



bitter water, as in such a case the water will not be effective in evaluating whether she was unfaithful, due to the husband's own prohibited act. The mishna details the procedure for administering the drinking of the bitter water of a sota. What does her husband do with her after she secluded herself with the man about whom she had been warned? He brings her to the court that is found in that location, and the court provides him with two Torah scholars to accompany him, lest he engage in sexual intercourse with her on the way to the Temple, which is not only prohibited but will also prevent the bitter water from evaluating her. Rabbi Yehuda says: Her husband is trusted with regard to her, so there is no need to provide scholars to accompany him.

1:4 The mishna details the next stage of the process. They would bring her up to the Sanhedrin that was in Jerusalem, and the judges would threaten her in order that she admit her sin. And this was done in the manner that they would threaten witnesses testifying in cases of capital law. In those cases, the judges would explain to the witnesses the gravity of their testimony by stressing the value of human life. Here too, the judges would attempt to convince the woman to admit her sin, to avoid the loss of her life. And additionally, the judge would say to her: My daughter, wine causes a great deal of immoral behavior, levity causes a great deal of immoral behavior, immaturity causes a great deal of immoral behavior, and bad neighbors cause a great deal of immoral behavior. The judge encouraged her to admit her sin by explaining to her that he understands that there may have been mitigating factors. The judge then continues: Act for the sake of His great name, so that God's name, which is written in sanctity, shall not be erased on the water. If the woman admits to having committed adultery, the scroll upon which the name of God is written will not be erased. And additionally, the judge says in her presence matters that are not worthy of being heard by her and all her father's family, in order to encourage her to admit her sin, as the Gemara will explain.

1:5 If after the judge's warning she says: I am defiled, she writes a receipt for her marriage contract. That is, she writes a receipt indicating that she has no claims on her husband with regard to the sum written in her marriage contract, as a woman who admits to adultery forfeits her right to this payment. And she is then divorced from her husband. But if after the warning she maintains her innocence and says: I am pure, they bring her up to the Eastern Gate, which is at the opening of the Gate of Nicanor, because three rites were performed there: They give the sota women the bitter water to drink, and they purify women who have given birth (see Leviticus 12:6–8), and they purify the lepers (see Leviticus 14:10–20). The mishna continues describing the sota rite. And the priest grabs hold of her clothing and pulls them, unconcerned about what happens to the clothing. If the clothes are torn, so they are torn; if the stitches come apart, so they come apart. And he pulls her clothing until he reveals her heart, i.e., her chest. And then he unbraids her hair. Rabbi Yehuda says: If her heart was attractive he would not reveal it, and if her hair was attractive he would not unbraid it.

1:6 If she was dressed in white garments, he would now cover her with black garments. If she was wearing gold adornments, or chokers [katliyyot], or nose rings, or finger rings, they removed them from her in order to render her

unattractive. And afterward the priest would bring an Egyptian rope fashioned from palm fibers, and he would tie it above her breasts. And anyone who desires to watch her may come to watch, except for her slaves and maidservants, who are not permitted to watch because her heart is emboldened by them, as seeing one's slaves reinforces one's feeling of pride, and their presence may cause her to maintain her innocence. And all of the women are permitted to watch her, as it is stated: "Thus will I cause lewdness to cease out of the land, that all women may be taught not to do after your lewdness" (Ezekiel 23:48).

1:7 The mishna teaches lessons that can be derived from the actions and treatment of a sota. With the measure that a person measures, he is measured with it. For example, she, the sota, adorned herself to violate a transgression, the Omnipresent therefore decreed that she be rendered unattractive; she exposed herself for the purpose of violating a transgression, as she stood in places where she would be noticed by potential adulterers, so the Omnipresent therefore decreed that her body be exposed publicly; she began her transgression with her thigh and afterward with her stomach, therefore the thigh is smitten first and then the stomach, and the rest of all her body does not escape punishment.

1:8 The mishna provides additional examples of people who were treated by Heaven commensurate with their actions. Samson followed his eyes, therefore he was punished measure for measure, as the Philistines gouged out his eyes, as it is stated: "And the Philistines laid hold on him, and put out his eyes" (Judges 16:21). Absalom was excessively proud of his hair, and therefore he was hanged by his hair. And furthermore, because he engaged in sexual intercourse with ten of his father's concubines (see II Samuel 15:16 and 16:22), therefore ten spears [loneviyyot] were put, i.e., thrust, into him, as it is stated: "And ten young men that bore Joab's armor compassed about and smote Absalom, and slew him" (II Samuel 18:15). And because he stole three times, committing three thefts of people's hearts: The heart of his father, as he tricked him by saying that he was going to sacrifice offerings; the heart of the court, as he tricked them into following him; and the heart of the Jewish people, as it is stated: "So Absalom stole the hearts of the men of Israel" (II Samuel 15:6), therefore three spears were embedded into his heart, as it is stated: "Then said Joab: I may not tarry like this with you. And he took three spears in his hand, and thrust them through the heart of Absalom, while he was yet alive" (II Samuel 18:14).

1:9 The mishna continues: And the same is so with regard to the reward of good deeds; a person is rewarded measure for measure. Miriam waited for the baby Moses for one hour at the shore of the Nile, as it is stated: "And his sister stood afar off, to know what would be done to him" (Exodus 2:4). Therefore the Jewish people delayed their travels in the desert for seven days to wait for her when she was smitten with leprosy, as it is stated: "And Miriam was confined outside of the camp seven days; and the people journeyed not until Miriam was brought in again" (Numbers 12:15). Joseph merited to bury his father, resulting in a display of great honor to his father, and there was none among his brothers greater than he in importance, for he was viceroy of Egypt,

as it is stated: “And Joseph went up to bury his father; and with him went up all the servants of Pharaoh, the Elders of his house, and all the Elders of the land of Egypt, and all the house of Joseph, and his brethren, and his father’s house; only their little ones, and their flocks, and their herds, they left in the land of Goshen. And there went up with him both chariots and horsemen; and it was a very great company” (Genesis 50:7–9). Who, to us, had a greater burial than Joseph, as it was none other than Moses who involved himself in transporting his coffin. Moses merited to be the only person involved in the transportation of Joseph’s bones to be buried in Eretz Yisrael, and there was none among the Jewish people greater than he, as it is stated: “And Moses took the bones of Joseph with him” (Exodus 13:19). Who had a greater burial than Moses, as no one involved himself in his burial other than the Omnipresent Himself, as it is stated: “And He buried him in the valley in the land of Moab over against Beth Peor; and no man knows of his sepulcher unto this day” (Deuteronomy 34:6). The mishna comments: Not only with regard to Moses did the Sages say that God takes part in his burial, but also with regard to all the righteous individuals, as it is stated: “Your righteousness shall go before you and the glory of the Lord shall gather you in” (Isaiah 58:8).

