

III.

BABYLONIAN TALMUD ARAKHIN CHAPTER THREE

FOLIOS 13B-17A

3:1

- A. [13B] There is in respect to Valuations [the possibility] to rule leniently and to rule stringently;
- B. in respect to the law of the field of possession (Lev. 27:16ff) [the possibility] to rule leniently and to rule stringently,
- C. in respect to an ox which is an attested danger which killed a slave [the possibility] to rule leniently and to rule stringently;
- D. in the case of the rapist (Deu. 22:28f.) and seducer (Exo. 22:15f.), and the one who brings forth an evil name (Deu. 22:17f.) [the possibility] to rule leniently and to rule stringently.
- E. There is in respect to Valuations [the possibility] to rule leniently and to rule stringently: How so?
- F. The same rule applies to one who pledged the Valuation of the most beautiful among Israelites and [one who pledged that] of the ugliest among Israelites — he gives fifty selas [in either case].
- G. [If, however,] he said, “Lo, his [actual] value is incumbent on me,” he gives his actual value.
- I.1** A. There is in respect to Valuations the possibility to rule leniently and to rule stringently: how so? The same rule applies to one who pledged the Valuation of the most beautiful among Israelites and [one who pledged that] of the ugliest among Israelites — he gives fifty selas [in either case] [M. 3:1E-F]:
 - B. *Since the framer of the passage has referred specifically to Israelites, it follows that, [if the pledge of Valuation concerns] Israelites, the rule does apply, but if it refers to gentiles, it does not.*
 - C. *Then may we speculate that the framer of the passage does not accord with the view of R. Meir.*
 - D. *For we have learned the following passage of the Mishnah:*

- E. **As to a gentile, R. Meir says, “Another person may pledge his Valuation but he may not validly undertake a pledge of Valuation” [M. 1:2].**
- F. *You may take the view that the Mishnah passage concurs with the view of R. Meir, and the law at hand would apply even in the case of a gentile.*
- G. *But [14A] in so framing matters, the author of the passage tells us something quite tangential [when he omits reference to “the fairest among the Canaanites at E”].*
- H. *[What he wishes to tell us] accords with what Rab Judah said Rab said.*
- I. For Rab Judah said Rab said, “It is forbidden for someone to say, ‘How lovely is that Canaanite,’”
- J. *[If the Mishnah passage indeed agrees with the view of R. Meir,] then the Tannaite author of the passage should have taught, “...the most beautiful among Israelites... the ugliest among Canaanites...” [In this fashion, he would indicate that even Canaanites can be subject to the pledge of Valuation.]*
- K. *[The author] deals with one nation, not with two nations.*
- L. *Does he not? And lo, it is taught [in this same regard], “...The greatest in the priestly caste, the least in the Israelite caste...”*
- M. *[That is hardly relevant, for] there he speaks of one nation, but it is the fact that the priests are more holy [than the others].*
- N. *Or, if you prefer, I may explain matters in this way:*
- O. *Since the framer of the passage planned to include in his formulation of the rule a reference to a field of possession [M. 3:1B], which pertains to Israelites but does not pertain to gentiles, who do not hold property in the status of a field of possession [received through inheritance and permanently within the title of the Israelite family to whom the property was originally assigned], the author on that account framed the entire passage with respect only to Israelites [and not to gentiles, and, it must follow, Meir could well accord with the rule at hand, since the mere wording implies nothing about the issue of importance to him].*

The point on Valuations is that a handsome person is worth more than fifty selas, and an ugly one, less; but in the case of Valuations, one gives only the amount specified in Scripture. Accordingly, we have a case in which we have a lenient and a strict ruling. M. 3:1G then is secondary, in that it does not illustrate the generalization at hand. The Talmud’s one unit deals with M. 3:1A, E-F. There is no interest in exposition of the law; rather the comparison of the implications of the rule at hand with the known position of a principal authority about an independent matter is what is subject to study.

3:2

- A. **In respect to the law of the field of possession [the possibility] to rule leniently and to rule stringently: How so?**
- B. **The same rule applies to one who sanctifies a field in the desert of Mahoz and he who sanctifies a field among the orchards of Sebaste:**
- C. **[if he wants to redeem it] he pays fifty sheqels of silver [for every part of a field that suffices for] the sowing of a homer of barley (Lev. 27:16) [M. 7:10].**

- D. **And in the case of a field which he has bought (Lev. 27:22), he gives its actual value.**
- E. **R. Eliezer says, “The same rule applies to a field of possession and a field which he has bought.**
- F. **“What is the difference between a field of possession and a field which he has bought?**
- G. **“Rather in the case of a field of possession he pays an added fifth, and in the case of a field which he has bought he does not pay an added fifth” [M. 7:2].**

We begin with a theoretical question that the Mishnah’s rule raises for consideration: when a person consecrates something to the Temple], does he consecrate it in a liberal spirit?

- I.1. A. [At issue is whether, when one recovers ownership of (“redeems”) a field of possession, he pays, in addition to the fixed rate, a further fee to compensate for the actual value of the field he proposes to recover]. Said R. Huna, “[If] one has sanctified [for the Temple the value of] a field full of trees, when he comes to redeem it, he redeems the trees at their market value and then goes and redeems the field itself at the rate of fifty sheqels of silver for every part of the field that suffices for the sowing of a homer of barley [in line with Lev. 27:16].”
- B. *It follows from that statement that R. Huna takes the view that [when a person consecrates something to the Temple], he consecrates it in a liberal spirit. [His intent was to consecrate not only the field but also the trees — hence doing so in a liberal spirit — and accordingly he redeems both the trees and the field.]*
- C. *R. Nahman objected to R. Huna [citing the passage of the Mishnah at hand that indicates one redeems only the ground, and at a fixed price:] “The same rule applies to he who sanctifies a field in the desert of Mahoz and he who sanctifies a field among the orchards of Sebaste. If he wants to redeem it, he pays fifty sheqels of silver for every part of a field that suffices for the sowing of a homer of barley [M. 3:2B-C]. [But, there is no indication that a person must also pay the value of the trees.]*
- D. *He said to him, “[The meaning of the authority of the passage when] he refers [to ‘orchards’ is ‘fields’] suitable for being planted as orchards’ [but not actually planted. Were they planted as orchards, the authority at hand would have specified that the trees’ value must be paid in as well.]”*
- E. *A further objection was raised: “...fit for sowing” [cf. Lev. 27:16]. [On the basis of that specification of Scripture,] I know only that [one must redeem] the field fit for sowing. How do I know [that one must also redeem] a field of vines, reeds, or trees? Scripture states, “A field.” — of any kind.*
- F. *He said to him, “Here too he redeems and then goes and redeems again. [That is, he redeems the field, then goes and redeems the contents, just as at A].”*
- G. *He further objected, “[If] one has consecrated three trees in a field in which ten [in all] were planted in a plot sufficient for sowing a seah of seed, lo, this one has consecrated [not only the trees themselves] but also the land and the [other] trees among them. When [therefore] he redeems [the lot, paying the value to the sanctuary,] he redeems at the rate of fifty sheqels of silver for every part of the field that suffices for the sowing of a homer of barley.*

