁹⁷ of heaven like the places of my city Nahardea; except for that *ziqa*, I do not know what that is. Did Samuel ascend to heaven? No, following (*Job*. 38:37): "Who may discourse about heaven in wisdom⁹⁸?"

96 Ibn Janah defines *kesil* as the star that in Arabic is called *suhail*, "Canopus". Ibn Ezra identifies the word as meaning "Pleiades". Since the Pleiades are seen only during summertime in the Northern Hemisphere, this might justify the characterization of *kesil* as "hot" in the Babli (58b).

The statement of Samuel and his qualifications are also quoted in the Babli (58b). The text of the Yerushalmi is quoted in slightly changed form in *Arukh*, s. v. כבכ.

97 Derivative of שוק "market place," [maybe a pun on שחקים "skies" (E. G.).

98 I. e., be an astronomer.

אָלֵיהוּ זְכוּר לטוב שְׂאֵל לרַבֵּי נְהוֹרַי מִפְּנֵי מָה בָּאִין זְוֵעוֹת לְעוֹלָם. אָמַר לִיה בְּעוֹן תְּרוּמָה וּמַעֲשָׂרוֹת. כְּתוּב אַחַד אוֹמֵר תְּמִיד עֵינַי יִי אֵלֵהֶיךָ בָּהּ. וְכְתוּב אַחַד אוֹמֵר הַמְּבִיט לְאַרְץ וְתִרְעַד יַנַּע בְּהָרִים וַיַּעֲשֶׂנוּ. הָא כִּי־צַד יִתְקַיְּמוּ שְׁנֵי כְּתוּבֵין הִלְלוּ. בְּשַׁעַה שִׁישְׂרָאֵל עוֹשִׂין רְצוּנוֹ שֶׁל מְקוּם וּמוֹצִיאִין מַעֲשָׂרוֹתֶיהֶן כְּתִיקָנָן תְּמִיד עֵינַי יִי אֵלֵהֶיךָ בָּהּ מֵרֵאשִׁית הַשָּׁנָה וְעַד אַחֲרִית שָׁנָה וְאִינָן נִזְדַּקִּין כְּלוּם. בְּשַׁעַה שְׂאִין יִשְׂרָאֵל עוֹשִׂין רְצוּנוֹ שֶׁל מְקוּם וְאִינָן מוֹצִיאִין מַעֲשָׂרוֹתֶיהֶן כְּתִיקָנָן הַמְּבִיט לְאַרְץ וְתִרְעַד. אָמַר לִיה בְּנֵי חֵיֶדֶךָ כִּד הֵיא סְבָרָא דְּמִילְתָא. אֲבָל כּוֹן עֵיקְרוֹ שֶׁל דְּבַר אֵלָא בְּשַׁעַה שֶׁהַקְּדוֹשׁ בְּרוּךְ הוּא מְבִיט בְּבֵיתִי תִּנְטְרִית וּבְבֵיתִי קַרְקָסָאוֹת יוֹשְׁבוֹת בְּטַח וְשִׁאֲנָן וְשִׁלְוָה וּבֵיתִי מְקַדְּשׁוֹ חֵרֵב הוּא אֲפִילוֹן לְעוֹלָמוֹ לְהַחְרִיבוֹ. הֵהוּא דְּכִתִּיב שְׂאוֹג יִשְׂאָג עַל נְוָהוּ. בְּשִׁבִיל נְוָהוּ. אָמַר רַבֵּי אַחָא בְּעוֹן מִשְׁכַּב זְכוּר. אָמַר הַקְּדוֹשׁ בְּרוּךְ הוּא אֶתְּה זִיעָזַעַת אֵיבְרָךְ עַל דְּבַר שְׂאִינוֹ שְׁלָךְ. חֵיֶדֶךָ שְׂאִנִּי מִזְעַעַע עוֹלָמִי עַל אוֹתוֹ הָאִישׁ. וְרַבְּנָן אָמְרִי בְּשִׁבִיל הַמַּחְלוּקָת. וְנִסְתָּם גֵּיא הָרִי כִּי יַנַּע גֵּיא הָרִים אֵל אֲצֵל. אָמַר רַבֵּי שְׂמוּאֵל אִין

רַעַשׁ אֱלֹהֵי הַפֶּסֶק מְלָכוֹת. כִּמָּה דָּאֵת אָמַר וּתְרַעַשׁ הָאָרֶץ וּתְחַלּוּ. מִפְּנֵי מָה. כִּי קוֹמָה עַל בְּבֹל מִחֻשְׁבוֹת יִי.

Elijah, may he be well remembered⁹⁹, asked Rebbi Nehorai¹⁰⁰: Why do earthquakes occur in the world? He said to him, because of sin concerning heave and tithes. One verse says (*Deut.* 11:12): The eyes of the Eternal, your God, are permanently on it. Another verse says (*Ps.* 104:32): He who gazes on the Earth and it trembles, He touches mountains and they smoke. How can these two verses coexist? If Israel fulfill the will of the Omnipresent and separate their tithes following the rules, "the eyes of the Eternal, your God, are permanently on it from the start to the end of the year" and they will not be hurt by anything. If Israel do not fulfill the will of the Omnipresent and do not separate their tithes following the rules, "He gazes on the Earth and it trembles." He said to him, my son, that is the reasonable explanation. But the main thing is that if the Holy One, praise to Him, sees theatres and circuses existing in safety and quiet, but His temple is destroyed, He is menacing¹⁰¹ His world to destroy it; that is what is written (*Jer.* 25:30): "He will roar on His Place," about His place. Rebbi Aḥa¹⁰² said, because of homosexual activity. The Holy One, praise to Him, said: You made your member tremble for something that is not for you; by your life, I shall make My world tremble because of that man. But the rabbis said, because of quarrels (*Zach.* 14:5): "You will flee by the valley of the mountains, for the valley of the mountains will reach Aẓel¹⁰³." Rebbi Samuel said, an earthquake presages a change of government, as one says (*Jer.* 51:29): "The earth quaked and trembled," why? "for the intentions of the Eternal overtake Babylon."

99 This is the regular honorific given to Elijah when he is mentioned in his dealings with men. One cannot say "his remembrance for a blessing" as is done for people who died, since he did not die.

100 A student of Rebbis Joshua and Tarphon, of the fourth generation of Tanna'im; his statements are mostly aggadic.

101 Greek ἀπειλῶν.

102 This shows that in homilies, precedents (even from such an au-

thority as the prophet Elijah) do not count.

103 The relevant part of the verse is the one not quoted: "You shall flee as you fled because of the earthquake in the days of Uzziah, king of Judah." Uzziah quarreled with the priests and wanted to usurp their functions in the Temple. The earthquake was on that day, when Isaiah saw the Seraphim flying in the Temple (*Seder Olam* Chap. 20).

אֱלֹהֵי זָכוֹר לְטוֹב שְׂאֵל לְרַבִּי נְהוֹרַי מִפְּנֵי מַה בְּרָא הַקָּדוֹשׁ בְּרוּךְ הוּא שְׂקָצִים וְרִמָּשִׁים בְּעוֹלָמוֹ. אָמַר לוֹ לְצוּרְךָ נִבְרָאוּ בְּשַׁעַה שֶׁהַבְּרִיּוֹת חוֹטְאִין הוּא מִבֵּית בְּהֵן וְאוֹמֵר מַה אֱלוֹ שְׂאִין בְּהֵן צוּרְךָ הָרִי אֲנִי מְקַיְיֵמֵן אֱלוֹ שְׂיֵשׁ בְּהֵן צוּרְךָ לֹא קָל שְׂפָן. אָמַר לִיה עוֹד יֵשׁ בְּהֵן צוּרְךָ זָבוּב לְצַרְעָה. פֶּשֶׁשׁ לְעִלּוּקָה. שְׂבִלוֹן לְחַזְיוֹן. סְמַמִּית לְעִקְרָב.

Elijah, may he be well remembered, asked Rabbi Nehorai: Why did the Holy One, praise to Him, create abominable and crawling animals in His world? He said to him, they fill a need because, when men sin, He gazes at those and says, if I am keeping those who have no utility, certainly I shall keep these who might have utility. He said to him, still they have utility¹⁰⁴: a fly for wasps¹⁰⁵, bedbugs for a leech, snail for skin rash¹⁰⁶, *semamit*¹⁰⁷ for the scorpion.

104 A similar statement is found in Babli *Šabbat* 77b, by Rav Yehudah in the name of Rav.

105 Rashi in Babli *Šabbat* 77b explains that as antidote for the poison

of the sting of a wasp, one grinds up some flies and puts them as ointment on the sting. He explains the same for the use of *semamit* for the sting of a scorpion, but the Babli (*loc. cit.*) notes

that the scorpion is afraid of the *semamit*. Hence, it seems more likely that flies carry diseases into wasp's nests and therefore curb their numbers, and *semamiot* eat scorpions.

106 The last two must certainly be explained as medical uses.

107 *Arukh* gives two Italian explanations of this word, the first *ragnatello*

"spider" is also given by Rashi (*araignée*) in *Babli Šabbat*, the second *lucertola* "lizard" is more probable, in particular the gecko, Arabic *سَامَ اَمْرَاضَ*, which is known to eat scorpions. Arabic *سَامَةٌ* "poisonous animal", but cf. Accadic *summatu* "pidgeon", *simmatu* "poisoning".

עַל הַבְּרָקִים. רַבִּי יִרְמְיָהוּ וְרַבִּי זְעִירָא בְּשֵׁם רַב חֲסִדָּאי דִּיּוּ פִּעַם אַחַת בְּכָל-יּוֹם.
אָמַר רַבִּי יוֹסִי מַה אֵנִן קוִיָּמִין אִם בְּטוֹרְדִין דִּיּוּ פִּעַם אַחַת בְּיּוֹם. אִם
בְּמַפְסִיקִין מְבָרַךְ עַל כָּל אַחַת וְאַחַת. חִיָּלִיָּה דְרַבִּי יוֹסִי מִן הֲדָא. הִנֵּה יוֹשֵׁב
בְּחִנּוּתוֹ שֶׁל בְּשֵׁם כָּל-הַיּוֹם אֵינוֹ מְבָרַךְ אֶלָּא אַחַת. אָבֵל אִם הִנֵּה נִכְנָס וְיוֹצֵא
נִכְנָס וְיוֹצֵא מְבָרַךְ עַל כָּל פִּעַם וּפִעַם. אֶתָּא אָמַר רַבִּי אָחָא וְרַבִּי חֲנִינְיָא בְּשֵׁם
רַבִּי יוֹסִי אִם בְּטוֹרְדִין דִּיּוּ פִּעַם אַחַת בְּיּוֹם. אִם בְּמַפְסִיקִין מְבָרַךְ עַל כָּל אַחַת
וְאַחַת.

"On lightning." Rabbi Jeremiah, Rabbi Zeïra in the name of Rav Ḥasdaï¹⁰⁸: It is enough once a day. Rabbi Yose¹⁰⁹ said, what are we talking about? If it is permanent¹¹⁰, once a day is enough. If it is intermittent, one recites the benediction for each occurrence. The force of Rabbi Yose from the following¹¹¹: If he was sitting in the perfumer's store all day long, he would recite the benediction only once. But if he enters and leaves, enters and leaves, he recites a benediction every time. It came¹¹², it was said by Rabbi Aḥa (and)¹¹³ Rabbi Ḥanina in the name of Rabbi Yose¹¹⁴: If it is permanent, once a day is enough. If it is intermittent, one recites the benediction for each occurrence.

108 He is Rav Ḥisda.

that this is Rabbi Yose II, colleague of

109 From the following, it is clear

R. Jonah.

110 From Biblical דלף טורר "un-
ceasing downpour".

111 Tosephta *Berakhot* 5:32, Babli
53a.

112 Somebody came with a col-
lection of older formulations and
showed that the discussion was already

settled in earlier generations.

113 This is a scribal error; R. Aḥa
cannot be concurrent with his teacher's
father.

114 He is either the Amora R. Yasa
(Assi) or the Tanna R. Yose.

הִיָּה יוֹשֵׁב בְּבֵית הַכֶּסֶּא אוֹ בְּבֵית סְפִיקָרְיָא אִם יָכוֹל לְצֵאת וּלְבָרֵךְ בְּתוֹךְ כְּדֵי
דִּיבּוֹר יֵצֵא וְאִם לֹא לֹא יֵצֵא. רַבִּי יִרְמְיָהּ בְּעֵי הִיָּה יוֹשֵׁב בְּתוֹךְ בֵּיתוֹ עָרוּם מֵהוּ
שְׂעִנְשָׁה בֵּיתוֹ כְּמוֹ מְלָבוֹשׁ וְיוֹצִיא רֵאשׁוֹ חוּץ לַחֲלוֹן וְיִבְרַךְ. הִיָּה יוֹשֵׁב בְּמִגְדָּל
עָרוּם מֵהוּ שְׂעִנְשָׁה לוֹ כְּמוֹ מְלָבוֹשׁ וְיוֹצִיא רֵאשׁוֹ חוּץ לַחֲלוֹן וְיִבְרַךְ.

If one was sitting in the bathroom or the room of filth¹¹⁵, if he can exit
and recite the benediction in time for one sentence¹¹⁶, he should exit, but
if not, he should not exit¹¹⁷. Rabbi Jeremiah asked: If he was sitting
naked in his house, should he make the house a garment¹¹⁸, lean his head
out of the window and recite the benediction? If he was sitting naked in a
"tower"¹¹⁹, should he make it a garment, lean his head out of the window
and recite the benediction?

115 And he sees lightning while
there.

It seems that the second word is
simply a Latinate form of the first, the
bathroom or it may mean "garbage
room". In the Rome manuscript and the
text of R. S. Cirillo, the reading is
ספיקלריא, with change of liquids *r* - *l*.
The Latin would be *faecaria*, "dregs,
filthy matter"; Kohut compares Greek
σφέκλη "dregs".

116 Defined earlier as time to say:

"Peace on you, my teacher."

117 This implies that the bene-
diction over lightning must be recited
within this time span after the light-
ning was observed.

118 Since one may not mention the
Divine Name with one's genitals un-
covered.

119 The "tower" is no tower, but one
kind of sedan chair. Mishnah and
Talmudim always speak of three kinds
of sedan chairs, שיִידָה חִיבָה וּמִגְדָּל, the

exact definitions of these are unknown. But in any case, the "tower" is a wooden chest-like implement. The new question implies that the first question was answered in the negative (it is noted so in Babli *Sukkah* 10b), that a house, or any "tent", can never be a garment. The substitute question now is whether a wooden movable cover can take the place of a textile cover. A similar question is asked in Babli

Sukkah 10b for somebody lying naked in bed and covered by a mosquito net; the answer is that it is possible only if the bed assembly does not qualify as a "tent." The question here goes unanswered because, characteristic for R. Jeremiah, it is asked in a totally unrealistic form. [In contrast to the Babli, the Yerushalmi never requires that heart and genitals should be covered by separate garments.]

על הרוחות מהוא אומר. ברוך שִׁכְחוּ מְלֵא עוֹלָם. מִתְנִיתָא כְּשָׂאִין בְּסַעֲף.
אָבֵל שְׂבָאִים בְּנִחַת אוֹמֵר בְּרוּךְ שֶׁעָשָׂה בְּרֵאשִׁית.

"On winds what does he say? Praise to Him, Whose power and might fill the world." The Mishnah if they come destructively. But if they come quietly, one says: Praise to the Maker of Creation.

אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן חֲנַנְיָהּ בְּשָׁעָה שֶׁהָרוּחַ יוֹצֵא לְעוֹלָם הַקָּדוֹשׁ בְּרוּךְ הוּא
מְשַׁבְּרוֹ בְּהָרִים וּמְכַשְׁלוֹ בְּגִבְעוֹת וְאוֹמֵר תּוֹן דְּעִתְךָ שְׁלֵא תַזִּיק בְּרִיּוֹתַי. מַה טַעַם
כִּי רוּחַ מְלַפְנֵי יַעֲטוּף. מִשְׁלַהֲי לִיה. כִּמְה דָּאֵת אָמַר בְּהַתְעַטֵּף עָלֵי רוּחִי.
כֹּל-כֵּן לְמַה. רַבִּי חוּנָא בְּשֵׁם רַבִּי אַחָא וּנְשָׁמוֹת אֲנִי עֹשִׂיתִי. בְּשִׁבִיל נְשָׁמוֹת
שֶׁעֲשִׂיתִי.

Rebbi Joshua ben Hananiah said: When the wind goes out into the world, the Holy One, praise to Him, breaks it on mountains, lets it stumble on hills, and tells it: Be careful not to hurt my creatures. What is the reason? (*Is.* 57:16) "The wind becomes faint before Me." He makes it tired, as one says (*Jonah* 2:8): "When I am fainting." All that why? Rebbi Huna in the name of Rebbi Aḥa (*Is.* 57:16): "And I made souls;" because of the souls that I made.

אמר רבי חונא בשלשה מקומות יצא הרוח שלא במשקל וביקש להחריב את העולם כולו. אחת בימי יונה. ואחת בימי אליהו. ואחת בימי איוב. בימי יונה ולי הטיל רוח גדולה. בימי איוב והנה רוח גדולה באה מעבר המדבר. בימי אליהו מנין והנה יי עובר ורוח גדולה וחזק מפרק הרים. אמר רבי יודן בר שלום נימר אותו של איוב בשבילו היה. ושל יונה בשבילו היה. אין לך אלא של אליהו שהיה קוסמיקון. והנה יי עובר וכו'. ואחר כך רעש ואחר הרעש אש לא באש יי.

Rebbi Huna said, in three places did the wind come out without measure and desired to destroy the entire world; once in the time of Jonah, once in the time of Elijah, and once in the time of Job. In the time of Jonah (*Jonah* 1:4): "The Eternal sent a strong wind." In the time of Job (*Job* 1:19): "A great wind came across the desert." In the time of Elijah, from where? (*IK*. 19: 19:11) "Lo, the Eternal passes, and a great, strong wind, shattering mountains." Rebbi Yudan ben Shalom¹²⁰ said, let us say that the one of Job was for him only¹²¹, that of Jonah was for him only. You have only that of Elijah which was worldwide¹²² "Lo, the Eternal passes, etc. After that an earthquake¹²³ and after the earthquake fire, but the Eternal was not in the fire."

120 A late Galilean Amora, also called Rebbi Yehudah Halevi, infrequently appearing in halakhic discussions; he is a major source of the early *Tanhuma* Midrash.

121 It took place just around the house it destroyed.

122 Greek κοσμικόν.

123 The earthquake by its nature is felt at great distances.

רבי יהודה אומר הרואה את הים הגדול אומר ברוך שעשה את הים הגדול בזמן שהוא רואהו לפרקים. וכמה הוא פרק אחד לשלשים יום. שמעון קמטריא שאל לרבי חייא בר בא בגין דאנא חמר וסליק לירושלים בכל שעה מהו שנקרע. אמר ליה אם בתוך שלשים יום אי אתה צריך לקרוע לאחר שלשים יום צריך אתה לקרוע.

"Rebbi Yehudah says, he who sees the ocean says: Praise to Him Who made the ocean, if he sees it at intervals." What is an interval? Once in thirty days¹²⁴. Simeon the hard-working man¹²⁵ asked Rebbi Ḥiyya bar Abba: Since I am a donkey driver and go up to Jerusalem all the time¹²⁶, how do I have to tear¹²⁷? He said to him: If it is within thirty days, you do not have to tear, after thirty days you have to tear.

124 In the Babli (59b), this is a statement of the Palestinian Rebbi Isaac; it seems that he brought the Galilean tradition to Babylonia.

125 Greek *καματηρός* "laborious, hardworking" (E. G.). This person is mentioned only here and in the following *Aggadah* (which appears here because it mentions Simeon Qamateria.) As a learned man, he is addressed in

Hebrew, not in Aramaic.

126 This is the reading of the Rome manuscript. The Venice print has *כל שנה* "every year", which does not fit the context.

127 Just as one has to tear one's clothes upon hearing of the death of a close relative, so one has to tear one's clothes when seeing Jerusalem in a state of destruction.