2:1 The husband of the sota would bring his wife’s meal-offering to the priest in an Egyptian wicker basket made of palm branches, and he would place the meal-offering in her hands for her to hold throughout the ritual in order to fatigue her. This might lead her to confess her guilt and not drink the water of a sota unnecessarily. The mishna lists differences between this meal-offering and other meal-offerings. Generally, all meal-offerings, from their beginnings, i.e., the moment they are consecrated, and until their ends, i.e., the moment they are sacrificed, must be in a service vessel. But in the case of this one, its beginning is in a wicker basket and only at its end, immediately before it is offered, is it placed in a service vessel. All other meal-offerings require oil and frankincense, and this one requires neither oil nor frankincense. Furthermore, all other meal-offerings are brought from wheat, and this one is brought from barley. Although in fact the omer meal-offering is also brought from barley, it is still different in that it was brought as groats, i.e., high-quality meal. The meal-offering of the sota, however, is brought as unsifted barley flour. Rabban Gamliel says: This hints that just as her actions of seclusion with another man were the actions of an animal, so too her offering is animal food, i.e., barley and not wheat.

2:2 The priest would bring an earthenware drinking vessel [peyalei] and he would pour into it half a log of water from the basin in the Temple. Rabbi Yehuda says: The priest would pour only a quarter-log of water. Just as Rabbi Yehuda minimizes the writing, as he requires that less be written on the scroll of the sota than do the Rabbis, so too he minimizes the amount of water to be taken from the basin for the erasing of the text. The priest would enter the Sanctuary and turn to his right. And there was a place there, on the Sanctuary floor, with an area of a cubit by a cubit, and a marble tablet [tavla] was there, and a ring was fastened to the tablet to assist the priest when he would raise it. And the priest would take loose dust from underneath it and place the

dust into the vessel with the water, so that the dust would be visible upon the water, as it is stated: “And the priest shall take holy water in an earthen vessel; and of the dust that is on the floor of the Tabernacle the priest shall take, and put it into the water” (Numbers 5:17).

2:3 When the priest comes to write the scroll of the sota that is to be placed in the water, from what place in the Torah passage concerning the sota (Numbers 5:11–31) does he write? He starts from the verse: “If no man has lain with you, and if you have not gone astray to defilement while under your husband, you shall be free from this water of bitterness that causes the curse” (Numbers 5:19); and continues: “But if you have gone astray while under your husband, and if you are defiled, and some man has lain with you besides your husband” (Numbers 5:20). And then he does not write the beginning of the following verse, which states: “Then the priest shall cause the woman to swear with the oath of cursing, and the priest shall say to the woman” (Numbers 5:21), but he does write the oath recorded in the continuation of the verse: “The Lord shall make you a curse and an oath among your people when the Lord will cause your thigh to fall away, and your belly to swell. And this water that causes the curse shall go into your bowels, and cause your belly to swell, and your thigh to fall away” (Numbers 5:21–22); but he does not write the conclusion of the verse: “And the woman shall say: Amen, amen” (Numbers 5:22). Rabbi Yosei says: He does not interrupt the verses but rather writes the entire passage without any omissions. Rabbi Yehuda says: He writes nothing other than curses recorded in the final verses cited above: “The Lord shall make you a curse and an oath among your people when the Lord will cause your thigh to fall away, and your belly to swell. And this water that causes the curse shall go into your bowels, and cause your belly to swell, and your thigh to fall away.” And he does not write the conclusion of the verse: “And the woman shall say: Amen, amen.”

2:4 The priest does not write the scroll of the sota upon a wooden tablet, and not upon paper made from grass, and not upon diftera, a hide that is only partially processed, as it is salted and treated with flour but not gallnuts; rather, it must be written only on a scroll of parchment, as it is stated: “And the priest shall write these curses in a scroll” (Numbers 5:23). And the scribe may not write with gum [komos], and not with iron sulfate [kankantom], nor with any substance that makes a mark and cannot be completely erased, but only with ink made from soot, as it is stated in the continuation of the same verse: “And he shall blot them out into the water of bitterness” (Numbers 5:23). This indicates that the scroll must be written with a writing that can be erased in water.

2:5 With regard to what does she say: “Amen, amen” (Number 5:22), twice, as recorded in the verse? The mishna explains that it includes of the following: Amen on the curse, as she accepts the curse upon herself if she is guilty, and amen on the oath, as she declares that she is not defiled. She states: Amen if I committed adultery with this man about whom I was warned, amen if I committed adultery with another man. Amen that I did not stray when I was betrothed nor after I was married, nor as a widow waiting for my yavam to perform levirate marriage, since a woman at that stage is prohibited from engaging in sexual

intercourse with any men, nor when married through levirate marriage to the yavam; amen that I did not become defiled, and if I did become defiled, may all these curses come upon me. Rabbi Meir says that “amen, amen” means: Amen that I did not become defiled in the past, amen that I will not become defiled in the future.

2:6 All agree that he may stipulate with her through this oath neither with regard to what she did before becoming betrothed to him, nor with regard to what she will do after she becomes divorced from him. Similarly, if a husband divorced his wife, and while divorced she secluded herself with another man and became defiled, and afterward her husband took her back and remarried her, and he then warned her about a specific man, and she secluded herself, and she is now about to drink the water of the sota, he cannot stipulate with her that she take an oath that she did not become defiled during the period in which she was divorced. This is because her husband would become forbidden to her only if she had married another man after being divorced, not if she merely committed an act of promiscuity. This is the principle: In every case where if she would engage in sexual intercourse with someone else she would not become forbidden to her husband due to this act, he may not stipulate with her that her oath include that act. The oath can include only cases in which she would be rendered forbidden to him.

3:1 He would take her meal-offering out of the Egyptian wicker basket made of palm leaves in which it was lying and would put it into a service vessel and then place it on her hand. And the priest would then place his hand underneath hers and wave it together with her.

3:2 The priest waved it and brought it near to the southwest corner of the altar, removed a handful from it, and burned the handful; and the remainder was eaten by the priests. The priest would force the woman to drink the bitter water of a sota, and afterward he would sacrifice her meal-offering. Rabbi Shimon says: The priest would sacrifice her meal-offering and afterward he would force her to drink, as it is stated: “And the priest shall take a handful of the meal-offering, as the memorial part of it, and burn it upon the altar, and afterward he shall make the woman drink the water” (Numbers 5:26). But Rabbi Shimon concedes that if the priest first forced her to drink and afterward sacrificed her meal-offering, it is still valid.

3:3 If before the scroll was erased she said: I will not drink, the scroll that was written for her is sequestered, and her meal-offering is burned and scattered over the place of the ashes, and her scroll is not fit to give to another sota to drink. If the scroll was erased and afterward she said: I am defiled, the water is poured out, and her meal-offering is scattered in the place of the ashes. If the scroll was already erased and she said: I will not drink, she is forced to drink against her will.

3:4 When a guilty woman drinks she does not manage to finish drinking before her face turns green and her eyes bulge, and her skin becomes full of protruding veins, and the people standing in the Temple say: Remove her, so that she does not render the Temple courtyard impure by dying there. The mishna limits the scope of the previous statement: If she has merit, it delays punishment for her and she does not die immediately. There is a merit that

delays punishment for one year, there is a larger merit that delays punishment for two years, and there is a merit that delays punishment for three years.

From here Ben Azzai states: A person is obligated to teach his daughter Torah, so that if she drinks and does not die immediately, she will know that some merit she has delayed punishment for her. Rabbi Eliezer says: Anyone who teaches his daughter Torah is teaching her promiscuity [tiflut]. Rabbi Yehoshua says: A woman desires to receive the amount of a kav of food and a sexual relationship [tiflut] rather than to receive nine kav of food and abstinence. He would say: A foolish man of piety, and a conniving wicked person, and an abstinent woman [perusha], and those who injure themselves out of false abstinence; all these are people who erode the world.