- H. “‘If there were fewer or more [than specified], or if the man consecrated the trees in sequence one after the other, lo, this one has sanctified neither the land nor the other trees [among the trees he actually has consecrated *seriatim*].
- I. “‘And furthermore, even if he sanctified the trees and afterward he sanctified the ground, when he redeems the lot, he redeems the trees in accord with their actual worth and then he goes and redeems the land at the rate of *fifty sheqels of silver for every part of the field that suffices for the sowing of a homer of barley*.’
- J. “*Now if you wish to maintain that here too [at G] we may interpret matters such that the man is to redeem and then go and redeem again [as you maintained above], [that surely cannot be the correct interpretation]. For lo, since at the concluding passage [H-I] it says, ‘He redeems and goes back and redeems again,’ it must contain the implication that the opening paragraph does not [envisage that same procedure]. [Accordingly, Huna’s interpretation of the earlier objections cannot serve for this one, and he stands refuted by the authoritative source at hand.]*”
- K. [Huna’s best option is to assign the present passage to a single authority, rather than to the majority opinion of sages, in which case the exception stands but enjoys no standing. This he will do by associating the passage with Simeon. He thus replies,] “*Now lo, who is the authority behind the cited passage? It is R. Simeon, who maintains the view [contrary to mine] that, when a person makes an act of consecration, he does so in a niggardly spirit.*”
- L. *For it has been taught [at M. B.B.4:4]:* **He who consecrates a field has consecrated the whole of it [inclusive of its contents].**
- M. **R. Simeon says, “He has consecrated [along with the field] only a full-grown carob tree or a cropped sycamore tree” [and hence the act of consecration is done in a niggardly spirit].**
- N. [Huna’s opposition counters as follows:] “*If [in truth] this is R. Simeon, then let us look at the concluding statement of the same passage [for it will contradict an opinion assigned in another context to that same Simeon:]*
- O. “‘And not only so, but even if he consecrated the trees of the field and afterward consecrated the ground, when he redeems the whole, first he redeems the trees in accord with their actual value, and then he goes and he redeems the field at the going rate of *fifty sheqels of silver for every part of the field that suffices for the sowing of a homer of barley*.’”
- P. “*Now if this were R. Simeon [who stands behind the passage at hand], then we should be guided by the situation prevailing at the very moment of the act of redemption [and not by the order in which the several components of the donation to the Temple were dedicated, one by one], so that [the trees] should be redeemed along with the land on which they stand. For lo, we have heard [the opinion] in R. Simeon’s name that [in redeeming a piece of property] one follows the situation prevailing at the time of redemption [and not the conditions under which, to begin with, the components of the property were consecrated].*”
- Q. [This will now be spelled out.] *For we have a teaching on Tannaite authority:*
- R. “How do we know that [if a man] purchases a field from his father and then consecrates the field, and then the father died, that [since now the field is received

by the purchaser no longer as an acquisition attained through purchase, but through inheritance] the field falls into the category of a field of possession [and is redeemed in accord with the rules governing redemption of a field of possession that has been consecrated]?

- S. “Scripture states, ‘And if he should consecrate to the Lord a field which he has bought, which is not a field of possession [that is, not a field he has inherited]’ (Lev. 27:22) — thus [making reference] to a field which is not ever going to be suitable to fall into the category of a field of possession.
- T. “That statement then excludes the case at hand, since the land is suitable [at a later point] to fall into the category of a field of possession,” the words of R. Judah and R. Simeon.
- U. R. Meir says, “How do we know that, if one purchases a field from his father and then his father died, and afterward the man consecrated the field, the field falls into the category of a field of possession?
- V. **[14B]** “Scripture states, ‘And if he should consecrate to the Lord a field which he has bought, which is not a field of possession’ (Lev. 27:22) — thus [making reference to] a field which does not fall into the category of a field of possession.
- W. “That statement then excludes the case at hand, which already has fallen into the category of a field of possession.
- X. But in the view of R. Judah and R. Simeon, even if the land was consecrated and subsequently the father died, the land falls into the category of land of possession.
- Y. *And what is the reason for their position? If it is on the basis of the cited verse of Scripture, the verse of Scripture accords with the view of R. Meir [anyhow].*
- Z. *Rather, is it not because, in the case of redeeming a consecrated field, we follow the status that prevails at the moment of consecration [just as proposed above, PJ]?!*
- AA. [Rejecting the view that there is no scriptural basis for Judah’s and Simeon’s view and that the cited verse of Scripture accords with Meir alone,] *said R. Nahman bar Isaac, “R. Judah and R. Simeon found a pertinent verse of Scripture and interpreted it as they found suitable: ‘If [matters were as Meir says], Scripture should have been formulated as follows: ‘...If he should sanctify a field which he has bought, which is not a field of possession [at all].’ When Scripture states, ‘...a field...’ what is the meaning? It is a field that is not suitable ever to fall into the category of a field of possession.”*

II.1 A. [Amplifying M. 3:2B, The same rule applies to one who sanctifies a field in the desert of Mahoz and he who sanctifies a field among the orchards of Sebaste]

- B. Said R. Papa, “[If] one has consecrated stony ground, he redeems it at its market value.
- C. *“What is the scriptural basis for that position? ‘A field for sowing’ is what Scripture says, thus excluding the case at hand, in which the ground is not fit for sowing.*
- D. “If, however, the man did not redeem the consecrated field by the Jubilee year, [in line with Lev. 27:20-21] the field reverts to the ownership of the priests.

- E. *“What is the Scriptural basis for that rule? ‘Field’ is what Scripture has said, meaning, any sort of field [without qualification as to its suitability for sowing].*
- F. *“[Moving along these same lines,] If one has sold stony ground, it may be redeemed [repurchased] within a span of two years [while arable ground must be sold for a span of at least two years, and the seller cannot repurchase it prior to that time].*
- G. *“What is the scriptural basis for that position? ‘According to the number of two years of crops’ (Lev. 25:15) is what the All-Merciful has said, while the field at hand is not suitable for bearing any crops at all.*
- H. *“If one has not redeemed the land [at all], at the Jubilee it in any event reverts to the original owner.*
- I. *“What is the Scriptural basis for that position? ‘And he will return to his possession’ (Lev. 25:15) is what the All-Merciful has said, and the field at hand falls into the category of a possession.*
- J. *“If one has consecrated trees, he redeems them at their fair market value.*
- K. *“What is the scriptural basis for that view? ‘A field for sowing,’ is what the All-Merciful has said, thus excluding trees.*
- L. *“If he has not redeemed them, however, they do not revert to the ownership of the priesthood at the Jubilee Year.*
- M. *“[Why not?] ‘...and the field...’ (Lev. 27:20-21) is what the All-Merciful has said, and not trees.*
- N. *“If one has sold trees, they are not redeemed within a span of less than two years.*
- O. *“What is the scriptural basis for this position? ‘According to the number of two years of crops’ (Lev. 25:15) is what the All-Merciful has said, and the trees at hand most certainly are suitable for producing crops.*
- P. *“If he has not redeemed them, however, they do not revert to the possession of the original owners at the Jubilee year. What is the Scriptural basis for this view? ‘And he will return to his possession’ (Lev. 25:15) is what the All-Merciful has said, and the trees do not fall into the category of a possession.”*