רבי חונא ושמעון קמטריא בשם רבי שמואל בר נחמן ויהונתן בן גרשם בן מנשה נון תלויה. אם זכה בן משה. ואם לאו בן מנשה. חברייה בעין קומי רבי שמואל בר נחמן כומר הנה לעבודה זרה והאריך מימי. אמר לון על יד שהיה עינו צרה בעבודה זרה שלו. כיצד היתה עינו צרה בעבודה זרה שלו. הנה בר נש אתי למקרבא תור או אימר או גדי לעבודה זרה ואמר ליה פיסייה עלי. והוא אמר ליה מה זו מועילה לך לא רואה ולא שומעת לא אוכלת ולא שותה לא מטיבה ולא מריעה ולא מדברת. אמר ליה חייך ומה נעביד. ואמר ליה אזיל עביד ואייתי לי חד פינגד דסולת ואתקין עלוי עשר ביעין ואתקין קומוי והוא אכל מכל-מה דאתי ואנא מפיסי לה עלך. מכיון דאזיל ליה הנה אכיל לון. זימנא תדא אתא חד בר נש בר פחין אמר ליה בן. אמר ליה אם אין מועילה כלום את מה את עביד הכא. אמר ליה בגין חיי. כיון שעמד דוד המלך שלח והביאו. אמר ליה את בן בנו של אותו צדיק ואת

עובד עבודה זרה. אמר ליה כד אני מקובל מבית אבי אבא מכור עצמך לעבודה זרה ואל תצטרך לבריות. אמר ליה חס ושלוס לא אמר כן אלא מכור עצמך לעבודה שהיא זרה לך ואל תצטרך לבריות. כיון שראה דוד כד שהיה אוהב ממון מה עשה העמידו קומוס על תיסבריות שלו. ההוא דכתיב ושבואל בן גרשם בן משה נגיד על האוצרות. שבואל ששב אל אל בכל-לבו ובכל-כחו. נגיד על האוצרות שמינהו על תיסבריות שלו. מתיבין לרבי שמואל בר נחמן והא כתיב עד יום גלות הארץ. אמר לון כיון שמת דוד עמד שלמה וחילף סנקליטין שלו. חזר לקילקולו הראשון. ההוא דכתיב ונביא אחד זקן יושב בבית אל וגו'. אמרין הוא הנה.

Rebbi Huna and Simeon Qamateria in the name of Rebbi Samuel ben Nahman (*Jud.* 18:30): "Jonathan ben Gershom ben Manasseh." a hanging ¹²⁸. If he merits it, ben Mosheh. If he does not merit it, ben Manasseh. The colleagues asked before Rebbi Samuel bar Nahman: He was a priest of idol worship and lived so long¹²⁹? He said to them, because *he* [Jonathan] was grudging to his idol. How was he grudging to his idol? If a man came to sacrifice an ox, a sheep, or a goat to the idol and told him: Make it favorably inclined towards me, *he* would say: What use does it have for you? It neither sees, nor hears, nor eats, nor drinks, nor does good or evil, and does not talk. He said to him, by your life, what should we do? *He* said to him, go, make, and bring me a wooden vessel¹³⁰ full of fine flour and put on it ten eggs, then *I* shall prepare it before that one and *it* will eat from all that comes and *I* shall make *it* favorably inclined towards you! After he left, *he* would eat it. One day, a son of pashas came and *he* said that to him. He said to *him*, if it is of no use, what are you doing here? *He* said to him, because of my livelihood. When David became king, he sent and brought *him*. He said to *him*, you are the grandson of that righteous man and you worship idols? *He* said to him: *I* have a tradition from my grandfather's house: Sell yourself to idol

worship¹³¹ rather than need other people¹³². He said to *him*: Heaven forbid! He did not say so, but sell yourself to work that is strange to you rather than to need other people. When David saw that he loved money, he made him count¹³³ of his treasuries. That is what is written (*IChr.* 26:24): "Shabuel ben Gershom ben Moshe, overseer of the treasuries." "Shabuel" because he returned to God with all his heart and all his might. "Overseer of the treasuries," that he made him count of the treasuries. They objected to Rabbi Samuel bar Nahman: (*Jud.* 18:30): "Until the day the land went into exile." He said to them, when David died, Shelomo rose and exchanged all his counselors¹³⁴. *He* returned to his former bad ways. That is what is written: (*IK.* 13:11) "An old prophet¹³⁵ was dwelling at Beth El;" they say that this was *he*.

128 In Bible manuscripts and prints, the name is יהונתן בן גרשם בן מִיִּשָׁה, to hide the fact that a grandson of Moses was priest of the idol at Dan. Manasseh is the bad king of Judah, son of king Hezekiah. The parallels to this paragraph are Yerushalmi *Sanhedrin* 11:5, Babli *Bava Batra* 110a.

129 The verse reads: "Jonathan ben Gershom ben Mo(n)sheh, he and his sons, were priests for the tribe of Dan, until the day the land was exiled. They put up for themselves the idol of Micah, that the latter had made, all the days that the House of God was at Shiloh." There are several interpretations of "the day the land was exiled." Rashi takes it to mean the exile of Dan by the Assyrians, Baby-

lonian tradition (*Seder Olam* Chapter 24) takes it as the time of captivity of king Manasse in Babylon; most later Medieval commentators (Ibn Ezra, Gersonides, R. Isaiah of Trani) take it to refer to the destruction of Shiloh (since Jeroboam put up a new Golden Calf at Dan, the original idol can no longer have survived.) However, as Y. Yadin has pointed out, already in the Song of Deborah there is a reference to the tribe of Dan who "went to dwell on ships." Rashi's interpretation is that of the Talmudim (the parallel in the Babli is *Bava Bathra* 110a), since both have Jonathan (not just one of his descendants) alive and active at the time of David, about 300 years after the conquest of Laish by the tribe of

- | | |
|---|---|
| Dan. | (βουλή) "summoned (council, senate)", |
| 130 Greek πίναξ, "wooden platter". | also συγκλητικός "of senatorial rank", |
| 131 In Hebrew, "strange work". | with Aramaic plural ending. <i>Seder</i> |
| 132 To take money from charity. | <i>Olam</i> , quoted earlier, seems to assume |
| 133 Latin <i>comes</i> , a high official in | that he stayed in Jerusalem after that. |
| post-Diocletian Rome. "Treasury" from | 135 Since prophets are usually ex- |
| Greek θησαυρός. | perienced people, this one must have |
| 134 Greek singular σύγκλητος | been very old. |

הַרְוֹאֵה אֶת הַחֲמָה בְּתַקּוּפֹתֶיהָ וְאֶת הַלְבָנָה בְּתַקּוּפֹתֶיהָ וְאֶת הַרְקִיעַ בְּטִיהָרוֹ
אֹמֵר בְּרוּךְ עוֹשֶׂה בְּרָאשִׁית. אָמַר רַבִּי חוּנָה הִדָּא דְתִימְרַ בִּימֹת הַגְּשָׁמִים
בְּלִבְד לְאַחַר שְׁלֹשָׁה יָמִים. וְהָהוּא דְכָתִיב וְעַתָּה לֹא רָאוּ אוֹר וְגו'.

He who sees the sun at its turning point¹³⁶, the moon at its turning point, and the sky in its purity, says: Praise to the Maker of Creation. Rabbi Huna says, that means in the rainy season and only after three days. That is what is written (*Job 37:21*): "Now they do not see light, etc."¹³⁷

136 According to the Babli (59b), this is the moment when the sun would stand at the point where it was created if the Julianic calendar could be extrapolated backwards. It is not permissible to read the Yerushalmi by the interpretations of the Babli. Usually, a "turning point" of the sun is either a solstice or an equinox; it also could just mean "the sun turning". The latter meaning is implied by the Tosephta (6:6): "He who sees sun, moon, fixed stars, planets, says: Praise to the Maker of Creation. Rabbi Yehudah says, he who recites a benediction over the sun is on the way of heretics.

Similarly, Rabbi Yehudah used to say, he who sees the ocean frequently has to recite a benediction if it has changed." Here it is clear that the entire statement refers to weather-related phenomena; the following statement of R. Huna therefore should not be taken to refer to the clear sky only (as it is taken in the Babli) but for all celestial phenomena when they are observed in an unpolluted sky. The coastline of the ocean may have changed during a storm; after the clearing of the sky R. Jehudah requires a new benediction.

137 The end of the verse: "He is

lucent in the skies, a wind passed by and purified them," shows that the sky is really radiant only if the sun comes out after a long rain.

A parallel Yerushalmi source, Midrash *Wayiqra rabba* 23(8) reads: "'Now they do not see light,' we have formulated: He who sees the sun at its turning point, the moon in its spherical shape, the stars in their paths, the

planets in their order, says: Praise to the Maker of Creation. Rebbi Huna says, that means in the rainy season and only after three days." Rabbenu Hananel, in his commentary to the Babli, takes sun, moon, stars, and planets all together and requires a benediction if any of them has not been seen for a prolonged time.

הַרְוָאָה אֶת הַלְבָנָה בְּחִידוּשָׁה אוֹמֵר בְּרוּךְ מְחַדֵּשׁ חֳדָשִׁים. עַד אֵיכָן. רַבִּי יַעֲקֹב
 בַּר אֲחָא בְּשֵׁם רַבִּי יוֹסִי עַד שֶׁתִּרְאֶה כַּחֲצֵי הַמַּטָּה. רַבִּי אֲחָא וְרַבִּי חִינְנָא בְּשֵׁם
 רַבִּי יוֹסִי עַד שֶׁתִּתְמַלֵּא פְּגִימָתָהּ. רַבִּנּוּן דְּקִיסְרִין אֲמָרִין עַד אַרְבָּעָה עָשָׂר יוֹם.
 אֲמַר רַבִּי יוֹסִי בֵּי רַבִּי בּוֹן וְיָאוֹת. כָּלוּם מִתְמַלֵּאת פְּגִימָתָהּ אֲלָא עַד אַרְבָּעָה
 עָשָׂר יוֹם. הָא כָּל-אַרְבָּעָה עָשָׂר יוֹם צָרִיד לְבָרַךְ.

He who sees the moon in its renewal says: Praise to Him Who renews months¹³⁸. Until when? Rebbi Jacob bar Aḥa in the name of Rebbi Yose¹³⁹: Until it is seen like half a stick. Rebbi Aḥa and Rebbi Hinena in the name of Rebbi Yose: Until its missing part is filled. The rabbis of Caesarea say, until the fourteenth day. Rebbi Yose bar Abun said, that is correct; the missing part is never filled before the fourteenth day. Hence, all fourteen days one needs to recite the benediction.

138 The Babli (*Sanhedrin* 42a) notes that in Galilee one recites simply: "Praised are You, Eternal, our God, King of the Universe, Who renews months," and that this is the formula used by women in Babylonia, but men in Babylonia use the formula "Praised are You, Eternal, our God, King of the

Universe, Who renews months" only as conclusion of a longer prayer.

139 He is Rebbi Assi; in the Babli (*loc. cit.*) he is reported to have said in the name of R. Yoḥanan that one recites the benediction "until its (the moon's) missing part is filled" and Rebbi Jacob bar Idi interprets this to

mean that the appearance of the moon is no longer concave, i. e. that its visible circumference looks like a semicircle with its diameter (ascribed here to R. Jacob bar Aha). The people

of Nehardea say, until after the 15th of the month, an interpretation which is more lenient than any opinion expressed here.

בְּתַפִּילָה רַבִּי יוֹסִי בַר נְהוֹרַי אָמַר מְקַדֵּשׁ יִשְׂרָאֵל מְחַדֵּשׁ חֳדָשִׁים. רַבִּי חִיָּיא בַר אֲשִׁי אָמַר מְקַדֵּשׁ יִשְׂרָאֵל וְרֵאשֵׁי חֳדָשִׁים. שְׁמוּאֵל אָמַר צְרִיךְ לומר וְהַשְׂאֵנוּ. רַב אָמַר צְרִיךְ לְהַזְכִּיר בָּהּ זְמַן. תַּנִּי רַבִּי הוֹשַׁעְיָא וְהָיוּ לְאוֹתוֹת וּמוֹעֲדִים וְלִזְמַנִּים וְשָׁנִים.

In prayer¹⁴⁰, Rabbi Yose bar Nahorai said: "He Who sanctifies Israel, renews months." Rav Hiyya bar Ashi said: "He Who sanctifies Israel and the New Moon."¹⁴¹ Samuel said, one must say "bestow on us"¹⁴². Rav said, one must mention "time."¹⁴³ Rabbi Hoshaya stated: (*Gen. 1:14*) "They should be for signs and appointed times, days and years."¹⁴⁴

140 The *Musaph* prayer of the day of the New Moon.

141 This is the Babylonian version, given by a Babylonian.

142 The formula used on holidays to introduce the final paragraph of the middle benediction of the *Amidah*: "Bestow on us, o Eternal, our God, the blessing of Your holiday." There is no mention of this and the following statement of Rav in any Babylonian source. Even though this might indicate concurrence of the Babli, the requirements of Samuel and Rav are not followed. [The Yerushalmi prayer texts from the Cairo Genizah show the

Musaph *Amidah* of the days of the New Moon following the text of the holiday *Amidah*.]

143 Recite on the day of New Moon the benediction: "Praise to You, Eternal, our God, King of the Universe, Who made us live, sustained us, and let us reach this time."

144 The explanation is given in *Bereshit rabba* 6(3): "They shall be for signs", these are the Sabbaths, "and appointed times," these are the holidays of pilgrimage, "days," these are the days of the New Moon, "and years," that is the sanctification of years. [The Sabbath is called a sign in *Ex. 31:13,17*.

The sanctification of years is the solemn declaration of a Jubilee year by the Synhedrion.] In this interpretation,

the days of the New Moon are on the same level as holidays.

העובר בין הקברות מהו אומר ברוך אתה יי מחיה המתים. רבי חייא בשם רבי יוחנן נאמן בדברו ומחיה המתים. רבי חייא בשם רבי יוחנן היודע מספרכם הוא יעורר אתכם הוא יגלה את העפר מעל עיניכם. ברוך אתה יי מחיה המתים. רבי אלעזר בשם רבי חנינא אשר יצר אתכם בדין וכלכל אתכם בדין. וסילק אתכם בדין. ועתיד להחיותכם בדין. היודע מספרכם הוא יגלה עפר מעיניכם. ברוך מחיה המתים: ההוא דאמר במתי ישראל. אכל במתי אומות העולם אומר בושה אמכם מאד חפרה יולדתכם וגו':

What says he who passes between graves¹⁴⁵? Praised are You, Eternal, Who makes the dead live. Rebbi Hiyya¹⁴⁶ in the name of Rebbi Yoḥanan: Who is true to His word and makes the dead live. Rebbi Hiyya in the name of Rebbi Yoḥanan: He Who knows your number will wake you up and remove the dust from upon your eyes. Praised are You, Eternal, Who makes the dead live. Rebbi Eleazar in the name of Rebbi Ḥanina: Who created You by judgment, fed you by judgment, and removed you by judgment, He will in the future make you live by judgment. He Who knows your number will remove the dust from upon your eyes. Praised be He Who makes the dead live. That is, for Jewish dead. But for the dead of the Gentiles, he says (*Jer.* 50:12): Your mother is very shameful, the one who bore you is ashamed¹⁴⁷

145 The parallel in the Babli (58a) quotes a *baraita* that parallels the statement of R. Ḥanina here. An addition in the name of Rav Naḥman gives the second text of R. Yoḥanan here. The conclusion is simply "He

Who makes the dead live." In the Tosephta (6:6), the text is that of R. Yoḥanan with the longer conclusion of R. Yoḥanan. The medieval quotes of these texts differ widely, cf. *Diqduqe Soferim Berakhot* p. 330, *Tosefta*

kifshutah Berakhot p. 109. It seems that the original benediction was simply: Praised are You, Eternal, Who makes the dead live. The longer texts are additions of Tanna'im of the last and Amora'im of the first generations.

always R. Hiyya bar Abba.

147 The end of the verse is: "Lo, the future of the Gentiles is desert, wilderness and steppe," not the blissful afterlife. The Babli quotes the same verse.

146 Here and in the following it is

הַרְוֵאָה הַקֶּשֶׁת בְּעֵינָי אֹמֵר בְּרוּךְ אַתָּה יי זֹכֵר הַבְּרִית. רַבִּי חֵיָא בְּשֵׁם רַבִּי יוֹחָנָן נֹאֲמָן בְּבְרִיתוֹ וְזֹכֵר הַבְּרִית.

He who sees the rainbow in the clouds says: Praised are You, Eternal, Who remembers the Covenant. Rabbi Hiyya in the name of Rabbi Yoḥanan: Who is faithful to His Covenant and remembers the Covenant¹⁴⁸.

148 This is the formulation of the Tosephta (6:5); the Babli (59a) has a different formulation from a *baraita*.

The formula is not original with R. Yoḥanan; he simply chose one among several that were current.

רַבִּי חִזְקִיָּה בְּשֵׁם רַבִּי יִרְמְיָה כָּל־יָמָיו שֶׁל רַבִּי שְׁמַעוֹן בֶּן יוֹחִי לֹא נִרְאָתָה הַקֶּשֶׁת בְּעֵינָיו. רַבִּי חִזְקִיָּה בְּשֵׁם רַבִּי יִרְמְיָה כֵּן הָיָה רַבִּי שְׁמַעוֹן בֶּן יוֹחִי אֹמֵר בְּקֶעֶה בְּקֶעֶה הַתְּמָלָאִי דִּינְרִי זָהָב וְהִיתָה מִתְּמָלָאִת. רַבִּי חִזְקִיָּה בְּשֵׁם רַבִּי יִרְמְיָה כֵּן הָיָה רַבִּי שְׁמַעוֹן בֶּן יוֹחִי אֹמֵר אֲנִי רְאִיתִי בְּנֵי הָעוֹלָם הִבָּא וּמוֹעָטִים הָיוּ. אִין תִּלְתָּא אֵינוֹן אֲנָא וּבְרִי מְנַהוּן. אִין תִּרְיִן אֵינוֹן אֲנָא וּבְרִי אֵינוֹן. רַבִּי חִזְקִיָּה בְּשֵׁם רַבִּי יִרְמְיָה כֵּן הָיָה רַבִּי שְׁמַעוֹן בֶּן יוֹחִי אֹמֵר יִקְרַב אֲבָרְהָם מִן גְּבִיָּה וְעַד גְּבִיָּי. וְאֲנָא מִיִּקְרַב מִן גְּבִיָּי וְעַד סוּף כָּל־דְּרִי. וְאִין לָא יִצְרַף אַחֲזִיָּה הַשִּׁילוּנִי עָמִי וְאֲנָא מִקְרַב כָּל־עָמָא.

Rebbi Hizqiah in the name of Rabbi Jeremiah: No rainbow was seen all the days of Rabbi Simeon ben Yoḥai¹⁴⁹. Rabbi Hizqiah in the name of Rabbi Jeremiah: Rabbi Simeon bar Yoḥai used to say, "Valley, valley, get

filled with gold denars," and it got filled¹⁵⁰. Rabbi Hizqiah in the name of Rabbi Jeremiah: Rabbi Simeon bar Yoḥai used to say, I saw the people of the Future World and they are few¹⁵¹. If they are three, I and my son are of them. If they are two, they are me and my son. Rabbi Hizqiah in the name of Rabbi Jeremiah: Rabbi Simeon bar Yoḥai used to say, Abraham should bring near from his back to my back¹⁵²; I shall bring near from my back to the end of all generations. Otherwise, Aḥiya from Shiloh¹⁵³ should join me and I shall bring everybody near.

149 Since the rainbow is a sign that God will not bring a deluge over humankind even though their misdeeds would justify it; one single perfectly just person does by his existence exclude the possibility of a deluge and, therefore, the rainbow does not have to appear in his lifetime. It follows that a person in whose lifetime (probably meaning, from age 20 and onward) a rainbow is sighted cannot be perfect. This paragraph is inserted as addition to the topic of the rainbow.

150 Rabbi Simeon is the only Tanna (except Simeon ben Azai who died very young) about whom it is reported positively that he spent *all* his time in the study of Torah and did not earn money. Since it has been shown in the story of Jonathan ben Gershom that one may not take money from charity

or contributions if one can avoid it at all, it is clear that he must have lived off his own money; otherwise he could not have been a just person.

151 The Babli (*Sukkah* 45b, *Sanhedrin* 97b) explains that this refers only to the highest state attainable in the Future World. This is also implied by the rest of the paragraph where R. Simeon declares that he can bring practically everybody to the Future World. [It is obvious that in both places in the Babli, one has to read "Rabbi Hizqiah" instead of "Hizqiah" (in the current text), who would be the son of Rabbi Hiyya, preceding R. Jeremiah by two generations.]