3:5 Rabbi Shimon says: Merit does not delay the punishment of the bitter water of a sota, and if you say that merit does delay the punishment of the water that causes the curse, as stated earlier by the Rabbis (20a), you weaken [madhe] the power of the bitter water before all the women who drink the water, who will no longer be afraid of it, as they will rely on their merit to save them. And you defame the untainted women who drank the water and survived, as people say: They are defiled but it is their merit that delayed the punishment for them. Rabbi Yehuda HaNasi says: Merit delays the punishment of the water that causes the curse, but a woman whose punishment is delayed does not give birth and does not flourish; rather, she progressively deteriorates. Ultimately she dies by the same death as a sota who dies immediately.

3:6 If the meal-offering of the sota is rendered impure before it has been sanctified in the service vessel, its status is like that of all the other meal-offerings that are rendered impure before being sanctified in a service vessel, and it is redeemed. But if it is rendered impure after it has been sanctified in the service vessel, its status is like that of all the other meal-offerings that are rendered impure after being sanctified in a service vessel, and it is burned. And these are the sota women whose meal-offerings are burned if they have already been sanctified in a service vessel: A woman who confesses and says: I am defiled, and therefore prohibited to you; and a woman with regard to whom witnesses came and testified that she is defiled; and a woman who says: I will not drink the bitter water of a sota, even if she does not confess her guilt; and a woman whose husband changed his mind and does not want to force her to drink; and a woman whose husband engaged in sexual intercourse with her on the way to the Temple. And all the women who are married to priests, their meal-offerings are always burned, as the verse states: "And every meal-offering of a priest shall be completely burned; it shall not be eaten" (Leviticus 6:16).

3:7 An Israelite woman who is married to a priest, her meal-offering is burned; and the daughter of a priest who is married to an Israelite, her meal-offering is eaten. The mishna asks a general question: What are the differences between a priest and the daughter of a priest? The meal-offering of the daughter of a priest is eaten by the priests, but the meal-offering of a priest is not eaten. The daughter of a priest can become disqualified from marrying a priest and from partaking of teruma by engaging in sexual intercourse with someone forbidden to her, but a priest does not become desacralized by engaging in

sexual intercourse with a woman forbidden to him. The daughter of a priest may become impure with impurity imparted by a corpse, but a priest may not become impure with impurity imparted by a corpse except for the burial of his seven closest relatives. A priest may eat from offerings of the most sacred order, but the daughter of a priest may not eat from offerings of the most sacred order.

3:8 What are the halakhic differences between a man and a woman? A man lets his hair grow and rends his garments when he is a leper, but a woman does not let her hair grow or rend her garments when she is a leper. A man can vow that his minor son shall be a nazirite, obligating the son to remain a nazirite even during his adulthood, but a woman cannot vow that her son shall be a nazirite. A man can shave at the culmination of his naziriteship by using offerings originally designated for his father's naziriteship, i.e., if one's father was also a nazirite and he died having already designated offerings for the culmination of his naziriteship; but a woman cannot shave at the culmination of her naziriteship by using offerings designated for her father's naziriteship. A man can betroth his daughter to another man while she is a minor, but a woman cannot betroth her daughter even while she is a minor. A man can sell his daughter as a maidservant while she is a minor, but a woman cannot sell her daughter as a maidservant even while she is a minor. A man is stoned naked, but a woman is not stoned naked. A man is hanged after he is stoned for certain transgressions, but a woman is not hanged. A man is sold for his committing an act of theft in order to pay his debt, but a woman is not sold for her committing an act of theft.

4:1 With regard to a betrothed woman who secluded herself with another man after being warned by her betrothed, and a widow waiting for her brother-in-law [yavam] to perform levirate marriage who secluded herself with another man after being warned by her yavam, they neither drink the bitter water nor collect payment of their marriage contracts. The reason they are not entitled to payment of their marriage contracts is that the betrothed woman became forbidden to her betrothed or the widow became forbidden to her yavam due to her own actions of entering into seclusion with the paramour. And the fact that they do not drink the bitter water is as it is stated: "This is the law of jealousy, when a wife, while under her husband, goes astray, and is defiled" (Numbers 5:29). The verse excludes a betrothed woman and a widow awaiting her yavam; since they are not yet married, neither is considered as "under her husband." The mishna delineates cases where the woman's marriage was prohibited in the first place: With regard to a widow who was married to a High Priest, or a divorcée or halutza who was married to a common priest, or a mamzeret or Gibeonite woman who was married to a Jew of unflawed lineage, or a Jewish woman of unflawed lineage who was married to a mamzer or a Gibeonite, all of these women neither drink the bitter water nor collect payment of their marriage contracts, as the sota ritual applies only to permitted marriages.

4:2 And the following women neither drink the bitter water nor collect payment of their marriage contracts: A woman who confesses and says: I am defiled, and a woman with regard to whom witnesses came and testified that she is defiled, and a woman who says: I will not drink the bitter water, even if she does not

confess her guilt. However, a woman whose husband said: I will not have her drink, and a woman whose husband engaged in sexual intercourse with her on the way to the Temple, collect payment of their marriage contracts even though they do not drink the bitter water, as it is due to the husbands that they do not drink. If the husbands of sota women died before their wives drank the bitter water, Beit Shammai say: They collect payment of their marriage contracts and they do not drink the bitter water. And Beit Hillel say: They either drink the bitter water or they do not collect payment of their marriage contracts.

4:3 A woman who was pregnant with the child of another man at the time of her marriage and a woman who was nursing the child of another man at the time of her marriage neither drink the bitter water nor collect payment of their marriage contracts. This is because by rabbinic law they may not marry for twenty-four months after the baby's birth, and therefore these also constitute prohibited marriages. This is the statement of Rabbi Meir. And the Rabbis say: He can separate from her, and remarry her after the time of twenty-four months has elapsed, and therefore these are considered permitted marriages, and the women can drink the bitter water. A sexually underdeveloped woman who is incapable of bearing children [ailonit], and an elderly woman, and a woman who is incapable of giving birth for other reasons, neither collect payment of their marriage contracts nor drink the bitter water, as marrying a woman who cannot give birth constitutes a violation of the mitzva to be fruitful and multiply. Rabbi Elazar says: He can marry another woman and procreate through her; therefore, these are considered permitted marriages, and women in these categories can drink the bitter water. And all other women either drink the bitter water or do not collect payment of their marriage contracts.

4:4 The wife of a priest drinks, and if she is found to be innocent of adultery, she is permitted to her husband. The wife of a eunuch also drinks. A husband can issue a warning to his wife forbidding her to seclude herself with any man, even with regard to all those men with whom relations are forbidden, e.g., her father or brother, with the exception of a minor and of one who is not a man, i.e., in a situation where a man suspects his wife of bestiality.

4:5 And these are the women to whom the court issues a warning in place of their husbands: One whose husband became a deaf-mute or became an imbecile, or was incarcerated in prison. The Sages said that the court warns her not in order to have her drink the bitter water if she disobeys the warning, but in order to disqualify her from receiving payment of her marriage contract. Rabbi Yosei says: The court's warning also serves to have her drink, and when her husband is released from prison he has her drink.

