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| {נויבאואר עמ' ל} | {30} |  |
| **סֵֽפֶר לְבוּשׁ מַלְכוּת** | **Royal Attire** | **#A** |
| רְצ֣וֹן מְ֭לָכִ֖ים שִׂפְתֵי–צֶ֑דֶק וְדֹבֵ֖ר יְשָׁרִ֣ים יֶאֱהָֽב: | Righteous lips are the delight of kings; and they love him that speaketh right.  [Proverbs 16:13] |  |
| הָאַָדוֹן הַמְעֻלֶּה וְהַמְפֹאָר הַגְּבִיר הַבִּלְתִּי מְנֻצָּח הַדְרַת שְׁמוֹ קַארוֹל הַמֶּֽלֶךְ, מֶֽלֶךְ שְׁוֶוע"צִיָּיא, יְחִי לָעַד, יָרוּם הוֹדוֹ וְתִנַּשֵּׂא מַלְכוּתוֹ, בּוֹרֵא שָׁמַֽיִם וָאָֽרֶץ, שֶׁהוּא מֶֽלֶךְ מַלְכֵי הַמְּלָכִים, יָרִים וְיַגְבִּֽיהַּ כּוֹכַב מַעֲרַכְתּוֹ, וִיפָאֵר וִינַשֵּׂא כִּסֵּא מַלְכוּתוֹ, וְיַכְרִֽיעַ קָמָיו תַּחְתָּיו, יִמְחַץ מָתְנֵי קָמָיו, וּמְשַׂנְאָיו מִן יְקוּמוּן, וּמַלְכוּתוֹ תִּכּוֹן לָעַד וּלְנֶֽצַח נְצָחִים, אָמֵן נֶֽצַח סֶֽלָה. | [To] the great glorious noble invincible prince, of the beautiful name Charles, King of Sweden,[[1]](#footnote-1) may he live forever, may his splendor be great, and may his kingdom be firm eternally. May [God], Creator of heaven and earth, who is the King who reigns over kings of kings, raise up [Charles’] star in his constellation, and make his royal throne great and glorious, and make his foes kneel before him, and crush the loins of his foes, such that his enemies will never be able to rise up,[[2]](#footnote-2) and may his kingdom be eternal, for all time, Amen, forever, Selah. |  |
| שָׁאַל אֶת עֲבָדָיו הַקָּרָאִים שֶׁבְּעִיר לוּצְקָא לָדַֽעַת אוֹדוֹתָם – מֵאֵיזוֹ אֻמָּה הֵם וּמָה אֱמוּנָתָם, וּמַה הַהֶפְרֵשׁ בֵּין הַתַּלְמוּדִיִּים וּבֵינֵיהֶם? וּכְשָׁמְעִי אֲנִי עַבְדּוֹ הַקָּטֹן וְהַנָּמוּךְ שֶׁבְּמִדְרַס רַגְלָיו עֶֽבֶד לַאדוֹנֵֽנוּ בֶּן–הַמֶּֽלֶךְ קוֹסְטַנְטִין יָרוּם הוֹדוֹ וְתַֽעַל לְמַֽעְלָה לְמַֽעְלָה, בֶּן אֲדוֹנֵֽנוּ הַמֶּֽלֶךְ יוֹאַן שְׁלִישִׁי מִזֶּה הַשֵּׁם בְּמַלְכֵי פּוֹלוֹנְיָא, בְּמִדְרַשׁ הַקָּרָאִים שָׂמַֽחְתִּי וָאֶפֹּל עַל פָּנַי אַֽרְצָה, לְבַקֵּשׁ מִלִּפְנֵי בוֹרֵא הָעוֹלָמִים שָׁלוֹם וְחַיִּים אֲרֻכִּים לַאדוֹנֵֽנוּ הַמֶּֽלֶךְ הַנַּ"ל יָרוּם הוֹדוֹ בִּשְׁנֵי מִזְמוֹרִים שֶׁל דָּוִד הַמֶּֽלֶךְ עָלָיו הַשָּׁלוֹם, שֶׁהֵם מִזְמוֹר כ"א וּמִזְמוֹר ע"ב. וְאַחַר כָּךְ קַֽמְתִּי וָאֶתְעוֹדַד חַֽשְׁתִּי וְאַֽצְתִּי לְמַלֹּאת רְצוֹן הָאָדוֹן לִכְתּוֹב בְּבֵרוּר וּלְהוֹדִֽיעַ הַכֹּל, בְּסֵֽדֶר מְסֻדָּר יָפֶה, בְּאֹֽפֶן שֶׁיִּמְצָא הָרוֹצֶה מְבֻקָּשׁוֹ. | He has asked his subjects, the Karaites in the city of Lutsk, to [let him] know who they are – of what nation, and of what faith, and what are the differences between them and the Talmudites. And I, lowly subject of our master Prince Constantine, may his splendor be lofty and high, son of King John III of Poland,[[3]](#footnote-3) whom I serve [with humility as if] under the treading of his feet, in the study-­house of the Karaites – when I heard this, I rejoiced, and prostrated myself to the ground, to ask the Creator of Eternity to grant peace and long life to our above-­mentioned king. [I offered this prayer by reciting] two psalms of King David, namely Psalm 21 and Psalm 72. I then arose and took heart and hastened to fulfill the king’s request, to write clearly and inform him of all, arranged well in order, in such a way that he will find what he wants. |  |
| כָּל אֵֽלּוּ הַדְּבָרִים דִּבֶּר הֶחָכָם הַמֻּפְלָא אֲשֶׁר חָכְמָתוֹ בְּכֶֽתֶם טָהוֹר לֹא תְסֻלֶּה, וְרֵֽיחַ חָכְמָתוֹ לְקַצְוֵי אֲרָקִים יַעֲלֶה, הֲלֹא הוּא הַנַּעֲלֶה כְּמוֹהֲרַ"ר מָרְדֳּכַי, תְּהֵא נִשְׁמָתוֹ צְרוּרָה בִּצְרוֹר הַחַיִּים, לְעוֹלָם יָאִיר אוֹר תּוֹרָתוֹ, בֶּן כְּמוֹהֲרַ"ר נִיסָן זַצַ"ל. וְאַחַר זֶה מַתְחִיל וְאוֹמֵר בְּעֶזְרַת אוֹמֵר וְגוֹמֵר: | All these are the words of the wonderful sage, whose wisdom cannot be equaled by pure gold, and the fragrance of his wisdom reaches the ends of the world, the great Rabbi[[4]](#footnote-4) Mordecai, may his soul be bound in the bond of the living,[[5]](#footnote-5) may the light of his Torah shine, son of Rabbi Nisan, the righteous of blessed memory. And now he begins and says, with the help of [God], who speaks and decrees: |  |
| לְכָל הָרוֹצֶה לָדַֽעַת אוֹדוֹת הַקָּרָאִים מִי הֵם וּמֵאֵיזֶה אֻמָּה הֵם: נוֹדִֽיעַ כִּי הֵם מִזֶּֽרַע אַבְרָהָם יִצְחָק וְיַעֲקֹב, וּבִפְרָט מִשְּׁנֵים–עָשָׂר שִׁבְטֵי יִשְׂרַָאֵל אֲשֶׁר בְּשִׁבְעִים נֶֽפֶשׁ יָרְדוּ לְמִצְרַֽיִם, וְהָיוּ שָׁם בְּגָלוּת, וְהוֹצִיאָם הַשֵּׁם יִתְבָּרַךְ מִשָּׁם {לא} בְּאוֹתוֹת וּבְמוֹפְתִים, בִּשְׁנַת שְׁנֵי אֲלָפִים תמ"ח לִבְרִיאַת הָעוֹלָם. וְיָדֽוּעַ מַה שֶּׁכָּתוּב בְּתוֹרַת מֹשֶׁה אִישׁ הָאֱלֹהִים, שֶׁבְּצֵאתָם מִמִּצְרַֽיִם בָּֽאוּ לְהַר סִינַי בַּחֹֽדֶשׁ הַשְּׁלִישִׁי, וְקִבְּלוּ שָׁם תּוֹרָה מִפִּי הַגְּבוּרָה, תּוֹרָה אַחַת כְּתוּבָה וְאֵין זוּלָתָהּ, שֶׁקִּבְּלֽוּהָ עַל יְדֵי מֹשֶׁה אִישׁ הָאֱלֹהִים, וְאַחַר כָּךְ בָּֽאוּ לְאֶֽרֶץ כְּנַֽעַן וּכְבָשֽׁוּהָ בִּשְׁנַת שְׁנֵי אֲלָפִים תפ"ח לִבְרִיאַת הָעוֹלָם, וַיֵּשְׁבוּ בָהּ. וַיִּשְׁפְּטוּ אוֹתָם בַּתְּחִלָּה שׁוֹפְטִים שֶׁבְּכָל דּוֹר וָדוֹר. וְאַחַר כָּךְ קָֽמוּ עֲלֵיהֶם מְלָכִים: שָׁאוּל וְדָוִד וּשְׁלֹמֹה. וּשְׁלֹמֹה בָנָה בֵּית הַמִּקְדָּשׁ הָרִאשׁוֹן בִּירוּשָׁלַֽיִם עִיר הַקֹּֽדֶשׁ, בִּשְׁנַת ת"פ לִיצִיאַת מִצְרַֽיִם, הִיא שְׁנַת שְׁנֵי אֲלָפִים תתקכ"ו לִבְרִיאַת הָעוֹלָם, וְאַחַר מוֹת שְׁלֹמֹה הַמֶּֽלֶךְ בֶּן דָּוִד נֶחְלְקָה מַלְכוּת אֻמַּת יִשְׂרָאֵל לִשְׁנֵי מַמְלָכוֹת; רוֹצֶה לוֹמַר: שְׁנֵי שְׁבָטִים, שֶׁהֵם יְהוּדָה וּבִנְיָמִין, נִשְׁאֲרוּ בְּמַלְכוּת בְּנֵי שְׁלֹמֹה בִּירוּשָׁלַֽיִם, וַעֲשֶֽׂרֶת שְׁבָטִים נִבְדְּלוּ, וְהִמְלִֽיכוּ עֲלֵיהֶם יָרָבְעָם בֶּן נְבָט עֶֽבֶד שְׁלֹמֹה. | For anyone wishing to know about the Karaites, who they are, and of what nation, let us inform you: they are of the descendants of Abraham, Isaac, and Jacob, specifically of the twelve tribes of Israel, who went down to Egypt numbering seventy, and they were in exile there, until God {31} took them out of there with signs and miracles, in the year 2448 after Creation. And, as is well known from what is written in the Torah of Moses, the man of God, after their exodus from Egypt, they came to Mt. Sinai, in the third month, where they received the Torah from God’s mouth, one written Torah, and there is none besides it; they received it through Moses, the man of God. Afterwards, they came to the Land of Canaan and conquered it in the year 2488 after Creation, and they dwelt there. At first, they were ruled by judges, generation after generation, but later they were ruled by kings: Saul, David, and Solomon. Solomon built the First Temple in Jerusalem, the Holy City, in the year 480 after the Exodus from Egypt, which is the year 2926 after Creation. After the death of Solomon, son of David, the kingdom of the Israelite nation was split into two kingdoms: the two tribes, Judah and Benjamin, remained in the kingdom of Solomon’s descendants, [who reigned] in Jerusalem; whereas the other ten tribes split off, and crowned Jeroboam son of Nebat, one of Solomon’s servants, as their king. | #B |
| וְתוֹרָה אַחַת אֱמוּנָה אַחַת[[6]](#footnote-6) הָיְתָה לְכָל הָאֻמָּה הַזֹּאת עַד זְמַן יָרָבְעָם בְּלִי שׁוּם מַחְלֹֽקֶת, וּמִזְּמָן הַהוּא וָהָֽלְאָה מַלְכוּת יָרָבְעָם הָיוּ תוֹפְשִׂים הַתּוֹרָה הָאַחַת, אֶֽלָּא שֶׁאֵֽצֶל עֲבוֹדָתוֹ יִתְבָּרַךְ הָיוּ מְשַׁתְּפִים עֲבוֹדוֹת הָעֲגָלִים וְהַבְּעָלִים שֶׁחִדֵּשׁ לָהֶם יָרָבְעָם מַלְכָּם; אֲבָל מַלְכוּת יְהוּדָה שֶׁבְּעִיר הַקֹּֽדֶשׁ יְרוּשָׁלַֽיִם הָיוּ שׁוֹמְרִים הַתּוֹרָה הָאַחַת הַהִיא וּמְקַיְּמִים מִצְוֹתֶֽיהָ בְּלִי תוֹסֶֽפֶת וְגֵרֽוּעַ, וּכְשֶׁהָיוּ חוֹטְאִים הָיוּ הַנְּבִיאִים מְשִׁיבִים אֶל הַתּוֹרָה הָאַחַת, אֲבָל מַלְכוּת יָרָבְעָם שֶׁנִּקְרֵאת מַלְכוּת אֶפְרַֽיִם וּמַלְכוּת יִשְׂרָאֵל, אַף עַל פִּי שֶׁהוֹכִיחָם הַשֵּׁם יִתְבָּרַךְ עַל–יְדֵי נְבִיאָיו לַהֲשִׁיבָם מֵעֲבוֹדָה זָרָה לֹא שָׁמְעוּ וְלֹא הִקְשִֽׁיבוּ. עַל כֵּן הֵעִיר ה' אֶת רֽוּחַ תִּגְלַת פִּלְאֶֽסֶר הַנִּקְרָא סַנְחֵרִיב מֶֽלֶךְ אַשּׁוּר, וַיַּֽעַל עַל מַלְכוּת יִשְׂרָאֵל אֲשֶׁר בְּשֹׁמְרוֹן, וַיַּגְלֵם לְאֶֽרֶץ נָכְרִיָּה אַחַר נְהַר סַמְבַּטְיוֹן בִּשְׁנַת תשנ"ז לִיצִיאַת מִצְרַֽיִם הִיא שְׁנַת שְׁלֹֽשֶׁת אֲלָפִים ר"ה לִבְרִיאָה. וְהֵם יוֹשְׁבִים שָׁם עַד הַיּוֹם, וְנִשְׁמַע לָֽנוּ שֶׁהֵם שָֽׁבוּ בִּתְשׁוּבָה וְהִנִּֽיחוּ עֲבוֹדָה זָרָה שֶׁהָיָה בְיָדָם, וְאֵין בְּיָדָם יוֹתֵר אֶֽלָּא תוֹרָה אַחַת שֶׁקִּבְּלוּ בְסִינַי, אֶֽלָּא שֶׁמִּפְּנֵי הִשְׁתַּקְּעוּתָם בִּזְמַן מַלְכוּתָם בְּהַבְלֵי הַנְּבִיאִים הַשִּׁקְרִיִּים לֹא יָכְלוּ לְהִפָּרֵד מֵהֶם מִכֹּל וַָכֹל, וְעַל כֵּן יֵשׁ בֵּינֵיהֶם גַּם הַיּוֹם חוֹבְרֵי חֶֽבֶר וּבַעֲלֵי שֵׁמוֹת. אַָמְנָם מַלְכוּת יְהוּדָה אֲשֶׁר בִּירוּשָׁלַֽיִם יָשְׁבוּ בְּמַלְכוּתָם אַחֲרֵי גְלוֹת הָעֲשָׂרָה שְׁבָטִים קל"ג שָׁנִים וְיוֹתֵר מְעַט; וּכְשֶׁחָטְאוּ גַם מַלְכוּת יְהוּדָה בָּא נְבוּכַדְנֶאצַּר מֶֽלֶךְ בָּבֶל בִּשְׁנַת תת"צ לִיצִיאַת מִצְרַֽיִם, שֶׁהִיא שְׁנַת שְׁלֹֽשֶׁת אֲלָפִים של"ח לִבְרִיאָה, וְהֶחֱרִיב אֶת עִיר הַקֹּֽדֶשׁ יְרוּשָׁלַֽיִם וְשָׂרַף אֶת בֵּית הַמִּקְדָּשׁ אֲשֶׁר בָּנָה שְׁלֹמֹה שֶׁעָמַד בִּירוּשָׁלַֽיִם ת"י שָׁנִים, וְהֶגְלָה אֶת כָּל מַלְכוּת יְהוּדָה לְבָבֶל, כַּכָּתוּב {לב} בְּסוֹף סֵֽפֶר מְלָכִים ב' וּבְסוֹף יִרְמְיָה הַנָּבִיא, וַיֵּשְׁבוּ בְּבָבֶל שִׁבְעִים שָׁנָה. וּכְשֶׁלָּכַד כּֽוֹרֶשׁ מֶֽלֶךְ פָּרַס אֶת מַלְכוּת בָּבֶל בִּזְמַן מַלְכוּת נִינוֹ שֶׁל נְבוּכַדְנֶאצַּר, שֶׁהוּא בֵּלְשַׁאצַּר, כַּכָּתוּב בְּדָנִיֵּאל סִימָן ה', אָז כּֽוֹרֶשׁ הַמֶּֽלֶךְ שָׁלַח אֶת אַנְשֵׁי גָלוּת יְהוּדָה מִבָּבֶל. וְעָלָה עֶזְרָא הַכֹּהֵן, עִם זְרֻבָּבֶל מִזֶּֽרַע הַמֶּֽלֶךְ, שֶׁהָיָה נָשִׂיא מֻפְקָד עַל יִשְׂרָאֵל מֵאֵת מֶֽלֶךְ פָּרַס; וְעָלוּ עִמָּהֶם רֹב עַם יְהוּדָה אֲשֶׁר בְּבָבֶל. וְהוּא עֶזְרָא הַכֹּהֵן הָיָה סוֹפֵר תּוֹרַת ה' וּמְלַמְּדָהּ לִבְנֵי יְהוּדָה וּבִנְיָמִין, כְּדִכְתִיב בְּסֵֽפֶר רִאשׁוֹן מֵעֶזְרָא בְּסִימָן ז'. וְלֹא הָיְתָה בְיָדָם אֶֽלָּא תוֹרָה אַחַת, כַּכָּתוּב שָׁם (עזרא ז:ו) "הוּא עֶזְרָא עָלָה מִבָּבֶל, וְהוּא סֹפֵר מָהִיר בְּתוֹרַת מֹשֶׁה אֲשֶׁר נָתַן ה' אֱלֹהֵי יִשְׂרָאֵל", וגו'. וּכְתִיב (שם פסוק י) "כִּי עֶזְרָא הֵכִין אֶת[[7]](#footnote-7) לְבָבוֹ לִדְרֹשׁ אֶת תּוֹרַת ה' וְלַעֲשֹׂת וּלְלַמֵּד בְּיִשְׂרָאֵל חֹק וּמִשְׁפָּט", וגו'. וְאִלּוּ הָיָה בְיָדָם שְׁתֵּי תוֹרוֹת, כְּמוֹ שֶׁמַּאֲמִינִים הַיּוֹם הַתַּלְמוּדִיִּים, הָיָה כָתוּב: "סֹפֵר מָהִיר בְּתוֹרוֹת מֹשֶׁה"; וְכֵן הָיָה כָתוּב: "לִדְרֹשׁ מֵאֵת תּוֹרוֹת ה' לַעֲשׂוֹת". וְכֵן מַלְאָכִי הַנָּבִיא, חוֹתֵם הַנְּבִיאִים, אֲשֶׁר עָלָה עִם עֶזְרָא מִבָּבֶל, אָמַר (מלאכי ג:כב): "זִכְרוּ תּוֹרַת מֹשֶׁה עַבְדִּי אֲשֶׁר צִוִּֽיתִי אוֹתוֹ בְחֹרֵב"; וְלֹא אָמַר: "זִכְרוּ תּוֹרוֹת". וּבַעֲלוֹת עֶזְרָא מִבָּבֶל עָלוּ עִמּוֹ שְׁלֹשָׁה נְבִיאִים, וְהֵם חַגַּי זְכַרְיָה וּמַלְאָכִי; וּבְעוֹד שֶׁהָיוּ הַנְּבִיאִים הָאֵֽלּוּ חַיִּים, לֹא הָיְתָה שׁוּם מַחְלֹֽקֶת בֵּינֵיהֶם, רַק תּוֹרָה אַחַת וֶאֱמוּנָה אַחַת הָיְתָה בְיָדָם. וּבָנוּ בֵּית הַמִּקְדָּשׁ הַשֵּׁנִי וּתְחִלַּת בִּנְיָנוֹ בִּשְׁנַת שְׁלֹֽשֶׁת אֲלָפִים שצ"ד לִיצִירָה, וְנִבְנָה י"ד שָׁנִים; וּמִסּוֹף בִּנְיָנוֹ עָמַד ת"כ שָׁנִים, וְהֶחֱרִיבֽוּהָ אַסְפַּסְיָאנוֹס וְטִיטוֹס. וּבִימֵי הַבַּֽיִת הַזֶּה, כְּשֶׁמֵּֽתוּ הַשְּׁלֹשָׁה נְבִיאִים וְעֶזְרָא הַכֹּהֵן וְכָל בֵּית דִּינוֹ, כְּשֶׁלָּכַד אֲלַכְסַנְדְּרוֹס מֶֽלֶךְ מוֹקְדוֹן אֶת מַלְכוּת פָּרַס מִיַּד דָּרְיָֽֽוֶשׁ הַשֵּׁנִי שֶׁהוּא בֶן אֲחַשְׁוֵרוֹשׁ שֶׁלָּקַח אֶת אֶסְתֵּר הַיְּהוּדִית לְאִשָּׁה, וּכְשֶׁעָלָה הַמֶּלֶךְ אֲלַכְסַֽנְדֶּר לִכְבּוֹשׁ גַּם אֶת יְרוּשָׁלַֽיִם, יָצָא שִׁמְעוֹן הַצַּדִּיק כֹּהֵן גָּדוֹל אֲשֶׁר בִּירוּשָׁלַֽיִם לִקְרָאתוֹ לְבוּשׁ בַּדִּים, וְסֵֽפֶר הַתּוֹרָה בְּיָדוֹ. וּמָצָא חֵן בְּעֵינֵי הַמֶּֽלֶךְ, וְלֹא הֶחֱרִיב אֶת הָעִיר וּבֵית הַמִּקְדָּשׁ, וְהָיְתָה מַלְכוּת יְהוּדָה תַּֽחַת מֶמְשַׁלְתּוֹ עַד מוֹתוֹ. וּכְשֶׁמֵּת אֲלַכְסַֽנְדֶּר וְנֶחְלְקָה מַמְלַכְתּוֹ לְאַרְבַּע חֲלָקִים, כְּדִכְתִיב[[8]](#footnote-8) בְּיוֹסִיפוֹן, עָמַד עַל מַלְכוּת מוֹקְדוֹן מֶֽלֶךְ אֶחָד רָשָׁע, שְׁמוֹ אַנְטִיּוּכוֹס, וְעָלָה עַל יְרוּשָׁלַֽיִם וְכָבַשׁ אֶת הָעִיר, וְטִמֵּא אֶת הַמִּקְדָּשׁ, וְחָתַם אֶת כָּל בָּתֵּי מִדְרָשׁוֹת שֶׁל מַלְכוּת יְהוּדָה בְּכָל עָרֵי מַלְכוּתָם, וְגָזַר שֶׁלֹּא יִלְמְדוּ הַתּוֹרָה, וּבְכָל מַָקוֹם שֶׁמָּצָא שָׁם סֵֽפֶר תּוֹרַת מֹשֶׁה שָׂרַף בָּאֵשׁ, כְּדֵי לְאַבֵּד זֵֽכֶר הַתּוֹרָה הָאַחַת מִן הָעוֹלָם. וְזֶה מִפְּנֵי קִנְאָתוֹ שֶׁיֵּשׁ אֱמוּנָה וָדָת בְּיִשְׂרָאֵל, אֲבָל בִּשְׁאָר הָאֻמּוֹת אֵין שׁוּם אֱמוּנָה וָדָת; וְכֵן מִפְּנֵי שֶׁיָּדַע שֶׁכָּתוּב בַּתּוֹרָה עַל יָוָן שֶׁהוּא מִזֶּֽרַע חָם, שֶׁהוּא מְקֻלָּל מִנֹּֽחַ הַצַּדִּיק, עַל כֵּן רָצָה לְהַכְחִיד {לג} הַתּוֹרָה מִן הָעוֹלָם. וְנִמְשַׁךְ זֶה הָעִנְיָן זְמָן רַב, עַד שֶׁנִּשְׁתַּכְּחָה הַתּוֹרָה מִיִּשְׂרָאֵל. | All this time, through the time of Jeroboam, there had been one Torah, one faith, for the entire nation, with no debate. But from that point onwards, [the inhabitants of] Jeroboam’s kingdom kept the one Torah, but in addition to worshipping God, they also worshipped calves and Be‘alim [plural of Baal], which their king Jeroboam had invented for them. On the other hand, the Kingdom of Judah, in the holy city of Jerusalem, kept [only] the one Torah, and performed its commandments without adding to nor subtracting from them; [even] when they would sin, the prophets would bring them back to the Torah. But Jeroboam’s kingdom, which was called the Kingdom of Ephraim or the Kingdom of Israel, although they received admonitions from God by the hand of His prophets to get them to repent from their idolatrous worship, nonetheless, they did not listen or heed them. Therefore, God inspired Tiglath-­Pil’eser, who is known also as Sennacherib, King of Assyria,[[9]](#footnote-9) and he attacked the Kingdom of Israel, which was in Samaria, and exiled them to a foreign land, past the River Sambaṭyon, in the year 757 after the Exodus from Egypt, which is the year 3205 after Creation. They still live there today, and we have heard that they have repented and given up their idolatrous ways, and now have only the one Torah, which was received at Sinai. However, because they had been so immersed in the follies of false prophets at the time [when they were in Jeroboam’s] kingdom, they have been unable to detach entirely, so even today, they have some sorcerers and manipulators of [magical or mystical] names. On the other hand, the Kingdom of Judah, which was [centered in] Jerusalem, remained in their kingdom for slightly more than 133 years after the exile of the other ten tribes. When they, too, sinned, Nebuchadnezzar, King of Babylonia, came in the year 890 after the Exodus from Egypt, which is the year 3338 after Creation, and destroyed the holy city of Jerusalem. He burned the Temple built by Solomon, which had stood in Jerusalem for 410 years; and he exiled the whole Kingdom of Judah to Babylonia, as it is written {32} at the end of II Kings and the end of Jeremiah, and they lived in Babylonia for seventy years. When Cyrus, King of Persia, conquered the Kingdom of Babylonia, during the reign of Nebuchadnezzar’s grandson, Belshazzar, as written in Daniel, chapter 5, Cyrus sent the exiles of Judah from Babylonia, and Ezra the Priest went up [to Jerusalem] with Zerubbabel, a descendant of the [last] king; [Zerubbabel] served as a governor, appointed over Israel by the King of Persia. With them came most of the Judeans who were in Babylonia. This Ezra the Priest was a scribe of the Torah of the Lord, and he would teach it to the descendants of Judah and Benjamin, as written in the First Book of Ezra,[[10]](#footnote-10) chapter 7. They had only one Torah, as it is written there: This Ezra went up from Babylon; and he was a ready scribe in the Torah of Moses, which the Lord God of Israel had given (Ezra 7:6); and it is written: For Ezra had prepared his heart to seek the Torah of the Lord, and to do it, and to teach in Israel statutes and judgments (Ezra 7:10). If they had had two Torahs, as the Talmudites believe today, then [the verse] would have said: “A ready scribe in the Torahs of Moses,” and “to seek the Torahs of the Lord.” Moreover, Malachi the Prophet, who sealed the [period of] prophets, and who went up with Ezra from Babylonia, said: Remember ye the Torah of Moses my servant, which I commanded unto him in Horeb [Malachi 3:22]; he did not say: “Remember the Torahs [of Moses].” When Ezra went up from Babylonia, three prophets went up with him: Haggai, Zechariah, and Malachi. As long as these prophets were alive, there was no argument among [the people], rather, they had one Torah and one faith in their hands. And they built the Temple, and the building of the Second Temple began in the year 3394,[[11]](#footnote-11)i and took fourteen years; and from the time when the building was completed, it stood another 420 years, until Vespasian and Titus destroyed it. During the period of this Temple, after the death of the three prophets and Ezra and his whole court, Alexander, King of Macedon, conquered the Persian Empire from Darius II, son of Ahasuerus the husband of Esther the Jewess.[[12]](#footnote-12) When King Alexander came to conquer Jerusalem, Simeon the Righteous, the high priest in Jerusalem, went forth to greet him, wearing linen vestments, and holding a book of the Torah in his hands; the king was pleased with him, and did not destroy the city or the Temple. The Kingdom of Judah was under Alexander’s rule until his death; and when he died, his kingdom was split into four parts, as is written in Josippon.[[13]](#footnote-13) A certain wicked man, named Antiochus, became king of the Macedonian Kingdom; he attacked Jerusalem, and conquered the city, and defiled the Temple; and closed all the study-­houses of the Kingdom of Judah, in all cities of their kingdom; and decreed that they must not study the Torah. And where he found a book of the Torah, he burned it in fire, in order to wipe out any memory of this Torah from the world. This was because of his jealousness of the Israelite people for having faith and law, whereas all the other nations have no faith or law. It was also because he knew that it is written in the Torah that Yavan (Greece) is a descendant of Ham, who was cursed by [his father] Noah the righteous;[[14]](#footnote-14) therefore, he wanted to destroy {33} the Torah from the world. This lasted a long time, until the Torah was forgotten from Israel. |  |
| וּמִצַּד הַמְּבוּכוֹת וְהַמְּהוּמוֹת נִשְׁתַּכַּח אֹֽפֶן קִיּוּם הַמִּצְוֹת וּפֵרוּשָׁם שֶׁהָיוּ הַנְּבִיאִים וְתַלְמִידֵיהֶם [[15]](#footnote-15) מַנְהִיגִים וּמוֹרִים לְיִשְׂרָאֵל אוֹפַנֵּי דִיּוּקֵי הַמִּצְוֹת וּמַהוּ רְצוֹן הַבּוֹרֵא יִתְבָּרַךְ בָּהֶם. רַק נִשְׁאֲרָה נֻסְחָה נֶאֱמָנָה אַחַת מִתּוֹרַת מֹשֶׁה בְּיַד תַּלְמַי מֶֽלֶךְ מִצְרַֽיִם, שֶׁהֶעְתִּיקָהּ לְעַצְמוֹ עַל–יְדֵי שִׁבְעִים סַנְהֶדְרִין שֶׁל מַלְכוּת יְהוּדָה, וְהָיָה תוֹפֵשׂ אוֹתָהּ בְּכָבוֹד וּבְתִפְאֶֽרֶת. וּכְשֶׁהֶחֱלִֽישׁוּ מַלְכוּת יָוָן אֶת יְהוּדָה לְגַמְרֵי עַד שֶׁלֹּא נִשְׁאַר לָהֶם שׁוּם חַֽיִל וְלֹא כְלֵי מִלְחָמָה, לְבַד כֹּהֲנֵי ה' אֲשֶׁר בְּבֵית הַמִּקְדָּשׁ הָיוּ מִתְאַמְּצִים בְּמִקְדַּשׁ ה', וְהָיָה אֶצְלָם חַֽיִל לְכַמָּה מֵאוֹת, אֲזַי מַתִּתְיָה הַכֹּהֵן הַגָּדוֹל עִם חֲמֵֽשֶׁת בָּנָיו, שֶׁהָיוּ גִבּוֹרֵי חַֽיִל, מָסְרוּ נַפְשָׁם עַל קְדֻשַּׁת הַשֵּׁם יִתְבָּרַךְ, וְחִזְקוּ יְדֵיהֶם עִם הַחַֽיִל שֶׁבְּרַגְלֵיהֶם. וּבַָרְחוּ לְהַר הַמּוֹדִעִית, וְהִדְבִּיקוּם שָׁם הַיְוַָנִים, וְנֶהֶפְכוּ הַכֹּהֲנִים עִם הַחַֽיִל שֶׁלָּהֶם לִקְרַאת הַיְוָנִים, וְנִלְחֲמוּ בְחָזְקָה. וּבְתוֹךְ הַמִּלְחָמָה קָרְאוּ לַשֵּׁם יִתְבָּרַךְ: "מִי כָמֹֽכָה בָּאֵלִם ה'", וּמִפְּנֵי זֶה נִקְרְאוּ הַכֹּהֲנִים "מַכְבַּי". וְנִקְרְאוּ כְּמוֹ כֵן "חַשְׁמֻנָּאִים". וַעֲזָרָם הַשֵּׁם יִתְבָּרַךְ בַּמִּלְחָמָה הַהִיא, וְהֶחֱלִֽישׁוּ אֶת הַיְוָנִים. וְהַתְחָלַת מִלְחֲמוֹתָם הָיְתָה רי"ב לְבִנְיַן בַּֽיִת שֵׁנִי, שְׁלֹֽשֶׁת אֲלָפִים תר"ו לִיצִירָה. | And because of all this confusion and tumult, the [proper] manner of fulfilling the commandments was forgotten, and the explanations of them, which the prophets and their disciples had been teaching to Israel as leaders and teachers – that is, the precise details of the commandments, and God’s will in them. All that remained was one accurate version of Moses’s Torah, in the hands of Ptolemy, King of Egypt, which he had copied for himself by means of a Sanhedrin of seventy [individuals] from the Kingdom of Judah.[[16]](#footnote-16) He kept [this one copy] with dignity and respect. Now, when the Kingdom of Greece had weakened Judah entirely, they had no strength left, and no weapons, except the priests of the Lord in the Temple, who kept up the fight in the Temple of the Lord. They had an army of a few hundred. Then Mattathias, the high priest, along with his five sons, who were mighty warriors, risked their lives to sanctify God’s name, and they kept their hands strong, along with the warriors who were with them, and fled to Mt. Modi‘ith. When the Greeks overtook them there, the priests and their warriors turned around and mightily fought the Greeks. In their war, they cried out to God: “Who is like Thee among gods, O Lord?” (Mi Khamokha Ba’elim Adonai), and therefore, [from the initials of these words in Hebrew], these priests were called “Makhbai” [Machabaeus].[[17]](#footnote-17) They were also called Hasmonaeans. God helped them in that battle and weakened the Greeks. Their battle began in the year 212 after the building of the Second Temple, which was 3606 after Creation.[[18]](#footnote-18) |  |
| וּמִיּוֹם הַהוּא הָלְכוּ הַכֹּהֲנִים הָלוֹךְ וְחָזֵק, וְהֶחֱלִֽישׁוּ אֶת הַיְוָנִים, עַד שֶׁמֵּת אַנְטִיּוּכוֹס בַּמִּלְחָמָה, וּשְׁאֵרִית חֵילוֹ בָּרְחוּ וְשָֽׁבוּ לִמְקוֹמָם. וְכַאֲשֶׁר שָׁקְטָה הָאָֽרֶץ מִמִּלְחָמָה וְנִשְׁכְּחוּ הַצָּרוֹת, נֶאֶסְפוּ פְּלִיטֵי חֶֽרֶב שֶׁל מַלְכוּת יְהוּדָה לְעָרֵיהֶם, וְגַם הַכֹּהֲנִים וְזֶֽרַע מַלְכוּת בֵּית דָּוִד לִירוּשָׁלַֽיִם. וְלֹא הָיָה מִזֶּֽרַע דָּוִד אִישׁ הָגוּן לְמַלְכוּת, אֲבָל הַכֹּהֲנִים הָיוּ גִבּוֹרֵי חַֽיִל; עַל–כֵּן הִסְכִּֽימוּ שְׁאֵרִית יְהוּדָה וּבִנְיָמִין שֶׁיִּמְלֹךְ מַתִּתְיָה הַכֹּהֵן עֲלֵיהֶם. וּמִיּוֹם הַהוּא הָיְתָה הַמְּלוּכָה וְהַכְּהֻנָּה בְּזַרְעוֹ שֶׁל אַהֲרֹן, וּמָלַךְ הוּא וּבָנָיו וּבְנֵי בָנָיו עַד שֶׁנִּמְשְׁכָה מַלְכוּתָם ק"ג שָׁנִים. וּכְשֶׁרָאוּ מַלְכוּת יְהוּדָה כִּי נִשְׁאֲרוּ בְּלִי תוֹרָה, עַל–כֵּן שָׁלְחוּ הַכֹּהֲנִים לְתַלְמַי מֶֽלֶךְ מִצְרַֽיִם וְהֶעְתִּֽיקוּ הַתּוֹרָה מֵהַנֻּסְחָה. וְהָיוּ חַכְמֵי לֵב שֶׁבִּיהוּדָה לוֹמְדִים הַתּוֹרָה וּמְדַיְּקִים בְּמִצְוֹתֶֽיהָ בְּאֵיזֶה אֹֽפֶן לְקַיְּמָם, בְּלִי שׁוּם מַחְלֹֽקֶת בֵּינֵיהֶם. וּכְשֶׁמָּלַךְ יוֹחָנָן, בֶּן שִׁמְעוֹן בְּנוֹ הָרְבִיעִי שֶׁל מַתִּתְיָה חַשְׁמֻנַּאי, וְנִקְרָא הַמֶּֽלֶךְ יוֹחָנָן בְּשֵׁם הֻרְקְנוֹס בִּלְשׁוֹן יָוָן, וְהוּא הָיָה הָרִאשׁוֹן, וּשְׁנַת מַלְכוּתוֹ בִּשְׁנַת רל"ד לְבַֽיִת שֵׁנִי, שְׁלֹֽשֶׁת אֲלָפִים תרכ"ח לִיצִירָה, וּמָלַךְ שְׁלֹשִׁים וְאַחַת שָׁנִים; וּבְסוֹף מַלְכוּתוֹ הִתְחִֽילוּ הַחֲכָמִים לְהִתְפַּלֵּג בְּפֵרוּשֵׁי הַמִּצְוֹת, זֶה אוֹמֵר בְּכֹה וְזֶה אוֹמֵר בְּכֹה. וּבִזְמָן אֶחָד עָשָׂה מִשְׁתֶּה לְכָל {לד} חַכְמֵי הַתּוֹרָה; וּבִזְמַן הַמִּשְׁתֶּה, אֶחָד מִן הַחֲכָמִים הִרְמִיז לַמֶּֽלֶךְ שֶׁהוּא אֵינוֹ רָאוּי לִהְיוֹת כֹּהֵן גָּדוֹל לְהִכָּנֵס לִפְנַי לִפְנִים, מִפְּנֵי שֶׁנֶּחְשְׁדָה אִמּוֹ בִּהְיוֹתָהּ בְּשֶֽׁבִי בִּידֵי הַיְוָנִים. עַל–כֵּן חָרָה אַפּוֹ וְהָרַג אֶת כָּל הַחֲכָמִים לְפִי חֶֽרֶב, וּבְכֵן עוֹד כִּמְעַט לֹא נִשְׁתַּכְּחָה הַתּוֹרָה. וּבְתוֹךְ כָּךְ מֵת הַמֶּֽלֶךְ הֻרְקְנוֹס הָרִאשׁוֹן, וּמָלַךְ בְּנוֹ הַגָּדוֹל שָׁנָה אַחַת, וּמֵת. וְאַחֲרָיו מָלַךְ אֲלַכְסַנְדְּרוֹס הַנִּקְרָא יַנַּאי, בֵּן שְׁלִישִׁי שֶׁל הַמֶּֽלֶךְ הֻרְקְנוֹס, בִּשְׁנַת רס"ו לְבַֽיִת שֵׁנִי, שְׁלֹֽשֶׁת אֲלָפִים תר"מ לִיצִירָה. וּמָלַךְ שָׁנִים רַבּוֹת וְהִכְנִֽיעַ כָּל אוֹיְבֵי יְהוּדָה מִסָּבִיב בְּמִלְחֲמוֹתָיו, וְיָשַׁב לָבֶֽטַח עַל כִּסֵּא מַלְכוּתוֹ. וּמִפְּנֵי שֶׁכְּבָר הָיְתָה הַתְחָלַת הַפְּלֻגְתָּא בֵּין הַחֲכָמִים בְּפֵרוּשׁ הַמִּצְוֹת עֲדַֽיִן מִזְּמַן אָבִיו הֻרְקְנוֹס, וּכְמוֹ שֵֶׁנִּכְתֹּב לְקַמָּן בְּמִצְוָה עֶשְׂרִים מִסֵּֽפֶר שְׁלִישִׁי כִּי בְּפֵרוּשׁ חַג הַסֻּכּוֹת יֵשׁ גַּם הַיּוֹם פְּלֻגְתָּא בֵּין הַקָּרָאִים וְהַתַּלְמוּדִיִּים, כִּי אוֹמְרִים הַתַּלְמוּדִיִּים כִּי חוֹבָה לְיִשְׂרָאֵל לִתְמוֹךְ פְּרִי הָאֶתְרֹג וַעֲנַף תְּמָרִים, שֶׁהוּא לוּלָב, בְּחַג הַסֻּכּוֹת, בְּבֵית הַמִּקְדָּשׁ וּבְבָתֵּי כְנֵסִיּוֹת וּבְסֻכּוֹת, דַּוְקָא לְתָפְשָׂם בְּיָדַֽיִם וְלִשְׂחוֹק בָּהֶם, זוּלַת חוֹבַת הַסֻּכָּה. עַל–כֵּן בִּזְמַן יַנַּאי הַמֶּֽלֶךְ הַזֶּה בְּשִׁבְתָּם לָבֶֽטַח בְּשִׂמְחָה וּבְהַשְׁקֵט בְּחַג הַסֻּכּוֹת בַּחֲצַר בֵּית הַמִּקְדָּשׁ, הָיוּ לוֹמְדֵי הַתּוֹרָה לִשְׁנֵי כִתּוֹת: אַחַת מֵהֶן שֶׁלֹּא הָיוּ תוֹפְשִׂים הָאֶתְרֹג וְהַלּוּלָב, וְהַשֵּׁנִית שֶׁהָיוּ תוֹפְשִׂים וְשׂוֹחֲקִים בָּהֶם. וְגַם יַנַּאי הַמֶּֽלֶךְ וְהַכֹּהֵן הַגָּדוֹל הָיָה מִכַּת הָרִאשׁוֹנָה, שֶׁאֵין תּוֹפְשִׂין הָאֶתְרֹג. עַל–כֵּן מָלֵא לֵב אֶחָד מִן הַכַּת הַתּוֹפְשִׂין הָאֶתְרֹג, וַיַּשְׁלֵךְ עַל הַמֶּֽלֶךְ בְּאֶתְרֹג וַיַּכֵּֽהוּ בְמִצְחוֹ בִּזְמַן הֱיוֹתוֹ עוֹמֵד עַל הַמִּזְבֵּֽחַ מַקְרִיב מוּסַף הַמּוֹעֵד. וַיִּֽחַר אַף הַמֶּֽלֶךְ וַיְצַוֶּה לִגְדוּדָיו לִתְפּוֹשׂ וְלַהֲרוֹג כָּל הַחֲכָמִים שֶׁל שְׁתֵּי הַכִּתּוֹת, וְנֶהֶרְגוּ אָז שְׁלֹשָׁה אֲלָפִים וּשְׁמוֹנֶה מֵאוֹת חֲכָמִים. וְלֹא נִשְׁאֲרוּ לְבַד שְׁנַֽיִם חֲכָמִים: אֶחָד יְהוּדָה בֶן טַבַּאי שֶׁהָיָה מִן קְרוֹבָיו שֶׁל הַמֶּֽלֶךְ, וְהַשֵּׁנִי שִׁמְעוֹן בֶּן שָׁטָח אָחִֽיהָ שֶׁל הַמַּלְכָּה אֵֽשֶׁת יַנַּאי הַמֶּֽלֶךְ. וִיהוּדָה בֶן טַבַּאי נִסְתַּר בַּאֲשֶׁר נִסְתַּר; אֲבָל שִׁמְעוֹן בֶּן שָׁטָח בָּרַח לַאֲלַכְסַנְדְּרִיָּה שֶׁל מִצְרַֽיִם וְנִסְתַּר שָׁם שָׁנִים רַבּוֹת, וְנִקְבְּצוּ אֵלָיו שָׁם תַּלְמִידָיו לְכַמָּה מֵאוֹת. וּבָנָה לוֹ שָׁם הֵיכָל לְבַד, וְעָשָׂה בְתוֹכוֹ מִזְבֵּֽחַ, וְהָיָה מַקְרִיב עוֹלוֹת וּזְבָחִים בְּזוּלַת הַמָּקוֹם הַנִּבְחָר, וְעָבַר עַל מִצְוַת הַתּוֹרָה שֶׁכָּתוּב בְּסֵֽפֶר חֲמִישִׁי בְּסֵֽדֶר י"ב: "הִשָּֽׁמֶר לְךָ פֶּן תַּעֲלֶה עֹלֹתֶֽיךָ בְּכָל מָקוֹם אֲשֶׁר תִּרְאֶה, כִּי אִם בַּמָּקוֹם אֲשֶׁר יִבְחַר ה' בְּאַחַד שְׁבָטֶֽיךָ שָׁם תַּעֲלֶה עֹלֹתֶֽיךָ וְשָׁם תַּעֲשֶׂה כֹּל אֲשֶׁר אָנֹכִי מְצַוֶּֽךָּ". וְאַחַר כָּךְ עָשָׂה שָׁם פֵּרוּשִׁים עַל הַמִּצְוֹת, עַל קְצָתָם כָּרָאוּי וְעַל קְצָתָם שֶׁלֹּא כְּפִי הָרָאוּי, רַק חוּץ מִן הַמְכֻוָּן. וְעַל קְצָתָם הוֹסִיף וְעַל קְצָתָם גָּרַע, כְּמוֹ שֶׁיִּרְאוּ עֵינֵי כָל מַשְׂכִּיל לְקַמָּן. | From that day onward, the priests became stronger and stronger, and weakened the Greeks, until Antiochus died in battle, and his remaining soldiers fled and returned home. When the land was quiet after the war, and the terrible things had been forgotten, the people of the Kingdom of Judah who had survived the sword returned to their cities, and the priests and descendants of the Davidic monarchy returned to Jerusalem. There was no descendant of David that was fitting for the throne, but the priests were mighty warriors, so the remainder of Judah and Benjamin agreed that Mattathias the priest should reign over them; and from that day onward, the monarchy and the priesthood were both in the descendants of Aaron.[[19]](#footnote-19) He and his sons and grandsons ruled, and their rule lasted 103 years.[[20]](#footnote-20) When the Kingdom of Judah saw that they were without Torah, the priests sent [emissaries] to Ptolemy, King of Egypt, and copied the text of the Torah from his copy; and the wise people of Judah studied the Torah, and carefully examined how to perform its commandments, and had no debates among them. Then came the reign of John [Yoḥanan], son of Mattathias’s fourth son Simeon, the Hasmonaean; this King John was known also as Hyrcanus in Greek, and he was the first [Judaean king of this name]. His reign began in the year 234 after the building of the Second Temple, which is 3628 after Creation,[[21]](#footnote-21) and he reigned thirty-one years. At the end of his reign, the sages began to disagree about the interpretations of the commandments, some explaining them one way, and others explaining them in other ways. One time, he made a feast for all {34} scholars of the Torah.[[22]](#footnote-22) At some point during the feast, one of the sages hinted to the king that he was unworthy to be high priest, to enter the Holy of Holies, because his mother was suspected of [sexual impropriety] during the time that she had been a captive among the Greeks.[[23]](#footnote-23) [The king] became furious, and slaughtered all the sages at sword-­point, and thus, the Torah was nearly forgotten. Meanwhile, King Hyrcanus I died, and his elder son reigned for a year, and died; and after him reigned King Alexander, known as Yannai [Jannaeus], the third son of King Hyrcanus, in the year 266 after the building of the Second Temple, which is 3640 after Creation.[[24]](#footnote-24) This king reigned many years, and in his wars, he subdued all the enemies of Judah on all sides; and he sat safely on his royal throne. Now, the various sages had begun to have debates about the interpretation of the commandments already in the time of his father, Hyrcanus.[[25]](#footnote-25) As we shall note below, in our discussion of the twentieth commandment of the third book [Leviticus], there is a debate, even today, regarding the observance of the Festival of Sukkoth, between the Karaites and the Talmudites, for the Talmudites say that there is an obligation for Jews to hold the ethrog (citron fruit) and the branch of the date-­palm, that is, the lulav, on Sukkoth in the Temple and in synagogues, specifically to hold them in their hands on Sukkoth, and to play with them, apart from the obligation [to dwell in] the sukka. Thus, at the time of this King Yannai, when they were all resting in peace and joy on Sukkoth in the Temple courtyard, the scholars of the Torah were in two groups: one group did not hold the ethrog and lulav, and the other group did hold them and play with them.[[26]](#footnote-26) Yannai, the king and high priest, was of the first group, which does not hold the ethrog. Therefore, one of the members of the ethrog-­holding group decided to hurl an ethrog at the king and hit him in the forehead, while he was standing on the altar, offering the musaf (special festival sacrifice) for the festival. The king was furious, and he instructed his soldiers to capture and kill all the scholars, of both groups, such that 3,800 were killed,[[27]](#footnote-27) and only two sages were left: one was Judah ben Ṭabbai, who was one of the people close to the king, and the other was Simeon ben Shaṭaḥ, brother of King Yannai’s wife, the queen.[[28]](#footnote-28) Judah ben Ṭabbai hid wherever he hid, but Simeon ben Shaṭaḥ fled to Alexandria in Egypt and hid there for many years.[[29]](#footnote-29) Many hundreds of his students gathered around him there, and he built a sanctuary there on his own, and made an altar inside, and he would offer ‘oloth [sacrifices that are utterly consumed by fire] and zevaḥim [sacrifices that are eaten by people] outside the chosen place [i.e., the Jerusalem Temple], and thus, he violated the commandment of the Torah, as written in the fifth book [Deuteronomy] in the twelfth chapter: Take heed to thyself that thou offer not thy burnt offerings in every place that thou seest. But in the place which the Lord shall choose in one of thy tribes, there thou shalt offer thy burnt offerings, and there thou shalt do all that I command thee [Deuteronomy 12:13–14]. Afterwards, he made interpretations of the commandments, some of them correct, and others incorrect and not in accordance with their intention; he added to some [commandments], and subtracted from others, as any intelligent person will be able to see below. |  |
| {לה} אָמְנָם יָדַע שֶׁכְּשֶׁיָּשׁוּב לְמַלְכוּת יְהוּדָה יִמָּצְאוּ אֲנָשִׁים שֶׁלֹּא יַסְכִּֽימוּ לְפֵרוּשָׁיו וְלִדְבָרָיו. עַל כֵּן הִשְׁקִֽיעַ בְּלֵב תַּלְמִידָיו וַחֲבֵרָיו הַנִּמְצָאִים אִתּוֹ כִּי כָל מַה שֶּׁהוּא מְדַבֵּר וּמְפָרֵשׁ, הַכֹּל[[30]](#footnote-30) קִבְּלוּ רַבּוֹתֵֽינוּ הַנֶּהֱרָגִים,[[31]](#footnote-31) דּוֹר מִדּוֹר, עַד מֹשֶׁה רַבֵּֽנוּ עָלָיו הַשָּׁלוֹם, וּמֹשֶׁה עָלָיו הַשָּׁלוֹם קִבֵּל אוֹתָם בְּסִינַי מִפִּי הַגְּבוּרָה עַל פֶּה. וְכָךְ הִשְׁקִֽיעַ שִׁמְעוֹן הַהוּא בְּלִבָּם כִּי שְׁתֵּי תוֹרוֹת קִבֵּל מֹשֶׁה אִישׁ הָאֱלֹהִים בְּסִינַי, אַחַת כְּתוּבָה וְהַשֵּׁנִית עַל פֶּה. וְהַשֵּׁנִית, שֶׁהִיא עַל פֶּה, הִיא פֵרוּשׁ עַל הַתּוֹרָה הַכְּתוּבָה. וְנִשְׁתַּקַּע זֶה הָעִנְיָן בְּלִבָּם. וְהָלְכָה סִיעָה זוֹ הוֹלֶֽכֶת וְרַבָּה עַד לְכַמָּה אֲלָפִים, כִּי שָׁנִים רַבּוֹת נִסְתַּר שָׁם בַּאֲלַכְסַנְדְּרִיָּא. וַיְהִי כַּאֲשֶׁר נִחַם הַמֶּֽלֶךְ אֲלַכְסַֽנְדֶּר יַנַּאי עַל שֶׁהָרַג הַחֲכָמִים, וְאָמַר: "הִנֵּה לֹא נִשְׁאַר לָֽנוּ מִמִּי לִלְמוֹד תּוֹרָה!", בִּקְּשָׁה הַמַּלְכָּה עַל אָחִֽיהָ שִׁמְעוֹן בֶּן שָׁטָח רַחֲמִים שֶׁיָּשׁוּב מִן אֲלַכְסַנְדְּרִיָּא שֶׁל מִצְרַֽיִם. וַיָּֽשָׁב הוּא וְכָל סִיעָתוֹ לְמֵאוֹת וְלַאֲלָפִים, וַיָּֽחֶל לְהוֹרוֹת הוּא וְתַלְמִידָיו לְכָל עַם יְהוּדָה אֶת מַה שֶּׁחִדֵּשׁ, וּלְהַשְׁקִֽיעַ בְּלִבּוֹתָם מַה שֶּׁהִשְׁקִֽיעַ בְּלֵב תַּלְמִידָיו. | {35} Now, he knew that when he returned to the Kingdom of Judah, he would find people that would not agree with his interpretations and his words. Therefore, he instilled into the heart of his students and friends, who were with him [in Egypt], that all that he was saying and explaining – all had been received by our slain teachers, generation after generation, from our master Moses, peace be upon him, and Moses had received it from God’s mouth, orally, at Sinai. And thus Simeon instilled it in their heart that Moses, the man of God, had received two Torahs at Sinai, one written and one oral, where the oral one was the explanation of the written one. This matter was [successfully] instilled in their hearts. This group became progressively larger, reaching several thousand [individuals], for he spent many years hiding in Alexandria. After Alexander Yannai regretted having killed the sages, he said: “There is no one left from whom we can study the Torah!” So the queen begged her brother, Simeon ben Shaṭaḥ, to return from Alexandria; and he returned with his whole group of hundreds and thousands of people. He and his disciples began to teach the whole people of Judah what he had invented, and to instill in their hearts what he had instilled in his disciples’ hearts. |  |
| וּבְתוֹךְ כָּךְ שָׁב גַּם חֲבֵרוֹ יְהוּדָה בֶן טַבַּאי, וּכְשֶׁשָּׁמַע מַעֲשָׂיו מַה שֶּׁעָשָׂה שִׁמְעוֹן בֶּן שָׁטָח, אֲחָזַֽתְהוּ רְעָדָה, וְאָמַר: "וַהֲלֹא גַם אֲנִי לָמַֽדְתִּי עִמָּךְ בְּמִדְרָשׁ אֶחָד, וְשִׁמַּֽשְׁתִּי לְתַלְמִידֵי חֲכָמִים, וְלָֽמָּה לֹא שָׁמַֽעְתִּי שֶׁתִּהְיֶה תוֹרָה שֵׁנִית לְיִשְׂרָאֵל?" וְלֹא חָפֵץ וְלֹא הִסְכִּים יְהוּדָה לְדַעְתּוֹ שֶׁל שִׁמְעוֹן. וַיִּקְרָא: "מִי לַה' אֵלַי!" וְכָל מִי שֶׁהָיְתָה בְלִבּוֹ יִרְאַת ה' וְאַהֲבַת הָאֱמֶת הָלַךְ אַחֲרֵי יְהוּדָה בֶן טַבַּאי, וַאֲשֶׁר אָהַב הַנִּצּֽוּחַ וּבַקָּשַׁת הַשְּׂרָרָה וְחָפֵץ לְהָקֵל בְּמִצְוֹת פָּנָה אַחֲרֵי שִׁמְעוֹן. וְסִיעַת יְהוּדָה נִקְרְאוּ קָרָאִים, רוֹצֶה לוֹמַר, סוֹמְכִים לְבַד עַל מִקְרָא הַתּוֹרָה הַכְּתוּבָה וְהַנְּבִיאִים הָאֲמִתִּיִּים, וְסִיעַת שִׁמְעוֹן נִקְרְאוּ כַּת הַתַּלְמוּדִיִּים, וְכִנּוּ עַצְמָם בְּשֵׁם רַבָּנִים, לְשׁוֹן גְּדֻלָּה וַחֲשִׁיבוּת, כָּל זֶה מִפְּנֵי בַקָּשָׁתָם הַגַּאֲוָה וְהַשְּׂרָרָה וְהַנִּצּֽוּחַ. וּמִפְּנֵי זֶה נֶחְלְקָה אֱמוּנַת שִׁבְטֵי יְהוּדָה וּבִנְיָמִין לִשְׁתֵּי אֱמוּנוֹת וְכִתּוֹת. וְהָיָה זֶה הָעִנְיָן קָרוֹב לִשְׁנַת שְׁלֹֽשֶׁת אֲלָפִים תר"ן לִבְרִיאַת הָעוֹלָם, שֶׁהִיא שְׁנַת רנ"ו לְבַֽיִת שֵׁנִי, קָרוֹב לְקכ"א שָׁנִים אַחַר הִתְפַּלֵּג כַּת צָדוֹק וּבַיְתוֹס מִכַּת הַפְּרוּשִׁים,[[32]](#footnote-32) כְּמוֹ שֶׁכָּל זֶה הוֹכַֽחְנוּ בִּרְאָיוֹת בְּסֵֽפֶר דּוֹד מָרְדֳּכַי, בְּפֶֽרֶק ב' בִּתְשׁוּבָתֵֽנוּ לְחַכְמֵי הוֹלְלַאנְדִּיָא. וְהַמַּחְלֹֽקֶת הָאַחֲרוֹנָה הַזֹּאת כְּבָר הָיְתָה בְּכַת הַפְּרוּשִׁים שֶׁנֶּחְלְקוּ לִשְׁנַֽיִם, רוֹצֶה לוֹמַר קָרָאִים וְרַבָּנִים. כִּי כְבַָר צָדוֹק וּבַיְתוֹס יָצְאוּ לְמִינוּת, וְלֹא קִבְּלוּ כְלַל הַמִּצְוֹת, רַק קְצָתָם; וְתָבִין. מִיּוֹם הַהוּא וָהָֽלְאָה הָיְתָה הַמַּחְלֹֽקֶת הוֹלְכָה וּגְדֵלָה. וְהֵם, רוֹצֶה לוֹמַר הָרַבָּנִים, הִפְרִֽיחוּ וְהִרְחִֽיבוּ עִנְיָנָם וְיִשְּׁבוּ מִדְרָשִׁים בְּתַלְמִידִים לְמֵאוֹת וְלַאֲלָפִים, לִלְמֹד {לו} עַל פֶּה כָּל הַקַּבָּלוֹת הָהֵם. וּבְכָל דּוֹר וָדוֹר הָיוּ מְחַדְּשִׁים, וְהָיוּ הַכֹּל מְיַחֲסִים לְמֹשֶׁה רַבֵּֽנוּ עָלָיו הַשָּׁלוֹם. וּכְדֵי לְהַחֲמִיר וּלְהַחֲזִיק עִנְיָנָם, גָּזְרוּ וְאָמְרוּ: כָּל הָעֹבֵר עַל דִּבְרֵי תוֹרָה הַכְּתוּבָה חַיָּב מַלְקוּת, וְכָל הָעֹבֵר עַל דִּבְרֵי הַתּוֹרָה שֶׁבְּעַל פֶּה חַיָּב מִיתָה. וְהָיָה הַתַּלְמוּד הַזֶּה אֶצְלָם בְּעַל פֶּה עַד שְׁנַת שְׁלֹֽשֶׁת אֲלָפִים תתקע"ט לִיצִירָה, שֶׁהוּא שְׁנַת קל"ט אַחַר הַחֻרְבַּן בַּֽיִת שֵׁנִי. וּבְעוֹד שֶׁהָיָה הַבַּֽיִת בִּמְקוֹמוֹ, פַּֽעַם הָיָה כֹהֵן מִכַּת הַקָּרָאִים וּפַֽעַם מִכַּת הַתַּלְמוּדִיִּים, כְּמוֹ שֶׁהוֹכַֽחְנוּ זֶה בִּרְאָיוֹת בְּרוּרוֹת בִּתְשׁוּבָתֵֽנוּ לְחַכְמֵי מִדְרַשׁ לֵידָ"ה שֶׁבְּמַלְכוּת הוֹלְלַאנְדִּיָּא. וְאַחַר חֻרְבַּן בַּֽיִת שֵׁנִי קל"ט שָׁנִים, שֶׁהוּא שְׁלֹֽשֶׁת אֲלָפִים תתקע"ט לִיצִירָה, עָמַד רִבִּי יְהוּדָה הַנָּשִׂיא שֶׁלָּהֶם, וְהָיָה עָשִׁיר גָּדוֹל וְיָדוֹ תְּקֵפָה בְּמַלְכוּת רֽוֹמִי הַמּוֹלֶֽכֶת עֲלֵיהֶם, וְהוּא הִסְכִּים לִכְתֹּב כָּל הַקַּבָּלוֹת בְּסֵֽפֶר, לְבַל יִשְׁתַּכְּחוּ. וּמִזְּמָן הַהוּא הִשְׁרִֽישׁוּ וְקָבְעוּ שֶׁיֵּשׁ לְיִשְׂרָאֵל שְׁתֵּי תוֹרוֹת. אֲבָל רַבֵּֽנוּ עָנָן הַנָּשִׂיא בֶּן שָׁפָט הַנָּשִׂיא, כְּמוֹ כֵן מִזֶּֽרַע הַמְּלוּכָה מַלְכוּת בֵּית דָּוִד, לֹא הִסְכִּים עִמָּהֶם, וְחִזֵּק יְדֵי כַת יְהוּדָה בֶן טַבַּאי, הַתּוֹמְכִים לְבַד הַתּוֹרָה הַכְּתוּבָה וְדִבְרֵי הַנְּבִיאִים הָאֲמִתִּיִּים הַנִּמְצָאִים בַּכָּתוּב. וְהַתַּלְמוּדִיִּים הָיוּ רוֹצִים לָכוֹף אֶת סִיעַת יְהוּדָה בֶן טַבַּאי בְּחָזְקָה, שֶׁיִּהְיוּ נִשְׁמָעִים לְסִיעָתָם, וְהַנָּשִׂיא עָנָן בֶּן שָׁפָט הָיָה תַקִּיף וְגִבּוֹר חַֽיִל, וְעָרַךְ עִמָּהֶם מִלְחָמָה, וְלֹא נִכְנְעוּ לָהֶם. וּמֵהַיּוֹם הַהוּא יוֹתֵר נִתְחַדְּשָׁה הַמַּחְלֹֽקֶת וְנִמְשְׁכָה גַּם עַד הַיּוֹם הַזֶּה. < כנראה[[33]](#footnote-33) שיש להפלגת הכתות אלף תתמ"ד שנים, כפי המובן מדברי החכם, מן היום הזה, שהוא[[34]](#footnote-34) התק"ו לפרט גדול.[[35]](#footnote-35) > | Meanwhile, his colleague Judah ben Ṭabbai also returned. When he heard what Simeon ben Shaṭaḥ had done, he was seized by trembling, and he said: “Did not I study with you in the same study-­house and serve the same masters? Why did I never hear that there was a second Torah for the Jewish people?” Judah did not agree with Simeon’s opinions, and he cried out: “Whoever is for the Lord, come to me!” And all those that had fear of God and love of truth in their hearts went to Judah ben Ṭabbai; but those that loved conquest and domination, and wanted to make the commandments easier, followed Simeon. Judah’s group was called Karaites (qara’im); that is, those that rely exclusively on reading (miqra) the written Torah and the true prophets, whereas Simeon’s group was called that sect of Talmudites, and they called themselves Rabbanites (rabbanim), a word that means greatness and importance – all this because they sought glory and conquest and domination. And thus, the faith of the tribes of Judah and Benjamin was split into two faiths and sects. This was around the year 3650 after Creation, which was the year 256 after the building of the Second Temple, around 121 years after the split of the sect of Zadok and Boethius from the Pharisaic sect, as we have demonstrated with proofs in the book, Dod Mordokhai, chapter 2, in our response to the sages of Holland. This last split, between Karaites and Rabbanites, was already within the Pharisaic sect, for Zadok and Boethius had left [observant Judaism] to become heretics, for, you should understand, they did not accept the totality of the commandments, but only some of them.[[36]](#footnote-36) From this day onward [when the Pharisees split into Karaites and Rabbanites], the debate grew greater and greater, and the Rabbanites flourished and expanded their movement, and established houses of study with hundreds and thousands of students, to study {36} orally all of their traditions; and in each generation, they invented new ideas and attributed it all to Moses. And in order to make their ideas stronger and more serious, they made decrees, saying that whoever violates the written Torah is to be punished with lashes, but whoever violates the words of the Oral Torah is to be punished with death. They had the Talmud only orally until the year 3979 after Creation, which was the year 139 after the destruction of the Second Temple. While the Temple was standing, the [high] priest would sometimes be from the Karaites, and sometimes from the Talmudites, as we have demonstrated with clear proofs in our responses to the scholars of the school of Leiden[[37]](#footnote-37) in the Kingdom of Holland. Then, 139 years after the destruction of the Temple, which is 3979 years after Creation, Rabbi Judah, their patriarch, who was very wealthy, and had powerful influence with the Roman Empire, which reigned over them, decided to write down all the traditions in a book, so that they would not be forgotten; and ever since, they have established the idea that Israel has two Torahs, and let it take root. However, ‘Anan the Patriarch, son of Shafaṭ the Patriarch, who was also from the descendants of the Davidic monarchy, did not agree with them. He strengthened the hands of the sect of Judah ben Ṭabbai, who supported only the written Torah and the words of the true prophets, which are found in Scripture. The Talmudites wanted to force Judah ben Ṭabbai’s group to listen to their group, but Patriarch ‘Anan ben Shafaṭ was a mighty warrior, and he fought with them, and [his group] did not give in to them. And from that day onward, the argument was started anew, and continues through today. <It seems that there have elapsed 1844 years since the split of the sects, as can be seen from the Ḥakham’s words, ‘from today, which is the year 5506’.>[[38]](#footnote-38) |  |
| וְהַמַּחְלֹֽקֶת הַזֹּאת אֵינָהּ אֶֽלָּא בִּשְׁנֵי הַשְּׁבָטִים, שֶׁהֵם יְהוּדָה וּבִנְיָמִין, שֶׁמֵּהֶם כָּל אַנְשֵׁי הַגָּלוּת שֶׁבְּאֶֽרֶץ קֵיסַר וְיִשְׁמָעֵאל וּפוֹלִין וְלִיטָא. וְאַחֲרֵי שֶׁחֲכָמֵֽינוּ רָאוּ כִּי תוֹרָה שֶׁבְּעַל פֶּה שֶׁלָּהֶם, שֶׁלְּדַעְתָּם הִיא פֵרוּשׁ עַל תּוֹרָה שֶׁבִּכְתָב, הִיא לִפְעָמִים סוֹתֶֽרֶת הַכָּתוּב וּמְפָרֶֽשֶׁת עַל זוּלַת הַמְכֻוָּן, וּבִקְצָת הַמִּצְוֹת מוֹסֶֽפֶת וּבִקְצָתָם גּוֹרַֽעַת, וּקְצָתָם מְבַטֶּֽלֶת לְגַמְרֵי, עַל כֵּן הִתְחִֽילוּ לַעֲשׂוֹת פֵּרוּשִׁים עַל הַתּוֹרָה הַכְּתוּבָה מִשִּׁקּוּל דַּעְתָּם. וְנָפְלוּ מַחְלֹקוֹת רַבּוֹת בֵּינֵֽינוּ וּבֵינֵיהֶם בְּפֵרוּשֵׁי הַמִּצְוֹת. וְהִנְנִי עוֹרֵךְ כָּל הַמִּצְוֹת שֶׁבְּכָל סֵֽפֶר וָסֵֽפֶר מֵחֲמִשָּׁה חֻמְשֵׁי תוֹרָה שֶׁנָּפְלָה חֲלֻקָּה בַּמִּצְוֹת הָהֵן, לְמַֽעַן יִרְאוּ חַכְמֵי הָאֻמּוֹת הָאוֹהֲבִים לִלְמוֹד לְשׁוֹן הַקֹּֽדֶשׁ וְתוֹרַת מֹשֶׁה אֵֽצֶל מִי הָאֱמֶת. | This argument is only within the two tribes of Judah and Benjamin, from which descend all the Jews in exile in the lands of the Kaiser,[[39]](#footnote-39) and of the Arabs, and Poland and Lithuania. The Talmudites’ Oral Torah, according to them, is a commentary on the Written Torah; but our sages see that it sometimes contradicts the Written [Torah], and explains it in a way other than intended, and that they have added to some commandments and subtracted from others, and even abolished some entirely. Therefore, [our Karaite scholars] have begun to write commentaries on the Written Torah, based on their own understanding. And various debates have come up between them and us, regarding the interpretations of the commandments. I am going to enumerate all the commandments where there is a debate, in each of the five books of the Torah, in order that the gentile scholars, who love to study the Holy Language [Hebrew] and Moses’s Torah, may know whose [interpretation] is truth. |  |
| {לז} מִצְוֹת מִסֵּֽפֶר רִאשׁוֹן מֵחֲמֵֽשֶׁת סִפְרֵי תוֹרַת מֹשֶׁה | {37}Commandments from the First Book of Moses’s Torah [Genesis] | #1 |
| בְּסֵֽדֶר י"ז מִזֶּה הַסֵּֽפֶר כְּתוּבָה מִצְוָה רִאשׁוֹנָה, מִצְוַת מִילָה, שֶׁהַמְכֻוָּן בָּהּ לִכְרוֹת הָעָרְלָה לְבַד, וְלֹא יוֹתֵר, כַּכָּתוּב: "וּנְמַלְתֶּם אֵת בְּשַׂר[[40]](#footnote-40) עָרְלַתְכֶם." וְהַתַּלְמוּדִיִּים הוֹסִֽיפוּ בְּמִצְוָה זוֹ מִצְוַת פְּרִיעָה, רוֹצֶה לוֹמַר: אַחַר שֶׁיִּכְרֹת הָעָרְלָה בַּסַּכִּין, שֶׁיִּקְרַע הַקְּלִפָּה בְּצִפָּרְנָיו. וַחֲכָמֵֽינוּ לֹא הִסְכִּֽימוּ לָזֶה, כִּי הַתּוֹרָה אָמְרָה: "לֹא תוֹסִֽיפוּ עַל הַדָּבָר אֲשֶׁר אָנֹכִי מְצַוֶּה אֶתְכֶם" וגו' [דברים ד, ב]. | In chapter 17 of this book, is written the first commandment, that of circumcision: it means only to cut off the foreskin and no more; as it is written: And ye shall circumcise the flesh of your foreskin [Genesis 17:11]. But the Talmudites added to this a commandment of peri‘a, “exposing,” which means that after one cuts the foreskin with a knife, one must tear the lining [of the glans, i.e., the prepuce] with one’s fingernails.[[41]](#footnote-41)ii But our sages do not agree with this, for the Torah says: Ye shall not add unto the word which I command you (Deuteronomy 4:2). | #1:a |
| מִצְוֹת מִסֵּֽפֶר שֵׁנִי מֵחֲמֵֽשֶׁת סְפָרִים שֶׁבְּתוֹרַת מֹשֶׁה עָלָיו הַשָּׁלוֹם | Commandments from the Second Book of Moses’s Torah [Exodus] | #2 |
| א בְּסֵֽדֶר י"ב כָּתוּב: "הַחֹֽדֶשׁ הַזֶּה לָכֶם רֹאשׁ חֳדָשִׁים" וגו', וְכֵן בְּסֵֽפֶר רְבִיעִי סֵֽדֶר כ"ח כְּתִיב: "וּבְרָאשֵׁי חָדְשֵׁיכֶם תַּקְרִֽיבוּ עֹלָה לַה'." עַל מִנְיַן הַחֹֽדֶשׁ הָרִאשׁוֹן וְעַל יְדִיעַת רָאשֵׁי חֳדָשִׁים שֶׁל כָּל חֹֽדֶשׁ וָחֹֽדֶשׁ תְּלוּיִין כָּל מוֹעֲדֵי אֻמַּת יִשְׂרָאֵל. וְאַף–עַל–פִּי שֶׁאֵין כָּתוּב בַּתּוֹרָה בְּבֵרוּר אֵיךְ הִיא אֹֽפֶן הָרְאִיָּה שֶׁל הַלְּבָנָה הַחֲדָשָׁה, מִכָּל מָקוֹם מֵהוֹרָאַת מֹשֶׁה אֲדוֹנֵֽינוּ וְתַלְמִידוֹ יְהוֹשֻֽׁעַ וּשְׁאָר הַנְּבִיאִים אֲשֶׁר קָֽמוּ אַחֲרֵיהֶם נִמְשַׁךְ הַחֹק בְּיִשְׂרָאֵל, שֶׁכְּשֶׁיֵּרָאֶה הַיָּרֵֽחַ הֶחָדָשׁ בִּרְאִיָּה הָרִאשׁוֹנָה בְּעֶֽרֶב רִאשׁוֹן אַחַר הַמּוֹלָד, לְקַדֵּשׁ הַיּוֹם מִתְּחִלַּת הָעֶֽרֶב שֶׁנִּרְאֶה הַחֹֽדֶשׁ, וּבַבֹּֽקֶר לְהַקְרִיב מוּסַף הַחֹֽדֶשׁ הַכָּתוּב בְּסֵֽפֶר הָרְבִיעִי בְּסֵֽדֶר כ"ח. וְנִמְשַׁךְ זֶה הַחֹק בְּכָל יְמֵי בַֽיִת רִאשׁוֹן, וּבְגָלוּת בָּבֶל לֹא נִתְבַּטַּל וְלֹא נָפְלָה שׁוּם חֲלוּקָה בְּדָבָר זֶה, וּבְכָל יְמֵי בַֽיִת שֵׁנִי וְאַחַר הַחֻרְבָּן שֶׁל בַּֽיִת שֵׁנִי לֹא נִרְאֲתָה וְלֹא נִשְׁמְעָה פְּלֻגְתָּא בְּעִנְיָן זֶה. שֶׁאֲפִלּוּ בְּתַלְמוּדָם כּוֹתְבִים וּמַרְחִיבִים לְדַבֵּר אֵיךְ הָיוּ עֵדִים שׁוֹקְדִים עַל הֶהָרִים לִרְאוֹת הַיָּרֵֽחַ, וּלְהַשִּׂיא מַשּׂוּאוֹת עַל רָאשֵׁי הֶהָרִים שֶׁיֵּרָאֶה הֶעָשָׁן וְהָאֵשׁ בַּלַּֽיְלָה, שֶׁמִּזֶּה יַכִּֽירוּ יוֹשְׁבֵי יְרוּשָׁלַֽיִם שֶׁהָעֵדִים רָאוּ מֵרָאשֵׁי הֶהָרִים אֶת הַחֹֽדֶשׁ, וְיַקְרִֽיבוּ הַמּוּסָף בַּבֹּֽקֶר. אֲבָל בִּשְׁנַת שְׁלֹֽשֶׁת אֲלָפִים תתל"ג לִיצִירָה, שֶׁהוּא שָׁנָה שִׁשִּׁית אַחַר חֻרְבַּן בַּֽיִת שֵׁנִי, עָמַד רַבָּן גַּמְלִיאֵל לְנָשִׂיא בְּיִשְׂרָאֵל, וּבִזְמַן נְשִׂיאוּתוֹ בִּטֵּל רְאִיַּת הַיָּרֵֽחַ מֵעִקָּרָהּ, {לח} וְהֶעֱמִיד קִדּוּשׁ הַחֹֽדֶשׁ עַל פִּי הַחֶשְׁבּוֹן הָאֶמְצָעִי, שֶׁאֵין הַחֶשְׁבּוֹן הַהוּא אֲפִלּוּ לֹא עַל פִּי דַרְכֵי הַתְּכוּנָה הַמְדֻיֶּֽקֶת. וְקָבְעוּ חֻקִּים: לֹא אַדּ"וּ רֹאשׁ, וְלֹא בַּדּ"וּ פֶּֽסַח, לֹא גְּהַ"ז עֲצֶֽרֶת לֹא זְבַ"ד פּוּר וְלֹא אַגּ"וּ יוֹם כִּפּוּר, וְדָחוּ כָל הַמּוֹעֲדִים מִזְּמַנָּם. וּמִפְּנֵי זֶה הַתַּלְמוּדִיִּים לִפְעָמִים מְקַדְּשִׁים הַחֹֽדֶשׁ, וַעֲדַֽיִן הַיָּשָׁן נִרְאֶה; וְלִפְעָמִים הַיָּרֵֽחַ הֶחָדָשׁ כְּבָר נִרְאֶה, וְהֵם עֲדַֽיִן אֵינָם מְקַדְּשִׁים. וּבְכֵן דָּחוּ עֵדוּת הַחֹֽדֶשׁ מִזְּמַנּוֹ. אֲבָל אֲנַֽחְנוּ שׁוֹמְרִים גַּם הַיּוֹם מִנְהָג הַקַּדְמוֹן, עַל–כֵּן מוֹעֲדֵֽינוּ לִפְעָמִים עִמָּהֶם בְּיוֹם אֶחָד, וְלִפְעָמִים מִתְאַחֵר בְּיוֹם אֶחָד. | 1 In chapter 12, it is written: This month shall be unto you the beginning of months [Exodus 12:2]; and in the fourth book [Numbers], chapter 28, it is written: And in the beginnings of your months ye shall offer a burnt offering unto the Lord [Numbers 28:11]. [Thus,] all the designated times of the Jewish people are dependent on knowledge of the first month and the beginnings of the other months. Now, although it is not written explicitly in the Torah how the new moon is to be seen, nonetheless, the law was passed on in the Jewish people, from the instruction of our master Moses,[[42]](#footnote-42)iii and his disciple  Joshua, and the other prophets who came after them, that when the new moon is first sighted on the first evening after the molad [lunar conjunction], we must sanctify that day, starting from the beginning of the evening of the sighting, and in the morning we must offer the musaf sacrifice of the new moon, as is written in the fourth book [Numbers], chapter 28. This law continued throughout all the days of the First Temple, and it did not fall into disuse even in the Babylonian exile, and there was no debate about the matter, and in all the days of the Second Temple, and even after the destruction of the Second Temple, no debate was seen or heard regarding this matter. For even in their Talmud,[[43]](#footnote-43) they write at length how the witnesses would stand diligently on mountaintops to see the moon, and to light bonfires on the mountaintops, so that the smoke and fire would be seen at night, so that the inhabitants of Jerusalem would know that the witnesses had seen the moon from the mountaintops, and [thus know to] offer the musaf sacrifice in the morning. However, in the year 3833 after Creation, which is the sixth year after the destruction of the Second Temple,[[44]](#footnote-44) Rabban Gamliel became the patriarch among the Jewish people, and in the time of his patriarchate, he abolished the sighting of the moon, {38} and established that the sanctification of the new month be based on mean calculation, which calculation is not even in accordance with precise astronomy.[[45]](#footnote-45)iv They established rules, such as: Rosh [Ha-­shana, the first of Tishri] must not fall on Sunday, Wednesday, or Friday; and Pesaḥ must not fall on Monday, Wednesday, or Friday; and ‘Aẓereth [Shavu‘oth] must not fall on Tuesday, Thursday, or Saturday; and Pur [Purim] must not fall on Saturday, Monday, or Wednesday; and Yom Kippur must not fall on Sunday, Tuesday, or Friday.[[46]](#footnote-46)v Thus, they pushed off all the festivals from their times. Therefore, the Talmudites sometimes sanctify their new month when the old moon is still visible, and other times, they do not sanctify it yet, even though the new moon is already visible. Thus, they rejected the testimony about the new moon from his time [onward]. But we observe the old practice even today; and, therefore, our festivals are sometimes on the same date as theirs, and sometimes they are a day later.[[47]](#footnote-47)vi | #2:a |
| ב בְּסֵֽדֶר י"ג צִוָּֽנוּ הַשֵּׁם יִתְבָּרַךְ שֶׁנִּשְׁמוֹר אֶת חֹֽדֶשׁ הָאָבִיב דַּוְקָא לַעֲשׂוֹת בּוֹ חַג הַפֶּֽסַח, וְכֵן זוֹ הַמִּצְוָה נִכְפְּלָה בְּסֵֽדֶר כ"ג, וְנִשְׁלְשָׁה בְּסֵֽדֶר ל"ד, וְנִרְבְּעָה בְּסֵֽפֶר חֲמִישִׁי סֵֽדֶר י"ו. וְעַל כֵּן אִם לֹא הָיָה נִמְצָא הָאָבִיב בְּחֹֽדֶשׁ נִיסָן, הָיוּ עוֹשִׂין אוֹתוֹ עִבּוּר. וּמִצְוַת הַתּוֹרָה שֶׁלְּבַד מִפְּנֵי הֶעְדֵּר הָאָבִיב יֵעָשֶׂה הָעִבּוּר, וְלֹא מִסִּבָּה אַחֶֽרֶת. אֲבָל הַתַּלְמוּדִיִּים הוֹסִֽיפוּ שְׁמוֹנָה דְבָרִים אֵֽצֶל הָאָבִיב, וְאָמְרוּ: "מִפְּנֵי תִשְׁעָה דְבָרִים מְעַבְּרִין אֶת הַשָּׁנָה: עַל הָאָבִיב, וְעַל הַתְּקוּפָה, וְעַל פֵּרוֹת הָאִילָן, וּמִפְּנֵי קִלְקוּל הַדְּרָכִים מִפְּנֵי הַגְּשָׁמִים, וּמִפְּנֵי הַגְּשָׁרִים שֶׁנֶּהֶרְסוּ וְאֵין הוֹלְכֵי רְגָלִים יְכוֹלִין לַעֲבוֹר, וּמִפְּנֵי תַנּוּרֵי פְסָחִים שֶׁנֶּהֶרְסוּ מִן הַמָּטָר וְאֵין מָקוֹם לִצְלוֹת הַפְּסָחִים, וּמִפְּנֵי גָלִיּוֹת יִשְׂרָאֵל שֶׁנֶּעֶקְרוּ מִמְּקוֹמָם, וּמִפְּנֵי הַטְּלָאִים שֶׁלֹּא נוֹלְדוּ עֲדַֽיִן לְהַקְרִיב מֵהֶם פְּסָחִים, וּמִפְּנֵי הַגּוֹזָלוֹת שֶׁלֹּא פָרְחוּ עֲדַֽיִן שֶׁיִּהְיוּ רְאָיוֹן בְּמִי שֶׁנִּתְחַיַּב קָרְבַּן עוֹף." וּבְכֵן עָבְרוּ מִצְוַת "לֹא תוֹסִיף". | 2 In chapter 13, God commands us to keep the “month of aviv,” specifically, to observe the Festival of Pesaḥ in it; and this commandment comes up a second time in chapter 23, and a third time in chapter 34, and a fourth time in the fifth book [Deuteronomy], chapter 16. Therefore, if the aviv [spring grain] is not found in the month of Nisan, we would make it a leap year [by adding an extra month before Nisan].[[48]](#footnote-48)vii The Torah’s commandment is that only if the aviv is absent should we make a leap year, and not for any other reason. Yet the Talmudites have added eight other reasons, aside from the aviv; they say: “There are nine reasons to make a leap year: on account of the aviv; and on account of the equinox; and on account of the fruit of trees; and on account of the rain that ruins the roads; and on account of bridges that have collapsed, such that people cannot pass on the way; and on account of the ovens for the Pesaḥ sacrifice, if they have been ruined by the rain, such that there is nowhere to roast the Pesaḥ-­sacrifices; and on account of the exiles of Israel, who have been displaced from their homes; and on account of the lambs for the Pesaḥ sacrifice, if they have not yet been born; and on account of the chicks that have not yet flown, in case people need to bring them as sacrifices for the commandment of re’ayon [being seen at the Temple].”[[49]](#footnote-49)viii And thus, they have violated the commandment: Ye shall not add [to the Torah’s commandments]. | #2:b |
| ג בְּסֵֽדֶר י"ב כְּתִיב בְּחַג הַמַּצּוֹת: "שִׁבְעַת יָמִים שְׂאֹר לֹא יִמָּצֵא בְּבָתֵּיכֶם"; וְכֵן בְּסֵֽדֶר י"ג כְּתִיב: "וְלֹא יֵרָאֶה לְךָ חָמֵץ וְלֹא יֵרָאֶה לְךָ שְׂאֹר בְּכָל גְּבוּלֶֽךָ (שִׁבְעַת יָמִים)";[[50]](#footnote-50) וְכֵן בְּסֵֽפֶר חֲמִישִׁי סֵֽדֶר י"ו כְּתִיב: "וְלֹא יֵרָאֶה לְךָ שְׂאוֹר בְּכָל גְּבוּלְךָ שִׁבְעַת יָמִים." וּכְפִי זֶה חַיָּב כָּל יִשְׂרָאֵל לְבַעֵר הֶחָמֵץ מִגְּבוּלוֹ, שֶׁלֹּא יִמָּצֵא בִּגְבוּלוֹ לֹא גָלוּי וְלֹא טָמוּן. וְהַתַּלְמוּדִיִּים הִמְצִֽיאוּ עַרְמָנוּת, וּמוֹכְרִים בָּתֵּיהֶם וְיִקְבֵיהֶם לְנוֹצְרִים, וְאַחַר שִׁבְעַת יְמֵי מַצָּה עוֹד שָׁבִים וְלוֹקְחִים בָּתֵּיהֶם וְיִקְבֵיהֶם עִם כָּל חַמְצֵיהֶם. | 3 In chapter 12, it is written, regarding the Festival of Maẓẓoth: Seven days shall there be no leaven found in your houses [Exodus 12:19]; and in chapter 13: and there shall no leavened bread be seen with thee, neither shall there be leaven seen with thee in all thy quarters (for seven days) [Exodus 13:7];[[51]](#footnote-51) and in the fifth book [Deuteronomy], chapter 16: And there shall be no leavened bread seen with thee in all thy coast seven days [Deuteronomy 16:4]. In accordance with this, all Jews are obligated to destroy all leaven from their area, such that it not be found in their area, whether revealed or concealed. Yet the Talmudites have invented all sorts of tricks, such as selling their houses and vineyards to Christians, and then, after the seven days of maẓẓa, buying back their houses and vineyards, including all the leavened matter.[[52]](#footnote-52)ix | #2:c |
| ד עוֹד בְּסֵֽדֶר י"ב קָבַע הַכָּתוּב זְמַן שְׁחִיטַת הַפֶּֽסַח בֵּין הָעַרְבַּֽיִם, וּרְצוֹן הַכָּתוּב בָּזֶה: אַחַר בּוֹא גוּף הַשֶּֽׁמֶשׁ אַחַר הָאֹֽפֶק, כְּמוֹ שֶׁכֵּן כָּתוּב גַּם בִּזְמַן הַקְּטֹֽרֶת בְּסֵֽפֶר שְׁמוֹת סִימָן ל': "וּבְהַעֲלֹת אַהֲרֹן אֶת הַנֵּרֹת בֵּין הָעַרְבַּֽיִם יַקְטִירֶֽנָּה". וְיָדֽוּעַ כִּי אֵין זְמַן הַעֲלָאַת הַנֵּרוֹת אֶֽלָּא אַחַר עֲרִיבַת הַשֶּֽׁמֶשׁ. וְהֵם אָמְרוּ כִּי בֵין הָעַרְבַּֽיִם הוּא מִזְּמַן שֶׁיִּטֶּה הַשֶּֽׁמֶשׁ מֵעֶֽצֶם הַצָּהֳרַֽיִם עַד שֶׁיָּבוֹא גוּף הַשֶּֽׁמֶשׁ אַחַר הָאֹֽפֶק.[[53]](#footnote-53) וּכְבָר חֲכָמֵֽינוּ {לט} הִרְבּוּ לְהָשִׁיב עֲלֵיהֶם; וְגַם חָכָם שֶׁלָּהֶם הָרַאֲבַ"ע ( = ר' אברהם אבן עזרא) הוֹדָה עַל הָאֱמֶת וּפֵירֵשׁ מִלַּת "בֵּין הָעַרְבַּֽיִם" כְּפֵרוּשׁ חֲכָמֵֽינוּ זַ"ל, שֶׁהוּא הַזְּמָן מִשְּׁקִיעַת גּוּף הַשֶּֽׁמֶשׁ אַחַר הָאֹֽפֶק עַד שֶׁיֵּאָסֵף נֹֽגַהּ הַשֶּֽׁמֶשׁ מִשּׁוּלֵי הָרָקִֽיעַ, שֶׁיֵּשׁ כַּאן רֹֽחַב זְמָן כְּשָׁעָה וּשְׁלִישׁ שָׁעָה. | 4 Also in chapter 12, Scripture established the time of the slaughtering of the Pesaḥ-­sacrifice as between the evenings [“ben ha‘arbayim”, Exodus 12:6]; the meaning of the text here is after the setting of the sun behind the horizon, just as is written about the [burning of the] incense in Exodus 30: And when Aaron lighteth the lamps between the evenings, he should burn [the incense] [Exodus 30:8]. And it is known that the time for lighting lamps is only after the setting of the sun. But they [=the Rabbanites] say that “ben ha‘arbayim” is the time from when the sun begins to come down from high noon until the orb of the sun sets behind the horizon. Our sages have {39} responded to them at length, and their sage R. Abraham ibn ‘Ezra has admitted the truth,[[54]](#footnote-54)x and explained the term between the evenings in accordance with our sages’ explanation, that it is the time from the setting of the orb of the sun behind the horizon until the sun’s light is finally gone from the edges of the sky, a period of about an hour and a third. | #2:d |
| ה בְּסֵֽדֶר י"ו כְּתוּבָה מִצְוַת שַׁבָּת, וּפַֽעַם שֵׁנִי בְּסֵֽדֶר כ' בַּעֲשֶֽׂרֶת הַדִּבְּרוֹת, וּפַֽעַם ג' בְּסֵֽדֶר כ"ג, וּפַֽעַם ד' בְּסֵֽדֶר ל"א, וּפַֽעַם חֲמִישִׁי בְּסֵֽדֶר ל"ה כְּתִיב: "לֹא תְבַעֲרוּ אֵשׁ בְּכָל מֹשְׁבֹתֵיכֶם בְּיוֹם הַשַּׁבָּת", וּפַֽעַם שִׁשִּׁי בְּסֵֽפֶר ג' בְּסֵֽדֶר י"ט, עוֹד שָׁם פַּֽעַם שְׁבִיעִי וּפַֽעַם שְׁמִינִי בְּסֵֽדֶר כ"ג, וּפַֽעַם תְּשִׁיעִי בְּסֵֽדֶר כ"ו, וּפַֽעַם עֲשִׂירִי בְּסֵֽפֶר חֲמִישִׁי בְּסֵֽדֶר ה' בֵּין דִּבְּרוֹת שְׁנִיּוֹת. וּמִכָּל אֵֽלּוּ הַמְּקוֹמוֹת כָּל מַשְׂכִּיל יָבִין כִּי בַשַּׁבָּת אֲסוּרָה כָּל מְלָאכָה בֵּין קָשָׁה בֵּין קַלָּה, כְּמוֹ מַשָּׂא וּמַתָּן, וְהַטִּלְטוּל מֵרְשׁוּת אֶל רְשׁוּת דֶּֽרֶךְ רַבִּים. וְאַף עַל פִּי שֶׁאֵין הַטִּלְטוּל כְּתִיב בְּבֵרוּר, מִכָּל מָקוֹם גַּם הֵם עַצְמָם מוֹדִים בְּתַלְמוּדָם שֶׁהוּא אָסוּר. וְיִרְמְיָה הַנָּבִיא בְּסֵֽדֶר י"ז (פסוקים כא, כב) אָמַר: "הִשָּׁמְרוּ בְּנַפְשׁוֹתֵיכֶם וְאַל תִּשְׂאוּ מַשָּׂא מִבָּתֵּיכֶם בְּיוֹם הַשַּׁבָּת . . . וְכָל מְלָאכָה לֹא תַעֲשׂוּ". וְכֵן הַטִּלְטוּל נִקְרֵאת מְלָאכָה בַּתּוֹרָה, כְּדִכְתִיב בְּסֵֽפֶר שֵׁנִי סֵֽדֶר ל"ו (פסוק ו): "אִישׁ וְאִשָּׁה אַל יַעֲשׂוּ עוֹד מְלָאכָה לִתְרוּמַת הַקֹּֽדֶשׁ, וַיִּכָּלֵא הָעָם מֵהָבִיא". מִכָּל זֶה נוֹדָע בְּגָלוּי שֶׁהַטִּלְטוּל מֵרְשׁוּת אֶל רְשׁוּת, אֲפִלּוּ דְבָרִים קַלִּים, הוּא אָסוּר. אֲבָל הַתַּלְמוּדִיִּים הִתִּֽירוּ הַטִּלְטוּל דֶּֽרֶךְ רְשׁוּת הָרַבִּים בָּרְחוֹבוֹת וּבַשְּׁוָקִים, שֶׁקּוֹשְׁרִים יְתֵרִים, וּמֵיתְרֵיהֶם לְהַדְבִּיר גְּבוּלוֹת הָעַמִּים. וְכֵן הִתִּֽירוּ הַסָּקַת הַתַּנּוּרִים בַּשַּׁבָּת, וְיוֹצְאִים מִן הַתְּחוּם וְעוֹבְרִים מִצְוַת "שְׁבוּ אִישׁ תַּחְתָּיו אַל יֵצֵא אִישׁ מִמְּקוֹמוֹ" הַכָּתוּב בְּסֵֽדֶר י"ו בְּזֶה הַסֵּֽפֶר (פסוק כט). וְכֵן הִתִּֽירוּ הַמַּשָּׂא וְהַמַּתָּן בִּמְזִיגָה. וְכֵן גּוֹזְרִים לַגּוֹיִם לַעֲשׂוֹת מְלָאכָה בַּשַּׁבָּתוֹת וּבַמּוֹעֲדִים, לִפְתּֽוֹחַ תַּנּוּרִים נְעוּלִים וּשְׁאָר מְלָאכוֹת; בְּרֶֽמֶז אוֹמְרִים לַגּוֹיִם, לֹא בְצִוּוּי; וְנֶהֱנִים מִמְּלָאכָה הַהִיא. כִּי הֵם עַצְמָם אָמְרוּ אָסוּר לֵהָנוֹת מִמַּעֲשֶׂה הַנַּעֲשָׂה בַּשַּׁבָּת, אֲבָל אַחֲרוֹנִים הֶחְכִּֽימוּ לִמְצוֹא תַחְבּוּלוֹת. אֲבָל אֶצְלֵֽנוּ כָּל אֵֽלּוּ הַדְּבָרִים אֲסוּרִים לְגַמְרֵי. | 5 In chapter 16, the commandment of the Sabbath is written; and then again in chapter 20, in the Decalogue; and a third time in chapter 23; and a fourth time in chapter 31; and a fifth time in chapter 35, where it says: Ye shall cause no fire to burn throughout your habitations upon the Sabbath day [Exodus 35:3];[[55]](#footnote-55) and a sixth time in the third book [Leviticus], chapter 19; and a seventh and eighth time there, in chapter 23; and a ninth time there, in chapter 26; and a tenth time in the fifth book [Deuteronomy], chapter 5, in the second Decalogue. From all these places, anyone intelligent will understand that all labor is prohibited on the Sabbath, whether difficult or easy, such as business, or carrying from domain to domain, by way of the public [domain]. Although carrying is not mentioned explicitly [in the Torah], nonetheless they [the Rabbanites] acknowledge in their Talmud that it is forbidden; and Jeremiah the prophet, in chapter 17, says: Neither carry forth a burden out of your houses on the Sabbath day, neither do ye any labor [Jeremiah 17:22]. And carrying is called “labor” in the Torah, as it is written in the second book [Exodus], chapter 36: Let neither man nor woman make any more labor for the offering of the sanctuary. So the people were restrained from bringing [Exodus 36:6]. From all this, it is clear that carrying from domain to domain, even light things, is forbidden.[[56]](#footnote-56)xi But the Talmudites have permitted carrying by way of the public [domain], in wide open places and streets, by tying strings and cords[[57]](#footnote-57) to delineate borders of the nations.[[58]](#footnote-58) Moreover, they have permitted lighting ovens on the Sabbath; and they leave the domain, and thus violate the commandment abide ye every man in his place, let no man go out of his place on the seventh day, which is written in this book [Exodus], chapter 16 [verse 29]. And they have permitted doing business by mixing.[[59]](#footnote-59) And they instruct gentiles to do labor on Sabbaths and festivals, [such as] opening locked ovens, and other labors, by giving a hint, not an explicit instruction, to the gentiles; and they benefit from that labor; even though they themselves say that it is forbidden to derive benefit from labors performed on the Sabbath, nonetheless their more recent generations have come up with tricks [around this]. But among us, all these are completely forbidden. | #2:e |
| ו בַּעֲשֶֽׂרֶת הַדִּבְּרוֹת בְּ"לֹא תִגְנֹב" כְּמוֹ כֵן הֵקֵֽלּוּ וְאָמְרוּ: הַבָּא בַמַּחְתֶּֽרֶת וְנָטַל כֵּלִים הֲרֵי הֵם שֶׁלּוֹ, כִּי מָסַר עַצְמוֹ לַסַּכָּנָה בְּבוֹאוֹ בְמַחְתֶּֽרֶת חֲבֵרוֹ. מִי חָכָם וְלֹא יִלְעַג עַל זֶה?! | 6 In the Decalogue, [it says] Thou shalt not steal [Exodus 20:12]; but here, too, they have made leniency and they say that if one comes in stealth and takes items, then one has ownership, for one has put oneself in danger by coming in stealth to one’s neighbor. But what wise person will not mock this?![[60]](#footnote-60)xii | #2:f |
| ז בְּסֵֽדֶר כ"א (פסוק כד) מַה שֶּׁכָּתוּב "עַֽיִן תַּֽחַת עַֽיִן שֵׁן תַּֽחַת שֵׁן" וגו', גַּם בָּזֶה הֶחֱלִֽיפוּ הַכָּתוּב וְאָמְרוּ שֶׁהַמּוּבָן דְּמֵי עַֽיִן תַּֽחַת עַֽיִן, דְּמֵי שֵׁן תַּֽחַת שֵׁן, וְכֵן כֻּלָּם, בֵּין יִהְיֶה מֵזִיד בֵּין שׁוֹגֵג. וַחֲכָמֵֽינוּ זַ"ל לֹא הוֹדוּ זֶה; רַק אָמְרוּ שֶׁאִם {מ} יַעֲשֶׂה בְזָדוֹן כֵּן יֵעָשֶׂה לוֹ דַּוְקָא, אֲבָל אִם יַעֲשֶׂה בִשְׁגָגָה אוֹ יִהְיֶה הַמּוּם מִן הַנִּרְפָּאִין אֲזַי יִתֵּן כֹּֽפֶר. | 7 In chapter 21, it says: eye for eye, tooth for tooth [Exodus 21:24]. But here, too, they have changed [the meaning of] Scripture, and said that it means [to give] the monetary value of an eye in exchange for an eye, and the monetary value of a tooth in exchange for a tooth, and so forth, whether the damage was intentional or accidental. But our sages, of blessed memory,[[61]](#footnote-61) do not agree with this; they say {40} that if the damage was intentional, then one must suffer the exact [bodily] damage [in punishment]; but if the damage was accidental, or if it was a wound that heals, then one should give money.[[62]](#footnote-62)xiii | #2:g |
| ח בְּסֵֽדֶר כ"ב מַה שֶּׁכָּתוּב: "וְכִי יִשְׁאַל אִישׁ מֵעִם רֵעֵֽהוּ וְנִשְׁבַּר אוֹ מֵת", שֶׁהָרָצוֹן שֶׁאִם יִשְׁאַל אִישׁ בְּהַלְוָאָה מֵאֵת רֵעֵֽהוּ חֲמוֹר אוֹ שֶׂה אוֹ שׁוּם בְּהֵמָה לָשֵׂאת שׁוּם מַשָּׂא אוֹ לִנְסֽוֹעַ רֵיקָם לְאֵיזֶה מָקוֹם וְנִשְׁבַּר הַשּׁוֹר אוֹ הַחֲמוֹר אוֹ הַסּוּס אוֹ מֵת, אִם בְּעָלָיו אֵין עִמּוֹ שַׁלֵּם יְשַׁלֵּם, וְאִם בְּעָלָיו עִמּוֹ לֹא יְשַׁלֵּם. וְהֵם הִמְצִֽיאוּ תַחְבּוּלָה וְאָמְרוּ: כְּשֶׁיִּשְׁאַל הַשּׁוֹאֵל הַבְּהֵמָה מִבְּעָלֶֽיהָ, וְשָׁאַל מִמֶּֽנּוּ בִּזְמָן הַהוּא מָה וָמָה, אִם לֶאֱכֹל אִם לִשְׁתּוֹת שׁוּם מַאֲכָל וְשׁוּם מַשְׁקֶה בָּעוֹלָם, וּכְשֶׁיִּתֵּן בַּֽעַל הַבְּהֵמָה לַשּׁוֹאֵל שְׁאֵלָתוֹ זֹאת, אֲזַי כְּאִלּוּ הִשְׁאִיל לוֹ גַּם אֶת עַצְמוֹ אֵֽצֶל בְּהֶמְתּוֹ; וּבְכֵן יִהְיֶה בְעָלָיו עִמּוֹ אֲפִלּוּ אִם לֹא יֵלֵךְ עִמּוֹ לַדֶּֽרֶךְ, וּבְכֵן אִם תִּשָּׁבֵר אוֹ תָמוּת הַבְּהֵמָה לֹא יְשַׁלֵּם. וַחֲכָמֵֽינוּ זַ"ל לֹא הִסְכִּֽימוּ לְכָךְ, כִּי גַם זֶה תַּחְבּוּלָה. | 8 In chapter 22, it says: If a man borrow [an animal] from his neighbor, and it be injured or die [Exodus 22:13]; it means that if a man borrows an ass or a lamb, or any animal, from his neighbor, to carry any burden, or to travel unburdened to any place, and the ox or the ass or the horse is injured or dies, if the owner is not with him, then [the borrower] must pay up; but if the owner is with him, then [the borrower] need not pay. But they [the Talmudites] have invented a trick, and said that when the borrower borrows the animal from its owner, if he asks anything of him, anything at all to eat or to drink, and the lender gives it to him, then it is as if he has also lent him himself alongside his animal; and thus, the owner is with him even if he does not go along on the journey, so if the animal is injured or dies, [the borrower] need not pay. But our sages, of blessed memory, do not agree with this, for this, too, is a trick. | #2:h |
| ט עוֹד בְּסֵֽדֶר כ"ב כְּתִיב: "אִם כֶּֽסֶף תַּלְוֶה אֶת עַמִּי אֶת הֶעָנִי עִמָּךְ לֹא תִהְיֶה לוֹ כְּנֹשֶׁה, לֹא תְשִׂימוּן עָלָיו נֶֽשֶׁךְ." וְכֵן נִכְפְּלָה זוֹ הַמִּצְוָה בְּסֵֽפֶר ג' סֵֽדֶר כ"ה, וְנִשְׁלְשָׁה בְּסֵֽפֶר חֲמִישִׁי סֵֽדֶר כ"ג.[[63]](#footnote-63) וְהֵֽמָּה יְבַטְּלוּ זֹאת הַמִּצְוָה מֵעִקָּרָהּ, וְלוֹקְחִים נֶֽשֶׁךְ וְתַרְבִּית. וַחֲכָמֵֽינוּ זַ"ל לֹא הִסְכִּֽימוּ לָזֶה כְּלָל וּכְלָל. | 9 Further, in chapter 22, it is written: If thou lend money to any of my people that is poor by thee, thou shalt not be to him as a usurer, neither shalt thou lay upon him usury [Exodus 22:25]. And this commandment is repeated in the third book [Leviticus], chapter 25, and then appears a third time, in the fifth book [Deuteronomy], chapter 23. But they [the Talmudites] reject this commandment entirely, for they take usury; and our sages, of blessed memory, do not agree with this at all. | #2:i |
| י בְּסֵֽדֶר כ"ג בְּרֹאשׁוֹ מַה שֶּׁכָּתוּב: "לֹא תִהְיֶה אַחֲרֵי רַבִּים לְרָעוֹת", חֲכָמֵֽינוּ אָמְרוּ פֵּרוּשׁ הַפָּסוּק כֵּן הוּא: לֹא תִהְיֶה אַחֲרֵי רַבִּים לַעֲזוֹר לַעֲשִׂיַּת הָרָעוֹת, וְלֹא תַעֲזֹר לְרִיב וּמָדוֹן עַד שֶׁתֵּלֵךְ לִנְטוֹת אַחֲרֵי רַבִּים לְהַטּוֹת מִשְׁפַּט אֵיזֶה אִישׁ אוֹ לְעַוֵּת אֵיזֶה עִנְיָן מִמִּנְהָגוֹ הָרָאוּי לוֹ, אֶֽלָּא אֲפִלּוּ אִם תִּהְיֶה אֶחָד בֵּין אֶֽלֶף מַטֵּי מִשְׁפָּט וּמַסְכִּימִים לַעֲשִׂיַּת הָרָעוֹת – לֹא תַסְכִּים עִמָּהֶם, רַק אַל תִּירָא מִלְּהוֹדוֹת עַל הָאֱמֶת. וּכְפִי פֵרוּשׁ חֲכָמֵֽינוּ, כָּל הַפָּסוּק הוּא מִצְוָה אַחַת לְמִצְוַת לָאו. אֲבָל הַתַּלְמוּדִיִּים עָשׂוּ מִזֶּה הַפָּסוּק שָׁלֹשׁ מִצְוֹת: "לֹא תִהְיֶה אַחֲרֵי רַבִּים לְרָעוֹת" – זוֹ מִצְוַת לָאו אַחַת; "וְלֹא תַעֲנֶה עַל רִב לִנְטוֹת" – זוֹ מִצְוַת לָאו שֵׁנִית; "אַחֲרֵי רַבִּים [[64]](#footnote-64) לְהַטּוֹת" – זוֹ מִצְוָה [[65]](#footnote-65) שְׁלִישִׁית, וְהִיא מִצְוַת עֲשֵׂה. וּמִזֶּה עָשׂוּ לָהֶם חֹק וּמִשְׁפָּט, וְאָמְרוּ: "יָחִיד וְרַבִּים הֲלָכָה כָרַבִּים." וְזֶה דֶֽרֶךְ כָּל בַּעֲלֵי הַגְּמָרָה שֶׁלָּהֶם, שֶׁדִּקְדְּקוּ בְמַחְלֹֽקֶת בַּעֲלֵי הַמִּשְׁנָה, בֵּין בֵּית שַׁמַּאי וּבֵין בֵּית הִלֵּל וּשְׁאָר הַחוֹלְקִים בְּפֵרוּשֵׁי הַמִּצְוֹת, שֶׁקָּבְעוּ בַּעֲלֵי הַגְּמָרָא לְעַצְמָם חