

1:1 These are the matters [*devarim*]—When the Israelites were about to cross the Jordan in order to divide themselves up according to their portions, they required warning and admonishment to observe the Torah, just as he exhorted them when they were traveling from Sinai to enter the land. Since events occurred that prevented them from entering, he now wishes also to articulate the impediments on account of which the warnings and admonishments must be repeated [now].¹ Consequently, he begins with the word *matters* [*devarim*], to include the subject matter of the commandments and words of rebuke. The meaning of the verse would be *These are the matters which Moses spoke to all of Israel across the Jordan*: what befell them *in the wilderness, in the wasteland, opposite Suph*, including what happened to them when they traveled from Sinai until their arrival at Kadesh Barnea.

1:1 In the wilderness, in the wasteland [*arava*]—As it says, *In the wasteland* [*be-eretz 'arava*], *covered in pits* (Jeremiah 2:6).

Laban, Tophel, and Dizahab are neither mentioned in [the chronicles of] their journeys nor elsewhere, and indeed since he uses the words *between* [*Paran*] *and between* [*Tophel*], it does not mean they passed through actual places that bear these names.

And when he says, *in the wilderness, in the wasteland*, he does not mean that they were *across the Jordan*, because when they were across the Jordan this same message is said differently, like when it says, *These are the testimonies, statutes, and ordinances that Moses spoke to Israel when they came out of Egypt, across the Jordan, in the valley near Beth Peor, in the land of Sihon, king of the Amorites* (Deuteronomy 4:45–46), and Laban, Paran, and Hazeroth are not across the Jordan.

1:2 Eleven days' journey from Horeb—Some explain that it is only an eleven-day journey from Sinai to Kadesh Barnea, and they brought the journey of forty years upon themselves; consequently, he says [in the next verse], *In the fortieth year*, and this is the meaning of *these are the matters* [in the previous verse]. But this cannot be, for in the second year they came to Kadesh Barnea and it was from there that they sent the spies.

Others say that those eleven days include three for the [actual] journey, seven [of waiting] for Miriam, and one day of the Sabbath. But did they not spend thirty days in Kibroth Hattaavah?

Still others say that it is actually an eleven-day journey, and they walked it in three days in order to make haste, as it says, *and the cloud settled in the wilderness of Paran*

¹ Some material is added from two manuscripts, without which it is very difficult to read this introductory passage.

(Numbers 10:12). But the text is informing us that they were delayed on the way, as we have already noted.

It is fitting to say that he mentioned [in the previous verse] *in the wilderness, in the wasteland* to explain that it was God's decree that they pass through that way and that he not lead them *by way of Mount Seir*, eleven days away, which was the faster route; as it says, *turn and embark on your journey, and go to the hill country of the Amorites* (Deuteronomy 1:7), and it also says, *We journeyed from Horeb and traversed the entire great and terrible wilderness that you saw, by way of the hill country of the Amorites* (Deuteronomy 1:19).

1:2–3 Because it was their fault that they did not enter the land and delayed for forty years, they required further warning and admonishment in the fortieth year, with mention of the reason for their delay. Consequently, [*In the fortieth year*].

1:3 In the fortieth year—Our [Karaite] sages, may they rest in peace, reasoned that this book was narrated during the month of Shevat, and on the New Moon of Adar Moses died, just like Aaron died on the New Moon of Av. And [the period of] *the days of weeping in mourning* (Deuteronomy 34:8) for Moses until they arose from the Jordan on the tenth of the month is reconciled with the timeline stated in Joshua only with some difficulty.

The opinion of the [Rabbanite] traditionalists is that he died on the seventh of Adar,² which might be a fine surmise but is difficult based on a close reading of the text.

Some say that he recited the book in one day on the New Moon of Shevat, and on that day, he died, and their proof is *that very same day* (Deuteronomy 32:48),³ [and they say this] because they could not make sense of the days that are mentioned if [one posits] Moses had died on the New Moon of Adar, and certainly not according to the opinion of those who posit the seventh of Adar. This view is less plausible, for it is written, *until the days of weeping in mourning for Moses were over* (Deuteronomy 34:8), and immediately afterwards it is written, *And Joshua the son of Nun was full of the spirit of wisdom* (Deuteronomy 34:9), and it is written, *And it came to pass after Moses' death that Adonai said to Joshua* (Joshua 1:1).

It is better to calculate the days backward from *the people arose from the Jordan on the tenth of the month* (Joshua 4:19) to maintain whatever that calculation yields.

² Babylonian Talmud, *Kiddushin* 38a.

³ The Hebrew begins with *vayhi*, which is not part of the verse quoted (it does appear in Exodus 12:51).

1:3 Moses spoke to the Children of Israel according to all that Adonai had commanded him concerning them—This is the subject matter of the commandments are the particulars of the commandments.

Man's purpose is to perfect the constituent parts of his composition [both body and soul], which is the purpose of his existence, and God, blessed be His name, seeing that man would not succeed in perfecting his nature,⁴ brought down His prophecy to mankind and warned them not to turn to the void, after Adam, in his folly, corrupted his behavior and was banished from the Garden of Eden on account of having followed his desires. The eyes of the intellect were blind to discernment of the intelligibles, and [man] was left to be drawn after what is perceptible [alone], according to [their] knowledge of the imaginables. And because of this failure they were led to deny God above, for they saw that the world follows a natural order and that generation and corruption result from the movements of the spheres; their intellect could not transcend the sphere. When God wished to provide mankind a remedy from this failure, because the hidden light, our forefather Abraham of blessed memory, shone and he demonstrated His existence, He chose his progeny.

For this reason God, blessed be He, chose a special nation, namely the progeny of Abraham His servant, the children of Jacob, His chosen ones (Psalms 105:6), who are called by His name, as it is written, *all that is called by My name, I created to honor Me* (Isaiah 43:7). He took them out of Egypt by way of signs and miracles, in order to give them a delightful land, the inheritance of a host of nations (Jeremiah 3:19), who rebelled and deserved extermination, so that they [the Israelites] learn a lesson lest they meet the same fate of those who rebelled and sinned grievously. And at Sinai He bequeathed them His Torah in an awesome spectacle: He gave them just commandments, statutes, and ordinances in order to regulate their lives and preserve their existence, and He guided their thoughts by designating a place for the divine presence [*shekhina*] and by sanctifying certain times through actions, so as to perpetuate knowledge of the miracles, which through manifest providence contribute to sustaining the knowledge of God.

Just as the purpose of the giving of the Torah was to perpetuate knowledge of the miracles, which logically entail the creation ex nihilo of the world, thereby demonstrating God's existence, which is the goal of the immortal aspect of man, namely, the world to come, in the same way He guided them, lest that which happened to the one who said *I do not know Adonai* (Exodus 5:2), happen to them. His providential guidance of them was miraculous and not fated by the causation [or revolution] of the intermediaries, so that they would comprehend and believe in His existence, that He is the true ground of

⁴ According to 'Etz haHayyim, ch. 95, man is naturally inclined to sustain the corporeal component of his being, at the expense of the spiritual component. This is not aligned with God's will, which is to preserve the world, and which requires that man attend to both aspects of his composition.

being [*ne'eman hammetzi'ut*] and all the intermediaries are but an ax in the hands of the Hewer (cf. Isaiah 10:15). And though it is known that without the miracles which Moses performed in Egypt, God's existence would not have been known in the world, it is unlikely that the miracles performed by Moses would have, in and of themselves, been enough to sustain knowledge of Him forever, for even the people of Israel themselves, after a short time, could not see, and certainly their hearts could not comprehend (cf. Isaiah 44:18).

Consequently, the divine plan was to perpetuate knowledge of His existence through unceasing manifest providence, and thus He chose Israel to be the subject of this special providence forever, so that the knowledge of His existence in the world would persist, and He guided them with all manner of gradual correctives to strengthen their belief in Him and in His Torah, so that they would endure as well, for the existence of the world is dependent upon the preservation of God's people. He further instructed them that if they sinned they would be punished, and that upon repenting they would be comforted through signs and wonders, as it is written, *as in the days of your leaving the land of Egypt, I shall show them marvelous things* (Micah 7:16), and it says, *All the peoples of the earth shall see that you are called by Adonai's name* (Deuteronomy 28:10). And He promised them that knowledge of Him would be widespread, *for the earth shall be full of the knowledge of Adonai* (Isaiah 11:9), and it says, *they shall no longer each teach his fellow, [and every man teach his brother, saying, "Know Adonai"]* (Jeremiah 31:34). It emerges that the purpose for the existence of the lower world is for God's glory, which is Israel⁵; therefore, he began [the Torah] with *In the beginning* (Genesis 1:1) and concluded with *Israel* (Deuteronomy 34:12).

Now, when the Torah was given at Mount Sinai and He instructed them in the commandments and the statutes to perpetuate the knowledge of His miracles, the intent was to strengthen their knowledge by joining command with implementation. But since Israel were delayed in the desert for forty years, the lack of implementation on account of their sin led Moses to further elucidate the Torah in the fortieth year now that they were entering the land, by way of promising fortune and misfortune, saying, *See, that I have taught you statutes and ordinances, as Adonai my God has commanded me, that you should do so in the midst of the land that you are going to possess* (Deuteronomy 4:5). He also added commandments that were not mentioned previously, such as the command to perform levirate marriage, [the appointment of] judges and officers, [recall from] the battle line, marriage and divorce, the matter of the beheaded calf, the matter of the king who shall reign, additional commandments pertaining to loving God, further admonitions against idolatry, and particular laws relating to verbal and physical altercations. Most of these commandments were not previously stated, the proof being the commandment of

⁵ The printed edition and some manuscripts have *hu ha'adam*, a clear product of censorship in the manuscripts.

An Ammonite or a Moabite shall not enter (Deuteronomy 23:4). As for anyone who claims they were stated previously but not mentioned [in the Torah] because they were not preceded by the words “And He said” or “And He spoke,” it is explicitly written, *These are the words of the covenant which Adonai commanded Moses to make with the Children of Israel in the land of Moab* (Deuteronomy 28:69), and he conveyed the severity of this covenant through the detailed inclusion of blessings and curses, so that they would take care not to breach it.

In the Torah portion of *Im Beḥuqqotay*, he notified about the Babylonian exile, whereas in Deuteronomy he notifies about this exile, whose end is unclear, but the redemption from which he makes contingent on repentance. And he promises them that when that occurs at the end of the exile, at the time of the defeat of Israel’s enemies—as it is written, *Adonai your God shall circumcise your heart, and the heart of your progeny* (Deuteronomy 30:6), and it is also written, *you shall return to Adonai your God and listen to His voice* (Deuteronomy 4:30)—they will be redeemed forevermore. And it says, *“For as the new heavens and the new earth, which I shall make, shall remain before Me,” says Adonai, “so your offspring and your name shall endure”* (Isaiah 66:22), for the ultimate purpose of the existence of the lower world is Israel, who are called by His blessed name.⁶

1:4 After he had struck down Sihon the king of the Amorites—For it was not known [exactly] when the war with those kings took place.⁷

1:5 Across the Jordan—He clarified the location for purposes of accuracy.⁸

1:5 Moses began [ho’il] to elucidate [be’er] this divine instruction [tora]—Similar to *he left [ḥamak], went away [‘avar]* (Song of Songs 5:6).⁹

Since it says, *Moses began to declare*, those who say oral Torah labor for naught, because he already explained [the Written Torah here].

It seems that the beginning of this *instruction* is from the chapter beginning with the words: *Now, Israel, listen to the statutes and to the ordinances* (Deuteronomy 4:1).

⁶ See the previous footnote.

⁷ The meaning is uncertain. Since this generation lived through the referenced war, it is unclear why Aaron is suggesting that the timing of the war was unknown.

⁸ Since Deuteronomy 1:1 already says “across the Jordan.”

⁹ In both verses, two sequential verbs in the perfect tense are to be understood as joined by a conjunctive *vav* meaning “and.”

1:6 Adonai our God spoke to us in Horeb—He begins explaining the reason that they needed commandments and warnings: because they were to enter the land; what caused them to appoint captains of thousands and of hundreds; and why they were prevented from entering until the fortieth year, necessitating an elucidation of the divine instruction—because of the decree against Moses, as is mentioned in the Torah portion of *Va'et-hannan*.

1:6 You have dwelt long enough near this mountain—Mount Sinai.

1:7 Turn and embark upon your journey, and go to the hill country of the Amorites [*bo'u har ha'emori*]*—*Meaning *el har* [the expected preposition *el* meaning “to” is implied].

1:7 And their neighbors—The rest of Canaan’s inhabitants.

1:7 He mentions the four boundaries for He needs to fulfill His covenant, as well as that He explicitly promised to the Patriarchs that their progeny would merit [the land’s] possession.

1:8 Which Adonai swore to your fathers—Similar to [when Samuel said] “[*I sent you... Bedan and Jephtah*] and Samuel” (I Samuel 12:11) [in each verse the speaker refers to himself in third person].

1:9 I said to you at that time—because you were about to enter the land and disperse, each man to his own portion—*I am not able to bear you alone*.

1:10 Adonai your God has increased you, and behold, you are today as great as the stars of the sky—The sense is increase in stature and loftiness [rather than literal numerical equivalence].

1:11 Adonai, the God of your fathers—He begins to bless them.

1:11 A thousandfold—Since it is a round number.¹⁰

1:11 As He told you—*if a man could count the dust of the earth, then your offspring could also be counted* (Genesis 13:16).

1:12 How can I alone bear your burden—This is his statement, *because the people come to me to inquire of God* (Exodus 18:15).

1:12 Your load—*and I make known the statutes of God* (Exodus 18:16).

1:12 And your strife—*when they have a dispute, they come to me* (ibid.).

¹⁰ The Hebrew term is *sakh heshbon*, which is borrowed from the writings of Abraham Ibn Ezra. It means that the number is not being used precisely but is chosen because it is a nice, round number of significance, in that it adds another digit place value to the set of preceding numbers: 10, 100, 1000, etc.

1:13 Take [*havu*]—The vowel [under the *hé*] has changed [from the expected *ḥataf pataḥ* to *qamatz*] because *hé* is a guttural letter.

1:13 Wise, discerning, and knowledgeable men of your tribes—It was already elucidated in the Torah portion of *Vayyishma' Yitro* how the three descriptors here match what Jethro said: *God-fearing, men of truth, despising unjust gain* (Exodus 18:21).

It is possible that the phraseology of *wise* [*ḥakhamim*], *discerning* [*unevonim*], and *knowledgeable* [*vidu'im*] is along the lines of *wisdom* [*ḥokhmah*], *discernment* [*uvitevuna*], and *knowledge* [*uveda'at*] (Exodus 31:3), making *vidu'im* an adjective [rather than a substantive].¹¹ The meaning of *wise* would be deriving the conclusion,¹² and *discerning* in how to draw analogies, and *knowledgeable* in knowing the premises, which are close to what is perceptible.¹³

1:15 So I took the heads of your tribes—It seems that these attributes were found among their [tribal] heads.

1:15 Wise and knowledgeable men—He omits *discerning* [listed above in 1:13] because regarding analogies it is possible for the product of a demonstrative syllogism to be shown to be true by logical argumentation, but that which is shown to be true by logical argumentation cannot¹⁴ be shown to be true by means of a demonstrative syllogism. Given that few know these matters well, he abbreviated them.

1:15–1:16 Captains of thousands—The intent is clear that it does not mean that for every thousand there is a captain. Rather, there are many different types of legal matters—capital crimes, personal injuries, offenses punishable by lashes, financial cases—and depending on the severity of the case, judges would be appointed to adjudicate *between man and brother and stranger*.

1:16 Hear [*shamo'a*]—An infinitive [instead of the expected imperative].¹⁵

¹¹ According to Aaron, there are two possible parsings of the Hebrew: (1) [*anashim ḥakhamim unevonim*] [*vidu'im leshivtekhem*], where *vidu'im* is a substantive; (2) [*anashim ḥakahim unevonim vidu'im*] [*leshivtekhem*], where *vidu'im* modifies *anashim* just like *ḥakhamim* and *unevonim* do, and therefore is an adjective.

¹² Hebrew *toledet*, which can mean “nature” or “property,” but Aaron seems to be interpreting the terms here in terms of rational reasoning.

¹³ Compare *Keter Tora* on Exodus 18:21, and see further the lengthy commentary on Exodus 31:3.

¹⁴ The term *lo* appears in a number of manuscripts. Since the demonstrative syllogism is the gold standard, it is much more rigorous and cannot necessarily “prove” what is arrived at by logical argumentation without premises that are absolutely unquestionable.

¹⁵ In modern grammars of Biblical Hebrew, this is often referred to as the infinitive absolute, to be distinguished from the infinitive construct.

1:16 Between [*ben*] your brothers—Because the two entities are encompassed by a single noun [*brothers*], one *ben* [preposition] suffices. He then says *between [ben] man and [ben] brother*, because he goes on to say *and [ben] stranger*.¹⁶

1:17 You shall not show partiality in judgment—In the sense of *You shall not favor a poor man in his cause* (Exodus 23:3).

1:17 You shall hear the small and the great alike [*kaḳḳaṭon kaggadol*]¹⁷—Like all the other instances of two *kafs* [prefixing two consecutive words, thereby indicating equivalence].

1:17 For judgment is God's—In the sense of [*you do not judge for man*] *but for Adonai, who is with you during adjudication* (II Chronicles 19:6).

1:18 I commanded you at that time—As I noted in the Torah portion of *Vayyishma* 'Yitro, following Jethro's advice he elucidated the reason [for the judiciary] and explicated the Torah for them.

1:19 We journeyed from Horeb—Apparently, the establishment of the judiciary took place right before their journey, and at that time Jethro came.

1:19 And traversed the entire desert... by way of the hill country of the Amorites—and not *by way of Mount Seir* (Deuteronomy 1:2). He led them on a nearby route, and that is [the meaning of] *as Adonai our God commanded us*. There is no argument [that they went by way of Mount Seir] from *and they pummeled you in Seir, even to Hormah* (Deuteronomy 1:44), because [immediately preceding that] it is written, *and they chased you*, and they were close [to Seir].

1:21 Go up, take possession as He has spoken to you—and *go to the hill country of the Amorites* (Deuteronomy 1:7).

1:21 [Do not] be dismayed [*tehat*]¹⁸—A *nif'al* conjugation of a geminate verb [the root being *h-t-t*], and the degeminated letter [*shokhen*]¹⁷ is in lieu of a *dagesh* that would compensate for the [assimilated] nun of the *nif'al*.¹⁸

¹⁶ That is, the introduction of a third element necessitates another *ben* because “stranger” is not encompassed by “brother.”

¹⁷ This term, often used contrastively, is employed throughout *Keter Tora* to mean something that is not pronounced, vocalized, or emphasized: a quiescent letter, a letter with a *sheva naḥ* as opposed to a vowel, or a letter without a *dagesh*.

¹⁸ Although Aaron does not note it here, he does note elsewhere that vowel lengthening (in this case to *tzeré*) can compensate for the absence of a grammatically mandated *dagesh*. Here, the *dagesh* is absent because gutturals like *het* as a general rule cannot be geminated.

1:22–23 You approached me, every one of you—He begins to explain the cause of their delay. He says *every one of you* because the advice was proper, for they said *the route by which we shall ascend*.¹⁹ Consequently, *I found the matter pleasing*.

1:22 That they may search [veyahperu]—In the sense of investigation [rather than literal digging indicated by the root *h-p-r*].

1:23 I selected from among you—Following this advice.

1:23 Twelve—One man from each tribe, so that the members of his tribe would have faith in him.

1:24 They turned and ascended the hill country—We have already explained the route of their ascent.

1:24 And came as far as [vayyavo'u 'ad] the stream of Eshkol—Along the lines of *We came to [banu el] your brother, to [el] Esau* (Genesis 32:7) [in both cases verbs from root *b-w-* plus a preposition indicate proximity but not contact].

1:24 As far as ['ad] the stream of Eshkol—Similar to *and pursued as far as ['ad] Dan* (Genesis 14:14).

1:24 And surveilled [vayraggelu] it—They walked its length and breadth with their feet [ranglehem].

1:26 But rebelled against the word of Adonai your God—The [divine] utterance *start taking possession* (Deuteronomy 2:24), for you said, “We will not go up.”²⁰

1:27 You grumbled—This has the sense of libeling,²¹ and this is the meaning of *Because Adonai hates us, He has brought us out of the land of Egypt*. He conjugates it in the *nif'al* [usually a passive but also reflexive] because they did it constantly, which is [the meaning of] *in your tents*.

1:28 Have melted [hemassu]—A *hif'il* conjugation of a geminate verb [the root being *m-s-s*], along the lines of *The hearts of the people melted [vayyimmas] and became like water* (Joshua 7:5).

1:28 The people are greater—in number, *and taller* in height.

¹⁹ The idea seems to be that Moses is crediting all of the Israelites—“every one of you”—for the advice because it seemed they were eager to enter the land. The spying was not to determine whether to enter the land or not.

²⁰ The printed edition erroneously cites this phrase as from Numbers 16:12, where the phrase does appear but is the response of Dathan and Abiram to Moses' summons.

²¹ The printed edition has *vateragenu 'inyano hariggun*, but the latter term is as obscure as the former and so is likely a corruption. There is great confusion in the manuscripts about the correct term; we find *harinnun* (where one would expect the common form *rinna*) and the nonsensical *haritz-tzutz* and *haratzon*. Perhaps *hariggun* was originally *nirgan*, a noun appearing four times in Proverbs, which has the sense of bitter complaint and speaking ill of others.

1:28 The cities are great and fortified—They are strong and difficult to capture.

1:28 Moreover [*gam*], the sons of the Anakim—On top of the foregoing.²² In accordance with their dictum: “*There we saw the Nephilim [the sons of ‘Anak]*” (Numbers 13:33)—the courage of anyone who sees them falls [*yippol*].²³

1:29–31 Then I said to you, “Do not be terrified, do not be afraid of them. Adonai your God, who goes before you” —Meaning, just as through miraculous means, He did what He did against Egypt and sustained you in the desert *until you came to this place*, so too He has the power to fight against the seven nations [of Canaan].

1:32–36 Yet in this respect you would not put faith in Adonai your God—And if you think that from this point He will hide His face from you, note that right now He goes before you to scout out the path to take with a pillar of cloud by day and a pillar of fire by night. Would He show you the way to go for naught,²⁴ in order to deliver you into the hands of the Amorites? And through what would the Lord to be praised, if the people were weak, and the cities open for conquering?

And because you do not put faith in God’s power, but instead exclaim, *let us appoint a leader [and go back to Egypt]* (Numbers 14:4), upon hearing what you said, [*Adonai*] *grew angry and swore, saying, “... not [one]... of this wicked generation shall see [the good land]*, for the purpose of these miracles that I do is to unify my name, to be for generations by means of gradual correction, so those who today see [the miracles] with their own eyes yet rebel and stray from faith in God are to be punished.

1:33 To show you [*lar’otekhem*]—In the *hif’il* conjugation.

1:33 To pitch your tents [*laḥanotekhem*]—In the *qal* conjugation.

1:35 Surely not one of these men—They will not be rewarded with that about which they complained.

1:36 Except [*zulati*] Caleb—It is not like *bilti* [of similar meaning]; it is the same [*shavé*] with or without a *yod*.²⁵

²² *Gam* is not simply listing another element but has the sense of “even worse.”

²³ This explanation appears in the commentary of Ibn Ezra on Genesis 6:4, which associates *nefilim* with the root *n-f-l*, as expressed in *yippol*.

²⁴ The grammatical explanations of “to show you” and “to pitch your tents” appear here in the original, but in order to preserve the flow of this long comment we have moved them below.

²⁵ It is true that Radak maintained that the final *yod* of *bilti* is part of the root, which would distinguish it from *zulati* since it sometimes appears without a *yod*. However, this is not how Aaron usually expresses that a letter is not part of the root. Perhaps the reading *shezé* in a few manuscripts is correct (with a *zayin* instead of a *vav*): “It is not like *bilti*, for this is [*shezé*] with or with a *yod*.” Meaning, *bilti* never appears without a *yod* (when there is no pronominal suffix), whereas *zulati* also appears as *zulat*—it appears with and without a *yod*.

1:37–38 Adonai was also angry with me—Not because of the corruption of the spies, but because He mentioned Caleb and wished to mention Joshua as well—how he was saved from this punishment, and how he was appointed instead of Moses. For this reason he said, *[Adonai] was also angry with me for your sakes*.

1:39 Who today do not know wrong from right—An exaggeration, Scripture was speaking of the majority [for there were those who saw the miracles before they were twenty and survived].

1:40 But as for you, turn—backward and not forward.

1:41 We will go up—You did not listen to God [who told you to turn back].

1:41 And made ready *[vattahinu]*—For you said, *we are ready [hinnennu]*, *we will go up* (Numbers 14:40), which is the opposite of what you said, *How are we to go up* (Deuteronomy 1:28).²⁶

1:42 Adonai said to me... “Do not go up”—He added a warning to his initial warning, because the first one seemed exaggerated to them.

1:43 You flouted the word of Adonai. You were presumptuous—They added further rebellion to their [initial] rebellion.

1:44 The Amorites, who lived in that hill country—For there are other Amorites.

1:44 And chased you as bees do—because you approached their border, like bees who immediately attack when someone approaches their hive.

1:44 And they smote you *[vayyaketu]*—The grammar of this word was elucidated earlier [in my comment] on *vayyaketu* (Numbers 14:45) [the root is *k-t-t*].²⁷

1:44 As far as Hormah—The name of a place; similar to *as far as the stream of Eshkol* (Numbers 13:23) [each so named after the event that occurred there but before the Torah was finalized].

1:45 You returned and wept—but He did not respond to you.

1:46 So you stayed in Kadesh—It is written, *The days we journeyed [from Kadesh Barnea until we crossed the brook Zered] were thirty-eight years* (Deuteronomy 2:14). It follows that they stayed in Kadesh for nineteen years and spent nineteen years on all their journeys, which add up to thirty-eight years.

²⁶ In other words, *vattahinu* is a verb derived from the word *hen*, which indicates assent and preparedness to do something. See Ibn Ezra ad loc.

²⁷ See his commentary there for other understandings of the root and why the *dagesh* is placed where it is.

Ibn Ezra's opinion: *So you stayed in Kadesh many days [yamim], according to the days that you remained* to surveil the land. Rabbi Aharon, may Eden be his abode, argued that he was wrong, for [if they stayed in Kadesh for that long] when did they have time to go on the rest of their journeys? He thought that Ibn Ezra's opinion was [that *yamim* meant] years, but Ibn Ezra took *yamim* literally [as days]. He brought further corroboration from what God said, *But as for you, turn* (Deuteronomy 1:40), and they should have fulfilled God's decree, but they tarried there for a time, so he said, *So you stayed in Kadesh many days*.

It seems to me that the *kaf* here [of *kayyamim*, according to the days] is similar to *and such things as these [ka'ellé] have happened to me* (Leviticus 10:19), and *she spoke to him according to these words [kaddevarim ha'ellé]* (Genesis 39:17), meaning, the actual days that they dwelt there.²⁸

2:1 Then we turned and journeyed into the wilderness on the route to the Red Sea—They fulfilled God's decree against their will.

2:1 And we went around Mount Seir—They went from west to east.

2:3–4 Turn northward—They were still south of Mount Seir [the dwelling of Esau's descendants]. Consequently, it says [in the next verse], *You are to pass through the border of your brothers, the children of Esau*.

2:4 And they will be afraid of you—As it says, *then the chiefs of Edom were alarmed* (Exodus 15:15).

2:5 Do not provoke [*titgaru*] them—Similar to *provokes [yegare] contention* (Proverbs 15:18), seeking a pretext.

2:6–7 You may purchase food from them... and you may buy water from them—The sense is transacting should it be necessary, but it will not prove necessary, *For [ki] Adonai your God has blessed you*, [*ki* expresses] a certainty,²⁹ for He gives [*noten*] bread

²⁸ The *kaf* here is not meant to set up a comparison, as Ibn Ezra understands it, but to say “according to the number of days you remained,” however many those in fact turned out to be, a number the Israelites would have known.

²⁹ The Hebrew word *vadday* is added from a number of manuscripts. This is clearly the case because Aaron later refers back to this verse when interpreting *ki* in this fashion elsewhere; see below, commentary on Deuteronomy 4:25 and 8:7 (although note that the printed edition there erroneously points to Deuteronomy 15:6 because the two verses have identical words; there is no comment on *ki* in 15:6).

to your army (Judges 8:6).³⁰ Everything you need He has provided you throughout the great wilderness.

2:8 So we passed by our brothers, the children of Esau—Along the southern border of Edom.

2:8 From Elath and from Ezion-Geber—And they went along the southern edge of the wilderness of Moab.

2:9 Do not harass [*tatzar*]—In the same way he warned them regarding the people of Edom, *Do not provoke them* (Deuteronomy 2:5), so he warned them regarding Moab, *Do not harass*.

I do not know why Rabbi Aharon, may Eden be his abode, said that the command of *Do not harass [Moab]* precedes the command of *Harass [the Midianites]* (Numbers 25:17), which is in truth first. He must have been concerned about some chronological issue he discerned.

The word *tatzar* is elongated [by making the initial *pataḥ* under the *tav* into a *ḵamatz*], and it is a geminate verb [the root being *tz-r-r*]. The opinion of Rabbi Aharon, may Eden be his abode, is that it is a verb of the [deficient] second consonant [*tz-w-r*], yet regarding the word *tetzurem [harass them]* (Deuteronomy 2:19), he claimed that it was a geminate verb [*tz-r-r*]. I do not know the reason [for this inconsistency in analyzing two nearly identical verbs].

2:10–11 The Emim [lived there] earlier—He gave a reason for [calling them Emim]: the inhabitants of the land were a powerful nation, and Moab was a weak nation, and because of their weakness they called them *Emim*, for they put fear [*ema*] in the heart of those who saw them.

The *Rephaim*, on the other hand, are a family inhabiting Canaan, as it says, *and they struck Rephaim in Ashteroth Karnaim* (Genesis 14:5). And he said [*The Rephaim*] *are also considered like the Anakim*, meaning they were considered like the Anakim in their strength and large physique.

2:12 The Horites also lived in Seir—He mentions this [to indicate] that just as the descendants of Esau were given Seir because of Abraham's merit, so too the children of Lot were given their inheritance because of Abraham's merit.³¹

³⁰ In the Hebrew, this is presented as a prooftext introduced by “similarly” (*vekhen*), ostensibly for the use of *ki*. The difficulty is that the verse is part of a question, “that [*ki*] we should give [vocalized *nitten*] bread to your army?” Aaron himself notes in *Keter Tora* on Numbers 14:13 that *ki* in Judges 8:6 functions like *asher*, which would not make sense with *ki* in our verse. Dr. Gabriel Wasserman suggests that the verse here was originally used for rhetorical effect rather than a prooftext but was subsequently misunderstood and *vekhen* inserted. We have adopted his reading.

³¹ That is, this seeming digression in the biblical text is to explain the prior command “Do not harass Moab” in verse 9, Moab being Lot's descendant.

They say that the Horites are the same as the Hivvites [*hahivvi*],³² as it is written: *These are the sons of Seir the Horite...and Zibeon and Anah* (Genesis 36:20), and it is also written: *Zibeon the Hivvite* (Genesis 36:2).

2:12 As Israel did [‘asa] to the land of their inheritance—‘asa [did] is in past tense instead of [the expected] future [because they have not taken possession of the land yet]. This [clause] is also to note that whatever Israel merited was because of the merit of Abraham. It does not seem correct for this to be about the war against Sihon and Og.

2:13 Now rise—This sentence continues the statement, *Do not harass* (Deuteronomy 2:9).

2:14 The days we journeyed—He intends to explain how long they journeyed in the desert. Since now, after crossing the brook Zered, they will enter the land, he clarifies how long they journeyed in the wilderness. And when he says *we journeyed*, it seems that they only dwelt there for a short time [spending most of the time on the move]. And they journeyed for [almost precisely] thirty-eight years after they left Kadesh Barnea until they crossed the brook Zered, because the spies were sent on the New Moon of Tammuz and came back on the tenth of Av, as the commentators have explained, and Aaron died on the New Moon of Av, and after the death of Aaron they crossed the brook Zered.

2:15 Adonai’s hand was also against them—He clarified this because the people of the desert died by [God’s] decree, not because they lived out their days.

2:16–18 And it was when all the men of war were gone—He needed to clarify that the generation of the desert was gone before the forty years were complete. Consequently, *Adonai spoke to me, saying, “You are to cross the border of Moab, of Ar, today.”*

2:19 When you come near the border of the Children of Ammon—For they left the land of the Children of Ammon at the northeastern corner.

2:20 A land of Rephaim—He instructs that the land of Ammon was also *a land of Rephaim*, just like the land of Moab; as it is written, *and they struck Rephaim in Ashteroth Karnaim* (Genesis 14:5), which was in the domain of the Children of Ammon, and it is written, *and the Emim in Shaveh-Kiriathaim* (ibid.), which is in the domain of Moab.

2:20 But the Ammonites call them Zamzummim—If the word *Zamzummim* is not [originally] Hebrew, it is constructed like a Hebrew word.

2:22 As He did for the children of Esau—To imply that the Children of Ammon also benefited from Abraham’s merit, as they destroyed nations mightier than themselves *and settled in their place*.

2:23 Avvim—Apparently, they too were inhabitants of Canaan.

³² The printed edition and all manuscripts consulted erroneously say “the Hittites” [*hahitti*] (the manuscripts even misquote Genesis 36:2 as “Zibeon the Hittite”), an easy corruption to make. *Sefer hamMivhar* has it correct.

2:23 Caphtorim—From the family of *Mitzrayim* [Egypt], and they overpowered the Avvim, destroyed them, *and settled in their place*. Only a few remained, such that they were listed with the Philistines: *the Gazite, the Ashkelonite... also the Avvim* (Joshua 13:3).

Perhaps he mentioned them because of the pact that existed between Abraham and Abimelech, such that [the Israelites] were not to merit any of their land, just as they did not merit any of the land of Edom or Moab.

2:23 As for those *who live in villages [ḥatzerim]*, the intent is that these [settlements] had no walls or gates and bars.

2:24 Rise, and go forth and cross the valley of the Arnon—*for the Arnon is the border of Moab, between Moab and the Amorites* (Numbers 21:13).

2:24 Start taking possession [rash]—A *ḳamatz gadol* takes the place of *ḳamatz ḳaṭan* [under the letter *resh*].³³

2:24 Provoke him into doing battle—But did they not send him peaceful overtures? It seems that these kings were mighty and held the crossings of the Jordan, so as not to let the king of the north pass. They collected a tax from Canaanites in exchange for not letting Israel cross,³⁴ so when Israel wished to pass through his land, it was considered a provocation [regardless of the peaceful overtures].

2:25 I shall begin to put the dread... of you—Because he is a mighty king in whose shadow others take shelter, when you defeat him *they shall tremble and quake before you*.

2:26 I sent messengers from the wilderness of Kedemoth—It is already written that *they encamped on the other side of the Arnon, which is in the wilderness that emerges from the border of the Amorites* (Numbers 21:13). It is not the Sinai Desert. The opinion of the [Rabbanite] traditionalists is that [*Kedemoth*] has the sense of preceding [*ḳadima*].³⁵ Perhaps one can say that since the Israelites were traveling in the wilderness in the south and then were told, “Now *turn northward*” (Deuteronomy 2:3), and they entered from the direction of the sunrise, on account of the east [*ḳadima*] was it called *the wilderness of Kedemoth*, that is, the eastern side.

2:26 Words of peace—But is it not written, *you shall not spare anything that breathes* (Deuteronomy 20:16), and if they had agreed [to the terms] they would have already

³³ That is, one expects the word to be vocalized *resh*, as it is in Deuteronomy 1:21. *Ḳamatz ḳaṭan* refers to the vowel today called *tzeré*.

³⁴ The words “in exchange...cross” are added from a few manuscripts.

³⁵ See Rashi ad loc., who says Kedemoth either refers to the Torah given in the Sinai Desert, since the Torah preceded the world, or to God’s dealings with the Egyptians, for He preceded the world.

transgressed the commandment? Therefore, the sage Rabbi Aharon, may Eden be his abode, explained that the call for peace was even in cases of obligatory war, if the nation was willing to accept taxation and subjugation.

To claim that the land of Sihon and Og was not part of the covenant [of promised land to the Israelites] is difficult, as it is written, *Adonai caused them to harden their hearts to wage war... that they might have no favor* (Joshua 11:20), and we do not find that after crossing the Jordan they offered words of peace to any city.

Therefore, one must say that the land of Sihon and Og was part of the covenant, yet the [divine] will was that the Israelites not take possession now but from the other side of the Jordan, and it is written, *Little by little shall I drive them out from before you, until you will have increased and then will inherit the land* (Exodus 23:30), and that is for the future. And it is written, *I shall set your border from the Red Sea even to the sea of the Philistines, and from the wilderness to the river* (Exodus 23:31), and this is [the same as] *He shall have dominion from sea to sea, from the river to the wastelands of the earth* (Psalms 72:8), for *and from the wilderness* means *the wastelands of the earth*, because there are no more settlements. But since they took it as part of their portion now, there was therefore a call of peace to Sihon.³⁶

2:28–2:29 You shall sell me food for money, that I may eat; and give me water for money... as the children of Esau... did for me—Referring to the fact that they brought out food and water to them, because they did not cross [Esau's] land, for it is written, *Thus Edom refused to give Israel passage* (Numbers 20:21). That is why the Children of Ammon are not mentioned, because they did not bring out food or water to them.

2:30 But Sihon... would not let—Given that Edom and Moab did not make peace, and they were weaker than he.

2:33 We struck [*vannakh*] him—Bald and barefoot [missing the first and third root letters of the root *n-k-h*], in the *hif'il* conjugation.

2:34 Every inhabited city [*'ir metim*]—From the same root as *few people* [*meté mispar*] (Genesis 34:30), and the word [*metim*] is not found in the singular.

2:34 We left no survivors—As we were commanded, *you shall not spare anything that breathes* (Deuteronomy 20:16).

2:36 From Aroer—The edge of the border of Moab.

2:36 City too high [*sageva*]—From the same root as *high* [*nisgava*] wall (Isaiah 30:13).

³⁶ The translation is tentative.

3:4–5 Sixty cities, the entire region [*hevel*] of earthworks [*argov*]³⁷—Some explain the meaning [of *hevel*] as allotted portion, from the sense of *portions* [*havalim*] (Psalms 16:6), and *argov* as the name of a person who settled in that place.

Perhaps the meaning of *argov* is from the sense of *and the clods of earth* [*uregavim*] (Job 38:38), and the meaning is that they were fortified cities [with earthworks], which would be the meaning of *All these were cities fortified with high walls, gates, and bars*.

3:9 [Sidonians] call Hermon Sirion—Since it was between Sidon and the Amorites, each of them called it a [different] name, and it had three names [Hermon, Sirion, and Senir].

3:10 All the cities of the plain—The continuation of the statement *We took the land at that time* (Deuteronomy 3:8).

3:10 To Salcah and Edrei—The far border of Og's kingdom.

3:11 For only Og—He begins to describe Og's might, who *remained from the remnant of the Rephaim*, as it says, *Rephaim lived there in the past... a great and numerous people, tall as the Anakim* (Deuteronomy 2:20–21).

3:11 Behold his bedstead was a bedstead of iron [which is yet in Rabbah of the Children of Ammon]³⁸—It is impossible that these are the words of a scribe [and not Moses]. Rather, because it said *It, too, is considered a land of Rephaim* (Deuteronomy 2:20), and Rabbah was the royal seat of Og, and it is written, *but Adonai destroyed [the Rephaim] from before [the Ammonites], so they succeeded them and settled in their place* (Deuteronomy 2:21), the Children of Ammon captured Rabbah and his bedstead remained there [in Ammonite Rabbah as a trophy].

The meaning of [*Og*] *remained* is not [connected to the war in Abraham's day] *and they struck Rephaim in Ashteroth Karnaim* (Genesis 14:5).

3:11 The cubit of a man—The cubit of an ordinary man and not [Og's] cubit,³⁷ for that is impossible since he was shaped differently from other human beings.

3:13 To the half-tribe of Manasseh—the entire region of earthworks—These were *sixty cities* (Deuteronomy 3:4). The commentators say that these cities were purchased by Joseph during the famine [of his time], and for that reason the children of Manasseh merited them.

3:13 That which [*hahu*] is called—The [initial] *hé* is in place of the [relative pronoun] *asher*, as in, *the one who*³⁸ *made [hassama] the depths of the sea* (Isaiah 51:10).

3:13–14 These were forty cities, because twenty cities were [designated] for Jair [who was Machir's descendant]. And they said that Machir gave the cities to Hezron, who was

³⁷ Since the cubit was a measure taken from the elbow to the tip of the middle finger.

³⁸ The relative pronoun *asher* can mean either who or which; there it is “who” and here “which.”

from the tribe of Judah, because he married [Machir's] daughter, as it is written, *afterward Hezron went in to the daughter of Machir (I Chronicles 2:21)*, and Jair [their grandson] inherited them. This is the meaning of *And Jair the son of Manasseh [took...]*, although it intends the descendants of Jair, because Jair was of the second generation of those who descended to Egypt [and would have been many hundreds of years old if he participated in the conquest of Canaan.]

3:15 The middle of the valley and its border—That is, the border of the valley. And the meaning of *the middle of the valley* is the city in the valley.

3:18 I commanded you—Referring to the two and a half tribes [and not all Israel].

3:18 At that time—Because [the two and a half tribes] had taken it as part of their portion.

3:18–21 And it is written, *and I commanded Joshua*.³⁹

3:22 You shall not fear them [*tira 'um*]—[Speaking] to all of Israel.

3:22 For Adonai your God—Just as He vanquished these kings, so will He vanquish the kings of Canaan.

³⁹ The function of this comment is not entirely clear. Perhaps he is noting that Moses mentions this command to Joshua here due to association: in Numbers 32:28 Moses commanded Elazar, Joshua, and the tribal chiefs concerning the advance of these two and a half tribes into the Land of Canaan. See *Sefer hamMivhar* ad loc. with *Tirat Kesef* no. 65.

Alternatively, the comment should be linked with 3:22 (and the rubricated words prefacing the comment should read: “And it is written *and I commanded Joshua... You shall not fear them*,” and Aaron is noting the shift between singular address (*atta*) in 3:21 to plural (*tira 'um*) in 3:22. His comment in 3:22 (speaking to all Israel) would not be intended to contrast that of 3:18 (speaking to the two and a half tribes).

3:23 I beseeched Adonai—After instructing them as to the cause of their being prevented from entering the land and spending forty years in the wilderness, as he has explained, for all of this occurred after God had commanded them the subject matter of the Torah. It is as if he is explaining to them that even though the Israelites were delayed [by forty years], “If I were to enter [the land] with you, I would not have to elucidate the Torah for you [now], but it was decreed that I cannot enter the land. Still, I beseeched God to let me cross, but He did not listen to me. Therefore, I am elucidating the Torah for you.”

3:23–24 At that time—After he had waged war against Sihon and Og and journeyed from Kadesh, and was told: *Ascend Mount Abarim (Deuteronomy 32:49)*. This is the meaning of “*Lord Adonai, you have begun [to show your servant your greatness],*” as it was said to him, *Today I shall begin to put the dread and fear of you (Deuteronomy 2:25)*.

3:24 Lord [Adonai]—It is written with an *alef* and *dalet* [rather than as the Tetragrammaton pronounced Adonai], since He is the true Lord [*adon*] of the celestial host.⁴⁰ It is incorrect [to construe this] as an allusion to what was shown to him [Moses] in the fire of the burning bush, nor is it a reference to the vision in which He showed him His attributes. Rather, as we alluded to above, it is a reference to the war against Sihon and Og; consequently, it says, *your greatness*—for He is greater than all [supernal] powers.

3:24 Your strong hand—For You can overpower the celestial configuration.⁴¹

3:24 For what power is there in heaven or in earth—As it says, *I will begin to put the dread of you and the fear of you on the peoples who are under the whole sky (Deuteronomy 2:25)*.

3:24–25 Alternatively, the meaning of *You have begun to show your servant* is to allude to everything He performed through Moses from the time He appeared [to him] at the burning bush, “and I beseech You that it last until the end.” This would be the meaning of *Please let me cross*.

3:26 But [Adonai] was angry—He was already angry at me because of you from [the episode where Moses did not follow God’s command at] the waters of Meribah. So now He *did not listen to me*, but not because I beseeched [Him].

⁴⁰ In the Hebrew, the consonants are *adny yhw*. The second name is traditionally pronounced “Adonai,” but here it is preceded by *adny* which is vocalized “Adonai”; therefore, *yhw* is read as “Elohim.” It has been translated as “Adonai-Elohim” because the grammatical relationship between the two words is not clear. They might be in apposition, yielding “Adonai, God.” But since the commentary notes that “He is greater than all [supernal] powers,” it might be rendered “Lord of the powers.” The difficulty is that the word for “powers” is actually the Tetragrammaton, unless one says that they can be identified with God because they are, as Aaron often phrases it, “like an ax in the hands of the hewer.”

⁴¹ In the medieval understanding, the signs of the zodiac and celestial spheres, called *ma’arekhet (ha’elyonim)* here, govern the world by a series of natural laws, all set forth by God. Nature operates in this manner unless overridden by God’s providence.

3:26–27 Adonai said to me, “That is enough! Speak no more to Me—that is, about crossing [into the promised land]. However, since he [also] asked, *and see (Deuteronomy 3:25)*, He was appeased [enough] to let him see. Therefore, it was said to him, *Summit Pisgah, and lift up your eyes to the west, north, south, and east.*

3:27 Lift up your eyes—Opposite the place of prostration [namely, the future site of the Temple].⁴²

3:28 And then [Moses] is told [as a separate command], *And charge Joshua*.⁴³

3:29 So we stayed in the valley—After He was not appeased, and they still had not departed from there, *the people began to commit harlotry with the daughters of Moab (Numbers 25:1)* and drew close to Baal Peor, and you saw what happened on account of Baal Peor. For this reason, I now have to elucidate the Torah for you, for although it was decreed that I cannot cross [into the land] because of you, I have to command you.

4:1 Now, Israel, listen to the statutes and to the ordinances—He listed *the statutes* before *the ordinances* owing to their precedence, since *the statutes* are always applicable, whereas *the ordinances* are for whenever cases arise.⁴⁴

4:1 In order that you may live—Because so long as you rebel you will die, and will not merit entry into the land in order to possess it.

4:2 You shall not add—For the statutes and ordinances were mandated by the divine calculus, which cannot be comprehended by the human mind; therefore, it does not behoove human beings to add to or detract from whatever I am commanding you. Consequently, when the [Rabbanite] traditionalists add or detract from what was ordained by the Torah, they transgress, compounding their sin.

4:3 Your eyes have seen—This is the continuation of what he said, *in order that you may live (Deuteronomy 4:1)*: You should know from something that occurred close at hand, what happened during the episode of Baal Peor. And he enumerated some of the commandments they are obligated to keep outside of the land pertaining to idol worship.

4:4 With respect to the episode of Baal Peor, he noted, *But you who cleaved*, because idol worship intervenes between you and God. Consequently, *But you who cleaved to Adonai your God are all alive today*, the opposite of *for Adonai your God has destroyed from your midst every man who followed Baal Peor*.

⁴² The meaning of the phrase and its significance here are uncertain. Similar language of lifting the eyes and seeing the place of prostration, Mount Moriah, appears in Genesis 22:4–5.

⁴³ The order of the verses makes it sound as if God is ordering Moses to ascend the mountain and, once there, to charge Joshua to don the mantle of leadership. Aaron is clarifying that there are two statements: Moses is to ascend the mountain, and, separately, he is to charge Joshua. See Numbers 27:12–23, where the two commands are clearly distinct.

⁴⁴ As per the editorial preface to the commentary, the terms in English do not carry these connotations due to inadequate English equivalents.

4:5 See [re'ê], that I have taught you [etkhem]—Plural [etkhem] and singular [re'ê]. Or it is similar to *Looking right and seeing [ure'ê]* (Psalms 142:5) [where re'ê is an infinitive].⁴⁵

4:5 The straightforward sense of this verse is that it refers to commandments dependent upon the land; consequently, he says, *as Adonai my God has commanded me, that you should do so in the midst of the land*, after your entry [into the land].

4:6 You shall keep and fulfill them; for they are [hi] your wisdom—Similar to, *they are [hi] their possession* (Leviticus 25:33).⁴⁶

4:6 Who shall hear all these statutes and say, “Surely this great nation is a wise and understanding people”—This statement is baffling, for how indeed would the nations understand the ultimate purpose of the divine instruction? What we can say about this is that the matters that are hidden from the multitude include, for example, the existence of God blessed be He, since they are drawn to what is perceptible. God blessed be He gave them a path and a way to understand His existence through manifest providence, since it was through providence that the signs and the wonders were performed; nevertheless, logical deductions grounded in ontology demonstrate His existence [without need for miraculous proof]. But as we remarked [above], the existence of continuous providential action provides for the affirmation of His existence, so that souls should not again suffer the malady of believing in His non-existence. And for that reason God chose the Israelites, to whom His providence is perpetually joined [as a model and proof for the rest of humanity].

In the same way He steered the human intellect to affirm His existence, the same occurred with the flourishing of the soul, which the multitude did not believe in, as the psalmist notes in the psalm *Listen to this, all you nations of the world* (Psalms 49:2). Although logical deduction yields the flourishing of the soul, its intricacies are hidden from many people and are known to *the remnant whom the Lord calls* (Joel 3:5), so God blessed be He gave [them] the teachings of the Torah, which are modes of conduct that ensure the flourishing of the soul. For if the ultimate purpose of giving commandments was not to ensure the flourishing of the soul, then the commandments were given for naught. We have explained all of this in *‘Etz haHayyim*.⁴⁷

4:6–8 Consequently, he says, *for this is your wisdom and your discernment*. And through the observance of the commandments they shall be awakened to ensure the flourishing of the soul, he therefore said, *who shall hear all these statutes and say, “Surely this great nation is a wise and discerning people.”* And by what power will they understand this? In

⁴⁵ See the commentary below on Deuteronomy 11:26, which makes this clarification.

⁴⁶ Hebrew *hi*, the third-person feminine subject pronoun, is used here to refer to the plural “statutes and ordinances” of the previous verse. Similarly, the antecedent of *hi* in Leviticus 25:33 is plural “houses.”

⁴⁷ These points are made in a number of places throughout the book.

saying, *For what great nation is there that has a power so near to them as Adonai our God is whenever we call on him?* For God's existence is known through manifest providence, and it is axiomatic that since He is the absolutely perfect being of perfect essence without any privation, and the Torah's teachings were given from Him, one cannot but comprehend and believe that they are *just statutes and ordinances*, since they yield the flourishing of the soul. And he said *just*, for everything they instruct are truths.

4:9 On account of this, it says, *Only be careful and guard yourself diligently*: since they yield the flourishing of the soul, one must believe in their veracity, that they were given by God. For the giving of the Torah's teachings is not like the affirmation of His existence, which is dependent upon manifest providence, that is, when providence is in effect it demonstrates His existence, but as for the giving of the Torah's teachings *God spoke once* (Psalms 62:12), so one must believe in it through the unbroken chain of tradition.

4:9–10 For that reason, he warned, *lest you forget the things which your eyes have seen*, everything that this verse mentions, and what is that? *the day that you stood before Adonai your God in Horeb*. Because through that awesome assembly it was verified that the Torah's teachings were from Him, such that it cannot be encompassed by the finite mind and their truths must be accepted on belief. For as long as they were delivered [only] by a prophet, the veracity of their divine origin could not be corroborated, as matters show. Therefore, we have noted that the purpose of giving the tablets was for there to be something enduring to affirm this belief.

4:10 When Adonai said to me, “Assemble the people to Me”—This is the day of the assembly [at Sinai].

4:10 And I will make them hear My words, that they may learn to fear Me—This is the statement *I [am Adonai your God]* and *You shall have no [other gods]* (Deuteronomy 5:6), where He warned them of the severity of the punishment.

4:10 And that they may teach their children—so that there will be a chain of tradition.

4:11–12 The mountain burned with fire... [with] darkness, cloud, and thick fog—He enumerates that the four veils through which [God's] utterance was constructed were, as alluded to: *Adonai spoke to you out of the middle of the fire*. This is the hewing of the utterance, as noted.

4:12 You heard a voice of words—Since he refers to the utterance as a *voice*, he also says *you heard*.

4:12 But you saw no form—only a voice—Some say: “*only... a voice* proclaiming *I am Adonai*,” but not voices, such that what is being qualified is of the same type as the qualification.⁴⁸

⁴⁸ That is, it seems incongruous to say “you saw no form, only a voice” as sounds are not visible.

Given how we have explained the hewing of the utterance, it is not difficult for the utterance to be subsumed [conceptually] under the noun *form*. For, as we explained in *‘Etz haHayyim*, everything has a particular property, and that property is referred to as its “form.”⁴⁹

4:13 He declared to you His covenant—which comprises *the ten utterances*, which were written *on two stone tablets*.

4:14 Adonai commanded me at that time to teach you statutes and ordinances—As it says, *But as for you, stand here by Me, and I shall tell you (Deuteronomy 5:27)*, and it says, *and I shall give you... with the divine instruction and the commandments that I have written, that you may teach them (Exodus 24:12)*.⁵⁰

4:15 Be very careful—He further warns them that they should not be tempted to make any image, since they did not see any image on the day of the assembly [at Sinai].

4:16 Image in the form of any figure [*temunat kol samel*]—Meaning, a shape.

4:16–18 The likeness of male or female—and he clarifies with *the likeness of any animal*. He cites the three types [of creatures]—that which walks, that which flies, and that which swims—for the statement *the likeness of male or female*.

4:18–19 He has enumerated everything found on earth and now wishes to warn them against [worshipping] celestial forms.

4:19 And lest you lift up your eyes skyward—This does not mean that a person should not look up and gaze at the sky; rather, the intention is that when one sees their beneficial effects upon the lower existents, one should not be drawn away to worship them.

4:19 And he said *the sun and the moon* for they are the largest luminaries, and their benefit to the lower existents is evident.

4:19 And the stars—These are the five planets.

4:19 The entire heavenly host—The rest of the [zodiacal] forms that are in the eighth sphere.

4:19 You are drawn away to prostrate yourself—To accept them as a deity in order to worship them.

4:19–20 Which Adonai your God has allotted to all the peoples—They are necessary for the benefit they provide to the lower existents, and they are like an axe in the hands of the

⁴⁹ *‘Etz haHayyim*, ch. 23.

⁵⁰ The Hebrew in the printed edition and manuscripts evidences an apparent copyist’s error, with the verses mixed up. This has been rectified for the translation.

Hewer (cf. Isaiah 10:15). Indeed, you are God's portion,⁵¹ the proof being that He overpowered the [zodiacal] configuration and brought you out from bondage to freedom. This is the meaning of *and He brought you out of the iron furnace, out of Egypt*, to be God's treasure.

4:21–22 Furthermore, Adonai was angry with me—He states this to explain: “Although He commanded me to teach you statutes and ordinances dependent upon the land, I, myself, am not crossing but *am to die in this land*.”

4:22 I am not crossing—The meaning [of this repetitive language] is that [even] my coffin is not crossing like Joseph's coffin, *but you shall cross*.

4:23 Be careful—You must be careful not to worship any idols whatsoever, for if you do worship idols, you shall be the first among exiles (cf. Amos 6:7).

4:23 A carved image in the form of anything [temunat kol]—Meaning, any type of image.⁵²

4:23 About which He has commanded you—Of [the forms and idols] that he enumerated [not to make].

4:24 For Adonai your God is a consuming fire—Meaning, “like a consuming fire,” similar to *For rebellion is the sin of witchcraft (I Samuel 15:23)* [understood as “like the sin of witchcraft”].⁵³ Since He is compared to a consuming fire, He shall consume both root and branch.

4:24 A jealous God—Like a man is jealous regarding his wife.

4:24–25 You who are entering into the land have to be careful of idol worship.

4:25 When [ki] you will father children—[*ki* expresses] a certainty, similar to *For [ki] Adonai your God has blessed you (Deuteronomy 2:7)*.⁵⁴

4:25 And will have been long in the land, and you will corrupt yourselves—That generation will devolve and make idols.

⁵¹ There is corruption in the printed edition and manuscripts here. The word *mugzarim* is strange, although one cannot discount the *lectio difficilior*. It is possible there was confusion engendered by the use of *ḥalak* in the verse and *helek* in his comment (assuming this vocalization is correct), since the commentary is unvocalized. Either way, the sense is clearly that the celestial configuration is under God's dominion and He overrides it for the Jewish people.

⁵² *Kol* usually precedes a noun, whereas here it is atypically in a genitive construct following a noun.

⁵³ In both verses, the *kaf* of comparison is absent, but it is implied through phrasing like an equivalence.

⁵⁴ The printed edition erroneously points to Deuteronomy 15:6; see the note accompanying the commentary on Deuteronomy 2:6–7.

4:26 I call heaven and earth to bear witness against you—[For they are] enduring witnesses.

4:26 That you shall... completely perish—Even if you will have been long in the land you will be punished with exile, so *you will not prolong your days on it* [further].

4:27 Adonai shall scatter you among the peoples—This alludes to the present exile [continuing in Aaron's day].

4:28 There you shall serve⁵⁵ gods—Some say that they shall serve worshippers of other gods.

Alternatively, it is along the lines of, *for they have driven me out today so that I cannot cling to Adonai's inheritance, saying, "Go, serve other gods!"* (I Samuel 26:19).⁵⁶

Or it is an allusion to some of the periods when the nations of the world religiously persecute Israel [in the name of their gods].

4:29 But from there you shall seek [*uviḳkashtem*] Adonai your God, and you shall find [*umatzata*]—Singular [*umatzata*] and plural [*uviḳkashtem*].

He promises them that God will answer them.

4:29 When [*ki*] you search after Him—If *you search after Him*.

4:29 With all your heart and all your soul—Meaning, by thoroughly repenting.

4:30 When you are oppressed, and all these things have befallen you—This verse is an explanation of the foregoing, because *When you are oppressed* refers to [a time] when Israel will be subject to oppressive decrees.

4:30–31 You shall return to Adonai your God—This is the meaning of *you shall seek* [in the previous verse], and it is declarative rather than imperative. It can, however, be understood as an imperative. Consequently, he says, *For Adonai your God is a merciful God*, because He is merciful and *His mercies are upon all His creatures* (Psalms 145:9).

4:31 And because of the merit of the Patriarchs it is immediately followed by *nor shall He forgets the covenant of your forefathers which He swore to them*, for it is because of

⁵⁵ The printed edition and manuscripts have *aherim* (other) after *elohim* here, but it does not appear in the verse (even though the phrase does appear frequently throughout the rest of Deuteronomy).