5:1 Just as the water evaluates her fidelity, so too, the water evaluates his, i.e., her alleged paramour's, involvement in the sin, as it is stated: "And the water that causes the curse shall enter into her" (Numbers 5:24), and it is stated again: "And the water that causes the curse shall enter into her and become bitter" (Numbers 5:27). It is derived from the double mention of the phrase "and...shall enter" that both the woman and her paramour are evaluated by the water. Furthermore, prior to her drinking the water, just as she is forbidden to her husband, so too is she forbidden to her paramour,

because in contrast to the verse stating: “Is defiled [nitma’a]” (Numbers 5:14), a superfluous conjoining prefix vav is added to a later verse, rendering the phrase: “And is defiled [venitma’a]” (Numbers 5:29). The addition indicates another prohibition, that of the woman to her paramour. This is the statement of Rabbi Akiva. Rabbi Yehoshua said: That was how Zekharya ben HaKatzav would interpret it, i.e., he also derived from the superfluous vav that the woman is forbidden to her paramour. Rabbi Yehuda HaNasi says an alternate source: The two times that the defilement of the wife is stated in the passage, namely: “And he warns his wife, and she is defiled” (Numbers 5:14), and the later verse: “When a wife, being under her husband, goes astray and is defiled” (Numbers 5:29), indicate that her defilement results in two prohibitions. One is that she is forbidden to her husband and one is that she is forbidden to her paramour.

5:2 On that same day that Rabbi Elazar ben Azarya was appointed head of the Sanhedrin, Rabbi Akiva interpreted the verse: “And every earthen vessel into which any of them falls, whatever is in it shall be impure [yitma], and you shall break it” (Leviticus 11:33), as follows: The verse does not state: Is impure [tamei], but rather: “Shall be impure,” in order to indicate that not only does the vessel itself become ritually impure, but it can now render other items ritually impure. This teaches with regard to a loaf that has second-degree ritual impurity status due to its being placed inside an earthenware vessel that had first-degree impurity, that it can render other food with which it comes into contact impure with third-degree impurity status. After hearing Rabbi Akiva’s statement, Rabbi Yehoshua said: Who will remove the dirt from your eyes, Rabban Yohanan ben Zakkai, so that you could live and see this? As you would say: In the future, another generation is destined to deem pure a loaf that contracted third-degree impurity, as there is no explicit verse from the Torah stating that it is impure. But now Rabbi Akiva, your disciple, brings a verse from the Torah indicating that it is impure, as it is stated: “Whatever is in it shall be impure.”

5:3 Furthermore, on that same day Rabbi Akiva interpreted the verses with regard to the Levite cities as follows: One verse states: “And you shall measure outside the city for the east side two thousand cubits...this shall be for them the open land outside the cities” (Numbers 35:5), and another verse states: “And the open land around the cities, which you shall give to the Levites, shall be from the wall of the city and outward one thousand cubits round about” (Numbers 35:4). It is impossible to say that the area around the cities given to the Levites was only one thousand cubits, as it is already stated: “Two thousand cubits.” And it is impossible to say that two thousand cubits were left for them, as it is already stated: “One thousand cubits.” How can these texts be reconciled? One thousand cubits are to be set aside as a tract of open land surrounding the city, and the two thousand cubits are mentioned not in order to be given to the Levites, but to indicate the boundary of the Shabbat limit, beyond which it is forbidden to travel on Shabbat. This verse thereby serves as the source for the two-thousand-cubit Shabbat limit. Rabbi Eliezer, son of Rabbi Yosei HaGelili, says otherwise: One thousand cubits were given to the Levites as an open tract of land, that could

not be planted or built upon, and two thousand cubits of additional land were given to the Levites for planting fields and vineyards.

5:4 Additionally, on that same day Rabbi Akiva interpreted the verse: “Then Moses and the children of Israel sang this song to the Lord, and said, saying” (Exodus 15:1), as follows: As there is no need for the verse to state the word “saying,” because it states the word “said” immediately prior to it, why must the verse state the word “saying”? It teaches that the Jewish people would repeat in song after Moses every single statement he said, as is done when reciting hallel. After Moses would recite a verse, they would say as a refrain: “I will sing to the Lord, for He is highly exalted” (Exodus 15:1). It is for this reason that the word “saying” is stated, in addition to the word “said.” Rabbi Nehemya says: The people sang the song together with Moses as is done when reciting Shema, which is recited in unison after the prayer leader begins, and not as is done when reciting hallel.

5:5 On that same day Rabbi Yehoshua ben Hyrcanus taught: Job served the Holy One, Blessed be He, only out of love, as it is stated: “Though He will slay me, still I will trust in Him” (Job 13:15). And still, the matter is even, i.e., the verse is ambiguous, as there are two possible interpretations of the verse. Was Job saying: I will await Him, expressing his yearning for God; or should the verse be interpreted as saying I will not await Him. As the word “lo” can mean either “to him” or “not,” it is unclear which meaning is intended here. This dilemma is resolved elsewhere, where the verse states a clearer indication of Job’s intent: “Till I die I will not put away my integrity from me” (Job 27:5). This teaches that he acted out of love. Rabbi Yehoshua said: Who will remove the dirt from your eyes, Rabban Yohanan ben Zakkai, so that you could live and see this? As you taught all your life that Job worshipped the Omnipresent only out of fear, as it is stated: “And that man was wholehearted and upright, and God-fearing, and shunned evil” (Job 1:1); but now Yehoshua ben Hyrcanus, the disciple of your disciple, has taught that Job acted out of love.

6:1 In the case of one who warned his wife not to seclude herself with a particular man and she subsequently secluded herself with the man she was warned about, even if he heard about it from a flying bird, or any other source whatsoever, he must divorce his wife. However, he must still grant her the money accorded to her by her marriage contract because there is no actual proof of her seclusion with the man in question. This is the statement of Rabbi Eliezer, who, as quoted in the first mishna of the tractate (2a), holds that there is no necessity for witnesses to testify with regard to the seclusion, and the woman becomes forbidden to her husband even in the absence of witnesses, by the husband’s word alone. Rabbi Yehoshua disagrees, as he did in the mishna (2a), and says: He does not divorce his wife in the absence of witnesses until the gossiping women who sit and spin thread by the light of the moon begin to discuss her behavior, as they share the gossip of the town. The Gemara earlier (6b) taught that a woman whose infidelity became subject to this public discussion can no longer be tested by the bitter water of a sota. Consequently, she must get divorced.

6:2 The mishna continues to list various possible testimonies concerning of

such acts of seclusion. If one witness said: I saw that she became defiled during her seclusion by engaging in sexual intercourse with that other man, she does not drink the bitter water, but rather, he divorces her immediately. And furthermore, even if the one who testified was a slave or a maidservant, neither of whom is generally regarded as a valid witness, they are deemed credible to testify to the wife's adultery even to the extent that their testimony disqualifies her from receiving her marriage contract and prevents her from drinking the bitter water. The mishna continues by listing women whose testimony is only partially accepted concerning this matter: Her mother-in-law, and her mother-in-law's daughter, and her rival wife, i.e., a second wife of the husband, and her yevama, i.e., her husband's brother's wife, and her husband's daughter, all of whom are generally not deemed credible if they say anything incriminating pertaining to this woman due to the tumultuous relationships these women often have. They are all deemed credible to testify concerning the woman's defilement while in seclusion, but are not deemed credible to the extent that their testimony will disqualify her from receiving her marriage contract; rather, it is deemed credible to the extent that she will not drink of the bitter water of a sota.