- I.2.** A. A master has stated, “If one consecrated trees, he redeems them in accord with their fair market value.”
- B. *Why should that be the case? Let a person consecrate the trees along with the ground on which they are standing and redeem them along with the ground on which they are standing.*
- C. *And if you wish to maintain the view that it was trees that he has consecrated, while he did not consecrate land,*
- D. *have not the [sages of] Nehardea said, “He who sells a palm tree to his fellow has imparted ownership to the latter from the base to the depth of the tree”?*
- E. *But has it not been stated in this regard: That is the case only if the purchaser came with such a claim [but not under conditions that have not to begin with been specified in the act of purchase or, in the present instance, consecration].*

III.1 A. And in the case of a field which he has bought, he gives its actual value [M. 3:2D]:

- B. *Our rabbis have repeated in Tannaite authority:*

- C. “The worth” (Lev. 27:23).
- D. What does that formulation come to teach?
- E. Since it is said, “Fifty sheqels of silver for every part of a field that suffices for the sowing of a homer of barley [Lev. 27:16], I might have thought that the same rule [specifying a fixed fee for the redemption of property that has been consecrated] applies also to a field one has acquired through purchase [and not inheritance].
- F. Accordingly, Scripture states, “The worth” [indicating that in a case in which one has consecrated a field that he has purchased, if he wishes to redeem it, he must pay fair market value to the Temple].
- G. [Rejecting this view], R. Eliezer says [= M. 3:2E], “Here it is stated, ‘He shall compute’ and below it is stated, ‘He shall compute’ (Lev. 27:23). Just as ‘compute’ stated below refers to a fixed sum [and not to fair market value], so here too ‘compute’ refers to a fixed sum.”]

We proceed to a theoretical question, also to be settled by appeal to the correct principle of the exegesis of Scripture.

- III.2.** A. *They raised the following question: “As to the rabbis at hand [who stand behind A-E], do they accept the principle that we draw conclusion by analogy of the usage of words in diverse contexts, in which case they also infer that the rule of the added fifth applies as well; [If so,] one must include the added fifth, [a penalty involved in redeeming a field of possession]. Or perhaps they do not accept the principle of the argument by analogy, in which case they also do not concur that the added fifth is included?”*
- B. *Said Raba, “It stands to reason that they do not endorse the principle of deriving rules by means of analogy, for Scripture has made it explicit that an added fifth is paid in connection with redeeming a field of possession [which one has consecrated], and also with regard to the case of one who consecrates his house.*
 - C. *“Accordingly, you have a case of two verses of Scripture which make explicit exactly the same point. In any case in which two verses of Scripture go over exactly the same point, one may not then draw evidence by analogy [for other cases, beyond those made explicit in the verses at hand the notion is that the principle applies to these cases alone].”*
 - D. *But in accord with the view of him who says that, in such a case, one does derive evidence [from the case of two explicit applications of the same principle and therefore applies that same principle to further cases,] the All-Merciful has made it explicit that an added fifth is paid in connection with the tithe of a beast that is clean and likewise in the case of a beast that is unclean, we have more than two cases [in which the same thing is made explicit].*
 - E. *In such a case, in any event, even one who holds that one may apply the explicit principle in further cases, in such an instance as this [where Scripture found it necessary to make the principle explicit in more than two cases, it is because] one may not derive [from the three instances at hand the applicability of the same principle to still more cases. Scripture has specified each case to which the principle applies, indicating that there are no others.]*

- F. *There is a teaching in Tannaite authority in accord with Raba's view [that one does not pay the added fifth], but not in accord with the verse he has adduced in evidence.*
- G. *It has been taught: "The worth of your Valuation" (Lev. 27:23).*
- H. Scripture [by including the word, "Your Valuation"] has drawn a connection between the case at hand and the rules governing Valuations in general.
- I. Just as, in the case of Valuations, the donor does not have to pay an added fifth, also in the case of redeeming a field of which one has acquired through purchase and then consecrated to the Temple, when redeeming that field, one does not have to pay the added fifth.

The Talmud's opening unit of discourse stands autonomous of the Mishnah at hand, although dealing with the same topic. Unit I explores Huna's thesis. The entire construction has been inserted because of the verbatim citation of the Mishnah-passage; otherwise there is no good reason for including it. Units II moves on to M. 3:2D-G. But here too the discussion is essentially autonomous of the Mishnah's specific assertions, not commenting on the Mishnah's statements. Unit III, by contrast, proceeds to the scriptural foundations for the dispute presented by the Mishnah-paragraph. III:2 then introduces the issue of exegetical theory that is in play.

3:3

- A. **In the case of an ox which is an attested danger which killed a slave [the possibility] to rule leniently and to rule stringently: How so?**
- B. **The same ruling applies to one who killed the most beautiful among slaves and [one who killed] the ugliest among slaves — [the owner] pays thirty selas [Exo. 21:30-32].**
- C. **[If] it killed a free man, he pays his [actual] value.**
- D. **[If] he did injury to one and to the other, one pays restitution for the damage in full.**
- I.1 A. *The rule does apply to an ox which is an attested danger [as specified at M. 3:3A], but it does not apply to an ox not known previously to be dangerous.*
- B. *May I then say that the Mishnah-paragraph at hand does not accord with the position of R. Aqiba.*
- C. *For we have learned [at M. B.Q. 3:8:] R. Aqiba says, "Even in the case of an ox not known to be dangerous which inflicted injury on a man, the owner must pay in full the excess [of damage inflicted by the beast over the damage received by the beast from the man]."*
- D. *You may say that the present passage accords even with R. Aqiba. The same rule [as is stated above about the ox that is an attested danger at M. 3:3A] indeed does apply to the ox that was not known to be dangerous. But since, in the latter part of the passage, the one who framed matters planned to refer to an ox which has killed a slave, as distinct from one which has killed a free man, [he had to refer to the ox that is an attested danger] since it is only in the case of an ox that is an attested danger that one finds an application for the law as stated here.*

- E. *In the case of an ox that is not known to gore, you cannot find [an application for the rule as it is stated here]. Accordingly, in formulating matters at the outset, the framer of the passage referred to an ox that is an attested danger [but it was not to exclude the other category of ox at all].*

The Talmud's interest in the Mishnah-passage at hand is simply to compare the formulation of the rule with a known principle elsewhere, so to see whether a known authority may or may not stand behind matters as they are phrased here.