⁵⁶ See Babylonian Talmud, *Ketubbot* 110b, which explains that they were not telling David to worship idols. Rather, the Talmud derives from the verse, "Whoever lives outside the Land, it is as if they have no God." The same equivalence is being drawn in this explanation.

the merit of the Patriarchs that He constantly stimulates you through gradual correction, and all of this is because of the merit of the Patriarchs.⁵⁷

4:32 For ask now of the days that are past, which were before you... since [*lemin*] the day —The *lamed* [of *lemin*] is superfluous.

4:32 That God created man—Similar to, *elder will serve younger* (Genesis 25:23).⁵⁸

4:32 From one end [*ulmiḳtzé*] of the sky—Both the *vav* and the *lamed* [preceding the *mem*] are superfluous.

4:32 Whether there has been anything as great as this—The reference here is to the exodus from Egypt.

4:32–33 Or has been heard like it—The day of the assembly [at Sinai]. And he picks up where he left off—⁵⁹

4:33 Did a people ever hear the voice of God speaking out of the middle of the fire, as you have heard, and live? —He mentions the people [of Israel] here, since it was miraculous in their eyes how simple [matter, with no constituent parts since God is absolutely one] could communicate with composite [matter, in this case, human beings].

4:34 Or has God [*elohim*] tried—Those who interpret *elohim* here as profane [meaning, powers that are not God] have said nothing [of merit].

4:34 Had the custom [*nissa*]—They explain [the verb] in terms of habituality, and similarly, *for God has come to accustom [nassot] you* (Exodus 20:20).⁶⁰

Others explain that the *samekh* [of *nissa*] is in place of a *sin*, and the sense is raising up [*hitnasse'ut*]. The first explanation is better.

4:34 By trials [*massot*]—Perhaps this is a general noun whose sense is “trial” [*nissayon*].

4:34 Signs—Similar to *and performed the signs in sight of the people* (Exodus 4:30).

4:34 Wonders—We explained its sense [regarding] *perform a wonder* (Exodus 7:9).⁶¹

4:34 And war—The ten plagues.

⁵⁷ Although this last clause seems redundant, it appears in all manuscripts consulted.

⁵⁸ In both verses, definite markers are missing (the *hé* that prefixes the subject and the particle *et* that precedes the direct object), yet both are understood as definite.

⁵⁹ In other words, the coming elaboration is in reverse order, creating a chiasmic structure (ABBA).

⁶⁰ The verse numbering depends on how the Decalogue is split up. In the JPS 1917 translation, for example, it is verse 17.

⁶¹ See *Keter Tora* on Exodus 7:3.

4:34 With a mighty hand—The plague of the firstborn, as in *I will reach out My hand and strike Egypt* (Exodus 3:20).

4:34 An outstretched arm—The splitting of the Red Sea, as in *Who caused His glorious arm to be at Moses' right hand* (Isaiah 63:12).

4:34 Great terrors—The drowning of Pharaoh.

4:34–35... like all that Adonai your God did for you in Egypt before your eyes? It has been demonstrated to you—Meaning, through the signs that occurred, which logically entail the creation of the world *ex nihilo*, which demonstrates His existence.

4:35 That Adonai is God. There is no one else besides Him—Since all of reality is connected from one end to the other, the entirety of reality demonstrates that there is one God and *there is no one else besides Him*.

4:36 From heaven He made you hear His voice, that He might teach you a lesson [*leyassereka*]—because they denied prophecy and [refused] to draw a conclusion [*mussar haskel*] about the truth of prophecy. In the same way the signs logically entail the creation of the world *ex nihilo*, which demonstrates His existence, so too by means of the awesome assembly [at Sinai] the phenomenon of prophecy is shown to be true, as they said: “Behold, Adonai our God has shown us... We have seen today that God does speak with man, and He lives” (Deuteronomy 5:20).

4:37 And [ve-] because He loved your forefathers—With a conjunctive *vav* [to connect to the previous verse], meaning, [He did this] in order to demonstrate the truth of those things shown to be true through contemplation, out of love for the truth and on account of the merit of the Patriarchs whose offspring He chose.

4:37 And brought you out with His countenance, with His great power—In the sense of *and the angel of His countenance saved them* (Isaiah 63:9), or it means He Himself, without an intermediary.

4:38 To dispossess... greater... nations—The land of the seven nations.

4:38 To give you their land as an inheritance, as it is today—In the sense of [*Your eyes have seen all that Adonai your God] has done to these two kings. So shall Adonai do to all the kingdoms* (Deuteronomy 3:21). Some explain [*as it is today* as] “soon after today.”⁶²

4:39 Know, therefore, today, and take it to heart—From this you should know, since the lower existents are dependent upon the intermediaries, and God overpowered the

⁶² According to the first interpretation, it is referring to something that has already occurred; according to the second, it refers to the near future.

[zodiacal] configuration and created new signs and wonders, *that Adonai is God in heaven above and on the earth below*.

4:40 Therefore, you should keep *His statutes and commandments which I command you today*, truths that were given for [your] benefit—and not given by happenstance without any purpose—and that benefit does not accrue to the Commander but to the commanded. That is [the meaning of] *that you may prolong your days*, the flourishing of the perfected soul.

4:40 And that you may prolong your days [on the land]—That you not be exiled from it.

4:41 Then [az] Moses was setting apart [yavdil]—I am perplexed by the opinion of Ibn Ezra, who said that the verse is relating that when he set apart these three cities, he summoned them in order to elucidate the words of the covenant [beginning in 5:1 below]. This would have taken place when they were staying in the valley [near Beth Peor], before they had traveled to the plains of Moab. For it is well known that the matter of the cities of refuge was only commanded at the plains of Moab [per Numbers 35], so how could his opinion make sense [to have the implementation prior to the commandment]?

Rather, since it says that *Moses called to all Israel (Deuteronomy 5:1)*, it means to clarify that it was at the time when Moses set apart three cities of refuge, which took place at the plains of Moab. [It needed to clarify,] since previously he had said, *So we stayed in the valley near Beth Peor (Deuteronomy 3:29)*.

4:41 Toward the sunrise [mizreḥa shamesh]—The *resh* [of *mizreḥa*] takes a *sheva* because it is in the construct state, which is not the case in *to the wilderness of Damascus [midbara Dammasek] (I Kings 19:15)*, where [the *bet* of *midbara*] takes a *pataḥ*.

He said [*toward the sunrise*] because the Jordan has two sides, and this was a practical matter at the time.⁶³

4:41 The word *then [az]* would be similar to *Why was I acquiring more wisdom then [az] (Ecclesiastes 2:15)*; consequently, he says *yavdil*.⁶⁴

⁶³ According to *Sefer hamMivhar* ad loc., one might think that saying the equivalent of “eastward” would indicate that they were located to the west, so this explains that it was a geographical description. Furthermore, the idea might mean that since they were already on that side of the Jordan, it was practical to speak of the cities of refuge there.

⁶⁴ In *Keter Tora*, on the words *az yashir* of Exodus 15:1, Aaron explains that Hebrew verbs need to cover all three tenses, and sometimes the imperfect or perfect form does not indicate the usual tense. He writes there that in Ecclesiastes 2:15 (the prooftext here), the perfect verb *ḥakhamti* in conjunction with *az* has the sense of the *benoni*, which we would call the present tense. He concludes his comment by saying that the tense substitution usually has a cause, perhaps for *hatmadat zeman*, which may be what grammarians call the durative. Therefore, he seems to understand *az yavdil* as “Moses was setting apart.”

The [Rabbanite] traditionalists said that these three [cities of refuge] would not accept [unintentional murderers] until the other three [cities] were set apart [and that is why the verb *yavdil* is in the imperfect].⁶⁵

4:42 To which shall flee the murderer who kills his fellow unintentionally—In the sense of *who kills someone unwittingly* (Numbers 35:11), since it says, *and did not hate him in the past*.⁶⁶

4:43 Bezer—He lists the names of the cities.

4:44 This is the divine instruction [*tora*]—Now he begins elucidating for them the divine instruction that he had promised to elucidate.

4:45 These are the testimonies—These are the ten utterances, for they are *testimonies* given on the day of assembly [at Sinai] to corroborate the divine instructions.

4:45–4:49 Which Moses spoke to the Children of Israel when they came out of Egypt, across the Jordan, in the valley near Beth Peor—Just as it explained that they were said to Moses after leaving Egypt and were repeated in the plains of Moab, so, too, the commandments said in the fortieth year were repeated *across the Jordan, in the land of Moab* (Deuteronomy 1:5). [So] he [once again] listed the land they conquered from Aroer to the sea of the wasteland.

5:1 Moses called to all Israel, and said to them, “Hear, Israel”—The meaning [of *hear*] is “accept.”

5:1 The statutes and the ordinances—The entire corpus of divine instructions, because we have already committed to doing so and have taken it upon ourselves.

5:2 A covenant... in Horeb—As you accepted and said, *we will do and obey* (Exodus 24:7).

5:3 Not... with our fathers—Because many of those present at that assembly were born in the wilderness and were not present at assembly of the covenant [at Sinai], he consequently says: *not... with our fathers* alone who were present at that assembly, *but with us*, because the entire subsequent generation is part of the covenant.

[The phrase] *not... with our fathers* does not mean those who were in Egypt.⁶⁷

⁶⁵ Babylonian Talmud, *Makkot* 10a.

⁶⁶ The word translated as “unintentionally” is *bivli da’at*, literally, without knowledge. Aaron is saying that this is the equivalent of “unwittingly” (*bishegaga*) in Numbers 35:11.

⁶⁷ According to the first explanation, the sense is “not with our fathers alone but also with us”; according to the second, rejected, explanation, the sense is “not with our fathers but with us,” because the previous generation had died. The “us” according the latter includes those who stood at Sinai and were too young to fall under the divine death sentence, so they are still “alive today.” See Ibn Ezra ad loc.

5:4 Face to face—In the beginning, he intended to elucidate the divine instructions from the day of the assembly [at Sinai], for their eyes beheld no one else (cf. Job 19:27), and with their ears they heard from the mouth of the Almighty *I am Adonai your God*. This is the meaning of *face to face*, without the intermediation of a prophet, in order to validate Moses' prophecy.

5:4 On the mountain out of the middle of the fire—This is Mount Sinai, but he abbreviated.

5:5 I was standing between Adonai and you—on the day of the assembly [at Sinai], not afterward.

5:5 To tell you God's word—This is a reference to the ten utterances, for when they saw the fire in the form of the utterance they moved and stood far away, and so he says, *for you were afraid on account of the fire*.

5:5 And did not ascend the mountain—That is, until the bounded area, as it implies, *When the trumpet sounds long, they shall ascend the mountain* (Exodus 19:13).

5:5–6 Saying—This word goes with *I am Adonai your God*, meaning, “saying by means of the fire *I am Adonai*.” The intent is not that when the Glory descends *saying “I am.”*⁶⁸

Nor does it mean “*saying*, ‘We will not ascend’.”

Others have explained that it goes with *to tell you*.

These matters were already discussed in the Torah portion of *Vayyishma ‘ Yitro*.

5:6 I am Adonai—Since the second Decalogue is like the first, the prior elucidation in the Torah portion of *Vayyishma ‘ Yitro* should suffice. What does need to be explained is the variation of words and the addition of letters, as we have already explained [the words'] lexical meaning. One should know that the ten utterances as uttered from the mouth of the Almighty constitute a testimony, as they are called “the tablets of testimony,” and this is what is alluded to in the words, *These are the testimonies* (Deuteronomy 4:45), and words of testimony ought not have changes or substitutions. As for the minor variations between the first and second [Decalogues], the verses about God's unity, specifically, *I am*, *You shall have no*, and *You shall not take [the name... in vain]* (Deuteronomy 5:10), there is no change or substitution aside from an additional *vav* of *or [ve-] any likeness* (Exodus 20:3).⁶⁹ The other verses do exhibit variation.

⁶⁸ The translation is tentative, because we have not located that opinion Aaron is rejecting.

⁶⁹ Here verse 5:7 has *fesel kol temuna*, which is read as construct chain, yielding “a carved image of any likeness.” In Exodus 20:3 it reads *fesel vekhol temuna*, yielding “any carved image or any likeness.” *Keter Tora* on the verse in Exodus explains “any likeness” to mean one produced by any method other than carving, which was the most common.

5:11–14 The [Rabbanite] traditionalists have tried to claim that *Remember* (Exodus 20:7) and *Preserve* were miraculously said in the same instant.⁷⁰ Some of them have said that the first Decalogue was on the first tablets and the second on the second, but this is idle talk.

The truth is that remembering and preserving can be subsumed under the same meaning, and Hebrew speakers preserve the meanings rather than the words. And with this, their claim about them being said in the same instant falls away.

One may further venture the semblance of an explanation [for the variation regarding the Sabbath in the two Decalogues]: at Mount Sinai the signs and wonders performed in Egypt were recent, and they logically entail the creation of the world, so He gave the reason for observing the Sabbath as the creation of the world, as it says, *For in six days Adonai made heaven and earth* (Exodus 20:10). But now that a lot of time has passed, He gave the reason as the exodus from Egypt.

The natural philosophers offer a distinction between preserving and remembering. Preserving involves the transfer of the essence of something, by the power of the mind, from the imagination to the retentive faculty, which is a transformation; remembering is joining the essence of something to that thing using the mind in order for it to be transferred to the imagination. In the first Decalogue, since the reason given was the creation of the world, He said *Remember*, for the intention was to join the essence of something to that thing, which is the manner of creation; now, however, when He gives the reason for the exodus from Egypt, He says *Preserve*.

5:11 As Adonai your God has commanded you—He did not say this in the first verses that are subject to logical investigation; it is likewise said regarding *Honor your father* (Deuteronomy 5:15).

5:13–14 And He added *your ox, donkey* [not listed in Exodus 20:9], for it says that *Moses began to elucidate this divine instruction* (Deuteronomy 1:5).

As for those who say that the generation of the wilderness did not need to plow or sow, so He did not warn them [and is warning those entering the land now], one can retort that it concludes [a verse about Sabbath observance] in the Torah portion of *Ve'ellé hamMishpatim* with *so that your ox and your donkey can rest* (Exodus 23:12).

Therefore, He added the elucidation *so that [your male and female servant] can rest*, because He wanted to provide the reason [*You shall remember that you were a servant in the land of Egypt*].

5:14 You shall remember that you were a slave in the land of Egypt—Meaning, on account of the exodus from Egypt, because the signs and wonders performed in Egypt logically entail the creation of the world, as we have commented in a number of places, which demonstrates and makes evident the existence of God.

⁷⁰ See Rashi ad loc.

5:16 It says here *shav* [for *false*] and there *sheker* (Exodus 20:12), for they are synonymous.

5:17 It says, *you shall not desire* [tit'avvé] instead of *you shall not covet* [tahmod] (Exodus 20:13), because even though desire is not under a person's control, the awakening of desire is caused by man.

He mentions the fellow's wife before his house here [whereas these details are inverted in Exodus].

One can offer a reason for applying the language of coveting to the wife and of desire to the house, given what we have alluded to.

He added *his field* next to *your fellow's house*.

5:5–17 Verily, the Decalogue is the root of all the [other] commandments, for human concerns are three: what is between a person and his Creator, what is between a person and the members of his household, and what is between a person and everyone else. And there are three forms of interaction—action, speech, and thought—all of which are included in the Decalogue.

5:18 These words... with a great voice. He added no more [*yasaf*]—As it says, *If we hear* [*Adonai our God's voice*] anymore [*yosefim*].

5:19–23 You approached me... and you said,⁷¹ “Behold, Adonai our God has shown us His glory and His greatness, and we have heard his voice out of the middle of the fire... Now, why should we die?”—Because before that, they had said, *Speak with us yourself, and we will listen* (Exodus 20:19), and he did so, which is what is said, *I was standing between Adonai and you* (Deuteronomy 5:5). But when they heard the voice, grew apprehensive, and began panicking, and they could not withstand the assembly and the frightening sounds, they then said: *Now, why should we die? For this great fire will consume us*. Therefore, they said [to Moses], *Go near and hear*, because now [their] doubt regarding the source of prophecy was removed, as they said, *we have seen today that God does speak with man, and he lives*.

5:23 And you [*at*] tell us—Similar to, *If you* [*at*] *treat me this way* (Numbers 11:15).⁷²

⁷¹ There is great confusion here in the printed edition and all manuscripts consulted. First, the printed edition and some manuscripts have “You approached and stood (*vatta'amdun*),” which is a quote from Deuteronomy 4:11—“and stood” is absent from our verse. This is followed by some kind of comment: either “as it says” (*ka'asher ne'emar*), modeled on the previous comment here; “therefore it says” (*'al ken ne'emar*); or “therefore when it says” (*'al ken ka'asher ne'emar*). The difficulty is that none of these make sense with the continuation, which begins with the second word in the next verse (*hen*). What would this gloss be adding? In the previous comment on 5:18, the connection was between words with the root *y-s-f*; here, the connection between the sentences is straightforward. Therefore, it is hypothesized that *vatta'amdun* is a corruption of *vattomeru* (which resulted in the creation of connective tissue like “as it says” to “make sense” of it), the first word of the next verse, and this is all one long *sub verbo*, a common enough phenomenon in Aaron's writings.

⁷² *At* is the second person feminine singular subject pronoun. When the people address Moses here, and when Moses addresses God in Numbers 11:15, one would have expected masculine *atta*.

5:24 Adonai heard the voice of your words—For it was of their own free will, and [that is why] it says, *they have spoken well all that they have said*.

5:25 If only there were—For man has free will. It is said in this way as a figure of speech, similar to *if only my words were inscribed in a book* (Job 19:23).⁷³

5:25 To fear Me—For the ultimate purpose [of these commandments] is fear of God, for He is what gives life to [people's] souls.

5:25 And keep all My commandments always, that it might be well with them—For the commandments were given only for the benefit of the commanded [and not of the Commander].

5:26 Go tell them—Now He gives them permission to return to their tents.

5:27 But as for you, stand here by Me—to receive the commandments so you can teach them [to the Israelites].⁷⁴

5:28–29 You shall diligently do as Adonai your God has commanded you; you shall not deviate right or left—because it is according to the divine calculus, and by this calculus will you merit attaining the proper conduct, which He has designated for inheriting life in the world to come.

6:1 Now these are the commandments, statutes, and ordinances—which they were commanded via Moses, as it says, *and I shall give you the stone tablets with the divine instruction and the commandments* (Exodus 24:12).

6:2–3 That you may fear—Likewise, it says, *Adonai commanded us to observe all these statutes, in order to fear Adonai our God* (Deuteronomy 6:24), so we have two matters, each of which is the reason for the other: observing the commandments in order to fear God, and fearing God in order to observe the commandments. But the ultimate goal is so that *it may be well with you*, which is the benefit of the commanded, for when life is pleasant for animals they can attain their purpose, and the ultimate purpose is the flourishing of the perfected intellective soul.

6:3 So you shall hear, Israel, and diligently fulfill this—Accept and diligently fulfill that which is for your benefit.

⁷³ The Hebrew being translated as “if only” is *mi yitten*, literally “who will give/make it so,” and obviously God has the power to do anything and could make it so if He wished. But He prefers to let man have free will. Therefore, it is a figure of speech.

⁷⁴ It is not clear what occasions the commentary on 5:26–27. Perhaps Aaron is excluding an opinion we have not located.

6:4–5 Hear, Israel—Rabbi Aharon, may Eden be his abode, has rightly spoken: this verse does not teach about God’s unity, which is taught in a number of other places [in the Torah], as it says, *There is no one else besides Him* (Deuteronomy 4:35).

He was baffled at those who rely on this verse for His unity, for in his opinion they denied in all their statements [proofs of] God’s existence and omniscience from the Torah, so how could they rely on the Torah for His unity? We answered this question in *‘Etz haHayyim*, where we showed that Rabbi Yosef, may Eden be his abode, did not mean that we can rely on Scripture because of the weakness of the logical proofs that demonstrate His unity—on account of which Rabbi Aharon, may Eden be his abode, sought to demonstrate their strength—because the aforementioned sage was not oblivious to these [strengths]. Rather, Rabbi Yosef’s opinion was that together with the strength of these proofs for His unity by way of reason, one can also rely on prophetic statements.⁷⁵

It is true that [Rabbi Yosef] refused to take the prophet’s word as proof for His existence, and rightly so. He meant that belief in the prophet logically follows knowledge of God, so how, epistemologically speaking, can the flower be the root?⁷⁶ But such is not the case regarding belief in His unity, for there is no rational impetus to make belief in His unity antecedent to belief in prophecy, and for this reason we can rely on this locus for His unity. And thus did he say that the knowledge that He is omnipotent and omniscient cannot be poorly grasped, for through them His existence is [intellectually] acquired. And this is the reason that Rabbi Aharon, may Eden be his abode, said that the verse here wished to make clear that God is one and has no need for another, and so He does not do you good in order that He may gain satisfaction for some need of His.⁷⁷

It seems to me that the intent here is to instruct that the entity who governs us providentially is named Yah, and He alone existed at the beginning of reality, which did not encompass any other existent. For every nation of the world has its appointed angel in the supernal configuration, as is indicated by *behold the minister of Greece comes* (Daniel 10:20), *but the minister of the kingdom of Persia withstood me* (Daniel 10:13), and it says, *Adonai shall punish the supernal host on high, and the kings of the earth on earth* (Isaiah 24:21), and it says, *for one is observed by a higher one, and there are still ones higher than they are* (Ecclesiastes 5:7). And because each one of these powers is ready for good fortune or misfortune, and it is known that it will not be reliable with respect to that fortune since each power is universal and particular, and the universal can veto the decree of the particular, he therefore intends to clarify here that God, who is the true ground of being [*ne’eman hammetzi’ut*] and whom no other existence encompasses, is our power. Therefore, it is fitting to love Him and to cleave to Him, for He is reliable in

⁷⁵ For R. Yosef’s view and Aaron’s understanding of it, see *‘Etz haHayyim*, ch. 65.

⁷⁶ Meaning, how can one rely on prophecy as proof of something which itself must precede prophecy for prophecy to be believed?

⁷⁷ See *Sefer hamMivhar* ad loc.

His promises, be they for fortune or misfortune, as it says, *But He is at one with Himself, and who can turn Him?* (Job 23:13). Consequently, it is juxtaposed to *You shall love Adonai your God with all your heart, with all your soul, and with all your might*, for there is no doubt regarding His promises.

Perhaps one can say that it was necessary to instruct about His unity that He has no partner who can override or impede Him from keeping His promise. One can also say that he instructs about His unity because of the foolish opinions, which aver that He has power over good but not over evil, such that God affects what is good and Satan what is evil. He negates this idea when He instructs, *See now that I Myself am the one[, and there are no powers with Me]* (Deuteronomy 32:39).

6:6–7 These words... shall be—The subject matter of the commandments. He instructed them in how to perpetuate observance of the commandments.

6:7 And you shall teach them diligently [veshinnantam] to your children—To read them repeatedly, from the same root as *If I sharpen [shannoti]* (Deuteronomy 32:41) [the root being *sh-n-n*].

6:7 And shall talk of them—He mentions the three circumstances in which human beings find themselves [in one's home, on the way, and before or after sleep].

6:7 Before you lie down [uveshokhbe'kha]—Similar to *It shall be that before you eat [ba'akholkhem]* (Numbers 15:19) [where the prepositional *bet* means “before”].⁷⁸

6:7 And after you rise [uvekume'kha]—Similar to *after your weeks [beshavu'otekhem]* (Numbers 28:26) [where the prepositional *bet* means “after”].⁷⁹

6:8 You shall bind them for a sign on your hands [yadekha]—Without the *yod* indicating the plural.⁸⁰

Similar to *bind them on your fingers* (Proverbs 7:3) [both are metaphorical binding].

6:8 And they shall be a reminder [totafot]—The meaning of this has been explained.⁸¹

6: 9 You shall write them on the doorposts [mezuzot]—Similar to *Write them on the tablet of your heart* (Proverbs 7:3) [both are metaphorical writing].

⁷⁸ See *Keter Tora* ad loc.

⁷⁹ See *Gan 'Eden, Hag hash-Shavu'ot*, ch. 7, 56b.

⁸⁰ There is no *yod* following the *dalet* in *yadekha*, which although not vocalized is what differentiates plural “hands” from singular “hand.”

⁸¹ See *Keter Tora* on Exodus 13:16.

[Rabbanite] exegesis is that it is one of the doorposts, which they expound from the missing *vav* [between the two *zayins*]. Their opinion would be reasonable had the missing *vav* been the plural marker, but here it is the *vav* that lengthens [the vowel].⁸²

6:10 It shall be when... brings you into—He informs them what will come to pass in the fullness of time.

6:10 When [Adonai your God] brings you—When He brings you in *to give you great [and goodly] cities*.⁸³

6:11 And houses full of every bounty [kol tuv]—Even though it is in the absolute state, it takes a construct form. The opposite of this is *the choicest and best of Lebanon [veṭov Levanon]* (Ezekiel 31:16).⁸⁴

The meaning is that you will find all that you need and you will not need to work for it.

6:11–12 And you shall eat and be full; beware lest you forget—Because you will lack nothing that you wish to have, this will cause you to forget Adonai your God, so *beware lest you forget*.

6:13 You shall fear Adonai your God—[by observing] the negative commandments.

6:13 And you shall serve Him—[by observing] the positive commandments.

6:13 And you shall swear by His name—This is not a warning [not to swear by others] but is formulated like a commandment, that if one is obligated [in an oath], one should swear in His name, along the lines of, *the oath of Adonai shall be [between them]* (Exodus 22:10).

6:14 You shall not follow other gods... who surround you—For man is tempted by what is close to him.

6:15 For Adonai your God is a jealous God—and metes out vengeance swiftly, for just as He has power over fortune, so He has power over misfortune.

6:16–17 You shall not test Adonai your God, as you tested Him in Massah [bamMassa]—[The name Massah is preceded] by a definite article, because it says, *whom You tested by trial [bemassa]* (Deuteronomy 33:8).⁸⁵ [The test at Massah] is their statement, *is Adonai*

⁸² See Rashi ad loc.

⁸³ Given the placement of the cantillation marks, it could be parsed as follows: [brings you into the land which He swore to your forefathers... to give you] [great and goodly cities]. Aaron is saying it is to be read as follows: [brings you into the land which He swore to your forefathers...] [to give you great and goodly cities].

⁸⁴ The absolute is vocalized *tov* and the construct *tuv*. In our case, it is vocalized as a construct form when it is not, and in Ezekiel it is vocalized as an absolute form when it is not.

⁸⁵ The definite article is to differentiate *massa* as a toponym from its use as a noun meaning “trial.”

among us or not (Exodus 17:7),⁸⁶ rejecting [the fact of] His providence on account of His transcendence. You need to constantly verify providence through the signs and wonders brought into existence so that you know that His providence is with you; it is incumbent upon you to keep *the commandments of Adonai your God and His testimonies, and His statutes*, for they testify to the knowledge of the creation of new signs and wonders that He invented to verify His providence.⁸⁷

6:18 You shall do that which is right and good—For this is God’s desire in your observance of the commandments, that by observing the commandments you will be aroused to knowledge of His wonders, which verify His providence.

6:18–19 That it may be well with you—For through this you will merit possessing the land, and to *thrust out all your enemies from before you*.

6:20–23 When [your son] asks you—He explained how the commandments are gradual correctives toward the knowledge of God. On account of the question regarding the reason the commandments were given comes the assertion that it is because of the miracles that God brought into existence through His manifest providence. So when the fathers make this assertion to their children, knowledge of His existence and providence is verified, which is for the purpose of the flourishing of the perfected soul.

6:24 Adonai commanded us to observe all these statutes, in order to fear Adonai our God—so that we will not constantly need the invention of new signs to verify His providence, and through [keeping these statutes], we will be rewarded in both worlds, this world and the world to come. In this verse, they found a sufficient indication of resurrection, when he says *that He might keep us alive, as we are today*.

Indeed, when it says *It shall be a justice for us*, since justice is giving each thing its due, it is fitting to say that when we observe the commandments which are the divine calculus, we shall merit perfecting our corporeal existence and the flourishing of the perfected soul.

Philosophers have investigated the flourishing of the perfected soul and have understood that it is the apprehension of the supernal world. It is known from their investigation that the human intellect is composed of quiddity *in potentia* and quiddity *in actu*; the quiddity *in potentia* is the hylic intellect, and the quiddity *in actu* is the active intellect. Were it not for the actualized intellect that is actual, it could not be actualized, and the potential is actualized through the intellection of the intelligibles here. Were it not for the connection of the active intellect to us, it could not apprehend anything here, so when it is separated from us it cannot apprehend anything here. It cannot apprehend itself when it is

⁸⁶ It is a reference not just to a place but the particular event, and that is why there is a definite article preceding the name, which is anomalous.

⁸⁷ The Hebrew syntax here is difficult.

connected to us except in an incidental way, for it has no essence in and of itself except the intellection of things, but when it is separate, it can apprehend itself.⁸⁸

Whether it can apprehend the separate forms when it is connected to us, the philosophers searched for but did not find. But we have support from the words of the prophets that human intellect can apprehend the separate intellects, the apprehension of which depends on their configuration, through divine assistance, apart from apprehension of the separate intellect whose apprehension does not depend on the configuration, and this is what Moses merited. Indeed, the sect of philosophers' ultimate object of apprehension is to attain indirect knowledge of the existence of the separate intellect. Therefore, we need to draw a large distinction between indirect knowledge of the separate intellect and knowledge apprehending its essence. Indirect knowledge of the existence of the separate intellect is the complete preparation by which the intellective soul can flourish, and after separation from the body, it can apprehend the separate intellects so that it flourishes with immense pleasure.

One should not think that the thing that is prepared to receive something by achieving that preparation will of necessity receive it, so long as it has an agent to move it from potentiality to actuality, for then what would be the punishment of the wicked person's soul that achieved this preparation? And why did the pious pray for achieving that pleasure with God's help, since the intellective soul attains it with complete preparation?

Rather, it should be compared to prophecy, for the person with complete preparation can attain the level of prophecy, but he will not receive the prophetic efflux without divine assistance. It seems right to say that the reception of the hylic intellect from the active intellect is insufficient through preparation [alone] to apprehend the separate intellects, solely on account of [the intervening] corporeality. One ought to comprehend that the preparation for apprehending them depends on their configuration, since their potencies are linked to the lower existents, and the purpose of the existence in the lower world is man, such that all the supernal powers are tied to man, giving the human intellect the capacity to apprehend indirectly the existence of the separate intellects. But after [the intellect's] separation from the body, it can apprehend the separate intellects with divine assistance; therefore, on this does reward and punishment turn, whether the soul flourishes in its perfection or not. That is why the pious ones prayed and pinned the flourishing of the perfect soul on divine assistance, as it says, *Only God shall redeem my soul from the hand of Sheol, for He shall take me* (Psalm 49:16), and it says, *For with you is the source of life; by Your light we shall see light* (Psalm 36:10), and it says, *You shall make known to me the path of life* (Psalm 16:11), and many other indications in the words of the prophets. The opposite of this is the sinning soul, as it says, *[the soul] shall be cut*

⁸⁸ See further 'Etz haHayyim, ch. 106 (end).

off from its people (Leviticus 23:29).⁸⁹ There is no need to adduce proof for the loss of the sinning soul, for we have already elaborated upon this sufficiently in 'Etz haHayyim.⁹⁰

And one should understand from the words of the philosopher that prior to being joined to the body, the soul is universal, and in its conjunction becomes individuated, such that when it separates from the body it is both universal and individual, and this is the apprehension of the separate intellects according to the degree of its apprehension.

6:24–25 We have already commented in many places that when God gave the Torah, He intended to give the intellectual soul the ability to attain eternal life, and He gave them commandments and statutes that bring merit to the intellectual soul. Owing to the fact that this matter is so wondrous and mysterious to be the object of man's yearning, He designates the reward for keeping the commandments a good share of this-worldly pleasures, so that they will keep the Torah, and through this they will merit the flourishing of the soul. Consequently, it says, *Adonai commanded us observe all these statutes* and it also says, *it shall be a justice for us*, that is, when the intellectual soul, through keeping the commandments, attains its due portion through complete preparation, to merit life in the world to come through divine assistance.

7:1: When... brings you—He intended to remove impediments and obstacles from [following] the path of the commandments. Just as he benefited them by exhorting them, via gradual correction, to keep the commandments in order to preserve the knowledge that comprises the flourishing of the soul, so he guides them via warnings against destructive things that can cause the removal of His knowledge [from them].

7:1 And casts out [venashal] many nations from before you—This is transitive; *but the metal is dislodged [venashal] from the wood* (Deuteronomy 19:5) is intransitive.

7:1 The Hittite... the Amorite—The seven nations.⁹¹

7:2 Make sure to annihilate them—The intention according to our Rabbi Sahl, may Eden be his abode, is that it is a warning, meaning it is a preventative [to stop the suborning of your children] that is not a positive commandment, because it says, *For he will turn away your son from following Me* (Deuteronomy 7:4). This does not seem correct, because the intention of *annihilate* is to be a positive commandment.

7:2 You shall make no [covenant]—A negative commandment, that they not let them survive.

⁸⁹ See *Keter Tora* ad loc.

⁹⁰ See 'Etz haHayyim, ch. 109.

⁹¹ The reason for this comment (or why these two nations alone are mentioned) is not immediately clear. Perhaps Aaron is calling attention to the fact that this is the only place in the Pentateuch where all seven nations are enumerated.

7:2 Nor show mercy to them [*tehonnem*]*—*Similar to *but the perverseness of the treacherous shall destroy them [yeshoddem]* (Proverbs 11:3), geminate verbs.⁹²

7:3-4 You shall not make marriages with them... For he would turn away [*yasir*]*—*Meaning, the father-in-law. Some say that it is the deed itself that *will turn away your son*.⁹³

It could be understood as “she will turn away” [*tasir*], similar to *and all wives will offer [yittenu] respect* (Esther 1:20).⁹⁴

7:5 Thus shall you deal with them*—*in order to erase any vestige of idol worship.

7:6 A treasured people*—*Like a precious and majestic possession that a person keeps hidden and separate from other things.

7:7 Nor... because you were more numerous*—For in the multitude of people is the king's glory* (Proverbs 14:28).

7:8-9 But because Adonai loves you*—*There is no doubt that what was said to Abraham, *For I have known him, that he will command his children* (Genesis 18:19), is that he transmitted to them His unity, as He said, *that they may keep the way of Adonai* (*ibid.*), such as [in] the house of study of Aaron and the Levites. Consequently, it says, *but because Adonai loves you, and because He keeps the oath* to preserve Abraham's progeny, in order to give them a beloved land, a magnificent inheritance belonging to a multitude of nations, and for this reason, He took them out of Egypt through miraculous and wondrous means. Hence, you should realize that Adonai your God is a faithful God, who can fulfill His promises.

7:9 Keeps the covenant*—*that He made with Abraham.

7:9 And lovingkindness*—*Providing them their daily needs and their physical health.

7:9 With those who love Him*—*As mentioned in *the offspring of Abraham My beloved* (Isaiah 41:8); *and who keep His commandments*, as it says, *But because Adonai loves you, and because He keeps the oath*.

⁹² The root of *tehonnem* is *h-n-n* so the *ḳamatz* is in a closed syllable (making it what we call today a *ḳamatz ḳaṭan*), and the same is true of *yeshoddem*, the root being *sh-d-d*.

⁹³ According to this interpretation, the verse should be translated: “For it would turn away...”

⁹⁴ The final interpretation suggests that the verse's singular masculine verb *yasir* should be construed as singular feminine, in the same way the women who are the subject of the verse from Esther take a masculine plural verb. As such, the verse would be saying that the non-Israelite bride will turn the Israelite groom away from God.

Alternatively, the meaning of *those who love Him* is those who apprehend Him; *and who keep His commandments* are those of the second rank, for it is not possible for them to be one and the same.

7:9 To a thousand generations—That the merit of the forefathers shall benefit the son if he be righteous, and *to a thousand generations* means forever.

7:10 And repays those who hate Him to their face [... He will not be slack]—He will delay it at most to the fourth generation.

And he said, *to their face, for his eyes will behold his ruin* (Job 21:20), for some will have a fourth generation, but they will all be wicked and deserve annihilation, all because of the previous sin.

7:10 To destroy him [leha'avido]—In the singular, which is *He will repay him to his face*.

The interpretation of *repay him* his merit in this world, *to destroy him* in the world to come, is not fitting.

7:11 Consequently, you must keep the commandments, statutes, and ordinances, since He is an omnipotent God who is true to His promises, whether for promised fortune or misfortune.

7:11 Which I command you today to fulfill—For performance is paramount.

7:12 It shall happen, because [‘eḵev]—In the sense of end result, since the heel [‘aḵev] is the lowest extremity of the human being; that is to say, the end result of keeping the commandments, since the reward comes at the end. Some interpret this causally, that keeping the commandments will have the result *that Adonai your God shall keep with you the covenant and the lovingkindness*.

7:12 You listen—Meaning, you accept.

7:12 These ordinances [mishpatim]—He picks up where he left off.⁹⁵

Alternatively, because ordinances are how the world endures, for human beings give up on doing justice [mishpat],⁹⁶ he put the reward for following the ordinances first, for by following the ordinances, the statutes and commandments also endure.

7:12 And keep—by investigating and ruminating upon them.

7:12 And observe them—For performance is paramount.

7:12 Adonai your God shall keep with you—Keeping [the covenant and lovingkindness] in return for keeping [the ordinances].

7:12–13 The covenant and the lovingkindness—The covenant is what he says, *He shall love you, bless you, and increase you*, as well as the giving of the land.

7:12–13 The lovingkindness—This is the blessing of foodstuffs, plants, and animate and inanimate things, for in this way the covenant shall endure.

7:13 He will love you [ve’ahevkhā]—This is in the *qal* paradigm following the *pa’el* pattern, as in *and asks you [ushe’elekha]* (Genesis 32:18) [where the second root letter takes a *tzeré* instead of *pataḥ*].

7:13 Bless you, and increase you—One elucidation after another, since the ramification of the love is the blessing, and the blessing is the increase, and the increase will be the blessing of the fruit of the womb. Consequently, *He shall bless the fruit of your womb and the fruit of your soil*.

7:13 Your grain, new wine, and oil—He lists three principal foods from vegetation, and everything else is included in them.

7:13 The young of your livestock [shegar alafekha]—[*Shegar* is] one of five [segolate nouns] that are altered from their regular *pe’el* form when they appear in the construct

⁹⁵ In 7:11, “ordinances” are the final item listed, so he begins with “ordinances” here in 7:12.

⁹⁶ Presumably he means that without divine ordinances, human beings naturally despair of justice being done.

state. As for the one who includes *gevar tamim* (Psalms 18:26) as an example of this, that form [gevar] is not in construct.⁹⁷

As for the meaning of *shegar*, it is fitting for its sense to be along the lines of *Cast out [garesh] the maidservant* (Genesis 21:10), and it is a case of metathesis like *kesev* and *keves* [both of which mean “sheep”]. Birth is casting out since the fetus is expelled from the womb.

7:13 Livestock [alafekha]—These are the cattle that are domesticated [*me’allefim*], from the same root as *alluf* [trained], in the sense of *a trained heifer* (Hosea 10:11).

7:13 And the young [‘ashterot] of your flock—It is possible that it means the same thing as *shegar*, given *the fruit of your womb and the fruit of your soil*.⁹⁸

The intent can also be like *flocks of sheep* (Genesis 29:2), and this may explain the placename Ashteroth, named after the flocks of sheep, as in the statement, *and behold the place was a place for livestock* (Numbers 32:1) [a reference to Ashteroth among other places]. Perhaps the Baal and Ashteroth [worship mentioned in the Bible] is a type of idol in the image of a sheep, as we find, *to Ashtoreth, goddess of the Sidonians* (I Kings 11:33).

7:14 Now he blesses them that there should not be among them *a barren man* who cannot impregnate, nor *a barren woman* who cannot conceive, and likewise among their animals.

7:15 Adonai shall remove all sickness from you—which arises incidentally from miasma.

7:15 All the terrible diseases of Egypt—which are willed by God as chastisement.

7:15 He shall put [yesimam] none... on you—The [final] vowel [of the plural object suffix] has changed [from the expected *tzeré* to *pataḥ*], as in *I cut them off [amilam]* (Psalms 118:10).

7:15–16 But shall lay them on all those who hate you—This is a double show of favor. Therefore, you will be able to consume all the nations as one consumes food.

7:16 Your eye shall not pity them—For you are commanded to annihilate them.

7:16 You shall not worship their powers—A warning that they should not worship idols.

7:16 For that would be a snare to you—The worship of them, or [the idea of a snare] applies to each [preceding clause].

⁹⁷ See Ibn Ezra on Psalms 18:26. The translation is not given because it hinges precisely on whether this is a construct chain or not.

⁹⁸ Since the word “fruit” (*peri*) is repeated, this would also be a repetition using synonyms.

7:16–17 Some explain that since at the conclusion of the previous Torah portion he listed three types [of injunctions]—commandments, statutes, and ordinances—and in the section [beginning] *It shall happen* he said [only] *the ordinances* (Deuteronomy 7:12), therefore the blessings set forth in this [preceding] section are the blessings for [keeping] the ordinances, which are twenty blessings. They are forced to say that in the section [beginning] *If you shall say* (Deuteronomy 7:17), the blessings he sets forth are the blessings for [keeping] the statutes, which are ten blessings; and in the section [beginning] *All the commandments* (Deuteronomy 8:1), he enumerates the blessings for [keeping] the commandments, which are four blessings. In total, there are thirty-four [blessings].

It seems to me that he mentioned the two extreme items [on the list of three, namely, the commandments and the ordinances], the middle item [the statutes] being included with them, such that whatever is said about one is said about the other.

7:17 If [*ki*] you shall say—Perhaps you shall say, *These nations are more numerous than I; how can I dispossess them?*

7:18 You shall not be afraid of them—He promised them that “since God governs you through manifest providence, you should remember what He did in Egypt.”

7:19 The great trials... the wonders—which were [done] by changing nature, and through this you should know that *so shall Adonai your God do to all the peoples of whom you are afraid.*

7:20 Moreover... the affliction [*tzir‘a*]—This is a sickness by which they shall perish, even though they shall not do battle with you, as it says, *until those who are left and hide themselves perish from before you.*

7:21 You shall not be scared [*ta‘arotz*]—The sense is breaking [of the spirit], similar to, *because I feared [e‘erotz] the great multitude* (Job 31:34). Because God, who is *a great and awesome God*, is in your midst, and all fear Him and tremble before Him.

7:22–23 Adonai your God shall cast out those nations before you little by little—And should you say that *these nations are more numerous than I* (Deuteronomy 7:17), [know that] it is not because of impotence that He does not destroy them immediately, rather it is so that the animals of the field do not outnumber [and attack] you, for there are not enough of you to inhabit the entire land since it is long and broad. Nevertheless, trust that Adonai your God will deliver them up before you.

7:23 And confuse them [*vehamam*] with a great confusion—It is vocalized entirely with *qamatz* vowels, similar to *and did not put them [shatam] onto Laban’s flock* (Genesis 30:40), and the [final] *mem* is [a] pronominal [object suffix]. It is not similar to *Although he drives [vehamam] the wheel of his threshing cart over it* (Isaiah 28:28), which is half

vocalized with a *kamatz* [the *hé*] and half vocalized with a *patah* [the first *mem*], and the [final] *mem* is a root letter of a geminate verb [*h-m-m*].⁹⁹

7:24 He shall deliver their kings into your hand—even though they are strong.

7:24 And you shall make their name perish—despite the reputation they have on account of their strength and bravery. Some say that [*their name*] is their coinage because they minted them with their names.

7:24 None shall be able to stand before you—even though you said, *who can stand before the sons of Anak?* (Deuteronomy 9:2).

7:24 Until you have destroyed them [*hishmidekha*]—It is an infinitive, [and] the referent of the pronominal suffix is the one doing the action. It takes a *hirik*, similar to *leaving them* [*hish'ir*] *no survivors* (Joshua 11:18).¹⁰⁰

7:25 Images of their powers [*pesilé elohehem*]—Some say that this is similar to *men who are wicked* [*bené beliya'al*] (I Kings 21:10).¹⁰¹

Perhaps one can say that he required burning them so that they would not covet them for the gold and silver that adorned them, similar to *until the pursuers had returned* [*ad shavu harodefim*] (Joshua 2:22),¹⁰² and the meaning is that one should not covet them and bring them into his house.

7:25 Lest you be ensnared—for they make them to mimic the form of the supernal entities, and through this you will come to worship them and they will ensnare you.

7:25–26 First [he commanded] not to worship them, and now not to bring them home to hide them because of the *silver or gold that is on them*, lest he become *a proscribed thing like it*.

7:26 You shall utterly detest it—for it is a disgusting thing from which you should get no benefit, and you should distance yourself from it as if it were abominable.

⁹⁹ In our verse, the verbal root is *h-y-m*, so the final *mem* is a pronominal suffix, and the vocalization follows that of a defective verb with a pronominal suffix. In Isaiah 28:28, the verbal root is *h-m-m*, so the final *mem* is part of the root, and the vocalization follows that of a geminate verb with no suffix.

¹⁰⁰ Although it is vocalized according to the pattern of the imperfect masculine singular, the infinitive sometimes takes this form, as in the proof-text.

¹⁰¹ Although in construct, this interpretation does not take the two terms to be semantically genitive, so here it would be construed as “engraved images which are their gods.”

¹⁰² In our verse, the Hebrew is *keseף vezahav 'alehem*, and Aaron is proposing that it is missing a relative pronoun *asher*. Such is the case in Joshua 2:22, which should read *'ad asher shavu harodefim*, but is missing *asher*. The reading of this interpretation has been adopted in the translation of the verse.

7:26 For it is a proscribed thing—You should not endanger yourself because of it.

8:1 All the commandments—Because it says, *Adonai your God shall cast out those nations before you little by little* (Deuteronomy 7:22), he says “you shall not merit this unless you keep all the commandments,” in other words, the Torah in its entirety, as he says, *that you may live and multiply, and enter and possess*.

8:1–2 And if you wish to comprehend this, remember *the entire way which Adonai your God has led you these forty years*, during which He governed you through manifest providence, which was not only temporary but for a long duration.

8:2 These forty years... that He might humble you, to test you—because His governance in the great and terrible wilderness was miraculous. Since the survival of human beings in civilization is natural, He had them walk through the wilderness in order to be shown divine miracles.

8:2–3 To know what was in your heart—This does not mean that God tested them in order to know [what was in their heart], for, heaven forbid, there is no deficiency in God’s knowledge; indeed, He knows how things turn out. Rather, the meaning is: “for you yourself to know¹⁰³ what is in your heart, for you are of two minds in making a decision, the two options being *whether you would keep His commandments or not*.” He further humbled you, allowed you to go hungry, and fed you manna, that you might know that He governs you with manifest providence, because He gave you the manna.

8:3 Nor you fathers knew [*yade’un*]—The *nun* is superfluous, similar to *they poured out* [*tzakun*] *a prayer* (Isaiah 26:16), where the *nun* is added to the past-tense verb after the *vav* marking the plural.

8:3 That He might teach you that man does not live by bread alone—Indeed, a person’s life is dependent upon God’s will.

8:3 By every word that issues from Adonai’s mouth—As such, everything is dependent upon God’s will and providence, whereas extra providence is miraculous [by going beyond the natural order sustained by God].

8:4 Your clothing did not wear out on you, neither did your foot swell [*batzeka*]—This is [in the *qal* paradigm] following the *pa’el* pattern, similar to *rang with joyous cries* [*vesameha*] (Esther 8:15).¹⁰⁴

¹⁰³ The printed edition and almost all manuscripts read *ladda ‘at otam*, when one would expect *lehodia’* for this causative sense. We have corrected the text based on one manuscript which reads *ladda ‘at atta*, which fits the context and could easily have been corrupted to *otam*.

¹⁰⁴ Both forms take a *tzeré* instead of the expected *sheva na’* because they are pausal forms.

8:4–6 *Forty years* is a long duration, so if He disciplined you occasionally, it was discipline out of love in order to benefit you, *as a man disciplines his son*. Therefore, you must keep *the commandments of Adonai your God*, the purpose of which is *to fear Him*. For keeping the commandments verifies that you believe that God’s providence extends to the lower world, such that you believe that you are subject to reward and punishment. It was for your benefit that He conducted and led you in the wilderness and His providence was upon you.

8:7 For *[ki]* Adonai your God brings you—*[ki]* expresses] a certainty, similar to *For [ki] Adonai your God has blessed you* (Deuteronomy 2:7).¹⁰⁵

8:7 Into a good land—For it is a land that is blessed with everything, and your sustenance shall not be dependent on divine providence as it was in the wilderness, but rather you shall find your sustenance naturally.

8:7 Springs and underground water flowing *[tehomot yotze'im]*—Similar to *The deep says [tehom amar], “It is not in me”* (Job 28:14).¹⁰⁶

8:8 Grapevines, figs, and pomegranates—just like the spies retrieved. He mentioned [these] seven things, they say, because they increase the blood.¹⁰⁷

8:8 A land of oil olives—For there are olives which do not produce oil.

8:9 Without scarcity *[bemiskenut]*—Similar to *Better a poor [misken] but wise youth* (Ecclesiastes 4:13), the sense being poverty.

8:9 You shall not lack anything *[kol]* in it—Meaning, anything.¹⁰⁸

8:10 And you shall bless Adonai—You are obligated to offer Him praise.

8:11 Beware—Once you see that your sustenance comes to you naturally.

8:11 Lest you forget Adonai your God—to not keep His commandments.¹⁰⁹

¹⁰⁵ The printed edition erroneously points to Deuteronomy 15:6; see the note accompanying the commentary on Deuteronomy 2:6–7.

¹⁰⁶ Despite taking the feminine plural (*-ot*), these are instances where *tehom* is treated as masculine with a masculine plural participle and a masculine singular imperfect verb.

¹⁰⁷ Ibn Ezra ad loc.

¹⁰⁸ Aaron is noting that in Hebrew, the word *kol*, which usually means “all” or “everything,” means “anything” when in a negative construction.

¹⁰⁹ This parsing of the commentary on this verse means that the forgetting is through not keeping God’s commandments. Another possibility is that the two comments are one, and it should read: “Beware – Once you see... naturally, lest you forget Adonai your God, to not keep His commandments.”

8:12 Lest, when you have eaten and are full—Along the lines of *But Jeshurun grew fat and bucked* (Deuteronomy 32:15).

8:14–16 Your heart might grow haughty so that you forget Adonai your God—who governed you through manifest providence, as he says, *who brought you out of the land of Egypt... who led you through the [great and terrible] wilderness... who fed you manna... that He might humble you*, for He humbled you and tested you so as to demonstrate His providence through that governance.

8:16–19 To do you good in the end—Behold He brought you to a land replete with bounty, and if you became rich it was by the power of God, who was rewarding you like He promised. You should not say: “*My power and the might of my hand has gotten me this wealth*”; rather, it is incumbent upon you to remember the glorious God who watched over and led you, *for it is He who gives you power to obtain wealth, that He may establish His covenant*, which he promised to the Patriarchs. And if you do not take to heart all of this, but forget Adonai your God and worship idols, *I testify against you today that you shall surely perish*.

8:20 As the nations that Adonai causes to perish—For you know that it was because of their evil deeds that they were struck down, and so if you rebel, you too shall be struck because of your sins.

8:20 Because you would not listen—This is the consequence of sinning.

9:1–2 Hear Israel—You must comprehend that it is only on account of manifest providence that you enter *to dispossess nations greater and mightier than you*, for they are numerous and strong, and, as you have heard, there are Anakim there.

9:3 Know today that Adonai your God... as a devouring fire—Since He is a mighty God *He shall destroy them and He shall make them submit before you* [that is, the fire is not literal].

9:4 Do not say in your heart, after Adonai... has thrust... saying, “On account of my righteousness”—[Do not] think well of yourself, that you were rewarded with this inheritance because of your merit, and because of the wickedness of those nations, *God drives them out from before you*.

9:5–6 On account of your righteousness—Only on account of the wickedness of the nations and the oath to the Patriarchs, and not due to your merit, *for you are a stiff-necked people*.

9:7 So remember, do not forget—He begins rebuking them, that they should not hold fast [to the notion that] they merited the land on account of their righteousness despite their

repeated disobedience, in order to rebel yet again, thinking that it will not count toward their punishment.

9:7 You have been rebellious against Adonai—This encompasses the complaints that they made [against God] from the time of their exodus from Egypt.

9:8 And at Horeb—began the greatest rebellion of all, involving idolatry about which they were warned during the giving of the Torah. He abbreviated the earlier complaints.

9:9 When I had ascended the mountain... I stayed on the mountain forty days—We have already explained the meaning of this forty-day stay.

9:10 The two stone tablets... on them were all the words [*devarim*]—These are the ten utterances [*devarim*].

9:11 It came to pass at the end [*miḵḵetz*]—Meaning, at the end [*missof*].¹¹⁰

9:12 Adonai said to me, “Rise, go down”—It seems that the day he went down was the day after the making of the Golden Calf.

9:12 For your people... have corrupted themselves—The sense is idolatry, [similar to] *lest you corrupt yourselves [and make yourself a carved image]* (Deuteronomy 4:16).

9:12 They have made a molten image—They say that it was made according to [*‘al*]¹¹¹ the powers of the zodiacal constellations to which their hearts inclined, and it says, *you know the people, that they are set on evil* (Exodus 32:32). According to the straightforward reading of the verses, Aaron [who made the preceding statement to Moses] made [the Golden Calf], and we explained in the Torah portion of *Ki Tissa* what the reason was.¹¹²

9:14 Leave me alone—It was to spur Moses to stand in the breach and quell His wrath through prayer so that He would not destroy [the Israelites].

9:14 I shall make of you—To fulfill the promise to the Patriarchs through you.

9:15–17 So I turned and came down... the two tablets—Since the Israelites had sinned and rebelled against the fundament [of the faith], why did he bring them down if he intended to break them? There is an argument that if he had not brought them down, what would he have said regarding his lateness? So it was in order for them to see and have verification as to why he had tarried. But the intent really was to demonstrate to them that now He removed His providence from them, the evidence being the breaking of the tablets, which was irrevocable.

¹¹⁰ *Ḳetz* can mean “end” or “beginning” (see Ibn Ezra ad loc.), so Aaron is clarifying which it means here. See his comments below on Deuteronomy 15:1 and 31:10.

¹¹¹ The precise meaning of this preposition here is not clear.

¹¹² See Aaron’s commentary at length at the beginning of Exodus 32.

9:18 I threw myself down before Adonai, like the first time—According to Rabbi Aharon's opinion that he did not pray initially but only at the end of the forty days, the meaning of *like the first time* refers not to the prayer but to the duration of his stay for forty days.

What is the problem, though, if *like the first time* refers to the prayer? The comparison is not to the [duration of] forty days, even if the second prayer indeed lasted the second forty days.

Ibn Ezra noted similarities between the two prayers, namely the one in *Ki Tissa* during the first forty days and the one in this section during the second forty days, and given their equivalency, he could not accept that there were two prayers—the two are one. He thought it reasonable that it happened as written in this Torah portion [that is, the prayer was during the second forty days], and gave the semblance of a reason in arguing that it would have been impossible for him to pray during the first forty days, because it would have been impossible to pray for their forgiveness while the idol was yet in their midst. Even though the prayer is included with the first forty days in the Torah portion of *Ki Tissa*, that is because he had to elucidate other matters, and the chronology did not allow for it to be written later, so it was included earlier [than it had in fact occurred]. Consequently, he understood *like the first time* to mean when Moses had prayed at the Red Sea and was answered.

But the reason he gave, that he could not have prayed while the idol was in their midst, is not a fitting reason, because the intent was not to acquire complete forgiveness for them but to avert His annihilation of them. Furthermore, the idea that the prayer was during the second forty days but was moved earlier in the chronology to the first forty days defies logic. If in fact the equivalency between the two prayers leads one to conclude that these could not have been two prayers, one must follow either the chronology in the Torah portion of *Ki Tissa*, which puts it in the first forty days, or the chronology in this Torah portion, which puts it in the second forty days.

Rabbi Aharon, may Eden be his abode, taught that there were indeed two prayers, since it says here *like the first time*, and he found it reasonable that in *Ki Tissa* it mentioned the first one during the first period of forty days, and in this Torah portion it mentions the second one during the second period of forty days.

This, too, does not make sense, because why did it leave out the second one from *Ki Tissa*, which is the main locus of punishment, and leave out the first one from this Torah portion? Moreover, the two prayers are similar and can have a single meaning—the desire to avert His annihilation of them—so why repeat the prayer itself?

Therefore, I should like to say that truthfully he prayed twice, so he said *I fell down before Adonai, like the first time*. The first was what is mentioned in the Torah portion of *Ki Tissa*, before his descent, in order to avert His annihilation of them, and the second is what is alluded to in the second [forty], *Please, this people has sinned* (Exodus 32:31). But this prayer is not specified, it only says, *I fell down before Adonai, like the first time*.

Although it is the first prayer specified in this Torah portion in the second [forty], we have already noted in the Torah portion of *Ki Tissa* the correct chronology, as explained here, since the prayer laid out here is the first prayer.¹¹³ With this, all obstacles are removed and all issues are contextually resolved.

9:18–19 It has been clarified, then, that after [Moses] explains that he came down and broke the tablets, he needs to say that he ascended again and prayed for a second time. Consequently, it says, *But Adonai listened to me that time also*.

9:20–21 Adonai was angry enough with Aaron—We already explained in the Torah portion of *Ki Tissa* why Aaron made it [the Golden Calf], what his intent was, and why God got angry at him—God forbid that he actually intended to make an idol.¹¹⁴ But in this Torah portion, [Moses] explains the generalities and omits details, and moreover he uses this omission to go backwards in time [to the events of the Golden Calf].

9:21 Your sin—This was before he went up the mountain the second time.

9:21 And crushed it [*va'ekkot*]—Some grammarians say that the *dagesh* compensates for a silent letter [*shokhen*]¹¹⁵ and the word is a geminate verb [*k-t-t*], but others say its root is *n-k-t* [and the *dagesh* compensates for the assimilated *nun*].

9:21 Grinding [*tahon*]—An infinitive [absolute], the meaning of which is that he ground it with implements.

9:21 As dust [*le'afar*]—The *lamed* substitutes for *kaf*, similar to *and became like water* [*lemayim*] (Joshua 7:5).

9:22–23 At Taberah—It seems to me that because He said, *Now go... and on the day when I punish, I shall punish them for their sin* (Exodus 32:34), and this [punishment] was carried out when the spies were sent, he wants to mention the matter of sending the spies. And since he wants to connect this episode to the sending of the spies, he [first] brings the complaints that they made until they came there.

9:22 At Massah—It is possible that it is close to Taberah, and whenever Taberah is not mentioned, Massah is not mentioned. It is not the Massah mentioned before the giving of the Torah, *Massah and Meribah* (Exodus 17:7), for it was necessary to bring only the complaints made after the giving of the Torah.

9:25–26 So I threw myself down before Adonai the forty days—Meaning, at the end of the first forty days, as I mentioned. And I cannot reconcile myself to the opinion that this

¹¹³ See *Keter Tora* on Exodus 32:11.

¹¹⁴ See Aaron's commentary at length at the beginning of Exodus 32.

¹¹⁵ This term, often used contrastively, is employed throughout *Keter Tora* to mean something that is not pronounced, vocalized, or emphasized: a quiescent letter, a letter with a *sheva nah* as opposed to a vowel, or a letter without a *dagesh*.

statement alludes to the prayer that he prayed during the second forty, namely, *Please, this people has sinned* (Exodus 32:31), while the statement, *I prayed* is about [the prayer of] the first forty days. Instead, both statements refer to the first prayer.

9:26 “Lord-Elohim do not destroy”—This is the first prayer, and although there is some variation [with the prayer recorded in *Ki Tissa*], Hebrew speakers preserve the meanings [rather than the words].

10:1 At that time, Adonai said to me—He picks up where he left off, that he had prayed a second time and they were forgiven.

10:1–5 Chisel two stone tablets like the first ones... and make an ark of wood—Truthfully, this is not a reference to the ark of Bezalel [constructed for the Tabernacle], because the Torah portion of *Vayyakhel* could not have taken place now when they had not yet been entirely forgiven. Moreover, the tablets were only put into Bezalel’s ark when the Tabernacle was erected, as it says, *he took and put the testimony [into the ark]* (Exodus 40:20), so where were the tablets placed until the Tabernacle was constructed? And Bezalel’s ark was coated with gold, and here it says, *an ark of wood*. One cannot argue that it does not say this [instruction to make a wooden ark] with the first tablets, since God knew he would break them. Likewise, it says, *[I put the tablets] in the ark which I had made*, and it is also implied in, *and they remained there as Adonai commanded me*.

10:6 The Children of Israel traveled from Beeroth-benejaakan—He wanted to mention Aaron’s death [here] because he was forgiven for the episode of the Golden Calf; his death did not occur until the fortieth year.

10:6 There, Aaron died—But did Scripture not note [in Numbers 33] that Aaron died after eight¹¹⁶ journeys in the vicinity of Mount Har? It is not, as the [Rabbanite] traditionalists have it, that after Aaron’s death they traveled back eight journeys;¹¹⁷ what seems to fit the intent is that Bene-jaakan is not Beeroth-benejaakan, and neither is Moseroth Moserah.

10:8–9 At that time Adonai set aside—Because he mentioned Aaron’s death, [to convey] that he was not punished for the Golden Calf, he juxtaposes it to the Levites, since not a single one of them sinned with the Golden Calf, as it says, *all the sons of Levi gathered themselves to him* (Exodus 32:26). On account of this, the tribe of Levi merited being chosen, as it says, *to bear the ark of Adonai’s covenant*. And they constituted Aaron’s academy in Egypt. [Aaron and the Levites are mentioned contiguously here] in order to

¹¹⁶ The printed edition has *hamish-sha*, “five,” whereas most manuscripts consulted only have a single letter, some *het* and some *hé*. Given that the correct number is eight (based on the count in Numbers and on Rashi ad loc.), it would seem that one of two things occurred: (1) *het* was miscopied as *hé*, which was understood as *hamisha* given its numerological value; or (2) *het* with apostrophe was misconstrued as a shortened form of *hamisha* and expanded thusly.

¹¹⁷ See Rashi ad loc.

imply that just as the tribe of Levi was chosen, so too Aaron was chosen for the high priesthood, because of the punishment he meted out for the Golden Calf.

10:10 I stayed on the mountain—Even though the text indicates that Moses spent three periods of forty days on the mountain, this verse cannot be about the third [period of] forty days, for then what would the meaning be of *and Adonai listened to me that time also. Adonai refused to destroy you?*

10:11 Adonai said to me, “Rise”—This might be a reference to the statement, *now go, lead the people* (Exodus 32:34), and he finished [the narration of] this episode [with this statement], even though a great deal occurred afterwards.

10:12–13 Now, Israel—It seems to me that because it said, *now go, lead the people*, that their guidance would be through the intermediaries, as it says, *but I will not go up among you* (Exodus 33:3), and *when the people heard this bad news, they mourned* (Exodus 33:4). So Moses entreated God greatly, and God was appeased so as to govern the Israelites Himself, and not through an intermediary. Consequently, he begins this section with: *Now, Israel, what does Adonai your God require of you, but to fear [Adonai]*. And what is this fear? It is *to walk in all His ways, and to love Him, and to serve Him*, that is the true measure of fear. And how will it be made known? By keeping *Adonai’s commandments and His statutes*.

10:14 Behold, to Adonai your God belongs heaven—the sphere of the stationary stars, and *the heaven of heavens*, a reference to the spheres of the seven planets.

Alternatively, *heaven* refers to the angels and *the heaven of heavens* to the spheres.

10:14–15 And the earth, with all it contains—The intent is that God governs the lower world through intermediaries, for the lower world receives [the efflux] from the intermediate world, and the intermediate world [receives] from the spiritual world, and the spiritual world is [directly] under the power of God. And even though God established the world to endure according to this order that He devised according to His wisdom, His providence being connected [directly] from the Throne of Glory to the midpoint of the earth, *Adonai desired only your fathers*, meaning, cleaving [to them], for His governance of them is without any intermediary.

10:15 And He chose their offspring after them—Not, however, the children of Ishmael or of Esau [who were also the sons of the Patriarchs].

10:16 So circumcise the foreskin of your heart—For this reason it is incumbent upon you to remove all impediments, for just as God dwells in the great heights, so He dwells in the humblest of hearts, as it says, *I dwell in the high and holy place, and with him who is of a contrite and humble spirit* (Isaiah 57:15).

10:16 And be stiff-necked no longer—As you were with the Golden Calf, when He said, *for you are a stiff-necked people* (Exodus 33:3). In other words, do not follow the path that you have been accustomed to following.

10:17 For Adonai your God, He is the Power of powers and the Lord of lords—Meaning, when you rebel, [know that] He is the Power of powers and the Lord of lords, and if you distance yourself from Him by not removing the impediments, you will [be governed] by the intermediaries, and through them you will be afflicted by every misfortune that God wills. Because He *does not show favor*, such that you would be saved from the misfortune through the merit of the Patriarchs.

10:17 He is described by attributes that accord with how He relates to the three realms of reality. He said, *the great... God* with respect to the world of the angels, for they are in the highest realm, and God is above them. Accordingly, he is described with the adjective *great*, in the sense that *Adonai is greater than all powers* (Exodus 18:11).

He said, *mighty* with respect to the world of the spheres, which He makes revolve in twenty-four hours of motion which defies comprehension. As explained in the measure of distances, it is 7,260 earth radii, yet the sun completes this circuit in twenty-four hours. Is this not a wonder of wonders? Accordingly, He is described as *mighty*.

And he said *awesome* with respect to the four elements that are subject to generation and corruption, addition and subtraction, and change in quality by way of the intermediaries under God's power. Accordingly, He is described as *awesome*.

Consequently, you should fear Him and not rebel, for He *does not show favor* to save you from the promised misfortune through the merit of the Patriarchs, or because you are of His household.

10:17–20 Or take bribes—For *does God have need of offerings or sacrifices* (I Samuel 15:22)? The evidence is that *He exacts justice for the fatherless and the widow*, for this is not showing favor since they have a small profile,¹¹⁸ *and loves the stranger to give him food and clothing*, which is not because of the merit of the fathers. And how could He take a bribe to incline the judgment? Consequently, [*You shall fear Adonai your God*].

10:20 You shall fear Adonai your God—through the negative commandments, and *You shall serve Him* through the positive commandments.

10:20 You shall cleave to Him—and not to angels or the celestial hosts.

10:20 And you shall swear by His name—and not by the names of other supernal powers, thereby bestowing upon them favor and respect.

10:21 He is your praise—and not the angels.

10:21 And He is your God—and not the spheres.

¹¹⁸ The vocalization of the Hebrew here, and therefore its meaning, is tentative.

10:21–22 Who has done for you these great and awesome things—For what occurs through the intermediaries must follow the natural course; they can do nothing miraculous, only what accords with their causation [or revolutions]. And yet, it is miraculous that *Your fathers went down to Egypt with seventy persons*, and from the fifty-five people,¹¹⁹ thousands and myriads emerged in the course of only 210 years.

11:1 Therefore, you shall love Adonai your God—by keeping *His instructions, statutes, etc.*

11:2–7 Know... that I do not speak with your children—Since he said, *which your eyes have seen* (Deuteronomy 10:21), he [now] says, *not... your children who have not known and who have not seen the chastisement of Adonai your God* that He carried out in Egypt, all those miracles that he recounted, they will enter and take possession of the land; *but your eyes have seen*, that is, you who have seen these miracles with your own eyes will enter the land.

11:8–9 That you may be strong, and enter and possess—Given the miracles that you have seen, you can trust that you will inherit the land, as long as you observe God's commandments. By keeping the commandments, you will also *prolong your days* on it, and you should do so for it is *a land flowing with milk and honey*.

11:10 For the land—He now begins praising the land.

11:10–11 Is not like the land of Egypt—Even though [Egypt] is a good land, as it says, *like the garden of Adonai, like the land of Egypt* (Genesis 13:10), it must be watered [by labor] *with your foot*, but the land of Israel is a land of *hills and valleys*, and its seeds sprout from rain.

11:11 From the rain of the sky [*limtar hash-shamayim*]*—*Similar to *returning from battle* [*habba'im lammilḥama*] (Numbers 31:21) [where a prefixed *lamed* performs the role of *min* or a prefixed *mem* meaning “from”].

11:12–13 A land which Adonai your God cares for—His providence is greater [there] than in all the other lands, and all its needs are met *from the beginning of the year even to the end of the year*, since its needs are [met] through God's providence, for it is not like Egypt, which is dependent upon watering of the Nile, [but on rain]. Consequently, you should fear Him and keep His commandments.

11:13–14 It shall happen that if you listen diligently—That you accept My commandments as I instruct, I will then fulfill my promises to give *the rain for your land*.

¹¹⁹ It seems that Aaron arrived at this number of child-bearing men as follows. Jacob himself is included in the count of 70 (*Keter Tora*, Exodus 1:5), but since he fathered no other children after this point, that reduces the number to 69. Aaron further asserts that Jacob's twelve sons sired no further children in Egypt (*Keter Tora*, Genesis 46:7), so we can subtract 12, leaving 57. Judah's sons Er and Onan died without children and long before the descent to Egypt, which yields 55. This number appears to be inexact, though, since he claims that 5 of Benjamin's sons died childless (*Keter Tora*, Genesis 46:21).

11:14–15 I shall give grass in your field for your livestock, and you shall eat and be full—because of the *grain, new wine, and oil*. And you shall see that produce is dependent upon the power of the zodiacal constellations.

11:16–17 Lest your heart be deceived, and you turn away to worship other powers—It is known that [the constellations] are like an axe in the hand of the Hower (cf. Isaiah 10:15), and it is in His power to stop them from giving rain, and then the land *shall not yield its fruit*, shortly after which you shall perish.

11:18 So you shall place these words of mine in your heart—For I do not speak for naught and with no purpose, so it is incumbent upon you to bind them *as a sign on your hand, and they shall be a reminder between your eyes*. It has already been explained that this is a metaphor for studying and paying attention to God's words.¹²⁰

11:19 You shall teach them to your children—To accustom them to words of Torah from childhood.

11:19 To speak of them, when you sit in your house—He mentioned the three circumstances in which human beings find themselves, so that one should teach one's children constantly.

11:20 You shall write them on the door posts—The meaning of this has also been explained.¹²¹

11:21 That your days... may be increased—For through this your days shall be long on the land.

11:21 As the days of the heavens above [*al*] the earth—Meaning, for as long as the world exists. This refers to the existence of dry land, which is for the preservation of life.

[The preposition *al*] does not mean “with” [*im*].¹²²

11:22–23 For if you diligently keep—Not only will you be sated with goodness if you keep the commandments, but you will also merit inheriting the entire land that God promised to your forefathers, and will *dispossess nations greater and mightier [than yourselves]*.

11:24 Every place¹²³—He mentions four directions, as was foretold to Abraham: *from the wilderness* is the southern border; *and Lebanon* is the northern border; *from the river, the river Euphrates* is the eastern border; and *unto the western sea* is the western border.

¹²⁰ See *Keter Tora* on Exodus 13:16.

¹²¹ See above, Deuteronomy 6:9.

¹²² See *Sefer hamMivhar* ad loc.

¹²³ The printed edition and manuscripts erroneously have “all the land” (*kol ha'aretz*) instead of “every place” (*kol maqom*), perhaps because the next verse has the former phrase.

11:25 No man shall be able to stand before you—A promise.

11:25 The fear... of you—When they hear of your reputation.

11:25 The dread of you—When you take your revenge upon them.

11:25 As He has told you—For He promised you: *I shall set your border from the Red Sea* (Exodus 23:31), when you observe the Torah.

11:26 See that [re'ê] I—It could be an infinitive, similar to *Looking right and seeing [ure'ê]* (Psalms 142:5), so why make it difficult for ourselves with a singular [re'ê] and a plural [*lifnekhem*, “before you”], even if it could be a statement to every single person?¹²⁴

11:26 I set before you today a blessing and a curse—The ones listed in the Torah portion of *Ki Tavo*.

It is not as the [Rabbanite] traditionalists opine that the blessing is “Blessed is the man who does not makes an engraved or molten image,” which is the opposite of, *Cursed is the man who makes an engraved or molten image* (Deuteronomy 27:15),¹²⁵ [namely, the blessings are implied,] for how can he mention that which is not written?

Rather, it is as it is explained, that the blessing and curse are dependent upon *if you shall listen* (Deuteronomy 28:1) and *if you do not listen* (Deuteronomy 28:15), as they are set out in the Torah portion of *Ki Tavo*, and they pertain to the collective. The section of *with a loud voice, the Levites shall say* (Deuteronomy 27:14), on the other hand, is addressed to individuals who act [transgressively] in secret, for if it were public, the court would determine their fate. But [punishment of] the collective is not in the hands of the court, so the blessing or the curse apply to them.

11:27 If [asher] you listen—Meaning, “if [im] you listen,” similar to *If [asher] a ruler sins* (Leviticus 4:22), and the proof is *and the curse, if [im] you do not listen*.¹²⁶

All the earlier blessings in the Torah portion of *Vehaya 'Ekev* were promises, whereas now he explains how those who study the Torah bring curses upon evildoers through their practical application, as we indicated concerning the blessings, and in this way the blessing or curse befalls them.

11:28 But deviate from the path—Because the keeping of the commandments is a gradual corrective toward fearing God, it follows that by not keeping the commandments, one [eventually] worships idols, and this is *to follow other gods which you have not known*.

11:29 It shall happen... brings you—You must fulfill this commandment in order to make a fence [against breaching God’s law].

11:29 You shall give [venatatta] the blessing—orally, similar to, *[and spoke with them from heaven,] and gave [vattitten] them right ordinances* (Nehemiah 9:13).

¹²⁴ There is a lack of agreement in number here, with a singular and a plural form. Ibn Ezra ad loc. resolves this by explaining that Moses is addressing each and every person. Aaron is saying that the whole problem can be avoided by reanalyzing the seeming singular form as an infinitive rather than a finite singular verb. He offers this interpretation above as well, on Deuteronomy 4:5.

¹²⁵ See Rashi ad loc.

¹²⁶ The word *asher* generally functions as a relative pronoun; in these verses it is understood as a conditional conjunction.

11:29–30 On Mount Gerizim... on Mount Ebal. Verily, they are across the Jordan—He explains their location, that they are *after the path of the setting sun*.

Regarding the word *after [aḥaré]*, there is disagreement among the commentators. Some interpret it as “after crossing [the Jordan on the path of the setting sun]”; others interpret it as “you should follow the path of the setting sun”; and yet others interpret it in the sense of a direction, similar to *or will he till the valleys after you [aḥarekha]* (Job 39:10), meaning, to your side. The intent seems to be as the verse indicates.¹²⁷

11:30 Who dwell in the wasteland—For there are [other] Canaanites who dwell in the hill country.

11:30 Opposite Gilgal—He explains the place of their assembly, which is *opposite Gilgal*, for the mountains are long [they go on for some distance].

11:30 Beside the terebinths of Moreh—Likewise, *to the terebinth of Moreh* (Genesis 12:6).¹²⁸

11:30 This *Gilgal* is not the same Gilgal about which was said, “*Today, I have rolled away the shame of Egypt [from upon you],” and he called the name of that place Gilgal* (Joshua 5:9). For it is known that Mount Gerizim is close to Shechem, and from Shechem the Patriarchs traveled to Bethel, and Ai is to the east of Bethel, and Jericho is to the east of Ai, and the Gilgal where the Israelites were circumcised is east of Jericho. We also find that Elijah walked with Elisha from Gilgal to Bethel, and it is written, *for Gilgal shall surely go into captivity, and Bethel shall come to nothing* (Amos 5:5). For this reason, the opinion of Rabbi Aharon, may Eden be his abode, is possible, that [this] Gilgal is close to Shechem, and it is instructing that the mountains are to the northwest.

11:31 For [*ki*] you are crossing—[*ki* expresses] a certainty: you are crossing.

11:32 You shall diligently observe—Now he begins listing the commandments that are dependent upon [residence in] the land.

12:1–2 These are the statutes—At the beginning, because when you enter the land you are required to eradicate idol worship. And you must also do this all the days you are on the land.

12:2 You shall surely destroy—*their gods* is the object of *you shall surely destroy* [even though it is disconnected syntactically from the verb], and, likewise, [the relative clause] *which... worshipped there* modifies *their gods*.

12:2 [*et*] from every location—The word *et* [the definite direct object particle] has the sense of “from” [*min*], similar to *They had gone out of [et] the city* (Genesis 44:4).

¹²⁷ The precise meaning of the final sentence is unclear.

¹²⁸ See *Keter Tora* ad loc. for two interpretations of the phrase *elon moré*.

And these are [*the places*]: *on the high mountains, on the hills, and under every green tree*.

12:2–3 And after breaking¹²⁹ their idols, this is their destruction: put their gods in the fire.

12:3 You shall break down their altars, dash their pillars into pieces—This is their impure table, or it refers to what they offer on it, the offering to the idols.

12:3 Their Asherahs—This is a tree that is planted for the sake of idolatry.

12:3 The engraved images of their gods—[Made] of various metals, similar to *The image the craftsman has melted [and the goldsmith spread over with gold]* (Isaiah 40:19).

12:3 You shall eradicate their names—so that they will not be mentioned by their proper names, and if they are mentioned they will be mentioned by pejoratives.

12:4 You shall not do so—This is a reference to what he said about the eradication of idolatry and its implements. He warns not to destroy anything from God's Temple or altar.

Some say that it means not to have many places of worship [*baté kenesiyyot*].¹³⁰

It may be that the intent here is that one should not stop the worship of God in the same way that one stops the worship of idols.

12:5 But to the place which Adonai your God shall choose—He does not reveal the place, so as not to cause jealousy and strife among the tribes.

12:5 From among all your tribes—Nor does he indicate which tribe would have [this place] in its allotment.

12:5 From among all your tribes—Meaning, in the allotment of one tribe from among all your tribes, and not that all the tribes have a portion in it, as [the Rabbanite traditionalists] say that Jerusalem was never apportioned to the tribes.¹³¹

12:5 Shall you seek His habitation—A place that shall be dedicated to His name.

12:5 Shall you seek... and come there—In the sense of *Let us come into His dwelling place* (Psalms 132:7).

12:6 Your sacrifices—These are the wellness offerings, and they are the obligatory ones, because he said *your vows, freewill offerings*.

12:6 Tithes—Tithes of cattle and sheep, and the second tithe that is eaten by the owner.

¹²⁹ The printed edition and most manuscripts read *shettovedu*, which does not seem to make sense. One manuscript reads *shettishberu*, a reading we have adopted.

¹³⁰ See *Sefer hamMivhar* ad loc.

¹³¹ See Babylonian Talmud, *Yoma* 12a.

12:6 The wave offering of your hand—Because this verse includes everything that comes to the chosen house, and the first-fruits must be brought [there as well], one can say that this is a reference to the first-fruits. Some interpret it as an allusion to a monetary donation by an individual.

12:6–7 And the firstborn of your herd and of your flock. There you shall eat—The verse must be interpreted in a limited fashion, for some of the enumerated above are not eaten, such as the burnt offering, and others are not eaten by Israelites, such as the firstborn of your herd and the tithe—regarding which it says, *Their meat shall be yours, as the wave-offering breast (Numbers 18:18)*, which are eaten by the priests. The same is true of the first-fruits. The wellbeing offering and second tithe are eaten in Jerusalem by Israelites.

12:8–9 You shall not do all the things that we do here today—Since in the wilderness they could not designate one specific place, but would travel journey after journey, *every man* doing *whatever is right in his own eyes* in whatever place the Tabernacle happened to be. So he instructs that *you have not yet come to the rest and to the inheritance*, to dedicate one place [for worship].

Some say this applies to everything enumerated, that they were not required to bring them to the chosen house until their arrival in the land, but now [in the wilderness], *every man* does *whatever is right in his own eyes*, and there are those who give a tithe and there are those who do not.

The meaning is not as Ibn Ezra has it, the intent being that they were not all God-fearing, for then what would be the relevance of *for you have not yet come to the rest and to the inheritance*?

The [Rabbanite] traditionalists' opinion is that it refers to the fourteen years—seven of conquest and seven of division—during which the open-air altars were permitted but not for sin offerings, guilt offerings, or grain offerings. This verse would be the continuation of *For you are crossing the Jordan (Deuteronomy 11:31)*, since he said, *all the things that we do here today, every man whatever is right in his own eyes*.¹³²

12:9 For you have not come—yet [‘*adayin*’].¹³³

12:9 To the rest—is Shiloh, *and to the inheritance* is Jerusalem. Some say it [all] refers to Jerusalem.¹³⁴

¹³² *Sifré*, sec. 65. The idea is that only some things can be brought to the open-air altars, namely, what man sees fit to bring, the vows and freewill offerings.

¹³³ Aaron is explaining what the phrase ‘*ad ‘atta*’ means.

¹³⁴ Alternatively, since the Hebrew is unclear, the meaning could be that the referents of the two terms should be switched; see *Sifré*, sec. 66.

12:10 Which Adonai your God gives you to inherit—He picks up where he left off.¹³⁵

12:10 And He gives you respite—This is *the rest* [of the previous verse].

12:10 So that you dwell safely—Then you will dedicate a place [for worship], and this happened in the days of David, as he said: “*Adonai my God has given me rest from those around; there is neither adversary nor evil occurrence*” (I Kings 5:18), because until then they would switch places [of worship], [and the Tabernacle would be in places] such as Shiloh, Nob, and Gibeon, until the eternal house was built.

According to the second interpretation [in the commentary on the previous verse], that they were not obligated to bring what was mentioned to the chosen place until after entering the land, the intent in his saying *from among all your tribes* (Deuteronomy 12:5) is a reference to Shiloh, Nob, and Gibeon, for regarding Jerusalem he said [below], *in one of your tribes* (Deuteronomy 12:14), and this is the meaning of, *to the rest and to the inheritance* [in the previous verse].

12:11 Then it shall happen that to the place where Adonai your God shall choose to cause His name to dwell, there you shall bring—The intent seems to be that then they will bring them to a dedicated place.

12:12 And you shall rejoice before Adonai your God—Each of the aforementioned individually, because some of what is brought there can be enjoyed by all [and not just by the priests or the offerors].

12:13 Be careful that you do not offer your burnt offerings in any place that you see [*tir'ê*]¹³⁵—It could be that the sense is desire, similar to *the Lord does not desire* [*ra'a*] (Lamentations 3:37).

12:13 Because he began with the burnt offerings [above], he now brings a prohibition concerning the burnt offering, but it applies to everything.

The traditionalists say that the burnt offering is part of the general category [of offerings], so why is it singled out? To teach that everything governed by a positive commandment is also under exhortation of a negative commandment.¹³⁶

But the correct interpretation is that the exhortation regarding the rest of the offerings brought in the chosen house are said in the verse, *You may not eat within your gates* (Deuteronomy 12:17).

12:14 And there shall you do all that I command you—concerning everything else brought to the chosen house.

¹³⁵ The end of 12:9 mentions “the inheritance” (*hanahala*), and here the verb is “gives you to inherit” (*manhil*).

¹³⁶ *Sifré*, sec. 70.

12:15 But as much as you desire—Because he warned them regarding what he had listed, that they should not offer them outside of the chosen house, and unconsecrated meat was forbidden in the wilderness, he commanded that wellbeing offerings be eaten in Jerusalem. He now explains that after they come to the Holy Land, they can eat unconsecrated meat [outside of Jerusalem]. The meaning of eating them within the gates is that they should not eat them in the chosen house, because just as he required bringing the listed things to the chosen house and not anywhere outside the chosen house, so too he instructed them to eat the meat of desire outside of Jerusalem and not in Jerusalem.

12:15 The impure and the pure—When they were wellbeing offerings, the impure had to take care not to eat them, but since these are unconsecrated, there is no prohibition against an impure person eating unconsecrated meat.

12:15 Like with the gazelle and the deer—For the impure and the pure eat of it, since it is not offered on the altar under any circumstances.

Whoever interprets that it is to prohibit the *helev* [a type of fat attached to the organs] of unconsecrated animals, his sages have forbidden it based on the word *Even as [the gazelle and the deer] are eaten* (Deuteronomy 12:22), and Scripture has not now mentioned the prohibition governing the *helev* of consecrated meat that it needs to permit the *helev* of unconsecrated animals.¹³⁷

12:16 Only the blood—Because the intent in eating wellbeing offerings in the wilderness was to purge the taint of idolatry that they had practiced in Egypt, and He commanded that they pour [the blood] on the altar so that they would not see it being poured outside and think it related to idolatry. As for the blood of birds and undomesticated animals, which was not poured on the altar, He commanded that it be covered. Therefore, now, after they have entered the land, because time will have passed and their souls will have been healed from that sickness, he said, *you shall pour it out on the earth like water*.

12:17–18 You may not eat—Because he permitted consumption of unconsecrated meat within the gates [of Israelite cities], he [now] prohibits those things that he commanded to be eaten in the chosen house. It stands to reason that just as these things must be [eaten] in the chosen house and are forbidden anywhere but the chosen house, so meat of desire must be eaten within the gates and is forbidden in the chosen house. And according to our understanding, because the intention is to forbid unconsecrated meat in Jerusalem, he consequently says, *You shall eat it within your gates* (Deuteronomy 15:22).

The intention is not to forbid it outside the gate [of cities in the land of Israel], to the extent that they prohibited the meat of cattle and sheep in exile.

¹³⁷ Aaron is referencing the Rabbanites who normatively prohibit this (see Rashi ad loc. quoting Babylonian Talmud, *Bekhorot* 15a). However, Ibn Ezra ad loc. and on Leviticus 7:23 makes the argument Aaron rejects here, and R. Moses Nahmanides ad loc. and on Leviticus 3:4 takes Ibn Ezra to task as well.

It bears considering whether unconsecrated meat was only prohibited in the wilderness whenever there was an encampment, as it says, *Whosoever slaughters a bull, sheep, or goat in the camp, or whoever slaughters it outside the camp* (Leviticus 17:3), which implies that when there is no encampment, the practice reverts to how it was prior [in other words, one was allowed to eat meat without bringing it to the Tabernacle]. If so, the intent here would not be to permit unconsecrated meat within the gates [of Israelite cities], but to forbid it in Jerusalem: since there, one is obligated to bring consecrated animals and is prohibited to do so outside Jerusalem, he forbade unconsecrated meat in Jerusalem and permitted it outside of Jerusalem. Consequently, he says, *You shall eat it within your gates*.

12:20 When... expands—Because this section also talks about meat of desire, the [Rabbanite] traditionalists say that the statement *But as much as you desire* (Deuteronomy 12:15) discusses consecrated animals that became blemished, and is a warning against offering them on the altar, [so] the verse instructs [us] to eat them as unconsecrated outside the chosen house,¹³⁸ to the extent that they expounded the statement *When...expands* [to mean] that one should not eat meat of desire, except when one is wealthy and expansive.¹³⁹ This is against the simple reading of Scripture.

The truth of Scripture is that the two sections discuss meat of desire. The commentators say that the second section adds material that was not explained in the first. One can say that the first section relates to the gates of Israelite cities in the Holy Land, and that the second section relates to the expansion of the border outside the land, where they should comport themselves in the same manner as in the Holy Land. For did not the text promise Israel only the land of the ten nations, which is all in the land of Canaan [and thus one would expect legal matters to be different outside of the land]? It seems that the text intends to equate the Land of Israel and outside the land concerning meat of desire and consecrated animals, and he explained this in detail so that it would not seem that matters had changed, the same way they did between the generation of the wilderness and the Holy Land. Consequently, it is possible that *When... expands* is similar to *When Adonai your God expands your border... Then you shall add* (Deuteronomy 19:8–9).

12:21 Then you shall slaughter of your herd and of your flock... as I have commanded you—From here they gleaned that Scripture intended to command eating meat [only] by means of slaughter.¹⁴⁰

Alternatively, the meaning of this command is that it be eaten within your gates, not in the chosen house.

¹³⁸ *Sifré*, sec. 71.

¹³⁹ Babylonian Talmud, *Hullin* 84a.

¹⁴⁰ *Sifré*, sec. 75.

12:22 **Even as**—Since you eat it within your gates, you need not be careful about impurity.

12:23–24 **Only be sure that you do not eat the blood**—Because he spoke about being far away, he warned them about this further.

12:25 **You shall not eat it, that it may go well with you**—There is reward for heeding the warning, just as there is punishment for [not observing] two positive commandments, such as Passover and circumcision. Some say that the reward is for what he says [at the end of the verse, which is a positive commandment], *when you do that which is right in Adonai's eyes*.

12:26 **But your holy things**—Even though you are far away from the Temple, *you shall take and go to the place*.

12:27 He instructs that with the burnt offering, the meat and blood are completely for God, and with the wellbeing offering, the blood is put on the altar and the meat is eaten.

12:28 **Observe and heed**—*Observe* the destruction of idolatry and *heed* regarding the Temple service, and through this you shall be rewarded and will endure all the days of the world.

12:28 **When you do that which is good and right**—*good* with the unconsecrated and *right* with the consecrated, and through this you will endure all the days of the world.

Alternatively, *good* is the eradication of idolatry, and *right* is the service of the chosen house.

12:29–31 **When... cuts off**—Just as he exhorted them to eradicate idol worship from the land, after they possess the land. This is the meaning of *When [Adonai your God] cuts off*, he commanded them not to follow their practices and worship God through them. Why? *For every abomination to Adonai, which He hates, they have done for their gods*, and he mentions the abomination that they perform by destroying the speaking animal [human beings].

13:1 Rather, **everything**—That is, [according to] the divine calculus.¹⁴¹

13:1 **You shall diligently observe**—That is, to sacrifice the mute [animals] instead of the speaking animals [human beings].

13:1 **You shall not add onto it nor detract from it**—One should not cease to observe a statute given in the Torah regarding the sacrificial rite, as it is written, *and put out the lamps, and have not burned incense* (II Chronicles 29:7).

13:2 **If a prophet or a dreamer of dreams arises among you**—Even though God says, *If there is a prophet among you, I, Adonai, shall make myself known to him in a vision, I*

¹⁴¹ As opposed to the idolatrous practices above, all of God's commands are purposeful and according to divine proportion; for that reason, you should not add to them or take away from them.

shall speak with him in a dream (Numbers 12:6). This *vision* has already been explained in one of the commentaries as something terrible and frightening that befalls the prophet, such that the senses faint, and he apprehends divine matters.

13:2 Or a dreamer of dreams—This occurs when he is asleep. Consequently, it says, *a prophet or a dreamer of dreams*. And whoever says that the word *or* is superfluous is wrong.

13:2 And gives you a sign or wonder—The meaning of the *sign* and of the *wonder* have already been explained.¹⁴²

13:3–4 And the sign or the wonder comes to pass—Some explain that the *sign or wonder* is like a symbol that does not involve a change of the natural order, as in *Behold, I and the children [whom Adonai has given me to be signs and wonders]* (Isaiah 8:18), and the meaning of *for [God] is testing you* is that He lets him live and does not kill him.

But one is baffled by these interpretations, for do they not know that these can be performed by magic and subterfuge, as it is written, *they also, the magicians of Egypt, did the same thing with their charms* (Exodus 7:22), and that infamous man [Jesus] was only trusted by the gullible after performing signs, which our brothers the Rabbanites even corroborated?¹⁴³ Rather, they are performed by magic and subterfuge.

[Ibn Ezra] said *for Adonai... is testing you* by letting him live and performing the sign through him, but it is better to say that the *testing* is because any sign or wonder cannot be verified except by demonstrable knowledge of God through intellectual investigation. So if the prophet spoke to you on behalf of other gods, which is the opposite of demonstrable knowledge, even though he provided you a sign or a wonder, do not accept his words, for through this are you being tested.

13:4 To know whether you [hayishkhem] love Adonai your God with all your heart and with all your soul—The word *hayishkhem* is vowelized with a *ḥirik* [under the yod] and a *segol* [under the *khaf*].

The meaning of this love is knowing Him through investigation of the heart, so that you never accept the sign or wonder. This justifies the statement of Rabbi Yosef, may Eden be his abode, that the truth of the prophet shall become known through sign and wonder together with the claim without any delay, because he can perform [them] through magic and subterfuge. All of this is following the weakening of his knowledge of God, which led him to accept the truth of the prophet's claims.¹⁴⁴

¹⁴² See *Keter Tora* on Exodus 7:3.

¹⁴³ In various places in the Talmud, Jesus is associated with sorcery, and the same is true of the *Toledot Yeshu* tradition.

¹⁴⁴ See further *'Etz haḤayyim*, ch. 99.

13:5 You shall follow Adonai your God—and not other powers.

13:5 And fear Him—lest you be punished when you stray from Him.

13:5 You shall keep His commandments—the negative commandments; *and obey His voice*—the positive commandments.

13:5 You shall serve Him—through the sacrificial rite.

13:5 And to Him shall you cleave—You shall not place an intermediary between you and your God.

13:6 That prophet... shall be put to death—When you know that truthfully *he has spoken rebellion*, meaning, a prophecy of rebellion against God, and likewise, *and his food is good* [ma'akhalo beri'a] (Habakkuk 1:16).¹⁴⁵

13:6 Against Adonai your God, who has brought you out of the land of Egypt—For belief in Him endures through intellectual investigation.

13:7 If your brother, the son of your mother—Why did he not say “the son of your father”? Because sons of the same mother exhibit greater fraternity. Or perhaps it is included under *your brother*.

13:7–8 Let us go and serve other gods... of the people... near to you, or distant... from one end of the earth—From one end of the world to the other. And from your knowledge of those *near* you should know about those *distant*, so that you do not entertain that they are of any substance.

13:9 You shall not consent to him—to listen to his words.

13:9 You shall not listen—You shall not accept his counsel.

13:9 Your eye shall not pity him—to benefit him in any way.

13:9 Nor shall you spare—from being killed by a court of law.

13:9 Nor cover for him—by not offering testimony against him.

13:10 But you shall surely kill him. Your hand shall be first upon him—For in that way your testimony [against him] will be validated.

13:11–12 Because he sought to push you away—If his intention was to destroy you, as he intended to do to you, so shall you do to him, *and all Israel shall see and fear*.

13:13 If you hear about one of your cities—After he elucidated the law concerning the individual, he explains the law of the many.

¹⁴⁵ In both verses there is a missing noun; in the case of Habakkuk, this is highlighted by the lack of agreement in gender between masculine *ma'akhala* and the feminine adjective *beri'a*. Here, the implied word is “prophecy” (*nevu'a*); there, Ibn Ezra suggests it is “lamb” (*se*).

13:13–14 About one of your cities—of the cities of Israel, that *wicked men have gone forth*.

13:15 Then you shall inquire, investigate, and interrogate—so that the testimony is accurate.

13:16 You shall surely strike down—Since the inhabitants of the city themselves are not brought to trial, but rather the court interrogates the witnesses, for that reason he explained that right after the investigation of the witnesses, they would wage war against them. And it seems that they are only killed *with the sword*. Two are executed by the sword: the murderer and the one who strays [from God's path to idolatry, such as the inhabitants of this city].

13:17 Into the middle of its street—It is a commandment to burn within it everything it contains.

13:17 It shall be a heap forever—It shall never again be inhabited.

13:18 Nothing... shall cling to your hand—so that it not be remembered [and you not be tempted to stray].

13:18 In order that Adonai may turn from His wrath—For even though one city strayed, they rendered judgment upon it, and since they waged war against it, therefore [He will] *show you mercy, and have compassion on you and increase you*, so that you do not think that if one city is destroyed there shall be fewer of you.

14:1 You are the children of Adonai your God. You shall not cut yourselves—He intimates to them not to mourn for the idol worshippers among the killed.

Some say that since *you are the children of Adonai your God* and have a portion in the world to come, one should not behave vis-à-vis the deceased, as did the ancient nations of the world, because their dead were a total loss but the souls of Israel endure.

14:1 You shall not cut yourselves [*titgodedu*—In the sense of *you level its ridges* /*gedudeha*/ (Psalms 65:11)].¹⁴⁶

14:1 Nor make any baldness between your eyes [*ben 'enekhem*—Some interpret the meaning as “between you” [*benekhem*], that you see and condone making a bald spot on your head.

Others interpret it as missing a *kaf* [of comparison], the meaning being “like between your eyes” [where there is no hair]. It might be prohibited because of the prohibition against entering the chosen house with a shaved head and cut hands as idol worshippers do.

It is possible that he intends the bald spot to be opposite [the place] between your eyes.

¹⁴⁶ That is, to cut oneself and thereby make “ridges” or “furrows” on the body.

14:2 For you are a holy people to Adonai your God—and so you must not behave like the nations of the world.

14:2 And Adonai has chosen you to be a treasured people—so you must behave in a way that makes you treasured.

14:3 You shall not eat—Just as he purified their exterior from the customs of the nations, he begins to purify them from the inside.

14:3 You shall not eat any abomination— From those he goes on to list.

14:4–5 These are the animals which you may eat—He lists ten species, three domesticated and seven wild.

14:4 The ox, the sheep, the goat—Similar to *Adam, Seth, Enosh* (I Chronicles 1:1) [where the conjunctive *vav* meaning “and” is missing].

14:6 And [ve] every animal that parts the hoof—According to Rabbi Yosef, may Eden be his abode, [the conjunctive *vav* meaning “and” indicates that] there are other clean animals [that may be eaten]. But the truth is that the *vav* is superfluous.¹⁴⁷

14:6 And has the hoof split—It has already been explained that these are two signs, because some are split at the top [of the hoof] and joined at the bottom. The meaning of *split* is the ankle of the hoof, and he explains that they are two hooves.¹⁴⁸

14:6 And chews the cud—It is missing a conjunctive *vav* [to yield *and* but it is implied].

14:6 Among the animals [*babbehema*]—It is a false prophet who permits eating the [animal] fetus from here [since the word literally means “in the animal”], to the extent that he distinguishes between limbs: If it extended out an arm [from the birth canal] and brought it back in, it is permitted aside from the arm; if it extended its head and brought it back in, it is prohibited [entirely].¹⁴⁹

14:7 Nevertheless, these you shall not eat—So that one does not construe the intent to be that one sign [either cloven hooves or chewing the cud] suffices, he consequently says, *Nevertheless, these you shall not eat*.

14:7 Of those who have the hoof [*mimmafrisé*] split—Because of the prefixed *mem*, the *yod* indicates the plural.¹⁵⁰

¹⁴⁷ This appears in *Sefer hamMivhar* ad loc.

¹⁴⁸ See *Keter Tora* on Leviticus 11:3.

¹⁴⁹ The false prophets are the Rabbanites. See Mishna, *Hullin* 4.1 for this distinction.

¹⁵⁰ The difficulty seems to be that only one animal on the list has a split hoof, namely, the pig. Therefore, Aaron is explaining that because it is phrasing it as a partitive (“of the”) indicated by the prefixed prepositional *mem*, it must take a plural form, as the larger set, by definition, has to be larger than one. Aaron’s precise intent, though, remains uncertain.

The explanation of this verse is not as the [Rabbanite] traditionalists have it, that it refers [cataphorically] to *the camel*, to convey that whatever emerges from a pure animal is pure and that whatever emerges from an impure animal is impure, and they further prohibited *terefot* [animals with various kinds of terminal conditions].¹⁵¹

As for the word *split*, they say the intention is an animal with two spines, and it should have said “and the camel” [indicating that it is a separate item rather than an elaboration].

They even say that all this was repeated [from Leviticus 11] only because of the *split* [the double-spined] and the *red kite* [*ra’a*] (Deuteronomy 14:13) [neither of which appear in Leviticus].¹⁵²

14:8 But does not chew the cud [*velo gera*]—Meaning, it does not chew the cud [*yegar gera*], or does not raise the cud [*ma’alat gera*].¹⁵³

14:8 You shall not eat their meat, and you shall not touch their carcasses—The statement *you shall not touch* is difficult for the one who claims it is an exhortation against touching [carcasses] on the festival.¹⁵⁴

14:10 Whatever does not have fins and scales—To prohibit it for consumption, but not to render impurity by touch [even though it says *It is impure to you*].

14:11 Every pure bird. But these you shall not eat—Their prohibition and permit is not through a [physical] sign but by their name.

14:13 The red kite [*ra’a*]—This is the *da’a* (Leviticus 11:14), which includes *the red kite* [*ra’a*] and *the falcon* [*ayya*].

14:19 All winged creeping things are impure to you. They shall not be eaten—Their impurity is through consumption and not touching.

14:20 You shall eat every pure bird.

¹⁵¹ See at length in *Sifra* on Leviticus 11. Although the expositions mainly concern verses in Leviticus, part of the relevance is the fact that the prohibitions are repeated here.

¹⁵² *Sifré*, sec. 98.

¹⁵³ The Hebrew is elliptical, so Aaron proposes a missing verb or participial adjective.

¹⁵⁴ See Rashi ad loc. in the name of *Torat Kohanim*. See further *Keter Tora* on Leviticus 11:8, where he explains that the prohibition should be formulated concerning entering the Temple while impure, rather than touching the carcass, which isn’t strictly prohibited.

14:21 You shall not eat anything that dies of itself. You shall give it to the stranger within your gates, that he may eat it; or you shall sell it to a stranger; for you are a holy people to Adonai your God. You shall not cook a young goat in its mother's milk.

14:21 You shall not eat anything that dies of itself—This includes the animal which dies [naturally] and the improperly slaughtered of the pure animals.

14:21 For you are a holy people—All of these practices are followed by the nations of the world, and you are separate from them for the sake of heaven through the commandments of the Torah.

14:21 You shall not cook a young goat in its mother's milk—This too is a Torah prohibition.

[First] he explained what is forbidden to eat and touch, and then what is forbidden through cooking. And if it is forbidden to make something, consuming it is even more severe than making it. We do not draw an analogy to forbidden mixtures of seeds or animals [*kil'ayim*], because the cooking is preparatory for the consumption.¹⁵⁵

14:22 You shall surely tithe—After he exhorted the eradication of idol worship from the chosen place, and obligated worship of God at a designated place, and gave them prohibitions to purify themselves from the filth of idol worship and its associated practices, both externally and internally, as it is written, *those who eat pig's meat, abominations, and the mouse, they shall meet their end together* (Isaiah 66:17), he distinguishes what is associated with worship of God in the chosen house.

14:22 All the produce of your seed—This instructs one to tithe from the new, rather than from the old.

14:22 Which emerges [*hayyotzé*] from the field—Some say that it is in the imperfect *hif'il* conjugation and that the *hé* is instead of [the relative pronoun] *asher*, similar to, *who dwell [*hayyoshev*] there* (Numbers 13:18).¹⁵⁶ It could be [a participle] in the *qal* conjugation, along the lines of *The city that sent out [*hayyotset*] a thousand shall have a hundred left* (Amos 5:3) [where the *qal* is transitive].

14:22 Year by year—Because one may not tithe [the produce] from one year for [the produce of] another.

The [Rabbanite] traditionalists say that there are two tithes taken every year: the first tithe is for the Levites, and the second tithe, which is called the tithe of learning [*ma'aser*

¹⁵⁵ One could theoretically argue that just as with *kil'ayim*, the sowing or threshing is prohibited but eating or deriving benefit is permitted, here too the cooking should be prohibited while the eating or deriving benefit would be prohibited. Aaron rejects this by saying that the cooking is intrinsically linked to the eating.

¹⁵⁶ *Hayyotzé* is masculine and does not agree in gender with what looks like its antecedent, feminine *tevu'ah*. Therefore, this reading proposes that masculine *sadé* is the subject, so that it reads: “which the field produces year by year.”

limmud],¹⁵⁷ is taken for two years. Consequently, it says *which emerges from the field year by year*.

14:23 You shall eat before Adonai your God—that which is eaten, in Jerusalem; the three species: *your grain, new wine, and oil*.

14:23 The firstborn of your herd and of your flock—to the one who may eat them [the priests].¹⁵⁸

14:23 That you may learn to fear Adonai your God always—By coming to the chosen house with the Levitical priests who are focused on the Torah and who serve God, they will willy-nilly teach him and accustom him to fear God *always*, such that fear of God will never leave him.

14:24 If the way shall be too great for you... when Adonai your God shall bless you—and God expands your borders.

14:25 Then you shall turn it into money—to sell them, and if he [himself] redeems them, then he adds a fifth according to Torah law, like the owner's redemption of consecrated items.

14:25 Bind up the money—so that it will be easy to travel to the chosen house.

14:26 You shall put the money—He should use it to purchase things listed, food or drink.

14:26 Or anything [*uvekhol*]—It is possible that the *vav* is superfluous, because as is clear, he only uses it for food or drink.

14:26 And you shall rejoice, you and your household—with the enumerated [items].

14:27 You shall not forsake the Levite who is within your gates—Some say that since he mentioned the second tithe, he explains that you should not forego the Levite's first tithe.

14:28–29 At the end of every three years—They say that this is the third year of the tithing years. In the first and second years, one gives two tithes, the tithe for the Levites and the tithe of learning, which is what it says, *You shall surely tithe* (Deuteronomy 14:22).

¹⁵⁷ The vocalization of the Hebrew and thus the translation are uncertain. No Rabbanite source we have found employs this term. Perhaps it is so called because it is a derivation (given that the first tithe already appears in Numbers 18), or because through it one comes to the Temple and learns to fear God (per the commentary on the next verse, Deuteronomy 14:23).

¹⁵⁸ In the Hebrew there is a missing word, and we have supplied the likely candidate *hara'uy* based on that exact formulation in *Sefer hamMivhar* and Ibn Ezra ad loc. This also fits Aaron's commentary above on Deuteronomy 12:6–7.

The [Rabbanite] traditionalists expound *You shall surely tithe* as the first tithe and the tithe of learning, but in the third year, one gives the tithe of the poor at the gate instead of the tithe of learning.¹⁵⁹

Some Karaite sages say that in the first and second years, one gives two tithes, and in the third, one gives three tithes, the addition being the tithe for the poor. Others say that in the third year, whatever is left over from the first and second tithes one brings out to the gate, and the Levite takes his [first tithe] and the poor from the second [tithe].

Refuse to listen to whoever says that the statement *You shall surely tithe* is the tithe for the Levites, because the Levites make rounds at the granaries, so what would be the meaning of *bind up the money* (Deuteronomy 14:25) to be addressed to the Levite? And even if *and the firstborn of your herd and of your flock* (Deuteronomy 14:23) is said to the priest, that is not evidence. Moreover, the tithe for the Levites is unconsecrated, as it says, *it shall be credited to the Levites as the increase of the threshing floor, and as the increase of the wine press* (Numbers 18:17). And it is known that in the Torah portion *Ki Tavo* it says, *When you have finished tithing... in the third year* (Deuteronomy 26:12), and it says, *I have removed the holy from my house* (Deuteronomy 26:13), because when one would ascend to the chosen place, he would bring the second tithe and first-fruits; now, in the third year, since he brings it to the gate, he says, *I have removed the holy from my house, and also have given it*.

15:1 At the beginning of [miḳḳetz] every seven years—It seems that these six years [preceding the sabbatical year] are [to be counted] three and three [as per the cycles described above], and the seventh year there is a release [*shemiṭṭa*].

15:1–2 The meaning of *miḳḳetz* is “at the beginning,” similar to, *I have seen a limit [ḳetz] to all perfection* (Psalms 119:96).

It is not the end, as the [Rabbanite] traditionalists opine, saying that the debt forgiveness is at the end of the seventh year, with the Jubilee [the fiftieth year] beginning with debt forgiveness and the emancipation of slaves and the sabbatical year ending with debt forgiveness.¹⁶⁰ For the verse says, *that we would forego the seventh year, and the exaction of every debt* (Nehemiah 10:32) [implying that debt forgiveness occurs at the beginning of the seventh year], and it says *because Adonai’s release has been proclaimed*.

And it seems that whenever there is release for the land, there is release of debts.

15:3 You may press [tiggoš] the foreigner—Similar to *the taskmasters [nogesim] were pressing* (Exodus 5:13), the sense being pushing and applying pressure, similar to *You may charge a foreigner interest* (Deuteronomy 23:21). [This is] in order to say, “Do not press your brother.”

¹⁵⁹ See *Sifré*, sec. 109.

¹⁶⁰ *Sifré*, sec. 111.

15:3 Your hand shall release [*tashmet*]—With *shamot* [shall release] (Deuteronomy 15:2), [we have] two conjugations describing the same action. And *tashmet* is the sole attestation of this conjugation, similar to *It snowed* [*tashleg*] in *Zalmon* (Psalms 68:15).

15:4–6 However, there shall be no indigent among you... if only you carefully obey Adonai your God’s voice—And you will lend only to the nations of the world so as to take their collateral.

15:6 You shall take pledges [*veha’avat-ta*]¹⁶¹—Similar to [*he*] shall bring the pledge [*ha’avot*] outside to you (Deuteronomy 24:11).

15:6 You shall rule—For *the rich rule over the poor* (Proverbs 22:7).

15:7 If [*ki*] there shall be among you an indigent man—Perhaps [*shema*] *there shall be among you*.

15:7 An indigent man [*evyon*]—From the language of wanting [*ava*, root ‘*b-h*’]. Some interpret it from the form *avoy* [the interjection meaning “woe”].

15:7 You shall not harden your heart—from showing compassion.

15:7–8 Nor shut [*tikpotz*]—The sense is closing, as in *kings will shut* [*yikpetzu*] *their mouths* (Isaiah 52:15). Since he says *you shall surely open* [*your hand to him*], it seems unlikely that it means that one should not avert one’s eyes.¹⁶²

15:8 And shall surely take a pledge from him—This means that even after you have given him money without a pledge, if he requires more with a pledge, then give him as much as he needs with his pledge.

15:9 A challenge against whoever says that there is permission from the Torah and that the sabbatical year does not forgive debts—*Beware lest you have a wicked thought in your heart*.

15:9 A thought in your heart that is unconscionable [*beliya’al*]—A thought that should not arise [*shello ya’alé*].

15:9 The seventh year... is at hand—This is a difficulty for whoever says that one forgives debts at the end [of the seventh year rather than at the beginning].

¹⁶¹ This *sub verbo* is missing and has been added.

¹⁶² In Biblical Hebrew, *k-p-tz* has the sense of shutting or closing and of moving quickly or skipping. Aaron is arguing that the sense here is the first one rather than the second: penny-pinching rather than rushing past the beggars.

15:9 And your eye be evil [*ra'a*]—The *hé* is for the feminine, similar to *she has returned* [*veshava*] (Leviticus 22:13).¹⁶³

15:10 You shall surely give [*naton titten*] him—Again and again [on account of the double form]. Just as he cautioned them [not to avoid giving], he enjoined them [to give].

15:10 Because—For if you give up what is yours, heaven will give up for you [its bounty].

15:11 For the indigent shall never cease—For there will be no generation that is completely righteous.

15:11 To your brother, to your poor [*'aniyyekha*]—For the poor [*'ani*] has greater stature than the indigent [and is therefore listed first].

15:12–13 If [your brother...] is sold to you—After you try to support him and he still cannot recover, he will sell himself.

As for the one who interprets *is sold* to mean sold [to pay for his] thievery, but it already says, *If your brother has become impoverished among you and is sold to you* (Leviticus 25:39)? And if, as the [Rabbanite] traditionalists claim, this is someone sold for thievery, how could it say *or woman*, when they say that women are not sold for thievery?¹⁶⁴ So they say that it is the one mentioned in *If a man sells his daughter to be a maidservant* (Exodus 21:7), but how can that be [that the two would have the same law]?¹⁶⁵

15:13 When you let him go free—Here he explains the gift given to him, which is not mentioned in *Ve'ellé hamMishpatim*.

15:14 You shall furnish him liberally [*ha'aneḵ ta'anik*]—Like adornments [*'anaḵim*].

15:14 From your flock, threshing floor, and press [*umiyyikvekha*]—Including new wine and oil.¹⁶⁶

15:4 Whatever... has blessed you—Including the rest of the species.

15:15 You shall remember that you were a slave—but you left with a great deal of wealth.

¹⁶³ In both cases, the stress is on the final syllable, which allows for the conjugated verb to be analyzed formally (rather than contextually) as deriving from one of the following: (1) a root in which the final consonant is *hé* (*r-ʿ-h* and *sh-b-h*), or (2) a root in which the middle consonant is absent in many forms (*r-w-ʿ* and *sh-w-b*). Under the first option, *ra'a* would have to be a third person, masculine perfect verb, which does not agree with the gender of the subject (“eye,” *'ayin*), which is feminine. Under the second option, the form in our verse would have to be a third person, feminine participle. Aaron is saying that it is the latter, which contextually must be the case in Leviticus 22:13, where the subject is the daughter of the priest.

¹⁶⁴ Babylonian Talmud, *Soṭa* 23b.

¹⁶⁵ See further *Keter Tora* on Exodus 21:6.

¹⁶⁶ Usually the *yeḳev* indicates the production of wine alone.

15:15 Therefore, I command you—so that it commemorates the exodus from Egypt.

15:16 It shall be, if he tells you—This is the meaning of *but if [the servant] shall plainly say* (Exodus 21:5), who is the slave that is pierced [in the ear].

15:17 And thrust it through his ear to the door—The significance has been elucidated.¹⁶⁷

15:17 And he shall be your servant forever—Until the Jubilee [the fiftieth year], given that it says, *and each of you shall return to his ancestral plot, and each to his family* (Leviticus 25:10).

15:17 To your maidservant too—This refers back to the parting gift, and likewise *If [he does not do] these three things* (Exodus 21:11).¹⁶⁸

15:18 It shall not seem hard to you—Because he said, *You shall do this to your maidservant too*, which is about the parting gift, he says, *It shall not seem hard to you*, on account of the slave.

15:18 For he has been double the value of a hired hand—For we do not find a worker hired for more than three years [consecutively], as it says, *within three years, like the term of a hired hand* (Isaiah 16:14), and this one worked for six years [which is double].

The [Rabbanite] traditionalists say he worked for you by day and by night, since the master gives him a Canaanite maidservant and any offspring [of their union] belongs to the master.¹⁶⁹ But what will they say about the statement *If he is married* (Exodus 21:3) [and already has conjugal responsibilities at night]?

15:19 All the firstborn—After he explained in sufficient detail about the tithes that need to be brought [to the Temple], he began discussing the firstborn [of the flocks] which also must be brought [to the Temple], and it similarly says, *or the firstborn of your herd... [you shall eat them before Adonai]* (Deuteronomy 12:17).

Because it says here, *consecrate... the males*, and it says elsewhere, *[however the firstborn among animals, which belong to Adonai as a firstborn] no one may consecrate* (Leviticus 27:26), the [Rabbanite] traditionalists explain *no one may consecrate* [it] for a different sacrifice.¹⁷⁰ But it is fitting to say that this consecration is to *do no work... nor shear*.

¹⁶⁷ See *Keter Tora* on Exodus 21:6.

¹⁶⁸ Aaron is suggesting here that this clause refers not to the immediately preceding clause or clauses but to verses a considerable distance away. The same is understood to be the case in Exodus 21:11, which he adduces as proof; see *Keter Tora* there.

¹⁶⁹ *Sifré*, sec. 123.

¹⁷⁰ Babylonian Talmud, 'Arakhin 29a.

The Karaite sages say it is the first of the flock [*bekhor 'eder*, as opposed to the first issue of the womb, *bekhor pe'et*] that is the subject of *you shall do no work... nor shear*, and it should not be substituted along the lines of the tithe.¹⁷¹

15:20 You shall eat it before Adonai your God—If it is the first issue [*bekhor pe'et*], he is addressing the priest, and if it is the firstborn of the flock [*bekhor 'eder*, then he is addressing] the Israelite.

15:20 Year by year—Within the year [that it was born], in the chosen place.

15:21 But if it shall have a blemish, being lame or blind—The generality does not include more than what is specified.

15:21 Any blemish whatsoever—He includes blemishes that are not of the major limbs.

15:21–22 You shall not sacrifice it ... You shall eat it within your gates—Not in the chosen house.

15:22 Like the gazelle and the deer—Even though it has lost its sanctity, *the impure and the pure [shall eat it alike]*.

15:22–23 Only... its blood—Because he compared it to the gazelle, and the blood of the gazelle is covered, he said, *you shall pour it out on the ground like water*.

And if the owner [of the animal] wishes to redeem it, he must give a fifth [above its value] and eat it.

16:1 Observe the month of the moist barley—Because he mentioned everything brought to the chosen house, he also mentions the times when one is obligated to go the chosen house, namely the three festivals.

16:1 Observe the month of the moist barley—They should not count months and intercalate; only on the basis of seeing the moist barley [do they decide] to intercalate or not. And this moist barley has to be found at the beginning of the month in order for there to be a bundle [*'omer*] on Passover.

According to the [Rabbanite] traditionalists, we intercalate the year on account of three factors: the ripe grain, the vernal equinox, and the fruit of the tree.¹⁷² [But] Scripture focuses on the moist barley, and the moist barley usually depends on the course of the sun, even if most fruit trees are not fruiting. And how could they make this dependent on the high court, to the extent that they said: “Even if they are constrained, even if they are

¹⁷¹ The translation is uncertain, for it hinges on Aaron's (and perhaps other Karaites') understanding of tithes, which is not apparent to us.

¹⁷² Babylonian Talmud, *Sanhedrin* 11b.

mistaken, even they make an unwitting error?”¹⁷³ This entire matter has been clarified in the *Book of Commandments*.¹⁷⁴

16:1 And celebrate Passover—He does not specify what day of the month [Passover] occurs, for he relies upon what was already explained.

16:1 Out of Egypt at night—Because at night they were granted permission even though they left during the day. Alternatively, [*at night*] modifies *and celebrate Passover*.

16:2 You shall sacrifice the paschal offering to Adonai your God, of the flock and the herd—*Of the flock* for the paschal offering, and *of the herd* for the wellness sacrifice. And he writes *of the flock* first because the paschal offering takes precedence over the wellness sacrifice.

Alternatively, the [animal suitable for the] paschal offering is known, and *of the flock and of the herd* is for the wellness sacrifice, and he *of the flock* first, since the paschal offering is from the flock, and it is written, *They cooked the paschal offering in fire according to the ordinance, and they cooked the consecrated meat in pots* (II Chronicles 35:13).

16:3 You shall eat no leavened bread with it—Even though the verse [already] said, *You shall not offer the blood of My sacrifice with leavened bread* (Exodus 34:25), it is [to set up a contrast] because it [goes on to] say, *For seven days you shall eat unleavened bread*. It is not, as the [Rabbanite] traditionalists say, that this [verse in Exodus] concerns the fourteenth [of Nisan during the slaughter and not Passover itself], as in their dictum: From six and half [hours into the day], one slaughters the paschal offering.¹⁷⁵ Rather, the verse cautions that one should not find, see, or eat [leavened bread]. All of this is elucidated in the *Book of Commandments*.¹⁷⁶

16:4 None of the meat which you sacrifice... at evening shall remain overnight—We already explained the confusion of the traditionalists in interpreting this verse, which contradicts their opinion, and they have removed it from its simple meaning in bizarre ways.¹⁷⁷ All of this has been explained in the aforementioned book, including the phrase *the first day... until morning*.¹⁷⁸ The intent of the verse is to the leftovers, as it says, *You shall leave none of it over until morning; that which remains of it until the morning you shall burn with fire* (Exodus 12:10).

¹⁷³ R. Moses Maimonides, *Mishné Tora*, *Hilkhot Kiddush haHodesh*, 2:10.

¹⁷⁴ *Gan 'Eden*, 'Inyan Hevdel Shana mish-Shana, ch. 2

¹⁷⁵ Mishna, *Pesahim* 5.1.

¹⁷⁶ *Gan 'Eden*, 'Inyan Pesah, ch. 2, 38b.

¹⁷⁷ See Rashi ad loc.

¹⁷⁸ *Gan 'Eden*, 'Inyan Pesah, ch. 2, 39b.

16:5 You shall not sacrifice the paschal offering—Since the intention here is to bring it to the chosen place, it consequently says, *You shall not sacrifice the paschal offering within any of your gates*.

16:6 There shall you sacrifice the paschal offering in the evening [‘erev]—Since the word ‘erev can include the night, he consequently says, *with the setting of the sun* [to clarify it is earlier], which is similar to *with the setting of the sun, he shall come into the camp* (Deuteronomy 23:12), which is after the sun sets.

16:6–7 At the time [mo‘ed] of your leaving—Meaning, “time” [zeman].¹⁷⁹

But it is not as the traditionalists say, “*In the evening* you slaughter [the paschal offering], *with the setting of the sun* you eat, and from when do you burn [it]? *At the time when you came out of Egypt*.”¹⁸⁰ But do they not say that the leftovers are burnt on the sixteenth, [which would be the day after they left Egypt]?¹⁸¹ And if their opinion is that it becomes leftovers [at that point] and is fit for burning [theoretically], this is not the intent of the verse. For the very next verse says, *You shall cook it and eat it*, implying that this verse is explaining the slaughter of the paschal offering [and not burning the leftovers].

16:7 You shall cook—In the sense of *fire-roasted* (Exodus 12:9), and, similarly, *They cooked the paschal offering in fire according to the ordinance* (II Chronicles 35:13) [where cooking clearly means roasting].

16:7 In the morning you shall return [to your tents]—For they would eat it in the precincts of the holy, and in the morning, [everyone] would go to their tent pitched around Jerusalem.

It is not like the opinion of the traditionalists, who say that this is on the second morning [when it was no longer a holy day], and the meaning is traveling home [rather than to the temporary tent].¹⁸²

16:8 Six days—Just as he explained the first day separately to emphasize its stature, he explains the final day due to its special stature.

It is not like the opinion of the traditionalists who say “six [days] from the new [grain], and seven from the old,” so he says, *six days*.¹⁸³

¹⁷⁹ Mo‘ed is a general word for time in Hebrew, and can mean both time of day and time of year (see Ibn Ezra ad loc.).

¹⁸⁰ Sifré, sec. 133.

¹⁸¹ Babylonian Talmud, Pesahim 83b.

¹⁸² See Rashi ad loc. and Babylonian Talmud, Hagiga, 17a–b.

¹⁸³ Sifré, sec. 134.

16:8 You shall do no work—He does not say “any [work]” because it is permitted to prepare food. We explained in the *Book of Commandments* why it says *work* and not “any work of labor” or “any work,” to alert [us] to the missing conditional [permitting food preparation].¹⁸⁴

16:9 Seven weeks—Similarly, *the festival of the reaping* (Exodus 23:16).¹⁸⁵

16:10 The tribute of a freewill offering of your hand [*missat nidvat yadekha*]¹⁸⁶—The intention in this section is not to explain which sacrifices are given on the day [of the festival], but rather whatever a person brings as a donation. Consequently, it does not say [with a conjunctive *vav*], “and [u-] the tribute of a freewill offering.”

Some interpret the word *missat* [tribute] as being from the same root as *nes* [banner], the meaning [of *missat... yadekha*] being “the raising of your hand.” Others interpret it as being from the same root as *mas* [tax or measure], the meaning being that one must give the freewill offering according to his means, and it is a geminate verb [the root being *m-s-s*].¹⁸⁶

The sense is like, *according to Adonai your God's blessing* (Deuteronomy 12:15), consequently it says, *in accordance with how Adonai your God blesses you*.

16:11–12 You shall remember that you were a slave—This is connected to *your male and female servant*, though he ends with the chosen place [in the verse].

16:12 You shall diligently observe these statutes [*hukkim*]¹⁸⁷—They are called *hukkim* because they were legislated [*nehkoku*] to be performed in order to recall the miraculous events that are the root of belief in God.

We have already given reasons for this holiday, how it depends on the count of fifty days, in the *Book of Commandments*.¹⁸⁷ But the sage Rabbi Aharon, may Eden be his abode, said that because Scripture does not reveal a reason for the festival of weeks [*Shavu'ot*], it therefore says *hukkim*.¹⁸⁸ But it is impossible for there to be no reason.

¹⁸⁴ Gan 'Eden, 'Inyan Hag hamMatzot, ch. 4.

¹⁸⁵ The point of this comment is likely to note the omission of the intervening holidays of the ritual calendar, which also occurs in Exodus 23. The reason is that both passages are focused only on those holidays during which one has an obligation to visit the Temple. See further *Keter Tora* on Exodus 23:16.

¹⁸⁶ According to the first explanation, the root is also ultimately geminate, namely, *n-s-s*, but the *dagesh* here would be compensating for the *nun* and there would be no compensation for a quiescent geminate letter. According to the second explanation, the assimilated *samekh* is represented by the *dagesh*.

¹⁸⁷ Gan 'Eden, 'Inyan Hag hash-Shavu'ot.

¹⁸⁸ One medieval explanation of the term *hok* (translated “statute” for lack of a more precise term) common to both Karaites and Rabbanites is that it is something divinely legislated to be observed for: no reason at all aside from demonstrating obedience, for reasons epistemologically incomprehensible to man, or for reasons known to a select few.

16:13–14 You shall keep the festival of booths for seven days—After that, he says, *after you have gathered in from your threshing floor and from your wine press*, that is to say, “after you have gathered in what is yours, you have a span of time to rejoice and bring joy to those enumerated.”

16:15 You shall observe a festival... for seven days in the place which Adonai shall choose—For the celebration is dependent upon God, and the celebration shall be according to how *Adonai your God shall bless you*.

16:15 And you shall be only [*akh*] joyful—You should not occupy yourself with anything but joy [*akh* is restrictive]. Some say the meaning is “truly joyful,” similar to *Truly [akh] you are my flesh and bone* (Genesis 29:14).

16:16 Three times [*pe ‘amim*]—Similar to *three times [regalim]* (Exodus 23:14).

16:16–17 All of your males shall appear [*yera’é*]... shall not appear [*yera’é*] [before Adonai emptyhanded]¹⁸⁹—He requires the appearance to be with a sacrifice, and that sacrifice should be *every man... as he is able*, and not as he desires [to give], the wealthy giving as though he were poor; rather, *according to Adonai your God’s blessing which He has given you*, as it says, *For everything is from You, and we have given You of your own* (I Chronicles 29:14).

¹⁸⁹ The printed edition and manuscripts have *yera’u* here, which led to a nonsensical parsing of the header and comment. It should *yera’é*, as Aaron is showing how to the two passive verbs are linked, that one should appear before God but not emptyhanded. Moses is charging them to appear with a sacrifice.

16:18 Judges and officers—After delineating what pertains to the chosen place, he begins to explain what one is obligated to do within the gates [of Israelite cities], beginning with the appointment of judges.

16:18 You shall appoint [*titten*]—Similar to *Appoint [tena] us a king to judge us* (I Samuel 8:6).

16:18 At all your gates, which Adonai your God gives you, according to your tribes—Every tribe has to have an appointed official for judicial matters, and every city shall appoint a judge and an officer, such that the judge shall render judgment and the officer shall impose it on the crooked.

16:18–19 And they shall judge the people justly—It is incumbent upon them to judge justly, so as not to warp the ruling.

16:19 You shall not pervert justice—He is addressing the judge, for there is one in every city.¹⁹⁰

16:19 You shall not show partiality. You shall not take a bribe—Since perversion of justice occurs in these two ways: showing partiality, as it says, *You shall not show partiality in judgment* (Deuteronomy 1:17); and taking bribes. And though the attributes of judges were stated [above in Exodus 18 and Deuteronomy 1] and detesting bribes was included, he further cautions them that *a bribe blinds the eyes [‘enê] of the wise*, as it is apparent that they do not investigate [*me ‘ayyenim*] sufficiently.

16:19 And perverts righteous words [*divré tzaddikim*]—Similar to *transparent windows [ḥalloné sheḳufim]* (I Kings 6:4).¹⁹¹ It is possible that *tzaddikim* describes the defendant who is innocent.¹⁹²

16:20 That which is altogether just [*tzedeḳ tzedeḳ*]—It is repeated to underscore the severity of the matter. Alternatively, it is addressed to the judge and to the officer. Or it is addressed to the two parties so that they do not come with a lie before the judge, since the judge can only rule based on what his ears hear and his eyes see.

16:20 You shall pursue—Similar to *Whoever pursues righteousness and kindness* (Proverbs 21:21), that is, to attain it.

16:20 That you may live and inherit the land—For the world only endures because of justice, as it says, *A king makes the land stable through justice* (Proverbs 29:4).

¹⁹⁰ The previous verse ends in the plural, and this verse begins with the singular, so Aaron is explaining the shift.

¹⁹¹ This seemingly genitive construct should be construed as an absolute form, which is then modified by an adjective: *devarim tzaddikim* and *ḥallanim sheḳufim* respectively.

¹⁹² *Tzaddik* in Biblical Hebrew has the meaning of “innocent” in addition to the well-known meaning “righteous.” According to this explanation, *tzaddikim* is a substantive noun, and the meaning is “the words of the innocent.”

He is obviously talking to Israel [and not, per above, the judge, officer, or parties to a suit].

16:21 You shall not plant—After he instructed them about obligations concerning the chosen place and those of [each city] gate, he begins explaining what they must not do in the chosen place.

16:21 You shall not plant for yourselves an Asherah—Is it not true that an Asherah is forbidden anywhere? Instead, the sages said that any planted tree [is forbidden next to the altar], as it is tantamount to the practice of idol worshippers who make an Asherah.¹⁹³

[*Ashera*] might be from the same root as *I see him [ashurennu]* (Numbers 24:17), since [the tree] shows the people where to worship.

16:22 Neither shall you erect for yourself a stone monument which... hates—As in the idolatrous practice of offering sacrifices to it, but otherwise it is not forbidden, for Jacob erected a stele, and Moses erected a stele, even commanding Joshua to erect twelve stelae.

17:1 You shall not sacrifice to Adonai your God an ox or a sheep in which there is a blemish—The blemishes are explained in *Torat Kohanim* [Leviticus].

17:1 Anything bad—This includes anything that marks it for idolatrous uses.

The sage Rabbi Aharon, may Eden be his abode, explained many aspects [of this], all of which are subsumed under *anything bad*, such as: the subject or object of bestiality, an animal missing the requisite time [the seven days with its mother after birth], the hire of a prostitute, and the price of a dog.

The [Rabbanite] traditionalists say: the worshipped [animal], those born from Cesarian section, the emaciated, and the designated [for idol worship]. And from what point is the animal considered designated? From the time that the idolatrous priests make a mark of idol worship on it, such as shearing it.¹⁹⁴

All of these are subsumed under *anything bad*.

17:1 For it is an abomination to Adonai—He is clearly alluding to the fact that it is an idolatrous offering.

17:2 If there is found—Since he explained something about that which they should not do in the chosen place, he now turned to explain what they must do within the gates [of the cities].

¹⁹³ See *Sifré*, sec. 145.

¹⁹⁴ *Sifré*, sec. 147.

17:2 A man—[This is meant to] include the stranger.¹⁹⁵

17:2 Or woman—In the sense of *The children gather wood, the fathers kindle the fire, and the women knead the dough [to make cakes to the queen of the sky, and to pour out drink offerings to other gods]* (Jeremiah 7:18).

17:2 Who does that which is evil—He focuses on idol worship, since this is the principal [transgression of the covenant].

17:2 Transgressing his covenant—Regarding which they said, *we will do and obey* (Exodus 24:7), for they made a covenant to worship God and not idols.

17:3 And has gone and worshipped other powers—Such as the angels, *the sun*, or *heavenly host*. He focuses on them given that they are grand creations, because even though one benefits from them, they should be considered an axe in the hands of the Hews (cf. Isaiah 10:15).

17:3 Prostrated themselves—Prostration was included [in *worshipped*], so why is it singled out? To teach about a very single act of worship. Alternatively, he mentions prostration because it is a simple, less egregious act of worship [yet is still punishable].

17:4 And you are told or [ye-] heard tell of it—Meaning, whether they told you from the outset, or you heard it being spoken about.¹⁹⁶ Consequently, *you shall investigate thoroughly*.

17:4 The rumor was accurate—which was heard, *that such abomination was done*—idolatry.

17:5 Then you shall bring out that man... to your gates—Wherever he was found.

17:5 That same man—He repeats it because he drew it out [in the relative clause].

17:5 You shall stone—He gives their penalty as stoning, a harsh execution.

17:6–7 By the mouth of two witnesses—If *by the mouth of two witnesses* the testimony is validated, what is the reason for the *three*? The commentators say *three* receive the testimony of the two, in case one of the initial witnesses is sick or from abroad, two other witnesses take his place. What then is the meaning of *the hands of the witnesses shall be first on him*?¹⁹⁷

¹⁹⁵ It is not clear what the derivation is. *Sefer hamMivhar* ad loc. derives it from the word “among you” (*beḳirbekha*), which is more straightforward.

¹⁹⁶ In the Hebrew, the conjunctive *vav* joining the verbs can be read as “and,” so Aaron is saying it means “or.”

¹⁹⁷ That is, since they did not actually witness the act, what sets them apart from everyone else who hears about it?

One can perhaps say that if there were three and one was disqualified, the two suffice.

The [Rabbanite] traditionalists say: If one was a relative or invalid [witness] for capital cases, but for monetary cases the testimony stands.¹⁹⁸ They say that just as three can declare two to be false witnesses, so two can declare three to be false witnesses, even a hundred.¹⁹⁹ And just as two are not killed unless both are found to be false witnesses, so are three not killed unless all three are found to be false witnesses.²⁰⁰

The opinion that the third is the determining factor against the first two is of no consequence.²⁰¹

17:6 The condemned [*met*] be executed—Since the verdict has been rendered, he is called dead [*met*].

17:6 He shall not be executed by the mouth of one witness—Does the verse not say, *One witness shall not rise up against a man* (Deuteronomy 19:15), and if for other matters the testimony of a single witness does not stand, all the more so for capital cases? Therefore, the [Rabbanite] traditionalists say it is not for other matters, but in capital cases it is valid to impose an oath [on the accused]. Nevertheless, they expound the verse *One witness shall not rise up* in other senses.²⁰²

17:7 The hand of the witnesses—Similar to *They shall not shave their head* (Ezekiel 44:20).²⁰³

[This is] in order to authenticate the matter.

17:8 When... is beyond [*yippalé*] you—Its sense is “it shall be hidden,” and similarly, *[Open my eyes, that I may see] hidden things from [nifla’ot] your law*” (Psalms 119:18).

17:8 A judicial matter—Since he commanded the appointment of judges at the gates, if a judicial matter is beyond them, he commands [the judge] to go to the chosen place to discover the truth of the matter.

¹⁹⁸ Mishna, *Makkot* 1.8.

¹⁹⁹ Ibid., 1.7.

²⁰⁰ Babylonian Talmud, *Makkot* 5b.

²⁰¹ According to Ibn Ezra ad loc., in a case where two witnesses contradict another two.

²⁰² *Sifré*, sec. 188.

²⁰³ There is a lack of conceptual agreement in number both here and in Ezekiel, where a single body part in the singular is said to belong to more than one person. The meaning is, of course, “the hands” and “their heads.”

17:8 Between blood and blood—Because he began with capital offenses [in the preceding section about the idolater], he says, *between blood and blood*, which means between the blood of the innocent and the blood of the guilty.

It is not like the opinion of the [Rabbanite] traditionalists, “between impure blood and pure blood.”²⁰⁴ The proof is *between case and case, between wound and wound*, and the general statement, *being matters of controversy within your gates* [none of which are ritual in nature]. As for their statement that *between wound and wound [nega‘ lenega‘]* is skin afflictions [to determine if any are *tzara‘at*, which is ritual in nature],²⁰⁵ do these not fall under the purview of the priest? Yet the [next] verse also says, *or to the judge (Deuteronomy 17:12)*, [so it is unlikely that we are dealing solely with priestly matters].

The opinion of Rabbi Aharon, may Eden be his abode, is that *between blood and blood* is between blood [spilled] premeditatedly and blood [spilled] accidentally, and he treats murder at length [here]. This does not seem correct; it seems to me it is about all capital offenses.

17:8 Between case and case—Cases of maiming.

17:8 Between wound and wound—Bruises and wounds.

17:8 Matters of controversy—Financial matters concerning inheritances, deposits for safekeeping, loans, price gouging, and theft.

Perhaps since he says *between*, which indicates being between two things, one can understand *between blood and blood* to mean “between the blood of the victim and the blood of the murderer,” as it says, *no atonement can be made for the land, for the blood that is shed in it, but by the blood of him who shed it (Numbers 35:33)*.

Between case and case would be other capital crimes and cases of maiming, in which the opinion of the judge vacillates²⁰⁶ between innocence and guilt.

Between wound and wound concerns inflicted injuries, and the distinction within²⁰⁷ the injurer’s liability for the unemployment, recuperation, and pain. For the laws of the Torah

²⁰⁴ Babylonian Talmud, *Nidda* 19a.

²⁰⁵ Ibid., as well as *Sifré*, sec. 152. *Tzara‘at* is an affliction of the skin described in Leviticus.

²⁰⁶ This seems to be how the term is used, but the Hebrew reads *posa‘at*, which means to step or to skip. Perhaps it should read *posahat*, along the lines *posehim* in I Kings 18:21, where it means that the Israelites were vacillating.

²⁰⁷ The Hebrew word here is *happerek*. It is absent in some manuscripts. Its exact meaning is not certain. In some medieval texts, particularly Karaite ones, it means the distinction or difference between things. This would fit the application of Aaron’s insight about the repeated use of “between” (*ben*) in the verse.

have great depth to them, as it is written, *Your testimonies are wondrous, therefore my soul keeps them* (Psalms 119:129).

Matters of controversy is as we have said.

17:8 You shall arise and go up—He is addressing the judge at the gate.

17:9 To the Levitical priests—Since the noun “priest” is ambiguous.

17:9 And to the judge who shall be in those days²⁰⁸... and they shall give you the ruling—which has eluded you.

17:10 You shall obey [veshama ‘ta] and *you shall do*—It is a commandment to obey [lishmoa ‘] the High Priest.²⁰⁹

17:11 According to the instruction [tora] that they shall teach you—To find innocent.

17:11 And according to the ruling which they shall tell you, you shall do—To find guilty.

17:11 You shall not deviate from that which they tell you, right or left—*For instruction [tora] shall go forth from Zion, and Adonai’s word from Jerusalem* (Isaiah 2:3), for God grants the spirit of wisdom to those who stand before him in order to reveal hidden matters, as is written, *Open my eyes, that I may see hidden things from your instruction [tora]* (Psalms 119:18).

It is not like the opinion of the [Rabbanite] traditionalists: “Even should they tell you that right is left, and that left is right.”²¹⁰ Rather, the meaning is that there should not be a contradiction in the Torah.

17:12 The man who acts presumptuously by not obeying—what they instruct from the Torah’s law.

17:12–13 That man shall die—He is sentenced to death. This might refer to the defendant himself. Consequently, *All the people shall hear and fear, and act presumptuously no more*.

²⁰⁸ The long quote from the verse might indicate a break that was missed because the words are all from the verse: “And to the judge—who shall be in those days.” See Rashi ad loc. quoting Babylonian Talmud, *Rosh Hashana* 25b.

²⁰⁹ The word *veshama ‘ta* is not in the verse (although many manuscripts mark it as if it were part of the verse). Aaron seems to be filling in the narrative: “You shall come... and they shall give you the ruling, *you shall obey* and *you shall act*.” The difficulty is that the exposition that follows seems connected to the word *veshama ‘ta*, which itself is not in the verse. An additional unresolved difficulty is that the previous verse instructs, “You shall come to the Levitical priests and to the judge.” The first group specifically includes all Levites, and there is no reason to assume the judge is the High Priest, so the prompt for this derivation is unclear.

²¹⁰ *Sifré*, sec. 155.

17:14 When you enter the land... and take possession of it and settle it—It seems that they will not ask for a king until after they have settled the land [and are ready] to submit to the burden of the monarchy.

17:14–15 And say, “Let me appoint a king over me”—It is not, as the [Rabbanite] traditionalists opine, a positive commandment,²¹¹ for what would be the meaning of *like all the nations around me*? The statement *you shall surely appoint* seems as if it is a command [only] when they ask [for a king].

17:15 From among your brethren—From Israel, and not like the descendants of Esau who appointed a king from another nation. Indeed, there is a negative commandment for Israel: *you may not appoint a foreigner over you*.

17:15 Whom Adonai... shall choose²¹²—through the mouth of a prophet.

17:16 Only he shall not accrue many horses—*These with chariots and those with horses, but we invoke the name of Adonai our God (Psalms 20:8)* [since he is to trust in God’s strength].

17:16 Nor return—Similar to *and on the next day she returned (Esther 2:14)*.²¹³

17:16 Because Adonai has said—This [statement] is not recorded [in Scripture].

Whoever says that the public rather than the individual is forbidden [from returning], because he found that Uriah fled to Egypt [in Jeremiah 26:21], has said nothing of consequence, because he was fleeing [and had no choice], and the proof is Jeremiah who came.²¹⁴

It does not seem correct that *because Adonai has said* means “is telling you now.”

It seems much more reasonable to be [an inference] from the statement, *you will never again see [the Egyptians whom you have seen today] (Exodus 14:13)*. The reference is not to the drowned [Egyptians] but to the Egyptian nation, the proof being in what it says, *[Adonai shall bring you to Egypt again on ships, by a route which] I told you that you would not see again (Deuteronomy 28:68)*.²¹⁵

²¹¹ See *Sifré*, sec. 156, and Babylonian Talmud, *Sanhedrin* 20b.

²¹² It is not clear why this gloss does not appear before the preceding one, since “whom Adonai chooses” precedes “from among your brethren” in the verse.

²¹³ In both verses, returning does not imply that the person was actually at that location previously.

²¹⁴ Presumably, Aaron refers to the fact that Jeremiah was also taken there against his will in Jeremiah 43; see *Sefer hamMivhar* and Ibn Ezra ad loc.

²¹⁵ The printed edition erroneously repeats Exodus 14:13 here. The correct verse is supplied from manuscripts.

17:17 He shall not have many wives—And he gives the reason, *lest his heart turn away*, and Solomon is proof.

17:17 Silver and gold—Though Solomon amassed [them], Scripture did not condemn him because the size of his kingdom warranted it.

17:18 It shall be, when he sits on the throne of his kingdom, that he shall write himself a copy [*mishné*] of this Torah in a book—A second [*sheniyya*] Torah, and likewise *double* [*mishné*] money (Genesis 43:12).²¹⁶ Some say [it is only] the book of Deuteronomy,²¹⁷ but the first interpretation is more likely.²¹⁸

17:18 In the presence of the Levitical priests—for they are the ones who study the Torah and occupy themselves with it.

17:19 It shall be with him—The Torah.

17:19 And he shall read it—The book of the Torah.

17:19 That he may learn to fear [Adonai]—upon seeing the promises in the Torah regarding reward and punishment.

17:20 That his heart not swell—to throw off the yoke of the Torah from himself, since he is the king [and may think himself above it].

17:20 And that he not turn away from the commandments—to do as he pleases.

17:20 That he may prolong his reign—perpetuating his kingship.

18:1–2 The Levitical priests... shall have no—Since he said *in the presence of the Levitical priests*, he begins to explain the due of the priests, who are the ones occupied with the Torah and should not be responsible for their day-to-day needs. Their food is to be provided to them, because they have *no portion nor inheritance with Israel*.

18:2 Adonai is their inheritance, as He has told them—[In the preceding verse,] *They shall eat the fire offerings of Adonai and from His portion*.

18:3 This shall be the priests' due—Since in the wilderness they ate the meat of wellbeing offerings, and now they are about to enter the land to eat unconsecrated meat, he explains the due of the priests from them.

²¹⁶ In other words, the word *mishné* functions as an adjective meaning “second” or “double.”

²¹⁷ The reason they say this is because Hebrew *mishné Torah* is a term used for the fifth book of the Pentateuch (certainly among Rabbanites, as at Babylonian Talmud, *Berakhot* 21b). Incidentally, English Deuteronomy (derived from Vulgate Latin) is essentially the equivalent of *mishné Torah*.

²¹⁸ It seems clear here that Hebrew *tora* refers to the complete corpus of the Torah, so we have translated it as “Torah” rather than “instruction.”

18:3 The foreleg, the cheeks, and the abomasum—Perhaps because these are the choicest parts from the three parts of the body.

18:4 The first of your grain—This is what is called the heave offering, and there is no specific measure for this portion, only whatever a person apportions from what is his.

The [Rabbanite] traditionalists say two percent, or one-fiftieth; a generous portion is one-fortieth; and the minimum portion is no less than one-sixtieth.²¹⁹

The first-fruits and the heave offering, which are the first [of the produce], are for the priests, and the tithe is for the Levites.

18:5 To stand to minister in Adonai's name—To offer sacrifices and grain offerings.

18:6–7 If a Levite comes—For the Levite also has service in the Temple, to sing or be a gatekeeper. And there were twenty-four shifts of Levites founded by David, Solomon, and Samuel, and it is written, *they would lodge surrounding God's house* (I Chronicles 9:27).

It is not as the [Rabbanite] traditionalists say that this also refers to the priest, owing to the fact that it says, *then he shall minister in the name of Adonai his God* [implying priestly service], for the service here is singing.²²⁰

18:8 They shall have like portions to eat—It is impossible that the shifts [of Levites] were not fed from the treasury, and the Levite who came to serve would share with the shift members.

18:8 Beyond what comes from the sale [mimkarav] of his family possessions [‘al ha’avot]—There are those who interpret it as similar to *from those whom you know [makkarekhem]* (II Kings 12:8), [and] *of his family [‘al ha’avot]* in the sense of *your friend and your family's friend [rea' avikha]* (Proverbs 27:10), and whatever [the friend] would vow he would give to a specific Levite. But the grammar resists this.²²¹

Others interpret it from the language of *mekher* [a sale], the meaning being, “beyond the inheritance from his father which he sold,” such that they cannot claim that since he had [a portion] but sold it, he has no portion from here.

²¹⁹ Mishna, *Terumat* 4.3.

²²⁰ *Sifré*, sec. 168. The Rabbanite explanation is the less straightforward, since the verse only mentions the Levite.

²²¹ The interpretation seems to be that this is aside from what this Levite would receive from familiars. *Sefer hamMivhar* ad loc. offers a similar explanation (which he rejects), although it reads ‘*al ha’avot* to mean according to what the forefathers instituted be given to the Levite. It also resembles a Rabbanite explanation about familiars regularly giving their sacrifice to a specific priest to offer it, although Aaron reads the verse as being about a Levite and not a priest.

It is possible that the dole of the Levites was from three years of age, such that when he came to serve and to be provided for alongside the shift members, if he had sold the portion he was supposed to receive from the dole, he could nevertheless partake with the shift members.

18:9 When you have entered—Since he mentioned the priests and the Levites—the teachers of Torah—so that people should cling to them and treat them well, he warns them not to turn them into the abominations of the nations, that they should not learn to do abominable things like those who *listen to fortune-tellers and diviners* (Deuteronomy 18:14).

18:10 There shall not be found among you anyone who passes his son or daughter through the fire—The worship of Molech.

18:10 A diviner [kosem kesamim]—Some say that these are the *decrees* (Daniel 2:27), who determine fates. They say that it is a general term for everything mentioned after it. Similarly, *a decree [kesem] on the lips of the king* (Proverbs 16:10).

The [Rabbanite] traditionalists say: One who grasps his staff and inquires of it.²²² And they say he cuts a piece of bark and throws it to see which falls on the top, whether the twig [*kesam*] or not.²²³

18:10 A fortune-teller [me'onen]—This is someone who looks at the times, that it is an auspicious time according to the aspect of a particular planet that he chooses.

Some say he deceives the eyes [*ohez enayim*, a practitioner of legerdemain].

18:10 An augurer [menaḥesh]—They say he pays attention to bird calls.

The [Rabbanite] traditionalists say: Like someone who says “my bread fell out of my mouth,” “a deer has crossed the road” [and take it as an omen].²²⁴

It seems likely that a *fortune-teller [me'onen]* is someone who examines the causes, and an *augurer [menaḥesh]* examines the effects, in the sense of *he verily probes [naḥesh]*

²²² *Sifré*, sec. 171.

²²³ This is clearly a practice of xylomancy, although the text appears corrupt (and is missing from some manuscripts). R. Joseph Bekhor Shor (ad loc.) and R. Moses of Coucy (*Sefer Mitzvot Gedolot*, negative commandment #52) record a practice of peeling part of the bark off a stick and then throwing it in the air to see how it lands. Certain significance is assigned to the side on which it lands, and whether it does so multiple times in a row or not. Aaron is likely referring to a similar practice noted in a Rabbanite work.

²²⁴ *Sifré*, sec. 171.

yenahesh] (Genesis 44:5), which has the sense of probing [something to determine its veracity].²²⁵

18:10 An alchemist—Someone who combines things and changes the natural property of something.

18:11 A conjurer—One who conjures demons and makes a circle [in which to bind them].

18:11 One who consults a ghost [ov]—This is [a type of magical] ventriloquism, in the sense of *Your voice shall be like a ghost [ke'ov] from the ground* (Isaiah 29:4), and its meaning has been explained.²²⁶

18:11 A wizard [yide'oni]—They say that he is the one who casts lots and practices geomancy.

The [Rabbanite] traditionalists say it is from *yiddoa'*, for there is a bird called *yidoa'*, and he puts a *yiddo'a* bone in his mouth²²⁷ and it tells the future.²²⁸

18:11 A necromancer—As it says, *who [sit among the graves, and] spend nights in secret places* (Isaiah 65:4), in order that an impure spirit descend [upon them].

18:12 For whoever does any of these is an abomination to Adonai, and because of these abominations Adonai your God drives them out from before you.

18:13 You shall be at peace with Adonai your God.

18:12 An abomination to Adonai—Because they remove God's providence.

18:12–3 And because of these abominations—the people of the land were punished. Consequently, he juxtaposes, *You shall be at peace with Adonai your God*.

18:14 For these nations that you dispossess listen to fortune-tellers and diviners; but as for you, Adonai your God has not allowed you to do so.

²²⁵ Similarly, they probe causes and effects to understand events or tell the future.

²²⁶ *Keter Tora* on Leviticus 19:31.

²²⁷ The printed edition and one manuscript consulted have it that “he puts a human bone in its mouth,” with the word *yiddo'a* replaced by *adam*. This does not correspond to the Rabbanite tradition and the majority of manuscripts do not affirm this.

²²⁸ Babylonian Talmud, *Sanhedrin* 65b.

18:15 A prophet from among you, from your brethren, like me, shall Adonai your God raise up for you. To him shall you listen.

18:14 For these nations that you dispossess listen to fortune-tellers and diviners—Therefore, they were punished.

18:14–15 But as for you, Adonai your God has not allowed you to do so—For if you desire to know of future matters, *A prophet from among you, from your brethren, like me*—for I am a trustworthy prophet, not a fortune-teller, and am *from your brethren—To him shall you listen.*

18:16 Like all that you asked of Adonai your God in Horeb—When God spoke to you without an intermediating prophet, and you said, *If we hear Adonai our God's voice anymore, then we shall die* (Deuteronomy 5:21).

18:17 Adonai said to me, “They have spoken well that which they have spoken”—From then on, it was verified for them that prophecy can rest on human beings, and that God speaks with one born of a woman. For the great assembly [at Sinai] was only to remove the doubt, as they themselves attested: *“We have seen today that God does speak with man, and he lives”* (Deuteronomy 5:20).

18:18 I shall raise up a prophet for them from among their brethren, like you—As you yourself are *from among their brethren.*

18:18 And he shall speak to them all that I command him—In the sense of *for whatever I send you, you shall go, and whatever I command you, you shall speak* (Jeremiah 1:7), and like the sense of *Strike me please* (I Kings 20:35).²²⁹

18:19 It shall happen, that whoever does not listen to My words—This could fit the prophet himself not delivering his prophecy, or someone not following the prophet's words.²³⁰

18:19 I shall exact punishment from him—His death is at the hands of heaven.

18:20 But the prophet who presumptuously speaks—This is a false prophet. It also includes those who steal God's word [from other prophets to pass themselves off as true prophets], and one who prophesies in the name of an idol. All three receive strangulation.

²²⁹ The printed edition (and one manuscript consulted) has *hinneni va*, with a reference to Zechariah 2:14. But the sense here seems to be that a prophet must be prepared to do anything, even painful or degrading, in fulfillment of God's word. Thus, *hakkeni na* attested in most manuscripts is the correct reference.

²³⁰ The relative clause *asher yedabber bishmi* can be translated as “which he is to speak” (the first option) or “which he shall speak” (the second option). The second has been adopted to translate the verse.

18:21 Lest you say in your heart, “How shall we know the matter”—This refers [specifically] to the prophet when he predicts the future.

18:22 When a prophet speaks in Adonai’s name, if the thing does not follow nor come to pass—The prophet Jeremiah clarified this: Whoever prophesies in God’s name for good, and that good does not come to pass, it is evident that he is a false prophet. An example is Hananiah the son of Azzur, who prophesied that the Temple vessels seized during Jeconiah’s exile would be returned to Jerusalem. Although he should have been executed by strangulation, that entire generation was wicked, so Jeremiah prophesized concerning him, *This year you shall die* (Jeremiah 28:16).

18:22 You shall not be afraid of him—Because false prophets comport themselves like true prophets, as it says, *neither shall they wear a hairy mantle to deceive* (Zechariah 13:4), as though a pious God-fearer.

18:22 You shall not be afraid of him—to kill him and to find him guilty.

19:1 When [Adonai] cuts off—Because he began with *You shall appoint judges and officers at all your gates* (Deuteronomy 16:18), he turns to explain the designated cities of refuge.

19:2 You shall set apart three cities for yourselves—After you settle.

19:3 You shall prepare the way, and divide the borders of your land... into three parts—so that there will not be any impediment when [the murderer] races to the cities of refuge. It is possible that preparation includes making [the distances] proportional.

19:4 This is the law of the murderer—There is a difference between one who strikes down *unintentionally* (Numbers 35:11,15) and one who strikes down *unwittingly*. The one who strikes down *unintentionally* is the one who strikes someone with something that does not have the capacity to kill, yet he dies. *Unwittingly* is someone who did not intend to hit anyone and did so, even with something that has the capacity to kill. This is what is meant by, *But if he pushed him suddenly without hostility* (Numbers 35:22).

19:5 As when a man goes into the forest with his fellow—Even though the action is intentional, since the metal got free and struck him without intent, it is not deemed intentional.

From the fact that he said, *into the forest*, one understands *the metal is dislodged [venashal] from the wood*. This is a challenge to the traditionalists who say [as a general rule] that whoever strikes something in its downward motion is exiled.²³¹ It seems that

²³¹ Mishna, *Makkot* 2.1.

some of them were therefore forced to make [*venashal*] transitive, that is to say, the metal dislodged a splinter from the tree which then kills the person.

19:5–6 He mentions those who are not conventionally liable, and consequently says, *he shall flee to one of these cities and live*, and instructs, *when he burns with anger and overtake him* though he is not liable for execution, and he gives the reason, *because he did not hate him in the past*.

19:7 Therefore I command you to set apart three cities for yourselves.

19:8 When Adonai your God expands your border, as He has sworn to your fathers, and gives you all the land which He promised to give to your forefathers;

19:9 and when you diligently observe all of these commandments, which I command you today, to love Adonai your God, and to always follow in His path, then you shall add three more cities for yourselves to these three.

19:8 When... expands your border—This expansion will be in the future when they inherit the land of the ten nations, because at this point they are [about to] conquer the land of seven nations.

19:9 He explains, *when you diligently observe all of these commandments*, and he gives the reason, *to always follow in His path—then you shall add three more cities for yourselves to these three* on the other side of the Jordan, when they inherit the land of the ten nations.

19:10 Then innocent blood shall not be spilled—This is the blood of the *unwitting* murderer at the hands of the avenger.

19:11 But if a man hates his fellow—This is one who murders premeditatedly.

19:11 And he flees to one of these cities—*The elders of his city* shall take him from the city of refuge to deliver him *into the hand of the avenger, that he may die*.

19:13 Your eye shall not pity him—if he is a handsome young man.

19:13 But you shall purge the innocent blood—by rendering justice, *innocent blood shall not be spilled* (Deuteronomy 19:10).

19:14 You shall not move your neighbor's border—Because he spoke about cities of refuge, to instruct that even the outlying fields [of the city] receive [and protect the murder]. Consequently, *set by those who came before* [just as the cities were designated by those entering the land].

19:15 One witness shall not rise up against a man—After explaining the law of the murderer and cautioning against moving borders, and it says, *Cursed is he who removes his fellow's landmark* (Deuteronomy 27:17), he says, *One witness shall not rise up against a man*, that if one witness observed him, the testimony does not stand.

19:15 For any iniquity—The intent could be capital cases, *or any transgression*—laws of mayhem, *any sin that he sins*—financial matters.

The [Rabbanite] traditionalists say that because [the text] warns that *One witness shall not testify alone against any person so that he dies* (Numbers 35:30) regarding capital cases, it stands to reason that the same holds true regarding financial matters.²³² What, then, is the meaning of, *One witness shall not rise up against a man*? He shall rise up to impose an oath [on the accused].²³³ This is their opinion: *One witness shall not testify alone against a man for any iniquity*—capital cases, *or any transgression [ḥaṭṭat]*—sacrifices [since the *ḥaṭṭat* is a sin-offering], *any sin that he sins*—laws of mayhem, for which one does not swear, but in others we accept a single witness to impose an oath.²³⁴

But it seems correct to me to say: *for any iniquity [‘avon]*—the intentional and witting sins, in the sense of, *what your servant egregiously sinned [he‘eva]* (II Samuel 19:20);²³⁵ *or any transgression [ḥaṭṭat]*—the unintentional;²³⁶ *any sin*—this is an explanation of *or any transgression*.

19:16 If a... witness [‘ed] rises up—Its meaning is “testimony,” because one witness is not accepted, and wherever there is no [valid] testimony, it says “one [witness].”

²³² The printed text and some manuscripts consulted read “regarding financial matters... capital cases,” which is clearly a mistake given the proof-text. It is possible that it is influenced by Aaron’s commentary on Numbers 35:30, where he comments (not in the name of the Rabbanites) regarding “one witness shall not testify” as follows: “If it is [true] in monetary matters, all the more so for capital cases.” The Scriptural basis of the protasis is not immediately clear. In any case, the text has been corrected according to many other manuscripts. Even so, the presentation of the Rabbanite opinion is not entirely accurate, as nowhere do they make this *a fortiori* argument. Aaron is likely referring to Babylonian Talmud, *Sanhedrin* 30a, where they establish a *binyan av*, a general principle which means that if a word or phrase means something in one place in the Torah, it sheds light on its usage everywhere else (regardless of whether one context is “stronger” in some way). With regards to witnesses, the Rabbanites claim that “witness” (‘ed) here reveals that everywhere in the Torah, two witnesses are meant unless otherwise specified, which would of course include monetary matters.

²³³ *Sifré*, sec. 188.

²³⁴ Cf. *ibid.*

²³⁵ The speaker in the verse is Shimei son of Gera, who repeatedly cursed David; see II Samuel 16:5–14.

²³⁶ He presumably arrives at this because the sin offering, the *ḥaṭṭat*, is for unintentional sins.

19:16 To speak [*la'anot*] against him falsely [*sara*]*—*Similar to *but the rich speak [ya'ané] with impudence* (Proverbs 18:23), and the intent is false testimony [*'edut sara*].²³⁷

19:17 Then the two men, between whom is the controversy, shall stand before Adonai—When they stand before the judges it is as if they are standing in the divine presence, like the sense of *God presides in the great assembly [He judges among the judges]* (Psalms 82:1). He does not intend the witnesses [are the one who *shall stand*], but it is clarified that it is the parties to the dispute.

19:17 Before the priests and the judges [*shofetim*]*—*who are the judges [*dayyanim*].²³⁸

19:18 And the judges shall investigate thoroughly*—*regarding the [reliability of the] witnesses.

19:18–19 And if they are found to be false through other witnesses, *then you shall do to him as he schemed to do [la'asot] to his brother*. The [Rabbanite] traditionalists say: “But not as he did. If they did not kill him, they are killed; if they killed him, they are not killed.”²³⁹ This is nonsense, because the infinitive takes the place of the action, similar to *by playing the prostitute [liznot] in her father's house* (Deuteronomy 22:21). So [the punishment] is with whatever is possible,²⁴⁰ be it corporal or financial punishment.

They further say that the verse says *to his brother* and not to his sister, to exempt the priest's daughter who fornicated, since the fornicator receives strangulation and she receives burning [so the false witness receives what the man, *his brother*, would receive].²⁴¹ But [truthfully], the verse says, *If a scheming witness rises up against any man* (Deuteronomy 19:16), so it says here, *to his brother* [it is simply talking about men].

19:20 Those who remain*—*Meaning, others of their ilk [inclined to bear false witness].

19:21 Your eyes shall not pity: a life for a life*—*Regarding the scheming witness, that which can possibly be done to him. But if he testified about him that he was a bastard,

²³⁷ That is, the word *sara* is a feminine singular adjective that modifies an implied feminine singular noun, *'edut*.

²³⁸ Aaron's intent here is not entirely clear. One possibility is that the priests are usually conceived of as presiding over religious rites, so Aaron is clarifying that the priests are acting in a judicial capacity here. Another possibility is that *shofet* can have the sense of “leader,” so Aaron is clarifying that these are the judges presiding over the specific case.

²³⁹ See Rashi ad loc. quoting Babylonian Talmud, *Makkot* 5b.

²⁴⁰ See Aaron's comment below on Deuteronomy 19:21.

²⁴¹ *Sifré*, sec. 190.

how can he also be [made] a bastard? The [Rabbanite] traditionalists say he receives forty lashes [instead].²⁴²

20:1 When you go out to battle—This section [on the laws of warfare] immediately follows [the section on the laws of the murderer] to teach you that the laws of a murderer are not applicable in wartime.

20:1 And see horses, chariots, and a people more numerous than you, you shall not be afraid of them—A [divine] promise.

20:1 Who has brought you up—He intimates that “in the same way that He miraculously brought you up from Egypt, you will vanquish the enemy with the help of God, through manifest providence to overpower the supernal configuration. For if it is in their configuration [of zodiacal constellations] to be victorious, God will overpower that configuration.”

20:2 In your drawing near [karovkhem]—This [infinitive construct] is atypical, as it should have been [vocalized] similar to *in your seizure [tofsekhem]* (Joshua 8:8), or similar to *in your eating [akholkhem]* (Numbers 15:19).²⁴³

20:2 The priest shall approach—This is [the priest] anointed for war.

20:3 Do not let your heart be faint—when you go out to the battle.

20:3 Do not be afraid, do not tremble—if they have with them *horses and chariots* (Deuteronomy 20:1).

20:3 Do not be scared—if they are *[more] numerous [than you]* (ibid.).

20:4 For Adonai your God—He overpowers all supernal hosts.

20:5 The officers shall speak—For one priest speaks and one priest calls out.²⁴⁴

20:6 And what man is there who has planted a vineyard, but has not used its fruit [hillelo]—Some say that he [or it] has not yet given the fourth-year produce [which is consecrated] to make it unconsecrated [hol] in the fifth year. Others say it is from *with flutes [uvimholot]* (Exodus 15:20) [and indicates celebration]. The former is correct.

²⁴² See Mishna, *Makkot* 1.1 with accompanying Talmud.

²⁴³ In the first prooftext, the first root letter takes a *kamatz katan*, the second a *sheva nah*, and the third a *sheva na* ‘. In the second prooftext, the only difference is that the first root letter takes a *hataf patah*, whereas here it takes a *kamatz gadol*.

²⁴⁴ Cf. Babylonian Talmud, *Soṭa* 43a.

20:7 Has betrothed a wife, but has not taken her—He has not yet married her.

20:8 The officers shall speak further—This statement is addressed to everyone, for the previous one was addressed to individuals.

20:8 Lest he melt [*yimmas et*]—It appears to be transitive, and the word *et* [the direct object marker] is proof. Otherwise, it is in the *nif'al* conjugation, and is along the lines of *the land shall be divided* [*yehalek et ha'aretz*] (Numbers 26:55) [where an unambiguous *nif'al* form appears with the particle *et*].

20:9 The captains of the army shall count the heads of the people—Since the number has been reduced [by those who left].

20:10–15 When you draw near—It seems from the simple reading of Scripture that a peaceful overture is only [made] to *cities which are very distant*, not of the seven nations. About these [distant cities] it says, *you shall strike down all its males by the sword; but the women, the little ones...*, whereas about the seven nations he says, *you shall not spare anything that breathes* (Deuteronomy 20:16), and does not instruct any peaceful overture. But is it not true that there was a peaceful overture to Og and Sihon, yet they left no survivors? [Therefore, the simple reading is not tenable.]

Rabbi Aharon, may Eden be his abode, said that there were peaceful overtures to the seven nations, and the anger of the Israelites at the Gibeonites [in the book of Joshua] was not on account of making peace [under false pretenses], but that they did so without submitting to taxation and becoming vassals.

It seems to me, however, that whoever the Israelites were required to dispossess now across the Jordan had no peace overture. But every land that was part of the covenant, which He promised [they would] take possession of through expansion of the border, would have a peace overture. Therefore, there was a peace overture to Sihon, but after dispossessing them, they left no survivors.

20:13 You shall strike down all its males by the sword—The adults.

20:15–16 Thus shall you do to all the cities which are very distant from you—that are not part of the land of the covenant, as it says, *But of the cities of these nations...*

20:16–18 You shall not spare anything that breathes—Explicitly, it is a warning, but implicitly, it is an imperative, which is, *but you shall annihilate them*. And he provides the reason, *that they not teach you to follow all their abominations*. His warning to them was absolute, not on condition that they accept not to worship idols, because one must distance oneself from the execrable.

20:19 When you shall besiege—As he said earlier, *then you shall besiege it* (Deuteronomy 20:12). And regarding the siege he says, *you shall not destroy its trees...*

20:19 To use them in a siege—This is the continuation of *you shall not destroy* [lo tash-hit].

20:19–20 For the tree of the field is man’s [*ha’adam*]*—*Man’s sustenance, as he says, *You may eat of them*.

It is not possible that [*ha’adam*] is missing an interrogative *hé* [prefix], similar to, *Can you spread out* [tarqi-a’] *the sky with him?* (Job 37:18) [missing the interrogative *hé*], the meaning being, “is man a tree of the field?” This is not a fitting construal, because the reason is that it is *trees for food*. The same goes for whoever interprets “for man is not a tree of the field” [with the negator *lo* missing].

21:1 If someone is found slain in the land—Since he mentioned a matter of war, he discusses someone slain when there is no war. Consequently, he says, *it is not known who struck him down*.

This [commandment] is dependent upon [residence in] the land of Israel.

21:1 Lying in the field—The same is true in a hidden place, but Scripture speaks about the present [usual circumstances]. Similarly, *Whoever touches in the open field* [*a corpse*] (Numbers 19:16). So, even if it is found near a particular city, or even if it is found within the city, but the verse explains what is most common, in the same way it differentiates between robber and thief.

21:2 Then your elders and your judges shall come out—They are [from]²⁴⁵ *the cities which are around him who is slain*.

21:2 They shall measure—The commentators have different opinions about the point from which one measures. Some say from the exact place where he was slain; others say from the navel, for it is the center of the body; still others say from the nose—I am not sure why, perhaps because the breath depends on it.

What is correct is that it refers to the body, such that if the head is severed and found in one place and the body in another, they measure from the body, for the head follows the body, and the place where the body is found is where it became *slain*. They need not bring the head to the body or the body to the head.

21:3 It shall be that the city nearest—the elders of that city shall take a heifer of the herd.

²⁴⁵ The Hebrew has *whnh*, which is difficult. It would seem that on account of textual corruption here, this entire comment was omitted from a number of manuscripts.

21:3 Which has not been worked with [*lo ‘ubbad bah*]—The prepositional *bet* [of *bah*] refers back to the one performing the action [*po ‘el*],²⁴⁶ and likewise [in the next verse], *which has neither been worked* [*lo ye‘aved bo*].

21:3 Which has not drawn a yoke—It is not the same as the red heifer, regarding which it says, *which was never yoked* (Numbers 19:2).

21:4 The elders of that city shall bring down... to a mighty [*etan*] valley—Meaning, “flowing,” and similarly, [*You dried up*] *mighty* [*etan*] *rivers* (Psalms 74:15).

Alternatively, *etan* refers to the mighty ruler [*hassar hattakḳif*] of that city who was in charge of keeping the roads safe.²⁴⁷

21:4 Which has neither been worked nor sown—This is an exhortation that it not be worked nor sown [from now on], even though an adjacent area in the valley is arable and good for sowing. All this is so that those who own places good for sowing, lest they lose out, will keep the roads clear of brigands.

21:4 And shall break the... neck there—They shall sever its nape in the valley.

21:5 The priests [the sons of Levi] shall come near—Similar to, *the Levitical priests* (Deuteronomy 17:9), since the noun “priest” is ambiguous.

21:5 To minister to Him, and to bless in Adonai’s name—The opposite of this is to curse the evildoers [that is, one is the obverse of the other].

21:5 And by their word shall every controversy and every assault be decided—in order that the [potential] murderer will fear being cursed by perpetrating this act, and shall not commit the heinous crime of murder.

21:6 All the elders of that city... shall wash their hands—in order to cleanse themselves, for they were not lax in guarding their area, to the extent of guarding the roads, lest such an event occur and they would be unable to cleanse themselves.

²⁴⁶ Dr. Gabriel Wasserman points out that this is the impersonal, which takes no grammatical subject, so *po ‘el* would not have the usual meaning of “subject.” Since the *pu ‘al* conjugation is referred to by Radak (and others) as *shello nizkar shem po ‘alo*, meaning that there is no *po ‘el*, it seems possible that the original here read *pa ‘ul*.

²⁴⁷ According to the second interpretation, *naḥal etan* would mean “the riverbed of the mighty ruler,” which does comport with the next comment. It is worth noting, however, that one manuscript consulted has *hassadé hayyafé* instead of *hassar hattakḳif*, meaning “the choicest field.” It is selected for this ritual because “they (pl.) were obligated to keep the roads safe.” This interpretation fits the meaning of *etan* reported by Radak in the name of his father, R. Joseph Kimhi, meaning “lush, fertile.” The latter also understood, as his son reports, “has neither been worked nor sown” to mean from that point forward. Aaron draws on Radak’s works throughout, so he would have been aware of this interpretation.

21:7 Our hands have not shed [*shafekha*] this blood—The *hé* [at the end of *shafekha*] takes the place of the plural *vav* [as if it were *shafekhu*],²⁴⁸ similar to *saying, they have been laid desolate [shamema]* (Ezekiel 35:12) [where it replaces plural *shamemu*]. The meaning is “we were not negligent in guarding the roads.”

21:7 Nor have our eyes seen—a miscreant who would spill blood and we let him be.

Some say that if one of them saw but cannot testify, since *One witness shall not testify alone against any person so that he dies* (Numbers 35:30), they say that he should stutter the statement *nor have our eyes seen*. And the [Rabbanite] traditionalists’ sages say that if one witness saw [such a crime], they do not break the neck of the heifer.²⁴⁹

21:8 Atone, Adonai, for your people Israel, whom you have redeemed—And it is written, *No atonement can be made for the land, for the blood that is spilled [in it, but by the blood of him who spilled it]* (Numbers 35:33).

21:8 And do not leave innocent blood... and let the blood be atoned for them—by making it turn out that the blood of the murderer is spilled. Alternatively, the meaning of *Atone, Adonai, for your people Israel... and do not put* the punishment of *innocent blood*, because maybe on account of iniquity did it occur that the slain was near this particular city.

The word *venikkapper* [be atoned] is an amalgamation of two verbal paradigms [*nif'al* and *hitpa'el*], along the lines of *and a contentious wife are alike [nishtava]* (Proverbs 27:15), but this [latter word] is lightened because it tends to the *nif'al* conjugation. *Venikkapper* has a *dagesh* because it tends to the *hitpa'el* conjugation.²⁵⁰

21:9 So shall you purge the innocent blood—by killing the murderer.

21:9 When you do that which is right in Adonai’s eyes—That is, by this ritual. Some explain that if after performing this ritual the murderer is found, he is executed, and that is the meaning of *when you do that which is right*. Others explain that *when you do that which is right*, no *innocent blood* will be found.

It is possible that the statement *Atone* is said by the priests, and for that reason he says, *Adonai your God has chosen them to minister to Him, and to bless in Adonai’s name* (Deuteronomy 21:5). It is also possible that the ritual of breaking the heifer’s neck atones

²⁴⁸ *Shafekha* is not feminine singular but masculine (and feminine) plural.

²⁴⁹ Babylonian Talmud, *Soṭa* 47b.

²⁵⁰ *Venikkapper* has a geminated *kaf* due to the assimilation of a *tav* from the *hitpa'el* paradigm, and a geminated *pé* following that paradigm as well. *Nishtava* preserves the *tav* of the *hitpa'el* so there is no need to compensate by geminating the *shin*, but there is no gemination of the *vav*, which one would expect. As such, it follows the *hitpa'el* conjugation less closely than *venikkapper*, and is closer to the *nif'al*.

for the blood, and the meaning is that it is via the ritual of breaking the heifer's neck and via the pronouncement of the priests. And this would be the meaning of *So shall you purge the innocent blood from your midst*.

21:10 When you go out—He said about *the cities which are very distant* (Deuteronomy 20:15) that *you shall strike down all its males by the sword; but the women, the little ones, [the livestock, and all that is in the city, all its bounty, you shall plunder for yourself]* (20:13–14), but concerning the seven nations he says, *you shall not spare anything that breathes* (20:16), so this woman is not Canaanite.

21:10 And you take them captive [*veshavita shivyo*]—This includes human beings, and the pronominal suffix [of *shivyo*] refers back to the enemy.²⁵¹

21:11 And you see among the captives—As he said [above], *but the women, the little ones* (Deuteronomy 20:14).

21:11 A beautiful woman [*eshet yefat to'ar*]—Whoever says that the marriage of a non-Jew [to another non-Jew] is not binding has said nothing of consequence, since it says, *you shall strike down all its males* (Deuteronomy 20:13) [so any marriages are dissolved because the husbands are killed].

As for the one who says that it is like *the untimely births of a woman* [*nefel eshet*] (Psalms 58:9), that must be in construct [with implied *ish*, making *nefel eshet ish*]; since it says *untimely births* [*nefel*], apparently she had relations with her husband. Here, however, [*eshet*] can be absolute [and not in the construct state], since he said *and bewail her father and her mother* (Deuteronomy 21:13) alone [and not her husband].

22:11 A beautiful woman—Which is why he desired her.

21:11 And you desire her [*vehashakta bah*]—Along the lines of *Shechem my son truly desires [your daughter]* [*hasheka bevittekhem*] (Genesis 34:8).

21:11 And you take her to be your wife—That you take her to be a wife. The meaning is not, as the [Rabbanite] traditionalists opine, that he had relations with her prior to marrying her.²⁵²

21:12 Then you shall bring her—It seems like she needs purification, after which he may have relations with her.

21:12 Into your house—Into his household, so that he is not alone with her.

21:12 She shall shave her head—Like the law for the purification of the *metzora* ' [someone afflicted with the skin disease *tzara'at* described in Leviticus].

²⁵¹ Therefore, *veshavita shivyo* means “you take the captive of his,” captives from among your enemy.

²⁵² See Babylonian Talmud, *Kiddushin* 21b.

21:12–13 Some say that all these actions [which make her unattractive] are to remove his lust for her, because maybe he desired her beautiful hair. *And grow out her nails*—so as to be repugnant in his eyes. *She shall remove the clothing of her captivity*—for the women would wear jewelry during war, perhaps a man would desire her and she would not be killed [so she removed this jewelry in his house]. *And bewail her father and her mother a full month*—the despair of this period might remove his desire, as she is crying and groaning.

Others interpret all of these [actions] as purifying. The shaving of hair is as we have said. *And aseta her nails*—the sense is trimming, similar to, *he did not trim [‘asa] his beard* (II Samuel 19:25). *She shall remove the clothing of her captivity*—because of the filth of the nations, and this is an obligation for every convert. *And bewail her father [and her mother]*—so that she gradually comes to terms with it. Some say because [her parents] are lost to idol worship. I believe they said this because the women were not killed, so what would be the meaning of *and her mother*? Although he did not mention her purification through the waters of sprinkling, we learn this from, *[purify yourselves on the third day and on the seventh day,] you and your captives* (Numbers 31:19).

21:13 *After that you shall go in to her and be her husband*—The sense is conjugal relations.

21:13 *And she shall be [vehayeta] a wife for you*—Some say that [the extra reference to marriage] implies that she is treated as a married woman for adultery. But it seems to me that the *vav* of *vehayeta* is instead of *ka’asher [when]*, the meaning being, *and you shall be her husband when she shall be a wife for you*, that is, he shall not have relations with her until after he acquires hereas a wife.

The [Rabbanite] traditionalists opine that he must wait three months [and not one], since she was married [and might have been pregnant, so this is a paternity test].²⁵³ But this does not conform to the simple meaning of the verse.

21:14 *It shall be, if you have no delight in her*—After having her fulfill all of these conditions, but not after having married her,²⁵⁴ for then she would be considered a married woman [and would require a writ of divorce]. Indeed, it is before he has sexual relations with her.

21:14 *Then you shall let her go where she desires*—to be under her own control, not subjugated to him.

²⁵³ Babylonian Talmud, *Yevamot* 48b.

²⁵⁴ The printed and some manuscripts have *r”l*, an initialism for *rotzé lomar*, “that is to say.” In a number of manuscripts *lo* appears instead; we have adopted that reading.

21:14 You shall not sell her for money—The same is true [of selling her] for anything [else of value], but the verse speaks about what is most common. Likewise, *lying in the field* (Deuteronomy 21:1).²⁵⁵

21:14 You shall not exploit [tit‘ammer]—It likewise says, *and he exploits [vehit‘ammer] him or sells him* (Deuteronomy 24:7), meaning, making an exchange of goods.

As for the one who interprets it as *yit‘ammer* [replacing the ‘ayin with an alef], meaning “he shall not lord it over her,” it fits better for the meaning to be “do not exploit her,” in the sense of slavery.

21:14 Because you have oppressed her [‘innitah]—Meaning, with all the aforementioned conditions. And we find oppression with respect to shaving the head, [as in,] *that we may bind him to oppress him [le‘annoto]* (Judges 16:5). The meaning of *oppressed her* does pertain to sexual relations.

21:15 If a man has two wives, the one loved and the other loathed—Perhaps the one he took captive is the one he loves.

The [Rabbanite] traditionalists opine that *loved* and *loathed* is by God [and not the husband].²⁵⁶

21:15 And the other [veha‘ahat] loathed—He did not say “and the second” [*vehash-shenit*], because evidently the loved one was married last.

21:15 And they have borne him children, both the loved and the loathed—He mentions [the loved wife] first, just as he did above, even though really the loathed one gave birth first.

21:15 Is from the loathed one [lasseni‘a]—It is an adjective [as opposed to a passive participle, signifying a permanent state].

21:15 And if the firstborn son—He is the firstborn of [the father’s] vigor.

21:16 Then it shall be, on the day that he bequeaths to his sons—Whether he is healthy or on his deathbed.

21:16 He may not give... the rights of the firstborn—This is a negative commandment.

21:16 Before [‘al pené]—Meaning, “before.”²⁵⁷

21:17 But he shall acknowledge the firstborn—He shall formally recognize that he is the firstborn. Alternatively, it is in the sense of *You shall not show partiality [takkiru panim] in judgment* (Deuteronomy 1:17), that he assumes the honor of the birthright.

²⁵⁵ See Aaron’s commentary ad loc.

²⁵⁶ *Sifré*, sec. 215.

²⁵⁷ In Hebrew the usual preposition would be *lifné*.

21:17 By giving him a double portion—That he takes an additional portion from the rest of the brothers—double what each of the others receives.

The [Rabbanite] traditionalists exempt whoever was not alive during [the father's] lifetime to receive recognition.²⁵⁸ But the verse says, *the right of the birthright is his* [without qualification].

21:17 Of all that is found to be his—That is in his possession.

The [Rabbanite] traditionalists say that he does not receive a double portion of potential assets as he does with held assets [actually in the father's possession].²⁵⁹

21:17 For he is the first of his vigor—For the firstborn of vigor is from the strength of the father. The meaning is not *the first* of coitus, for this is impossible.

A [firstborn] daughter causes the [next] boy to lose his rights [of being his father's first issue], and so does the stillborn fetus that has a [human] shape.

He does not receive two portions of the mother's property.

We have elucidated this in the *Book of Commandments*.²⁶⁰

21:18 If a man has a wayward and rebellious son—This section is juxtaposed, perhaps because the son of the captive that he married out of love is not given the rights of the firstborn if he was a regular son [not born first]. And possibly a stubborn and rebellious son will come from her.

21:18 Wayward—with respect to the positive commandments, *and rebellious* with respect to the negative commandments.

21:18 Who does not obey the voice of his father or the voice of his mother—*A glutton and a drunkard (Deuteronomy 21:20)* who undermines the order of the world, as it says, *Do not be among those besotted with wine, or those who gorge themselves on meat (Proverbs 23:20)*. Scripture focuses on two major vices, but the same is true of inordinate spending on anything else [other objects of desire].²⁶¹

21:18 And though they chasten him—for all of this. The chastening is in the presence of witnesses, because they need to bring him to a court.

²⁵⁸ Babylonian Talmud, *Bava Batra* 142b.

²⁵⁹ *Sifré*, sec. 217.

²⁶⁰ *Gan 'Eden, Diné Yerusha*, chs. 2–3, 166b–168b.

²⁶¹ This comment seems to be here rather than on 21:20 below, because the disobedience mentioned here is being interpreted in terms of the two vices specified below.

He cannot have reached majority, for one of majority cannot become a wayward and rebellious son, and neither can he be a minor, since the minor is exempt from punishment. Rather, he must be close to majority.

21:18–19 Does not obey them—to accept the chastening, but maintains his rebellion, and will end up rebelling against the fundamentals [of Judaism]. Consequently, [*his mother and his father shall take hold of him*].

21:19 His mother and his father shall take hold of him—It seems that they have to be in accord [to do this].

21:20 They shall tell the elders of his city, “This son of ours is wayward and rebellious. He does not obey our voice. He is a glutton and a drunkard.”

21:20 This son of ours—It seems likely that this statement [is made] in the presence of witnesses who had warned him [given the demonstrative pronoun, *this*].

The [Rabbanite] traditionalists derive from here that we do not punish without prior warning.²⁶² But the Karaite sages say that he is only culpable because they made him swear [not to continue his wicked behavior], and he broke the oath.

21:21 All the people of his city shall stone him to death. So shall you purge the evil from your midst, and all Israel shall hear and fear.

21:21 All the people of his city shall stone him to death—in order that the youths of his age learn their lesson.

The [Rabbanite] traditionalists say that the wayward and rebellious son never existed, and that this section was written only to teach judges that we judge according to the law and extralegally.²⁶³

21:22 If a man has committed a capital crime and is executed, and you hang him on a tree,

²⁶² The Hebrew reads *en ‘oneshin ella matrin*, “we do not punish but warn,” but it should read *en ‘oneshin ella <im ken> matrin*, which is how it has been rendered here. Since *im ken* is often abbreviated, it could have easily been omitted. Aaron is likely referring to R. Moses Maimonides, *Mishné Tora*, *Hilkhhot Mamrim*, 7.1.

²⁶³ Cf. Babylonian Talmud, *Sanhedrin* 71a. The Talmud there has it differently. It lists a number of Biblical passages that were never (meant to be) implemented, and they were written solely to be expounded so that one can receive reward for studying them. There is no implication that any of the passages, including the one of the wayward son, are to be used as templates for adjudication. The exact meaning of the very end of Aaron’s comment here is unclear, perhaps it should read “*not* extralegally.”

21:22 If a man has committed a capital crime and is executed, and you hang—The [Rabbanite] traditionalists say that all executed by stoning are then hanged,²⁶⁴ but the Karaite sages say that this is optional.

21:23 you shall not let his corpse remain overnight on the tree, but you shall surely bury him the same day; for the hanged is God's curse. Do not defile your land which Adonai your God gives you for an inheritance.

21:23 You shall not let his corpse remain overnight on the tree, but you shall surely bury him the same day—before the sun sets.

21:23 For the hanged is God's curse [*ki kilelat Elohim talui*]²⁶⁵ —Some interpret [the phrase *kilelat Elohim*] as modifying the passive participle [*talui*], because man is created in God's image.²⁶⁶ But this cannot be, because then he ought not be hanged at all [even on the same day].

Others explain that it is because he blasphemed God's name.²⁶⁷ But this cannot be, because Joshua hanged the kings that he conquered and ordered that they be taken down in the evening [and they were not guilty of cursing God].

Some construe [*kilelat Elohim*] as a subjective genitive, the meaning being, “the hanged is cursed by God,” so it is not fitting for his corpse to hang overnight such that the land be defiled.²⁶⁸ But what would be the meaning of the word *for*?

Yet others interpret that the curse shall befall any place near, or even far, from the hanged, and this is the meaning of *Do not defile your land*. What, then, would be the meaning of *for the hanged is God's curse*? That the curse is ascribed to the hanged. It seems that the word *for* takes the place of “even though,” similar to, [*you shall drive out the Canaanites,*] *even though* [*ki*] *they have chariots of iron* (Joshua 17:18). The meaning would be that this hanged man, *you shall not let his corpse remain overnight* but *you shall bury him*, thereby showing respect to his body, even though he is cursed by God.²⁶⁹ All this is so that you *not defile your land*, because you are obligated to bring first-fruits

²⁶⁴ Babylonian Talmud, *Sanhedrin* 45b-46a.

²⁶⁵ The rest of this comment refers to various explanations as understood by Aaron. We have supplied tentative readings of the verse according to each in the notes that follow.

²⁶⁶ The first reading: “for the hanged corpse is a curse of God.”

²⁶⁷ The second reading: “for the hanged cursed God.”

²⁶⁸ This third reading: “for the hanged is cursed by God.”

²⁶⁹ The fourth reading: “even though the hanged corpse produces God's curse.”

and tithes from it. And it is the same for everyone, whether they are Israelite or Gentile, and Joshua proves it [as above].

Chapter 22

22:1 You shall not see your brother's ox or his sheep go astray and hide yourself from them. You shall surely return them to your brother.

22:1 You shall not see your brother's ox or his sheep [*seyo*]²⁷⁰—He compares the ox to the sheep, that one should not derive benefit from them.

We find [the form] *seho* [sheep] (I Samuel 14:34) and both ways [of adding a pronominal suffix] are correct, similar to *yado* and *yadehu* [both of which mean “his hand”]. We have already mentioned the reason for the *hé* in pronominal suffixes.²⁷¹ Sometimes [Scripture] omits it, [like here].

22:1 Go astray [*niddahim*]²⁷¹—The first letter of the root [*n-d-ḥ*] is assimilated into the *dagesh* [of the *dalet*].

22:1 And hide yourself from them—To make as though you have not seen [them].

22:1 You shall surely return them—Whether you yourself, or through a messenger.

22:2 If your brother is not near you, or if you do not know him, then you shall bring it into your house, and it shall be with you until your brother comes looking for it, and you shall return it to him.

22:2 If your brother is not near you, or if you do not know him, then you shall bring it into your house and it shall be with you until your brother comes looking for it—lest a dishonest person find [them].

22:2 And you shall return it to him—One should derive from the word *and you shall return it* [*vahashevoto*] that if the animal can earn its keep, it stays with him, and if not, it is sold. For if the animal eats its worth, what would he return?

²⁷⁰ The meaning is uncertain. Perhaps the idea is that one might think that working an ox is allowed since it produces no significant change in the animal, whereas shearing the wool off sheep would be an inappropriate benefit and therefore theft. The verse compares them to prohibit using the ox for work as well. If this is correct, the comparison would only apply if the brother is nearby, as per the commentary on the next verse about the animal earning its keep.

²⁷¹ The precise comment has not been located in Aaron's voluminous commentary.

22:3 So shall you do with his donkey, and so shall you do with his garment, and so shall you do with every lost item of your brother, which he has lost and you have found. You shall not hide yourself.

22:3 **So shall you do with his donkey**—To draw an analogy for every impure animal [and not just the pure ones mentioned in the previous verses].

22:3 **So shall you do with his garment**—To draw an analogy to all inanimate objects.

22:3 **So shall you do with every lost item of your brother**—He now includes all household items.

22:3 **You shall not hide yourself**—To be exempt through hiding yourself, a negative commandment.

22:4 You shall not see your brother's donkey or his ox fallen by the wayside, and hide yourself from them. You shall surely help him lift them up.

22:4 **You shall not see your brother's donkey or his ox fallen**—Meaning, under its load.

22:4 **And hide yourself**—as though you do not see.

The word *not* extends to *hide yourself* [yielding “you may not hide yourself”].

22:4 **You shall surely help him lift them up**—if he cannot do it alone. And if he is sick [and cannot help at all], you shall raise it yourself, if you are able.

22:5 A woman shall not wear men's clothing, neither shall a man put on women's clothing; for whoever does these things is an abomination to Adonai your God.

22:5 **A woman shall not wear men's clothing**—Meaning that she girds weapons and the man wears women's jewelry. And a man who has not yet grown a beard [shall not] intermingle with women, since this could cause licentiousness. But if he should do this in order to save himself from danger [as a disguise], that is permissible.

As for calling the man's [clothing] *keli* and the woman's [clothing] *salma*, this is along the lines of *The ox knows its owner*[, and the donkey the trough of its master] (Isaiah 1:3).²⁷²

²⁷² The intent might be that the difference is simply for the sake of literary variation, perhaps based on what is most commonly associated with each.

22:6 If you come across a bird's nest on the way, in any tree or on the ground, with young ones or eggs, and the mother sitting on the young or on the eggs, you shall not take the mother with the young.

22:6 If you come across [*yikré*] a bird's nest—In the sense of *likrati* [before me] (Numbers 22:34). The [Rabbanite] traditionalists say that this excludes what is at your disposal.²⁷³

22:6 A bird's nest [*kan*]—It takes a *pataḥ* because it is in the construct state, and so the *pataḥ gadol* is instead of a *pataḥ kaṭan* [*segol*]. Similarly, *stand* [*gesh*] *back* (Genesis 19:9) [with a *segol*], and *Go near* [*gash*], *and cut him down!* (II Samuel 1:15) [with a *pataḥ*].

22:6 On the way—As one is walking.

22:6 In any tree or on the ground—Because he said *on the way*, he therefore specifies *in any tree*.

22:6 Young ones [*efroḥim*]—The [first letter] *alef* is additional [and not part of the root]. It might contain metathesis, from the root of *yeraḥef* [hovers] (Deuteronomy 32:11). Alternatively, it is from the root of *p-r-ḥ*, meaning “small.”

22:6 [The mother is sitting...] or on the eggs—To exclude eggs of the wind [that the mother is not sitting on].

22:7 You shall surely send the mother away, but the young you may take for yourself, that it may be well with you, and that you may prolong your days.

22:7 You shall surely send the mother away, but the young you may take for yourself—One should not take the mother and leave the young, because they will perish.

While the [Rabbanite] traditionalists say it is to the exclusion of what is at your disposal, the truth is that Scripture speaks about the unfamiliar, but the same is true for that which is at your disposal.

The law is the same whether [the mother] hovers over [the young] or not.

It is not clear whether [the young] slaughtered within seven days would be considered kosher [see Leviticus 22:27].

22:8 When you build a new house you shall make a railing around your roof, so that you do not bring blood on your house if anyone falls from there.

²⁷³ See Mishna, *Hullin* 12.1.

22:8 When you build a new house—And even if you buy a new house, but it does not have a railing.

22:8 A railing [*ma'aké*]—This word is understood by its context [because it is rare.]

22:8 So that you do not bring blood—The same is true of anything dangerous that needs attending to.

22:8 If anyone falls [*yippol hanofel*]—It speaks of the potential end result, as in *he roasts a roast* [*yitzlê tzali*] (Isaiah 44:16).²⁷⁴

22:9 You shall not plant grafts in your vineyard,²⁷⁵ lest the fullness be consecrated, the seed which you have planted, and the produce of the vineyard.

22:9 You shall not plant—These matters follow an order: first one builds a house, then one plants a vineyard.

22:9 You shall not plant grafts in your vineyard [*karmekha*]—Some say that a *kerem* is a vineyard, and the meaning of planting is similar to *and plant foreign branches* (Isaiah 17:10), grafting one species onto another.²⁷⁶

Others say that a *kerem* includes grapevines and trees, based on *also the olive groves* [*kerem zayit*] (Judges 15:5), which is not missing a conjunctive *vav* [that would separate *kerem* from *zayit*, indicating separate vineyards and olive groves]. The meaning is that one should not sow within the orchard²⁷⁷ wheat and barley and other species in one scatter of the hand. The Karaite sages say, however, that this is not forbidden, because each seed produces its own species, and this seems correct because it specifies, *lest the fullness be consecrated, the seed which you have planted, and the produce of the vineyard*.

The meaning of *lest* is interpreted as [expressing] a certainty, similar to *She cannot* [*pen*] *walk the even path* (Proverbs 5:6). Meaning, “certainly all the fullness shall be consecrated.”

The Karaite sages say that it is consecrated for the priest, whereas the [Rabbanite] traditionalists interpret “for it will be prohibited to you like the holy,” for something

²⁷⁴ These are examples of the accusative of product.

²⁷⁵ This translation follows Aaron’s understanding of *kil’ayim* set forth in the commentary here and in Leviticus.

²⁷⁶ According to Aaron’s commentary on Leviticus 19:19, this seems to be the Karaite reading of the verse, as he explicitly rejects the next interpretation here.

²⁷⁷ The printed edition and some manuscripts have *hamayim*, “the water,” here, which seems to be a corruption of *hakkerem*, “the orchard.”

prohibited is called holy [*kodesh*]. Some interpret it from the root of *kadesh*, due to the mingling between species.²⁷⁸

It is possible that *lest* means perhaps, that the prohibition depends on germination [which is not a certainty].

I do not understand the intent of the one who interpreted that one should not tithe the full seed for what has not matured yet.²⁷⁹

22:10 You shall not plow with an ox and a donkey together.

22:10 You shall not plow—Because he mentioned not intermingling two species of plants, he now mentions regarding animals that one may not plow with an ox and a donkey, and the same holds true for any two species of which one is strong and the other weak. It does not refer to sexual relations on the basis of *If you had not plowed with my heifer* (Judges 14:18), to have a meaning similar to grafting [one species onto another, as in the previous verse].

22:11 You shall not wear clothes of wool and linen woven together.

22:11 You shall not wear clothes—After forbidding the mixture of two species of plants and also two species of animals, he forbade mixing plants [linen] and animals [wool]. This is an explanatory commandment, [in saying] *wool and linen*.²⁸⁰

The word *sha'atnez* [woven] is understood from context [because its root is unknown]. The [Rabbanite] traditionalists say that it is a combination of three words [*shua'*, *tavuy*, *vanuz*] to prohibit three actions [combing, spinning, weaving].²⁸¹ The Karaite sages say that it is a combination of what is unique to animal life and plant life, from [the words] *sha'aṭat* [stomping] (Jeremiah 47:3) and *nozelim* [flowing] (Exodus 15:8, etc.).²⁸² The meaning is to prohibit weaving.

Here it only prohibits the wearing, and it also said *shall not be upon you* (Leviticus 19:19).

²⁷⁸ The vocalization of the Hebrew *kdš* here as *kadesh* is uncertain. Although the *kadesh* is involved in inappropriate commingling of the sexes, Aaron does not mention this interpretation below on Deuteronomy 23:18 or in *Keter Tora* on Genesis 38.

²⁷⁹ This opinion also appears in *Sefer hamMivhar* ad loc. See *Tirat Kesef* ad loc., note 65.

²⁸⁰ That is, it further explains the prohibition of *sha'atnez* recorded in Leviticus 19:19.

²⁸¹ See *Sifré*, sec. 232, and Babylonian Talmud, *Nidda* 61b.

²⁸² In *Keter Tora* on Leviticus 19:19, Aaron explains that it refers to the fact that plants grow in water.

22:12 You shall make yourselves fringes on the four corners of your cloak with which you cover yourself.

22:12 You shall make yourselves fringes—After forbidding the wearing of certain garments, he now relates to the obligation [to wear certain ones]. It is not like the [Rabbanite] traditionalists' opinion that wool and linen woven together may be worn for these *fringes*.²⁸³

This refers to the tzitzit, and he instructs that it is on the four corners of the tallit, as it says, *on the four corners of your cloak with which you cover yourself*. And men are required to wear *tzitzit*.

22:13 If a man takes a wife, and goes in to her and hates her,

22:13 If... takes—This taking is legal acquisition, because afterwards he says *and goes in to her*, that he made an entry to the canopy.

22:13 And hates her—He hated her already, or perhaps after he lay with her, he hated her.

22:14 and makes an accusation against her, giving her a bad name, and says, “I took this woman, and when I came near to her, I did not find in her the tokens of virginity;”

22:13–14 And makes an accusation against her—because he *hates her*, and thus says, “I did not find in your daughter the tokens of virginity.”

22:14 Giving her a bad name—That is [by saying], *I took this woman [...I did not find in her the tokens of virginity]*.

22:14 And when I came near—A euphemism for conjugal relations.

22:14 The tokens of virginity [*betulim*]—An uncountable noun [appearing only in the plural], such as *zenunim* [harlotry], *zekunim* [old age], *ne'urim* [youth].

22:15 then the young woman's father and mother shall take the tokens of the young woman's virginity and bring them to the elders of the city at the gate.

22:15 Then the young woman's father and mother shall take the tokens of the young woman's virginity and bring them—Meaning, the testimony of the witnesses [and not physical evidence].

22:16 The young woman's father shall tell the elders, “I gave my daughter to this man to be his wife, and he hates her.

²⁸³ Babylonian Talmud, *Yevamot* 4a.

22:17 And he has made an accusation against her, saying, ‘I did not find in your daughter the tokens of virginity’; yet here are the tokens of my daughter’s virginity.” They shall spread the cloth before the elders of the city.

22:18 The elders of that city shall take the man and chastise him.

22:16 The young woman’s father shall tell—By way of modesty.²⁸⁴

22:16–18 I gave my daughter to this man as his wife, and he hates her... saying, ‘I did not find in your daughter the tokens of virginity’—According to the simple meaning, it seems that he raised his concern after he lay with her, not at that time, and this is the meaning of *an accusation*. For it could not have been at that time, since the testimony was according to the time; rather [*ella*], it must have been after time had passed.²⁸⁵ Consequently, *they shall spread the cloth*, which correctly means the testimony of the witnesses, for it is true that it was a custom in Israel to have people to oversee this matter called groomsmen [*shushvinim*]. Truthfully, had the husband not said [anything] on the very day that he rose from his [nuptial] bed, they would have not listened to him; therefore, he apparently raised his concern from that time, and only publicized it after coming to utterly loathe her.

If it was found that he was not truthful [in his initial claim], [*the elders*] *chastise him*, he would receive lashes.

22:19 They shall fine him one hundred pieces of silver, and give them to the father of the young woman, because he has given a bad name to a virgin of Israel. She shall be his wife; he may not send her away all his days.

22:19 They shall fine him one hundred pieces of silver—Because the bride price for a virgin is fifty pieces of silver, and this man intended to besmirch [her] for gain, he is punished doubly. Consequently, *They shall fine him one hundred pieces of silver*.

22:19 And give them to the father of the young woman—in compensation for his shame.

If [the claim] is found true she is killed, so he should be killed if it is not found true; however, because he is the plaintiff [and not a false witness], we do not do to him as he schemed to do.

22:19 She shall be his wife—and he cannot divorce [her].

²⁸⁴ According to *Sefer hamMivhar* ad loc., he speaks instead of her mother for reasons of modesty. See also *Sifré*, sec. 235.

²⁸⁵ The translation of the preceding verses is uncertain, particularly because the meaning of “at that time,” which appears twice, and “according to the time” is not immediately obvious in context. One manuscript has “and not” (*ve-lo*) in place of “rather,” in which case the final clause explains the timing of the testimony. Although most of the commentary on these verses also appears in *Gan ‘Eden, Seder Nashim*, ch. 29, these unclear lines have no parallel there.

22:20 But if this matter be true, that the young woman's tokens of virginity were not found,

22:21 then they shall bring out the young woman to the door of her father's house, and the people of her city shall stone her to death, because she has committed a vile act among Israel, by playing the prostitute in her father's house. So shall you purge the evil from your midst.

22:20–21 But if this matter be true... then they shall bring out the young woman to the door of her father's house—so the parents can see whom they have raised.

22:21 By playing the prostitute [*liznot*] in her father's house—Similar to *by killing him* [*lehorgo*] *deviously* (Exodus 21:14).²⁸⁶

22:21 In her father's house [*bet aviha*]—[There is an implied prepositional *bet*], similar to *You drove out the nations with your hand* [*yadekha*] (Psalms 44:3) [where one also expected *beyadekha* with prepositional *bet*].

The verse is speaking about what is most common, because perhaps they were not in a single place. And he said, *her father's house*, for it was their duty to watch over her.

If she was injured by wood [and her hymen was pierced accidentally] or was raped after betrothal, or she fornicated prior to betrothal, invalidating his acquisition [of her as a wife since he had incomplete information], then she has to produce evidence for her words.

If she was injured by wood prior to betrothal, then if he wishes he can affirm [the marriage], and if not he may divorce [her]; if after betrothal, he should not divorce [her] except in the case of rape, where he divorces with a writ.

So long as she does not produce evidence for her words, the assumption is that she had sexual relations after betrothal. And although most Karaite sages say that she should be divorced if there are no witnesses that she fornicated after betrothal, the verse pegs the accusation on not finding tokens of virginity—so long as there are no witnesses that she had tokens of virginity.

22:22 If a man is found lying with a woman married to a husband, they shall both of them die, the man who lay with the woman and the woman. So shall you purge the evil from Israel.

22:23 If a virgin maiden is betrothed to a husband, and a man finds her in the city, and lies with her,

²⁸⁶ The infinitive construct in both cases means “by X-ing” and not “to X.”

22:24 then you shall bring both of them out to the gate of that city, and you shall stone them to death; the woman, because she did not cry out, being in the city; and the man, because he oppressed his fellow's wife. So shall you purge the evil from your midst.

22:25 But if the man finds the betrothed maiden in the field, and the man seizes her and lies with her, then only the man who lay with her shall die;

22:26 but to the maiden you shall do nothing. She has committed no capital offense; for it is like when a man rises up against his fellow and murders him, such is this matter;

22:27 for he found her in the field, and the betrothed woman cried out, but there was no one to rescue her.

22:22 If a man is found lying—A euphemism for sexual intercourse. Since [her] opening is open and there are no witnesses [to attest] whether he penetrated her vaginally or engaged in other sexual activity, they are guilty. Initial penetration is as [liable as] ejaculation, so he does not mention semen.

22:23 If a virgin maiden—Her law is different [from the preceding case] because she is stoned. This is not to teach that the previous one is also stoned, for she is in fact strangled.

22:22 Both of them [gam shenehem]—This teaches us that the rape victim is not culpable.

The [Rabbanite] traditionalists say it includes the fetus,²⁸⁷ and they say it excludes other sexual activity [that does not include vaginal penetration], for the woman does not enjoy it.²⁸⁸

22:22–27 He distinguishes between the raped and the seduced, for if she was in the city, had she cried out it would certainly have been known. Consequently, he distinguished being in the city, for if she was not in the city, who would have known if she had cried out? Perhaps knowing that no one would come to her rescue, she did not cry out. Therefore, he makes a distinction whether she was in the city or not.

Perhaps [even] if she was in the city, where it was a large city so that no one had heard her, it would require deliberation, and it is left to judicial discretion to weigh such factors.

22:26 For it is like when a man rises up against his fellow and murders him—He compares this to murder, where a person rises up against his fellow and there is no one to save him.

²⁸⁷ Babylonian Talmud, 'Arakhin 7a.

²⁸⁸ Sifré, sec. 141.

But the [Rabbanite] traditionalists say [the law of murder] comes to teach [a law] but ends up deriving [one], that a person should be killed rather than transgress [the offense of murder].²⁸⁹

22:28 If a man finds a virgin maiden who is not betrothed, and seizes her and lies with her, and they are found,

22:28 If a man finds a virgin maiden who is not betrothed, and seizes her—This is the rape victim.

22:29 then the man who lay with her shall give to the maiden's father fifty pieces of silver. She shall be his wife, because he has oppressed her; he may not send her away all his days.

22:29 Shall give to the maiden's father fifty pieces of silver—This is a punishment, and is not the bride price, for the [obligation to pay a] bride price is learned from the statement, *She shall be his wife*.

From this statement, the [Rabbanite] traditionalists say that the woman has the choice to marry [this man], but the man is compelled [to marry her if she so chooses].²⁹⁰ And it is the opposite with divorce: the man divorces as he chooses, and the woman is divorced against her will. But our [the Karaite] opinion is the opposite.

There is a similarity between the amount of the bride price and the fine levied, [but we are] speaking of the lowest amount [one can give] as a bride price, because the bride price does not have to be a specific amount, and the lowest amount is fifty pieces of silver. The opinion of the [Rabbanite] traditionalists is elucidated in the *Book of Commandments*, and in particular their claim that it is indicated in the statement, *according to the bride price of virgins* (Exodus 22:16).²⁹¹

22:29 He may not send her away—even on usually acceptable grounds for divorce, and this is a punishment.

There is a difference between [the seducer and the rapist]: the seducer pays [the bride price] when he sends her away [because the match is rejected], whereas the rapist pays immediately, and then drinks from his vessel [whatever he gets].²⁹²

²⁸⁹ Babylonian Talmud, *Sanhedrin* 73a.

²⁹⁰ Babylonian Talmud, *Ketubot* 39b.

²⁹¹ On the bride price, see *Gan 'Eden, Seder Nashim*, passim, esp. chs. 1–3, 18, and 28.

²⁹² *Ibid.*, ch. 28, 158a.

They say that the bride price is rabbinic and not biblical. The fifty pieces of silver [here] are of refined silver whereas the bride price is provincial silver [of lesser value].²⁹³

According to the Karaite sages, however, the statement *according to the bride price* (Exodus 22:16) does not refer to these fifty pieces of silver, for these fifty pieces of silver are a punishment and belong to the father of the maiden on account of the manner in which she brought shame to him.

Chapter 23

23:1 Shall not take—After having explained the laws governing sexual relations that are not part of the incest prohibitions, he now elucidates the incest prohibitions.

This taking is the marriage, for acquisition cannot apply to incestual relations, and it says, *Or what man is there who has betrothed a wife, but has not taken her* (Deuteronomy 20:7).

23:1 Shall not uncover—This is sexual relations. It follows that the rape victim of the father is prohibited to the son [and he cannot marry her], contrary to the [Rabbanite] traditionalists' opinion.²⁹⁴

23:1 Skirt [kenaf]—In the same way the woman is called an 'erva vis-à-vis [consanguineous] men, so too the man is called a *kanaf* vis-à-vis [consanguineous] women, as it says, *therefore spread your skirt [kenafekha] over your maidservant* (Ruth 3:9).

It is not possible that it refers to his rape victim or his paramour, for reference to anything except his father's wife is not the simple meaning of *Cursed is he who lies with his father's wife, because he uncovers his father's skirt* (Deuteronomy 27:20).

23:2 He who is emasculated by crushing... shall not enter—He whose testicles are crushed so that he is sterile.

23:2 Emasculated by cutting [kerut shofkha]—Called thus because it pours out [*shofekh*] urine.

23:2 Into Adonai's assembly—The Israelite community. The meaning is marrying [into the community], since they cannot procreate.

23:3 A bastard [mamzer] shall not enter—They say that this is a foundling [*shetuḳi va'asufi*] who is estranged [*zar*], and the *mems* [of *mamzer*] are additional [and not part of the root], [to indicate] that he does not know whose son he is. Truthfully, the second *mem* is additional.

²⁹³ Babylonian Talmud, *Ketubot* 10a.

²⁹⁴ Mishna, *Yevamot* 11.1.

Someone born from an incestuous relationship is estranged [*zar*], since he is not the product of a union permitted by the Torah. Even if the relation is prohibited out of doubt, the child is a possible *mamzer*.

It is also possible that *mamzer* is the name of a particular family, like Ammon or Moab [of the next verse], and it is written, *The mamzer will dwell in Ashdod* (Zechariah 9:6).

23:3 Even to the tenth generation—because [ten] is a round number.²⁹⁵ The meaning is “forever.”

23:4–6 An Ammonite... shall not enter—With these sexual relations are also prohibited, with male and female alike, contrary to the [Rabbanite] traditionalists who say an Ammonite male but not an Ammonite female, a Moabite male but not a Moabite female.²⁹⁶ Because with respect to the reason given [*because they did not greet you...*] men generally do the hiring and the greeting [which is why the verse is phrased in the masculine]. For we find written in Ezra:²⁹⁷ *of the nations concerning which Adonai said to the Children of Israel, “You shall not go among them, neither shall they come among you”* (I Kings 11:2), and it says, *Ashdodite, Ammonite, Moabite, and Hittites* (cf. I Kings 11:1 and Nehemiah 13:23),²⁹⁸ regarding which it says, *You shall not make marriages with them* (Deuteronomy 7:3).

As for the case of Mahlon and Chilion, the reason [for their marriage to Moabite women] is known, for they arrived there [in Moab] single. And what Boaz did was after [Ruth] had converted, as it is written, *but Ruth cleaved to her* (Ruth 1:14), and it [also written], *wherever you die I will die* (Ruth 1:17).

The reason he gives for [not accepting] Moabites and Ammonites is *because they did not greet you with bread and water*. But it is written, *as the children of Esau who dwell in Seir, and the Moabites... did for me* (Deuteronomy 2:29) [implying that the Moabites did give the Israelites bread and water], and it is written, *Sihon would not allow Israel to pass*

²⁹⁵ See the note accompanying Aaron’s comment above on Deuteronomy 1:11.

²⁹⁶ *Sifré*, sec. 249.

²⁹⁷ There is clearly an error here, as the verses that follow are from I Kings and concern King Solomon. Either ‘*Ezra*’ is a corruption of *Shelomo*, or there is a verse missing. In fact, *Sefer hamMivhar*, which Aaron had and whose language he even borrows in the comment on this verse, introduces Nehemiah 13:23 with *hinné be’Ezra katuv*, making omission due to homeoteleuton a likely possibility.

²⁹⁸ The order follows Nehemiah 13:23 but “Hittites” does not appear on that list. It does appear at the end of the list in I Kings 11:1, but that one also includes “Sidonians,” which does not appear here. It would seem that the two verses are conflated due to a copyist’s error. This fits with the suggestion in the previous footnote that material is missing.

through his border (Numbers 21:23).²⁹⁹ As such, [verse 2:29] must refer to, *You shall sell me food for money, that I may eat* (Deuteronomy 2:28).³⁰⁰ The implication is that *because they did not greet you* refers to the Ammonites, and *because they hired against you Balaam* refers to the Moabites, because Moab famously hired Balaam.

23:7 You shall not seek their peace nor their well-being—if they do not do so first [with respect to you]. Likewise, if they break the peace, Israel may provoke them [to battle], which is why Jephthah and David acted against the Ammonites as they did.

23:8 You shall not abhor—He gives the reason as one of brotherhood.

23:8 You shall not abhor the Egyptian—on account of sojourning [in their land].³⁰¹

23:9 The children of the third generation—from the sons.

23:9 May enter into Adonai's assembly—This pertains to marriage.

The [Rabbanite] traditionalists say about Ammon and Moab that [the prohibition] is the men but not the women, whereas about these they say both the men and women are prohibited in the first two generations, except those who converted to Israel.³⁰²

23:10 When the camp sallies forth— [He turns to this subject matter] because he mentioned the nations neighboring Israel, and one can wage war against them.

23:10 From anything bad—Something abhorrent.

23:11 Who is not pure—Similar to *which is not pure* (Genesis 7:5), and because this is a matter of modesty, he uses euphemistic language.

23:11 From a nocturnal occurrence [*mikḵeré layla*]—It is not possible that the *dagesh* [of *mikḵeré*] is for aesthetic purposes; rather, it indicates [the assimilated] *nun* of *min* [from],

²⁹⁹ This citation appears to be incorrect, as the conduct of Sihon is not relevant to either group mentioned in Deuteronomy 2:29 or to either group mentioned in our verse. Some manuscripts do not have the word “Sihon,” although a verse with that precise Hebrew formulation does not exist. Given the progression of the argument here, the correct verse is Numbers 20:21: “And Edom refused to allow Israel to pass through his border.” Owing to the similarity of language between the verses, this would have been an easy enough mistake for a copyist to make.

³⁰⁰ Deuteronomy 2:28 records Moses petitioning Sihon, the king of Heshbon, for provisions and safe passage. In the next verse, 2:29, Moses says that this is what the children of Esau and the Moabites had done for the Israelites. Since they were not given passage by Edom (as recorded in Numbers 20:21), Deuteronomy 2:29 cannot be referring to the safe passage and must refer to provisions. If the Moabites and Edomites did give provisions, then the verse here must be reinterpreted, as Aaron proceeds to do.

³⁰¹ It is not clear what occasions these comments as the verse seems straightforward. Perhaps an unknown opinion is being excluded.

³⁰² Mishna, *Yevamot* 8.3.

and the *mem* is prepositional, and [the noun] has the same pattern of vocalization as *against the strong habitation* [*nevé etan*] (Jeremiah 49:19).³⁰³

23:11 Nocturnal—Scripture speaks about what is most common [nocturnal emissions].

23:12 When it turns to evening [*lifnot 'erev*]—Close to evening, and similarly, *when it was turning to morning* [*lifnot boker*] (Exodus 14:27). It is not as the [Rabbanite] traditionalists say, that the meaning is when evening goes [and night begins], he can immerse the entire day, which is the *tevul yom* [a person who has immersed and must wait until nightfall to become pure].³⁰⁴

23:13 You shall have a place [*yad*]—Meaning, a place [*maḵom*, which is the usual term].

23:14 You shall have a trowel—in order to dig.

23:14 And shall do again [*veshavta*]—because he [already] dug.

23:14 In addition to your weapons [*azenekha*]—The *alef* of *azenekha* is additional [and not part of the root], and this is from the same root as *kelé zayin*, and likewise, *they washed the weapons* [*vehazonot*] (I Kings 22:38).

23:14 Your excrement [*tze'atekha*]—A derived noun [from the root *y-tz-*, “to leave” or “to emerge”], for in the holy tongue there is no conventional term for something repulsive; and for this reason our language is called the holy tongue.

It does not change [vocalization] on account of the pronominal suffix due to the *alef*.

23:15 For Adonai your God goes in the midst of your camp... therefore your camp shall be holy—But if He sees something repulsive, He will *turn away from you*.

23:16 You shall not hand over—Because it says, *When the camp sallies forth*, and [due to the opportunity afforded by battle] a runaway slave comes to you, you shall not hand him over to his master to worship idols with his master, since he has come to shelter under the wings of God.

23:17 He shall dwell with you in your midst... where it is good for him. You shall not swindle him—out of what he possesses, neither shall you shame him.

23:18 There shall be no female mistress [*kedesha*]—The sense of *kedesha* is already known from the context of *where is the kedesha* (Genesis 38:21) [with whom Judah had relations on the way]. She is not a prostitute readily available to any man, but is [with a

³⁰³ In other words, it has the same meaning as *min ḵeré*, and the noun has the same pattern as *nevé*, as both are in the construct state.

³⁰⁴ Babylonian Talmud, *Yoma* 88a. See R. Moses Maimonides, *Mishné Tora*, *Hilkhot Miḵva'ot* 1.6, where he cites this verse specifically.

single man] for a designated period. The same is true of the *ḵadesh* [that he is a dedicated mister for one woman].³⁰⁵

Ḷadesh does not refer to [one who engages in] the manner of [homo]sexual relations, because that is a universal prohibition. The intent is also not to a pimp, because both *ḵadesh* and *ḵedesha* must have a single meaning. And it says, *They die in youth; their life [perishes] among the ḵedeshim* (Job 36:14).³⁰⁶

The rendering of the Aramaic Targum [Onkelos] is well known, that he is a male slave and she a female slave, with whom betrothal is not legally valid.

As for the one who says that it is someone hired to have sex with a married woman since her husband is impotent, that is not possible [because it is adultery].

23:19 You shall not bring the hire [etnan] of a prostitute—The *nun* is doubled [only one is part of the root], and the *alef* is additional [and not part of the root]; it is from the same root as *[Ephraim] has hired [hitnu] lovers for himself* (Hosea 8:9).

23:19 Or the price of a dog—since its habit is to steal from many houses, and it appears to [dog owners] that they can receive atonement.

Consequently, *for it is an abomination to Adonai, even both of them [gam shenehem]*—Equate the one with the other.³⁰⁷ It does not mean [to include] their substitutes [*shinnuyehem*].³⁰⁸

23:20 You shall not lend on interest to your brother—It is not a correct interpretation to say that it is a prohibition on the borrower, given that they claim, “we learn it from the straightforward meaning of the text.” The prohibition on the lender is based on *You shall not lend him your money on interest* (Leviticus 25:37).

23:21 And what is the reason for *Charge the foreigner interest*? To contrast, *but your brother you shall not charge interest*; it is not a positive commandment [to charge the foreigner]. But [the Rabbanite traditionalists] say it is to make him culpable for

³⁰⁵ See further in *Keter Tora* on Genesis 38:21.

³⁰⁶ The commentators who try to explain the term *ḵadesh* all cite this proof-text, but its meaning in Job is not at all obvious, and context is of minimal help. Some point to the parallelism between “youth” and “*ḵedeshim*.” R. Aaron b. Joseph in *Sefer hamMivhar* seems to use this verse as proof that *ḵadesh* means a pimp. Perhaps our commentator here is implicitly arguing that pimps are not usually young men.

³⁰⁷ The basic idea is that the word *gam* is not intended to include substitutes, as the Rabbanites expound it. Perhaps Aaron is further saying that you might think the hire of a prostitute worse, but they are equally abhorrent.

³⁰⁸ See Rashi, citing Babylonian Talmud, *Temura* 30b, who gives the example of wheat ground into flour.

[transgressing] two negative commandments and one positive, implying equivalence between *[your brother] you shall not charge interest* and *Charge the foreigner interest*.³⁰⁹

23:22 When you vow—This section is juxtaposed [to the charging of interest], to teach that you should forego your own property and not take from others.

23:22 You shall not be slack to pay it—And it is written, *Do not protest before the messenger that this was a mistake* (Ecclesiastes 5:5), for a person does not know when it will be his time [to die].³¹⁰

23:24 You shall diligently fulfill that which your lips pronounce—To make one culpable for transgressing both a positive commandment and a negative commandment [if he does not fulfill his vow]. Because even though it was originally a freewill offering, you are obligated by the promise of your mouth.

23:25 When you come into your fellow's vineyard—This speaks of the guard [of the vineyard], not to any passerby, for they would eat all the fruit.

23:25 You may eat—but may not give to others, or [put] in his vessels.

23:26 When you come into your fellow's stand—This is the field [of grain], and the same applies to all gardens and orchards.

23:26 Then you may pluck—The sense is cutting.

23:26 The ears—Both the moist and the dry which are edible.

24:1 When a man takes a wife—This is a new law [not mentioned earlier in the Torah].

24:1 And [u-] becomes her husband—This is conjugal relations. The intent cannot be “or becomes her husband,” to require a writ of divorce for the betrothed, because the implication is that the husband does not find something unseemly about his wife until after he has marital relations with her—*she finds no favor in his eyes* because *he has found something unseemly in her*. It is not possible for the intent to be [*if she finds no favor in his eyes*] or *he has found [something unseemly]*, since it is the reason [for the preceding clause, as marked by *ki*, “because”].

24:1 Something unseemly—The sense is something he cannot bear. It is not, contrary to the [Rabbanite] traditionalists, adultery, although some say even if she burns his meal,

³⁰⁹ Babylonian Talmud, *Bava Metzi* 'a 70b. Namely, “charge the foreigner” is understood as a positive commandment that entails an implied negative commandment, “your brother you shall not charge interest.”

³¹⁰ The preceding verse, Ecclesiastes 5:4, says, “Better not to make a vow, than to make a vow and not pay it.”

[or] even if he found someone more beautiful than her.³¹¹ In *The Book of Commandments*, we elaborated sufficiently upon this.³¹²

24:1 That he shall write her—Meaning, it is his choice.

24:1 A writ of divorce [*keritut*]—which makes it final [*koret*] between them, without any [additional] conditions. It is from here that we find allusion to [the fact] that an acquisition is invalid if it is predicated upon a condition, contrary to the [Rabbanite] traditionalists who say that he may not write it on something attached to the ground.³¹³

24:1 And send her out his house—Out of his domain.

24:2 She then goes and becomes [another man's wife]—Meaning, even betrothal.

24:3 Puts it in her hand—Meaning, in her domain [not literally her hand].

Note that the man divorces by his own free will, and the woman is divorced against her free will, but there are cases of divorce where the opposite is true, as is elucidated in the *Book of Commandments*.³¹⁴

24:2–4 She then goes and becomes [*vehayeta*] another man's wife—This includes the betrothed, since the language includes betrothal when it says, *If the latter husband hates her; and writes her a writ of divorce*.³¹⁵ And even though it says, *after she was defiled*, this is because she has entered the domain of another.

24:4 Her former husband... may not—This is a negative commandment, and it says, *[If a man sends away his wife, and she leaves him and becomes another man's, should he return to her?] Would not that land be greatly polluted? (Jeremiah 3:1)*.

If she fornicated, however, she is forbidden to her husband, as is revealed by the verse, *after she was defiled*. This is contrary to the [Rabbanite] traditionalists who permitted her to her husband.³¹⁶ She is also forbidden to the fornicator since she was not divorced from her husband—she is forbidden to both forever. The matter of David and Uriah's wife has a different explanation. We have thoroughly elaborated all these matters in the *Book of Commandments*.³¹⁷

³¹¹ Mishna, *Gittin* 9.10.

³¹² *Gan 'Eden, Seder Nashim*, ch. 24, 154b–155a.

³¹³ Mishna, *Gittin* 2.4.

³¹⁴ *Gan 'Eden, Seder Nashim*, ch. 24, 155a.

³¹⁵ Because it does not say here that “he found something unseemly”; see Aaron's comment on Deuteronomy 24:1.

³¹⁶ Babylonian Talmud, *Yevamot* 11b.

³¹⁷ See *Gan 'Eden, 'Arayot*, ch. 7, 134b, and *Seder Nashim*, ch. 10, 147a.

24:5 When a man takes a new wife—that has not been married yet, whether she is young or old.

24:5 He shall not serve in the army—even if he took a second or third [wife], but if he was rich and every year would take a new wife [to avoid army service], they would warn him [against this practice].

24:5 Neither shall he be assigned any task [*lekhol davar*]³¹⁸—Similar to [*they*] killed *Abner* [*le'Avner*] (II Samuel 3:30).

24:5 He shall be free at home for one year—Nothing will be levied from him [in taxes].

24:5 And shall cheer his wife whom he has taken [*laqah*]³¹⁹—This does not include his deceased brother's widow, because her marriage is called *yibbum* [and not *leqih*, “taking”].

24:6 No man shall take a millstone [*rehayim*]³²⁰—[It is a dual form] since it includes two [parts], and the top and the bottom [stones] are included. It follows that *varakhev* is the woodwork that makes the upper [millstone] run over the lower.

24:6 For [*ki*] he takes a life in pledge—Similar to *for the tree of the field is man's* (Deuteronomy 20:19).

24:7 Abducting any of his brothers—who are *of Israel*, because Edom is also called a brother [in Deuteronomy 23:8]. Alternatively, perhaps the term “brother” is a legal one [meaning equal before the law], and his saying *of the Children of Israel* is to emphasize the gravity of the matter.

24:7 And he exploits [*hit'ammer*] him—We have explained that it has the sense of exploitation, as we clarified in the Torah portion of *Ellé hamMishpatim*.³²⁰

24:8 Be careful [*hish-shámer*] about an affliction of *tzara'at*—It is accented on the penultimate syllable, distinguishing it from *be still* [*hish-shamér*] and *keep calm* (Isaiah 7:4) [accented on the ultimate syllable], which has a different meaning.

24:8 To observe diligently—For whoever does these kinds of misdeeds shall be stricken by *tzara'at*, for slander is a type of theft, namely, stealing a person's mind [through misinformation].

24:8 According to all that... instruct you—regarding all the different types of *tzara'at*, to seclude and declare impure.

³¹⁸ In both verses, a prepositional *lamed* takes the place of the direct object marker *et*.

³¹⁹ In *Keter Tora* on Deuteronomy 20:19, Aaron claims that “man's” means “man's sustenance.” He seems to be intimating here that the verse means that he takes “the sustenance of a life” in pledge.

³²⁰ *Keter Tora* on Exodus 21:16.

24:8 The Levitical priests—Since the noun “priest” is ambiguous.

24:9 Remember—This might be a positive commandment, even if it is not quoted by the enumerators [of the commandments].

24:9 Adonai your God did to Miriam—Because of slander [see Numbers 12].

24:10 When you lend³²¹—This section is juxtaposed [to the preceding one about slander], because the lender shall not be saved from slander.

24:10 Any of a loan—which he lent.

24:10 You shall not go into his house to take his pledge—Meaning, to enter his house to take whatever he wants—*You shall stand outside, and the man to whom you lend shall bring the pledge outside to you.*

24:11 From whom [bo] you are collecting—In some places the prepositions are for clarification. This is similar to *you shall not make him [bo] work* (Leviticus 25:39).³²²

24:12–13 If he is a poor man, you shall not sleep with his pledge—You may not go to sleep while the pledge is still with you, but you should return it to him at night. And it does not mean that the lender would have physically lain in the pledge. He gives it at night and [the borrower] returns it in the morning.

24:13 And bless you—for this deed.

24:13 It shall be a righteous act for you—Because of the extra goodness you showed, you shall accrue merit.

24:10–13 But if he refuses to bring you the pledge outside, and [the lender] may not enter his house, then he takes it from his house through a court and does not give it back.

24:14 You shall not oppress a hired hand who is poor and indigent, whether he is from your brethren or one of the strangers who are in your land within your gates.

24:15 On his day you shall pay his wages, neither shall the sun go down on it; for he is poor and sets his heart on it, and he shall cry out against you to Adonai, and it shall be a sin in you.

³²¹ This *sub verbo* has been added based on all manuscripts consulted.

³²² The Hebrew word *noshé* is used in Biblical Hebrew to refer to both the lender and the borrower. The preposition *bo* here, which does not really add anything, is used to disambiguate. The same is the case in Leviticus 25:39, where the *qal* form is used (*ta'avod*) instead of the *hif'il* (*ta'avid*), so *bo* indicates that the subject of the verb is the slaveowner and not the slave.

24:14–15 You shall not oppress a hired hand who is poor and indigent—Similar to *Do not steal from the poor* (Proverbs 22:22).³²³ Or it is on account of the magnitude of the sin and the great need he has for [his wages], as it says, *for he is poor and sets his heart on it*.

24:15 On his day you shall pay his wages—This is not a day laborer, for what would be the meaning of *neither shall the sun go down on it*, since the workday is not over if the sun has not yet gone down? Rather, it means that if he did any work for hire he must pay him the same day, which is the meaning of *neither shall the sun go down on it*. His wages must be prepared while it is still day, for if you make him suffer and do not give him enough for his sustenance, *he shall cry against you to Adonai and it shall be a sin in you*.

As for *You shall not withhold the wages of a hired servant all night* (Leviticus 19:13), we have already explained the meaning.³²⁴

24:16 Fathers shall not be executed for children, neither shall children be executed for fathers. Every man shall be executed for his own sin.

24:16 Fathers shall not be executed—if the children are culpable, and vice versa.

It does not mean by the testimony of their children [and vice versa].³²⁵ As for the challenge [to this latter opinion] made by Rabbi Aharon, may Eden be his abode, based on the wayward and rebellious son, given [the parents'] declaration that *"This son of ours is wayward and rebellious"* (Deuteronomy 21:20), that is with witnesses [and not on the strength of the parents' testimony alone]. The proof against their opinion is what is written about Jehoash, *but the children of the murderers he did not execute; according to that which is written in the Torah* (II Kings 14:6) [where the injunction against harming the children of assassins is explicitly quoted and they were not put to death for their fathers' sins].

24:17 You shall not warp the judgment of the stranger or the fatherless, nor take a widow's clothing in pledge;

24:17 You shall not warp the judgment—because they are weak [and cannot look out for themselves].

³²³ Perhaps he means that although it is prohibited to steal from anyone, the poor are a common and easy target, so the Torah speaks about what is most common.

³²⁴ See *Keter Tora* on Leviticus 19:13, where Aaron cites various ways of squaring that verse with ours, and his preferred explanation of that verse: one should not delay payment by telling the worker to finish his work the following day, when he can complete it that very day.

³²⁵ *Sifré*, sec. 280.

24:17 Nor take a widow's clothing—What was said about one applies to the other, similar to *Grain will make the young men [flourish and new wine the virgins]* (Zechariah 9:17).³²⁶

24:18 but you shall remember that you were a slave in Egypt, and Adonai your God redeemed you from there. Therefore, I command you to do this.

24:18 But you shall remember that you were a slave.³²⁷

24:19 When you reap your harvest in your field, and have forgotten a sheaf in the field, you shall not go back to retrieve it. It shall be for the stranger, the fatherless, and the widow, that Adonai your God may bless you in all the work of your hands.

24:19 When you reap your harvest in your field [*besadekha*]—It is vocalized like a disjunctive [a pausal form, with a *segol* instead of a *sheva na'* under the *dalet*], despite the lack of a disjunctive accent.

24:19 And have forgotten a sheaf in the field.³²⁸

24:20 When you beat your olive tree, you shall not pick over the boughs afterwards. It shall be for the stranger, the fatherless, and the widow.

24:20 When you beat your olive tree, you shall not pick over [*tefa'er*] the boughs afterwards—From the meaning of *boughs* [*porot*] (Ezekiel 17:6).

24:21 When you harvest your vineyard, you shall not glean after yourselves. It shall be for the stranger, the fatherless, and the widow.

24:22 You shall remember that you were a slave in the land of Egypt. Therefore, I command you to do this.

24:21 When you harvest your vineyard, you shall not glean [*te'olel*]—to cut off the remaining small fruit [*ha'olelot*].

³²⁶ This means that you should not deprive the widow of justice, nor take away a stranger's clothing, just like the verse in Zechariah where what was said about the young men applies to the young women and vice versa.

³²⁷ The exposition seems to be missing. *Sefer hamMivhar* ad loc. quotes the same words and explains: "you shall remember that God saves the poor man from whoever is stronger than him."

³²⁸ The exposition seems to be missing. *Sefer hamMivhar* ad loc. quotes the same words and then says: "but not two sheaves."

24:19–21 He mentioned three different species: grain, grapes, and olives, which are the mainstays, and the rest of the species of legumes and trees are derived from them.

24:21–22 And they are *for the stranger, the fatherless, and the widow*, all of which is a reminder of the exodus from Egypt.

Chapter 25

25:1 If there is a controversy between men, and they come to judgment and the judges judge them, then they shall vindicate the innocent and condemn the guilty.

25:1 If there is a controversy between men... and [the judges] judge them—Similar to *if [one] plows with oxen* (Amos 6:12).³²⁹

25:2 It shall be, if the guilty deserves lashes, that the judge shall have him forced down and beaten before him, according to his guilt, by number.

25:3 He may give him forty lashes, he shall not give more; lest he give him many more lashes than these and your brother be degraded in your sight.

25:2 It shall be, if [the guilty] deserves [bin]—It is vocalized with a *hiriḳ*, as in *Joshua son of [bin] Nun* (Exodus 33:11).

It is similar to *for he deserves death [ben mavet]* (I Samuel 20:31),³³⁰ since it is a sin for which one is not lashed [and *ben* means one is liable for the punishment that follows it].³³¹

25:2–3 And beaten... according to [kedé] his guilt—Similar to *enough [dé] to get it back for himself* (Leviticus 25:28).

According to the simple meaning of the words, it seems that the lashes are apportioned based on the sin, and that the maximum lashing is *forty lashes*. Some understand this as both strong and weak lashes, but not less than forty.

³²⁹ Aaron is noting that the subject in both verses seems to be missing. Here it is *hash-shofetim*, “the judges,” and there it is *hahores*, “the plowman.” We have supplied it in the translation.

³³⁰ Alternatively, II Samuel 12:5.

³³¹ The Hebrew syntax is difficult, so the implication supplied is tentative.

25:3 He shall not give more—This is a prohibition. The [Rabbanite] traditionalists say that he does not receive the fortieth [meaning no more than thirty-nine lashes].³³²

25:3 Your brother be degraded [*niḵla*]—Lest something bad [*teḵala*] happen to him. It is also possible that they [reduced the lashes] because he would have him lashed more than the Torah commanded—[*niḵla*] from the same root as shame [*ḵalon*].

25:2–4 From the language of *vehippilo* [shall have him forced down], the [Rabbanite] traditionalists expounded the verse *Adonai shall inflict extraordinary* [*vehifla*] *plagues* (Deuteronomy 28:59) [as referring to the administering of lashes]. Because it says, *if you shall not diligently do* [*lishmor la'asot*] (Deuteronomy 28:58), they exempted [from lashes] a negative commandment implied by a positive commandment by the fact that it is a positive commandment.³³³ And from the word *la'asot* [do], they exempted [from lashes] a negative commandment that involves no physical action, with the exception of three: one who takes an oath, one who substitutes a sacrifice, and one who curses God.³³⁴ And they exempted [from lashes] a negative commandment that entails a positive one, by saying, *you shall not muzzle* [*the ox*] is a negative commandment that involves a physical action and does not entail a positive commandment.³³⁵

25:4 You shall not muzzle the ox in his threshing.

25:4 You shall not muzzle [*tahsom*]—Similar to *and it will block* [*vehosemet*] (Ezekiel 39:11), the sense being obstruction.

25:4 In his threshing [*bedisho*]—Our [Karaites] sages, may peace be upon them, did well to compare this to *You shall kindle no fire throughout your habitations on the Sabbath day* (Exodus 35:3), for just as the meaning here [of the prepositional *bet*] is “before his threshing,” the same is true of kindling a fire before the Sabbath.

³³² Babylonian Talmud, *Makkot* 22a.

³³³ The syntax in the printed text and all manuscripts is corrupt. In the Talmudic passage (Babylonian Talmud, *Makkot* 13b), the exemption concerns failure to perform a positive commandment.

³³⁴ For the three exceptions, see Babylonian Talmud, *Shevu'ot* 21a.

³³⁵ The fact that the prohibition against muzzling one's ox is included in the same textual section as the giving of lashes is taken by the Rabbanites as grounds for exposition. They claim that the juxtaposition teaches that lashes are only administered for violation of a negative commandment such as muzzling one's ox, which is physical and has no accompanying positive commandment. As such, those negative commandments that do entail a positive commandment are exempt from lashes. This entire paragraph of commentary is a paraphrase of discourse in Babylonian Talmud, *Makkot* 13b.

25:5 If brothers dwell together, and one of them dies and has no child, the wife of the deceased shall not be wed outside to a stranger. Her husband's brother shall go in to her, take her as his wife, and perform levirate marriage with her.

25:5 If brothers dwell together—These are brothers of the family, since a brother's wife is prohibited under incest law, and all [brothers' wives] are equal, whether there is offspring or not. And since the fraternity [here] can be explained as brothers of the family, what cause would we have to invalidate a Torah prohibition?

25:5 Together [yahdav]—[The Rabbanites] say that this excludes a brother who did not coexist with the deceased, and the meaning is that they have dwelled [in this world at the same time].³³⁶ But it is written, *When men—a man and his brother—strive against each other [yahdav] (Deuteronomy 25:11)*.³³⁷ They also exempted a brother from a shared mother [but not the same father, based on an exposition of *together*].³³⁸

Even though it mentions this prior to the giving of the Torah with real brothers, after the giving of the Torah it was shifted to the brothers of the family, since a brother's wife was prohibited unconditionally. And as for the reason of the [incest] prohibition being given as kinship [*she'er*], which it does not say here, this is not comparable, as it depends on the matter of inheritance. Consequently, he says *If brothers dwell*, when they dwell in the Land of Israel.³³⁹

25:5–6 And has no child—The [Rabbanite] traditionalists say that a bastard or idol worshipper [son] exempts [the brothers] from *halitza* [the ritual of taking off the shoe] and from levirate marriage, but not the son of a female slave or the son from a gentile woman.³⁴⁰ And they derived [exempt women] scripturally, and thus they said: “Fifteen women exempt their co-wives, and the co-wives of their co-wives, from *halitza* and levirate marriage,” because they are related to them incestuously.”³⁴¹

Their understanding of the phrase [in the next verse] *It shall be that the firstborn* is perplexing, for they argue [against the simple reading] that it refers to the oldest brother

³³⁶ *Sifré*, sec. 288.

³³⁷ The prooftext seems to indicate that the word *yahdav* does not engender such an exclusion there and therefore must mean something else here. The difficulty is that the real objection seems to be to the Rabbanite interpretation of *yeshevu*; see *Gan 'Eden, Seder Nashim*, ch. 31, 160, and *Sefer hamMivhar* ad loc. Alternatively, the prooftext is to indicate that the brothers spoken of here are not actual brothers, but then the placement seems odd.

³³⁸ *Sifré*, sec. 288.

³³⁹ The point seems to be that *aḥim* is used instead of *she'er* because the former is more closely connected to inheritance. The basis for this is not explained.

³⁴⁰ Babylonian Talmud, *Yevamot* 22b.

³⁴¹ Mishna, *Yevamot* 1.1. The idea is that if one of the wives of the deceased brother is related to the surviving brother, all of the wives are released from the obligation of levirate marriage.

[of the deceased], and since according to their opinion it is an obligation, how can they then say it is optional?³⁴²

25:5 And he has no child [*ben*]³⁴³—whether male or female.

25:5 The wife of the deceased shall not be wed outside to a stranger—vis-à-vis the family.

This is a negative commandment: he must either perform levirate marriage or *ḥalitza*. The [Rabbanite] traditionalists are uncertain whether [such a union] is a prohibition such that the betrothal is legally valid, or it is a negative commandment such that the betrothal is not legally valid.³⁴⁴ In our opinion, betrothal would not be valid since it is a negative commandment.

The [Rabbanite] traditionalists establish four types: Some are subject to levirate marriage and *ḥalitza*, some are subject to *ḥalitza* but not levirate marriage, some are subject to levirate marriage but not *ḥalitza*, some are not subject to levirate marriage nor *ḥalitza*.³⁴⁵ It seems from their words that if he wants [to perform levirate marriage] but she does not want to, *ḥalitza* is performed.³⁴⁶ But then how can he say, *I do not want to take her* (Deuteronomy 25:8) [if she is the one who refuses], and how could this obstruction be agreeable to him?

25:5 To a stranger—If the noun “brother” meant real brothers [here], then since he said, *the wife of the deceased shall not be wed outside to a stranger*, what would be the meaning of *to a stranger*?³⁴⁷

And the words of our sage Rabbi Binyamin Nahawandi and Rabbi Yosef Qirqisani, may Eden be their abodes, are known from the *Book of Commandments*.³⁴⁸

³⁴² Perhaps Aaron refers to the discrepancy between Mishna, *Yevamot* 2.8, which describes it as a *mitzva*, and Babylonian Talmud, *Yevamot* 24a, which seems to say the eldest can pass the obligation to the younger brothers. See further *Gan ‘Eden*, *Seder Nashim*, ch. 31, 160a, and *Sefer hamMivhar* ad loc.

³⁴³ In Biblical Hebrew, the masculine *ben* is used for a child in general. Aaron is noting that contrary to the Rabbanite view, it does not mean a son specifically.

³⁴⁴ Babylonian Talmud, *Yevamot* 92b.

³⁴⁵ See Tosefta, *Yevamot* 2.4.

³⁴⁶ See further *Gan ‘Eden*, *Seder Nashim*, ch. 31, 159b and 160a, and cf. R. Moses Maimonides, *Mishné Tora*, *Hilkhot Yibbum vaḤalitza*, 1.2.

³⁴⁷ That is, she is prohibited from marrying even within the family so long as it is not to the deceased’s brother from the same father (or until *ḥalitza* is performed). So why does the verse say “to a stranger”?

³⁴⁸ *Gan ‘Eden*, *Seder Nashim*, ch. 31.

25:6 It shall be that the firstborn to whom she gives birth shall be accounted to the dead brother, that his name not be erased from Israel.

25:6 It shall be that the firstborn to whom she gives birth—The firstborn of the levirate marriage, but it perhaps need not be the firstborn of [the husband's] vigor or the firstborn of the womb. Neither a miscarriage nor a daughter [preceding the first son of this union] prevent [this process], and he inherits the deceased, for thus does it say, *to establish the name of the deceased on his inheritance* (Ruth 4:5).

25:7 If the man does not want to take his brother's wife, then his brother's wife shall go up to the gate to the elders, and say, "My husband's brother refuses to establish his brother's name in Israel. He will not perform levirate marriage with me."

25:8 Then the elders of his city shall call him, and speak to him. If he stands and says, "I do not want to take her,"

25:9 his brother's wife shall approach him in sight of the elders, remove his sandal from his foot, and spit in his face. She shall speak up and say, "So shall it be done to the man who does not build up his brother's house."

25:7–8 If the man does not want... then his brother's wife shall go up—This is a positive commandment. All this is as long as the Israelites are in the land.

25:8–9 And if he says, *I do not want to take her*, then *his brother's wife shall approach him*.

25:8 Shall call him, and speak to him—And if he will not perform levirate marriage then he performs *ḥalitza*, which is if he says *I do not want to take her*.³⁴⁹

25:9 Loose his sandal—because he was a close redeemer from the family, and now we see that she is transferred to someone else. Consequently, *[she] shall... remove his sandal*, similar to *each man took off his sandal* (Ruth 4:7).

25:9 And spit in his face—This shows that this is not the worthy choice,³⁵⁰ otherwise, what would be the reason for the disparagement?

25:10 His name shall be called in Israel, "The house of the removed sandal."

25:10 His name shall be called in Israel, "The house of the removed sandal"—It is a commandment to call him by a pejorative name. One can say that [performing levirate

³⁴⁹ The previous two comments appear to be out of order, and it is not clear what they are adding. It is possible there is textual corruption here.

³⁵⁰ The printed edition and most manuscripts consulted have *mukhrāḥ*, "necessary," but in light of context and the continuation, the attested *muvḥar* seems more likely.

marriage] is an act of kindness, and Scripture made it the worthier of two options, so if he did not render this kindness but shirked it, he is to be denigrated.

But the old woman [past menopause] and the *aylonit* [a woman who has never menstruated], as well as the old man and the impotent man, are exempt from this commandment, for Scripture gave the reason, *to establish the name of the deceased on his inheritance* (Ruth 4:5) [and this union will produce no heirs].

If [the deceased] had many wives, one exempts the rest, and which particular one is a choice. If not, [meaning, none choose], the one married first is obligated.

The case of Ruth is of great help to us [in saying it is not about true brothers and the focus is inheritance], for it says there, *to establish the name of the deceased on his inheritance* (Ruth 4:5), and in the Torah it is written, *that his name not be erased from Israel* (Deuteronomy 25:6), and the meaning is not that [the child] be called by [the deceased's] name. In the case of Ruth, it speaks of redemption because of the inheritance of the field [in addition to Ruth herself], whereas in the Torah it talks of levirate marriage. [Thus, the two are one and the same.]

As for what Naomi says, *Do I have more sons in my womb?* (Ruth 1:11), it is along the lines of *Shall I give my firstborn for my disobedience?* (Micah 6:7) [They are both rhetorical questions, so it has no real bearing on levirate marriage].

And all of these matters have been elucidated in the *Book of Commandments*.³⁵¹

25:11 When men—and man and his brother—strive against each other, and the wife of one draws near to rescue her husband from the hand of him who strikes him, and sends forth her hand and grabs him by his pudenda,

25:11 When men... strive—This section is juxtaposed [to the preceding one] because the land is transferred away from the [rightful] heirs, [causing strife].

25:11 A man and his brother—His brother before the law.

25:11 And the wife of one draws near— [The wife] of one of the men fighting, *to rescue her husband*.

25:11 And grabs him by his pudenda [mevushav]—From the same root as shame [*boshet*].

25:12 then you shall cut off her hand. Your eye shall take no pity.

³⁵¹ Gan 'Eden, *Seder Nashim*, ch. 31.

25:12 Then you shall cut off [*veḵatz-tzota*] her hand—The sense [of this uncommon word] is cutting, and likewise, *and cut [veḵitz-tzet] into wires* (Exodus 39:3).

25:12 Your eye shall take no pity—in cutting the hand. [This clause] is not to teach a pecuniary punishment,³⁵² [but is] because she committed a heinous act and showed no shame in reaching for the private parts, and from here they derived the law of all who shame [someone].

25:13 You shall not have in your bag diverse weights, one large and one small.

25:13 You shall not have in your bag—Similar to *We shall all have a single purse* (Proverbs 1:14), a place where one places the weights.

25:13 Diverse weights—Whether to buy or to sell with; *one big* to take [more than the person's fair share] and *one small* to give [less than their fair share].

25:14 You shall not have in your house diverse measures, one large and one small.

25:14 Diverse weights—The same applies.³⁵³

25:15 You shall have a whole and just weight; you shall have a whole and just measure, that your days may be long on the land which Adonai your God gives you.

25:15 That your days may be long—For if you do what is right and just, your days will be long because of the rectitude of your conduct.

25:16 For all who do such things, all who act crookedly, are an abomination to Adonai your God.

25:16 For all who do such things... are an abomination to Adonai your God—To distort the value of the weights.

25:16 All who act crookedly—All other forms of deception in commerce.

The value of weights and measures are according to the convention of the province, so that there is one consistent value.

³⁵² See *Sifré*, sec. 293, which compares it to the same clause above in Deuteronomy 19:13 through similar language (*gezera shava*).

³⁵³ The Hebrew reads *vehu haddin*, an unusual comment. Perhaps originally it read *vehu haddin lehin vehin* and became corrupted due to the graphic similarity between *din* and *hin* in Hebrew. The *hin* is the liquid measure mentioned in Leviticus 19:36 alongside the other two mentioned here: the weight (*even*) and the dry measure (*efah*). Aaron would be addressing the striking absence of the *hin* here.

25:17 Remember what Amalek did to you on the way as you came out of Egypt;

25:18 how he happened upon you on the way, and struck the rearmost of you, all the feeble at your back, when you were faint and weary; and he did not fear God.

25:17–18 Remember—It is a commandment to remember. It looks like [Amalek] acted deceptively against the Israelites; consequently, *he happened upon you [ḵarekha] on the way*, he came upon them without planning. This is from the same root as *all that happened [ḵorot]* (Genesis 42:29).

25:18 And struck the rearmost—That is to say, the end of the camp, who are *feeble [neḥeshalim]*, based on *he weakened [vayyaḥalosh]* (Exodus 17:13), with metathesis [*ḥ-sh-l* and *ḥ-l-sh*], like *simla* and *salma*, [both of which mean “garment”].

25:18 When you were faint [‘ayef]—A metathesis of *the faint [ya‘ef] may drink* (II Samuel 16:2). And at Rephidim they did battle with Israel, which was where they were tested with the water, *and there was no water for the people to drink* (Number 33:14), [corroborating that ‘ayef means faint with thirst].

25:18 And weary—because of the long journey.

25:18 And he did not fear [yaré] God—This refers to Amalek. This is in the *qal* conjugation following the *pa‘el* pattern. The meaning is [Amalek should have feared Him] because He redeemed them from Egypt, guided them, and provided them sustenance on the way.

25:19 Therefore it shall be, when... has given you rest—This is the security of the monarchy, [and at that time] you will be required to wipe out the memory of Amalek as is mentioned, *[now go and strike Amalek, and utterly destroy all that they have, and do not spare them;] but kill both man and woman* (I Samuel 15:3).

25:19 From under the sky—Meaning, eliminating their strength, which is dependent upon a supernal power.

25:19 You shall not forget—It is fitting for this to be dependent upon the future [generations].

26:1 It shall be, when you enter—because he left off with *Therefore it shall be, when [Adonai your God] has given you rest*, which would only occur after a king reigned over the Children of Israel—in fact, after Saul ascended the throne, as it says about him, *Remember what Amalek did to you on the way as you came out of Egypt (Deuteronomy 25:17)*.³⁵⁴ And through the king that will reign shall the chosen house be built, and this occurred in the days of Solomon, [so] he intends to explain that the bringing of the first-fruit is incumbent upon them upon entering the land after the conquest and division.³⁵⁵

And as he began elucidating everything depending on the chosen place, as it says, *You shall bring there your burnt offerings (Deuteronomy 12:6)*, he included everything mentioned in that verse, namely the general categories, but he enumerated their details in the order of the sections, listing the particulars of each of the commandments related to the categories he listed [in 12:6]. He explained the bringing of *your burnt offerings* by saying, *You shall offer your burnt offerings, the meat and the blood (Deuteronomy 12:27)*; and *sacrifices* by saying, *The blood of your sacrifices shall be poured out (ibid.)*; and regarding *tithes* it says, *You shall eat before Adonai your God... the tithe of your grain (Deuteronomy 14:23)*; and regarding *the firstborn* it says, *all the firstborn males that are born (Deuteronomy 15:19)*, and *but you shall eat them before Adonai your God in the place which... shall choose (Deuteronomy 12:18)*; and regarding *your vows, freewill offerings*, this corresponds to what it [already] said, *You shall offer these to Adonai in your holidays—in addition to your vows and your freewill offerings (Numbers 29:39)*. And he listed the order of the holidays when one must come to the chosen place, as it says, *You shall observe a festival for Me three times a year (Exodus 23:14)*. And he also explained the commandments that depend on the gates [of the Israelite cities], listing the commandments and the particulars beginning in the Torah portion of *Shofetim* until the conclusion of the Torah portion of *Ki Tetzé*. And he [also] needed to instruct regarding how the first-fruits are brought, as mentioned in *the wave offering of your hand (Deuteronomy 12:17)*, to instruct the bringing to the chosen place for the purposes of the blessing.

26:1 You take possession of it and settle it—For they are not obligated upon entry, only after the conquest and division, which was after seven years, as Caleb said, *I was forty years old (Joshua 14:7)*. Now, upon entering the land, thirty-eight years had passed, and [Caleb] said, *and now I am eighty-five years old, today (Joshua 14:10)*, so seven years had passed, and this was after the conquest and division.

The [Rabbanite] traditionalists opine that there were seven years of conquest and seven years of division, and they found support through the exceptional methods for which they

³⁵⁴ Presumably, the quote here should be from the similar but different verse in I Samuel 15:2.

³⁵⁵ In other words, because the obligation of Deuteronomy 25:17 was only “fulfilled” in Saul’s time, one might think that the obligation of 26:1 would begin only in Solomon’s time with the construction of the Temple. Therefore, it says that it is when you enter the land, although not immediately, as he notes here and in the next comment.

are famous, from the statement, *in the fourteenth year after the city was struck* (Ezekiel 40:1), in order to complete seventeen jubilees [850 years].³⁵⁶

26:2 That you shall take some of the first [*mereshit*]*—*but not [all of] the first, meaning, one should designate a single tree of each species even though many have produced first-fruit.

First-fruits must be brought from all species, as it says, *to bring the first-fruits of our earth, and the first of all fruits, of all kinds of trees* (Nehemiah 10:36). But the [Rabbanite] traditionalists say from seven species, which are listed in *A land of wheat* (Deuteronomy 8:8), which is not possible.³⁵⁷

26:2 You shall put it in a basket*—*It seems to speak of those nearby [the chosen place].

26:2 From your land*—*To include the land of Sihon and Og.

26:3 You shall come to the priest*—*This cannot be the High Priest, but rather one of those whose shift it is. Consequently, *who shall be in those days*.

26:3 I profess today*—*by bringing these first-fruits.

26:3 To Adonai your God*—*Similar to *Perhaps Adonai your God will hear the words* (Isaiah 37:4).³⁵⁸

26:4 The basket [*tené*] *—*This has the meaning of *sal* [basket].

26:4 [He shall] set it down*—*The priest [sets it down].

26:5 You shall respond [*ve'anita*]*—*Some say it is similar to the initial instance of *And Job spoke up [vayya'an]* (Job 3:2) [which cannot possibly be a response]. It is possible to say that when the priest would take the basket from his hands, he must have blessed him as he took it. Consequently, *you shall respond [ve'anita]*.

26:5 And say before Adonai your God, “My father was a destitute [*oved*] Aramean”*—*To declare he was not bequeathed merit and riches from his fathers, for Jacob was poor when he went to Aram. [*Oved*] is similar to *Give strong drink to the poor [oved]* (Proverbs

³⁵⁶ Babylonian Talmud, *‘Arakhin* 12b.

³⁵⁷ Babylonian Talmud, *Menaḥot* 84b.

³⁵⁸ The use of “your God” is not meant to exclude the speaker.

31:6).³⁵⁹ *Aramean* refers to Jacob because he sojourned there, for the intent cannot be to Laban, since *oved* is intransitive.³⁶⁰

26:5 He went down to Egypt and sojourned there, few in number—He declares that it was not by power and not by number [but by God’s spirit] (cf. Zechariah 4:6).

26:5 There he became a great... nation—God blessed him.

26:6 Abused us—*Every son who is born [into the Nile shall you cast him]* (Exodus 1:22).

26:6 Oppressed us—With the building of cities *with mortar and bricks* (Exodus 1:14).

26:6 And imposed hard labor on us—and *every labor of the field* (ibid.).

26:7 Then we cried out to Adonai—As it says, *and they cried out, and their outcry rose up to God* (Exodus 2:23).

26:7 Saw our oppression [*‘onyenu*—Meaning, our oppression [*‘innuyenu*],³⁶¹ as it says, *[they] oppressed us* (Deuteronomy 26:6).

26:7 Toil—As it says, *and imposed hard labor on us* (ibid.).

26:7 Strain—As it says, *the taskmasters were pressing, saying* (Exodus 5:13).

26:8 Adonai brought us out of Egypt with a mighty hand—by means of the plagues that He wrought.

26:8 With a mighty hand—The plague of the firstborn.

26:8 Great terrors—The splitting of the Red Sea.

26:8 And [*u-*] with signs—It is possible that the [conjunctive] *vav* is superfluous [such that *with signs and wonders* is an elaboration of the previous three things listed].

26:9–10 And He has brought us to this place, and has given us this land—Since He brought us out from oppression and subjugation and bestowed upon us this good [land], consequently: *I have brought the first of the fruit of the earth* [in gratitude].

26:11 You shall rejoice in all the good—because together with the first-fruits [which are eaten by priests alone], he would bring whatever would cheer the enumerated [his household, the Levite, and the stranger].

³⁵⁹ Ibn Ezra ad loc. notes that the proof to this interpretation of *oved* is confirmed by the continuation: “so that he may forget his poverty” (Proverbs 31:7).

³⁶⁰ The Rabbanites (see *Sifré*, sec. 301) understand the phrase as follows: “an Aramaean [Laban] sought to kill [*oved*] my father,” according to which *oved* is construed as transitive. Transitivity would theoretically require *ma’avid* or *me’abbed* in place of *oved*.

³⁶¹ The noun in the verse is *‘oni*, which usually means “poverty,” whereas *‘innui* means “oppression.” Aaron is saying that the former means the latter here.

26:12 When you have finished tithing—Because he mentioned the declaration one makes when bringing the first-fruits, he juxtaposes what one must say when bringing out the tithe of the poor, which they would not bring up to Jerusalem, but would bring out to the gate for *the Levite, the stranger, the fatherless, and the widow*.

26:12 When you have finished—That is to say, after one has given all of the tithe.

26:12 Tithing [la'ser]—In the *hif'il* conjugation, the opposite of *he shall tithe [ya'sor] your flocks* (I Samuel 8:17), which is in the *qal* paradigm [despite the similar vocalization]. The meaning of the *hif'il* conjugation is to give the tithe, and the same is true of the *pi'el* paradigm, but the meaning of the *qal* is to take the tithe.

26:13–14 You shall say before Adonai your God, “I have removed the holy from my house” — “Even though I have given it to the Levite, the stranger, and the fatherless, I did not treat it lightly.” He says *the holy* because this is instead of the second tithe, which would be brought to Jerusalem and eaten in a state of holiness. Alternatively, in the third year, one would bring three tithes, and it is called *holy* because it was eaten in a state of purity, as it says, *I have not removed any of it while impure*.³⁶²

26:13 Completely in accord with Your commandment which You have commanded me—that it be given at the gate to those mentioned.

26:13–14 I have not transgressed any of Your commandments, neither have I forgotten them—*I have not transgressed* by not giving it to those mentioned, *neither have I forgotten* to take it out [to the gate].

Alternatively, the meaning is that in saying, *When you have finished tithing* (Deuteronomy 26:12), he refers to three tithes. Meaning, *I have removed... I have not transgressed any of Your commandments* refers to the first tithe; *neither have I forgotten* refers to the second tithe; and *I have not eaten of it in my mourning [be'oni]* refers to the third tithe.

26:14 Some explain *be'oni* as “in my mourning,” and relate it to the tithe eaten by the owner, while others take it as a reference to the tithe of the poor, the meaning being, “I did not neglect [my duty] to take it out on account of my mourning.” Others explain *be'oni* as “in my wealth,” similar to, *I have found myself wealth [on]* (Hosea 12:9). The first explanation [that it relates to mourning] is preferable.

26:14 I have not removed any of it while impure—since it is called *holy*.

26:14 Nor have I given of it for the dead—to make [from the profits] a coffin or burial shrouds, because [the third tithe] is only intended for eating and drinking, like the second tithe. Some explain [*for the dead*] as anything which does not sustain the body.

26:14 I have listened to Adonai my God's voice—to bring it out to the gate.

³⁶² See further above in Aaron's commentary above on Deuteronomy 14:29.

26:14 I have done according to all that You have commanded me—to give it *to the stranger, the fatherless, and the widow*. The [Rabbanite] traditionalists say, “I have not given the heave offering before the first-fruits.”³⁶³

26:15 Gaze down from Your holy abode—You [God] should continue Your providential governance in blessing Your people Israel and blessing the land that You swore to our forefathers, namely the holy Patriarchs, that it be *a land flowing with milk and honey*. It is impossible that it refers to those who left Egypt, to whom it was said, *a land flowing with milk and honey* (Exodus 3:8, etc.).³⁶⁴

26:16–19 Today, Adonai your God commands you to fulfill these statutes and ordinances—And when you diligently fulfill them, *you have declared [he'emarta] that Adonai is your God*. It is as if through the observance of the commandments you say that Adonai is your God.

Adonai has declared [he'emirkha] today that you are His own treasured people, as He has told you, and that you should keep all His commandments—by His setting you *above all nations... and that you shall be a holy people*.³⁶⁵

Some explain the meaning as follows: by keeping the commandments you cause God to say that He *is your God* (Deuteronomy 26:17), and likewise *Adonai has declared today that you [are His own treasured people]* by setting you above, as *to be His own treasured people* is God's statement.³⁶⁶

Others interpret [*he'emarta* and *he'emirkha*] in the sense of loftiness, from the sense of *at the top of the uppermost bough [amir]* (Isaiah 17:6).³⁶⁷

27:1 Moses and the elders of Israel—It is possible that these are the seventy elders, and they [command] via³⁶⁸ Moses.

27:1 Keep the entire commandment—This pertains to erecting the stones.

³⁶³ See Rashi to Deuteronomy 26:13, s.v. *kekhol mitzvatekha*.

³⁶⁴ The underlying problem is that the phrase “a land flowing with milk and honey” was never said to the Patriarchs; it first appears in Exodus.

³⁶⁵ In this first reading, the *hif'il* conjugation of *'-m-r* is understood as causative speaking through actions, as when we say “actions speak louder than words.” The acts serve as declarations.

³⁶⁶ In this second reading, the verbs are causative in the sense of causing the other party to say something.

³⁶⁷ In this third reading, the verbs mean “raise up.”

³⁶⁸ The printed edition reads *'al yedei*, meaning “via,” although the sense is not clear. The consulted manuscripts have the initialism *'y*, which could be *'al yad*. Perhaps it originally read *'al pi*, “by the word of”; see *Sefer hamMivhar* ad loc.

27:2 On the day you cross the Jordan... you shall erect for yourself large stones, and coat them with plaster—Some say that they were to put them one on top of the other, like a structure, and the plaster was to make them stick together. Others say that [the plaster] was to whiten them in order to receive the inscription [and make it more legible].

27:3 You shall write on them all the words of this divine instruction [*tora*]³⁶⁹—Some say it refers to Deuteronomy [*mishné tora*], but it more likely refers to the subject matter of the commandments, and the blessing if they obey and the curse if they do not. The meaning of *mishné tora* is “a copy of the Torah” [literally, “a second Torah”], and it would not be appropriate to say *mishné hattora*.³⁶⁹

27:3 That you may enter [*tavo*]³⁷⁰—Some say that is in the future tense instead of [the expected] past, perhaps because now the entry [into the land] commences, so if they fulfill this commandment they will inherit it.

27:4–5 It shall be, when you have crossed the Jordan, that you shall erect these stones—And after you erect them, *You shall build an altar there*, which is the one mentioned, *If you make me an altar of stone* (Exodus 20:25).³⁷⁰

27:6–8 After you offer the offerings, *you shall write on the stones all the words of this instruction very clearly*, in a lucid script that is known to everyone, or it means an elucidation of the Torah.

The [Rabbanite] traditionalists say that there were three sets of stones [erected on different occasions]: The twelve stones erected in the Jordan, regarding which it says, *you shall erect for yourself great stones* (Deuteronomy 27:2); other stones that were taken out [of the Jordan] and placed at [their] camping place at Gilgal; and yet others erected on Mount Ebal, upon which they wrote the Torah.³⁷¹ But Scripture does not indicate that these stones were taken out of the Jordan. Indeed, what was done by Joshua’s command, the stones erected in the Jordan [in Joshua 4], which were also twelve that were taken out, was a new commandment.

³⁶⁹ Aaron’s intent is not clear, and the following is a tentative reconstruction of it. *Sefer hamMivhar* ad loc. writes that the *tora* here refers only to Deuteronomy, as indicated in the book of Joshua. Joshua 8:32 records that Joshua wrote on the stones *mishné torat Moshé*, and assuming these are the same stones, that line is being construed to refer to the fifth book of the Pentateuch spoken by Moses, which is referred to in post-Biblical Hebrew as *mishné tora*. Aaron seems to be saying that in Biblical Hebrew, *mishné tora* cannot be a reference to Deuteronomy, because *mishné* means “second” in the sense of a double or copy. It would not refer specifically to Moses’ restatement or elucidation of the rest of the Torah with that formulation (even if such a term was used later). Therefore, when the verse in Joshua says *mishné torat Moshé*, it refers to parts of the Torah given by God to Moses, and the same is true of the verse here.

³⁷⁰ The verse number depends on how the Decalogue is split up. In the JPS 1917 translation, for example, it is verse 22.

³⁷¹ Babylonian Talmud, *Soṭa* 35b.

27:9 Moses and the Levitical priests [*hakkohanim halviyyim*]**—**for they are the teachers of the Torah. It is possible that [despite the lack of conjunctive *vav*] the intent is “[the priests] and the Levites” [*vehaleviyyim*]. Alternatively, the reason [for specifying] is because the noun “priest” is ambiguous.

And [he mentions the Levitical priests here] because they are in charge of the blessing and the curse.

27:9 Accept [*hasket*]**—**This is a hapax legomenon [with no other occurrence in Scripture] and its sense is provided by its context, namely, acceptance. Some explain its meaning as similar to *Acquaint yourself* [*hasken*] *with him now, and be at peace* (Job 22:21), with the *tav* [of *hasket*] taking the place of the *nun* [of *hasken*].

27:9–10 Today you have become the people—when you accept upon yourself a covenant to do that *which I command you*.

27:11–12 Moses commanded the people... “These shall stand”—He elucidates what he said in the Torah portion of *Re’é* [regarding the blessing and the curses, Deuteronomy 11:29].

27:12–13 On Mount Gerizim—For the blessing are the sons of the wives [Leah and Rachel], and on Mount Ebal [for the curse] are the sons of the maidservants [Bilhah and Zilpah]. Meaning, those standing on Mount Gerizim would answer “amen” to the blessing.

It is possible that the blessing and curse were according to the nature of the place.

Rabbi Sahl, may Eden be his abode, said that these tribes were designated for the curse because they would be first to go into exile.³⁷²

27:14 [The Levites] shall say [*ve’anu*]**—**Similar to the initial instance of *And Job spoke up* [*vayya’an*] (Job 3:2) [which cannot possibly be a response].

27:15 Cursed is the man—He begins [by listing] eleven curses against the secret actions of individuals; consequently, *and places it in secret*. For if it were done publicly, then all would receive lashes for not carrying out justice.

These are subsumed under the enumerated blessings and curses [in Deuteronomy 28]: *You shall be blessed in the city* (Deuteronomy 28:3). It is not, as the [Rabbanite] traditionalists say, that the curse is *Cursed is the man who makes*, and the blessing is

³⁷² We have not been able to locate the exact source.

“Blessed is the man who do not make,”³⁷³ for that is not the straightforward meaning, and the proof is from the book of Joshua.³⁷⁴

27:15 Cursed is the man who makes an engraved or molten image—Their sense has been explained.³⁷⁵

27:15 An abomination to Adonai—since it is for idolatry, for [with this] he denied Adonai.

27:15 The handiwork of a craftsman [*ḥarash*]—We find the *carpenter* [*ḥarash* ‘*etzim*]/ (Isaiah 44:13) and *the blacksmith* [*ḥarash barzel*] (Isaiah 44:12) [with respect to *ḥarash*].

27:15 And places it in secret—for if it were in public he would be judged in a court of law.

27:15 All the people shall respond [‘*anu*]—by saying *amen*.³⁷⁶

27:16 Cursed is he who dishonors [*maklé*]—From the same root as *ḵalon* [shame].

27:16 His father or [ve-] his mother— “Or [o] his mother” [since the conjunctive *vav* usually means “and”].

This would be in private among members of the household.

27:17 Cursed is he who removes—for this too is a secret scheme.

27:18 Cursed is he who leads the blind astray—since he cannot see [to identify this individual for others]. This also applies to subterfuge and cheating in transactions, whether it be in business or other matters.

27:19 Cursed is he who withholds justice from the stranger, the fatherless, and a widow—since they cannot advocate for themselves, or because of their foolishness they lose what is their right.

³⁷³ Babylonian Talmud, *Soṭa* 32a.

³⁷⁴ The reference is to Joshua 8:34, where the text expressly says that Joshua read the blessings and the curses from the Torah, yet according to this Rabbanite interpretation, the blessings were not actually written down.

³⁷⁵ In *Keter Tora* on Exodus 20:4, Aaron explains that the *pesel* is carved and this noun is chosen because this is the typical way an idol is fashioned (but cf. the commentary above on Deuteronomy 12:3 on *pesilé*). In *Keter Tora* Leviticus 19:4, he explains *massekha* as a form made at certain times by supernal forces. Since the exact English equivalent is unclear, we have left it in the traditional translation of “molten image.”

³⁷⁶ The Hebrew reads *ve’anu ve’ameru*, and the second conjunctive *vav* makes it sound like these are separate acts. This might lead us to construe *ve’anu* to mean “say” or “speak up,” which is how Aaron understands the word in the preceding verse, so he clarifies that here they are the same act.

27:20 Cursed is he who lies with his father's wife—since he is alone with her in the house [and no one suspects him]. Consequently, *because he uncovers his father's skirt [kenaf]*, for she was sheltered under his father. Similarly, *therefore, spread your skirt [kenafekha] over your maidservant* (Ruth 3:9).

27:21 Cursed is he who lies with any animal—whether he is the active or passive party; consequently, *with any animal* [male or female]. The same is true for birds.

27:22 The daughter of his father or the daughter of his mother—since he is alone with them [and no one suspects him].

27:23 With his mother-in-law—This too is through being alone [with her].

27:24 Strikes down his fellow in secret—This includes slander, which is done in secret. [*In secret*] indicates that all the enumerated [sins here] are done in secret.

27:25 Cursed is he who takes a bribe—even if he did not kill, because if he did, he would have the same law as any murderer—*his blood is spilled* (Genesis 9:6).

27:26 Cursed is he who does not uphold—the rest of the positive and negative commandments. This makes twelve curses which correspond to the twelve tribes.

28:1 It shall happen, if you shall listen dutifully... all His commandments which I command you today—The positive and the negative, for both are parts of what is commanded.

28:1 That Adonai your God shall set you above—by means of the blessings.

28:2 Find you—as a reward for listening.

28:3 You shall be blessed in the city—inside; *and you shall be blessed in the field*—outside. Alternatively, these mean [respectively] in your commerce and in your produce.

28:4 In the fruit of your womb, the fruit of your livestock, the fruit of your soil³⁷⁷—The speaking [human beings], the mute [animals], and the vegetative [plants], according to nature through manifest providence.

28:4 The young of your livestock [*shegar alafekha*] and the young of your flock [*ashterot tzonekha*]—These [terms] have been explained [elsewhere].³⁷⁸

The meaning is that they will be born whole and without blemish.

28:5 Your basket and your kneading bowl—Names of vessels that are to be filled [in times of blessing].

³⁷⁷ The order of items in the verse has been rearranged by Aaron to fit the scheme noted in the commentary. This exact order does occur in verse 28:11 below.

³⁷⁸ See Aaron's commentary above on Deuteronomy 7:13.

28:5 Your basket [*tan'akha*]—Similar to *The priest shall take the basket [ṭené] from your hand* (Deuteronomy 26:4), a vessel for fruit; and *your kneading bowl [mish'artekha]* is a vessel for bread, and not a noun for dough. It is possible that *tan'akha* is the vessel and *mish'artekha* is the dough.

28:6–7 You shall be blessed when you come in—He precedes the entering to the leaving, the meaning being, *when you come in* to the land and *when you go out* to do battle against an enemy. Consequently, *Adonai shall cause your enemies....*

28:7 Who rise up against you—Who audaciously confront you.

28:7 To be struck [*niggafim*] before you—so that they fall and not rise, similar to *your foot will not stumble [tiggof]* (Proverbs 3:23), as he then says, *and flee before you seven ways*. Alternatively, it is like *that there be no plague [negef] among them* (Exodus 30:12).

The *nun*, which is the first letter of the root [*n-g-f*], is assimilated into the second letter of the root [the geminated *gimel*], similar to *vehannissa'im [and those lifted up]* (Isaiah 2:13) [from the root *n-s-*'].³⁷⁹

28:7 Seven ways—Corresponding to the seven climes. Or it [is a figure of speech and] means “many,” similar to *For a righteous man falls seven times and rises up again* (Proverbs 24:16) [where the number is not exact and means “many”].

28:8 Adonai shall command that the blessing be upon you in your granaries [*ba'asamekha*]—Similar to *Your granaries [asamekha] will be filled with plenty* (Proverbs 3:10), and these are the storehouses of grain. The proof is *and your vats will be bursting with new wine* (*ibid.*) [the second half of the verse elucidates the rare word in the first through a parallel].

28:8 And in all to which you put your hand—in commerce.

28:8 He shall bless you in the land—That you shall not [need to] leave on business to distant lands.

28:9–10 Adonai shall establish you as a holy people for Himself—That you will be set apart and distinct for the sake of His name, and all of this [shall occur] if you keep the commandments.

28:10 All the peoples of the earth shall see that you are called by Adonai's name—by way of the manifest providence [that is upon you].

28:10 And they shall fear you—so as not to stand against you.

³⁷⁹ In the word *nissa'im*, the initial *nun* is from the *nif'al* paradigm and not from the initial root consonant, in the same way the *nun* in *niggafim* is from the *nif'al* and not from the root. The initial *nun* of the root is assimilated into the *sin* there and into the *gimel* here, resulting in gemination.

28:11 Adonai shall spare you [*hotirekha*]³⁸⁰—If diseases should occur on account of miasma, you shall survive [*notar*] these ravages of happenstance.

28:11 In the fruit of your womb...—In the three species [human, animal, and plant], and the miasma shall not govern them.

28:11 On the land—For the Land of Israel is singled out for God's providence.

28:12–13 Adonai shall open for you His bounty of good in the sky—He begins with the causes of those things effected by the supernal configurations, such that no misfortune shall befall them—"you shall be sated with everything you could possibly want." But nations of the world, which are afflicted by misfortune in accordance with astrological fate, will have need of you. Consequently, *You shall lend to many nations, but you shall not borrow*, and then *Adonai shall make you the head, and not the tail* with respect to the nations of the world, because *the rich rule over the poor* (Proverbs 22:7).

28:13 You shall be only [*raḳ*] above—This is restrictive [language], because it is all dependent upon divine providence, even without these [other natural] causes.

28:13–14 If you listen—It is because of the observance of the Torah; therefore, you shall *not deviate... right or left* from the straight path.

28:15 But it shall come to pass—He begins with the particulars of the curses. He stated the blessings generally and the curses specifically because the [divine] essence that sustains the body is unified, whereas nature is divided according to its manifold causation.

28:16 You shall be cursed in the city—Following a similar order as the blessings.

28:17–18 Your basket—Here, he puts it first [while the order of subject matter in the corresponding verses of blessing, 28:4–5, is reversed].

28:20 Blight—of the spirit, just as [or: when, *ka'asher*] they have blight of the food [in 28:16–17].

28:20 Confusion—One's mind shall not find rest because of the lack of produce.

28:20 Dearth [*migra'at*]³⁸⁰—You shall lack, if [*migra'at*] is [to be analyzed as a case of] metathesis [g-r- ' instead of g- 'r-], like *simla* and *salma*, [both of which mean "garment"].

Alternatively, on account of poverty [of the Israelites], the nations of the world shall be ascendant, and [the Israelites] shall feel rebuked because of their need for them.³⁸⁰

28:21 Adonai shall make the pestilence cling to you—After listing the psychological deprivation, he begins with the consumption of the body, for they shall be reduced because of the pestilence that shall seize them.

³⁸⁰ In this second explanation, the word is analyzed as having the root g- 'r, which means "to rebuke."

28:22 Adonai shall strike you with consumption—These are sicknesses, for those who remain after the pestilence shall be afflicted by sickness.

28:22 Adonai shall strike you with consumption [*shaḥefet*]—This is cold.³⁸¹ Meaning, when the body is cooled, the moisture that emerges from the food, when it is digested in gastric juices and dissolved, is transferred in blood vessels to boil blood for transfer to the organs. Although the heat that spreads from the heart to the liver boils that moisture, when the accidental coldness overpowers the boiling heat, that moisture remains unboiled and generates putrefaction, for since it was not boiled it is not transferred to the limbs, resulting in a blockage. The heat that exits the heart is unable to spread, so the heat naturally increases and burns the clogging putrefaction. It is therefore called *fever* [*kadahat*],³⁸² which is quotidian fever.

On account of the increase, the heat penetrates under the blood vessels, and this is *inflammation* [*daleket*], from the same root as *Wine inflames them* [*yadlikem*] (Isaiah 5:11), and *a flaming* [*daliq*] *fire* (Daniel 7:9), which is tertian fever.

[This can continue] to the point that, on account of its great strength, the heat penetrates the recesses of the body and burns the bones. This is *fiery heat* [*ḥarḥur*], from the same root as *and its bronze may burn* [*vehara*] (Ezekiel 24:11), and it is quartan fever.

28:22 Scorching heat [*uvaḥerev*]—It is possible that this too is a type of heat[-related malady], from the same root as *scorching heat* [*ḥorev*] (Genesis 31:40).³⁸³

28:22 Blight [*uvash-shiddafon*]—Based on *blasted* [*shedufot*] *by easterly wind* (Genesis 41:6,23). It is a sickness that comes from the red bile and weakens the natural power [of the body]. This can turn into biliary colic,³⁸⁴ which is *jaundice* [*uvayyeraḥon*].³⁸⁵

Some say that these are diseases of the seed, and it similarly says, *I struck you with blight* [*bash-shiddafon*] *and mildew* [*uvayyeraḥon*] (Amos 4:9), and it likewise says, *blasted* [*shedufot*] *by easterly wind* (Genesis 41:6,23).

28:22 And they shall pursue you—That is, these maladies.

³⁸¹ This identification seems to be based on medieval humoral theory and medical tradition, as he proceeds to articulate. No etymology is mentioned.

³⁸² The idea seems to be that every day it flares or is kindled anew, rather than an ongoing burning, which fits the use of *k-d-h* as flaring anger in the Bible.

³⁸³ The word *uvaḥerev* would typically mean “by the sword,” but that seems out of place in a list of illnesses.

³⁸⁴ Hebrew *hidraḥon*; see Gerrit Bos, *A Concise Dictionary of Novel Medical and General Hebrew Terminology from the Middle Ages* (Leiden: Brill, 2019), 66, s.v. *hidroḥan*.

³⁸⁵ Perhaps because gallstones can block a bile duct, resulting in jaundice.

28:22–23 Consequently, it juxtaposes [*Your sky*].³⁸⁶

28:23 The sky—The [order of the two] metals are revered [compared to Leviticus 26:19], and if one looks carefully, one will find the reason.

[*Bronze, neḥoshet* and *iron, barzel*] are missing the *kaf* of comparison [to mean “like bronze” and “like iron”], the proof being, [*I shall make*] *your sky like iron* [*kabbarzel*] (Leviticus 26:19).

28:24 The rain of your land powder and dust—This is miasma that will breed terrible maladies *until you are destroyed*.

28:25 Adonai shall cause you to be struck... You shall be a horror [*za'ava*—A metathesis of *zeva 'a* [with the same meaning]. Consequently, *Your corpses shall be food* for animals and birds, *with none to frighten* them *away*.

28:27 Adonai shall strike you with the boils of Egypt³⁸⁷—which are unnatural.

28:27 Hemorrhoids [written '*afolim*, vocalized *teḥorim*]³⁸⁸—which are two types: internal and external.

28:27 Abscesses and itchiness—The wet and the dry.

28:28–29 With madness, blindness, and confusion of the heart—Mental and emotional discombobulation [and not actual blindness].

28:29–30 You shall grope at noonday—because your mental state will be disturbed. Furthermore, in your transactions *You shall be oppressed and robbed... with no rescuer*. And he begins to explicate, [*You shall betroth a wife*].

28:30 You shall betroth a wife, but another man shall bed her—Shall prepare her for his bed. The same shall happen if you build a house.

28:30 You shall plant a vineyard—but it will not succeed for you to use its fruit [*teḥallelennu*]. [This is] from the same root as *has not used its fruit* [*ḥillelo*] (Deuteronomy 20:6), and it meant to make it unconsecrated [in the fifth year], as it says, *In the fifth year you shall eat its fruit* (Leviticus 19:25).

28:31 Your ox shall be butchered... but you shall not eat... Your donkey shall be stolen in front of you—by the authorities, *but it shall not be returned to you*.

28:31 Your sheep shall be given—for they steal them to eat them.

³⁸⁶ That is, according to the second interpretation (also mentioned by Ibn Ezra ad loc.), it juxtaposes further curses pertaining to the field and its produce.

³⁸⁷ The printed edition and manuscripts consulted all have “severe boils” [*sheḥin ra*] here, presumably a copyist’s error based on the similar verse 28:35 below.

³⁸⁸ There are two versions, one the version that is written [*ketib*] (‘*afolim*), the other read [*qeri*] (*teḥorim*).

28:32 Your sons and your daughters shall be given to another people. Your eyes shall look and be exhausted [*vekhalot*]³⁸⁹—From the same root as *my soul is exhausted [kaleta] for your salvation* (Psalms 119:81).

28:32 Your hand shall be impotent—You will have no ability to take them [back].

28:33 A nation which you do not know shall eat the fruit of your soil and all of your labor—As it says, *It yields much produce for the kings whom you have set over us because of our sins* (Nehemiah 9:37).

28:34 You shall go mad from the sights.³⁸⁹

28:35 Adonai shall afflict you on your knees and thighs with severe boils—From there the boils shall erupt.

28:35 Of which you cannot be healed—because of their constant movement, and from there they shall spread *from the sole of your foot to the crown of your head*.

28:36 Adonai shall lead you, and your king—Some say that this is a reference to the exile following the Second Temple. For it says, *to a nation that neither you... have known*, which must be a reference to Rome since the kings of Assyria [responsible for the first exile] were close to the Land of Israel [and thus known to them].

28:37 You shall become a shock, a proverb, and a byword—Meaning, whoever sees them [the Israelites] shall be shocked.

28:37 A tale [*lemashal*]³⁹⁰—A narration of the events. Or it means “such-and-such shall happen as happened to that nation.”³⁹⁰

28:37 A byword—A pejorative or curse.

28:38 An abundance of seed—He begins to explain how [the Israelites] shall be *a tale and a byword*.

28:38 You shall carry an abundance of seed out into the field but gather little in, for the locust shall consume it [*yaḥ-selenu*]³⁹¹—This is the *ḥasil*, a type of locust.³⁹¹

28:39 You shall plant and work vineyards—until the fruit is ready, *but you shall neither drink... because worms shall eat it*.

³⁸⁹ If commentary is not missing, perhaps Aaron intended this to be appended to the previous or following verse. *Sefer hamMivḥar*, for example, writes that the madness is from all of the afflictions and tribulations enumerated in the previous verses; Ibn Ezra, on the other hand, writes that it is from seeing the severe boils covering one's body.

³⁹⁰ In the first interpretation, *meshal* is construed as a story; in the second, it is understood as a point of comparison.

³⁹¹ The point is that the verb is a denominative from the noun *ḥasil*. The *ḥasil* is mentioned a number of times in the Bible, see, e.g., I Kings 8:37.

28:40 You shall have olive trees—which do not require labor, *but you shall not anoint yourself with oil*.

28:39 Nor store—Meaning, since you cannot store.³⁹²

28:40 For your olives shall drop [*yish-shal*]³⁹³—Its root is the same as *and casts out* [*venashal*] (Deuteronomy 7:1), and the sense is casting. The *dagesh* in the *shin* is due to the missing *nun* [the root being *n-sh-l*]; it is not in the *nif'al* conjugation from *sh-l-l* [plundering],³⁹³ for it should resemble what preceded it [the rotting grapes].

28:42 Similarly, *hatz-tzelatzal* [translated as *worms*] is not a word for an enemy encampment, but it could be a type of worm that eats fruit of the trees and fruit of the earth. The word *yeyaresh* [translated as *shall finish off*] is from the same root as *hall drive out* [*vehorish*] (Deuteronomy 11:23), the sense being departure.³⁹⁴

28:43 The stranger in your midst shall rise above you higher and higher—Miraculously, and the meaning is in wealth.

28:44 He shall lend to you—Once he has become wealthier than you, and by lending to you *he shall be the head*.

28:45 All these curses shall come upon you—because [*'ekēv*] *you did not listen to Adonai's voice*.³⁹⁵

28:45–46 They shall be a sign and a wonder to you—Since it is demonstrated to you that these are the travails of the nations of the world, you will know that it is because you did not keep the Torah's commandments that this befell you.

28:47–48 Because you did not serve Adonai your God—you shall serve the nations of the world.

28:48 In hunger, thirst, nakedness [*'erom*] —A noun.³⁹⁶ That is, you shall lack every good.

³⁹² There appears to be textual corruption here. It is possible that an early copyist misplaced this comment. Curiously, *Sefer hamMivhar* on these verses also has a comment on this phrase from 28:39 in the middle of his commentary on verse 28:40, despite the fact that the comments of the two commentators are otherwise not similar.

³⁹³ The gemination would mark an assimilated *nun* from the *nif'al* conjugation and the third consonant would not be represented in the conjugated form.

³⁹⁴ In other words, Aaron is rejecting the opinion that both 28:40 and 28:42 are about enemies plundering olives and consuming all of the fruits and vegetables.

³⁹⁵ It is possible that Aaron is clarifying the meaning of the word *ki* in the clause, “because [*ki*] you did not listen,” which could be understood as “when” or “if.” The addition of *'ekēv* makes it causal.

³⁹⁶ In Genesis 3:10, the same word *'erom* is used as an adjective meaning “naked.”

28:48 He shall put an iron yoke on your neck—to collect a tax from you.

28:48 Until His destruction [*hishmido*] of you—Similar to *leaving him [hish'ir] no one remaining* (II Kings 10:11).³⁹⁷

28:49 Adonai shall bring—He begins to explain the nature of the enemy that will come.

28:49 A nation... from far, from the end of the earth—This is the nation of Romans; *as the eagle flies*, because he shall cross the sea in ships.

It is not a reference to the Chaldeans because they were close to Israel, and [the Israelites] also understood their language, as it says, *Please speak to your servants in Aramaic, for we understand* (II Kings 18:26).

28:51–53 Until he has impoverished [*ha'avido*] you—Similar to *Give strong drink to the poor [oved]* (Proverbs 31:6), because afterwards he says, *He shall besiege you at all your gates* [so no provisions can come in]. And out of overwhelming starvation you shall eat *the fruit of your womb... during the siege*; thus, the second *He shall besiege*.

28:54 The tender man among you and the very delicate [*vehe'anog*]—The *segol* under the *hé* is due to the *kamatz* under the 'ayin, for such is the compensation in vocalization.³⁹⁸

28:54 Shall turn a stingy eye his brother, the wife of his bosom, and the remnant of his children whom he has spared—not to slaughter them.

28:56 The tender and delicate woman among you—In the same way [as the tender and delicate man].³⁹⁹

28:57 Regarding the placenta [*uveshilyatah*]—The *vav* here is superfluous.⁴⁰⁰

28:57 That emerges [*yotzet*]—This is missing the *alef* [since the root is *y-tz-*].

28:57 From between her legs—A euphemism for that place [the birth canal].

³⁹⁷ See Aaron's commentary above on Deuteronomy 7:24 with the accompanying note. The verse reference follows the printed edition, but any number of verses contain the relevant phrase (in fact in his comment on 7:24 Aaron quotes Joshua 11:18 concerning the same point). Of course, all verse references were supplied by the editor of the printed edition, and they are not always accurate.

³⁹⁸ The definite article usually takes a *patah* but the vocalization changes variously before the guttural consonants, and this is further complicated by the specific vowel that the guttural takes. With respect to 'ayin, Aaron says that the *kamatz* is what changes the vocalization of the definite article. The cases in which this change occurs happen to coincide with the general rule that the definite article preceding an 'ayin takes a *kamatz* (as in *ha'eved* or *ha'ir*), unless the 'ayin is in an unstressed syllable, in which case the definite article takes a *segol* (as in *he'arim* or *he'anán*, and here with *he'anóg*).

³⁹⁹ The cause for this comment is unclear.

⁴⁰⁰ This is not a list, but rather the object regarding which she is stingy with others.

28:58–59 If you do not diligently observe... then Adonai shall inflict extraordinary plagues—He warns them that after all this promised misfortune befalls them, He shall further afflict them by miraculous means that are supernatural.

28:59 Plagues upon you [*makkotekha*]—A word composed of both plural [noun *makkot*] and singular [suffix *-kha*], the opposite of this is *You are wearied in the multitude of your counsels* [*‘atzatayikh*] (Isaiah 47:13) [where the noun is singular and the suffix is plural].

28:59 Malignant and chronic [*ne’emanim*] maladies—that shall not cease, similar to *waters that are not reliable* [*ne’emanu*] (Jeremiah 15:18).

28:60 He shall bring on you again all the diseases of Egypt—Some of those plagues were experienced by Israel; therefore, *He shall bring [on you] again*.

28:61 Also every sickness and every plague which is not written... shall bring them upon [*ya’lem*]—It is possible that the sense is “bringing upon” [the root being *‘l-h*]. Nevertheless, since the *‘ayin* takes a *sheva nah*, it might be from the same root as “averting” [*‘l-m*], meaning, He shall avert His eyes by not maintaining His providence over you, and all the misfortune shall cling to you.

28:63 It shall happen that as Adonai rejoiced [*sas*] —Intransitive; *shall rejoice* [*yasis*]—transitive. Meaning, God is pleased with Israel’s wellbeing, along the lines of *Let Adonai be pleased* [*yismah*] *with his works* (Psalms 104:31),⁴⁰¹ but He fulfills the will of the nations of the world.

28:63 You shall be evicted [*nissaḥtem*]—It is in the *nif’al* conjugation [the *nun* is not part of the root], with assimilation [into the *dagesh* of the *samekh*] of the first letter of the root [*n-s-h*]. Its meaning is similar to *He shall take you and evict you* [*veyissaḥakha*] *from your tent* (Psalms 52:7).

28:64 There you shall serve other gods—Meaning, they will serve idol worshippers.

The [Rabbanite] traditionalists say that living outside the Land is tantamount to worshipping idols.⁴⁰²

28:65 Among these nations you shall not be at ease—You shall not find even a moment’s rest, but shall have a *quavering heart* from all your worries and woes.

28:66 Your life shall hang in the balance [*telu’im*] —The *yod* [of expected *teluyim*] is replaced by an *alef*, similar to *beloyé... belo’é* [*rags*] (Jeremiah 38:11–12).⁴⁰³

⁴⁰¹ It seems this is the intent of the prooftext; see *Sefer hamMivḥar* ad loc.

⁴⁰² Cf. Babylonian Talmud, *Ketubbot* 110b, which quotes Leviticus 25:38.

⁴⁰³ In the first verse there is a *yod* and in the immediately following verse an *alef*, with no change in meaning.

28:66 You shall be afraid night and day—of an enemy attack.

28:66 And have no assurance of your life—but will worry that you might be killed.

28:68 Adonai shall bring you to Egypt again on ships—It is a punishment that He shall lead them to a place where they cannot be sold [due to lack of interested buyers], because if they were sold then the master would be obligated to give sustenance to his slaves.

28:68 There you shall try to sell yourselves [*vehitmakkartem*]⁴⁰⁴—Since he says *without any buyer*, it is perforce similar to *there are some who try to be rich [mit‘ash-she] but have nothing* (Proverbs 13:7).⁴⁰⁴ The reason [for no buyers] is that the Egyptians were smitten for enslaving the Israelites.

28:69 These are the words of the covenant which Adonai commanded—He makes clear that by God’s command did he make this covenant.

29:1 Moses called to all Israel—For thus is it written [in the previous verse]: *in addition to the covenant*.⁴⁰⁵

29:1 You have seen—Indicating that some were present who had been younger than twenty [and so escaped the fate of the generation of the wilderness, but also saw what God did to the Egyptians].

29:2 The great trials—that you saw [literally] with your own eyes.

29:3–4 Has Adonai not given you a heart to know—A rhetorical question. Moreover: Did He not guide you through the wilderness?

29:4–8 Your clothes have not worn out—and He provided you with food for forty years. You should also take to heart what God did to the two Amorite kings who were mightier than you, whom you defeated. And all of this was through God’s providence and assistance. Based on this, you must take it to heart and *keep the words of this covenant*.

29:8 That you may prosper [*taskilu*]⁴⁰⁵—Meaning, “[that] you might succeed” [*tatzlihu*], similar to *David prospered [maskil] in all his endeavors [for Adonai was with him]* (I Samuel 18:14).

⁴⁰⁴ In other words, the *hitpa’el* in these cases does not indicate successful reflexive action so much as attempting to perform the act.

⁴⁰⁵ The point is unclear. Perhaps the implicit objection is that some Israelites alive now were at Horeb (as he notes in the very next comment), so why does Moses call to “all Israel”? The answer is that it is “in addition to the covenant” already made at Horeb.

29:9 **You stand**—Because he summoned them to make a covenant, as it says, *Moses called to all Israel* (Deuteronomy 29:1), he consequently said, *All of you*.

29:9 **Before Adonai your God**—Meaning, before God's Tabernacle.

Then he specifies:

29:9 **Your heads**—That is, the princes [of the tribes].

29:9 **Tribes**—That is, the tribal chiefs.

29:9 **Elders, and officers, all the men of Israel**—The masses were divided up into separate precincts [which is why they are listed in this way].

29:10 **Your little ones, wives**—It seems that all of them, from young to old, gathered together.

29:10 **From your woodchopper**—With their servants.

29:11 **That you may enter into the covenant**—It is possible that it resembled the covenant at Horeb with the offering of sacrifices and the sprinkling of blood, even though these are not mentioned. Alternatively, it was the mention of the curse and the oath, as mentioned in the Torah portion of *Im Behukkotai*.

29:11 **That you may enter into the covenant** [*le'ovrekha bivrit*]—This is not like *transgressing His covenant* [*la'avor berito*] (Deuteronomy 17:2), because [here] the sense is entering, on account of the prepositional *bet* [of *bivrit*].

29:12 **That He may establish**—Meaning, for this did He make the covenant, so that they would be His people.

29:12 **And that He may be your God**—For thus did He swear to the holy Patriarchs.

29:13 **I do not make... with you alone**—Whoever explains that the meaning is to include the nations of the world has spoken nonsense. For it stands to reason that they [the Israelites themselves] should be culpable for transgressing [the covenant].⁴⁰⁶ Rather, the intent is to future generations, as it says, *Adonai your God shall circumcise your heart, and the heart of your progeny* (Deuteronomy 30:6).

29:14 **Those... here** [*yeshno*]—The word *yeshno* with a *nun* and a *vav* is a third-person, masculine singular pronominal suffix with a *holam*, similar to *The evil deeds of the wicked ensnare him* [*yilkeduno*] (Proverbs 5:22), [which also has the atypical pronominal suffix of a *nun* followed by a *vav* that takes a *holam*].

29:15 **For you know**—For I am not making a covenant with you regarding matters of which you have no knowledge to distinguish between good and evil, since you already know from *among the nations among which you passed*—such as Edom, Egypt, Moab,

⁴⁰⁶ The translation is uncertain. Perhaps he means that it is to include future converts.

and Ammon, as well as Sihon and Og—their nature, that [idols] do not benefit their worshippers.

29:16 Wood, stone—Inanimate things.

29:17 Lest there be among you a man, woman, family, or tribe—whose heart turns to idolatry.

29:17 Lest there be among you a root that produces gall and wormwood—The sprouting of heresy.

29:17 Gall and wormwood—Things which harm the healthy. The *root* is the teacher, and the *gall and wormwood* are the disciples.

29:18 And it shall be, that when he hears the words of this oath he blesses himself [*vehitbarekh*]*—*Similar to [*Better is he who is lightly esteemed and has a servant*] *than he who honors himself* [*mimmitkabbed*] *yet lacks bread* (Proverbs 12:9), [which also has a reflexive verb form about self-congratulation]. And what is the blessing? *I shall have peace, even though* [*ki*] *I follow the dictates of my heart*, similar to [*you shall drive out the Canaanites,*] *even though* [*ki*] *they have chariots of iron* (Joshua 17:18) [in both cases *ki* is concessive].

29:18–19 By adding [*sefot*] the watered to the parched—For I am one [sinner] and they are many [righteous]. The word *sefot* has the same meaning as *that they may add* [*sefot*] *sin upon sin* (Isaiah 30:1). Meaning, he shall be saved by the merit of the righteous, [yet truthfully] *Adonai shall not pardon him. The watered* refers to the righteous and *the parched* to the wicked. It is not a prophetic statement [telling us] that in the wicked man's mind he is *the watered*; rather, he knows full well that he opposes the truth by fulfilling his desires, but he reasons that he can escape punishment by the merit of the righteous. Consequently, *Adonai shall not pardon him*.

As for *the watered* [*harava*] being a reference to the blessing he gives to himself and *the parched* [*hatz-tzeme'a*] a reference to the curse, the one who rejoined is correct that it should have said *haravui et hatz-tzame*.⁴⁰⁷ And *lema'an sefot* cannot be from the same sense as *will you cut down* [*tispé*] (Genesis 18:24), because [in this verse the subject] seeks good for himself.⁴⁰⁸

⁴⁰⁷ Although the printed edition and manuscripts consulted read *hatz-tzeme'a* here, it is clearly a mistake, and the commentary of Ibn Ezra, whom he is quoting, has *hatz-tzame*.

⁴⁰⁸ This interpretation was proposed by Judah Halevi and is recorded by Ibn Ezra ad loc. The idea is that he blesses himself in his heart to “cut down” the words of the righteous, referred to by “the watered,” with the words of “the parched,” the wicked. Ibn Ezra rejoins that this would work if not for the fact that *rava* is a masculine adjective and must agree with the noun it modifies, feminine *berakha*.

As for the interpretation, “adding the soul, which is *watered* and has no needs, to the body, which is *parched* for every iniquity, transgression, and sin”—it is not appropriate, because what would be the meaning of the word *lema’an* [which prefaces the clause and indicates purpose or causality]?

The meaning could be that the wicked is “parched” when his desires are not gratified, and when they are overpowering, so that he says *I follow the dictates of my heart*, it is compared to being “watered,” and *the dictates of my heart* means looking into the thoughts of the heart.⁴⁰⁹

Perhaps *watered* refers to the many who stray, and *the parched* “for I am [only] one,” since he truly lusts after his desires and believes he shall escape the punishment of the oath.

29:19 Adonai shall not pardon him—Meaning, God will exact His revenge upon him.

29:19 And His jealousy... against that man—for worshipping idols.

29:19 And the entire curse that is written in this book shall come upon him—If it be a family [as per 29:17, and as such it should be interpreted “on it”].

29:20 In this book of instruction [sefer hattora hazzé]⁴¹⁰ —[hazzé] modifies *sefer*, and the one who added the cantillation distinguished between *hazzé* and *hazzot*.⁴¹¹

29:19 And Adonai shall blot out his name from under the sky—The curse shall befall him until his name is blotted out and no memory of him remains. In fact, Zimri was a single individual, yet the family of Ohad⁴¹² was destroyed.

29:20 Adonai shall set him apart—If it be a tribe [as per 29:17, and as such it should be interpreted as “set it apart”]. Consequently, *from all the tribes of Israel* [which does not make much sense if it is about an individual].

⁴⁰⁹ Aaron’s precise meaning is uncertain, so the translation is tentative.

⁴¹⁰ This comment belongs to the next verse and mistakenly appears here in the printed edition and all manuscripts consulted because of the similarity in language between the verses.

⁴¹¹ The Hebrew here reads, *besefer hattora hazzé*, and above in Deuteronomy 28:61 it reads, *besefer hattora hazzot*. Aaron is pointing out that here, *hazzé* cannot modify *hattora*, because the former is the masculine demonstrative pronoun and the latter is feminine; instead, it modifies *besefer*, which is masculine. It follows that it does not mean “in the book of instruction” but “in this book of instruction.” He further notes that the cantillation marks bear this out, as they parse the phrase as [*besefer hattora*] [*hazzé*], rather than [*besefer*] [*hattora hazzé*]. In 28:61, the phrase is parsed by the cantillation as [*besefer*] [*hattora hazzot*], because the *hazzot* is the feminine demonstrative pronoun which modifies feminine *hattora*. This distinction is noted by Rashi on verse 20.

⁴¹² Although the printed editions and manuscripts consulted read *ehad*, this is clearly a corruption of *Ohad*. See *Keter Tora* on Numbers 26:12, where he writes that the family of Ohad is not counted, since it was more or less destroyed on account of Zimri’s flagrant transgression.

29:21 The latter generation... shall say—but he does not mention their statement. The intent is that they will respond [in verse 24] when asked [the question of verse 23], and that is what is intended when it says *and the foreigner*, when he sees *the afflictions of that land*, [namely, that the foreigner shall pose the question].

29:22 Sulfur and salt—According to the power of the [ascendant] planet.⁴¹³

29:23 All the nations shall say—This is the question of the *foreigner* who comes and sees *the afflictions of that land*, and they shall say, *Why has Adonai done this to this land?*

29:24 And they shall respond, “Because they abandoned...”—This is what *the latter generation... shall say: Because they abandoned the covenant of Adonai, the God of their fathers... and they went and worshipped other powers... that they did not know.*

29:25 That He had not allotted them—to Israel, but [He did allot them] to the nations of the world, as it says, *which Adonai your God has allotted to all the peoples under the entire sky (Deuteronomy 4:19)*. Israel, however, are His special treasure, and are designated to Him for the unity of His name.

29:26–27 Therefore, Adonai’s anger burned against that land—Since it says, *Adonai uprooted them from their land in anger*, it thus says *that land*.⁴¹⁴

29:27 Uprooted them [vayyitteshem] —The *nun*, which is the first letter of the root [*n-t-sh*], is assimilated into the *dagesh* of the *tav*, and it is in the *qal* conjugation.

29:27 As it is today—Here end the words of the respondent [to the aghast, inquisitive foreigner].

29:28 What is hidden belongs to Adonai our God—Meaning, what is done unintentionally. He intends to exempt from the curse one who transgresses unintentionally.

29:28 But what is revealed belongs to us—Perhaps because it says *Adonai shall not pardon him (Deuteronomy 29:19)*, the intent might be that if it is not known [publicly], he alone will be punished, but if it is public knowledge and they turn a blind eye, all will be punished.

This could be the statement of the exiles. Israel had sinned but their sin had not been publicized, and since they were punished, it appeared as if they were punished without sin. Consequently, he says, *What is hidden belongs to Adonai our God*, for He knew their sin and so they were punished.

⁴¹³ Since God abandons them to nature, the specific punishment depends upon the regnant astral influence.

⁴¹⁴ Based on *Sefer hamMivhar* ad loc., this is instead of “this land,” since this would occur after the exile of the Israelites from their land.

The intent is not to the opinion of the [Rabbanite] traditionalists, that until they crossed the Jordan, the individual was punished if his sin was not public knowledge [and condoned], but once they accepted the curse and the oath on Mount Gerizim they became responsible for one another,⁴¹⁵ because it said then, *Cursed is the man who makes an engraved or molten image* (Deuteronomy 27:15) [the singular implies only the violator is punished].

This could be the statement of the children [*the latter generation*], for as long as they are in exile, the nations of the world are perplexed by the length of the exile, since on the face of it they keep the Torah. The assertion, then, would be that *What is hidden belongs to Adonai our God*, and for that reason we are punished [because God knows our sins].

30:1 It shall be, when all these things have befallen you, the blessing and the curse—that are enumerated in [the passages beginning with the words] *if you shall listen* (Deuteronomy 28:1–14) and *if you do not listen* (Deuteronomy 28:15–68).

30:1 That you shall take them to heart among all the nations—This is a promise for the present exile, since he said, *among all the nations* [and the first exile was more limited]. The verse addresses all of Israel: “when you discern how the promised fortunes and misfortunes befell you.”

30:2 And you shall return to Adonai your God and obey His voice—Belief in His unity and preoccupation with Torah, in order to observe the commandments to the extent possible.

30:2 You [atta] and your children—This [phrase] does not modify *that I command you today*, which would require [subject pronoun] *atta* standing in for [the preposition with second person suffix] *lekha* [to you]; rather, it modifies *and you shall return*.⁴¹⁶

30:2–3 Apparently, after the Israelites return to God, blessed be He in the fullness of time, redemption shall take place. Consequently, [*and then Adonai your God shall release you*].

30:3 And then Adonai your God shall release [veshav] you from captivity—It is transitive and has the sense of “rest.”⁴¹⁷ Meaning, He will grant them rest in the land of their exile.⁴¹⁸

⁴¹⁵ Babylonian Talmud, *Sanhedrin* 43b.

⁴¹⁶ Meaning, one should not translate, “and you shall return... according to all that I command you today—you and your children”; rather, “and you and your children shall return...”

⁴¹⁷ Typically the *qal* conjugation (*shav*) of the root *sh-w-b* is intransitive, and the transitive is reserved for the *hif'il* conjugation (*heshiv*).

⁴¹⁸ Although the printed edition and some manuscripts read *be'orekh galutam*, other manuscripts read *be'erez galutam*. The similarity of final *kaf* and final *tzadi*, plus the common enough phrase *orekh galut* in Aaron's commentary, likely led to the variation. The version chosen here seems more likely, as God does not have mercy throughout the exile but only when Israel repents, and this specifically occurs while they are in the Diaspora. Only subsequently, in the second half of the verse, does God gather them and bring them back to the land of Israel.

30:4 If your outcasts [*niddahakha*] —A [mixed] *nif'al mitpa'el* conjugation, with the *nun*, which is the first letter of the root, assimilated into the second letter of the root [the geminated *dalet*]. The *dalet* takes a *patah* even though it ought to take a *kamatz* [given that it is a participle], because it is one of the geminate conjugations, similar to *to bring into contempt all the honorable men [*nikhbaddé*] of the earth (Isaiah 23:9)* [with a *patah*], and because we do not compensate for a *het* [that following the paradigm should be geminated], the *dalet* takes a *patah*.

30:4 At the end of heaven—Relative to the Land of Israel.

30:4–5 Thence shall Adonai your God gather you, and thence shall He retrieve you—This demonstrates that it speaks about this exile, for in the second exile they only returned to Israel from Babylonia. Moreover, some stayed, [yet] *Adonai your God shall bring you into the land which your fathers possessed, that you may repossess it.*

30:5 He shall do you good, and increase [*vehirbekha*] you more than your fathers—It might have the sense of *the chief officers [*rabbé*] of the king of Babylon (Jeremiah 39:13)* [and is about prestige rather than demography.]

30:6 Adonai your God shall circumcise your heart and the heart of your progeny—This is a promise, for initially he said, *So circumcise the foreskin of your heart (Deuteronomy 10:16)* [as a command], [and the promise here is] until the end of all generations.

30:6 That you may live—This is the life of the world to come.

30:7–9 Adonai your God shall put all these curses on your enemies and on those who hate you, who persecuted you—Consequently [*Adonai shall spare you.*].

30:9 Adonai shall spare you... for good—with all the promised fortunes that Israel will merit.

30:9 For Adonai shall again be pleased [*yasus*] with you for good—The Torah speaks in the language of human beings. And note that regarding the nations of the world he says, *shall cause rejoicing [*yasis*] (Deuteronomy 28:63)*, in the transitive *hif'il* conjugation, whereas regarding the wellbeing of Israel it is in the intransitive *qal* conjugation.⁴¹⁹

30:10 And statutes which are written [*vehukkotav hakketuva*]—Each and every one [of the statutes, since there is a lack of agreement in number between the noun and the passive participle]. But not what is spoken, as the [Rabbanite] traditionalists opine about the Oral Torah.⁴²⁰

⁴¹⁹ See further above in the commentary on Deuteronomy 28:63.

⁴²⁰ This sounds like a general proof against the Rabbanite claim of an Oral Torah, but it might be more specifically targeted against Ibn Ezra ad loc., who says the “principal” is in the Torah but it requires “the tradition of the elders accompanying it.” See further in the commentary below on Deuteronomy 33:4.

30:10 If you turn to Adonai your God—All of these are promises [to that generation]. Consequently, he was careful to say *which are written* when speaking about that generation, for the Israelites today are divided and say oral Torah.

30:11 For this commandment which I command you today is not beyond you nor too distant—Because he explained by way of a promise that Israel will keep the Torah, and by keeping the Torah they shall merit the world to come, he said to the people of that generation, *For this commandment* is not *beyond [niflet]*, meaning “hidden,” *nor distant* from apprehension. Corresponding to *beyond* he said, *It is not in heaven*, and corresponding to *distant* he said, *Neither is it beyond the sea*.

30:14 But the matter is very near to you—The nature of the Torah contains no impediment for you, and you have the ability to apprehend whatever you desire from it.

30:14 In your mouth—when you utter [it], as it says, *You shall utter it day and night... and then you shall have good success*⁴²¹ (Joshua 1:8). This is the meaning of *and in your heart to fulfill it*. [In other words, when you are diligent in uttering the Torah, it is in your heart to do as it says.]

30:15 Behold, I have set before you—I have not merely commanded you the Torah and left it to your natural aptitude, but: *Behold, I have set before you today life and the good*, reward and punishment, *death and the bad*, the recompense of this world and the recompense of the world to come. Thus, *life* and *death* correspond to the world to come, and *the good* and *the bad* correspond to this world. Thus, the meaning of *life* and *death* is existence and privation, and *the good* and *the bad* are two states of existence.

As for the one who says that everything bad is a privation, this cannot be, for we find it said, *Woe to those who call the bad good, and the good bad* (Isaiah 5:20), and these are general categories. And it mentions two types: the one existence and privation, and the other two existences, as it says, *who substitute darkness for light and light for darkness; who substitute bitter for sweet, and sweet for bitter* (ibid.).

30:15–16 Now, on account of the promise of reward and punishment, you ought *to love Adonai*, which is knowledge of God, since He only gave you the commandments to do you good, given that observance of the Torah is not for the benefit of the Legislator.

30:16 And to keep His commandments, statutes, and ordinances, that you may live and multiply—This is the reward of the observance.

30:17 But if your heart turns away and you do not obey, and you are drawn away and to prostrate yourself—to idols.

⁴²¹ Alternatively, “you shall comprehend.”

30:18 I tell you today—that you will be made to go into exile, and even though you will settle the land, *you shall not prolong your days* on it.⁴²²

30:19 I call heaven and earth to bear witness against you today—These are enduring witnesses, as it says, *Listen, heaven, and I shall speak* (Deuteronomy 32:1). Or perhaps the meaning of this is that when they rebel, it is through [heaven and earth] that they shall be punished, as it says, *The sky over your head shall be bronze, and the earth under you shall be iron* (Deuteronomy 28:23). The meaning of this testimony, *I have set before you life and death, the blessing and the curse. You shall choose life*, is that it is a matter of choice. It is not like what I promised the future generation, such as in the messianic era, when I said, *Adonai your God shall circumcise your heart* (Deuteronomy 30:6), and it [also] says, *I shall excise the stony heart from your flesh* (Ezekiel 36:26).

30:19 You shall choose life—Since man has free will, as it says, *Now, lest he reach out his hand and also take of the tree of life, and eat and live forever* (Genesis 3:22).

30:19–20 That you may live, you and your progeny—[*to love Adonai your God*].⁴²³

30:20 To love Adonai your God—And what is the parameter of love? *To obey His voice*: observance of the Torah, wherein most of the commandments are non-rational [*mefursamot*].⁴²⁴ But this will not suffice for you, as it says, *man has become like one of us, knowing good and evil* (Genesis 3:22), because *it is not good for the soul without knowledge* (Proverbs 19:2), and it is written, *He who misses me harms his soul* (Proverbs 8:36) [and Wisdom is the speaker in the final proof-text]. Indeed, it is necessary to cleave to Him, and this is through the actualization of the soul through its [acquired] intelligibles, so that its existence becomes like the existence of that which it knows. This is the meaning of *for He is your life*. Then you shall enjoy longevity to *dwell in the land*, because no misfortune dependent upon the intermediaries shall befall you. This is the meaning of *and the length of your days, that you may dwell in the land*.

30:20 Which Adonai swore to your forefathers—To teach that [the Israelites] were chosen only because of the merit of their Patriarchs.

31:1 Moses went—Since it is written, *[all of] you stand* (Deuteronomy 29:9), it is possible that this took place after they went to their homes, although it could have been on a single day. It is fitting to say that he went to each and every tribe together with the seventy sages, and so it says, *to all Israel*.

⁴²² It is not clear what alternative understanding the commentary on these two verses precludes.

⁴²³ See Ibn Ezra ad loc.

⁴²⁴ *Mefursamot* has many different senses for medieval thinkers. “Non-rational” seems to be the sense here, as it is being contrasted with what is rational and intelligible. By non-rational we mean that the human intellect would not arrive at them on its own; therefore, they must be divinely given and demand obedience.

31:1–3 And the meaning of *these words* is what he proceeds to elucidate, and this is in order to encourage them, because Moses was not going to cross [the Jordan into the land]. And Moses said: “Even if I were crossing, I am already an old man, *one hundred and twenty years old; I can no longer go out and come in*. But your God lives and is everlasting, and behold *[He] Himself shall cross before you. He shall destroy these nations*. And if you need [a human leader], who will be at your head? Joshua shall be in my stead, and *he shall cross before you*.

31:4 Adonai shall do to them as He did—recently, which you saw with your own eyes.

31:5 And you shall do to them according to the entire commandment—you shall not spare anything that breathes (Deuteronomy 20:16).

31:6 Be strong and courageous—in the name of God, because *He shall fight for you* (Deuteronomy 1:30).

31:6 He shall neither let you go—to let any misfortune befall you.

31:6 Nor forsake you—from [experiencing] any good fortune, for He is ruler of the entire heavenly host.

31:7 Moses called to Joshua—to strengthen him before all of Israel [with] the promise that he made him, *for you shall enter... and you shall cause them to inherit it* with the help of God blessed be He, and that God would assist him his entire life.

31:8 Do not be afraid—to wage war.

31:8 Do not be dismayed—that they shall vanquish you.

31:9 Moses wrote this Torah and gave it to the priests—for they are Israel’s teachers.

31:9 The sons of Levi—It must be “and to the sons of Levi,” for they bear the ark; that is, [to] the sons of Kehath.

31:9 And to all the elders of Israel—The seventy elders.

31:10 At the end [*mikketz*]⁴²⁵—At the end [*missof*]⁴²⁵ of *seven years, in the set time of the year of release... when all Israel comes*, for at that time the Israelites would be free from work and all gather at the chosen house.

31:11 You shall read this Torah—from *In the beginning* (Genesis 1:1) to *in the sight of all Israel* (Deuteronomy 34:12).

31:11–13 All Israel—Both adults and children, so as to accustom them to fear the glorious God upon hearing the punishments of the laws, and the terrible fate of those who violate the commandments of the Torah. And they shall learn how to be God-fearing based on the awe of their parents.

⁴²⁵ *Ketz* can mean beginning or end according to Aaron, so he is clarifying that here it means “end.” See his commentary above on Deuteronomy 9:11 and 15:1.

31:14 Adonai said to Moses, “Behold, your time to die is near”—Death’s approach is mentioned with regard to the three pillars of the world, the mighty foundations of the earth, on account of the final command to our forefather Jacob, to Moses, and to David. This occurred near his death in order to initiate [Joshua] into the degree of prophecy, as is written, *Joshua the son of Nun was full of the spirit of wisdom, for Moses had laid his hands on him* (Deuteronomy 34:9).

31:14 And present yourselves in the Tent of Meeting—That is, the Tabernacle, for the two of them were in Moses’ tent, since that is where Moses’ study hall was, and it is written, *but his servant Joshua, the son of Nun, a young man, would not depart from the tent* (Exodus 33:11).

31:15–16 And the pillar of cloud stood—And He spoke to Moses, and this occurred in front of all Israel. And He said to [him] the passage [beginning with], *Behold you shall sleep with your fathers*, as well as *He charged Joshua* (Deuteronomy 31:23), and everything in order. However, because he wanted to set out the Torah portion of *Ha’azinu*, as he indicated to them above, *I call [heaven and earth] to witness against you today* (Deuteronomy 30:19), he moved [the passage beginning] *Behold you shall sleep with your fathers* earlier [because those events would happen after Moses’ death]. And he showed that Israel would rebel and that all of the promised misfortunes would be fulfilled on them, that they would regretfully repent, and that after repenting, He would guide them providentially so that they would be redeemed eternally by His name.

31:16 This people shall rise up—Similar to *Behold, you have risen up in your fathers’ place* (Numbers 32:14), the sense is being brazen.

31:16 Powers foreign to the land [*elohé nekhar ha’aretz*] —And it is written, *the law of the God of the land [elohé ha’aretz]* (II Kings 17:26), [which is a reference to God, which explains why they are foreign].

Some say that he said *nekhar ha’aretz* because *The land [ha’aretz] is Adonai’s, with its fullness* (Psalms 24:1).

It seems correct to say that it is because Israel was singled out for God’s providence, and about the rest of the nations he said, *which Adonai your God has allotted to all the peoples under the entire sky* (Deuteronomy 4:19), and it says regarding the Land of Israel, *a land which Adonai your God cares for. Adonai your God’s eyes are always on it* (Deuteronomy 11:12).

It is not like the opinion of the one who says it is to preserve the capacity for receiving [the divine efflux] in accordance with the place—God forbid that he should believe this.⁴²⁶

⁴²⁶ See Ibn Ezra ad loc.

What one can say is that since the attributes of judgment and mercy coexist in this place, that is why it was chosen, as it says, *Out of Zion, the perfection of beauty, God shines forth* (Psalms 50:2), and it is written, *Our God comes and does not keep silent, a fire before Him consumes* (Psalms 50:3). Whoever delves into the meaning of that psalm will comprehend a great secret.

31:16 Foreign [nékhar] to the land—It does not change [vowels] despite it being in the construct state, because the accent is not on the tonic.⁴²⁷

31:16 Into whose midst [bekirbo] they go—Similar to *The land [ha'arets] was not able to bear [nasa] them* (Genesis 13:6). Alternatively, people [‘am] of the land is implied.⁴²⁸

31:16 And they shall forsake me—to worship idols.

31:17 Then My anger shall flare—Anger because of the idolatry.

31:17 And hide My face from them—to remove My providence from them.

31:17 And they shall be devoured—when the foolish nations rule over them.

31:17 Shall befall them—All the promised misfortunes enumerated in the Torah portion of *Ki Tavo*.

31:17–18 And they shall say on that day, ‘...because our God is not among us?’ I shall surely hide My face—Meaning, just as they say, *because our God is not among us*, so He says, *I shall surely hide My face from them* because they forsook Me to worship idols.

31:19 Now write this song for yourselves—as *a witness* that I had foreknowledge, that *when I have brought them... and they have eaten, filled themselves, and grown fat, they shall turn to other gods*. And despite all of this I brought them into the land, for My foreknowledge that they would rebel against Me did not stop Me from bringing them in.

31:21 It shall be, when... have befallen—Every promised misfortune shall befall them.

31:21 That this song shall bear witness against them—That I had foreknowledge of all these future occurrences: *I know their inclination... before I bring them into the land*.

31:22 So Moses wrote this song—Although it is written, *Now write [kitvu]* (Deuteronomy 31:19) [which is plural], some say it is similar to *How long will you refuse*

⁴²⁷ Reduction of vowels usually occurs in the construct state, and the vowel of the *kaf* in *nekhar* is in fact reduced from *kamatz* to *patah*. Aaron is pointing out that the *tzeré* is not reduced to a *sheva na* ‘because that syllable takes the accent, which naturally resists vowel reduction.

⁴²⁸ The problem is that *arets* is feminine and our verse uses the masculine suffix in *bekirbo*. Either it is similar to Genesis 14:6, where the masculine perfect verb *nasa* is used, or a masculine noun, ‘*am*, is implied.

[me'antem] to keep my commandments and my instructions? (Exodus 16:28) [which is also plural], that it is to be said to the Israelites.⁴²⁹

[Alternatively,]⁴³⁰ he said *Now write* [in plural] because of Joshua's company [with Moses], and indeed it says *teach it [velammedah]* (Deuteronomy 31:19) [in the singular], and now says, *[Moses] wrote... and taught it* [also in the singular].

31:23 He charged Joshua—This is what is says [above], *that I may charge him* (Deuteronomy 31:14).

31:24 When Moses had finished writing—Similar to *They cry out, and Adonai hears* (Psalms 34:18).⁴³¹

31:24 The words of this Torah [tora] —From *In the beginning* (Genesis 1:1) to *in the sight of all Israel* (Deuteronomy 34:12). This is the meaning of *until they were complete*, unlike the opinion of the one who says Joshua wrote [the final] eight verses.⁴³²

31:25 Moses commanded—A command of God [even though it is not said explicitly].

31:25 The Levites—But it is written, *and gave it to the priests* (Deuteronomy 31:9)? Perhaps the word *Take* refers to the priests [taking] from the hand of the Levites, for they should [be the ones to] place it.

31:26 Beside the ark of God's covenant—But it should not be inside of it.

31:26 That it may be there as a witness against you—This might be the song written in the Torah that bears witness. Some say that the Torah is a witness, and it is written, *I have found the book of the Torah in Adonai's house* (II Kings 22:8).

31:27 Your rebelliousness [meryekha] —Similar [in vocalization] to, *from Me is your fruit [peryekha] found* (Hosea 14:9).

31:27 While I am yet [be'odenni] alive—The *nun* of the first person objective suffix is geminated, which is unusual. Likewise, *Yah has surely punished me [yisseranni]* (Psalms 118:18), *Here I am, my son [hinnenni]* (Genesis 22:7).

⁴²⁹ In the prooftext, God is speaking to Moses and using the second person, yet it was not Moses but some Israelites who disobeyed the commandments regarding the manna and Sabbath observance. God's statement is what Moses is supposed to convey to the Israelites, and thus is formulated in the second person plural.

⁴³⁰ Although the Hebrew doesn't mark it as a separate interpretation, it is difficult to see how it could be otherwise.

⁴³¹ Psalms 34:16 says that God's eyes and ears are on the righteous. The next verse, 34:17, says He turns His face to the wicked to obliterate them. Then, in 34:18, it says, "They cry out, and Adonai hears, and rescues them." The subject is clearly not the wicked of the previous verse, and so 34:18 must be a continuation of 34:16. Similarly, here 31:24 is the continuation of 31:22, and 31:23 is an interlude.

⁴³² See *Sifré*, sec. 357.

31:27 How much more so after my death—As it says, *Behold, you shall sleep with your fathers [when this people shall rise up and stray]* (Deuteronomy 31:16).

31:28 Assemble to me—Without the need for trumpets, for he said, *all the elders of your tribes* [and not the entire congregation, which would necessitate trumpets].

31:28 And call heaven and earth to bear witness against them—As it says, *Listen, heaven, and I shall speak* (Deuteronomy 32:1).

31:29 Shall befall [vekarat] you—Similar to *and your people have sinned [veḥaṭat] your own people* (Exodus 5:16) and *it shall return [veshavat] to the prince* (Ezekiel 46:17) [since the expected form here is vekareta].

31:30 Until they were complete [*ad tummam*]—This could be similar to *until my consuming [tummi] them by his hand* (Jeremiah 27:8), [which is the infinitive construct of the *qal* conjugation]. And even though the *qal* conjugation [of this verb] is intransitive, it [can be transitive] because the infinitive is like a noun. Know this.

32:1 Listen, heaven, and I shall speak—As it says, *and call heaven and earth to bear witness against them* (Deuteronomy 31:28). The reason for their witnessing might be because they are enduring, similar to *Behold, this stone [shall be a witness against us]* (Joshua 24:27). Or perhaps one can say it is because they shall be punished by their hand when they rebel.

Another possibility is it is because the lower existents depend upon the supernal powers, which cannot be added to nor diminished. Although Israel is governed by manifest providence, whether for good fortune or misfortune, he intends to clarify that just as good things befall them without the [zodiacal] configuration and only through divine providence, so when they rebel will bad things befall them through manifest providence. This is the meaning of their bearing witness. Consequently, he says, *As I proclaim Adonai's name, ascribe greatness to our God!* (Deuteronomy 32:3) [because it is straight from God, without the intermediaries]. And now he begins to proclaim for the witnesses the words of the song: how He has guided them, elevated them, and raised them up.

32:1 Listen [*ha'azinu*] —As if to lend an ear [*ozen*] to hear. They say that listening implies greater proximity [to the speaker] than hearing. Consequently, Moses said, *Listen*, for he was close to the supernal realm, whereas Isaiah said the opposite [in Isaiah 1:2, telling the earth to listen and heaven to hear].

32:1 Let the earth [*ha'aretz*] hear [*vetishma*']—But he does not say “hear” [*veshim 'i*, the feminine singular imperative]. Perhaps it is similar to *The land [ha'aretz] was not able to*

bear [nasa] them (Genesis 13:6), for it says afterwards, *Ascribe greatness [havu] to our God*. Or he could be addressing the denizens of the supernal and lower realms.⁴³³

But this is unnecessary, because it could be shifting from the second person [*Listen*] to the third person [*let the earth hear*], and there are many examples of this.⁴³⁴ And the Torah speaks in human language so that the audience understands, as it is written, *I call heaven and earth to bear witness against you today (Deuteronomy 4:26)* [and is addressing them directly, not the inhabitants of those realms].

Some explain that he said *Listen, heaven [shamayim]*, [a dual form in the Hebrew], because of the two poles of the sphere that do not budge from their place. And it is written, *That I may plant the heavens, and lay the foundations of the earth (Isaiah 51:16)*, and it is written, *He who implanted the ear, will He not hear? (Psalms 94:9)* [such that “planting” refers to fixing in place]. But [this is not likely]; the text is speaking to what is visible [rather than invisible celestial machinery].

32:2 Shall fall [ya‘arof]—In the sense of flowing.

32:2 My speech shall drip like dew—A doubled statement, as it says, *indeed his skies drip [ya‘arfu] dew (Deuteronomy 33:28)*.⁴³⁵

32:2 And my teaching [likhi] —Similar to *For it is a good teaching [leqah]* (Proverbs 4:2).

32:2 Like a drizzle on the tender grass, and like showers on the herb—These are comparisons without the object of comparison: the *dew* goes with *drizzle* and the *rain* goes with the *showers*.

Perhaps *ya‘arof* is said about [*rain*], from the same root as *He will smash [ya‘arof] their altars (Hosea 10:2)*, because the rain comes down in bursts.⁴³⁶

32:2 Drizzle [se‘irim]—Meaning small drops, and *showers [revivim]* are large drops, in accordance with the needs of the *tender grass* and *herb*.

⁴³³ The verbs in this verse look like they are all in the second person, and if that is the case, there is a lack of agreement between the subject *aretz*, which is feminine, and the verb *tishma‘*, which is the second person, masculine singular imperfect. The fact that 32:3 uses the imperative *havu* indicates this is all direct address. The first solution is to say that sometimes *aretz* takes a masculine verb, as we see from the Genesis proof-text. The second solution is to say that Moshe is addressing the inhabitants, such that there is an implied masculine subject such *‘am*.

⁴³⁴ According to this third explanation, the form *vetishma‘* should be analyzed not as the second-person masculine singular imperfect, but as the third-person feminine singular imperfect. The two are identical in form.

⁴³⁵ Aaron is saying that we find the verb used with rain here used with dew elsewhere, indicating that the two parts of this verse are synonymous.

⁴³⁶ This comment should be read with the initial comment on this verse.

32:3 As I proclaim Adonai's name—regarding His providential governance of Israel.

32:3 Ascribe greatness to our God!—For He truly defeated the planets [with their astral influence], and brought into existence supernatural signs and miracles, and this is the greatness that is ascribed to Him: *Adonai is greater than all powers* (Exodus 18:11), and all of them are like an axe in the hands of the Hewer, and *should a saw exalt itself above its wielder* (Isaiah 10:15)?

32:4 The Rock: His deed is perfect—[*The Rock*] means “strong and forceful,” and it likewise says, *Blessed be Adonai, my Rock, who teaches my hands to do battle* (Psalms 144:1). They can only compare him to what exists [such as a rock], even though everything is His handiwork, and because he attributed an action to Him [that bring to mind attributes of rocks], he described Him as a rock.

32:4 His deed is perfect—It contains no injustice, *for all His ways are just [mishpat]*—that is, are “with justice” [*bemishpat*].⁴³⁷

He gives the reason: It is logically necessary for Him to give everything its appropriate due, because He is perfectly just. First, He knows everything knowable because He knows Himself; second, He is not contingent on anything else. It is impossible to make a logical deduction by examining His deeds, for they lead to corrupt thinking when one sees the righteous suffering and the wicked prospering.

The meaning is that by apprehending His perfection of necessity, He must be a *God of faithfulness* in everything good He promised the Israelites. And if He chastised them, He did not act unjustly, so [Moses] begins to explain that it is on account of their sin. This is the meaning of *They have dealt corruptly with Him* [in the next verse].

32:4 Alternatively, *The Rock* is interpreted similarly to *Look to the rock from which you were hewn* (Isaiah 51:1), meaning, He is the beginning of all existence, and because He is all-encompassing but not encompassed, consequently, *His deed is perfect*, because there is no one to stay His hand (based on Daniel 4:32).

For [*ki*] all His ways are just—and the meaning of *ki* is [an expression of] certainty, meaning, if He chose one people over another, it was just, as explained. And in whatever He promised them, He is a God who keeps His promises, because He is omnipotent on His own, and He does not tire of giving everything their due according to *justice*.

32:4 There is no injustice—According to the first interpretation, even though He chastised Israel. According to the second interpretation, since He is able to effect true justice, *there is no injustice*; He gives everything its due. Thus, the meaning of *all His ways are just* is that if He chose them it was justly, and if He chastised them it was also according to justice, on account of their sins. Consequently, *just and right is He*—with what he leaves off, he begins [the next verse explaining how God is just].

⁴³⁷ Otherwise, since *mishpat* is a noun, it should be rendered “all His ways are justice.”

32:4 Just—in His chastisements, *and right* in His promises.

32:5 They have corrupted themselves [*shihet lo*—He begins to explain why they were punished, [after] having described God as *just and right*.

The meaning of *shihet lo* is similar to *for they have brought disaster upon themselves [lahem]* (Isaiah 3:9), meaning, [the object of the preposition is] themselves.⁴³⁸ And he said *shihet lo* in the singular because he said *a perverse and crooked generation* [also singular in the Hebrew]. And their self-corruption is that *They are not His children*, which is *their defect*.

Alternatively, *shihet lo* relates to God; [they have dealt corruptly with Him] by worshipping idols. *They are not His children* because they have become children of *their defect*, a pejorative for idolatry.

32:5 They are a perverse and crooked generation—[Crooked] with respect to the path of righteousness. Alternatively, it means *their defect* is the fact that *They are a perverse and crooked generation*.

32:5–6 They have corrupted themselves such that they are unworthy of being called *sons of the living God* (Hosea 2:1). Consequently, it is juxtaposed to *Is this the way you repay Adonai, foolish and unwise people?* And he therefore begins to explain, *Is He not your father who has made you*, such that you are worthy of being called His sons? Should something good be repaid with something bad?

32:6 Is this the way... Adonai [*hlyhwh*—This is grammatically strange. If [*yhwh*] is, as according to our [traditional] pronunciation, Adonai, then the *hé* of *hl* should take a *hataf patah* and the *lamed* should take a *patah* [yielding *halAdonai*]. And yet according to the existing pointing, the *hé* is vocalized with a *patah* and the *lamed* with a *sheva* [*nah*], a vowel [and not a *sheva*] must precede [the *yod*]. If, on the other hand, the pronunciation [of *yhwh*] is along the lines of *Ehyeh asher Ehyeh* (Exodus 3:14), or along the lines of *For through Yah, Adonai fashioned worlds* (Isaiah 26:4). [In each case, letters of the Tetragrammaton are vocalized as if from the root *h-y-h*], then the vocalization of the *hé* and *lamed* of *hl* is fitting.

We have also seen a change in writing [these letters]: some books have the *hé* written separately, and other books have the *hé* and *lamed* separate from the Tetragrammaton. Perhaps one can say that they are written separately because the pronunciation is Adonai, and vocalization of the *hé* with the *lamed* does not fit.

As for the oddity of the *hé* written alone [as opposed to separately with *lamed*], perhaps one can say that the reason is that the letter *hé* stands in for the Tetragrammaton, since *hé*

⁴³⁸ The referent of the preposition is unclear, so Aaron is clarifying. In the next option, Aaron says the referent is God and not themselves.

is one of the letters of the name, and *yod* is double it [the numerological equivalent of two *hés*], such that the *hé* in its fullness is the name.⁴³⁹

One can also perhaps say about the *lamed* with the *hé*, [which in some books are written as a separate unit,] that the *hé* stands for the Tetragrammaton and the *lamed* signifies divine wisdom. Consequently, [he says] *foolish and unwise people*, for the *hé* signifies the spiritual form that is immutable, and the meaning of *the way you repay* is that you are *not His children*; since He is an immutable essence then the change can only be from your side.⁴⁴⁰

32:6 Foolish—for they worshipped other gods, as it says, *and rejected the Rock of their salvation. They moved Him to jealousy with the foreign* (Deuteronomy 32:15–16).

32:6 And unwise—for you ceased believing in His unity.

32:6 Is He not your father—and it behooves you to be His sons.

32:6 Your owner—who acquired you for Himself as a treasure, *for Adonai's portion is His people* (Deuteronomy 32:9).

32:6 He has fashioned [asekha] you—He has established you, as it says, *and I shall make [ve'e'sé] of you a great nation* (Genesis 12:2).⁴⁴¹

32:6–7 And set you firmly—The giving of the Torah in order to benefit you. And if you wish to understand this, [*Remember the days of old*].

32:7 Remember [zekhor] the days of old—Similar to *Remember [zekhor], you and I* (II Kings 9:25). Alternatively, the singular appears with the plural, and likewise for *ask [she'al] your father*.⁴⁴²

32:7 The days [yemot]—[*yom*] appears both as masculine [plural *yemei/yamim*] and as feminine [plural *yemot*].

⁴³⁹ Perhaps Aaron is referring to the numerological value of the *name* of the letter, rather than the letter itself. Although the manuscripts spell the letter *hé* with *hé* followed by *alef*, it is certainly possible that Aaron spelled it *hh* or *hy*.

⁴⁴⁰ The meaning of the two preceding paragraphs is uncertain without further exposition or knowing Aaron's source material for this alphabetical speculation (if it is not his own).

⁴⁴¹ The prooftext in the printed edition and in most manuscripts consulted is actually Exodus 32:10, *ve'e'esé otekha legoy gadol*. But this quote is from a verse in which God tells Moses to let Him annihilate the Israelites and make Moses into a great nation, which of course never happened. Therefore, this appears to be a corruption of *ve'e'esekha legoy gadol*, a promise made to Abraham in Genesis 12:2, which is indeed found in one manuscript.

⁴⁴² The difficulty is the use of the singular imperative *zekhor* when the subject is plural, as we see with the next imperative form *binu*. Aaron first shows that we find such a usage elsewhere with *zekhor*, and then remarks more generally that a singular form can be used with a plural.

32:7 Consider the years of many generations—through the chain of tradition. This is a doubled statement. The same is true of *Ask your father* and *your elders*, unto the generation of dispersion.

32:7 And he shall inform you [*veyaggedkha*]⁴⁴³—It is composed of two [words], and likewise *Tell and we shall tell him* [*venaggidennu*] (Jeremiah 20:10), [whose object likewise does not take a preposition but is a pronominal suffix], and they are divided in meaning.

32:8 When the Most High gave the nations their inheritance, when He separated mankind—As it says, *Adonai scattered them thence* (Genesis 11:8).

32:8–9 He set the borders of peoples, according to the number of the Children of Israel—Meaning, since the generation of dispersion it was ordained that the land of the seven nations would be given *according to the number of the Children of Israel*, meaning to the twelve tribes of Israel, not to the progeny of Abraham or Isaac, for some of their progeny inherited other places. And so he hints that the Israelites correspond to the supernal realm, which is God’s abode, and they correspond to the four faces of the chariot, and thus are [in the next verse] God’s portion and inheritance.

One could explain: because he said, *Is He not your father, your owner?* (Deuteronomy 32:6), he then said, *Remember the days of old* (Deuteronomy 32:7), meaning, ask about every generation unto the generation of dispersion—not a single nation merited any of the borders of the land.

32:8–9 According to the number of the Children of Israel—For in a short time they were fruitful and multiplied, giving birth to thousands and myriads, which cannot be natural but by God’s providence, *For Adonai’s portion is His people*. They are, indeed, children of the living God, so how could they corrupt themselves through idolatry and be *not His children* (Deuteronomy 32:5)?

Alternatively, *according to the number* [*lemispar*] *of the Children of Israel* is similar to *the telling* [*mispar*] *of the dream and its interpretation* (Judges 7:15), meaning, the narrative of how God providentially guided Israel unlike any other nation since *the days of old* (Deuteronomy 32:7),⁴⁴⁴ along the lines of, *For ask now of the days that are past* (Deuteronomy 4:32). And so he begins narrating how God guided Israel with all the good that He did for no other nation.

32:9 For Adonai’s portion is His people—since He took them out of Egypt, as He said, *Let My people go, that they may serve me* (Exodus 7:16 etc.).

⁴⁴³ The meaning of the final clause is unclear.

⁴⁴⁴ The continuation of Deuteronomy 4:32 makes it clear that it refers to the entire history of the world, which is how he is understanding “days of old” of Deuteronomy 32:7 here.

32:9 Jacob is the lot of His inheritance—A doubled statement. As it says, *And you shall be to me a kingdom of priests and a holy nation* (Exodus 19:6).

32:9 The lot of His inheritance—Because since *the days of old* (Deuteronomy 32:7), He did not find a nation fit to be called by His name except for Israel, and this is the meaning of *His inheritance*.

32:10 He provided for them [yimtza'ehu] in a land of wilderness—From the same root as *to be sufficient [umatza] for them* (Numbers 11:22), meaning that He provided for all their needs. That is the meaning of *in a land of wilderness*, for one cannot find sustenance there [yet God provided for them].

32:10 In the emptiness, the howling wasteland—Meaning, there is no sustenance there, [only] the howling of animals, and it is written, *because I give water in the wilderness and rivers in the wasteland* (Isaiah 43:20).

32:10 He encircled him—with fences and enclosures.

32:10 He enlightened them—with statutes and teachings at Mount Sinai.

32:10 He guarded them like the apple of His eye—with perpetual providence [guarding them] from any affliction.

32:10 Like the apple [ishon] of His eye—Along the lines of *whoever harms you harms the apple of his eye* (Zechariah 2:12). And it is called *ishon* as a derivation from *ish*, the form reflected in the pupil, and the additional *nun* is diminutive, because of the small form [reflected], similar to *shabbaton*, [day of rest, derived from *shabbat*].

32:10 There is no cause for interpreting yimtza'ehu as “He found [matza] them faithful in their acceptance of the Torah,” for he only intends to mention the good things He bestowed on Israel [and not what Israel did].

32:11 As the vulture stirs up his nest—to lead his chicks to carrion.

32:11 Hovers over his young—and takes them on his pinion, bearing each one of them.

32:11 On His pinion—Meaning, on his wings.

[His chicks shall eat the blood] and in a place of carrion there he is (cf. Job 39:30).

Likewise, God took the Israelites out of Egypt, and led them from one journey to the next by way of the cloud, and the dread of God was on all the nations, so that [the Israelites] would not fear any nation to be provoked to war, just as the vulture carries its chicks on its wings and fears no bird [above]. And He brought them to the land of the seven nations, and gave them a delightful land, the inheritance of a host of nations (Jeremiah 3:19).

32:12 Adonai alone [*badad*] led them—Meaning, He alone [*levaddo*] governs them providentially and leads them, without any angelic intermediary between the Israelites and Himself. Consequently, *there was no foreign power with Him*.

Alternatively, it means that Israel is a nation apart [*badad*] that does not intermingle with other nations, and likewise, *Behold, it is a people that dwells alone* [*levadad*] (Numbers 23:9).

32:13 He set them over the high places of the earth—That is, the land of the seven nations which is the navel of the earth, and it is high up.

32:13 And they ate the increase of the field—The fruit of the land.

32:13 He had them suck [*vayyenikēhu*] honey from stone—Along the lines of *a land flowing with milk and honey* (Exodus 3:8).

32:13 He had them suck [*vayyenikēhu*]—the imperfect prefix [*etan*, in this case a *yod*] takes a *tzeré*, form the *hif'il* conjugation.

32:13 And oil from flinty rock [*halmish tzur*]—Because things were dry, he indicates it was a providential miracle.

Halmish is in construct with *tzur*, and we find *out of the rock of flint* [*mitz-tzur haḥallamish*] (Deuteronomy 8:15). It is similar to *by the greatness of your arm* [*bigdol zero'akha*] (Exodus 15:16), for the word *ḥallamish* is adjectival [in the same way *gadol* is and is the first word in the construct].

32:14 Butter from the herd and milk from the flock—The choicest of every type [of food].

32:14 With the fattest [*ḥelev*] lambs—Similar to *and you shall eat the fat* [*ḥelev*] *of the land* (Genesis 45:18).

32:14 Bashan [rams]—For it is pastureland where they grew fat, and likewise, *Strong bulls of Bashan* (Psalms 22:13).

32:14 With the finest wheat [*kilyot ḥittā*]—For good wheat resembles kidneys, and from it fine flour is made.

32:14 From the blood of the grape—[This figurative language is] because it is red, and likewise, *Do not gaze upon wine when it is red* (Proverbs 23:31).

32:14 Wine [*hamer*]—Because it is strong [the usual word for wine is *yayin*].

32:14 You drank [*tishté*]—It is the second person, masculine singular [imperfect], for Scripture commonly shifts from third person to second person, the opposite of, *the wife of your youth* [*ne'urekha*] *one should not betray* [*yivgod*] (Malachi 2:15), [where second person gives way to third].

32:15 But Jeshurun grew fat—from the abundance of goodness,

32:15 And kicked—that is to say, went beyond what is natural. Alternatively, because of the abundance of good, they became too fat.

32:15–16 You became fat; you became thick; you became obtuse [*kasita*]⁴⁴⁵—From the same root as “cover/conceal” [*k-s-h*], despite that it has a *sin* here [instead of *samekh*], and the meaning is the concealment of the bones by an abundance of fat [*kasita* meaning “you became rotund”].

Alternatively, it is a case of metathesis, based on *thoughts [maskiyyot] of the heart* (Psalms 73:7) [from the root *ś-k-h*], meaning, confusion of the mind’s thoughts and the composition of a false picture [of reality]. Consequently, *they abandoned God who fashioned them, and rejected the Rock of their salvation*, for they denied God and said that it was not He (cf. Jeremiah 5:2). They said every good thing that befell them was from the power of the zodiacal constellations, like their statement, *but since we stopped offering incense to the queen of the sky... we have lacked everything* (Jeremiah 44:18). And this is the meaning of *They moved Him to jealousy with the foreign*—foreign powers that are not close to Israel.

32:16 With abominations—such as idols and representations of false deities, *the product of human hands, of wood and stone* (Deuteronomy 4:28).

32:17 They sacrificed to demons [*lash-shedim*]⁴⁴⁵—This resembles *They shall no longer sacrifice their sacrifices to the se‘irim* (Leviticus 17:7),⁴⁴⁵ meaning, fantasies of no substance, and they are called *shedim* because they rob [*shodedim*] people of their mind when they think of them.

32:17 Not a real power [*eloah*]⁴⁴⁵—It does not mean [they sacrifice to demons, but] “not to God”; rather, [they do not sacrifice] to an angel, sphere, or star whose existence is acquired by the intellect or is tangible to the senses. They are something whose existence is neither known from the senses nor through logical deduction. Consequently, *to gods that they did not know*.

32:17 New ones of recent mintage—conjured by the imagination. And since, in their imagination, they cannot “apprehend their existence” except through offering incense, according to their infamous practices, it referred to their worship as sacrificing [*zeviḥa*, as the first word of the verse is *yizbeḥu*].

32:17 Which... did not dread [*se‘arum*]⁴⁴⁵—Given that they are called *shedim* because they rob [*shodedim*] people of their mind, the reason the ancients did not fear that they could cause something to befall them is because they did not “apprehend” them.

⁴⁴⁵ *Keter Tora* on Leviticus understands this word to mean either they were thought to take the form of goats or that they were hair-raising.

[The word *se'arum*] is from the same root as *were hair-raisingly terrified* [*sa'aru sa'ar*] (Ezekiel 27:35). It is an intransitive verb, similar to *for I am holier than you* [*kedashdikha*] (Isaiah 65:5).⁴⁴⁶ It cannot be from the same root as *to the se'irim* (Leviticus 17:7)]. The meaning is that they did not believe in them. It is possible that it is a play on words [with *se'irim*], however.

32:18 You were unmindful of the Rock who sired you—Corresponding to what he said, *Is He not your father, your owner?* (Deuteronomy 32:6).

32:18 You were unmindful [*teshi*]—From the language of *has taken my mind off* [*nashanni*] (Genesis 41:51), the *yod* [of *teshi*] taking the place of *hé*, [the root being *n-sh-h*], similar to *Do not blot out* [*temhi*] *their sin from before You* (Jeremiah 18:23), [the root being *m-h-h*].

32:18 And you forgot God who birthed you—A doubled statement: *who birthed you* corresponds to *who sired you*.

32:18 Rather than saying the *yod* [of *teshi*] is additional [and not part of the root], according to the same pattern as *Do not turn* [*tet*] (Proverbs 4:27), it is better to say that [the *yod*] takes the place of *hé* because we find similar cases.

32:19 Adonai saw and despised [*vayyin'atz*]—Similar to *In His raging anger He detested* [*vayyin'atz*] (Lamentations 2:6), the sense being disgust.

32:19 Because of the provocation of His sons—For becoming *not His children* (Deuteronomy 32:5).

32:19 His daughters—In the sense of *the women knead the dough* [*to make cakes to the queen of the sky, and to pour out drink offerings to other gods*] (Jeremiah 7:18).

32:20 And He said, “I shall hide”—This is what it says, *and hide My face from them* (Deuteronomy 31:17), that is to say, “I shall remove My providence from them when My presence [*shekhinati*] departs from among them.”

32:20 I shall see what their end will be—when I remove My providence from among them. And *I shall see what their end will be* means what they will do after they are punished through travails, as it says, *It shall be, when all these things have befallen you... and you shall return to Adonai your God* (Deuteronomy 30:1–2), which is the endpoint. [This clause] is not connected with *for* [*ki*] *they are a very perverse generation*, [which provides a reason for *I shall hide My face from them*].

It could mean, “I shall see the punishments they shall deserve on account of their rebelliousness.”

⁴⁴⁶ In Isaiah, the verb is in the *qal* paradigm rather than the *pi'el*, which would be *kiddashtikha*. As such, it is intransitive yet takes a direct object suffix, just like *se'arum*.

32:20 For they are a very perverse [*tahpukhot*] generation—They turn [*mehappekhim*] falsehood into truth and truth into falsehood.

32:20 Children in whom there is no faithfulness [*emun*]—*Emun* appears as both a noun and an adjective [in the Bible]. Either it is missing its modificand [if it is an adjective meaning “faithful”], or it is a noun, similar to *a witness of faithfulness* [*emunim*] (Proverbs 14:5).

32:21 They have moved me to jealousy [*kin’uni*] with that which is not a real power—Similar to *These sought* [*bikshu*] *their register* (Ezra 2:62).⁴⁴⁷

32:21 With that which is not a real power [*el*]—Meaning, *not a real power* [*eloah*] (Deuteronomy 32:17).

32:21 They have provoked Me to anger with their vanities—A doubled statement.

32:21 I shall move them to jealousy with a non-people—These are the Chaldeans, as it says, *Behold, the land of the Chaldeans, this people did not exist* (Isaiah 23:13).

32:21 With a vulgar nation—That is, the Roman nation.

32:22 For a fire burns in My nose—from the magnitude of My jealousy and anger.

32:22 That burns to the lowest She’ol—until it consumes *the land and its produce*, and it is written, *Your country is desolate, your cities are burned with fire* (Isaiah 1:7).

32:23 I shall finish off [*aspé*] evils on them—From the same root as *you cut down* [*tispé*] (Genesis 18:24), like the meaning of *I shall spend my arrows on them*, that there is not any evil that I will not bring upon them.

32:24 Wasted [*mezé*] by famine—Its interpretation is “scorched by famine.”

32:24 And devoured by carrion birds [*reshef*]—It could be from the same root as *the carrion birds* [*reshef*] (Job 5:7), meaning, “eaten by birds.” Some interpret it based on *and their flocks to hot thunderbolts* [*lareshafim*] (Psalms 78:48).

32:24 And bitter devastation—That is, pestilence.

32:24 I shall send the fang of animals against them—Wild animals.

These are the four terrible judgments (cf. Ezekiel 14:21) together with the sword [of the next verse]—*Outside the sword shall bereave, and terror is inside*.

⁴⁴⁷ The verb is in the *pi’el* paradigm and so should be conjugated *kinne’uni*. The degemination of the middle root letter, here *nun*, is paralleled with *bikshu*, which also strictly speaking should be *bikkeshu*.

32:24 With the venomous, the dread of the dirt—Such as snakes and scorpions of lethal venom, which are called *the dread [zohalim]* because they shall writhe [*zohalim*] out of their great fear.⁴⁴⁸

32:25 Outside the sword shall bereave—on account of the enemy.

32:25 And terror is inside—on account of the onslaught of the enemy.

32:25 Both [*gam*] youth and [*gam*] maiden—Similar to *both [gam] straw and [gam] feed* (Genesis 24:25), [where the second *gam* has no semantic significance either].

It is possible that his saying *Outside the sword shall bereave* corresponds to *both youth and maiden*, and *terror is inside* to *the suckling with the aged*.

32:26 I said that I would disperse them [*af'ehem*]—Some interpret it as composed of three words, but it makes more sense to be from the same root as *pe'a* [direction or side], meaning, “I shall disperse them in every direction [*pe'a*].” It is not possible for the *hé* to be the third root letter, on the pattern of *and I cast them [ashlikhem]* (Deuteronomy 9:17), because the *hé* here takes a *segol* as a pronominal suffix [in the third person plural].

32:26 I would make mankind forget them—Meaning, they shall be dispersed in every direction and have no recognition in the world, that is, no self-governance, like it says, *Let us destroy them as a nation, that the name of Israel be remembered no more* (Psalms 83:5).

32:27 Were it not that I feared [*agur*] the wrath of the enemy—From the same root as *Be afraid [guru] of the sword* (Job 19:29), that is to say, “*Were it not that I feared the wrath of the enemy*, such that I would not act against Israel to make mankind forget them, from being a nation on the earth.”

It is not fitting for the meaning to be from the same root as *gathers [agerah] her food in the harvest* (Proverbs 6:8), [the enemies’ wrath being “concentrated” on Israel].

32:27 Lest their adversaries fail to recognize—That this act [of God] escape them.

32:27 Lest they say, ‘Our hand is exalted’—Because our hand is exalted, [Israel] is brought down.

32:27 It is not Adonai who has wrought this—They shall not attribute God’s chastisement, which is by God’s will, to their sins, but *they say, ‘Our hand is exalted’*, and that is why it happened so; *it is not Adonai who has wrought this*, they discount God’s providence.

⁴⁴⁸ Perhaps by *zohalim* he merely intends “quake.” The point of the comment seems to be to connect it to the usage of *zahalti* in Job 32:6.

32:28 For they are a nation lost [*ovad*] of counsel—Similar to *and you lose [vetovedu] your way* (Psalms 2:12), meaning “of counsel [*me ‘etzot*].”⁴⁴⁹

In the word *ovad*, the vowel changes from [the expected] *kāmatz kaṭan* to *pataḥ gadol*.

The sense is [having strayed] “from the path of Torah” [which is the verse’s *counsel*].

32:28 There is no understanding among them—to understand that there is good and bad divine recompense, and that there is a judgment and a judge.

32:29 If only they were wise such that they understood this—That there is judgment and law.

32:29 They would comprehend their ultimate end—That if they are afflicted, it is on account of the sins and heinously wicked deeds that they commit.

32:30–31 How could one chase—[*One*] of the nations [chase] *a thousand* of the Israelites. For if they had understanding and were discerning, they would realize that it was because their Rock handed them over, and they would comprehend that *their rock is not like our Rock*, for Israel is not governed by means of the [zodiacal] configuration like the nations, whose governance depends on the [zodiacal] configuration.

32:31–32 Even our enemies reckon—They conclude that the governance of Israel is according to judgment and law, but [Israel] does not comprehend, *Vor their vine is of the vine of Sodom*.

32:26–32 Alternatively: *I would make mankind forget them* means to make a full end of them. “I would make a full end of them *were it not that I feared the wrath of the enemy... lest they say, ‘Our hand is exalted* and they were not afflicted on account of their wicked deeds’.” Upon observing that they do commit wicked deeds and how they overpowered them, they will say that this must depend on the [zodiacal] configuration—every nation has its fall and its rise. Why would they say this? *For they are a nation lost of counsel*, that is to say, [the nations] did not receive the Torah and do not comprehend its punishments, and that they too are culpable and will be punished. *If only they were wise that they understood this*, that I did not annihilate them so they would not be able to say *Our hand is exalted, they would comprehend their ultimate end*, that they too shall be punished, or it refers to Israel’s ultimate end.⁴⁵⁰

They should also comprehend *how one could chase a thousand*, an overwhelming victory, *and two put a myriad to flight*, yet they cannot make a full end of them? This ratio could not have been so perfect *unless their Rock had sold them out, and Adonai had delivered them up*, a doubled statement, for He had designated this ratio. And why all this? *For their rock is not like our Rock*, for our Rock is strong and mighty and oversees

⁴⁴⁹ In the *qal* paradigm, verbs of the root *’-b-d*, like *oved* here, are intransitive and cannot take a direct object. Aaron is clarifying that *‘etzot* is not a direct object but an indirect one.

⁴⁵⁰ The final clause is subject to variation in manuscripts. The sense given here is more widely attested.

us providentially in the land of our exile, as it says, *for I shall make a full end of all the nations to which I have scattered you, but I shall not make a full end of you; but I shall correct you in measure and shall in no way leave you unpunished* (Jeremiah 30:11). But their rock, when the configuration has completed its course, does not rise again. And *even our enemies reckon*, that is, they conclude this.

Or, the meaning is that since *they are a nation lost of counsel*, they do not conclude this in their thoughts, and the word *not* [in *For their rock is not like our Rock*] applies to both clauses, such that the intent is that “our enemies do *not* reckon.” Why? [*For their vine is of the vine of Sodom*].

32:32 For their vine is of the vine of Sodom—As it says, *because the cry of Sodom and Gomorrah is great, and because their sin is very grievous* (Genesis 18:20), they learned [how to do evil] and they then perpetrate evil.

32:32 Their grapes are acrid—Of the same ethics and ethos [as Sodom and Gomorrah].

32:33–34 Their wine is the poison of serpents... “Is it not hidden [*kamus*]”—That is, the wine that the grapes released, as he says, *Their wine is the poison of serpents*. And the meaning of *the poison of serpents... the venom of asps* is that it is like a deadly poison that harms the healthy who say that there is neither judgment nor judge. It does not mean that it is a vintage that they themselves shall drink, but rather it is a metaphor for the evil of their ways and their execrable ethos.

32:34 The meaning of *kamus* is like *sealed up* [*ḥatum*] [in the second part of the verse].

32:34–35 A time will come when He will call them to account for their iniquity and sin. Consequently, *Vengeance and recompense are Mine etc.*

32:35 Recompense [*shillem*]—Similar to *that incense* [*et haḳḳiṭṭer*] (Jeremiah 44:21), [what looks like a verb in the *pi‘el* conjugation is in fact a nominal pattern].

32:35 Vengeance—That the Israelites shall take their revenge on them, *and recompense*—that the desert of their own deeds shall do them in.

32:35 When their foot falters—That is, when their success has run its course.

32:35 For the day of their calamity approaches [*ḳarov*]; **their fate rushes** [*ḥash*] **to them**—That is, the *fate* foretold by the prophets about them, or what Moses, may he rest in peace, heralded when he said, *Adonai your God shall put all these curses on your enemies and on those who hate you, who persecuted you* (Deuteronomy 30:7), and it says, *he shall prosper until the fury is spent* (cf. Daniel 11:36),⁴⁵¹ meaning, until the fury against Israel is spent.

32:35 The meaning of the word *ḥash* is like *approaches* [*ḳarov*] [in the preceding clause].

⁴⁵¹ The Hebrew has *ve‘aseta vehitzliḥa ‘ad kale za‘am*, which seems to be an amalgam of Daniel 8:12 and Daniel 11:36.

32:36 For Adonai shall judge His people—[Meaning,] the cause of His people. It does not mean that He shall chastise them, for he has already detailed the chastisements. The intent is taking revenge on their enemies.

32:36 And have compassion on His servants—That He will take them out of exile.

32:36 When He sees that their power is gone [azelat yad]—That is, the affliction has come [upon them] or their power has gone.

The *hé* of the feminine has switched to a *tav* [yielding *azelat* instead of *azela*], similar to *it shall return [veshavat] to the prince* (Ezekiel 46:17) [instead of *veshava*].

32:36 Only trapped and abandoned [ve'efes 'atzur ve'azuv]—*efes* means “only,” and they interpret *trapped* to mean by every evil, and *abandoned* by all aid.⁴⁵²

Some say that *ve'efes* is from the sense of *there is no one [efes] except for Me* (Isaiah 45:6), meaning it negates [like *lo*]. *'Atzur* is based on *He shall rule [ya'tzor] over my people* (I Samuel 9:17), and *'azuv* has the sense of *Will they fortify [haya'azvu] themselves* (Nehemiah 3:34). One can explain that everyone shall be taken captive, they shall not have a ruler or be fortified [*'atzur ve'azuv*].

32:37–38 And he shall say “Where are their gods”—They append this [to the preceding]: on account of everything that befalls them from the onslaught of the enemy, the enemy says to them: “*Where are their gods* to whom they offered sacrifices and libations of wine?” The reason it says *eat [yokhelu]* and *drink [yishtu]* [in the plural] is that they are many [gods in the eyes of the idolaters]. The meaning is, “*Let the gods of Israel rise up and help you* in all the travails that have come upon you.”

32:38 Let him be your protection—The antecedent is *the rock in which they took refuge* [this explains the shift to singular with *let him*]. The sense is along the lines of *Why should the nations say, “Where are their gods now?”* (Psalms 115:2).

32:37–40 It is possible that [the verse] is the continuation of *For Adonai shall judge His people* (Deuteronomy 32:36): *And He shall say, “Where are their gods”* of the nations of the world; *who eat the fat of their sacrifices* refers to the Ishmaelites [Muslims]; *drink the wine of their libation* refers to the religion of Jesus; *let them rise up and help you* when vengeance is visited upon you, *let him be your protection* to guard you from misfortunes.

But because He said “*See now that I Myself am He... For I lift up My hand to heaven and declare, I live forever,*” it seems that this statement is the continuation of the first interpretation: if they say, “*Where are their gods?*” Behold, *I live forever*, unlike the belief of the nations who argue that the deity created the world and went His own way, as it says, *calling the generations from the beginning? I, Adonai, the first, and with the last, I am He* (Isaiah 41:4).

⁴⁵² In this interpretation, the verbs from the root ‘-tz-r and ‘-z-b have their usual meanings; in the next one, they are interpreted in light of rarer meanings attested in the Bible.

32:39 See now that I Myself am the one—who handed [the Israelites] over to you [the nations], and I will take them out of your hands.

32:39 There are no powers with Me—Some religions believe that God does good but cannot commit an evil act, which they attribute to a different being. Consequently, He said: *I Myself am the one* [who does both good and evil].

32:39 He said *I kill and I revive; I wound and I heal* concerning exile and salvation, as exile is compared to death. *I kill and I revive* do not refer to two [separate] objects [meaning He kills the idol-worshipping nations and revives the Israelites],⁴⁵³ just as *I wound and I heal* do not have separate objects, for the healing is of the wounded. It can be an indication of the resurrection of the dead even though it is not a complete proof, as it must be compared to something that exists.

32:39 There is no one who can rescue from My hand—As it says, *and there is no one to stay His hand* (Daniel 4:32).

32:39–40⁴⁵⁴ As for the statement, *See now that I Myself am the one*, it indicates the time when the plenitude of [zodiacal] configurations have run their course, which generates the success of the foolish nations, namely the four kingdoms, as we have noted. The allusion is to the removal of the divine presence [*shekhina*], which returns to its place in the universal chariot, borne by the four hayyoth whom the *ofannim* are drawn after, *for the spirit of the hayyoth is within the ofannim* (Ezekiel 1:20–21), which correspond to the four kingdoms, and it says, *he shall prosper until the fury is spent* (cf. Daniel 8:12).⁴⁵⁵ And thus when the end of the exile is nigh, it says, *See now that I Myself am the one*. And because of that, He says allusively [*For I lift up My hand to heaven*].

32:40 For I lift up My hand to heaven—The meaning is in the way people make oaths. Or perhaps *heaven* is a cognomen for Himself.⁴⁵⁶

32:40 And declare, I live forever—This is the oath.

Alternatively, it means that since every fortune and misfortune depends on the [zodiacal] configuration, since their foot falters and I too live, I shall exact revenge upon them.

Alternatively, it means that He swears on Himself that He shall make them pay, since their foot falters on account of the [zodiacal] configuration.

⁴⁵³ See *Sefer hamMivhar* ad loc.

⁴⁵⁴ The following paragraph appears in the printed edition and a few manuscripts; in others, it is preserved as an alternative or in the margin. Perhaps this is due to its mystical subject matter. See further *‘Etz haHayyim*, ch. 63.

⁴⁵⁵ See the note accompanying Aaron’s commentary above on Deuteronomy 32:35.

⁴⁵⁶ Based on the preceding paragraph, according to the second explanation, perhaps “My hand” refers to God’s providence.

32:41 If I sharpen [*shannoti*] —A geminate verb in the *qal* conjugation [*sh-n-n*], with the accent on the ultimate syllable, similar to *I have been merciful [vehannoti] to the children of my womb* (Job 19:17), [*h-n-n* with accent on final syllable].

32:41 My glinting sword—If it has become rusty [I shall sharpen it].

32:41 And My hand grasps in judgment [*bemishpat*]—Meaning, My hand will grasp the sword to effect judgment, and this is the meaning of *I shall take revenge on My adversaries*.

Bemishpat does not mean “as warriors do.”⁴⁵⁷

32:41–42 One could interpret *and My hand grasps* the bow *in judgment*, so that he picks up [in the next verse] where he left off: *I shall besot my arrows*.

Or [the next verse begins with archery] because the arrow volleys precede the melee of swords; indeed, the sword is always grasped by the warrior, whereas arrows run out and one must make others.

32:42 From the blood of the slain and captive—corresponds to *I shall besot My arrows with blood*; *the exaction is from the head of the enemy* corresponds to *and My sword shall devour flesh*. [Meaning,] to behead the enemy to exact My revenge upon them.

Alternatively, the meaning is that God shall exact His revenge *for the blood of the slain and captive* of Israel, along the lines of *in avenging the revenge [bifroa‘ pera‘ot] of Israel* (Judges 5:2).

32:43 Rejoice, nations—His people—When God shall exact revenge on those who hate Israel, the people of Israel shall rejoice, and *nations* means those who are *His people*.

32:43 For He shall avenge the blood of His servants—As it is written, *let it be known among the nations before our eyes, the vengeance of your servants’ spilled blood* (Psalms 79:10). Perhaps *harninu* has a meaning based on *The proclamation [harinna] passed through the camp* (I Kings 22:26), like the meaning of *let it be known* (Psalms 79:10), and those commanded are *His people*.⁴⁵⁸

Alternatively, the meaning is that the nations shall cause His people to rejoice, along the lines of *and I caused the widow’s heart to rejoice [arnin]* (Job 29:13),⁴⁵⁹ in the sense of *the nations will come to you from the ends of the earth, and will say, “Our fathers have inherited nothing but lies”* (Jeremiah 16:19).

⁴⁵⁷ *Mishpat* can mean “law” such that with a preposition it can serve as an adverb mean “properly” or “lawfully.”

⁴⁵⁸ The sense seems to be that “His people shall proclaim to the nations that He is avenging the blood of His servants.”

⁴⁵⁹ In the previous two explanations, although *harninu* is in the *hif’il* conjugation, it is intransitive; here it has a transitive, causative sense appropriate to the *hif’il*.

32:43 And shall atone for His land and for His people—This refers to the war of Gog and Magog, which is the last of Israel’s wars. It refers to it as “atonement” because just as they spilled the blood of the Israelites like water in the environs of Jerusalem, now the blood of the enemy is spilled. This is [the meaning of] *and shall atone for His land and for His people*.

Perhaps it should be interpreted as “[shall atone the land] from the blood His people,” as it says, *for He shall avenge the blood of His servants*, and [*shall atone*] would have the sense of purification, in the sense of *in order to purify the land* (Ezekiel 39:12) [referring to burial, in the prophecy about this battle].

Note that this song includes all the promised fortunes that shall befall Israel, both the good and the bad, until the [final] war of Magog, at which time it says, *I shall encamp around My house against the army* (Zechariah 9:8), and it says, *Nation shall not bear a sword against nation, neither shall they learn war anymore* (Isaiah 2:4). And regarding that period, it says, *when they have finished breaking in pieces the power of the holy people[, all these things shall be finished]* (Daniel 12:7), and the resurrection of the dead will occur until that time. And this is included in the *wonders* mentioned, *How long shall it be to the end of these wonders?* (Daniel 12:6), so he thus concludes his song with that era. May we merit that which He has promised of the good fortune.

32:44 Moses came—Just as it said *Moses and Joshua went* (Deuteronomy 31:14), it now says *Moses came[... he and Hosea the son of Nun]*, He being the principal and Joshua his accompaniment, because Moses called out the song.

And it is written, *And Moses called Hosea[, the son of Nun, Joshua]* (Numbers 13:16),⁴⁶⁰ for thus was he called, and we also find *Yeshua’ [the son of Nun]* (Nehemiah 8:17). He was called all three.

32:46 Set your heart—Investigation and rumination in order to teach them.

32:46 Your children—Through the chain of tradition.

32:47 For it is no vain thing for you [mikkem]—For the commandments were not commanded without purpose.

32:47 But is your life—This is an allusion to the world to come.

It is possible that *mikkem* means “in you,” similar to *In Your Temple [mehekhalekha] at Jerusalem* (Psalms 68:30) [where the prepositional *mem* is construed as a *bet*].

⁴⁶⁰ The printed edition reproduces our entire verse after “And it is written,” presumably to draw attention to the final words that contain the name “Hosea the son of Nun.” No manuscripts consulted have this; in its place, all have “And Moses called Joshua [*lihoshua*’],” ostensibly a reference to Deuteronomy 31:7. This verse, however, does not seem particularly relevant. It seems much more likely that the actual reference is to the verse, “And Moses called Hosea [*lihoshea*’],” the only difference between them being a *yod*. We have supplied that verse in the translation.

32:47 And through this—That is, if you strive to preserve the portion, for one has a portion in the world to come, *you shall prolong your days on the land*, that you will not be exiled from it.

32:48 That very same day—The day on which the song was said.

32:50 And you shall die [mut] on the mountain—Similar to *and be gathered to your people*. It should be *vetamut*, [which is declarative rather than imperative,] because how could he be commanded something he could not do?

32:50 And be gathered—It is possible that the gathering of Moses, may he rest in peace, refers to the immortality of the soul, in the sense of *Adonai's Glory shall gather you in* (Isaiah 58:8).

32:50–51 And He provided the reason: *because you profaned Me* and *did not sanctify Me*.⁴⁶¹

32:52 For you shall see the land from across [minneged]—Meaning, from afar, *but you shall not go there*. And it is written, *Adonai showed him* (Deuteronomy 34:1), demonstrating that his vision was strong [despite his advanced age].

33:1 This [vezot] is the blessing—With a conjunctive *vav* that joins it to the words of the song [of *Ha'azinu*]. Since it says, *Moses called to all Israel* (Deuteronomy 29:1), and it says, *Adonai spoke to Moses that very same day... "Ascend Mount Abarim"* (Deuteronomy 32:48–49), it was before he ascended that he blessed them; consequently, *before his death*.

Some say that [the conjunctive *vav*] joins it to the blessing of Jacob, peace be upon him.

33:1 Man of God—Because he blessed them through prophecy. This sobriquet is attributed to other people [in Scripture] as well. Perhaps this sobriquet relates to their cleaving to God, and it is fitting to refer in this way to someone who cleaves to God.

33:1 The Children of Israel—He generalized in saying all the Children of Israel, even though Simeon is not mentioned when he enumerated them, because he instructed them regarding future events and Simeon had nothing unique, only what he shared with all the others. It is impossible for Zimri's act to be the reason [for Simeon's omission], because it says thus, *But you who cleaved to Adonai your God [are all alive today]* (Deuteronomy 4:4) [including Simeon's progeny].

⁴⁶¹ See *Keter Tora* on Numbers 20:8 concerning the exact nature of the sin, and on Leviticus 5:21 concerning the root *m-ʿl*.

One could surmise that he wanted to include the tribe of Levi,⁴⁶² the intent being to establish them as twelve tribes corresponding to the supernal realm, *He set the borders of peoples according to the number of the Children of Israel (Deuteronomy 32:8)*,⁴⁶³ and since Joseph's sons Manasseh and Ephraim were counted as two tribes, he left the tribe of Simeon out, who took his blessing as part of the collective. However, Scriptures treats the tribe of Joseph as one in saying, *About Joseph he said, "His land is blessed by Adonai" (Deuteronomy 33:13)*. What we suggested [above] is the most plausible opinion.

33:1 Before his death—Close to his death, and likewise, *that I might bless you before Adonai before my death (Genesis 27:7)*, [and Jacob lived for some time after the blessing].

33:2 He said—He begins to explain how God gave them the Torah, and it is through the observance of the Torah that they are worthy of the blessing.

33:2 Adonai came from Sinai [*misSinay*]—They received the Torah from the assembly at Mount Sinai, and the verse intends to enumerate the places where God blessed be He revealed Himself to Israel to honor and glorify them.

Some explain that the [prepositional prefix] *mem* takes the place of a *bet*, [yielding “Adonai arrived at Sinai”], because the beginning of the revelation of God's greatness to them was at Sinai during the giving of the Torah.

33:2 He shone from Seir to them—For it was from there that they began to enter [the promised land] at war with the seven nations. The interpretation of *Adonai, when you went forth from Seir; when you marched out of the field of Edom (Judges 5:4)* is in the same vein. And the explanation for *and dazzled from Mount Paran* is that Seir and Paran are in close proximity, so it is like a doubled statement, and this is the intention of *God came from Teman, the Holy One from Mount Paran (Habakkuk 3:3)*. He should have mentioned the wilderness of Paran first, for when they traveled from Sinai it said, *and the cloud settled in the wilderness of Paran (Numbers 10:12)*, and afterwards they were delayed in the desert for forty years, and [only] at the end of the forty years they arrived at Mount Seir.

Some say that the verse intends to expand upon the giving of the Torah, that the verse clarifies that He called out to the Ishmaelites and the children of Esau but they were not interested [in the Torah]. The meaning would be: *He shone from Seir* to the children of Esau, *and dazzled from Mount Paran* the children of Ishmael. But this does not make sense, for what would be the reason to preface it with *Adonai came from Sinai*? Did He send prophets to them, did the Glory summon them?

⁴⁶² The printed edition and a minority of manuscripts consulted read “Simeon” because it makes sense contextually, but the source, *Sefer hamMivhar* ad loc., makes it clear that the majority of manuscripts with “Levi” have it right. As the continuation makes clear, under this explanation, one tribe would have to be left out in order to count both of Joseph's sons, and keeping Levi meant removing Simeon.

⁴⁶³ See Aaron's comment ad loc.

One can say that apparently the Red Sea is to the east of the Land of Israel, as it is written, *I shall set your border from the Red Sea even to the sea of the Philistines* (Exodus 23:31). The Israelites traveled from the Red Sea until they arrived at Mount Sinai, and Mount Seir and Paran seem to be to the west of Mount Sinai, so when the Israelites stood on the eastern side to accept the Torah and the Glory arrived at Sinai, it was revealed, as it were, from the western side, from the side of Paran and Seir. Consequently, *He shone from Seir to them and dazzled from Mount Paran*.

33:2 He arrived amidst holy myriads [*merivevot kodesh*]⁴⁶⁴—It would be fitting to say *berivevot kodesh* [with a prepositional *bet* rather than *mem*]; [it is] similar to *In Your Temple* [*mehekhalekha*] (Psalms 68:30), [where the prepositional *mem* is construed as a *bet*].

Israel is called holy, and it says, *God came from Teman, and the holy* [*vekadosh*] *from Mount Paran* (Habakkuk 3:3), as it mentions during the assembly at Mount Sinai, *and you shall be to Me a kingdom of priests and a holy* [*kadosh*] *nation* (Exodus 19:6).

Alternatively, the meaning is along the lines of *The chariot of God is myriads, thousands of shin'an angels* (Psalms 68:18), for the Glory is accompanied by angels, and it is written, *Adonai is among them, Sinai among the holy* [*baḳkodesh*] (*ibid.*).

33:2 At His right hand was a fiery law for them—It is called *a fiery law* because the Ten Commandments were given through fire.

33:3 Indeed, He cherishes peoples—As He said, *and you shall be to me a kingdom of priests and a holy nation* (Exodus 19:6).

33:3 All their holy ones are in Your hand—As it says, *we will do and obey* (Exodus 24:7), that they accepted the yoke of Heaven.

33:3 They submitted [*tukku*]⁴⁶⁴ **at Your feet**—The *tav* could indicate the feminine [plural imperfect], since he said *peoples* [*'ammim*], and we find, *Why have the people* [*ha'am*] *rebelled* [*shoveva*] (Jeremiah 8:5) [where masculine *'am* takes a feminine verb].

Alternatively, the *tav* takes the place of a *hé* [making it the masculine plural perfect], like the *tav* of *I taught* [*tirgalti*] (Hosea 11:3).

It cannot be from the same root as *the broken* [*tekhakhim*] (Proverbs 29:13).

⁴⁶⁴ Aaron seems to analyze it as from the root *n-k-h*, which means “to hit/strike,” and here it means that they were struck or humbled. From the comment below about accepting the yoke of Heaven and prostrating to God’s “feet,” the sense being conveyed is submission.

It cannot be like the one who interprets *all His holy ones* [kol *kedoshav*]⁴⁶⁵ as a reference to the angels, with Israel compared to the angels and a shift from third person to second person, meaning, “like all His Holy ones in Your hand.” Similarly, it cannot be a reference to the Levites, because at the awesome assembly, only the firstborn were sanctified [and not the Levites].

33:3 At Your feet—As if, accepting the yoke of Heaven, they prostrated themselves to Him, as a sign of respect.

33:3 Each receives [yissa] Your words—This is the Decalogue that each and every Israelite heard; consequently, he said [*yissa*] in the singular.

33:4 Moses commanded us Torah—This refers to the entire Torah [and not only the Decalogue of the final clause of the previous verse]. Meaning, everyone who stood at Mount Sinai and received the Decalogue themselves said afterwards to Moses, may he rest in peace, *speak with us yourself, and we will listen* (Exodus 20:19), and *go near, and hear* (Deuteronomy 5:23), referring to the rest of the Torah’s teachings. Consequently, it says, *Moses commanded us Torah*, namely, the written Torah, which is for everyone.

It should have said *lik-hillat Ya‘akov* [the *lamed* of the prepositional prefix is absent such that “to” is only implied], or perhaps it is like *humility of righteousness* [*ve‘anva tzedek*] (Psalms 45:5).⁴⁶⁶

33:4 It is fitting here to raise a few points about belief in the Torah from those noted in *‘Etz haHayyim*.⁴⁶⁷ One must ask why the Torah was given; why it was not given earlier and only at the appointed time [at Sinai]; whether another Torah can be given; whether it is possible that there would be a second [supplementary] Torah; whether the intent [of Scripture] can be at variance with the straightforward sense of the verse; whether additional commandments not written down could have been given beyond those written down; whether the high court has permission to innovate commandments as it sees fit; whether there is logical proof that this Torah is eternal; whether there is scriptural proof that this Torah shall endure for generations untold without interruption; whether [the Torah] is unique to Israel alone; and why the Israelites were singled out to be given the Torah.

As for whether the Torah ought to have been given from heaven: The intellective soul is bound to the body by corporeal faculties, and through them it strives to ascend to the sublime spiritual degree so that it can be perfected. Owing to the corporeality—until they

⁴⁶⁵ In the rendering Aaron accepts, the pronominal suffix of *kedoshav* is understood to refer back to *‘am[mim]*, so we translate as “their holy ones.” Here it is suggesting that it refers to God, thus “His holy ones.”

⁴⁶⁶ The word for inheritance here is *morasha*, an absolute form. Aaron is saying that *‘anva* in Psalms is an absolute form yet is semantically construed as a construct form, so the same can be said here of *morasha*. No prepositional *lamed* need be added because the phrase should be understood as “the inheritance of the assembly of Jacob.”

⁴⁶⁷ Primarily, *‘Etz haHayyim*, ch. 99.

can align the intellect to set it in its proper abode—their paths lead them astray to be drawn after what is perceptible [only], since what is perceptible is the foundation of the intelligible in things liable to sicken the soul, which are the maladies of the soul.⁴⁶⁸ On account of this, it was necessary that the Torah be given from Heaven, since God wants to benefit man by encompassing the cause of every malady, to alert [man] so that the soul not become sick from them, as we elucidated at the beginning.⁴⁶⁹

Why was the Torah not given earlier? It was because the Torah could not be given for something that had not been realized. Since the verse says, *for the iniquity of the Amorite is not yet full* (Genesis 15:16), it seems that there were causes of spiritual sickness that had not been realized yet, and most of the Torah's commandments are on account of the ways of the Amorites. Nevertheless, from the time of Adam's creation until the giving of the Torah, commandments would descend to meet contemporary needs, as we have explained.

Therefore, it would not make sense for another Torah to be given, because the cause of every malady was encompassed by this Torah, which we can deduce from the statement, *for the iniquity of the Amorite is not yet full*. This is the Torah that was given during the awesome assembly [at Mount Sinai] through the noble vessel of purified matter, who attained the pinnacle of human achievement and has had no equal, the only barrier [between him and the supernal] his humanity, to the extent that out of yearning to cleave to the separate intellect with divine assistance, he apprehended what man cannot naturally apprehend, and thus perceived how the lower world is connected to supernal potencies, to which we alluded in [my comment] on the statement, *he is faithful in all My house* (Numbers 12:7). It was fitting, therefore, that the Torah be given through him. It is absolutely perfect, and since it was given from perfection, there is no perfection beyond it, and thus it says, *Adonai's Torah is perfect, restoring the soul* (Psalms 19:8). Even though there are new modes of conduct that demand cautioning against, it is impossible that there was no precedent for these modes of conduct, for which the Torah formulated general categories and cautioned us against.

Since the calculus of the Torah accords with the perfection of the soul, if another Torah were to be given, it would perforce be different from it, and it is impossible for two distinct things to be equal in the same respect: [they cannot both be considered “perfect” or lead to spiritual perfection]. Since there was nothing preventing instruction about everything possible, it follows that there is nothing that can take the Torah's place. Moreover, if a new Torah were destined to be given, it would not have been necessary to include any remedies for the future; since the Torah included remedies applicable to the future, it follows that another Torah shall not be given.

⁴⁶⁸ The Hebrew syntax is difficult here, making the translation uncertain.

⁴⁶⁹ We have not been able to locate this in *‘Etz haHayyim* or *Keter Tora*.

It is impossible for there to be a second Torah supplementing the Mosaic Torah, like the opinion of the [Rabbanite] traditionalists about an Oral Torah, for if the intent is for that Torah not to add [commandments] to what is written in the Written Torah, of what benefit would it be? And if it does add commandments, what is the reason that they were not written in the Torah as well? And if they are an elucidation of what is written in the Torah, if the intent is to elucidate according to the straightforward meaning of Scripture, of what benefit would it be, [since] Scripture itself suffices? And if it is to elucidate something other than the straightforward meaning of Scripture, this would be impossible, as the verse says, *to keep His commandments and statutes which are written in this book of instruction* (Deuteronomy 30:10), and it also says, *that I have written, that you may teach them* (Exodus 24:12). And if the intent is that there is license [for the high court] to add commandments, this is impossible according to the arguments put forth, and because the Torah commanded, *You shall not add onto that which I command you, nor shall you detract from it* (Deuteronomy 4:2). Since the Torah was given according to the divine calculus that cannot be encompassed by the human intellect, one may not add to it nor detract from it.

Concerning the [unbroken] continuity of the Torah for all generations, logic dictates that if God blessed be He desires man's betterment, and if mankind cannot align itself to attain perfection, then the Torah must endure so long as mankind exists.

As for why the Israelites were singled out for the giving of the Torah when all mankind is His handiwork, the answer is [as follows]: It is known that God created Adam and endowed him with intellect and discernment, and through his contemplation he had the ability to attain ultimate perfection, and moreover he was commanded to do so, as it says, *Adonai God commanded Adam, saying* (Genesis 2:16). Although Adam in his folly corrupted his path and was banished from the Garden of Eden, he was nevertheless given free will to determine what was good for him, as it says, *behold, the man has become like one of us, knowing good and evil* (Genesis 3:22). The one who was aroused independently to seek the truth, to cause his intellectual soul to flourish with the knowledge of God and belief in his unity, was our forefather Abraham, may he rest in peace, patriarch and chief of the believers. Still, he was unsatisfied with the flourishing of his own soul and wished to leave a blessing after him by transmitting to them His unity through tradition and rationality, as it is written, *For I have known him, that he will command his children and his household after him* (Genesis 18:19). Is this man not worthy of being graciously given the preservation of his progeny, given everything good that He did for them? Therefore, they were chosen, and on account of this choice, they also became obligated to keep the Torah, in the statement, *we will do and obey* (Exodus 24:7). And whoever accepts the yoke of the Torah is obligated to keep it.

The perpetuity for generations is [also found] in the statement, *an eternal statute throughout your generations* (Leviticus 23:31). And since Scripture did only not address the audience accepting the Torah, but intended all who would come after them, in saying, *with those who stand here with us today... and also with those who are not [here with us*

today] (Deuteronomy 29:14), one cannot not restrict the Torah to a period of time and set it apart from some of the coming generations. Similarly, Scripture says, *Moses commanded us Torah, an inheritance to the assembly of Jacob*, for it is our inheritance for all generations without any time restrictions, for an inheritance has no interruption between generations.⁴⁷⁰

33:5 He was king in Jeshurun—God, as it says, *they have rejected Me from being king over them* (I Samuel 8:7). Alternatively, it can refer to the Torah, for those who study Torah are chiefs of the people, and it says, *assemble to me all the elders of your tribes* (Deuteronomy 31:28).

33:5–6 All the tribes of Israel together—For they accepted the yoke of His kingship upon them, which is the Torah. Now, by accepting the Torah they are worthy of blessing; consequently, he begins *May Reuben live*, which is not a plea, as if he said, “God, who has come from Sinai, let Reuben live,” because the layout of this passage does not indicate this.

33:6 May Reuben live [yeḥi]—The meaning is not that it is a plea on account of the act with the concubine [of his father Jacob], and neither is the meaning of *may his men be numbered* that he be first of the count, for he merited this already and this was in the past. Rather, it is a fitting interpretation that since he agreed to cross the Jordan, “may he enter and leave safely, and may his men have their [same] number,” as it is written, *all of you men of valor shall cross armed before your brothers* (Deuteronomy 3:18).

Alternatively, the meaning is that Reuben’s tribe not be excluded from the prophetic degree, and the meaning of *yeḥi* is similar to *the spirit of Jacob, their father, was revived [vatteḥi]* (Genesis 45:27). Some commentators have said that [the prophet] Hosea the son of Be’eri was from the tribe of Reuben. For that reason, he omits Simeon, since we do not find any additional grandeur beyond the revelation at Mount Sinai. *May his men be numbered* so that his tribe is considered to have the prophetic degree. It does not mean “may his men not be numbered” [with *not* in the first clause carrying over to this one], that is, [*numbered* meaning] few, for [his sin] was in the past and forgiven.

33:6–7 Such is not the case with the tribe of Simeon, which did not merit any grandeur, but since its portion lies within the portion of the children of Judah, the blessing is extended to it. Consequently, he juxtaposes [*And this is for Judah*].

⁴⁷⁰ This paragraph complements the explanation found two paragraphs before: that was rational proof, this is scriptural proof. Perhaps the intervening paragraph is to establish why the Torah is for the Israelites specifically, which forms the basis of this scriptural proof.

33:7 And [vezot] this is for Judah—Additional grandeur and the addition of kingship [because the conjunctive *vav* indicates an additional element]. Therefore,⁴⁷¹ *Hear, Adonai, the voice of Judah* when he sallies into battle, *and bring him to his people* safely.

33:7 His hands are sufficient [rav] for him—He does not require help when he sallies into battle, for he has God’s assistance.

[*Rav*] cannot have the sense of striving, or the sense of *as they have increased [ravu]* (Zechariah 10:8).⁴⁷²

And behold the tribes were separated from him except for the tribe of Benjamin, yet David’s kingdom endured for a long time [self-sufficiently], and there was no other tribe more numerous than Judah.

33:8 About Levi he said, “Your Thummim and Your Urim are with Your pious one” — The entire tribe is considered vis-à-vis Aaron, for the king sallying forth to battle would consult the Urim and Thummim through [the High Priest of Aaron’s lineage].

33:8 Whom You tested by trial [bemassa] —This cannot mean through the trial of the death of his two sons [Nadab and Abihu]; rather, it is a doubling of [the clause] *with whom you contended about the waters of Meribah*. The meaning of *bemassa* is through the trial about the waters of Meribah at Kadesh, and he accepted it, [meaning, the punishment]; only the rebellion at the waters of Meribah was held against him [as a sin]. The meaning of *whom You tested by trial* would be connected to *Your pious one*, to declare him blameless of the sin of the Golden Calf.⁴⁷³

33:9 He says about his father and mother, ‘I have not seen him’—This is a reference to the entire tribe [so it is in the singular]. Some say [that it relates to] what is said about them, *go back and forth from gate to gate throughout the camp, and every man kill his brother* (Exodus 32:27). Others say that it is because they dedicate themselves to the service of God, and they are brought to the Temple as young children to be educated, so they do not know their father or mother because they are immersed in the Torah.

33:9 And guard Your covenant—A doubled statement.⁴⁷⁴

⁴⁷¹ Presumably because with kingship comes war-making. In addition, this parallels the first part of Reuben’s blessing (as Aaron understands it), and since the conjunctive *vav* indicates an addition, perhaps it is restating Reuben’s blessing and adding more.

⁴⁷² This is how most medieval commentators understand the verse, in which case it is not clear how that would make sense here. It is possible that the Hebrew, which reads *kemo ravu*, did not originally intend *kemo* as part of a quote from the verse but as an introduction to a quote which was then reanalyzed as part of the verse. If correct, perhaps it was one of the verses cited by Ibn Ezra ad loc. with similar verbs.

⁴⁷³ See also Aaron’s commentary on Deuteronomy 6:16.

⁴⁷⁴ The previous comment articulates that they would not know their parents or sons because they are immersed in Torah, as expressed by “they keep Your word.” Aaron is now saying that “and guard Your covenant” expresses the same idea in other words.

33:10 They teach Jacob your ordinances—To instruct about the holy and profane, and to inform them about the impure and impure (cf. Ezekiel 44:23).

33:10 They put incense before You⁴⁷⁵—The evening and the morning sacrifices.

33:10 And the immolated [vekhalil] —The burnt offering. It could refer to the priestly grain offering: *Every meal offering of a priest shall be entirely burnt [kalil] (Leviticus 6:16).*

33:11 Adonai, bless his bounty—These are the priestly gifts and the Levite tithe.

33:11 And find his handiwork pleasing—The sacrifices of the Israelites [overseen by the priests] which are offered.⁴⁷⁶ Or it means the priestly blessing [bestowed with the priest's hands].

33:11 Strike the hips of those who rise up against him—*Strike* all who rise up to interfere with the priests, as was done to Korah and his assembly.

33:11 The hips of those who rise up against him [motnayim kamav]—Similar to *waters at the knees [mayim birkayim] (Ezekiel 47:4).*⁴⁷⁷

33:11 That they not rise [min yeḳumun]—Similar to *the people who are on it [la'am aleha] (Isaiah 42:5)*, [which has an implied relative pronoun *asher*], meaning, “of those who rise up” [min asher yeḳumun]. Alternatively, the meaning is “*strike the hips of those who rise up against him* from rising up.”

33:12 About Benjamin he said, “The beloved of Adonai”—The sobriquet *beloved* refers back to *Benjamin*. They say he is called *beloved* because he [alone] remained with the tribe of Judah. It is possible that since the Glory resides in Benjamin's portion, Benjamin is called *the beloved of Adonai*.

33:12 Dwells securely with Him—Meaning, Benjamin *dwells securely with Him* because of the Glory that resides in his portion, and that Glory *shields [hofef] him all day long*, meaning continuously, for it dwells *between his shoulders*.

The meaning of *hofef* is from the same root as *hof* [harbor], that it shields him.⁴⁷⁸

⁴⁷⁵ Literally, “in Your nostrils,” but presumably Aaron follows those who render it less anthropomorphically.

⁴⁷⁶ The printed edition and some manuscripts consulted have the additional word “outside” (*miḥutz*), which would seem to refer to sacrifices offered outside the Temple. The identity of these is unclear. *Sefer hamMivhar* ad loc. has the same phrase ending with *leratzon*, so perhaps *miḥutz* is a corruption.

⁴⁷⁷ *Motnayim* is being construed as in construct with *kamav*, even though it does not have the construct form *motné*. The same is true in Ezekiel, where *mayim* is construed as in construct despite the fact that it is the absolute form and not the construct form *mé*.

⁴⁷⁸ In *Keter Tora* Genesis 49:13, Aaron writes that *hof* is from the root *h-f-h*, because boats are shielded from wind there.

33:13 About Joseph he said, “His land is blessed by Adonai”—From both above and below: from above is *the dew*, and *the deep* is from below.

33:14 With the best of the sun’s produce, and the best of the moon’s fruiting—For the abundance of fruit is by means of the luminaries, as it says, *[a cloudless morning,] from light and rain grass comes out of the earth* (II Samuel 23:4).

33:14 Fruiting [*geresh*]⁴⁷⁹—A term for the emergence of the fruit.

33:14–15 As he generalized at the outset, *His land is blessed by Adonai*, and [the land] has both mountains and hills, he thus begins by blessing the valleys in saying, *with the deep lying beneath*, through the causality of the luminaries, and then finishes with the mountains.

33:15 With the summit of the eastern mountains—Because Joseph’s plot is to the east. Or it means that it is there that the fruiting begins, and the meaning is “*with the best of the summit of the eastern mountains*.”

33:15 With the best of the hills of old—For they are between *the deep* and *the eastern mountains*.

And he says *the hills of old* because through the formation of the mountains and hills, the dry land became visible.

33:16 With the best of the earth and its fullness—The settled areas.

33:16 By the will of Him who dwelt in the bush [*urtzon*] —The *vav* [prefix of *urtzon*] takes the place of a [prepositional] *bet*, similar to *the Lord Adonai has sent me through His spirit [veruho]* (Isaiah 48:16), [where the *vav* is not conjunctive but takes the place of a prepositional *bet*]. The meaning, then, is “by the *will of Him who dwelt [shokheni] in the bush*,” that is, who dwelt [*shakhan*] in the bush.⁴⁷⁹

33:16 Let it come [*tavota*] —The blessing [*berakha*].⁴⁸⁰

33:16 Upon the head of Joseph, on the pate of the one separated from [*nezir*] his brothers —Joseph who was separated from his brothers for a long time, or because he repressed his inclination for his master’s wife.⁴⁸¹

33:16–17 After blessing him with great abundance, he blesses him with power and strength.

⁴⁷⁹ *Shokheni* is a rare poetic form that looks like a participle, but God only appeared in the bush at one point. Therefore, Aaron says it should be interpreted as a past perfect verb.

⁴⁸⁰ The verb *tavota* is in the feminine, so Aaron is supplying the implied feminine noun, *berakha*.

⁴⁸¹ The root *n-z-r* is commonly associated with separation or self-abnegation and asceticism, as exemplified by the Nazirite [*nazir*].

33:17 The firstborn of his bulls—He is compared to an ox on account of the abundance of grain [since the ox is instrumental to this], and since the plowman uses two oxen, we have *Ephraim* and *Manasseh*.

33:17 The firstborn of his oxen—Meaning, the greatest and the first to go forth.

33:17 Is his glory—This is [an allusion to] Joshua, for [the glory of] the tribe is attributed to him.

33:17 His horns are the horns of a *re'em*—The horns of his two bulls, and since the power of the *re'em* is in its horns, he compared the horns of the bull to the horns of the *re'em*.⁴⁸²

33:17 With them he gores peoples—With the power and strength of his horns, referring to Joshua.

33:17 Gores peoples—For when he kills thirty-one kings, fear of him shall be upon all the inhabitants of the land.

33:17 To the ends of the earth—These are the distant [nations].

These horns are *the myriads of Ephraim*. He assigned the myriads to Ephraim because of Joshua's victory, and he assigned the thousands to Manasseh because of the victory of Gideon the son of Joash over Midian.

33:18 About Zebulun he said, "Rejoice, Zebulun, as you sally forth" —As it says, *Zebulun is a people that jeopardizes their lives unto death* (Judges 5:18). The opposite of this is *Issachar, in your tents*, as is explicit, *He saw a resting place, that it was good* (Genesis 49:15), [and so did not engage in war].

Or the meaning is that when they sallied forth to war they needed the children of Issachar, who had understanding of the times,⁴⁸³ to see what Israel should do (cf. I Chronicles 12:33). And they merited this advantage and took this burden upon themselves, for their sustenance was easily earned [since their land was rich], as it says, *He saw a resting place, that it was good... and became a taxed worker* (Genesis 49:15) for all Israel's needs. Though there is another way of understanding this.⁴⁸⁴

33:19 They call peoples to the mountain—[*peoples*] are the tribes.

⁴⁸² The identity of the *re'em* is not clear. It is possible that like many other medieval Aaron considered this the mythical unicorn. In his commentary to Numbers 23:22 he writes that the *re'em* kills a person immediately upon seeing them, depicting it as a vicious and powerful beast.

⁴⁸³ It is not clear how Aaron understands this phrase. In *Keter Tora* on Genesis 49:15, he refers to this as a science [*hokhma*], and perhaps the use of "times" indicates that this was astrological in nature.

⁴⁸⁴ Literally, "even though he gave (*perash*) a different interpretation." This singular form is odd since no commentator has been mentioned. Some manuscripts have plural *pereshu*, which could fit. But it seems plausible that the original said *perashti* and was subsequently shortened, where Aaron was referring to the alternative interpretation he himself provides in *Keter Tora* on Genesis 49:14–15.

33:19 They call—That is, in order to go to Bethel to offer sacrifices.

33:19 For they draw out the bounty of the seas [*shefa' yamim yinaḳu*]**—**from the abundance that comes to them from ships, *the hidden and buried in the sand* [*usfuné ṭemuné ḥol*] from shipwrecks.

Some say that it is because they have so much wealth that they bury it in the sand, but this is not fitting.

Others explain that because [Zebulun] dwells by the sea, on account of *overwhelming seas* [*shefa' yamim*] encountered by the ships sailing along their border, the yeomen would call out and make vows to offer sacrifices to God, lest they be inundated [*yinaḳu*]⁴⁸⁵ by overwhelming seas—similar to *and floodwaters* [*shif'at mayim*] *cover you* (Job 22:11)—and become *hidden and buried in the sand*.

Some also explain [within this general interpretation] *buried in the sand* [in light of] *overwhelming seas*: out of great relief at successfully making port, and being *hidden and concealed by the shore* [*ḥol*], they would make vows to offer sacrifices to God.

It is possible that *usfuné* has the sense of *the bowels of the boat* [*hassefina*] (Jonah 1:5), with *sin* [here] replacing *samekh* [there], along the lines of *transparent windows* [*ḥalloné sheḳufim*] (I Kings 6:4).⁴⁸⁶ The meaning would be “wrecked boats,” which become *buried in the sand*, and they would become wealthy, make vows, and slaughter sacrifices on the Temple Mount.

33:20 About Gad he said, “Blessed be He who enlarges Gad”—Meaning, *Blessed be God who enlarges Gad*, for he dwells like a lion, so that all fear him and are quiet on his border.

33:20 And tears arm and head—The army together with the king.

33:21 He provided the first part for himself—To take his portion before the rest of the Israelites.

33:21 For the plot of the lawgiver [*meḥoḳeḳ*] **is hidden** [*safun*] **there**—Because Moses, peace be upon him, was buried there, he chose to dwell there.

It is not fitting to say that it means the place was suitable for building elegant, palatial domiciles [*batim sefunim*],⁴⁸⁷ [*meḥoḳeḳ* being] from the same root as *that you have hewn out* [*ḥoḳeḳi*] *an abode* (Isaiah 22:16), beautiful buildings constructed from ashlar.

⁴⁸⁵ See *Sefer hamMivḥar* ad loc. for how to understand this term according to this explanation.

⁴⁸⁶ This seeming construct chain should be construed as an absolute form which is then modified by an adjective: *usfunim ṭemuné ḥol* and *ḥallonim sheḳufim* respectively.

⁴⁸⁷ See Haggai 1:4.

33:21 He arrives [vayyeté] with the chiefs of the people—The word *vayyeté* has a quiescent letter [*shokhen*],⁴⁸⁸ the *yod* compensating for the [quiescent] *alef*, which is the first root letter [of root 't-h],⁴⁸⁹ and the *alef* [at the end] is in place of *hé* [the final root letter].

33:21 The chiefs of the people—That is, the elite warriors, as they said, *we will cross armed* (Numbers 32:32) before Israel.

33:21 He carried out the justice of Adonai—As when it says, *and do that which has come out of your mouth* (Numbers 32:24), [meaning they followed God's directive with their promise]. And this is the meaning of *and his deserts are with Israel*, as it says, *return with much wealth to your tents* (Joshua 22:8). And he attributed this to Gad and not to Reuben, because the sons of Gad were more insistent, as it is written, *the children of Gad and the children of Reuben spoke to Moses* (Numbers 32:25) [with Gad first], and because they were brave, and so it says [about them], *whose faces were leonine* (I Chronicles 12:9).

33:22 Leaps out—Its meaning is contextual, the sense being jumping, and this refers to Samson. Our patriarch Jacob compared Dan to a snake, and Moses compared him to a lion's cub.

33:22 Out of Bashan—for the dens of lions are there.

33:23 Naphtali, satisfied of want [seva' ratzon]—An adjective in construct [instead of two nouns], similar to *humble of spirit [shefal ruah]* (Proverbs 16:19), for everything he wanted was available in his area.

33:23 And full of Adonai's blessing—So that he lacks nothing.

33:23 Inherits west [yam] and south—For his portion was to the southwest. And they say that this is the Sea [*yam*] of Kinnereth.

33:23 Inheriting [yerasha]—This could be an infinitive [rather than a noun], similar to *asking [she'ala] deeply* (Isaiah 7:1), [which has the same pattern of vocalization].

33:24 Asher is blessed among the children—For all the tribes bless him that *he shall produce royal dainties* (Genesis 49:20), and this is the meaning of *pleasing to his brothers*.

It is also possible that his daughters were beautiful and would be matches for the [other] tribes, [and so it would read "blessed with children"].

⁴⁸⁸ This term, often used contrastively, is employed throughout *Keter Tora* to mean something that is not pronounced, vocalized, or emphasized: a quiescent letter, a letter with a *sheva nah* as opposed to a vowel, or a letter without a *dagesh*.

⁴⁸⁹ Based on forms in Job 37:22 and Proverbs 1:27, the proper form according to Aaron would be *vayye'eté*. He analyzes the present form to be missing the vowel of the *yod*, thereby eliding the *alef*.

33:24 And dip his foot in oil—From making an abundance of it, and it is written, *oil to make the face lustrous* (Psalms 104:15), meaning he bathes them in oil, along the lines of *he washes his raiment in wine* (Genesis 49:11) [they are both figurative and indicate abundance].

33:25 Your bars⁴⁹⁰ are iron and bronze—For in his area one can forge iron and bronze.

33:25 Your time of worry [dov'ekha] is like your prime—It might be a metathesis of *worry [da'ava]* (Job 41:14). Meaning, from the abundant humidity in the air of his land, the days of old age are like those youth.

33:26 There is none like God [ka'el], Jeshurun—Because the *kaf* takes a *kamatz*, *Jeshurun* must be missing the vocative [*hé*]. Consequently, *to your aid*, [in the second person, because *Jeshurun* is being directly addressed].

33:26 Rides the heavens—Because he blessed Israel with victory over their enemies and great abundance, he explains that “their cause is the true Lord, who providentially governs you and guides you, doing as He pleases.” Each of the nations has a supernal power that watches over and supports it, which is the supernal configuration, but God is the one who *rides the heavens* [which represent the zodiacal configuration], the horse being auxiliary to its rider, so it is in His hands to help or hinder. Meaning, since He *rides the heavens* and is *to your aid*, you can vanquish all who rise up against you.

33:26–27 And by whose loftiness there are clouds [shehakim]—These are the rising clouds that give rise to rain, as it is written, *which clouds [shehakim] pour down* (Job 36:28), *and the clouds [ush-hakim] drip dew* (Proverbs 3:20). He described them with loftiness because the clouds are [manipulated] through the attraction of the luminaries. And since all of these causes are by His power and will, and He is our abode, as it says, *Adonai, you have been our shelter* (Psalms 90:1), that is why he says *shelter*, as though he said, “our shelter is the God of the primeval heavens,” that is, [God over] the supernal configuration.

33:27 And underneath are the arms of the world—Since the lower existents are dependent upon the supernal powers. Consequently, *He drives out the enemy from before you, and there is no one to stay His hand* (Daniel 4:32).

33:27 And says “Destroy!”—This is the victory over the enemy.

33:28 Israel dwells—He begins to articulate the abundance of goodness.

33:28 Securely alone—Even though they are alone in their uniqueness, and they do not mingle with other nations, they dwell securely.

33:28 The fountain of Jacob—Meaning, the progeny of Jacob alone.

⁴⁹⁰ It is not evident how he understands *min'al*.

33:28 In a land of grain and new wine—He gives the cause as the will of the One who rides [the heavens], and this is, *Indeed, His skies drip dew*.

33:29 How fortunate are you [*ashrékha*], Israel!—This is an assurance for the rational being, and the meaning of *ashrékha* is “how fortunate are the people of the Land of Israel.”

In most attestations, it is in the plural [as here, with a *yod*], but sometimes with a pronominal suffix it is in the singular [without a *yod*].⁴⁹¹

33:29 Who is like you—For you are the treasure of the true Lord, upon whose will every existent depends.

33:29 A people saved [*nosha*']—It takes a *pataḥ* so it is in the perfect tense, for His salvation has already been actualized.

33:29 The shield of your aid—so that you are saved from the onslaught of the enemy.

33:29 The sword of your power—with which you defeat all who rise up against you.

33:29 Are weakened [*veyikkaḥashu*]—so that they retreat, from the meaning of *the labor of the olive is meager* [*kiḥesh*] (*Habakkuk* 3:17), such that even though they are stronger than you, they are insecure in their strength, and that is their weakness.

33:29 You tread on their high places [*bamotemo*]—for the inheritance of the land, meaning, through the dignitaries of the land.⁴⁹²

The root of the word is a verb of the [deficient] second consonant [*b-w-m*], since [the vocalization] does not change when a pronominal suffix is added. While it is true that the feminine suffix [-*ot*] is combined with a pronominal suffix [-*emo*] so there are two plural markers [for the noun and its possessors], in a construct there is only the feminine suffix [*bamot*]. This leads to the two plural markers of *the high places* [*bamoté*] *of the earth* (*Deuteronomy* 32:13), where the *ḥolam* becomes a *ḥataf kamatz* to make it easier [to pronounce].

33:29 You tread—In the sense of *on which the sole of your foot treads* [*shall be yours*] (*Deuteronomy* 11:24).

34:1 Moses went up—right after he blessed them, because he had been told, *Ascend this Mount Abarim* (*Deuteronomy* 32:49).

34:1 From the plains of Moab—for it was there that he had blessed them.

⁴⁹¹ That is, without a suffix, it always appears as *ashré* with a *yod*, but with a suffix the *yod* is never vocalized and is sometimes absent.

⁴⁹² Aaron's intent is uncertain.

34:1 One cannot say that eight verses [34:5–12] were written by Joshua.⁴⁹³ Moses said, *Take this book of the Torah, and put it beside the ark of Adonai your God's covenant* (Deuteronomy 31:26), [which implies it was complete], and that was when Moses still lived. Therefore, one can say that Moses, may peace be upon him, wrote [the verses] prophetically. Indeed, it is written, *And Joshua the son of Nun was full of the spirit of wisdom* (Deuteronomy 34:9).⁴⁹⁴

34:1 To Mount Nebo, the highest point [*rosh happisga*]*—*Meaning the summit, and its sense is loftiness.

34:1 Which is opposite Jericho*—*Facing the Land of Israel.

34:1 Adonai showed him*—*Moses wrote this way [in the third person] because he wrote everything he experienced in prophecy, including what pertained to the future.

34:1 From [*et*] Gilead*—*Similar to *They had gone out of [et] the city* (Genesis 44:4) [the direct object marker *et* functions like the preposition *min*].

Alternatively, it means that he saw [the land] even though it was distant, just like Gilead, which was nearby.

34:1 To Dan*—*which is in the northeast. Then he goes in order.

34:2 And all Naphtali, and the land of Ephraim and Manasseh, and all the land of Judah*—*The entire eastern boundary from north to south.

34:2 To the ultimate sea*—*The entire western boundary.

34:3 And the south, and the plain of the valley of Jericho*—*The eastern edge is a strip that extends eastwards.

34:3 The idea is not that he saw it as though it were inhabited by the tribes of Israel, but rather that he saw it as it was at that time, with its produce, structures, and air.

34:4 Adonai said to him, “This is the land”*—*that the Israelites are going to possess.

34:5 And Moses... died there*—*Once he ascended he did not descend, but died there.

34:5 The servant of Adonai*—*For he was free of all mundane pursuits, and concentrated solely on his knowledge of God, blessed be He, until his soul departed.

34:5 According to Adonai's word*—*For the time came for his soul's immortality while embodied, according to the natural order set by God's will, for it could not have been more than this, and this is the meaning of *by Adonai's word*.

⁴⁹³ Perhaps the comment is here rather than below on 34:5, because Ibn Ezra opines that Joshua wrote from 34:1 until 34:12.

⁴⁹⁴ This rejected argument adduces proof from the fact that Moses writes about himself in the third person; Aaron is pointing out that it also refers to Joshua in the third person, which would defeat this argument.

34:6 He buried him—The subject is missing. Some say he himself [did it], similar to *but the shepherds fed themselves [vayyir'u] (Ezekiel 34:8)*, [where a non-reflexive verb is understood reflexively]. Consequently, *and no man knows his burial place*.

34:7 Moses was one hundred and twenty years old—It tells us the duration of the days of his life.

34:7 His eye did not dim—This is an elaboration of what was said, *by Adonai's word (Deuteronomy 34:5)*, for Moses' nature was unlike that of anything else that is born, whose nature is to reach a limit of achievement and then to slowly diminish and weaken until the point is reached where the soul separates from the body, although there can be other causes of death. As for Moses, peace be upon him, *his eye did not dim nor did his moisture wane*, which is the cause of good health,⁴⁹⁵ but when Moses' soul reached the limit at which it could not remain in the body [he died], and for this reason it says, *by Adonai's word*.

34:7 His moisture [leḥoh]—The *hé* takes the place of the possessive *vav* [suffix], similar to *his tent [aholoh] (Genesis 9:21)*.⁴⁹⁶

34:8 The Children of Israel wept—Regarding Aaron it said, *the entire house of Israel (Numbers 20:29)*, in order to honor Moses [who was mourning for his brother]. Alternatively, Aaron was familiar to the Israelites—men and women, children and adults—so it says *the entire house of Israel*. Some say it was because he would offer their sacrifices.

34:8–9 One can perhaps say that because they entered the land after [Moses'] death, it consequently says, *until the days of weeping in mourning for Moses were over*, so it can say, *And Joshua the son of Nun*.

As for when exactly Moses, peace be upon him, died, we have already elucidated the opinions of the sages, and have explained what seems correct to us.⁴⁹⁷

34:9 Joshua the son of Nun was full of the spirit of wisdom, for Moses had laid his hands on him—As it says, *you shall confer your splendor upon him (Numbers 27:20)*, meaning, the leadership of Israel.

34:9 The Children of Israel obeyed him—because of the rectitude of his comportment.

⁴⁹⁵ In medieval medicine, the inner heat and inborn moisture provide vitality.

⁴⁹⁶ Although generally the *hé* at the end of the word functioning as a *mater lectionis* is not pronounced and therefore not transliterated, here we have done so for purposes of clarity.

⁴⁹⁷ See the commentary above on Deuteronomy 1:3.

34:9 And did as Adonai had commanded Moses—And so we have two reasons: his comportment was perfect, and it was the commandment of God.

34:10 There has not arisen—Because it explains that Joshua was appointed in his stead, it now elaborates his stature, that no one else like him arose after him, with *again* as proof. The same is true before him, for he was *sui generis* in his degree of prophecy, as we have noted in a few places in this composition about the nature of his prophecy, namely, *whom Adonai knew face to face*, meaning that the communication was without any intermediary, as we have said.

34:10–11 Has not arisen—This extends to the statement *with all the signs*, for there is no resemblance between the signs of Moses and anyone else's. Our sages, peace be upon them, have divided the signs into two types: attributive and special.⁴⁹⁸ The meaning of special is a change in the property due to the composition of a form, which is an act of the separate form, and this is a true proof to affirm its existence, and through this the stature of Moses' signs are superior to those of others.

34:11 With all the signs—As it says, *and performed the signs in the sight of the people* (Exodus 4:30).

34:11–12 And the wonders—Like what was said, *perform a wonder for yourselves* (Exodus 7:9), or perhaps it is an allusion to the plagues with which he smote Pharaoh.

34:12 And with the entire mighty hand—The plague of the firstborn.

34:12 And the entire awesome deed—The splitting of the Red Sea. The awesome deed cannot be the assembly at Mount Sinai, because what would be the meaning of *which Moses did*? And the meaning of *which Moses did* is with the power of God.

34:12 In the sight of all Israel—and not in the sight of individuals, so there is no doubt concerning the testimony regarding the veracity of his prophecy.

⁴⁹⁸ In the sense of “species.” An example of the special is changing from one species (wood) to another (snake), an example of the attributive is parting the Red Sea. See further *Keter Tora* on Exodus 4:3.