6:3 This ruling allowing one witness's testimony with regard to defilement needs to be stated, as, by right, it should not have been deemed credible based on the following a fortiori inference: And just as if with regard to the first testimony concerning seclusion, which does not forbid her with an irrevocable prohibition, as the woman can be found innocent permitting her again to her husband by drinking the bitter water, is not established with fewer than two witnesses, since according to the mishna the testimony of seclusion requires two witnesses, then with regard to the final testimony concerning defilement, which forbids her to her husband with an irrevocable prohibition, is it not logical that it should also not be established with fewer than two witnesses? Therefore, to counter this derivation, the verse states: "And there be no witness against her" (Numbers 5:13), teaching that any testimony with regard to defilement that there is against her is sufficient, and two witnesses are not required. The Gemara asks: And from now that it is established that one witness suffices to testify with regard to defilement, an a fortiori inference can be made with regard to the first testimony of seclusion: And just as if concerning the final testimony of defilement, which forbids her with an irrevocable prohibition, yet it is established by one witness, then with regard to the first testimony, which does not forbid her with an irrevocable prohibition, is it not logical that it should be established with only one witness? Therefore, to counter this derivation, the verse states: "When a man takes a wife, and marries her, and it comes to pass, if she finds no favor in his eyes, because he has found some unseemly matter [davar] in her" (Deuteronomy 24:1), and there, in the laws concerning monetary matters, it states: "At the mouth of two witnesses, or at the mouth of three witnesses, shall a matter [davar] be established" (Deuteronomy 19:15), teaching that just as the "matter" stated there is established "at the mouth of two witnesses," so too, here the "matter" of her seclusion must be established "at the mouth of two witnesses."

6:4 The mishna discusses the halakha in a case where two single witnesses contradict each other concerning her defilement. If one witness says: She was defiled, and another witness says: She was not defiled, or similarly in the case of those normally disqualified from bearing witness, if one woman says: She was defiled, and another woman says: She was not defiled, she would drink the bitter water of a sota, due to the uncertainty engendered by the contradictory testimonies. Similarly, if one witness says: She was defiled, and two witnesses say: She was not defiled, she would drink the bitter water. However, if two would say: She was defiled, and one says: She was not defiled, the testimony of the two witnesses is accepted and she would not drink the bitter water, and the husband must divorce her.

7:1 These are recited in any language, not specifically Hebrew: The portion of the warning and the oath administered by the priest to a woman suspected by her husband of having been unfaithful [sota]; and the declaration of tithes, which occurs after the third and the sixth years of the seven-year Sabbatical cycle, when one declares that he has given his tithes appropriately; Shema; and the Amida prayer; and Grace after Meals; and an oath of testimony, where one takes an oath that he does not have any testimony to provide on a given issue; and an oath on a deposit, where one takes an oath that he does not have possession of another's deposit.

7:2 And these are recited only in the sacred tongue, Hebrew: The recitation of the verses that one recounts when bringing the first fruits to the Temple; and the recitations which form an element of the ritual through which a yavam frees a yevama of her levirate bonds [halitza]; the blessings and curses that were spoken on Mount Gerizim and Mount Ebal; the Priestly Benediction; and the blessing on the Torah recited by the High Priest on Yom Kippur; and the portion of the Torah read by the king at the assembly on Sukkot at the conclusion of the Sabbatical Year; and the portion recited during the ritual of a heifer whose neck is broken, when a person is found killed in an area that is between two cities, and the murderer is unknown; and the speech of a priest who is anointed for war when he addresses the nation before going out to battle.

7:3 How is it derived that the recitation when bringing the first fruits is recited specifically in Hebrew? When the Torah discusses this mitzva it states: "And you shall speak and say before the Lord your God" (Deuteronomy 26:5), and below, in the discussion of the blessings and curses, it states: "And the Levites shall speak and say" (Deuteronomy 27:14). Just as there, the Levites speak in the sacred tongue, so too here, the recitation is in the sacred tongue.

7:4 How is it derived that the recitation at a halitza ceremony must be in Hebrew? The verse in the Torah portion discussing halitza states: "And she shall speak and say" (Deuteronomy 25:9), and below it states: "And the Levites shall speak and say" (Deuteronomy 27:14). Just as there, the Levites speak in the sacred tongue, so too here, the recitation is in the sacred tongue. Rabbi Yehuda says: This can be derived from a different word in the verse: "And she shall speak and say: So shall it be done to the man that does not build up his brother's house" (Deuteronomy 25:9). The word "so" indicates that her statement is ineffective unless she says it in these exact

words.

7:5 How did the ceremony of the blessings and curses take place? When the Jewish people crossed the Jordan River they came to Mount Gerizim and Mount Ebal, which are in Samaria along-side the city of Shechem, which is near the oaks of Moreh, as it is stated: “Are they not beyond the Jordan, behind the way of the going down of the sun, in the land of the Canaanites that dwell in the Arabah, over against Gilgal, beside the oaks of Moreh?” (Deuteronomy 11:30), and there it states: “And Abram passed through the land until the place of Shechem, until the oaks of Moreh” (Genesis 12:6). Just as the oaks of Moreh mentioned there with regard to Abraham are close to Shechem, so too, the oaks of Moreh mentioned here are close to Shechem. Six tribes ascended to the top of Mount Gerizim and six tribes ascended to the top of Mount Ebal, and the priests and the Levites and the Ark were standing at the bottom in the middle, between the two mountains. The priests were surrounding the Ark and the Levites were surrounding the priests, and all the rest of the Jewish people were standing on the mountains on this side and on that side, as it is stated: “And all Israel, and their elders and officers, and their judges, stood on this side of the Ark and on that side before the priests the Levites that bore the Ark of the Covenant of the Lord” (Joshua 8:33). The Levites then turned to face Mount Gerizim and opened with the blessing: Blessed be the man who does not make a graven or molten image (see Deuteronomy 27:15), and these people and those people, i.e., the two groups standing on either mountain, answered: Amen. Then they turned to face Mount Ebal and opened with the curse: “Cursed be the man who makes a graven or molten image” (Deuteronomy 27:15), and these people and those people answered: Amen. They continued in this manner until they completed reciting all of the blessings and curses. And afterward they brought the stones as commanded in the Torah, and they built the altar and plastered it with plaster, and they wrote on it all of the words of the Torah in seventy languages, as it is stated: “And you shall write on the stones all the words of this law clearly elucidated” (Deuteronomy 27:8), indicating that it was to be written in every language. And they then took the stones from there and came to Gilgal and slept in their lodging place.

7:6 How is the Priestly Benediction recited? In the country, i.e., outside the Temple, the priest recites the verses as three blessings, pausing between each verse while the people respond amen. And in the Temple, the priests recite all three verses as one blessing, after which the people respond: Blessed be the Lord, God, the God of Israel, from eternity to eternity, as is the customary response to blessings in the Temple. In the Temple, the priest utters the name of God as it is written in the Torah, i.e., the Tetragrammaton, and in the country they use its substitute name of Lordship. In the country, the priests lift their hands so they are aligned with their shoulders during the benediction. And in the Temple they lift them above their heads, except for the High Priest, who does not lift his hands above the frontplate. Since the Tetragrammaton is inscribed on it, it is inappropriate for him to lift his hands above it. Rabbi Yehuda says: Even the High Priest lifts his hands above the frontplate, as it is stated: “And Aaron lifted up his hands toward the people and blessed them” (Leviticus 9:22).