3:4

- A. **In the case of the rapist and seducer [the possibility] to rule leniently and to rule stringently: How so?**
- B. **The same rule applies to one who raped or the one who seduced the greatest woman in the priesthood and the least among Israelites: He pays fifty selas [Exo. 22:15-16, Deu. 22:28-29].**
- C. **But as to the compensation for indignity and for blemish, all is assessed in accord with the status of the one who inflicts the indignity and the one upon whom the indignity is afflicted.**

I.1 A. *Why should that be the rule? I might claim that when the All-Merciful speaks of fifty selas, it means to include the total package of compensation [and not as M. 3:4C states].*

- B. Said R. Zeira, "In that case, people will say, 'The one who lays a princess pays fifty and one who lays an ordinary woman pays fifty. [That contradicts peoples' sense of what is fitting.]'"
- C. *Said to him Abayye, "If that is the appeal, then in the case of a slave, people will draw the same absurd conclusion: A slave able to perforate a pearl is worth thirty, and a slave who can merely sew is worth the same thirty." [That is the same absurdity, yet it is the fact.]"*
- D. Rather, said R. Zeira, **[15A]** "If two men had sexual relations with the woman, one anally, the other vaginally, people will say, 'he who laid a damaged woman pays fifty, and he who laid an undamaged woman pays the same fifty. [And that is hardly fair. The latter should pay more.]' Hence the variations listed at M. **3:3C** are provided.]"
- E. *Said to him Abayye, "If so, the same claim may apply to the case of a slave. People will say, 'A healthy slave is worth thirty, and a slave afflicted with boils is worth the same fifty.'*
- F. Rather, said Abayye, "Scripture has said, 'Because he has humbled her' (Deu. 22:29). [By specifying that particular reason for the payment], Scripture implies that there is consideration, also, of the matters of compensation for indignity and for the blemish [the man has inflicted]."
- G. Raba said, "Scripture has stated, 'Then the man who laid her shall give...' (Deu. 22:13-19).
- H. "This refers to payment for the pleasure of the actual act of sexual relations, for which he pays fifty selas.
- I. *"It then implies that there are other matters for which he must pay compensation, and what are these? Indignity and blemish."*

Abstract reason cannot validate the Mishnah's rule, so I A-E. Only exegesis serves, F, G-I.

3:5

- A. In the case of the one who is a tale bearer [i.e., one who falsely accuses a woman of premarital relations, Deu. 22:29] [the possibility] to rule leniently and to rule stringently: How so?
- B. The same rule applies to one who is a tale bearer concerning the greatest woman in the priesthood and the least among Israelites: He pays a hundred selas [Deu. 22:19].
- C. It turns out that the one who says something with his mouth [suffers] more than the one who actually does a deed. [That is, for actually seducing a virgin one pays only fifty selas (M. 3:4B) but for gossiping one pays 100.]
- D. For so we find that the decree against our forefathers in the wilderness was sealed only on account of evil speech [Num. 13:32],
- E. as it is said, And they tempted me these ten times and have not hearkened to my voice (Num. 14:22).

I.1 A. *On what account [do we reach the conclusion stated at M. 3:5C, It turns out that the one who says something with his mouth [suffers] more than the one who actually does a deed]?*

- B. *Perhaps [the penalty stated at M. 3:5B actually] is on account of [the gossip's proposal to call] the death penalty down on the woman, for it is written, "But if this thing be true... then they shall bring out the girl... and stone her with stones that she die" (Deu. 22:20).*
- C. Said Raba, "Said Scripture, 'Because he has circulated an evil name' (Deu. 22:19), implying that it was because of the gossip [and not due to the death proposal]."

II.1 A. **For so we find that the decree against our forefathers was sealed, etc. [M. 3:5D]:**

- B. *On what account [do we reach the conclusion just now stated]?*
- C. *Perhaps it was because the measure [of their guilt] was not yet full?*
- D. For R. Hammuna said, "The Holy One, blessed be he, does not exact a penalty from a person until the measure [of his guilt] is filled, as it is said, 'In the fulness of his sufficiency he shall be in trouble' (Job. 20:22)."
- E. Said R. Simeon b. Laqish, "Said Scripture, 'And they tempted me this tenth time' (Num. 14:22). It was on this account [in particular] that the decree against them was sealed."

II.2. A. *It has been taught on Tannaite authority:*

- B. Said R. Eleazar b. Parta, "Come and see how great is the power of slander [evil speech]. From whence do we learn that lesson? From the case of the spies. Now if such [was the penalty exacted from] one who slandered wood and stone [that is, the spies spoke poorly of the Land of Israel], how much the more will be [the penalty] for one who slanders his fellow." [Compare T. Ar. 2:11, as follows: **R. Eleazar b. Parta** says, "Lo, it says, **And the men who brought forth an evil report about the Land died (Num. 14:37).** "Now about what did they bring forth an evil report? Concerning wood and stones. And does not this yield

an argument a fortiori: Now if they who brought forth an evil report only about wood and stones were punished, and not by a trifling punishment but by a most severe punishment, and not by a transient punishment but by one which lasts for generations, he who brings forth an evil report concerning his fellow man, in like manner how much the more so will he be punished!”]

- C. *But on what basis [do you reach such a conclusion]? Perhaps the matter accords with [the quite different view] of R. Hanina bar Papa.*
- D. For R. Hanina bar Pappa said, “It was a considerable matter that the spies stated at that time. For it is written [in Scripture], ‘For they are stronger than we’ (Num. 14:37). Read not ‘they are stronger than we (MMNW)’ but, as it were, ‘they are stronger than he (MMNU)’ [God]. The Master of the house [God] cannot remove his utensils from there.” [That sort of blasphemy adds up to more than mere slander.]
- E. Rather, [the proof of the proposition at hand accords with the following:] Said Rabbah said R. Simeon b. Laqish, “Said Scripture, ‘Even those men that brought up an evil report against the land died by the plague against the Lord’ (Num. 14:37) — because of the evil report that they had brought up.”

- II.3.** A. *It has been taught on Tannaite authority* Said R. Judah, “Ten trials did our ancestors impose upon the Holy One, blessed be he: two at the shore of the sea, two in the water, two in regard to the manna, two in regard to the quail, one in regard to the [golden] calf, one in the wilderness of Paran.”
- B. “Two at the sea:” one in going down, and one in coming up.
 - C. In going down, as it is written, “Because there were no graves in Egypt [you have taken us away to die in the wilderness]” (Exo. 14:11).
 - D. “In coming up:” *That accords with what R. Huna said.*
 - E. For R. Huna said, “At that time the Israelites were among those of little faith.”
 - F. *That is in accord with the view of Rabbah bar Mari, for* said Rabbah bar Mari, “What is the meaning of the following verse of Scripture: ‘But they were rebellious at the sea, even at the Red Sea; nonetheless he saved them for his name’s sake’ (Psa. 106: 7)?
 - G. “This teaches that the Israelites were rebellious at that time, saying, ‘Just as we will go up on this side, so the Egyptians will go up on the other side.’ Said the Holy One, blessed be he, to the [angelic] prince who reigns over the sea, ‘Cast them out on dry land.’
 - H. “He said before him, ‘Lord of the world, is there any case of a slave [me] to whom his master gives a gift [the Israelites], and then goes and takes it away from him again? [You gave me the Israelites, now you want them back on dry land.]’
 - I. “He said to him, ‘I’ll give you one and a half times their number.’
 - J. “He said before him, ‘Lord of the world, is there a possibility that a slave can claim anything against his master? [How do I know you will pay me back?]
 - K. “He said, ‘The Kishon brook will be my pledge [that I shall carry out my word. Nine hundred chariots at the brook were sunk (Jud. 4: 3), while Pharaoh at the sea had only six hundred].’