152 Rescue everybody from punishment and bring him to the Future world.

153 Cf. *Seder Olam*, Chapter 1, end.

וכי מה ראו לסמוך בשורות טובות לגשמים. רבי ברכיה בשם רבי לוי על שם מים קרים על נפש עיפה שמועה טובה מארץ מרחק.

What reason did they have to take together¹⁵⁴ good news and rains? Rabbi Berekhiah in the name of Rabbi Lewi: Because of (*Pr.* 25:25) "cold water on a weary person and good news from a distant land."

154 In the Mishnah, having the same formula of thanks for good news and winter rain.

וכמה גשמים ירדו ויהא אדם צריך לברך. רבי חייא בשם רבי יוחנן בתחילה כדי רביעה. ובסוף כדי שיודחו פניה. רבי ינאי בר ישמעאל בשם רבי שמעון בן לקיש בתחילה כדי רביעה. ובסוף כדי שתשרה המגופה. ויש מגופה נשרית. אלא רואין אותה כאילו היא שרויה. רבי יוסי בשם רב יהודה ורבי יונה ורב יהודה בשם שמואל בתחילה כדי (fol. 14a) רביעה. ובסוף אפילו כל־שהוא. רבי יוסה בשם רבי זעירא להפסיק תענית נאמרה. רבי חזקיה ורבי נחום ורב אדא בר אבימי הוון יתבין. אמר רבי נחום לרב אדא בר אבימי לא מסתברא לברכה נאמרה. אמר ליה אין. אמר רבי חזקיה לרב אדא בר אבימי לא מסתברא להפסיק תענית נאמרה. אמר ליה אין. אמר ליה למה אמרת ליה הין הכין. אמר ליה בשיטת רבי. אמר רבי מנא לרבי חזקיה מני רביה. אמר ליה רבי זעירא. אמר ליה ואגן אמרינן רבי יוסה בשם רבי זעירא להפסיק תענית נאמרה.

How¹⁵⁵ much rain should fall that a man is required to recite a benediction? Rabbi Hiyya in the name of Rabbi Yohanan: At the start¹⁵⁶, that it should fertilize¹⁵⁷, at the end that the surface should be wet¹⁵⁸. Rabbi Yannai ben Ismael in the name of Rabbi Simeon ben Laqish: At the start, that it should fertilize, at the end that the seal of the amphora should be soaked¹⁵⁹. Is the seal ever soaked? But it is as if it were soaked. Rabbi Yose in the name of Rav Yehudah, Rabbi Jonah, Rav Yehudah in the name of Samuel: At the start, that it should fertilize, at

the end even a minimal amount. Rabbi Yose in the name of Rabbi Zeïra: It was said for fast days¹⁶⁰. Rabbi Hizqiah, Rabbi Naḥum, and Rav Ada bar Abimi¹⁶¹ were sitting. Rabbi Naḥum said to Rav Ada bar Abimi: Is it not reasonable that this was said for the benediction; he answered: Yes. Rabbi Hizqiah said to Rav Ada bar Abimi: Is it not reasonable that this was said for fast days; he answered: Yes. He said to him, why did you say "yes" here? He said to him, it is the argumentation of my teacher. Rabbi Mana asked Rabbi Hizqiah, who is his teacher? He said to him, Rabbi Zeïra. He said to him, but we say: Rabbi Yose in the name of Rabbi Zeïra: It was said for fast days¹⁶².

155 The almost exact parallel is in *Taäniot* 1:3, *Bereshit rabba* 13(16). The text here follows the one in *Taänit* where it is supported by the Rome manuscript.

156 After it was dry for at least thirty days (in the Middle East, usually for six months.)

157 The definition is discussed in the second paragraph after this one.

158 In *Taänit* and *Bereshit rabba*, "that a brick should be wet."

159 Wine and oil were kept in clay amphoras (חכיח) that were closed with clumps of clay. The measure is that

the clay should become wet inside.

160 If there was a draught and a fast-day was decreed, when it has started to rain in the night before services begin in the synagogue, one stops and eats if there was enough rain to fertilize the earth. If they already started to recite the liturgy for fast days during daytime, then one stops according to one of the rules given above. [The Babli, *Taänit* 25b, knows only of the rule of fertilizing.]

161 He is mentioned only here.

162 The rules have been formulated for fast days only.

רב יהודה בר יחזקאל אמר אבא מברך על ירידת גשמים יתגדל ויתקדש ויתברך ויתרומם שמך מלכנו על כל־טיפה וטיפה שאת מוריד לנו שאת ממניען זו מזו. כי יגרע נטפי מים. כדאת אמר ונגרע מערכך. אמר רבי יודן ולא עוד אלא שהוא מורידן במידה. שנאמר ומים תיכן במידה. רבי יוסי בר

עֲקֹב סֶלֶק מִבְּקָרָא רַבִּי יִדְן מִגְדָּלָא. עַד דְּהוּהָ תַמּוֹן נַחַת מִיִּטְרָא וְשָׁמַע קְלִיָּה
אָמַר אֵלַי אֵלַי אֵלַי וְרַבִּי רִיבּוֹן חִיבִין לְהוֹדוֹת לְשִׁמְךָ מִלְּכִינֵנוּ עַל כָּל־טִיפָה
וְטִיפָה שְׂאֵת מוֹרִיד לָנוּ שְׂאֵת גּוֹמֵל טוֹבָה לְחִיבִים. אָמַר לִיה הֲדָא מְנָא לָךְ.
אָמַר לִיה הֲכִין הוּהוּ רַבִּי סִימּוֹן מְבָרַךְ עַל יְרִידַת גְּשָׁמִים.

Rav Yehudah bar Ezechiel¹⁶³ said, my father used to recite for rainfall: May Your Name be magnified, sanctified, praised, and elevated, our King, for every drop that You bring down to us, and you make them refrain one from the other. (*Job*. 36:27) "For He reduces water drippings;" as one says (*Lev*. 27:18): "Your value will be reduced." Rabbi Yudan said, not only that, but He brings them down in measure, as it is said (*Job* 28:25): "Water He determined by measure." Rabbi Yose bar Jacob¹⁶⁴ went to visit Rabbi Yudan from Migdal¹⁶⁵. While he was there, rain started to come down and he heard his (R. Yudan's) voice saying: Thousands of thousands and myriads of myriads we are obliged to thank Your Name, our King, for every drop that You bring down to us, for You do good things for the guilty ones. He said to him: From where do you have this? He said to him: This is the benediction that Rabbi Simon recited for rainfall.

163 He is Rav Yehudah who is frequently quoted in both Talmudim. The texts given are only an introduction to the doxology required by the Mishnah, "He Who is good and does good." In the Babli (*Taanit* 6b), Rav Yehudah quotes a shorter text in the name of Rav. A longer text, patterned on the benediction after the recitation of Psalms on Sabbath and holidays with a different final doxology, is reported

there in the name of R. Yohanan. It seems that long texts were never accepted in Galilee.

164 He always is quoted together with R. Yudan of Migdal; he might be R. Yose bar Jacob bar Idi mentioned in *Midrashim*.

165 An Amora of the fourth generation, living in Migdal Nunia North of Tiberias.

וכמה גשמים ירדו ויהא בהן כדי רביעה מלא כלי מחזיק שלשה טפחים דברי רבי מאיר. רבי יהודה אומר בתחילה טפח ובשניה שני טפחים ובשלישית שלשה טפחים. תני רבי שמעון בן אלעזר אומר אין לך טפח יורד מלמעלה שאין הארץ מעלה כנגדו שני טפחים מאי טעמא תהום אל תהום קורא לקול צינוק.

How¹⁶⁶ much rain should fall that it is considered fertilizing? If it fills a vessel of three hand-breadths, the words of Rebbi Meir. Rebbi Yehudah says, the first rainfall one hand-breadth, the second one two hand breadths, and the third one three hand-breadths. It has been stated: Rebbi Simeon ben Eleazar says, there is no hand-breadth that falls from above that the earth does not raise two hand-breadths towards it. What is the reason? (*Ps.* 42:8) "The deep calls to the deep¹⁶⁷ by the sound of Your water spouts."

166 There are two parallel traditions, both of Galilean origin. The text here is almost identical with Tosephta *Ta'aniot* 1:4. In the Babli (*Ta'anit* 25b) and the Yerushalmi source *Bereshit rabba* 13(13), Rebbi Meir is reported to require that the rains penetrate the depth of the penetration of the plough-share (which is assumed to be three hand-breadths,) whereas R. Yehudah says that for dry earth, one hand-breadth was enough, for average ground two hand-breadths, and for well worked ground, three hand-breadths. If these are two equivalent formulations, then the text here has to be interpreted in the light

of the text in Babli/Midrash: Not that R. Meir requires a rainfall of three hand-breadths (10.8 inches) in one storm (or R. Yehudah rainfalls of 3.6, 7.2, 10.8 inches, respectively) but that the moisture has to penetrate the earth to the depth indicated. In that case, "dry earth" is simply the earth after the rainless summer months, average earth is the earth after the first winter storms, and well worked ground is the earth after an uninterrupted rain of seven days (the first, second, and third fertilizing periods in the language of Tosephta *Ta'aniot* 1:4). R. Simeon ben Eleazar seems to object to both R. Meir and R. Yehudah because rain will make

the ground water level rise by twice the amount of rain water; hence, moisture in the ground can come from below as well as from above. One must assume that in the Yerushalmi also the

measurements are those of moist spots in the earth and not of rainfall in the modern sense.

167 Rashi explains in Babli *Taānit* that clouds also are called "deep".

וְאָמַר רַבִּי לְוֵי הַמַּיִם הָאֵלּוּיִנִים זְכָרִים וְהַתַּחְתּוֹנִים נְקֻבוֹת. מֵה טַעַם תִּפְתָּח אֲרֶץ. כִּנְקֻבָּה הַזֹּאת שֶׁהִיא פּוֹתַחַת לְפָנֵי הַזָּכָר. וַיִּפְרוּ יִשְׁעָ. זֶה פְרִיָה וְרִבְיָה. וַיִּצְדָּקָה תְצַמִּיחַ יַחַד. זֶה יִרְדַּת גְּשָׁמִים. כִּי אֲנִי יי בְרָאתִיו. לְכַךְ בְּרָאתִיהָ לְתִיקוּנוֹ שֶׁל עוֹלָם. רַבִּי אֲחָא תַנִּי לֵה בְשֵׁם רַבִּי שְׁמַעוֹן בֶּן גַּמְלִיאֵל וְלָמָּה נִקְרָא שְׁמָה רִבִיעָה שֶׁהִיא רוֹבַעַת אֶת הָאֲרֶץ.

And Rabbi Levi said: The upper waters are male and the lower ones female. What is the reason? (*Is.* 45:8)¹⁶⁸ "The earth shall open," like a female who opens before a male; "they should bear fruit of help," that is being fruitful and multiplying; "and justice shall sprout together," that is rainfall; "I, the Eternal, did create it," for that I created it, for the well-being of the world. Rabbi Aḥa stated it in the name of Rabbi Simeon ben Gamliel¹⁶⁹: Why is it called "fertilizing," because it impregnates the earth.

168 The verse starts: "The heavens should pour down from high, and the skies should flow with justice," speaking of rain. The Babli has two contradictory sermons in this matter. Rav Yehudah is reported in *Taānit* 6b that rain is the earth's husband because in *Is.* 55:10 it is said that rain makes the earth give birth, while Rabbi Abbahu (there and *Berakhot* 59b) says that a benediction is recited only if

"the bridegroom goes towards the bride," meaning that drops jump up from the earth towards the descending rain. [This is the traditional interpretation, given by Ashkenazic Rabbenu Gershom and Sephardic Rabbenu Ḥanan'el. Rashi, sensing the apparent contradiction, has a prosaic interpretation, that on both sides of the street the gutters will spout water one towards the other.]

169 This is the end of Rabbi Simeon appears as a statement of the Amora ben Eleazar's text in Tosephta *Ta'aniot*. Rabbi Abbahu. In the Babli (*Ta'anit* 6b), this passage

רבי חנינא בר יקא בשם רב יהודה שורשי חיטה בוקעין בארץ שלש אמה. שורשי תאניתא רפים בוקעין בצור. תני רבי ישמעאל בן אלעזר אומר אין הארץ שותה אלא לפי חיסומה. אם כן מה יעשה שורשי חרוב. מה יעשו שורשי שקמה. אמר רבי חנינא אחת לשלשים יום תהום עולה ומשקה אותם. ומה טעם אני יי נוצרה לרגעים אשקנה.

Rebbi Hanina bar Yaqqa¹⁷⁰ in the name of Rav Yehudah: The roots of wheat split the earth to a depth of three cubits. The soft roots of a fig tree split rock. It has been stated: Rabbi Ismael ben Eleazar¹⁷¹ says, the earth drinks only according to its hardness¹⁷². If this is so, what do the roots of the carob do? What do the roots of the sycamore do¹⁷³? Rebbi Hanina said, once every thirty days the abyss wells up and drenches them. What is the reason? (*Is.* 27:3) "I, the Eternal, watch over it¹⁷⁴ and water it in moments."

170 A Galilean Amora of the third generation who studied under Rav Yehudah in Babylonia and only reports sayings of Rav Yehudah. The paragraph has three parallels, Yerushalmi *Ta'aniot* 1:3, *Avodah zarah* 3:6, Midrash *Bereshit rabba* 13(19). In *Ta'aniot*, the name is R. Hanania bar Yaqqa, in *Avodah zarah* it is R. Haninah bar Yasa, and in the Midrash it is R. Hanina ben R. 'Izqa in the name of Rabbi (!) Yehudah.

171 In *Ta'aniot* and *Avodah zara*, as

well as here in the Rome ms., correctly R. Simeon ben Eleazar; in the printed Midrash R. Eleazar ben R. Simeon, R. Simeon ben Eleazar in manuscripts.

172 The harder the soil, the less it is penetrated by moisture.

173 These trees grow mainly wild, mostly in places unsuited for more delicate fruit trees because of the hardness of the soil. Their roots are very deep.

174 The desirable vineyard.

אמר רבי זעירא תני תמן ראה זול בא לעולם ושובע בא לעולם נהר מספיק למדינה אומר ברוך הטוב והמטיב.

Rebbi Zeira¹⁷⁵ said, it is stated there¹⁷⁶: If one notices cheapness¹⁷⁷ coming to the world, plenty coming to the world, or a river supplying¹⁷⁸ a city, one recites: He Who is good and does good.

175 Here starts the discussion of the last part of the Mishnah, what to recite for good news and what for bad news. One has first to define good and bad news.

176 In Babylonia.

177 Falling prices for consumers, disinflation.

178 A river (or, in Babylonian terms,

an arm of a river) changing its course and now supplying a town with flowing water when before they had to draw water from wells. In Israel, rivers are not fed by melting snow, so this kind of spring flood does not happen there; it is truly a Babylonian formulation.

אמרו לו מת אביו. אומר ברוך דיין האמת. מת והורישו אומר ברוך הטוב והמטיב.

If he was told that his father had died, he says: "Praise to the True Judge." He died and made him an heir, he says: "Praise to Him Who is good and does good¹⁸⁰."

179 The sentence is also quoted in the Babli (*Berakhot* 59b) where it is noted that the benediction for the inheritance is only appropriate if there are several heirs but that the sole heir recites "Who has made us live, pre-

served us, and let us reach this time." This distinction is absent in the Yerushalmi which requires the benediction "Who is good and does good" for all gifts, as explained in the next Halakhah.

בנה בית חדש וקנה כלים חדשים כו'. אמר רבי חינא בר בא לא סוף דבר חדשים אלא אפילו שחקים כאילו הם חדשים לו. רבי יעקב בר זבדי בשם רבי חינא בר אבא אמר קנה אומר ברוך שהחנינו וקיימנו והגיענו לזמן הזה.

ניתן לו אומר הטוב והמטיב. רבי בא אבוב דרביבי בא מארי בשם רבי אהא קנה אומר ברוך שהגיענו לזמן הזה. ניתן לו אומר הטוב והמטיב. לבש בגדים אומר ברוך מלביש ערומים.

"If one built a new house or bought new garments, etc.¹⁸⁰" Rebbi Hiyya bar Abba said: Not only new ones, but even used ones if they are new for him¹⁸¹. Rebbi Jacob bar Zavdi said in the name of Rebbi Hiyya bar Abba: If he bought [a garment], he says: "Praise to Him Who made us live, preserved us, and let us reach this time." If it was given to him, he says: "Praise to Him Who is good and does good." Rebbi Abba, father of Rebbi Abba Mari, in the name of Rebbi Aha: If he bought, he says: "Praise to Him Who let us reach this time." If it was given to him, he says: "Praise to Him Who is good and does good." If he wears the garment, he says: "Praise to Him Who clothes the naked."

180 Here starts the discussion of the last part (in the Mishnah collection, Mishnah 4).

181 If he cannot afford to buy new ones, second hand clothes have the same status for him as new ones for a richer person. [In the Babli, 59b-60a,

the Babylonian opinion is that (for rich Babylonians) one only makes a benediction for genuinely new articles, not for a new set of what he already has, whereas the opinion of the less wealthy Galileans is that any new garment deserves a benediction.]

העושה סוכה לעצמו. אומר ברוך אשר קידשנו במצותיו וציונו לעשות סוכה. לאחרים לעשות לו¹⁸² סוכה לשמו. נכנס לישב בה אומר ברוך אשר קידשנו במצותיו וציונו לישב בסוכה. משהוא מברך עליה לילי יום טוב הראשון אינו צריך לברך עליה עוד מעתה. העושה לולב לעצמו. אומר ברוך אשר קידשנו במצותיו וציונו לעשות לולב. לאחר לעשות לולב לשמו. כשהוא נוטלו אומר על נטילת לולב. ואשר החיינו. ומברך בכל שעה ושעה שהוא נוטלו.

He¹⁸³ who makes a *sukkah* for himself, says: "He Who sanctified us by His commandments and commanded us to make a *sukkah*." For others:

"to make a *sukkah* in that one's name¹⁸⁴." If he enters it, he says: "Praise to Him Who sanctified us by His commandments and commanded us to dwell in a *sukkah*." After he recited the benediction in the first night of the holiday he does not have to recite it again¹⁸⁵. He who makes a *lulav* for himself, says: "He Who sanctified us by His commandments and commanded us to make a *lulav*." For others: "to make a *lulav* in that one's name." If he uses it, he says: "Praise to Him Who sanctified us by His commandments and commanded us to take a *lulav*," and "He Who let us live." He recites the benediction every time that he takes it¹⁸⁶.

182 This word is missing in the parallel *Sukkah* 1:2 and is superfluous.

183 There is a similar statement in Tosephta *Berakhot* 6:9 which is quoted in Babli *Sukkah* 46a; the note about the benediction when making a *sukkah* or *lulav* for somebody else is found only here. Hence, the source here is not the Tosephta which also starts with a general declaration that: "A person performing any *mizwah* recites a benediction over it." The practice of the Babli does not follow the discussion in *Sukkah* 46a but a statement in *Menahot* 42b that no benediction is due for a preparatory action, such as making the *sukkah* or the *lulav*, but only for the required act itself such as living in the *sukkah* or taking the *lulav*.

184 The usual interpretation is that one makes the benediction: "To make a *sukkah*" and that the person has in mind the name of the person for whom he is doing it. It seems rather that one has to pronounce the recipient's name at the place reserved for לשמו.

185 In the Babli (*loc. cit.*), this is the opinion of the Babylonian Samuel, supported by the Tosephta. In the name of the Galilean R. Yohanan, it is reported that one has to recite the benediction every day. Since R. Yohanan is a higher authority than Samuel, Babylonian practice followed what there is declared to be Galilean.

186 The difference between *sukkah* and *lulav* has been explained in Halakhah 3:3.

העושה מזוזה לעצמו. אומר לעשות מזוזה. לאחר לעשות מזוזה לשמו.
 קשהוא קובעה אומר ברוך אשר קידשנו במצותיו וציונו על מצות מזוזה.

העושה תפילין לעצמו כו'. לאחר כו'. כשהוא לובש אומר על מצות תפילין.
העושה ציצית לעצמו כו'. לאחר כו'. נתעטף כו'. התורם והמעשר אומר ברוך
אשר קידשנו במצותיו וציונו להפריש תרומה ומעשר. לאחר להפריש תרומה
ומעשר לשמו. השוחט צריך לומר ברוך אתה יי אלהינו מלך העולם אשר
קידשנו במצותיו וציונו על השחיטה. המכסה אומר על כיסוי הדם.

He who makes a *mezuzah* for himself, says "to make a *mezuzah*." For somebody else, "to make a *mezuzah* for his name." When he nails it to the doorpost, he recites: "Praise to Him Who sanctified us by His commandments and commanded us to about *mezuzah*." He who makes *tefillin* for himself¹⁸⁷, etc. For somebody else, etc. When he puts them on, he says "about the commandment of *tefillin*."¹⁸⁸ He who makes *zizit* for himself, etc. For somebody else etc. When he wraps himself in them, etc.¹⁸⁹ He who separates *terumah* and tithes says: "Praise to Him Who sanctified us by His commandments and commanded us to separate *terumah* and tithes." For somebody else, "to separate *terumah* and tithes for his name." He who slaughters must say: "Praise to You, Eternal, our God, King of the Universe, Who sanctified us by His commandments and commanded us about *shehitah*¹⁹⁰." He who covers [the blood¹⁹¹] says, "about covering the blood."

187 "Praise to You, o Eternal, our God, King of the Universe, Who has sanctified us by His commandments and commanded us to make *tefillin*."

188 The tannaïtic text of the Yerushalmi here clearly requires only one benediction when both *tefillin* are put on, in contrast to the amoraïc text of Halakhah 2:3, that requires two benedictions, one for *tefillin* on the arm

and one for the head. Similarly, the discussion below on the timing of benedictions is based on having only one benediction. The Tosephta (6:10), representing the Babylonian text as always, does not have the notes on working for somebody else and requires here the formula "to put on *tefillin*," which is the main benediction in the Babli (*Menahot* 42b), followed in

Sephardic practice.

189 He says, "Who sanctified us by His commandments and commanded us about the commandment of *zizit*." The Babylonian formula is "to wrap ourselves in *zizit*."

190 It seems that the Yerushalmi

chooses the wording "about", על, if the action must be done by the person who pronounces the benediction, but "to", ל, if the action is done in delegation.

191 Of slaughtered fowl and wild animals, *Lev. 17:13*.

הַמַּל צְרִיךְ לומר בְּרוּךְ אֲשֶׁר קִידָשְׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הַמִּילָה. אָבִי הֵבֵן
 אומר בְּרוּךְ אֲשֶׁר קִידָשְׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ לְהַכְנִיסוֹ בְּבְרִיתוֹ שֶׁל אַבְרָהָם אָבִינוּ.
 הַעוֹמְדִים שָׁם צְרִיכִין לומר כָּשֶׁם שֶׁהַכְנָסְתוֹ לְבְרִית כֵּן תַּכְנִיֶּסֶהוּ לְתוֹרָה
 וְלַחֻפָּה. הַמְבָרֵךְ צְרִיךְ לומר בְּרוּךְ אֲשֶׁר קִידָשׁ יְדִיד מִבְּטָן וְחוּק בְּשֶׁאָרוֹ שָׁם
 וְצִאֲצְאוֹ חֲתָם בְּאוֹת בְּרִית קוֹדֵשׁ עַל כֵּן בְּשֶׁכֶּר זֹאת אֵל חַי חֲלָקִינוּ צוּרֵינוּ צִנָּה
 לְהַצִּיל יְדִידוֹת שְׂאִירֵינוּ מִשַּׁחַת. בְּרוּךְ אַתָּה יי כּוֹרֵת הַבְּרִית.

He¹⁹² who circumcizes must say: "Praised Who sanctified us by His commandments and commanded us about circumcision." The child's father says: "Praised Who sanctified us by His commandments and commanded us to induce him into the covenant of our forefather Abraham." Those who are standing there must say: "Just as you made him enter the covenant, so make him enter Torah and the marriage canopy¹⁹³." He who recites the benediction must say: "Praised Who sanctified the beloved¹⁹⁴ from the womb, Who put a statute in his flesh, and sealed his descendants with a holy sign of covenant; therefore, as a reward for this, o living God, our part, our rock, command to save the beloved of our flesh from destruction. Praised are You, o Eternal, Who seals the covenant."

192 A similar text is in Tosephta 6:12 and in Babli *Sabbath* 127b. The text of the Tosephta is closer to the

Babli than to the Yerushalmi.

193 Tosephta and Babli add: "and good deeds." The Rome manuscript has

only "the marriage canopy."

194 The commentators of the Babli have identified the "beloved" as either

Abraham, Isaac, or Jacob. The text of the Babli is slightly longer than that of Yerushalmi and Tosephta.

מִצְוֹת אֵימָתִי מְבָרַךְ עֲלֵיהֶן. רַבִּי יוֹחָנָן אָמַר עוֹבֵר לַעֲשִׂיתָן. רַב הוֹנָא אָמַר בְּשַׁעַת עֲשִׂיתָן. אֲתִּיא דְרַב הוֹנָא כְּשִׁמוּאֵל דְּאָמַר רַבִּי יוֹסִי בִּי רַבִּי בּוֹן בְּשֵׁם שְׁמוּאֵל כָּל־הַמִּצְוֹת טְעוּנוֹת בְּרָכָה בְּשַׁעַת עֲשִׂיתָן חוּץ מִתְּקִיעָה וְטַבִּילָה. וַיֵּשׂ אוֹמְרִים קִידוּשֵׁין בְּבַעֲיָלָה. אָמַר רַבִּי יוֹנָה אֵית לָךְ חוֹרְיֵי תְּפִילִין שֶׁל יָד עַד שֶׁלֹּא יִחְלוּץ. וְשֶׁל רֹאשׁ עַד שֶׁלֹּא יִבָּה. לֹא יִבָּה מִן דִּיִּבָּה הוּא יִבָּה.

When does one recite the benediction for commandments? Rabbi Yoḥanan said, just before he starts doing them¹⁹⁵. Rav Huna said, when he does it. Rav Huna agrees with Samuel, since Rabbi Yose bar Abun said in the name of Samuel: All commandments need a benediction while one is doing them except blowing¹⁹⁶ and immersion¹⁹⁷, and, some say, *qidduṣin* by sexual relations¹⁹⁸. Rabbi Jonah said, you have others: *Tefillin* on the hand before he takes them off, and on the head before he puts¹⁹⁹ them on²⁰⁰. Before he puts them on? When he puts on²⁰¹, he puts them on!

195 The Babylonian tradition (*Pesahim* 7b) is: "Everybody agrees that one makes the benediction beforehand, as Rav Yehudah said in the name of Samuel: On all commandments one recites the benediction just before he starts doing them." This tradition must be later when the authority of R. Yoḥanan overrode earlier Babylonian practices.

196 The shofar on *Rosh Hashanah*, since obviously one cannot blow and

recite the benediction at the same time.

197 In the *miqweh*, when one is naked and forbidden to recite a benediction. The Yerushalmi requires a benediction before immersion. In the Babli (*Pesahim* 7b), the statement about blowing and immersion is an addition to the statement that all benedictions must precede the action. It is clear that the mention of blowing in that context makes no sense; that statement is then dropped and only immersion is left for

a benediction *after* the act. The Yerushalmi shows that in the Babli we have a later confluence of older (Rav Huna) Babylonian tradition with the adoption of Galilean (R. Yoḥanan) practice by the editors of the Talmud.

198 *Qiddušin* is the first stage of a marriage in which the bride becomes bound to the husband, in preparation for *huppah*, which lets the couple live together. Usually, *qiddušin* is effected by the groom giving a valuable gift (usually a gold ring) to the bride. But the Mishnah (*Qiddušin* 1:1) lists sexual relations (in front of two witnesses) as a possible form of *qiddušin*. One may assume that in Israel this option was never used. In Babylonia it seems to have been used since the Babli (*Qiddušin* 12b) reports that Rav had people whipped (for indecent exposure) who married by public sex act. In any case, the required benediction cannot be pronounced while the parties are

naked.

199 The spelling ייבה is dialectal for יהבה, root *yhb* "to give."

200 As noted before, the text presumes that only one benediction is required for the two *tefillin* and, as explained earlier (2:3), in Galilee a benediction was recited when *tefillin* were taken off. Since the Torah mentions *totaphot* (*tefillin*) on the hand always before those on the head, one must put on first those for the arm and take off first those for the head. Even Rav Huna agrees that the benediction for removal was recited before *tefillin* were removed from the arm and the one for putting them on was recited before those of the head were put on.

201 Since *tefillin* on the arm and on the head are always mentioned together in one verse, the putting on (or taking off) of both is one act and the recitation of the benediction covers both *tefillin*.

שְׁחִיטָה אֵימְתִי הוּא מְבָרֵךְ עָלֶיהָ. רַבִּי יוֹחָנָן אוֹמֵר עוֹבֵר לְשְׁחוֹט. יוֹסִי בֶן נְהוֹרַאי אוֹמֵר מְשִׁישְׁחוֹט. לָמָּה שָׁמָּא תִתְנַבֵּל שְׁחִיטָתָהּ. מַעֲתָהּ מְשִׁיבְדוֹק הַסִּימָנוֹן. חִזְקַת בְּנֵי מַעֲיִים כְּשָׂרִים. תְּנִי שְׁחִטָּה וְנִטְלוּ הַזְּאִיבִים מֵעִיָּה כְּשִׁירָה. חוֹשֵׁשׁ שָׁמָּא נִקְבוּ. רַבִּי בָּא בְּשֵׁם רַבָּן דְּתַמָּן בְּנֵי מַעֲיִים בְּחִזְקַת כּוֹשֵׁר.

When does one recite the benediction for *shehitah*²⁰²? Rabbi Yoḥanan says, if he prepares to slaughter. Yose ben Nehorai²⁰³ says, after he slaughtered. Why? Maybe its slaughtering is producing a carcass²⁰⁴.

Now, should he not first check the signs²⁰⁵? The *ḥazaqah* of intestines is that they are in order²⁰⁶. It was stated: If it was slaughtered and the wolves took its innards, it is in order²⁰⁷. Should one question whether they were pierced²⁰⁸? Rebbi Abba in the name of the rabbis from there²⁰⁹: Intestines have *ḥazaqah* that they are in order²¹⁰.

202 Since ritual slaughter is a commandment, its execution requires a benediction.

203 A Palestinian authority of the first generation of Amoraim, one of the teachers of R. Joḥanan.

204 If during the act of slaughter, one of the technical rules was violated (for example, if pressure was exerted on the knife), the animal was not slaughtered but killed in a way that makes its meat unfit for consumption; then the benediction would have been in vain.

205 In the Babli, only esophagus and windpipe are called "signs"; the tiniest of holes in the esophagus makes an animal *tereḥfa*, "torn" and unfit for consumption. The Yerushalmi seems to extend the meaning of "signs" to all internal organs, especially lungs and the digestive system, holes of which render an animal unfit for consumption. The question here is: why not wait with the benediction until the entire animal has been dissected and checked for possible *tereḥfa*?

206 Since we do not have a Yerushalmi on tractate *Hulin*, the interpretation here by necessity has to follow the Babylonian tradition. The position of the latter has been formulated by Rav Huna: A living animal is in the continuing state (*ḥazaqah*) of being forbidden until it has been ascertained that it was correctly slaughtered; once it has been correctly slaughtered, it is in the continuing state (*ḥazaqah*) of being permitted food until it has been ascertained whether and why it is *tereḥfa*. If the slaughter was ascertained to be correct and inner parts were then taken by an animal before they were checked, the meat remains permitted food.

207 As kosher food.

208 If the intestines were later retrieved in a torn state, could it not be that the intestines of the living animal had a hole there where the wolves bit, and this *tereḥfa* cannot now be ascertained?

209 It is reported in Babli *Hulin* 9a that Rebbi Abba asked precisely this

question from Rav Huna.

210 The entire discussion seems to suggest that the Yerushalmi follows Yose ben Nehorai. The problem is not mentioned in the Babli, but it is

assumed there and in the halakhic literature that one follows Rebbi Yohanan (except in the case of an emergency slaughter when the opinion of Yose ben Nehorai is considered.)

מִשְׁנָה ד': וְהִזְעַק לְשַׁעֲבֵר הָרִי זֶה תְּפִילַת שְׁוֹא. כִּי־צָד הִיְתָה אִשְׁתּוֹ מֵעֹבֶרֶת וְאָמַר יְהִי רְצוֹן שְׁתִּלַּד אִשְׁתִּי זָכָר הָרִי אִז תְּפִילַת שְׁוֹא. הִיָּה בָּא בְּדַרְךָ וְשָׁמַע קוֹל צְוֹחָה בָּעִיר אָמַר יְהִי רְצוֹן שְׁלֹא יִהְיֶה בְּתוֹךְ בֵּיתִי הָרִי אִז תְּפִילַת שְׁוֹא.

Mishnah 4: But if one cries about the past, that is a vain prayer. How is that? If his wife was pregnant and he said: May it be (God's) pleasure that my wife would give birth to a male, that is a vain prayer. If he came from a trip, heard wailing in town, and said: May it be (God's) pleasure that this should not be in my house, that is a vain prayer.

הֲלָכָה ד': דְּבֵית יַנַּאי אָמַר בְּיוֹשֶׁבֶת עַל הַמִּשְׁבֵּר. הָא קוּדְם כֵּן יִצְלִי. עַל שֵׁם הַנָּה כַּחוּמֵר בְּיַד הַיּוֹצֵר. רַבִּי יְהוּדָה בֶּן פָּזִי בְּשֵׁם דְּבֵית יַנַּאי עֵיקַר עֵיבוּרָה שֶׁל דִּינָה זָכָר הִיָּה. מֵאַחַר שֶׁנִּתְפַּלְלָה רַחֵל נַעֲשִׂית נִקְבָּה. הֲדָא הִיא וְאַחַר יִלְדָה בֵּת וְתִקְרָא אֶת (fol. 14b) שְׁמָהּ דִּינָה. מֵאַחַר שֶׁנִּתְפַּלְלָה רַחֵל נַעֲשִׂית נִקְבָּה. וְאָמַר רַבִּי יְהוּדָה בֶּן פָּזִי בְּשֵׁם דְּבֵית רַבִּי יַנַּאי אִימְנוּ רַחֵל מִנְּבִיאוֹת הַרְאִשׁוֹנוֹת הִיְתָה. אָמְרָה עוֹד אֶחָד יִהְיֶה מִמֶּנִּי. הֲדָא הוּא דְכָתִיב יוֹסֵף יִי לִי בֶן אַחֵר. בְּנִים אַחֵרִים לֹא אָמְרָה אֶלָּא עוֹד אַחֵר יִהְיֶה מִמֶּנִּי.

Halakhah 4: In the house of Yannai they said, if she is sitting on the birthing stool. Hence, before that he should pray, because of (*Jer.* 18:6) "Lo, like clay in the potter's hand²¹² . . ." Rebbi Yehudah ben Pazi²¹³ in the name of the house of Yannai: The main pregnancy of Dinah was as a

male. After the prayer of Rachel, she became a female. That is (*Gen.* 30:21): "Afterwards, she gave birth to a daughter and called her name Dinah." After the prayer of Rachel, she became a female. And Rebbi Yehudah ben Pazi in the name of the house of Rebbi Yannai: Our mother Rachel was of the early prophetesses²¹⁴. She said, another one will be from me. That is what is written (*Gen.* 30:24): "May the Eternal add me another son." She did not say *other sons*, but *another son* will be from me.

212 "... Are you in My hand, House of Israel." This seems to imply, in the opinion of the Yerushalmi, that for Gentiles the laws of nature will not be changed and the sex of the child is determined at conception, or, in the opinion of the Babli (60a), in extraordinary cases at least during the first 40 days of pregnancy when the fetus is not yet a living being. The Babli declares that in all cases, the laws of nature prevail and that the sex change of Dinah is no proof since "one does not bring a proof from miracles." It would be presumptuous for anybody to assume that he is on the level of the Patriarchs for whom God used to perform wonders.

213 The name is missing here in the Venice print and the Leyden manu-

script. It is given in the Rome manuscript and the parallel *Bereshit rabba* 72(6). In the latter source, R. Jehudah ben Pazi is in opposition to the house of Rebbi Yannai and says that even if labor has started, as long as the baby is not born one may pray because of the verse from Jeremiah.

214 In both versions of the *Tanḥuma* (Buber *Wayeze* 19, Standard *Wayeze* 8), Leah was the prophetess who knew that Jacob would have 12 sons and if she had 7 sons then her sister would be left with only one son, less than any of the maids. She therefore prayed that her pregnancy should be that of a girl. All Midrashim derive the name of Dinah not from דין "law, lawsuit", but from די "enough", meaning "we already have enough boys."

הִיָּה בָּא בְּדֶרֶךְ מֵהוּ אֹמֵר בְּטוֹחַ אֲנִי שְׂאִין אֵלּוּ בְּתוֹךְ בֵּיתִי. הֲלֵל הַזָּקֵן אֹמֵר
מִשְׁמוּעָה רָעָה לֹא יִירָא.

If he returns from a trip, what does he say²¹⁵: I am sure that these are not in my house. Hillel the elder said (*Ps.* 112:7): "He will not be afraid of bad news."

215 When he hears wailing in town and cannot pray that it should not be in his house.

(fol. 12d) **משנה ה'**: נכנס לכרך מתפלל שתיים אחת בכניסתו ואחת ביציאתו. בן עזאי אומר ארבע שתיים בכניסתו ושתיים ביציאתו. ונותן הודאה לשעבר וצועק לעתיד לבוא.

Mishnah 5: He who enters a fortified place²¹⁶ prays two prayers, one when he enters and one when he leaves. Ben Azai said four, two when he enters and two when he leaves. He gives thanks for the past and implores for the future.

216 Greek *χαράξ* "palisade". A Roman fortified camp with soldiers and police not under the control of the local authorities.

(fol. 14b) **הלכה ה'**: נכנס לכרך מתפלל שתיים אחת בכניסתו ואחת ביציאתו. בכניסתו מהו אומר. יהי רצון מלפניך יי אלהי ואלהי אבותי שתכניסני לכרך זה לשלום. ביציאתו אומר מודה אני לפניך יי אלהי ואלהי אבותי כו'. בן עזאי אומר ארבע שתיים בכניסתו ושתיים ביציאתו. בכניסתו הוא אומר יהי רצון מלפניך יי אלהי ואלהי אבותי שתכניסני לכרך זה לשלום. נכנס אומר מודה אני לפניך יי אלהי ואלהי אבותי שנכנסתי לשלום כן יהי רצון מלפניך שתוציאני מתוכו לשלום. כשיצא אומר יהי רצון מלפניך יי אלהי ואלהי אבותי שתוציאני מכרך זה לשלום. יצא אומר מודה אני לפניך יי אלהי שהוצאתני לשלום כן יהי רצון מלפניך שתוליכני לביתי לשלום או למקום פלוני לשלום. הודא דאמר במדורות גוים אכל בישראל אין צריך לברך. אם היתה מקום שהורגין שם אפילו במדורות ישראל צריך לברך.

Halakhah 5: "He who enters a fortified place says two prayers, one when he enters and one when he leaves." What does he say when he enters? May it be Your pleasure, o Eternal, my God and God of my fathers, that You will bring me into this fortress for peace. When he leaves, he says: May it be Your pleasure, o Eternal, my God and God of my fathers, etc. "Ben Azai said four, two when he enters and two when he leaves." When he is about to enter, he says: May it be Your pleasure, o Eternal, my God and God of my fathers, that You will bring me into this fortress for peace. After he entered, he says: I thank You, o Eternal, my God and God of my fathers, that I entered in peace; so may it be Your pleasure that You will lead me out of it for peace. When he wants to leave, he says: May it be Your pleasure, o Eternal, my God and God of my fathers, that You will lead me out from this fortress in peace. When he left, he says: I thank You, o Eternal, my God and God of my fathers, that You made me leave in peace; so may it be Your pleasure that You will lead me to my house for peace (or, to place X for peace.)²¹⁷ That means²¹⁸, if it is inhabited by Gentiles, but if it is inhabited by Jews, he does not have to recite the benedictions. But if it was a place where they kill, even in a Jewish dwelling he must recite the benediction.

217 There are parallels to these prayers in the Tosephta (6:16) and the Babli (60a). The Tosephta has only three prayers: Before entry, after entry and after exit. It is to be noted that in the version of the Yerushalmi, the prayer after entry really is also a prayer for safe exit and the third prayer repeats the second part of the prayer after safe entry. The printed

version of the Babli has four prayers; the prayer after safe entry only gives thanks for that and is not a prospective prayer for safe exit. This would best be described by the words of Ben Azai. The Spanish print in *Šeridei Bavli* (Dimitrovsky) fol. 49 has only two prayers, corresponding to the opinion of the first Tanna in the Mishnah, which is disregarded in the other

versions: "What does he say when he enters? May it be Your pleasure, o Eternal, my God, that you will let me leave this fortress for peace. When he left, he says: I thank You that You guided me out of this fortress for peace, and just as You led me out in peace, so let me travel in peace, lead me in peace, and save me from the hand of any enemy or ambush on the road. Praise to You, Eternal, Who listens to prayer." The doxology that makes this a benediction is found only in the Spanish incunabula print and in *Kolbo* §87; it is expressly denied, in the tradition of the Babli, by Ravad (R. Abraham ben David of Posquière) in his critique of R. Zerahiah Halevi in *Alfassi*.

218 This is an editorial note; in the Babli (60a) a slightly different version is attributed to Rav Mattanah. The

prayer has to be said only if there is an actual danger in entering the fortress. The difference between Gentile and Jewish populations is not in the Babli; there the problem is the question whether "one judges and kills" in the fortress. In the first version, one does not have to recite the benediction if there are courts that enforce the laws by executing criminals; in the second version one has to recite the prayer anyhow since the police, when confronted with an unsolved crime, might be tempted to frame a stranger who, not knowing any good local lawyer, is in grave danger of being convicted. By contrast, so the interpretation of R. Abraham al-Ashbili, the Yerushalmi recommends the prayer even at a Jewish place if lawless and criminal elements there can kill with impunity.

נְכַנֵּס לְבַיִת הַכֶּסֶּא מְבָרַךְ שְׁתֵּים אַחַת בְּכִנְיֻסָּתוֹ וְאַחַת בִּיצִיאָתוֹ. בְּכִנְיֻסָּתוֹ מֵהוּ
 אֹמֵר כְּבוֹד לְכֶם הַמְכַוְּבִים מִשְׁרָתִי קוֹדֵשׁ דָּרֶךְ אֲרָץ הוּא פָּנּוּ דָרֶךְ בְּרוּךְ אֵל
 הַכְּבוֹד. כְּשֶׁהוּא יוֹצֵא מֵהוּ אֹמֵר בְּרוּךְ אֲשֶׁר יֵצֵר אֶת הָאָדָם בְּחֶכְמָה.

If one enters the toilet, he recites two benedictions²¹⁹, one before and one after. When he enters, what does he say? Honor²²⁰ to you, honored, holy servants, this is the way of the world, let me go. Praise to the God of glory! When he leaves, what does he say? Praise to Him Who created man in wisdom²²¹.

219 It really means "two prayers."

220 This is not a prayer but an address to the guardian angels who accompany everybody (*Ps.* 91:11) that they should let him go alone to a place unworthy of their presence. In the Babli (60b), Abbai objects to a similar version since it might imply permanent dismissal of the guardian angels.

221 The Babli (60b) has a much enlarged version. It may be that the version of the Yerushalmi is the complete text that was recited originally, but the Rome manuscript has a text similar to the Babylonian one: ברוך אשר יצר את האדם בחכמה ועשיחה אותו נקבים נקבים חלולים חלולים כניניות כניניות שאם יפתח אחד

מהן אפשר לו להחיות ברוך רופא כל בשר. Praised Who created man in wisdom and You made him many orifices, many cavities, many secret places. If one of them were be opened it would be impossible to continue living. Praised Who heals all flesh and does wonders."

The word כניניות appears only here; in the form כונניות it is in Babli *Hulin* 56b. For the translation it was derived from Arabic "בנין" "hiding places". [Also compare Latin *cannula* "reed, pipe". Since חלולים can mean "round pipes", חלולים would be Semitic-Latinate synonyms "pipes-pipes" (E. G.).]

נכנס למרחץ מתפלל שתיים אחת בכניסתו ואחת ביציאתו. בכניסתו אומר יהי רצון מלפניך יי אלהי שתצילני משריפת האש ומהיזק החמין ומן המפולת. ואל יארע דבר בנפשי. ואם יארע תהא מיתתי כפרה על כל-עוונותי ותצילני מזו ומפיוצא בו לעתיד לבוא. כשהוא יוצא אומר מודה אני לפניך יי אלהי שהצלתני מן האור. אמר רבי אבהו הדיא אמרה במרחץ שהיא ניסוקת. אבל במרחץ שאינו ניסוקת אינו אומר אלא מהיזק חמין בלבד. רבי חלקיה ורבי סימון בשם רבי יהושע בן לוי תפילת המרחץ אינה טוענת עמידה.

When one enters the thermal bath²²², he prays twice; once on entering and once on leaving. When he enters, he says: "May it be Your pleasure, o Eternal, my God, that You may save me from being burned in fire, damaged by hot water or from collapse. Nothing should happen to me, but if it happens let my death be atonement for all my sins; save me from this and from the similar one²²³ in the future world." When he leaves, he

says: "I thank You, o Eternal, my God, that You saved me from fire²²⁴." Rabbi Abbahu said, that is for a thermal bath which is heated. But in a thermal bath that is not²²⁵ heated, he says only "from damage by hot water". Rabbi Hilqiah²²⁶ and Rabbi Simon in the name of Rabbi Joshua ben Levi: The prayer at a bathhouse does not require standing²²⁷.

222 A Roman thermal bath had a sauna room whose water was heated in a boiler room below. Sometimes the floor caved in from the continuous exposure to steam and hot water, and the bathers might fall into the open fire below.

223 The fire of hell.

224 There are parallels in the Babli (60a) and Tosephta (6:17); the manuscripts of the Babli have widely diverging texts. The later Amora'im in the Babli disapproved of the text of the

prayer when entering, since one should not mention accidents lest they happen. This attitude is unknown to the Yerushalmi and mishnaic sources.

225 A geothermal bath, as in Tiberias.

226 An Amora of the fourth generation, student of R. Simon, from the region of Lod.

227 It is not clear whether it does not require standing up (i. e., not sitting) or not even standing still (i. e., not walking).

מִשְׁנָה ו: חַיִּיב לְבָרֵךְ עַל הָרָעָה כְּשֵׁם שְׂמֵבְרָךְ עַל הַטּוֹבָה שְׂנֵאֲמַר
וְאֶהְבֶּתְ אֶת יי אֱלֹהֶיךָ בְּכָל־לִבְּךָ וּבְכָל־נַפְשֶׁךָ וּבְכָל־מְאֹדֶךָ. בְּכָל־לִבְּךָ בְּשֵׁנֵי
יְצָרֶיךָ בְּיִצְרֵי הַטּוֹב וּבְיִצְרֵי הָרָע. בְּכָל־נַפְשֶׁךָ אֶפִּילּוּ הוּא נוֹטֵל אֶת נַפְשֶׁךָ.
בְּכָל־מְאֹדֶךָ בְּכָל־מְמוֹנֶךָ. דָּבָר אַחֵר בְּכָל־מְאֹדֶךָ בְּכָל־מִינְהָ וּמִינְהָ שֶׁהוּא מוֹדֵד
לָךְ בְּכָל הַיּוֹם מוֹדֵה לּוֹ מְאֹד מְאֹד.

Mishnah 6: One is required to recite a benediction for bad things the same way²²⁸ it is said for good things, as it is written (*Deut. 6:5*): "You must love the Eternal, your God, with all your heart, all your soul, and all your force." "With all your heart," with your two instincts, the good

instinct and the bad instinct. "With all your soul," even if He takes your soul. "With all your force," with all your money. Another explanation: "With all your force," for every measure²²⁹ that He measures for you, for everything thank him very much.

228 The Babli (60b) points out that the Mishnah cannot mean that one has to use the same formula for bad news as for good since the opposite was declared in Mishnah 3. Here one talks only about the spirit in which the

benedictions should be recited.

229 This sermon identifies the roots ירה, "measure," מרד "power, plenty" מאר דיה, "thanking." It supports the early grammarians who reduced Semitic roots to two letters.

(fol. 14b) הלכה ו: רבי ברכיה בשם רבי לוי על שם ואתה מרום לעולם יי. לעולם ידך על העליונה. בנהוג שבעולם מלך בשר ודם יושב ודן כשהוא נותן דימוס הכל מקלסין אותו. וכשהוא נותן ספקולה הכל מרננין אחריו. למה ששטף בדינו. אבל הקדוש ברוך הוא אינו כן אלא ואתה מרום לעולם יי. לעולם ידך על העליונה.

Halakhah 6: Rebbi Berekhia in the name of Rebbi Levi: ²³⁰Because of (Ps. 92:5) "You are always exalted, o Eternal!" Your position is always the strongest²³¹. Usually in the world, if a king of flesh and blood sits in judgment, if he dismisses²³², everybody acclaims him; if he sentences to execution²³³, everybody says bad things about him since he is sweeping in his sentences. But the Holy One, praise to Him, is not so, rather: "You are always exalted, o Eternal!" Your position is always the strongest.

230 One is required to recite a benediction for bad things the same way it is said for good things.

231 This is a term from civil law; the person whose position is strongest is the one who does not have to prove

his point, but the adversary has to. An example is a case in which one party bases its position on a written contract; the contract makes his position strongest.

232 Latin *dimissio*, throwing out the

indictment.

pointed instrument; arrow".

233 Latin *spiculum* "thorn, dart,

רבי חננא בשם רבי אהא לְדוּד מְזוּמֹר חֶסֶד וּמִשְׁפָּט אֲשִׁירָה לְךָ יי אֲזַמְרָה.
אָמַר דָּוִד לִפְנֵי הַקְּדוֹשׁ בְּרוּךְ הוּא. אִם חֶסֶד אַתָּה עוֹשֶׂה עִמִּי אֲשִׁירָה. וְאִם
מִשְׁפָּט אַתָּה עוֹשֶׂה עִמִּי אֲשִׁירָה. בֵּין כֶּךָ וּבֵין כֶּךָ לֵי אֲזַמְרָה.

Rebbi Huna in the name of Rebbi Aḥa²³⁴: (*Ps.* 101:1) "A song of David. Kindness and justice I shall sing, to You, o Eternal, I shall chant." David said before the Holy One, praise to Him: If You act in kindness towards me, I shall sing. If You act in judgment towards me, I shall sing. In any case, I shall chant.

234 In the printed edition of the Babli (60b), this homily of R. Aḥa is described as having R. Levi as first

author. There are many other names given in manuscripts of the Babli.

אָמַר רַבִּי תַנְחֻמָּא בְּן יְהוּדָה בְּאַלְהִים אֶהְלֵל דְּבָר בֵּי אֶהְלֵל דְּבָר. בֵּין עַל מִדַּת
הַדִּין בֵּין עַל מִדַּת רַחֲמִים אֶהְלֵל דְּבָר.

Rebbi Tanḥuma ben Yehudah²³⁴ said, (*Ps.* 56:11) "In God I will praise words, in the Eternal²³⁵ I will praise words." On measures of judgment as on measures of mercy I shall praise words.

234 He is R. Tanḥum bar Yudan. In the Babli (60b) this homily is attributed to many different authors, all from the school of R. Yoḥanan and his successors.

the Talmud as "the measure of justice" acting by the immovable laws of the Creation. "Eternal" is traditionally interpreted as designating God the Merciful, Whose mercy is not subject to natural law.

235 The name "God", majestic plural of *ēl* "power", is always interpreted in

וּרְבֵנּוּ אָמְרִין כּוֹס יְשׁוּעוֹת אֲשָׂא וּבִשָּׁם יִי אֶקְרָא צָרָה וַיְגֹן אֲמָצָא וּבִשָּׁם יִי אֶקְרָא בֵּין פֶּד וּבֵין פֶּד וּבִשָּׁם יִי אֶקְרָא. אָמַר רַבִּי יוּדָן בֶּן פִּלְיָה הוּא שְׂאִיב אָמַר יִי גֵתוֹ וַיִּי לָקַח יְהִי שֵׁם יִי מְבוֹרָךְ כְּשֶׁנֶּתַן בְּרַחֲמִים נָתַן. וּכְשֶׁלָּקַח בְּרַחֲמִים לָקַח. וְלֹא עוֹד אֵלָּא כְּשֶׁנֶּתַן לֹא נִמְלָךְ בְּבִרְיָהּ. וּכְשֶׁלָּקַח נִמְלָךְ בְּבֵית דִּינּוֹ. אָמַר רַבִּי אֶלְעָזָר כָּל-מְקוֹם שֶׁנֶּאֱמַר וַיִּי הוּא וּבֵית דִּינּוֹ. בְּנֵן אָב שֶׁבְּכוֹלָם וַיִּי דָּבָר עֲלֵידָךְ רָעָה.

But the sages²³⁶ say (*Ps.* 116:13): "I lift the cup of salvation, I call on the Name of the Eternal, trouble and sorrow I will find, but on the Name of the Eternal I shall call." Whatever may happen to me, I shall call on the Name of the Eternal. Rebbi Yudan bar Pelaya²³⁷ said: This is what Job said (*Job* 1:21): "The Eternal gave, and the Eternal took, may the Name of the Eternal be praised!" When He gave, He gave in mercy; when He took, He took in mercy. In addition, when He gave, He did not consult anybody, but when He took, He consulted His Court²³⁸. Rebbi Eleazar said, everywhere it says "and the Eternal" it means Him and His Court. The paradigm²³⁹ of this is (*IK.* 22:23): "And the Eternal spoke woe over you²⁴⁰."

236 In the Babli (60b) this is ascribed to R. Tanḥum, the following statement of R. Yudan bar Pelayah is attributed to "rabbis".

237 A late Amora, student of R. Jonah, whose name is frequently corrupted in Talmud and Midrashim.

238 The proof is in the next sentence. The text is elliptic and one has to add: "As R. Eleazar said" (three generations before R. Yudan; otherwise the homilies are arranged chrono-

logically.) The court is the Heavenly Court of Law.

239 Literally "Father's building." The theory behind this expression is that each word in the Torah has a unique meaning. If the meaning of a term is clear in one verse, "this built a father for all occurrences of this word," one of the hermeneutical rules of R. Ismael for the understanding of the Torah. Its validity is extended to all of the Bible as rule #8 of the 32 rules of

R. Eliezer, son of R. Yose the Galilean. with his vision of the Eternal sur-
 240 The prophecy of Michaihu starts rounded by all the Hosts of Heaven.

עֲשֵׂה מֵאֲהָבָה וְעֲשֵׂה מִיִּרְאָה. עֲשֵׂה מֵאֲהָבָה שְׂאֵם בָּאת לִשְׁנוֹא דַע כִּי אֲתָה
 אוֹהֵב וְאִין אוֹהֵב שׁוֹנֵה. עֲשֵׂה מִיִּרְאָה שְׂאֵם בָּאת לְבַעוּט דַע שְׂאֲתָה יִרְא. וְאִין
 יִרְא מִבְּעוּט.

241 Act from love and act from fear. Act from love, because if you are
 tempted to hate²⁴², know that you must love and a lover is no hater. Act
 from fear, because if you are tempted to rebel, know that you must fear
 and one who fears does not rebel.

241 This and the next paragraphs declares: "The Eternal, your God, you
 are from *Sota* 5:5; in the transcription must fear." How does one square these
 the introductory sentences were lost. two verses? The answer is that both
 There, the question is raised that one are required, as explained in the
 verse in Deuteronomy says: "You must following.
 love the Eternal, your God," as quoted 242 The obligations that the Jewish
 in our Mishnah, but another verse religion puts upon you.

שְׁבַע פְּרוּשֵׁין הֵן פְּרוּשׁ שְׁכָמִי. וּפְרוּשׁ נִקְפִי. וּפְרוּשׁ קִיזְאִי פְּרוּשׁ מֵה הַנְּכִינָה.
 פְּרוּשׁ אֲדַע חוֹבְתִי וְאֶעֱשֶׂנָה. פְּרוּשׁ יִרְאָה. פְּרוּשׁ אֲהָבָה. פְּרוּשׁ שְׁכָמִי. טַעֲמִין
 מְצוּוֹתָא עַל כִּיתְפָא. פְּרוּשׁ נִיקְפִי. אֶקִּיף לִי וְאֶנָּא עֲבִיד מְצוּוֹה. פְּרוּשׁ קִיזְאִי.
 עֲבִיד חֻבָּה וְחֻדָּא מְצוּוֹה וּמְקִיזָא חֻדָּא בְּחֻדָּא. פְּרוּשׁ מֵה הַנְּכִינָה. מֵאֵן דְּאִית
 לִי מֵהֵנָּא מְנַכִּי עֲבִיד מְצוּוֹה. פְּרוּשׁ אֲדַע חוֹבְתִי וְאֶעֱשֶׂנָה. הֵי דָא חוֹבְתָה עֲבִידִית
 דְּאֶעֱבִיד מְצוּוֹה כְּוֹנְתָה. פְּרוּשׁ יִרְאָה כְּאִיּוֹב. פְּרוּשׁ אֲהָבָה כְּאַבְרָהָם. אִין לָךְ
 חֲבִיב מְכּוּלָם אֶלָּא פְּרוּשׁ אֲהָבָה כְּאַבְרָהָם.

There are seven kinds of religious people²⁴³: Religious on the shoulder,
 religious on credit, religious balancing, religious "what is the deduction,"
 religious "I shall do it when I realize my guilt," religious from fear,
 religious from love. Religious on the shoulder, he carries his deeds²⁴⁴ on

his shoulder. Religious on credit, "give me credit that I can perform commandments.²⁴⁵" Religious balancing, he commits one sin and observes one commandment and balances one against the other. Religious "what is the deduction," what I have that is what I am using to deduct for doing a commandment. Religious "I shall do it when I realize my guilt," I committed that sin and therefore I shall do this good deed to counteract it²⁴⁶. Religious from fear, like Job. Religious from love, like Abraham. No one is beloved as much as the religious from love, like Abraham.

243 The same list appears in Yerushalmi *Sotā* 5:5; a slightly different list with completely different interpretations in Babli *Sotā* 22b declares explicitly that the first five are "destroyers of the world." In the Yerushalmi, it is clear that the first five are considered in a negative light but they are still considered better than one who performs no commandments whatsoever.

פְּרוֹשׁ "Pharisee" is the designation of anybody who separates himself from impurity; in particular, one who follows the teachings of the rabbis.

244 Openly, for everybody to see.

245 Every commentator has a dif-

ferent interpretation: One who asks for a loan pretending he needs it for a *mizwah*, while he only wants the money and has no intention of performing the *mizwah* (*Qorban ha'edah, Eliahu Fulda*); I cannot pay now because I am occupied with a *mizwah* (*Pne Mosheh*); give me money because I am so holy that I cannot go and earn money (Z. Frankel).

246 While this is clearly disapproved of here, it is approved in the Babli and also in Medieval catalogues of "actions of penitence" which, under the influence of Catholic practices, prescribed just such a course of action.

אֲבָרְהָם אֲבִינוּ עָשָׂה יֵצֵר הַרַע טוֹב דְּכָתִיב וּמִצַּאתְךָ אֶת לְבָבוֹ נֶאֱמָן לְפָנֶיךָ. אֲמַר רַבִּי אֲחָא וְהַפְשִׁיר²⁴⁷ אֶלְא וְכָרוֹת עֲמוּ הַבְּרִית (וְהַחֲסֵד וְגוֹמֵר). אֲבָל דָּוִד לֹא הָיָה יְכוֹל לַעֲמוֹד בּוֹ וְהָרְגוּ בְלִבָּבוֹ. מֵאֵי טַעְמָא וְלִבֵּי חָלַל בְּקִרְבֵּי.

Our forefather Abraham turned the evil instincts into good ones as it is written (*Neh. 9:8*): "You found his heart trustworthy before You." Rebbi Aḥa said, he compromised, from "concluding a covenant with him²⁴⁸." But David could not stand them and killed them in his heart. What is the reason? (*Ps. 109:22*) "But my heart is slain²⁴⁹ in me."

- | | |
|--|--|
| <p>247 Reading of the text in <i>Sota</i> and the Rome manuscript here. The Venice print has an unintelligible "he lost".</p> <p>248 Abraham compromised with his evil instincts, taking "him" to refer to</p> | <p>the evil instincts residing in the heart, not to Abraham.</p> <p>249 Taking חלל from the noun חָלַל "corpse" (or from Rabbinic Hebrew "empty space"), not from Biblical חָלַל "to tremble."</p> |
|--|--|

רבי עקיבא הוה קיים מתדין קומי טונסרופוס²⁵⁰ הרשע. ואתה²⁵¹ ענתא דקרית שמע. שרי קרי קריה ונחך. אמר ליה סבא אי חרש את אי מבט ביסורין את. אמר ליה תיפח רוחיה דההוא נברא. לא חרש אנא ולא מבט ביסורין אנא. אלא כל-יומי קריתי פסוק זה. והייתי מצטער ואומר. אימתי יבואו שלשתן לידי. ואהבת את יי אלהיך בכל-לבבך ובכל-נפשך ובכל-מאדך. ורחמתיה בכל-לבי. ורחמתיה בכל-מוני. ובכל-נפשי לא הוה בדיקה לי. וכדון דמטת בכל-נפשי והגיעה זמן קרית שמע ולא אפלגא דעת. לפום כן אנא קרי ונחך. לא הספיק לומר עד שפּרַחַה נשמתו.

Rebbi Aqiba was tortured before the evil Tineius Rufus²⁵². There came the time for reciting the *Shema'*. He started to read and laughed. He said to him: Old man, you are either a sorcerer or one contemptuous of suffering. He said to him: The spirit of this man should be blown away; I am neither a sorcerer nor contemptuous of sufferings. But all my life I read this verse and said, when will I have occasion for these three (*Deut. 6:5*): "You must love the Eternal, your God, with all your heart, all your soul, and all your force." I loved Him with all my heart. I loved Him

with all my money. But whether with all my soul I could not test. But now, when "with all your soul" came, the time of reciting the *Shema*' has arrived and my mind has not wavered, therefore I am reciting and laughing. He had not finished speaking when his soul flew away.

250 Reading of the Rome manuscript. The Venice print has טונוס טרוטוס.

251 Reading of the Rome manuscript. The Venice print has רחחח, an otherwise unknown word that cannot be derived from Rabbinic רחח "winnowing shovel."

252 Governor of Palestine under the emperor Hadrian. The form of the name Tinejus is accepted by Mommsen,

Renan and Schürer. (Graetz writes Tinnius or Titus Annius.) Babylonian sources give the name as טורנוס רופוס, this can be read as Turianus Rufus, traditionally interpreted as "Tyrant Rufus." According to the Babli (*Nedarim* 50b), Rufus's rich wife had divorced him, converted to Judaism, and married Rebbi Aqiba. A story closely similar to the one given here is told in the Babli (61a).

נְחֵמְיָה עִימְסוּנִי שִׁימֵשׁ אֶת רַבִּי עֲקִיבָא עֲשָׂרִים שָׁנָה וְלָמְדוּ אֶתִים וְגַמִּים רִיבּוּיִן. אֲכִין וְרַקִּין מִיעוּטִין. אָמַר לִיה מַה הוּא הֵהָן דְּכָתִיב אֶת יי אֱלֹהֵיךָ תִירָא. אָמַר לִיה אוֹתוֹ וְאֶת תּוֹרָתוֹ.

Nehemiah from Emmaus²⁵³ served Rebbi Aqiba for 20 years and he taught him "אח and גם mean additions, אך and רק mean exclusions²⁵⁴." He asked him: What means that which is written (*Deut.* 6:13) "אח the Eternal, your God, you must fear." He said to him, Him and His Torah²⁵⁵.

253 In Babylonian sources, Nahum from Gimzo (*Shevu'ot* 26a) or Nehemiah from Emmaus (*Pesahim* 22b) was the teacher of Rebbi Aqiva; Nahum is also quoted as teacher in Yerushalmi sources (*Bereshit rabba* 22, 53) but in a very critical sense. Hence, it seems

that Nahum was the developer of a rudimentary method of explaining the Torah by looking at expressions that mean inclusions or exclusions, that the method was made satisfactory only by R. Aqiba, and that Nehemiah was R. Aqiba's student. (The tradition of the

name in *Pesahim* 22b is doubtful.)

The method of inclusions and exclusions is much more general than the limited use made here in identifying particles which have extending or limiting character; its use is always called "the method of R. Aqiba", in contrast to the "method of R. Ismael", which is based on generalities and specifications.

254 The particles denoting exclusion are רק "only", אך "but only". Those denoting inclusion are גם "also", and וְ, which either is the particle of the accusative or means "and". In R. Aqiba's theory, all accusative particles also have the meaning of "and." This is

not original with him; in the Greek translation of Aquila, a student of Rebbis Eliezer and Joshua, every וְ is translated as καί "and", whether it makes sense or not. In the verse in question, it is the accusative participle used as "and" that seems to result in a meaning unacceptable to pure monotheism.

255 This is the reason that R. Aqiba was willing to be tortured to death because he could not obey Hadrian's decree that forbade the teaching of Torah. The interpretation given in Babli *Pesahim* 22b, "Him and the Torah Sages", is weak and inappropriate when compared with the statement here.

(fol. 12d) משנה ז: לא יקל אדם את ראשו כנגד שער המזרח שהוא מכוון כנגד בית קדשי הקדשים. ולא יכנס להר הבית במקלו ובמנעלו ובאפונדתו ובאבק שעל רגליו. ולא יעשנו קפנדריה. ורקיקה מקל וחומר. כל-חורתמי הברכות שהיו במקדש היו מן העולם. ומשקלקלו המינין ואמרו אין עולם אלא אחד. התקינו שיהו אומרים מן העולם ועד העולם. והתקינו שיהא אדם שואל את שלום חברו בשם שְנַאמר והנה בועז בא מבית לחם. ויאמר לקוצרים יי עמכם. ואומר אל תבוז כי זקנה אמה. עת לעשות ליי. ליי הפרו תורתך. רבי נתן אומר הפרו תורתך עת לעשות ליי.

Mishnah 7: A person should not behave improperly before the Eastern gate, which lies in a straight line with the Holiest of Holies²⁵⁶. And one should not enter the Temple Mount with his walking stick, sandals²⁵⁷,

money belt²⁵⁸, or dust on his feet²⁵⁹. Also one should not use it as a short cut²⁶⁰, and certainly not spit there. All endings of benedictions in the Temple were "from eternity²⁶¹." When heretics did err and said that there was only one world, they ordained that one should say "from eternity to eternity." They also instituted that one should greet his friend by the Name, as it was said (*Ruth* 2:4): "Lo, Boaz came from Bethlehem and said to the harvesters: The Eternal be with you!" And it says (*Pr.* 23:22): "Be not contemptuous because your mother got old.²⁶²" (*Ps.* 119:126) "It is time to work for the Eternal; they violated Your Torah." Rebbi Nathan says, they²⁶³ violated Your Torah, it is time to work for the Eternal.

256 The Eastern gate in the wall of the Temple Mount (which at the same time was the city wall) was in a straight line with the Eastern gate of the Temple courtyard, the Temple gate, and the Holiest of Holies, because the priest who was burning the red heifer on the Mount of Olives had to see the Temple door through the gate of the wall and the gate of the Temple court. One must assume that in Mishnaic times, the Temple itself was totally obliterated (since, after the war of Bar Kochba, Hadrian had constructed a temple of Jupiter on its site) but that the original Eastern gate was still there and the place of the Temple could be determined on a line perpendicular to the wall at that gate.

257 All service by priests in the Temple had to be performed barefoot.

Hence, also laymen entering the Temple precinct had to be barefoot. [To show the difference between the Temple and a synagogue, shoes may not be removed in a synagogue.]

258 Latin *funda*.

259 One may not enter with unwashed feet.

260 Latin *compendiaria* (*via*), cf. Chapter 1, Note 36.

261 Instead of "Amen", the answer to a benediction was "Praised be the Eternal, the God of Israel, from eternity". This is the answer asserted to be given during the existence of the first Temple. When the second Temple was inaugurated, the formula was (*Neh.* 9:5): "Praised be the Eternal, the God of Israel, from eternity to eternity," to emphasize the two worlds, the existing one and the one to come. The heretics

here cannot be Sadducees who started about three hundred years later; the Qumran documents show that it is totally false to impute a denial of the future world to Sadducees. [That "heretics" are called "Sadducees" in many editions of the Babli here is due to Christian censors who misunderstood the use of the word מין which in general, but not here, means "Christians."]

262 Rashi in the Babli explains: Even though the action of Boaz looks wrong, since God's name is used for

wordly greeting, one should follow him since he is one of the elders of the people. In the verse, the harvesters answered: "May the Eternal bless you," following Boas's example.

263 The men of the Great Assembly, who instituted the response to the benedictions in the Temple and the way of greeting in the Name of God, violated the prescription of the Torah that God's name may not be taken in vain (i. e., for secular purposes) in order to further God's work and to instill religious feelings in the people.

(fol. 14b) הלכה ז: תני המטיל מים הרי זה הופך פניו כלפי צפון. המיסך את רגליו הרי זה הופך פניו כלפי דרום. אמר רבי יוסי בי רבי בון הדא דאמר מתניתא מן הצופים ולפנים. רבי עקיבה אומר בכל מקום. ובלבד מקום שאין שם כותל. תני המיסך את רגליו לא יתן פניו למזרח ואחוריו למערב אלא לצדדין. רבי יהודה אומר בשעת המקדש. רבי יוסי אומר מן הצופים ולפנים. רבי עקיבה אומר בכל מקום. ובלבד במקום שאין שם כותל.

Halakha 7: It was stated: He who urinates turns his face towards North²⁶⁴. He who spreads his feet²⁶⁵ turns his face towards South. Rabbi Yose bar Abun²⁶⁶ said, this *baraita* is from Mount Scopus towards the interior. Rabbi Aqiba says, everywhere²⁶⁷ but only where there is no wall²⁶⁸. It was stated: He who spreads his feet should not face East with his back facing West but at an angle²⁶⁹. Rabbi Yehudah says, when the Temple exists. Rabbi Yose said, from Mount Scopus towards the interior. Rabbi Aqiba says, everywhere but only where there is no wall.

264 In post-Hadrianic Jerusalem, situated North of the Temple Mount. He will face a direction pointing away from the Temple.

265 To defecate; then his face is towards the Temple and his back away from it.

266 Both R. Eleazar Askari and R. Zacharias Frankel prefer to cross out the words "bar Abun said, this *baraita* deals with" since in the next formulation, and in the parallel to that in the Babli (61b), R. Yose the Tanna is quoted that these rules hold only if one can see Jerusalem. But one should hesitate to follow them since in the comment of the Babli (61b) on the prohibitions of the Mishnah, the statement attributed here to the fifth generation R. Yose bar Abun is there credited to the fourth generation R. Abba, son of R. Ḥiyya bar Abba, in the name of R. Yoḥanan; it is clearly

Amoraic. But R. Abba adds that all the rules apply only when the Temple exists (following R. Yehudah in the next *baraita*), and this is emphatically negated by the Yerushalmi.

267 Even outside of the Land of Israel, in the interpretation of the Babli. The Babli also takes the rules of the *baraita* quite strictly, E-W and N-S, not the direction towards Jerusalem. They seem to suggest that everybody has to feel himself to be in Jerusalem everywhere in the world. It is impossible to say what the opinion of the Yerushalmi would be in this question.

268 Separating between him and the forbidden direction.

269 Here in the Yerushalmi, צדין denotes a position that is not in one of the four cardinal directions. In the parallel in the Babli, the same word means a place that is not N, E, S, W from Jerusalem!

אָמַר רַבִּי עֲקִיבָה נִכְנָסְתִי אַחֲרֵי רַבִּי יְהוֹשֻׁעַ לְרֵאוֹת הַמַּעֲשָׂה. אָמְרוּ לוֹ מָה רָאִיתָ. אָמַר לָהֶן רָאִיתִיו יוֹשֵׁב וְצִדּוֹ כְּלָפֵי מַעֲרָב וְלֹא פָרַע עַד שִׁישֵׁב. וְלֹא יָשָׁב עַד שִׁשְׁפָּשֵׁף. וְלֹא קִינָח בְּיָמִין אֶלָּא בְּשְׂמָאל. אֵף שָׁמְעוֹן בֶּן עֲזַאִי הֵיךְ אוֹמֵר כֵּן. נִכְנָסְתִי אַחֲרֵי רַבִּי עֲקִיבָה לְרֵאוֹת הַמַּעֲשָׂה. אָמְרוּ לוֹ מָה רָאִיתָ וְכוּ.

Rebbi Aqiba said, I entered once after Rebbi Joshua to see the action²⁷⁰. They asked him, what did you see? He said to them, I saw him sitting and his side was towards the West²⁷¹; he did not undress until he was sitting,

he did not sit down before he rubbed²⁷², and he did not cleanse himself with his right hand but with his left hand²⁷³. Simeon ben Azai also said so: I entered once after Rabbi Aqiba to see the action. They asked him, what did you see? Etc.

270 How he behaves in the bathroom.

271 At Jabneh, East of Jerusalem, he was facing either North or South.

272 He cleaned the place before he sat down. There is an alternative explanation given in the Babli (62a, bottom) that is impossible here.

273 The Babli and the Yerushalmi source *Derekh Erez* 7 explain that R. Eliezer says, because one eats with his right hand; R. Joshua says, because one writes (words of Torah) with the right hand; R. Aqiba says, because one uses the right hand to show the musical signs when reciting the Torah.

תני לא יכנס אדם בהר הבית במנעלו ובאבק שעל רגליו ומעותיו צרוּרין
בסדינו ונאפונדתו עליו מבחוץ. מה טעם שמור רגלך כאשר תלך אל בית
האלהים. רבי יוסי בר יהודה אומר ויבא עד לפני שער המלך כי אין לבא אל
שער המלך בלבוש שק. אמר לפני ליחה סרוחה כן. על אחת כמה וכמה לפני
שער המקום.

It was stated²⁷⁴: Nobody should enter the Temple Mount in shoes, with dust on his feet, or his coins tied up in his head-scarf, or his money belt on him outside. What is the reason? (*Eccl.* 4:17) "Watch your feet when you go to God's house." Rabbi Yose ben Yehudah says (*Esth.* 4:2): "He came as far as the king's gate because nobody may enter the king's gate in sackcloth." He said, if it is so for a foul smelling drop²⁷⁵, so much more for the gate of the Omnipresent!

274 Tosephta *Berakhot* 6:19.

was conceived.

275 The semen from which the king

לא נעשנו קפנדריה. ורקיקה מקל וחומר. מה אם נעילה שהיא של כבוד את
אומר אסור. רקיקה שהיא של בזיון לא כל-שכן.

"²⁷⁶One should not use it as a short cut, and certainly one should not spit there²⁷⁷." If you say that wearing shoes, which is a respectful way, is forbidden, spitting, which is disrespectful, so much more.

276 Except for the quote from the Mishnah, this is the continuation of the previous Tosephta.

277 This is quoted here to explain the expression "certainly", or "so much more".

תני לא היו עונין אמן במקדש. מה היו אומרים ברוך שם כבוד מלכותו
לעולם ועד. מנין שלא היו עונין אמן במקדש תלמוד לומר קומו ברכו את יי
וגומר. מנין על כל ברכה וברכה תלמוד לומר ומרום על כל-ברכה ותהילה.

If was stated: One did not say "Amen" in the Temple. What did they say²⁷⁸? "Praised be His glorious name forever and ever." From where²⁷⁹ that one did not say "Amen" in the Temple? The verse says (*Neh.* 9:5): "Rise up and praise the Eternal, etc." From where that this is for every single benediction, the verse says: "And Elevated for every benediction and praise."²⁸⁰

278 In the second Temple.

Your glorious name and Elevated *for*

279 A formulaic word meaning: "From which verse do we know that such and such is true?"

every benediction and praise. The Tosephta (6:22), quoted Babli 63a, explains that this means: For every single benediction and every single praise.

280 The full verse is: Rise up and praise the Eternal, your God, *from eternity to eternity* they shall praise

אמר רבי יהושע דרומיא שלשה דברים גזרו בית דין שלמסן והסכימו בית דין
שלמעלו עמהו. ואילו הו חרמה של יריחו. ומגילת אסתר. ושאלת שלום
בשם. חרמה של יריחו. חטא ישראל. ולא יהושע גזר. אלא מלמד שהסכימו

בית דין שלמעלן עמהן. מגילת אסתר. קיימו וקיבלו וגומר. רב אמר וקבל
 כתיב מלמד שהסכימו. ושאלת שלום בשם. והנה בועז בא מבית לחם. ומנין
 שהסכימו בית דין שלמעלן עמהן. תלמוד לומר ויאמר אליו יי עמד גבור
 החיל. רבי אבון בשם רבי יהושע בן לוי אף המעשרות שנאמר הביאו את כל
 המעשר וגו'. מהו עד בלי דיי. רבי יוסי בר שמעון בר בא בשם רבי יוחנן דבר
 שאי אפשר לו לומר דיי הוא ברכה. רבי ברכיה ורבי חלבו ורב אבא בר
 עילאי בשם רב עד שיבלו שפתותיכם מלומר דיינו ברכות דיינו ברכות.

Rebbi Joshua the Southerner²⁸¹ said: Three things did the earthly court decree and the Heavenly Court agreed with them, and they are the following: The ban on Jericho, the Esther scroll, and greeting people using the Name. The ban on Jericho (*Jos.* 7:11): "Israel sinned²⁸²." But was not Joshua the one who decreed it? This certainly implies that the Heavenly Court agreed with them. The Esther scroll (*Esth.* 9:27): "They confirmed and accepted, etc." Rav said, "accepted" is written in singular²⁸³; this implies that they²⁸⁴ accepted. Greeting people using the Name (*Ruth* 2:4): "Lo, Boaz came from Bethlehem." And from where that the Heavenly court agreed with them? The verse says (*Jud.* 6:12): "The Eternal is with you, o hero!²⁸⁵" Rebbi Abun in the name of Rebbi Joshua ben Levi: Also tithes, as it is said (*Mal.* 3:10): "Bring all tithes²⁸⁶, etc." What is: "²⁸⁷Until 'without enough?'" Rebbi Yose bar²⁸⁸ Simeon bar Abba in the name of Rebbi Yohanan: The thing about which it is impossible to say "enough", that is blessing. Rebbi Berekhiah and Rebbi Chelbo and Rebbi Abba bar Ilai in the name of Rav: Until your lips will wear out²⁹⁰ saying, we have enough blessings, we have enough blessings.

281 Rebbi Joshua ben Levi.

had taken property for himself, Israel

282 Joshua decreed a ban on all property of the city of Jericho as *hērem* for the Eternal. After Akhan

was defeated at the Ai and Joshua was informed that "Israel sinned," i. e., a transgression of his command was

equated with a transgression of a divine command. Hence, Heaven accepted his human decree in the Heavenly Court. [While everybody can declare his own possession *hērem* or *qorbān* whereby its use is forbidden by a divine command (*Lev. 27*), Joshua here forbade the use of things that did not belong to him and, under usual circumstances, his decree would be invalid in a court of law.]

283 It is written קבל and read קבלי.

284 In fact, He (God) accepted it.

285 This is the greeting of the angel to Gideon, telling him to fight the Midianites. This shows that heavenly beings adapted the human manner of greeting as exemplified by Boaz. The argument implies that Gideon, who was quite early in the time of Judges, came after Boaz. This is explicit in *Midrash Seder Olam* Chap. 12 (in the author's edition and commentary, Northvale N.J. 1998, p. 121-123.) Boaz was the grandson of Naḥshon ben Aminadav, prince of Judah during the wanderings in the desert (*Ruth* 4:20-21.)

286 The problem alluded to here is discussed in Yerushalmi *Shevi'it* 6:1, *Qiddushin* 1:9 and Babli *Arakhin* 32b, referring to the obligations of the farmer regarding the produce of the Holy Land. It is spelled out in the Torah many times that these obli-

gations (the heave for the priests, tithes for the Levites and the poor, the Sabbatical Year, etc.) come into force "when you come to the Land and inherit it," as duties on the land distributed as family heritage to the tribes by Moses and Joshua. These commandments became obsolete when the tribes were led into captivity, including the obligations of the remaining Israelite population of Galilee who, according to our sources, were never exiled and who reappear in history at the time of the Hasmonean revolt without any record of re-settlement in Galilee. The continued obligation to observe the Laws that depend on the Land therefore is derived only from the voluntary covenant enacted by the people in the time of Ezra and Nehemia (*Shevi'it* 6:1): "Rebbi Lezer says: they voluntarily accepted the duties of the tithes. Why do I say this? (*Neh.* 10:1) 'With all this, we enact a written trust and covenant signed by our princes, Levites, and priests.' How does R. Lezer explain the inclusion (*Neh.* 10:37) of 'the firstborn of our cattle and flocks' [an obligation that does not depend on the Land and therefore is universal]? Since they accepted the obligations (of heave and tithes) that they could have avoided, Scripture gives them credit for those

obligations which they had to fulfill anyhow as if they had accepted these also voluntarily." The same idea is also expressed by an opponent of rabbinic Judaism who is reported (*Shevi'it* 9:9) to have said: "*Hallah* (the heave to be taken from bread dough) is a biblical obligation (*Num.* 15:20) but the Sabbatical year is now an obligation only by the authority of Rabban Gamliel and his colleagues." [Cf. the author's *The Scholar's Haggadah*, p. 280-281, and *Seder Olam* p. 248-250.]

287 *Mal.* 3:10: "Bring the full tithe into the (Temple) storehouse, so that there may be food in My House, test Me in this," said the Eternal of Hosts,

"if I will not open for you the skylights of heaven, and I shall pour out for you blessing until 'without enough.'" The obligation accepted by the people on Earth without Heavenly Command gives Divine Reward. Hence, the obligation was accepted as Divine Command of human origin.

288 The Rome manuscript does not have the words "Yose bar". A son of R. Simeon bar Abba is otherwise unknown but the attribution is possible. R. Shelomo Cirillo has the reading "R. Yose in the name of R. Simeon bar Abba."

289 Identifying the negation בלי with the root בלה "to wear out."

אל תבוז כי זקנה אמך. אמר רבי יוסי בר בון אם נתיישנו דברי תורה בפיך אל תבזה עליהן. מה טעמא ואל תבוז כי זקנה אמך. אמר רבי זעירא אם נזדקנה אומתך עמוד וגודרה כשם שעשה אלקנה שהיה מדריך את ישראל לפעמי רגלים. ההוא דכתיב ועלה האיש ההוא מעירו וגומר.

(*Pr.* 23:22): "Be not contemptuous because your mother got old." Rabbi Yose bar Abun said, if words of Torah become old in your mouth, do not become contemptuous about them. What is the reason? "Be not contemptuous because your mother got old." Rabbi Ze'ira said, when your people got old, get up and repair it the way Elkanah did who instructed Israel in the pilgrimage for holidays. That is what is written: (*ISam.* 1:2) "This man went up from his town²⁹⁰, etc."

290 This is explained in detail in *Midrash Samuel* 1:1 (which contains an

enlarged version of the Yerushalmi here to the end of the tractate) that

Elkanah went to Siloh four times a year, three times for the three holidays of pilgrimage and once for his private vow as explained in *ISam.* 1:2, and that

every year he chose a different road to tell people to go to Shiloh for the holidays. A similar version is in *Tanna dbe Eliahu* 1:8.

עת לעשות ליי הפרו תורתך. רבי נתן מסרס (fol. 14d) קראי הפרו תורתך עת לעשות ליי. רבי חלקיה בשם רבי סימון העושה תורתו עתים הרי זה מיפר ברית. מה טעמא הפרו תורתך עת לעשות ליי. תני רבי שמעון בן יוחי אומר אם ראית את הבריות שנתאשו ודיהו מן התורה עמוד והתחזק בה ואתה מקבל שכר כולם. מה טעמא הפרו תורתך עת לעשות ליי.

(Ps. 119:126) "It is time to work for the Eternal, they violated Your Torah." Rabbi Nathan inverts the verse: "They violated Your Torah, it is time to work for the Eternal." Rabbi Hilqiah in the name of Rabbi Simon: He who restricts his Torah to fixed times breaches the covenant. What is the reason? "They violated Your Torah, it is time to work for the Eternal." It was stated: Rabbi Simeon ben Yoḥai says: If you see that people have given up on Torah, get up and strengthen yourself in it and you will receive the reward of all of them. What is the reason? "They violated Your Torah, it is time to work for the Eternal!"

הלל הזקן היה אומר בשעה דמכנשין בדר. ובשעה דמבדרין כנוש. וכן היה הלל אומר אם ראית את התורה שהיא חביבה על ישראל והכל שמחין בה בדר. ואם לאו כנוש. אמר רבי אלעזר מה התינוק הזה צריך לינק בכל-שעה שביום. כן כל-אדם שבישראל צריך ליגע בתורה בכל-שעות שביום. רבי יונה בשם רבי יוסי בן גזירה כל-פיטטיןא בישין ופיטטיןא דאורייתא טבין. כל-כדבייא טבין וכדבייא דאורייתא בישין.

Hillel the elder²⁹¹ used to say: When they collect, spread²⁹². And when they spread, collect. So Hillel used to say, if you see that the Torah is beloved by Israel and everybody enjoys it, spread. And if not, collect.

Rebbi Eleazar said, just as the baby needs to suckle at all times of the day, so every Jew needs to exert himself in Torah all all times of the day. Rebbi Jonah in the name of Rebbi Yose ben Gezirah²⁹³, all small talk is bad but small talk of Torah is good. All lies are good and the lies of Torah are bad²⁹⁴.

291 This is Hillel, contemporary of Shammai and ancestor of the house of the Patriarchs. The same sayings appear in Hebrew in Babli 63a and Tosephta 6:24.

292 If people teach the select few, you should teach only large masses, and vice-versa.

293 An otherwise unknown Amora, but he might be identical with R. Yose Quzira, son-in-law of R. Yose ben Yose, of the fourth/fifth generation of Amoraim in Galilee. [A similar statement appears in Babli *Hulin* 89a in the name of the earlier Galilean R. Isaac.]

294 This sentence is unintelligible. In the quotes of the sentence in works of medieval authors, one finds many different versions. In the commentary of Rabbenu Jonah to *Pirqa Avot*, the reading is Aramaic כרבייא "plowings" instead of כרבייא "lies." This has support in the introduction of R. Zerahiah Halevi to his *Ma'or haqaṭan*,

who reads Hebrew חרשיא "plowings." Since the roots חרש (Arabic حَرَس) "to plow" and חרש (Arabic حَرَس) "to be silent" are identical in Hebrew, both authors give the interpretation "silence" also to the Aramaic equivalent ברב. The author of *En Yaaqob* reads ברכייא "blessings." All these authors read first "bad" then "good" as in the preceding sentence; Rabbenu Jonah even quotes the sentence about silence as alternative reading for "small talk." Many commentators write here that the sentence should be: All lies are bad and the lies of Torah are good, referring to lies such as Eliezer's when he met Rebecca, first gave her gold rings and then inquired after her family but in his recital to them pretended to first having asked about her family and only afterwards given her the heavy gold jewelry, to keep within accepted norms of behavior.

אמר רבי שמעון בן לקיש במגילת חסידים מצאו כתוב יום תעזבני יומים
אעזבך. לשנים שיצאו אחד מטיבריא ואחד מציפורין ופגעו זה בזה בהדא

משכנא. לא הספיקו לפרוש זה מזה עד שהלך זה מיל וזה מיל נמצאו רחוקין זה מזה שני מילין. ואשה שהיתה יושבת וממתנת לאיש. כל זמן שהיתה בדעתו להנשא לה היתה יושבת וממתנת לו. כיון שהפליג דעתו ממנה היא היתה הולכת ונישאת לאחר.

Rebbi Simeon ben Laqish said: In a scroll of the pious²⁹⁵ they found written: If you abandon me²⁹⁶ for one day, I shall abandon you for two days. An example of two people who went, one from Tiberias and one from Sepphoris, and met at a certain shelter. As soon as they parted and each one went one *mil*, they were separated two *mil*. Or a woman who sat and waited for a man. All the time that he intended to marry her, she sat and waited for him. When he put her out of his mind, she went and married another.

295 This kind of literature has not been identified. It might be similar to some of the Sadducee Qumran scrolls. 296 The Torah.

תני בשם רבי מאיר אין לך אחד מישראל שאינו עושה מאה מצות בכל יום. קורא את שמע ומברך לפניה ולאחריה ואוכל את פתו ומברך לפניה ולאחריה ומתפלל שלשה פעמים של שמונה עשרה וחוזר ועושה שאר מצות ומברך עליהן. וכן הנה רבי מאיר אומר אין לך אדם מישראל שאין המצות מקיפות אותו תפילין בראשו ותפילין בזרועו ומזוזה בפתחו מילה בבשרו וארבע ציציות בטליתו מקיפין אותו. הוא שדוד אמר שבע ביום הללתיך על משפטי צדקך. וכן הוא אומר חונה מלאך יי סביב ליריאי ויחלצם. נכנס למרחץ ראה את עצמו ערום. אמר אוי לי שאני ערום מן המצות. כיון שהביט במילה שלו. התחיל מקלס להקדוש ברוך הוא למנצח על השמינית מזמור לדוד.

It was stated²⁹⁷ in the name of Rebbi Meir: There is no one in Israel who does not perform 100 commandments every day. He recites the *Shema'* and benedictions before and after, eats his bread and recites

benedictions before and after, prays 18 benedictions three times and then he performs other commandments and recites benedictions after them. Similarly, Rebbi Meir used to say: There is no man in Israel who is not surrounded by commandments: *Tefillin* on his head, *tefillin* on his arm, a *mezuzah* on his door, circumcision in his flesh, and the four *ziziot* of his *tallit* surround him. That is what David said (*Ps.* 119:164): I praised You sevenfold every day for Your just laws²⁹⁸. And so it says (*Ps.* 34:8): The angel of the Eternal camps around those that fear Him and rescues them²⁹⁹. When he³⁰⁰ entered the bath house, he saw himself naked. He said, woe to me that I am stripped of commandments. When he looked at his circumcision, he started to acclaim the Holy One, praise to Him (*Ps.* 12:1): For the director, on the eighth³⁰¹, a song from David.

297 Tosephta *Menahot* 6:24-25, a parallel to the entire paragraph in slightly different language. A parallel in the Babli (*Menahot* 43b) has the formulation that "every man in Israel is obliged to recite 100 benedictions every day." In the Yerushalmi and the Tosephta, not only benedictions are counted but all religious deeds, and it is asserted that the number 100 is reached automatically.

298 In order to end up with a count of seven, the Yerushalmi (and the Yerushalmi source *Midrash Tehillim*

12) must consider *tefillin* as one commandment. In Babli and Tosephta, circumcision is not counted, probably because the fact of circumcision goes to the credit of the parents, not the baby, and, therefore, *tefillin* must count for two commandments.

299 The implication being that the angel is created by the good deeds of the person protected.

300 David.

301 Taken not as an eight-stringed harp but the commandment performed on the eighth day.

אמר רבי אלעזר בשם רבי חנינא תלמידי חכמים מרבים שלום בעולם. מה
טעם וכל בניה למודי יי ורב שלום בניה.

Rebbi Eleazar said in the name of Rebbi Hanina³⁰²: The students of the Sages increase peace in the world. What is the reason? (*Is.* 54:13) "All your sons are students of the Eternal, and ample peace is for your sons."

302 A similar homily is in Babli 64a means "rabbis" but here it genuinely as conclusion of the tractate; there, the means "students." expression "students of the sages"

Indices

Index of Biographical Notes

Abba bar Abba	18	Rav Abba bar Abimi	648
Abbaye ben Rebbi Benjamin	451	Rav Abba bar Ḥana	86
Abdan	356	(Rav) Abba bar Jeremiah	188
		Rav Ada bar Ahava (Aḥawa)	103
Bar Qappara	135, 152	Rav Aḥa bar Jacob	135
Ben Zoma	147	Rav Cahana (II)	247
		Rav Hamnuna	103
Gamliel the twin	489	(Rav) Ḥanan bar Abba	137
Ganiva	323	Rav Ḥananel	399
Gedilah	274	Rav Ḥisda	99
		Rav Ḥiyya bar Ashi	122
Ḥananiah ben Ḥananiah	5	Rav Huna	126
Hillel	685	Rav Jehudah	160
Ḥizqiah	130	Rav Jeremiah (bar Abba)	44
Ḥiyya, son of Rav	595	Rav Joseph	81
House of Rebbi Yannai	372	Rav Mattanah	123
		Rav Meshirshia (Mesharshia)	227
Isaac bar Abba from Meḥasia	501	Rav Naḥman bar Ada	204
		Rav Naḥman (bar Jacob)	160
Jacob from Kefar Naburaia	604	Rav Samuel bar Shilat	525
Jeremiah the scribe	353	Rav Sheshet	382
Joseph (Issi) ben Yehudah		Rav Uqba bar Ḥama	187
(Aqabiah)	274	(R)Abba bar bar Ḥana	168, 596
Joseph Hacoen	274	(R)Abba bar Rav Huna	163
		Rebbi	53
Levi, cf. R. Levi bar Sisi	203	Rebbi Abba	59
Levi, the son of the Nazir	170	Rebbi Abba bar Aḥa	149
		Rebbi Abba bar Cohen	275
Mar Uqba	101	Rebbi Abba bar Ḥana	578
Menahem from Gallia	384	Rebbi Abba bar Jeremiah	82
		Rebbi Abba bar Kahana	246
Rabba bar Mari	267	Rebbi Abba bar Mamal	348
Rabban Simeon bar Gamliel	267	Rebbi Abba bar Pappus	46
Rav	9	Rebbi Abba bar Rebbi Pappaios	195

Rebbi Abba bar Zamina	352	Rebbi Eudaimon,	
Rebbi Abba bar Zavda	135, 202	brother of Rebbi Yose	428
Rebbi Abba from Carthage	371	Rebbi Eudaimon of Haifa	203, 353
Rebbi Abbahu	165	Rebbi Eudaimon of Sepphoris	375
Rebbi Abba Mari	108	Rebbi Ḥaggai	202
Rebbi Abba Mari,		Rebbi Ḥalaphta ben Shaul	134, 321
brother of R. Yose	520	Rebbi Ḥama bar Ḥanina	138
Rebbi Abba the red	610	Rebbi Ḥama,	
Rebbi Abin bar Ḥiyya	165	father of Rebbi Oshaiah	233
Rebbi Abin, Rabin	73	Rebbi Ḥana	396
Rebbi Abun	122, 137	Rebbi Ḥanania	181
Rebbi Abun bar Rebbi Ḥiyya	244	Rebbi Ḥananiah bar Pappus	389
Rebbi Ada from Caesarea	402	Rebbi Ḥananiah (Ḥanina)	
Rebbi Aḥa	57	ben Rebbi Ada	114
Rebbi Aḥa bar Isaac	375	Rebbi Ḥanina	53
Rebbi Aḥai	158	Rebbi Ḥanina bar Andrei	62
Rebbi Aḥawa		Rebbi Ḥanina bar Ḥama	71
the son of Rebbi Zeira	406	Rebbi Ḥanina bar Pappai	171
Rebbi Ammi the physician	187	Rebbi Ḥanina bar Sisai	493
Rebbi Ammi, Immi	76, 85	Rebbi Ḥanina bar Yaqqo	652
Rebbi Aqiba	317	Rebbi Ḥanina ben Dosa	422
Rebbi Assi, Yasa	79	Rebbi Ḥanina (Ḥananiah)	
Rebbi Avina	490	ben Gamliel	433
Rebbi Ayvu	406	Rebbi Ḥanina ben Rebbi Abbahu	383
Rebbi Azariah	72	Rebbi Ḥanina Eyntanaya	415
Rebbi Benjamin bar Yephet	232	Rebbi Ḥanina (Ḥananiah)	
Rebbi Berekhiah	125	the colleague of the Rebbis	59
Rebbi Bibi	116	Rebbi Ḥanina Tortayya	316
Rebbi Cahana bar Malkiah	472	Rebbi Ḥelbo	125
Rebbi Cohen	272	Rebbi Ḥilqiah	667
Rebbi Crispus	265	Rebbi Ḥinnena	64
Rebbi Eleazar	166	Rebbi Ḥinena bar Isaac	466
Rebbi Eleazar bar Avina	131	Rebbi Ḥiyya (the Great)	41, 66
Rebbi Eleazar ben Antigonos	225	Rebbi Ḥiyya bar Abba	142, 272
Rebbi Eleazar ben Azariah	146	Rebbi Ḥiyya bar Ada	241
Rebbi Eleazar bar Joseph	548	Rebbi Ḥiyya bar Josef	57
Rebbi Eleazar ben Rebbi Hoshai	434	Rebbi Ḥiyya bar Pappos	462
Rebbi Eleazar ben Rebbi Menahem	77	Rebbi Ḥiyya of Sepphoris	375
Rebbi Eleazar ben Rebbi Simeon	300	Rebbi Ḥizqiah	57
Rebbi Eleazar ben Rebbi Yannai	435	Rebbi Hoshai	202
Rebbi Eleazar bar Zadoq	277	Rebbi Huna	61, 94
Rebbi Eliezer (ben Hyrkanos)	40	Rebbi Huna the older of Sepphoris	375
Rebbi Eliezer,		Rebbi Ḥuzpit	360
son of Rebbi Yose the Galilean	404	Rebbi Idi	103, 194

Rebbi Ilai, cf. Rebbi Lia	216	Rebbi Meir	6
Rebbi Isaac	370	Rebbi Miasha	135, 255
Rebbi Isaac bar Eudaimon the old	431	Rebbi Muna (Mana)	162
Rebbi Isaac bar Mari	471	Rebbi Naḥum	377
Rebbi Isaac bar Nahman	131	Rebbi Naḥum ben Rebbi Simai	434
Rebbi Isaac ben Elyashiv	512	Rebbi Nasa	278
Rebbi Isaac ben Rebbi Eleazar	539	Rebbi Nathan bar Ṭobi	339
Rebbi Isaac Nappaha	474	Rebbi Nathan (the Babylonian)	232
Rebbi Isaac, son of Rebbi Ḥiyya	268	Rebbi Neḥemiah	7
Rebbi Ismael	60	Rebbi Neḥemiah from Emmaus	674
Rebbi Jacob bar Abba	357	Rebbi Neḥoniah bar Haqanah	351
Rebbi Jacob bar Abbai	196	Rebbi Nehorai	633
Rebbi Jacob bar Abun	299	Rebbi Oshaiah (the Great)	237
Rebbi Jacob bar Aḥa	191	Rebbi Phineas	77
Rebbi Jacob bar Idi	397	Rebbi Pinḥas Hakohen bar Ḥama	46, 170
Rebbi Jacob ben Sisi	360	Rebbi Sabbatai	563
Rebbi Jacob bar Zavdi	227	Rebbi Samuel	287
Rebbi Jacob from Kefar Hanan	426	Rebbi Samuel bar Eudaimon	285
Rebbi Jacob the Southerner	51	Rebbi Samuel bar Immi	466
Rebbi Jehudah	69	Rebbi Samuel bar Inia	135
Rebbi Jehudah ben Bathyra (II)	306	Rebbi Samuel bar Naḥmani (Naḥman)	81
Rebbi Jehudah ben Tema	303	Rebbi Samuel bar Nathan	138
Rebbi Jehudah ben R. Simon ben Pazi	70	Rebbi Samuel bar Rav Isaac	221
Rebbi Jehudah ben Rebbi Illai	68	Rebbi Samuel bar Soṭar, Sosarta	63
Rebbi Jehudah ben Simon	31	Rebbi Samuel the Cappadocian	230
Rebbi Jeremiah	135	Rebbi Samuel Tosephta	286
Rebbi Jonah	103	Rebbi Shammai	312
Rebbi Jonathan	181, 193	Rebbi Shila	399
Rebbi Joshua (ben Ḥananiah)	5, 71	Rebbi Simai	133
Rebbi Joshua ben Levi	83	Rebbi Simeon (bar Ioḥai)	83
Rebbi Joshua ben Qorḥah	175	Rebbi Simeon bar Abba	113, 166
Rebbi Joshua from Sikhnin	344	Rebbi Simeon bar Ḥalaphta	66
Rebbi Joshua the Southerner	446	Rebbi Simeon bar Zevid	245
Rebbi Josia	306	Rebbi Simeon ben Rebbi Eleazar	262
Rebbi Judah bar Titus	303	Rebbi Simeon ben Laqish	72
Rebbi Justus ben Shunem	593	Rebbi Simeon ben Yozadaq	281
Rebbi Levi	62	Rebbi Simeon, brother of R. Berekhiah	520
(Rebbi) Levi bar Sisi	203, 246	Rebbi Simeon, son of the Nazir	583
Rebbi Lia, La, Illai	216	Rebbi Simeon the pious	397
Rebbi Mana	77, 119	Rebbi Simlai	313
Rebbi Mani (Mana II)	119	Rebbi Simon	62
Rebbi Marinos, Son of R. Oshaiah	494		
Rebbi Mattaniah	165		