7:7 How are the blessings of the High Priest recited on Yom Kippur? The synagogue attendant takes a Torah scroll and gives it to the head of the synagogue that stands on the Temple Mount, and the head of the synagogue gives it to the deputy High Priest, and the deputy High Priest gives it to the High Priest. And the High Priest stands; and receives the Torah scroll; and reads the Torah portion beginning with the verse: “After the death” (Leviticus 16:1–34), and the portion beginning with the verse: “But on the tenth” (Leviticus 23:26–32); and furls the Torah scroll; and places it on his bosom; and says: More than what I have read before you is written here. He then reads by heart the portion beginning with: “And on the tenth,” from the book of Numbers (see 29:7–11). And after the reading the High Priest recites the following eight blessings: A blessing concerning the Torah, and concerning the Temple service, and concerning thanksgiving, and concerning forgiveness for iniquity, and concerning the Temple, and concerning the Jewish people, and concerning the priests, and concerning Jerusalem, and the rest of the prayer.

7:8 How is the portion of the Torah that is read by the king recited at the assembly, when all the Jewish people would assemble? At the conclusion of the first day of the festival of Sukkot, on the eighth, after the conclusion of the Sabbatical Year, they make a wooden platform for the king in the Temple courtyard, and he sits on it, as it is stated: “At the end of every seven years, in the Festival of the Sabbatical Year” (Deuteronomy 31:10). The synagogue attendant takes a Torah scroll and gives it to the head of the synagogue that stands on the Temple Mount. And the head of the synagogue gives it to the deputy High Priest, and the deputy High Priest gives it to the High Priest, and the High priest gives it to the king. And the king stands, and receives the Torah scroll, and reads from it while sitting. King Agrippa arose, and received the Torah scroll, and read from it while standing, and the Sages praised him for this. And when Agrippa arrived at the verse in the portion read by the king that states: “You may not appoint a foreigner over you” (Deuteronomy 17:15), tears flowed from his eyes, because he was a descendant of the house of Herod and was not of Jewish origin. The entire nation said to him: Fear not, Agrippa. You are our brother, you are our brother. And the king reads from the beginning of Deuteronomy, from the verse that states: “And these are the words” (Deuteronomy 1:1), until the words: “Hear, O Israel” (Deuteronomy 6:4). And he then reads the sections beginning with: “Hear, O Israel” (Deuteronomy 6:4–9), “And it shall come to pass, if you shall hearken” (Deuteronomy 11:13–21), “You shall tithe” (Deuteronomy 14:22–29), “When you have made an end of the tithing” (Deuteronomy 26:12–15), and the passage concerning the appointment of a king (Deuteronomy 17:14–20), and the blessings and curses (Deuteronomy 28), until he finishes the entire portion. The same blessings that the High Priest recites on Yom Kippur, the king recites at this ceremony, but he delivers a blessing concerning the Festivals in place of the blessing concerning forgiveness for iniquity.

8:1 With regard to the priest who was anointed for war, at the time that he would speak to the nation, he would speak to them in the sacred tongue, Hebrew, as it is stated: “And it shall be, when you draw near to the battle, that the

priest shall approach and speak to the people” (Deuteronomy 20:2). This priest identified in the verse is the priest anointed for war, the priest who is inaugurated specifically to serve this function. “And speak to the people”; he addresses them in the sacred tongue, Hebrew. The Torah dictates the priest’s address: “And he shall say to them: Hear Israel, you draw near today to battle against your enemies; let not your heart faint; fear not, nor be alarmed, and do not be terrified of them” (Deuteronomy 20:3). The priest expounds: “Against your enemies” and not against your brothers. This is not a war of the tribe of Judah against Simon and not Simon against Benjamin, such that if you fall into their hands your brothers will have mercy on you, as it is stated with regard to a war between Judah and Israel: “And the men that have been mentioned by name rose up, and took the captives, and with the spoil clothed all that were naked among them, and arrayed them, and shod them, and gave them to eat and to drink, and anointed them, and carried all the feeble of them upon donkeys, and brought them to Jericho, the city of palm trees, unto their brethren; then they returned to Samaria” (II Chronicles 28:15). Rather, you are marching to war against your enemies, and if you fall into their hands, they will not have mercy on you. The priest continues: “Let not your heart faint; fear not, nor be alarmed, and do not be terrified of them” (Deuteronomy 20:3). “Let not your heart faint” due to the neighing of horses and the sharpening of the enemy’s swords. “Fear not” due to the knocking of shields [terisin] and the noise of their boots [calgassin]. “Nor be alarmed” by the sound of trumpets. “Do not be terrified” due to the sound of shouts. The priest explains why the soldiers need not be terrified. “For the Lord your God is He that goes with you, to fight for you against your enemies, to save you” (Deuteronomy 20:4). Remember that they come to war championed by flesh and blood, and you are coming championed by the Omnipresent. The Philistines came championed by Goliath. What was his end? In the end, he fell by the sword, and they fell with him (see I Samuel, chapter 17). The Ammonites came championed by Shobach. What was his end? In the end, he fell by the sword, and they fell with him (see II Samuel, chapter 10). But as for you, you are not so, reliant upon the strength of mortals: “For the Lord your God is He that goes with you, to fight for you against your enemies, to save you”; this verse is referring to the camp of the Ark of the Covenant that accompanies them out to war.

8:2 The mishna continues its discussion of the speech given before battle. “And the officers shall speak to the people, saying: What man is there that has built a new house, and has not dedicated it? Let him go and return to his house, lest he die in the battle, and another man dedicate it” (Deuteronomy 20:5). He is sent home if he is one who builds a storehouse for straw, a barn for cattle, a shed for wood, or a warehouse. Similarly, it applies if he is one who builds, or if he is one who purchases, or if he is one who inherits, or if he is one to whom it is given as a gift. In all these instances, the man returns from the war encampment. The next verse states: “And what man is there that has planted a vineyard, and has not used the fruit thereof? Let him go and return unto his house, lest he die in the battle and another man use the fruit thereof” (Deuteronomy 20:6). He is sent home if he is one who plants a

whole vineyard of many vines, or if he is one who plants as few as five fruit trees of another variety, and even if these five are from the five species. The produce need not be all of one species. The same applies if he is one who plants, or if he is one who layers the vine, bending a branch into the ground so that it may take root and grow as a new vine, or if he is one who grafts different trees onto one another. And it applies if he is one who purchases a vineyard, or if he is one who inherits a vineyard, or if he is one to whom the vineyard is given as a gift. The next verse states: “And what man is there that has betrothed a wife, and has not taken her? Let him go and return to his house, lest he die in the battle, and another man take her” (Deuteronomy 20:7). He is sent home if he is one who betroths a virgin, or if he is one who betroths a widow. This applies even if his yevama, his late brother’s wife, is a widow waiting for him as her yavam to perform levirate marriage; and even if he heard that his brother died in the war and the widow begins to wait for him only then, he returns and goes home. Each of these men, although they are exempt, still hear the address of the priest and the regulations of war at the local camp, and thereafter they return to their respective homes. However, they still support the war effort, and they provide water and food for the soldiers and repair the roads.

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

8:4 These are the men who do not even move from their places because they do not even report to the camp: One who built a house and dedicated it within the year; one who planted a vineyard and used its fruit for less than a year; one who marries his betrothed and one who marries his yevama, his brother’s widow who must enter into a levirate marriage or perform halitza, as it is stated: “When a man takes a new wife, he shall not go out with the army...he shall be free for his house one year, and shall cheer his wife whom he has taken” (Deuteronomy 24:5). The mishna interprets the verse as follows: “For his house”; this means his house that he built. “He shall be”; this term includes his vineyard. “And shall cheer his wife”; this is his wife. “Whom he has taken”; this phrase comes to include his yevama, who is considered his wife with respect to this halakha although he has not yet married her. Those who are exempt for these reasons do not even provide water and food to the soldiers, and they do not repair the roads.

8:5 The mishna continues its discussion of the speech given before battle. “And the officers shall speak further to the people, and they shall say: What man is there that is fearful and fainthearted? Let him go and return unto his house” (Deuteronomy 20:8). Rabbi Akiva says: “That is fearful and fainthearted” is to be understood as it indicates, that the man is unable to stand in the battle ranks and to see a drawn sword because it will terrify him. Rabbi Yosei HaGelili says: “That is fearful and fainthearted”; this is one who is afraid because of the sins that he has; he, too, returns. Therefore, the Torah provided him with all these additional reasons for exemption from the army so he can ascribe his leaving to one of them. In this way, the sinner may leave the ranks without having to publicly acknowledge that he is a sinner. Rabbi Yosei says: With regard to one who has betrothed a woman forbidden to him, including a widow betrothed to a High Priest; a divorcée or a yevama who performed halitza [halutza] betrothed to a common priest; a mamzeret or a Gibeonite woman betrothed to an Israelite; or a daughter of an Israelite betrothed to a mamzer or a Gibeonite; this man is he whom the verse calls “fearful and fainthearted.” He fears that his sin will jeopardize his safety in the war.

8:6 The mishna continues its discussion. The verse states: “And it shall be, when the officers conclude speaking to the people, that captains of legions shall be appointed at the head of the people” (Deuteronomy 20:9). The mishna adds: As well as at the rear of the people. The officers station guards [zekifin] in front of them, and other guards behind them, and they have iron rods [kashilin] in their hands. And with regard to anyone who attempts to turn back and flee from the war, the guard has license to beat [lekape’ah] his legs because the beginning of fleeing is a downfall on the battlefield, as it is stated: “Israel has fled before the Philistines, and there has been also a great slaughter among the people” (I Samuel 4:17), and likewise it says further on: “And the men of Israel fled from before the Philistines, and fell down slain in Mount Gilboa” (I Samuel 31:1).

8:7 The mishna adds: In what case are all of these statements, with regard to the various exemptions from war, said? They are said with regard to elective wars. But in wars whose mandate is a mitzva, everyone goes, even a groom from his room and a bride from her wedding canopy. Rabbi Yehuda said: In what case are all of these statements, with regard to the various exemptions from war, said? They are said with regard to wars whose mandate is a mitzva. But in obligatory wars, everyone goes, even a groom from his room and a bride from her wedding canopy.

9:1 In certain cases of unsolved murder, the Torah prescribes a ritual performed with a heifer whose neck is broken. During the course of this ritual, the judges say a confession in the sacred tongue, Hebrew, as it is stated in the verse: “If one be found slain in the land which the Lord your God has given you to possess it, lying in the field, and it is not known who has smitten him; then your Elders and your judges shall come forth” (Deuteronomy 21:1–2). What is the procedure for this ritual? Three members of the High Court [Sanhedrin] that is in Jerusalem would go out to see the corpse. Rabbi Yehuda says: Five would go out, as it is stated: “Your Elders,” in the

plural form, indicating at least two; and it is written: “And your judges,” in the plural form, indicating another two judges; and a court may not be comprised of an even number of judges because they need to be able to issue a majority ruling. Consequently, they add to them one more Elder.

9:2 If the corpse was found concealed in a pile of stones, or hanging on a tree, or floating on the surface of the water, then the judges would not break the neck of the heifer, as it is stated: “If one be found slain in the land” (Deuteronomy 21:1), and not concealed in a pile of stones; “lying” on the ground and not hanging on a tree; “in the field,” and not floating on the surface of the water. If a corpse was found close to the border of the country, or close to a city in which the majority of its inhabitants are gentiles, or close to a city that is without a rabbinical court of twenty-three judges, then the judges would not break the heifer’s neck. Additionally, the Elders measure the distance from the corpse only to a city that has a rabbinical court with twenty-three judges. If the slain person is found precisely between two cities, the inhabitants of the two of them bring two heifers total; this is the statement of Rabbi Eliezer. And the inhabitants of Jerusalem do not bring a heifer whose neck is broken, even if Jerusalem is the city closest to the slain victim.

9:3 If the head of the corpse was found in one place and his body was found in a different place, they bring the head next to the body; this is the statement of Rabbi Eliezer. Rabbi Akiva says: They bring the body next to the head.

9:4 From where on the body would they measure the distance? Rabbi Eliezer says: From his navel. Rabbi Akiva says: From his nose. Rabbi Eliezer ben Ya’akov says: From the place where he became a slain person, which is from the neck.

9:5 The mishna continues to describe the ritual. After they would take the measurement, the Elders of Jerusalem took their leave and went away. The Elders of the city that is closest to the corpse bring a heifer from cattle, which has not pulled a yoke. But a blemish does not disqualify it, because, unlike the description of the red heifer, the Torah does not state that it must be without blemish. And they bring it down to a stream that is eitan. Eitan in this context means as the word generally indicates, powerful. The stream must have a forceful flow. The mishna comments: Even if it is not forceful, it is a valid site for the ritual. And they break the neck of the heifer from behind with a cleaver. And with regard to its place, where the heifer was standing when its neck was broken, it is prohibited for that ground to be sown or to be worked, but it is permitted to comb flax there or to cut stones there.

9:6 The Elders of that city would then wash their hands in water in the place of the breaking of the neck of the heifer, and they would recite: “Our hands did not spill this blood, nor did our eyes see” (Deuteronomy 21:7). The mishna explains: But did it enter our minds that the Elders of the court are spillers of blood, that they must make such a declaration? Rather, they mean to declare that the victim did not come to us and then we let him take his leave without food, and we did not see him and then leave him alone to depart without accompaniment. They therefore attest that they took care of all his needs and are not responsible for his death even indirectly. And the priests recite: “Forgive, Lord, Your people Israel, whom You have redeemed, and suffer not

innocent blood to remain in the midst of Your people Israel” (Deuteronomy 21:8). They did not have to recite the conclusion of the verse: “And the blood shall be forgiven for them,” as this is not part of the priests’ statement, but rather the Divine Spirit informs them: When you shall do so, the blood is forgiven for you.

9:7 If the killer is found before the heifer’s neck was broken, the heifer shall go out and graze among the herd. It is not considered sacred at all, and it may rejoin the other animals. If the killer is found from the time when the heifer’s neck was broken, even if the rest of the ritual has not yet been performed, it is prohibited to benefit from the animal, despite the killer having been found; it should be buried in its place. This is because the heifer initially came for uncertainty, as the killer was unknown, and it atoned for its uncertainty and left, i.e., it fulfilled its purpose of bringing atonement and is considered a heifer whose neck is broken in all regards. If the heifer’s neck was broken and afterward the killer was found, he is killed. The ritual does not atone for him.

9:8 If one witness says: I saw the killer, and one other witness says: You did not see him; or if a woman says: I saw, and another woman says: You did not see, they would break the neck of the heifer, as without clear testimony about the identity of the killer the ritual is performed. Similarly, if one witness says: I saw the killer, and two witnesses say: You did not see, they would break the neck of the heifer, as the pair is relied upon. If two witnesses say: We saw the killer, and one witness says to them: You did not see, they would not break the neck of the heifer, as there are two witnesses to the identity of the killer.

9:9 The mishna further states: From the time when murderers proliferated, the ritual of the heifer whose neck is broken was nullified. The ritual was performed only when the identity of the murderer was completely unknown. Once there were many known murderers, the conditions for the performance of the ritual were no longer present, as the probable identity of the murderer was known. From the time when Eliezer ben Dinai, who was also called Tehina ben Perisha, came, they renamed him: Son of a murderer. This is an example of a publicly known murderer. The mishna teaches a similar occurrence: From the time when adulterers proliferated, the performance of the ritual of the bitter waters was nullified; they would not administer the bitter waters to the sota. And it was Rabbi Yohanan ben Zakkai who nullified it, as it is stated: “I will not punish your daughters when they commit harlotry, nor your daughters-in-law when they commit adultery; for they consort with lewd women” (Hosea 4:14), meaning that when the husbands are adulterers, the wives are not punished for their own adultery. From the time when Yosei ben Yo’ezer of Tzereida and Yosei ben Yehuda of Jerusalem died, the clusters ceased, i.e., they were the last of the clusters, as explained in the Gemara, as it is stated: “There is no cluster to eat; nor first-ripe fig that my soul desires” (Micah 7:1).

9:10 The mishna continues in the same vein: Yohanan the High Priest took away the declaration of the tithe. After his time, no one recited the passage about the elimination of tithes that had previously been said at the end of a

three-year tithing cycle. He also nullified the actions of the awakeners and the strikers at the Temple. Until his days the hammer of smiths would strike in Jerusalem on the intermediate days of a Festival, but he banned the practice. And furthermore, in his days there was no need to inquire about doubtfully tithed produce [dema'ai], as everyone was careful to tithe. This mishna continues with the list of items that were nullified.

9:11 From the time when the Sanhedrin ceased song was also nullified from the places of feasts, i.e., it was no longer permitted to sing at a feast where wine was served, as it is stated: "With song they shall not drink wine" (Isaiah 24:9).

9:12 From the time when the early prophets died the Urim VeTummim was nullified. From the time when the Second Temple was destroyed the shamir worm ceased to exist and also the sweetness of the honeycomb, as the verse says with regard to the laws of the Torah: "More to be desired are they than gold, indeed, than much fine gold; sweeter also than honey and the honeycomb" (Psalms 19:11). And men of faith ceased from being among the Jewish people, as it is stated: "Help, Lord, for the pious man is finished; for the faithful fail from among the children of men" (Psalms 12:2). Rabban Shimon ben Gamliel says that Rabbi Yehoshua testified: From the day the Temple was destroyed there is no day that does not include some form of curse. And since then the dew has not descended for blessing, and the taste has been removed from fruit. Rabbi Yosei says: Since then, the fat of fruit has also been removed.

9:13 Rabbi Shimon ben Elazar says: Since then, the lost purity has removed the taste and the aroma from fruit; the tithes that were not separated have removed the fat of the grain. And the Sages say: Promiscuity and witchcraft have consumed it all.

9:14 In the war [pulemus] of Vespasian the Sages decreed upon the crowns of bridegrooms, i.e., that bridegrooms may no longer wear crowns, and upon the drums, meaning they also banned the playing of drums. In the war of Titus they also decreed upon the crowns of brides, and they decreed that a person should not teach his son Greek. In the last war, meaning the bar Kokheva revolt, they decreed that a bride may not go out in a palanquin inside the city, but our Sages permitted a bride to go out in a palanquin inside the city, as this helps the bride maintain her modesty.

9:15 The mishna lists more things that ceased: From the time when Rabbi Meir died, those who relate parables ceased; from the time when ben Azzai died, the diligent ceased; from the time when ben Zoma died, the exegetists ceased; from the time when Rabbi Yehoshua died, goodness ceased from the world; from the time when Rabban Shimon ben Gamaliel died, locusts come and troubles multiplied; from the time when Rabbi Elazar ben Azarya died, the sages ceased to be wealthy; from the time when Rabbi Akiva died, the honor of the Torah ceased; from the time when Rabbi Hanina ben Dosa died, the men of wondrous action ceased; from the time when Rabbi Yosei the Small died, the pious were no more. And why was he called the Small? Because he was the smallest of the pious, meaning he was one of the least important of the pious men. From the time when Rabban Yohanan ben Zakkai died, the glory of wisdom ceased; from the time when Rabban Gamliel the Elder died, the honor of the Torah ceased, and

purity and asceticism died. From the time when Rabbi Yishmael ben Pavi died, the glory of the priesthood ceased; from the time when Rabbi Yehuda HaNasi died, humility and fear of sin ceased. Rabbi Pinehas ben Ya'ir says: From the time when the Second Temple was destroyed, the haverim and free men of noble lineage were ashamed, and their heads were covered in shame, and men of action dwindled, and violent and smooth-talking men gained the upper hand, and none seek, and none ask, and none inquire of the fear of Heaven. Upon whom is there for us to rely? Only upon our Father in Heaven. Rabbi Eliezer the Great says: From the day the Second Temple was destroyed, the generations have deteriorated: Scholars have begun to become like scribes that teach children, and scribes have become like beadles, and beadles have become like ignoramuses, and ignoramuses are increasingly diminished, and none ask and none seek. Upon whom is there to rely? Only upon our Father in Heaven. He also said: In the times of the approach of the Messiah, impudence will increase and high costs will pile up. Although the vine shall bring forth its fruit, wine will nevertheless be expensive. And the monarchy shall turn to heresy, and there will be no one to give reproof about this. The meeting place of the Sages will become a place of promiscuity, and the Galilee shall be destroyed, and the Gavlan will be desolate, and the men of the border shall go round from city to city to seek charity, but they will find no mercy. And the wisdom of scribes will putrefy, and people who fear sin will be held in disgust, and the truth will be absent. The youth will shame the face of elders, elders will stand before minors. Normal family relations will be ruined: A son will disgrace a father; a daughter will rise up against her mother, a daughter-in-law against her mother-in-law. A man's enemies will be the members of his household. The face of the generation will be like the face of a dog; a son will no longer be ashamed before his father. And upon what is there for us to rely? Only upon our Father in heaven. Rabbi Pinehas ben Ya'ir says: Torah study leads to care in the performance of mitzvot. Care in the performance of mitzvot leads to diligence in their observance. Diligence leads to cleanliness of the soul. Cleanliness of the soul leads to abstention from all evil. Abstention from evil leads to purity and the elimination of all base desires. Purity leads to piety. Piety leads to humility. Humility leads to fear of sin. Fear of sin leads to holiness. Holiness leads to the Divine Spirit. The Divine Spirit leads to the resurrection of the dead.