- L. “Forthwith [the Prince of the Sea] spit [the Israelites] out on dry land. For it is written [in Scripture], ‘And the Israelites saw the Egyptians dead on the sea shore’ (Exo. 14:30).”
- M. “Two in the water:” at Marah and at Refidim.
- N. At Marah, as it is written, “And they came to Marah and could not drink the water” (Exo. 15:23). And it is written, “And the people complained against Moses” (Exo. 17: 3).
- O. At Refidim, as it is written, “They encamped at Refidim, and there was no water to drink” (Exo. 17: 1). And it is written, “And the people struggled with Moses” (Exo. 17: 2).
- P. “Two in regard to the manna:” as it is written, **[15B]** Do not go out, but they went out, “Do not leave any over,” (Exo. 16:19) but they left some over. [The first is not a direct quotation of a verse but summarizes the narrative.]
- Q. “Two in regard to the quail.” in regard to the first [quail] and in regard to the second quail.
- R. In regard to the first: “When we sat by the fleshpots” (Exo. 16: 3).
- S. In regard to the second: “And the mixed multitude that was among them” (Num. 11: 4).
- T. “One in regard to the [golden] calf:” *as the story is told.*
- U. “One in the wilderness of Paran:” *as the story is told.*

The Power of Gossip and Slander

From the specific case we turn to the general principle that gossip and slander are evil. This is richly illustrated in the following composite.

- II.4.** A. Said R. Yohanan in the name of R. Yosé b. Zimra, “*What is the meaning of the following verse of Scripture: ‘What shall be given to you and what more shall be done for you, you lying tongue’ (Psa. 120: 3).*”
- B. “Said the Holy One, blessed be he, to the tongue, ‘All the parts of the human body stand upright, but you recline. All the parts of the human body are outside, but you are inside. Not only so, but I have set up as protection for you two walls, one of bone [the teeth] and one of flesh [the cheeks]. ‘What shall be given to you and what more shall be done for you, you lying tongue!’”
- C. Said R. Yohanan in the name of R. Yosé b. Zimra, “Whoever repeats slander is as if he denied the very principle [of God’s rule], as it is said, ‘Who has said, Our tongue will we make mighty, our lips are with us, who is lord over us’ (Psa. 12: 5).”
- D. And R. Yosé b. Zimra said, “Whoever repeats slander — plagues come upon him, as it is said, ‘Whoever slanders his neighbor in secret him will I destroy,’ and elsewhere it is written, ‘For destruction’ (lassemitut’ in perpetuity) (Lev. 25:30), which is translated as ‘permanently.’ And we have learned [at M. **Meg. 1:7**]: **The only difference between a mesora who is shut up and one who is permanent[ly afflicted] is the matter of the messing up of the hair and the tearing of the clothing.**” [Jung, p. 87, n. 6: The Hebrew for the words “I will destroy” and “in perpetuity” are both derived from one and the same root. Hence the suggestion that, since the word is used in connection with leprosy “absolutely”

(the Aramaic version of “in perpetuity”) and the word “destroy” refers to the same thing, the punishment of destruction will take the form of [the skin ailment described at Lev. 13].

- II.5.** A. Said R. Simeon b. Laqish, “What is the meaning of the verse of Scripture: ‘This will be the Torah that applies to the person afflicted with skin-ailment (mesora)’ (Lev. 14: 2)?
- B. “‘This will be the Torah that applies to the slanderer (mosi shem ra).’”
- C. And R. Simeon b. Laqish said, “What is the meaning of the following verse of Scripture: ‘If the snake bites before it is charmed, then the charmer has no advantage’ (Qoh. 10:11)?
- D. “In the age to come all the beasts will come together and confront the snake and say to it, ‘The lion seizes and eats, the wolf tears and eats, [but] as for you, what pleasure do you have [in your destruction] since you often kill without eating your prey?’
- E. “And the snake will say to them, ‘What benefit does he have who [attacks by making use of] the tongue (i.e., a slanderer)?!’”
- F. And R. Simeon b. Laqish said, “Whoever speaks slander inflates [his] sins to the heavens, as it is said, ‘They have set their mouth against heaven and their tongue walks through the earth’ (Psa. 73: 9).”

- II.6.** A. Said R. Hisda said Mar Uqba, “Whoever speaks slander is worthy of being stoned.
- B. “*Here it is written*, ‘Him will I destroy’ (asmit), *and there it is written*, ‘They have destroyed (smtw) my life in the dungeon and cast stones on me’ (Lam. 3:53).”
- C. And R. Hisda said Mar Uqba said, “Concerning whoever speaks slander, the Holy One, blessed be he, has said, ‘He and I cannot live in the same world.’
- D. “For it is said, ‘Whoever slanders his neighbor in secret, him will I destroy, whoever is haughty of eye and proud of heart, him I cannot suffer’ (Psa. 101: 5). Do not read, ‘Him (‘wtw) I will not suffer’ but ‘With (‘tw) him I will not suffer’ [to be together in the same world].”
- E. *There are those who repeat this interpretation in regard to the arrogant.*
- F. Said R. Hisda said Mar Uqba, “Concerning whoever speaks slander, the Holy One, blessed be he, says to the [angelic] prince in charge of Gehenna, ‘Let us get together to judge him, I from above and you from below.’
- G. “For it is said, ‘Sharp arrows of the mighty, with coals of broom’ (Psa. 120: 4).
- H. “‘Arrow’ means only the tongue, as it is said, ‘Their tongue is a sharpened arrow, it speaks deceit’ (Jer. 9: 7).
- I. “‘Mighty’ refers only to the Holy One, blessed be he, as it is said, ‘The Lord will go forth as a mighty one’ (Isa. 52:13).
- J. “‘Coals of broom’ refer to Gehenna.”

- II.7.** A. Said R. Hama bar Hanina, “What remedy is there for those who speak slander?
- B. “If it is a disciple of a sage, let him keep busy in Torah, as it is said, ‘The healing for a tongue is the tree of life’ (Pro. 15: 4), and ‘tongue’ means an evil tongue [slander], as it is said, ‘Their tongue is a sharpened arrow’ (Jer. 9: 7). ‘Tree of

life' refers only to the Torah, as it is said, 'It is a tree of life to those who hold on to it' (Pro. 3:18).

- C. "If it is an ordinary person, let him become humble, for it is said, 'But perverseness therein is a wound to the spirit' (Pro. 15: 4). [Jung, p. 88, n. 8: The ad hoc interpretation of this verse is: To depart from it (only by) a broken spirit.]"
- D. R. Aha b. R. Hanina says, "If one already has slandered, he has no remedy.
- E. "For David through the Holy Spirit has already [pronounced him] cut off, as it is said, 'May the Lord cut off all flattering lips, the tongue that speaks proud things' (Psa. 12: 4)."
- F. Rather [vs. A], what remedy may one seek so that he may not become guilty of slander?
- G. If it is a disciple of a sage, let him keep busy in Torah.
- H. If it is an ordinary person, let him become humble, for it is said, "But perverseness therein is a wound to the spirit" (Pro. 15: 4).

II.8. A. *A Tanna of the house of R. Ishmael [taught], "Whoever speaks slander inflates his sins [so that they are as great] as the three cardinal sins of idolatry, fornication, and bloodshed.*

- B. "Here in Scripture it is written, 'The tongue that speaks great things' (Psa. 12: 4), and in regard to idolatry, 'Oh, this people has sinned a great sin' (Exo. 32:31).
- C. "In respect to incest, it is written, 'How shall I commit this great sin' (Gen. 39: 9), and in respect to bloodshed, 'My punishment is greater than I can bear' (Gen. 4:13)."
- D. *"And might I say [that the cited verse concerning slander at B] indicates that slander is only as weighty as two (of the three sins listed at A. The framer deduces this from the fact that Scripture calls each of the other sins "great," but with respect to slander, Scripture only uses the word great once in the plural form.]*
- E. *Which of the sins would possibly be excluded? [No answer is given.]*
- F. *In the West they say, "Slander about a third party kills three: the one who says it, the one who receives it, and the one about whom it is said."*

II.9. A. R. Hama bar Hanina said, "What is the meaning of the verse of Scripture, 'Death and life are in the hands of the tongue' (Pro. 18:21)?"

- B. "Now does the tongue have a hand? Rather it is to indicate to you that just as the hand can commit murder, so the tongue can commit murder.
- C. "If you wish then to reason that just as the hand can commit murder only in the case of one who is nearby, also the tongue can commit murder only in the case of one who is nearby, [to prevent one's reaching that false conclusion,] Scripture states, 'Their tongue is a sharpened arrow' (Jer. 9: 7). [It can commit murder even from a distance like an arrow.]
- D. "If you wish then to reason that just as the arrow can reach only what is forty or fifty cubits away, so the tongue can reach only for forty or fifty cubits, [to prevent one's reaching that false conclusion,] Scripture states, 'They have set their mouth against the heaven and their tongue walks through the earth' (Psa. 73: 9)."

- E. [Pursuing the analysis of the cited verse], since it is written, "They have set their mouth against the heaven," why did the author find it necessary to say as well, "Their tongue is a sharpened arrow"?
- F. In this latter part of the verse, we are informed that [the tongue] kills like an arrow.
- G. *And since it is written, "Their tongue is a sharpened arrow," why was it necessary to state, "Death and life are in the hands of the tongue" (Pro. 18:21)?*
- H. *It is in accord with what Raba said.*
- I. *For Raba said, "Whoever wants life will find it in his tongue, whoever wants death will find it in his tongue."*

II.10. A. *How shall we define slander?*

- B. *Raba said, "It would, for example, be like one's saying, 'There is a fire in so-and-so's house.'"*
- C. *Said to him Abayye, "What in the world has this man done? All he is doing is telling people a matter of public knowledge."*
- D. *"Rather, slander would be committed in what sort of case? For example, if one said, 'Where should there be a fire, if not in so-and-so's house! For there [you] always [find] meat and fish [in the ovens, which are always lit]!'"*
- E. *Said Rabbah, "Whatever is said before the person [to whom it pertains] does not fall into the category of slander."*
- F. *Said he said to him, "It is all the more so a matter of impudence [than] slander."*
- G. *He said to him, "I concur with R. Yosé."*
- H. *For R. Yosé said, "I never in my life said something and then turned around [to see who might have heard it]."*
- I. *Said [16A] Rabbah bar R. Huna, "Anything that is said before three persons does not fall into the category of slander."*
- J. *"What is the reason [for this view]? Your friend has a friend, and your friend's friend has a friend."*

II.11. A. *When R. Dimi came, he said, "What is the meaning of the verse of Scripture, 'He who blesses his friend with a loud voice, rising early in the morning, it shall be regarded as a curse to him' (Pro. 27:14)?*

- B. *"It would be exemplified in the case of one who came as a guest, and the householders took a great deal of trouble for him. The next day he goes out and sits in the marketplace and says, 'May the All-Merciful bless so and so, for all the trouble he took in my behalf.' Then people will hear me and go and importune [the host to take care of them as well]."*
- C. *R. Dimi, brother of R. Safra, repeated as a Tannaite teaching. "One should never speak in praise of his fellow, for out of saying good things about him, bad things will come out."*
- D. *There are those who say, R. Dimi, brother of R. Safra, fell ill. R. Safra came up to visit him. [Dimi] said to them, "May something bad happen to me, if I have not carried out everything that our rabbis have said, [so there is no religious reason for my illness]."*

- E. *He said to him, "But did you carry out the teaching, 'One should never speak in praise of his fellow, for out of saying good things about him, bad things will come out'?"*
- F. *He said to him, "I never heard that statement. But if I had heard it, I would have carried it out."*

II.12. A. Said R. Samuel bar Nahmani said R. Jonathan, "On account of seven causes plagues come [upon someone]: slander, bloodshed, a vain oath, incest, arrogance, theft, and envy.

- B. "Because of slander: as it is written, 'Whoever slanders his neighbor in secret, him will I destroy [with leprosy, as above]' (Psa. 101: 5).
- C. "Bloodshed: as it is written, 'And let there never fail to be from the house of Joab one who suffers a flux or is a leper' (2Sa. 3:29). [Since Joab committed bloodshed, his house is cursed.]
- D. "A vain oath: as it is written, 'And Naaman said, Be content, take two talents' (2Ki. 5:23) and it is written, 'The plague of Naaman therefore shall cleave to you' (2Ki. 5:27).
- E. "For incest: as it is written, 'And the Lord plagued Pharaoh with great plagues' (Gen. 12:17).
- F. "For arrogance: as it is written, 'But when he was strong, his heart was lifted up, so he did corruptly, and he trespassed against the Lord his God...and the leprosy broke forth in his forehead' (2Ch. 26:16, 19).
- G. "Robbery: as it is written, 'And the priest shall command that they empty the house [afflicted the plague on the walls]' (Lev. 14:36)."
- I. *In this connection a Tanna repeated the following teaching: "He who collects money that does not belong to him — a priest will come and scatter his money [around the street]."*
- J. "Envy: as it is said, 'Then he who owns the house shall come' (Lev. 14:35)."
- K. *It is taught by the house of R. Ishmael, "He to whom the house was reserved [in a selfish way]."*

13.N accounts for the inclusion of this massive composition.

- L. But is that so? Lo, R. Anani bar Sasson said, "Why is the passage on the vestments of the priests joined together with the passage on the offerings? It is to tell you that, just as the offerings effect atonement [for sin], so the vestments of the priesthood achieve atonement for sin." [How this statement relates to the foregoing is unclear to me. No. 13 now elaborates.]

II.13. A. The tunic of the priesthood achieves atonement for the sin of bloodshed, for it is written [in Scripture], "And they dipped the tunic in the blood" (Gen. 37:31).

- B. The pants achieve atonement for fornication, as it is written in Scripture, "And he made linen trousers to cover the flesh of their nakedness" (Exo. 28:42).
- C. The miter achieves atonement for arrogance, *and that view is in accord with that which R. Hanina said.*
- D. For R. Hanina said, "Let that which is set high up come and achieve atonement for a deed that was haughty."

- E. The girdle achieves atonement for the sin of sinful thoughts of the heart [Jung], that is, where [the garment itself] is located [that is, broad enough to cover the heart].
- F. The breastplate achieves atonement for [error] in legal decisions, as it is written, "And you shall make a breastplate of judgment" (Exo. 28:15).
- G. The ephod achieves atonement for idolatry, as it is written [in Scripture], "And without ephod or teraphim" (Hos. 3: 4) [Jung, p. 92, n. 5: "Because there was no ephod, there were teraphim (idols)"].
- H. The robe achieves atonement for slaughter.
- I. Said the Holy One, blessed be he, "Let something that has a sound come and achieve atonement for a deed that is accomplished through sound." [The robe carries bells.]
- J. The plate achieves atonement for impudent deeds. Here it is written, "And it shall be upon the forehead of Aaron" (Exo. 28:38). Elsewhere it is written, "You, however, had a harlot's forehead" (Jer. 3: 3).
- K. *There is no conflict between the two verses. In the one case, the verse speaks of a case in which his deeds prove effective [touching third parties], in the other, one in which they did not prove effective.*
- L. *If his deeds were effective, plagues will come upon him, and if they were not effective, the robe achieves atonement for what he has done.*
- M. Is that [= A, H] truly so? But has not R. Simon said that R. Joshua b. Levi said, "There are two things for which we do not find atonement in bringing sacrifices, but we do find atonement for them in some other means entirely. These are bloodshed and slander.
- N. "Bloodshed [is atoned through] the calf whose neck is broken, and slander is atoned for through the incense offering."
- O. *For R. Hanina has taught on Tannaite authority, "We have learned in regard to the incense offering that it achieves atonement, for it is written, 'And he put on the incense and it achieves atonement for the people' (Num. 17:12)."*
- P. *And a Tanna of the house of R. Ishmael [stated], "For what sin does the incense offering achieve atonement? It is for the sin of slander.*
- Q. "Said the Holy One, blessed be he, 'Let something that is offered in a private place [namely, the Holy of Holies] come and achieve atonement for a deed that is done in private."
- R. *There is a contradiction between one teaching on bloodshed and another teaching on bloodshed [A, N], a contradiction between one teaching on slander and another teaching on slander [H, O].*
- S. *Indeed, there is no conflict between one teaching on bloodshed and another teaching on bloodshed [in respect to the mode of atonement]. One teaching concerns a case in which who committed the murder is known [A], the other in which who committed the murder is not known [N].*
- T. *[If so], in a case in which it is known who has committed murder, such a one should be put to death [so there is no issue of achievement of atonement].*

- U. *It speaks of a case in which the person did so deliberately, but without prior warning [as to the penalty he would suffer, in which case we do not inflict the death penalty].*
- V. *As to the matter of an alleged contradiction between two teachings concerning slander, there also is no contradiction.*
- W. *The one speaks of an act of slander in private [O] **[16B]**, the other of one committed in public [H].*

We now return to the theme of the penalty for gossip and slander.

II.14. A. *R. Samuel bar Nadab asked R. Hanina — and there are those who present the matter as R. Samuel bar Nadab, son in law of R. Hanina, asking R. Hanina, and yet others say that it was R. Joshua b. Levi whom he asked: “Why is the one afflicted with the skin ailment (mesora) treated separately, in that the Torah has said, ‘He will dwell all by himself; outside of the camp will be his dwelling’ (Lev. 13:46)?”*

- B. [He said to him,] “He [through his gossiping] brought a separation between a man and his wife, between one person and the next. Therefore the Torah has said, ‘He will dwell all by himself.’”
- C. Said R. Judah b. Levi, “Why is the one afflicted with the skin ailment treated separately, in that the Torah has said that he shall bring ‘two birds for his purification-offering’ (Lev. 14: 4)?
- D. “Said the Holy One, blessed be he, ‘He does the work of babblers, therefore, the Torah has said, let him bring an offering of babblers (i.e., chirping birds).”

What follows shades over into rebuke. The linkage between slander and rebuke seems to me general — that is, one rebukes a slanderer — but not specific. My guess is that the logic at hand is simple. There is slander, which is to be avoided, and there is proper rebuke, which is to be encouraged.

II.15. A. *Our rabbis have taught on Tannaite authority:*

- B. “You shall not hate your brother in your heart” (Lev. 19:17).
- C. Is it possible to suppose that all one should not do is not smite, slap, or curse him, [and that is what is at issue only]?
- D. Scripture says, “...in your heart,” thus speaking of the sort of hatred that is in the heart [as much as hatred expressed through physical means].
- E. How do we know [from Scripture] that one who sees in his fellow an unworthy trait is liable to remonstrate with him?
- F. It is said, “You shall surely rebuke your fellow” (Lev. 19:17).
- G. [If] one has rebuked him, and he has not accepted rebuke, how do we know [from Scripture] that one should go and rebuke him again?
- H. Scripture says, “You shall surely rebuke...” under all circumstances. [The emphatic language “surely” implies that one must do so under all circumstances.]
- I. Is it possible to suppose that one should do so even if his face fell [in embarrassment]?
- J. Scripture states, “You shall not bear sin on his account” (Lev. 19:17).

II.16. A. *It has been taught [on Tannaite authority]:* Said R. Tarfon, “I should be surprised if there is anyone left in this generation who accepts rebuke. If one says

to someone, 'Remove the chip from your eye,' the other party responds, 'Take the beam from your eye'!"

- B. Said R. Eleazar b. Azariah, "I should be surprised if there is anyone left in this generation who knows how to administer rebuke."
- C. And said R. Yohanan b. Nuri, "I call to witness against me heaven and earth [if it not be true] that many times Aqiba was flogged on account of my complaining against him before Rabban Gamaliel, and all the more so did I increase in my love for him, to carry out what is said in the following verse of Scripture: 'Do not reprove a scorner, lest he hate you, reprove a wise man, and he will love you' (Pro. 9: 8)."

II.17. A. R. Judah, son of R. Simeon [b. Pazzi], asked [R. Simeon b. Pazzi], "Sincere reproof or hypocritical restraint [from criticism] — which is better?" [Jung, p. 94, n. 5: "For a man to pretend to be unworthy of administering reproof, whereas in fact it is the fear of arousing hatred that deters him from doing his duty in this respect."]

- B. *He said to him, "Will you not concede that sincere restraint is best of all?"*
- C. *For a master has said, "Restraint is best of all."*
- D. But hypocritical restraint is also better.
- E. For R. Judah said Rab said, "Under all circumstances a person should engage in study of Torah and practice of religious duties, even if it is not for its own sake, for, out of doing these things not for their own sake, one will come to do them for their own sake."
- F. *What would be a case of sincere reproof and of hypocritical restraint?*
- G. *Such an instance would involve R. Huna and Hiyya bar Rab. They were in session before Samuel. Hiyya bar Rab said to him, "See, master, how [Huna] bothers me!"*
- H. *[The latter] undertook not to bother him any more. After he went out, [Huna] said [to Samuel], "This is what the other fellow was doing [which was unworthy, so I criticized him.]"*
- I. *He said to him, "Why did you not say so to his face?"*
- J. *He said to him, "Far be it from me to embarrass the descendant of Rab through something that I did!" [Such would be Huna's hypocritical restraint.] [Jung, p. 95, n. 1: "The false modesty of R. Huna expressed itself in this: He would vex Hiyya, to suggest his displeasure at his unseemly behavior [whatever it was], but he would not disgrace him by direct reproach, while reporting his misbehavior in his absence."]*

II.18. A. To what extent does one administer reproof?

- B. Rab said, "To the point of flogging [the one who behaves wrongly]."
- C. And Samuel said, "To the point of cursing him."
- D. And R. Yohanan said, "To the point of yelling at him."
- E. *The cited dispute follows the lines of a dispute among Tannaites:*
- F. R. Eliezer says, "To the point of flogging."
- G. R. Joshua says, "To the point of cursing."
- H. Ben Azzai says, "To the point of yelling at him."

- I. Said R. Nahman bar Isaac, "And all three parties interpret a single verse of Scripture:
- J. "“Then Saul’s anger was kindled against Jonathan, and he said to him, “You son of perverse rebellion, do I not know that you have chosen the son of Jesse to your own shame and to the share of your mother’s nakedness?”” (1Sa. 20:30).
- K. “And it is written further, ‘And Saul cast his spear at him to smite him’ (1Sa. 20:33).
- L. *“In the view of the one who takes the position that one reproves to the point of flogging, that is in line with what is written, ‘...to smite him.’*
- M. *“In the view of the one who holds that one reproves to the point of cursing, that is in line with what is written, ‘...to your own shame and to the shame of your mother’s nakedness.’*
- N. *“In the view of the one who holds that one reproves to the point of yelling, that is in line with what is written, ‘Then Saul’s anger was kindled....’”*
- O. *And in the view of the one who holds that one reproves to the point of yelling, have not the matters of smiting and cursing been [explicitly] included in the cited Scripture [whereas no explicit mention is made of yelling]?*
- P. *That case is different, because, out of excessive love for David, Jonathan was willing to risk his life still more.*

- II.19.** A. To what extent [should a person accept discomfort] before changing his lodging place?
- B. Rab said, “Until he is beaten.”
 - C. Samuel said, “Until they throw his bundles over his shoulder [and tell him to get out].”
 - D. *In a case in which the man himself is smitten, no one would differ [that it is time to leave]. Likewise, in a case in which they throw his goods over his shoulder [and tell him to get out], everyone will also agree [that one should get out].*
 - E. *Where there is a difference of opinion, it involves a case in which people beat [not the man but] the man’s wife.*
 - F. *One authority reasons, “Since the man himself is not bothered, what difference does it make to him [and he might as well stay on].”*
 - G. *The other party reasons, “In the end people will bother him too.”*
 - H. *And why in the end such [dispute about so minor a matter]?*
 - I. It is in line with what a master has said, “[Changing] one’s lodging does damage [to the lodging] and to oneself.”
 - J. Said Rab Judah said Rab, “How do we know on the basis of Scripture that a person should not change his lodging? As it is said, ‘And he went to the place in which his tent had been at the beginning’ (Gen. 13: 3).”
 - K. R. Yosé b. R. Hanina said, “Proof derives from here: ‘And he went on his [former] journeys’ (Gen. 13: 3).”
 - L. *What is at issue between the two authorities?*
 - M. *A casual lodging place [to which Yosé b. R. Hanina would apply the same principle, while Rab would not (Rashi)].*

- II.20.** A. Said R. Yohanan, “How do we know [on the basis of Scripture] that a person should not change his calling and that of his ancestors? As it is said, ‘And King Solomon sent and called Hiram out of Tyre. He was the son of a widow of the tribe of Naphtali [on his father’s side] and his father was a man of Tyre, a worker in brass’ (1Ki. 7:13-14).”
- B. A master has said, “His mother came from the house of Dan, and it is written, ‘And I, behold, I have appointed him with Ohaliab, the son of Ahisamach, of the tribe of Dan’ (Exo. 31: 6). [Accordingly, the family had practiced the same profession for those many centuries.]

Trivial Penalties for Sinning.

- II.21.** A. To what trivial degree do penitential troubles extend? [That is, there are chastisements for sin which one suffers in this world, so that, in the world to come, there is no unpenalized sin, and one will enjoy the world to come. The question then is what are the most trivial sorts of inconvenience that constitute adequate chastisement in this world for some sort of sin, so that, on their account, one may be confident of enjoying the world to come? There follows a catalogue of the most trivial sorts of inconvenience.]
- B. Said R. Eleazar, “Such would be any case in which people wove a garment for the man, which turns out not to fit.”
- C. *Raba Zeira objected — and some say, R. Samuel bar Nahmani:* “They gave a still more extreme case than this. Even if [people] planned to mix wine for him to drink hot, and they mixed it cold, or to mix it to drink cold, and they mixed it hot, [it would count as a penitential trouble], *and you say this!*”
- D. Mar, son of Rabina, said, “Even if his shirt was turned inside out.”
- E. *Raba, and some say, R. Hisda, and some say, R. Isaac, and there are those who report that it was repeated in a Tannaite teaching:* “Even if one put his hand into his pocket to take out three coins and only two came up in his hand [it would count as a penitential chastisement].”
- F. That would apply if it was three that he planned to take and only two came up in his hand, but if he planned to take two and three came up, that would not [constitute appropriate chastisement], *for there is no element of inconvenience to toss one coin back.*
- G. *But why [transmit all of this information?] It is in accord with that which a Tanna of the house of R. Ishmael [taught],* “Anyone who has passed forty days without any sort of penitential chastisement [may know that] he has received [his entire reward in] this world [and will suffer in the world to come].”
- H. *In the West they say, [17A]* “Punishment is ready for such a person.”
- II.22.** A. *It was taught on Tannaite authority:* R. Eliezer the Elder says, “If the Holy One, blessed be he, came to judgment with Abraham, Isaac, and Jacob, they could not stand before his rebuke.
- B. “As it is said [in Scripture], ‘Now, therefore, stand still, that I may plead with you before the Lord concerning all the righteous acts of the Lord, which he did to you and to your fathers’ (1Sa. 12: 7).”

- II.23.** A. “Such is the generation of them who seek after him, that seek your face, even Jacob, sela’ (Psa. 24: 6).
- B. *R. Judah the Patriarch and rabbis differ on the verse just now cited.*
- C. *One party said, “A generation is judged in accord with its principal leader.”*
- D. *The other said, “A principal leader is judged in accord with the character of his generation.”*
- E. *For what concrete purpose [is the issue joined]? I may say that at issue is virtue, for one party holds that if the generation is virtuous, the principal leader is too, while the other party maintains that if the principal leader exhibits virtue, so will the generation.*
- F. *But there is the case of Zedekiah, who was virtuous, while his generation was not virtuous, and there is the case of Jehoiakim, who was not virtuous, while his generation was virtuous.*
- G. *For R. Yohanan said in the name of R. Simeon b. Yohai, “What is the man meaning of the verse of Scripture, ‘In the beginning of the reign of Jehoiakim, the son of Josiah, king of Judah’ (Jer. 26: 1)?*
- H. *“The Holy One, blessed be he, planned to return the world to [its beginning condition of] chaos and formlessness on account of Jehoiakim. When, however, he took a close look at his generation, his anger subsided.*
- I. *“[Along these same lines], the Holy One, blessed be he, planned to return the world to chaos and formlessness on account of the generation of Zedekiah. But when he took a close look at Zedekiah, his anger subsided.”*
- J. *Rather, [at issue above is only the character of the leader, whether he is] angry or gentle [and that depends on the character of the generation in which he lives].*

The extensive Talmud construction attached to M. 3:5 follows its own interests, and most of the conglomerate has been drawn together before inclusion in connection with M. 3:5. All that the Mishnah contributes is a partly-relevant theme, the matter of slander or evil speech or gossip.