Rebbi Tanḥum (Tanḥuma bar Abba)	417	Rebbi Yose ben Gezira (Quzira)	685
Rebbi Tanḥuma	55	Rebbi Yose ben Rebbi Ḥalaphta	7, 237
Rebbi Tanḥuma Edreya	425	Rebbi Yose ben Rebbi Ḥanina	235
Rebbi Tanḥum bar Ḥanina (Hanilai)	387	Rebbi Yose ben Shaul	522
Rebbi Tanḥum bar Jeremiah	533	Rebbi Yose ben Yose	307
Rebbi Tanḥum bar Yudan	467	Rebbi Yose from Sidon	380
Rebbi Tanḥum ben Ḥiyya	186	Rebbi Yose the Galilean	281, 404
Rebbi Tanḥum ben Rebbi Ḥiyya	114	Rebbi Yudan	108
Rebbi Tarphon	112	Rebbi Yudan Antordiyya	345
Rebbi Ṭavyome	161	Rebbi Yudan bar Rebbi Ismael	364
Rebbi Thaddeus	505	Rebbi Yudan bar Pelaiah	670
Rebbi Ulla	445	Rebbi Yudan bar Shalom	637
Rebbi Uri	159	Rebbi Yudan from Cappadocia	352
Rebbi Vivian	562	Rebbi Yudan Migdalaio	640
Rebbi Yannai	177	Rebbi Yudan, son of Rebbi Ayvu	406
Rebbi Yannai ben Rebbi Ismael	372	Rebbi Zakkai (I)	316
Rebbi Yannai the younger	270	Rebbi Zeira	44
Rebbi Yasa, Assi	164	Rebbi Zeriqan	182
Rebbi Yehudah bar Abba	335	Rebbi Yasa (Assi)	164
Rebbi Yehudah ben Baba	335	Samuel	123
Rebbi Yehudah bar Zebidah	124	Samuel Minor	442
Rebbi Yehudah bar Simon	581	Samuel bar Shilat	525
Rebbi Yehudah Nesia	602	Simeon ben Shetaḥ	528
Rebbi Yirmeiah	44	Simon Kamataria	638
Rebbi Yoḥanan	44	Symmachos bar Joseph	160
Rebbi Yoḥanan ben Zakkai	3	Tanna	86
Rebbi Yoḥanan from Karz̄ion	586	Yehudah ben Pappos	253
Rebbi Yose (bar Ḥalaphta)	55	Zakkai (I)	315
Rebbi Yose (ben Zabida)	42	Zeira ben Ḥinena	408
Rebbi Yose bar bar Cahana	567	Zeiri	169
Rebbi Yose bar Abun	49		
Rebbi Yose bar Jacob	649		
Rebbi Yose bar Simon bar Abba	683		
Rebbi Yose ben Nahorai	660		

Index of Biblical Quotations

Gen. 1:1	605		1:14	643		2:1-4	72
1:6	69		1:26-27	606		2:10	69

Gen. 16:11	153	Num. 15:37	174	1Sam. 1:13	328,
11:2	341	15:39	97		329, 610
17:15	152	15:41	174	2:10	371
17:19	153	28:3	337	9:13	516
18:1	333	28:4	333		
19:15	64			2Sam. 7:12	171
19:23	59,64	Deut. 4:7	619	15:32	371
23:13	369	4:8	609,612	17:27	18
24:63	332	4:32	605		
28:11	332	6:4	39,289	1K. 6:17	392
30:21,24	662	6:5	39	8:28	385
35:10	154	6:6	39	8:30	392
41:44	456	6:7	39,109,159,	8:44	391,392
42:5	534		173,405	8:54	132
43:3	59	6:8	39	9:3	393
48:16	369	6:9	39,290	13:1	640
		7:2	625	13:2	153
Ex. 2:15	611	8:10	290,516	17:1	424
4:11	612	10:17	538	17:20	424
12:8	93	11:13	174	18:1	424
12:10	59	11:19	184,288		
12:29	93	11:20	632	2K. 2:11	405
13:9-10	183,	11:21	69	3:15	76
	289	13:2	114	4:10	388
15:10	608	16:3	146		
15:16	393	17:11	114	Is. 6:2	549
17:21	333	22:1-3,6-8	291	6:10	207
18:4	6:11	22:9	456	10:34	515
20:24	386	23:6	416	10:35	212
22:18	301	32:3	516	11:1	212
22:19	624	33:23	546	14:23	601
23:2	87			26:19	425
23:24	516	Jos. 6:5	626	27:3	652
24:12	458	6:23	388	29:23-24	207
38:23	370	7:11	681	38:2	388
39:3	69	22:22	607	40:2	405
		24:19	608	40:17	620
Lev. 1:4-5	82			40:22	67,72
5:2-4	50	Jud. 6:12	681	43:18-19	154
5:17-19	48	6:24	186	44:27	341
19:24	456	7:19	75	45:8	651
22:6	40	18:30	639,640	46:7	609
22:7	40,59			52:10	608
27:18	649			54:13	688
32:5	90				

Is. 55:6	413	2:11	4:10	134:1-3	63
56:7	392	16:2	456	134:2	82
57:16	636	19:5	82	145:1	602
65:24	377	20:2	82	146:5-6	618
66:20	413	20:20	367	148:14	620
66:24	405	24:21	456		
		28:6	377,385	Prov. 8:27	67
Jer. 4:19	388	29:1	368	8:34-35	414
10:10	121,174	29:2	410	9:5	193
18:6	661	29:3	368	11:7	622
23:7-8	154	29:10-11	213	11:8	612
27:16,18	332	30:12-13	416	15:25	624
25:30	632	33:6	405	17:5	177,192
31:12	416	35:10	330,367	21:3	171
32:18	538	42:8	650	21:18	612
50:12	644	47:9	608	23:26	121
51:29	632	50:23	214		
51:39	623	55:18	328	Job 21:14	67
51:49	341	57:9	76	29:8	168
51:64	405	58:4	153	36:27	649
		60:8	608	37:18	71,72
Ez. 1:7	63	65:2	603	37:20	603
8:16	391	68:25	608	37:23	603
18:32	193	68:27	530	38:36	626
43:8	388	68:36	538		
44:20	20	77:14	608	Cant. 7:5	612
		81:1	413	7:10	170
Hosea 5:19	393	102:1	332,385,610		
		103:20-21	63	Lament. 5:21	405
Joel 3:5	614,615,616	104:32	632		
		105:44	150	Eccl. 4:17	679
Micah 2:11	114	106:2	603	9:4	622
7:8	63	106:30	332	10:6	90
		112:2	663		
Jonah 2:8	636	113:3	204	Esther 2:21	66
2:11	613	114:1	204	4:2	679
		115:1	204	6:11-12	66
Zach. 6:12	212	116:1	204	8:15-16	66
14:5	632	118:27-28	204	9:27	204,681
		119:62	75		
Mal. 2:5	137,330	119:126	684	Dan. 3:14	613
3:10	681	119:148	75	6:11	328
		122:1	171	6:23	614
Ps. 2:1	367	122:8	620	7:16	63

Dan 9:4	538	7:63-65	19	1Chr. 22:9	153
9:5	680	8:6	538		
		9:14	120	2Chr. 6:34	392
Neh. 4:15	45,46			18:34	617

Index of Greek and Latin Words

ἀβάσκαντα	626	ἴασις	500
Ἀλέξανδρος	616	ιδιώτης	255
ἀνάκλιτα	263	καθέδρα	497
ἀνθύπατος	419	Καλλιρρόη	352
ἀπειλῶν	633	καματηρός	638
ἀργαπέτης	216	κάρρον, κάρρος	421
ἄριστον	331	κεντρόω	181
ἀρχιτέκτων	607	κεφαλωτός	484
ἄρχων	251	κινάρα	480
ἀσθενής	231	κόλλιξ	479
βασιλεύς	607	κοσμικός	637
δῆλωμα	66	κοσμοκράτωρ	618
δημόσιος	299	κραβάτιον	262
διαθήκη	426	κρουσμός	249
δισάκκιον	319	κυρηβία	480
δόμος	217	λευκός	625
εἰκῶν	265	ληστής	251,616
ἐπαρχία	618	λιμήν	308
ἐπικάρσιον	181	λίτρα	249
Εὐδαίμων	203	μερίς	276
ἥμιονος	580	νάρθηξ	425
ἥμισυς	580	νεκρός	132
ζήτω	500	νόμος	419
θέατρον	631	ξενία	383
θερμασία	181	ξένος	619
θέρμος	464	ὄρυζα	473
θεσσαυρός	641	ὄχλος	612

πανδοκεῖον	315	conditum	492
παράκλητος	337	conditura	171
περίοδος	626	Crispus	264
πίλινος	187		
πίναξ	641	decalicator	506
πλατεῖα	421	delatorius	107
		dimissio	668
ράπτω	395	diplomatarius	115
		dupondius	591
σημαντήριον	115		
στήλη	321	faecaria	635
στρατηγός	589	funda	676
σύγκλητος	641		
σφέκλι	635	Justus	593
σχεδία	395		
σχολαστικός	365	legiones	373
τήγανον	317	Marinus	494
τιμή	604	Mercurius	600
Τρυφῶν	504	moretum	471
τύπος	143	mulus	591
φανός	585	olearii	181
φιλόσοφος	620	olens	501
		olentia	87,501
χάραξ	663		
		patronus	612
		pileus	187
Augustus	607		
		quaestionarius	612
balnea	492		
bullae	473	saltus	420
		semita	307
Caesar	607	situs	342
Caesarea	569	specularia	585
cannula	666	spiculum	669
casus	471	strata	54
cibarius	480	subsellium	319,497
circus	631		
collare	320,539	Tiberias	558
comes	641	Titus	303
compendiarium	54	triclinium	316

General Index

Abegg, M. G.	2	Ettinger, R. M. Z.	31
Abraham ben David, R.	427,576,577, 665	Eusebius	430
Albeck, H.	27	Finkelstein, L.	362
Alexander Severus	9,10	Five Kinds	477
Alfassi	21,22,427,514,623	Fleischer, E.	145,157,398,444,519
<i>Arukh</i>	115,480,488,502,531,629,631, 634	Fleischer, H. L.	217
Ascari, R. E.	30,104,145,190,218, 234,458,678	Fraenkel, R. D.	30,672
Ashkenazi Hebrew	36	Frankel, Z.	27,30,35,37,51,66, 95,191,198,203,262,273,450,459,672 678
Ashkenazi, R. S. Y.	30	Fulda, R. E.	29,450,672
Ben Ḥabib, R. M.	100,104,145, 148,502	Gaonim	401
Ben Jehudah, E.	242	Gershom, Rabbenu	21
Ben-Asher, M.	37	<i>Gezerah Šawah</i>	65
Benvenist, R. J.	30	Ginzberg, L.	32,35,135,190,242, 265,268,297,299,347,354,384
Brand, Y.	321	<i>Hagahot Maimuniot</i>	51
Brüll, J.	66	Haï Gaon, R.	21,45,198,302, 492,600,629
Caro, R. J.	561	<i>Halakhot Gedolot</i>	97,406,461
Cirillo, R. S.	29,145,172,412,683	<i>Ḥallah</i>	563
Constantine	11	Ḥananel, Rabbenu	21,51,74,492
Cubit	99,318	Hand-breadth	317
<i>Demai</i>	508	<i>Havdalah</i>	423
Dialectics	16	<i>Ḥazzan</i>	269,452
Diocletian	10	Hermes	601
<i>Diqduqe Soferim</i>	406	Ibn al Haytham	53
<i>Dmdm</i>	341	Ibn Ezra, A.	631
Dor, Z. M.	27	Ibn Janaḥ	631
Dusk	57	Impurity	560,562,571
Eiger, R. A.	83	Impurity, derivative	408
Eliahu Wilna, R.	30,98	Isserles, R. M.	561
Eliezer ben Joel, R.	51,80,449, 568	Jabneh	4
Elijah, Prophet	58	Jacob David of Sluck, R.	31
Epstein, J. N.	27	Jastrow, M.	273

Jonah Gerondi, R.	130,256,406, 509,685	Niniveh	430
Josephus Flavius	8	Nisibis	306
		Nissim Gerondi, R.	51,427
Kohut, A.	101,115	Odenathus	10
<i>Kolbo</i>	665	Oppenheimer, R. D.	294
Krasilščikov, R. I. E.	31	<i>Parasang</i>	55,68
Krauss, S.	480	Pardo, R. D.	574
Kutscher, Y.	201	Parthenios	471
		Peles, I. M.	224
Levy, D. (<i>Taz</i>)	282	Perles, J.	488
Levy, J.	66,273,320,472,480,488	Pharisees	2
Lewy, R. I.	31	Philo	8
Lieberman, S.	14,31,35,146,472, 523,565,598,605,642	Place	332
Livorno Standard	36	<i>Qab</i>	89,220,296
<i>Log</i>	296	<i>Qéri</i>	295
Löw, I.	480	<i>Qeroba</i>	135
Lisowsky, G.	518	<i>Quartarius</i>	315
<i>Maämad</i>	127	Rabbinowicz, R.	23,623
<i>Maharsha</i>	23	<i>Rashba</i> (R. Shelomo ben Adrat)	104, 121,157,194,238,350
<i>Maharshal</i>	23	<i>Rashbam</i> (R. Šemuel ben Meir)	557, 558
<i>Maḥzor Vitry</i>	6,378	Rashed, R.	53
Maimonides	21,92,104,138,152, 210,256,262,290,474,478,575	Rashi	21,92,114,286,311,406,472, 484,492,568,575
Mantel, H.	2	Ratner, D. B.	31
Marcus Aurelius	5	Red Heifer	40
Margalit, R. M.	30,100,503,533,599	<i>Rosh</i> (R. Asher ben Yehiel)	24, 97,262,312,350,509,600,623
<i>Mekhilta</i>	7,8	Saadia Gaon, R.	378
<i>Menorat Hammaör</i>	406	Sadducees	2
<i>Mil</i>	55,56,68	Salted	502
<i>Minḥah</i> , half of	327	Samaritans	507
Moon, Orbit	53	Samuel Hannagid	517
Morag, S.	36,141	Savoraë	17
Morning Hind	64	Schwab, M.	31
Mussaphia	115	<i>Seah</i>	296
Nachmanides	53,233,256,268,290, 427	<i>Seder Olam</i>	7
Nahardea	5	<i>Seder Tannaïm waAmoraïm</i>	6
Nathanson, R. J. S.	31		
<i>Nazir</i>	528		
<i>Neilah</i>	343		

<i>Sefer Hamanhig</i>	129	Ursacinus	419
Septimius Severus	5		
Seven Kinds	460,490	Vergil	471
Shechter, E.	27,32		
Sherira Gaon, Letter	9	Wacholder, B. Z.	2
Shofar blowing	164		
<i>Šibbole Halleqet</i>	452	Yadin, Y.	117
<i>Sifra</i>	7	<i>Yalqut (Shim'oni)</i>	578,615
<i>Sifry</i>	7	Yelin, A. L.	31,556
Simson of Sens, R.	517,574	Yeruham ben Meshullam, R.	178
Small <i>Minhah</i>	43	Yerushalmi book	28
<i>Šurah</i>	283	<i>YHWH</i>	44
		Yospe Shammash, R.	224
<i>Tanna</i>	86		
Theodosius I	11	Zerahiah Halevi, R.	427,685
Tithe	507	Ziani, R. E.	27
<i>Tosaphot</i>	21	Zimer, I.	224
<i>Tosephta</i>	7	<i>Zohar</i>	213

ELISABETH HAMACHER

Gershom Scholem und die Allgemeine Religionsgeschichte

1999. 22 x 15 cm. X, 370 Seiten.

Leinen. DM 198,-/öS 1445,-/sFr 176,-/approx. US\$ 116.00

• ISBN 3-11-016356-X

(Religionsgeschichtliche Versuche und Vorarbeiten 45)

Eine Untersuchung von Scholems Werk im Lichte der älteren religionsphänomenologischen Theorien über das Wesen der Religion und die Gesetze der Religionsgeschichte.

Aus dem Inhalt:

„Buber vs. Scholem“ und andere Kontroversen

Der „Schafspelz des Philologen“

Allgemeine Religionsgeschichte in der Weimarer Republik

Scholems „Wesensbestimmung“ der jüdischen Mystik

Die „Stadien der Religionsgeschichte“

Die mystische Erfahrung

Das religiöse Bewußtsein.

Preisänderungen vorbehalten

WALTER DE GRUYTER GMBH & CO KG
Genthiner Straße 13 · D-10785 Berlin
Tel. +49 (0)30 2 60 05-0
Fax +49 (0)30 2 60 05-251
Internet: www.deGruyter.de



de Gruyter
Berlin · New York

Paul Tillich • Main Works / Hauptwerke

Volume 3/Band 3: Writings in Social Philosophy and Ethics / Sozialphilosophische und ethische Schriften

Herausgeber: Erdmann Sturm

1998. 23 x 15,5 cm. VI, 712 Seiten.

Leinen. DM 298,-/öS 2175,-/sFr 265,-/approx. US\$ 186.00

• ISBN 3-11-011537-9

Textkritische Edition der wichtigsten sozialphilosophischen und ethischen Schriften Paul Tillichs. Kollationierung der Erstveröffentlichung durch Paul Tillich. Eine Einleitung führt in das Sachgebiet des Bandes ein. Ediert werden u.a. „Der Sozialismus als Kirchenfrage“, „Masse und Geist“, „Das Problem der Macht“, „Die sozialistische Entscheidung“, „Love, Power and Justice“, „Morality and Beyond“.

Der Herausgeber ist Professor für Evangelische Theologie und ihre Didaktik (Systematische Theologie und Religionspädagogik) an der Evangelisch-Theologischen Fakultät der Universität Münster.

Mit Band 3 ist die Edition der sechsbändigen Hauptwerke abgeschlossen.

Bisher erschienen:

Band 1: **Philosophical Writings / Philosophische Schriften**

Herausgeber: Gunther Wenz

1989. XIV, 424 Seiten. DM 149,-/öS 1088,-/sFr 133,-/approx. US\$ 93.00

• ISBN 3-11-011533-6

Band 2: **Writings in the Philosophy of Culture / Kulturphilosophische Schriften**

Herausgeber: Michael Palmer

1990. XIV, 380 Seiten. DM 146,-/öS 1066,-/sFr 130,-/approx. US\$ 91.00

• ISBN 3-11-011535-2

Band 4: **Writings in the Philosophy of Religion / Religionsphilosophische Schriften**

Herausgeber: John Clayton

1987. IV, 422 Seiten. DM 131,-/öS 956,-/sFr 117,-/approx. US\$ 82.00

• ISBN 3-11-011342-2

Band 5: **Writings on Religion / Religiöse Schriften**

Herausgeber: Robert P. Scharlemann

1988. XVI, 325 Seiten. DM 109,-/öS 796,-/sFr 97,-/approx. US\$ 68.00

• ISBN 3-11-011541-7

Band 6: **Theological Writings / Theologische Schriften**

Herausgeber: Gert Hummel

1992. XIV, 446 Seiten. DM 187,-/öS 1365,-/sFr 166,-/approx. US\$ 117.00

• ISBN 3-11-011539-5

Preisänderungen vorbehalten

WALTER DE GRUYTER GMBH & CO
Genthiner Straße 13 · D-10785 Berlin
Tel. +49 (0)30 2 60 05-0
Fax +49 (0)30 2 60 05-251
Internet: www.deGruyter.de



de Gruyter
Berlin · New York

REPRINT 2012



www.degruyter.com
ISBN 978-3-11-016591-3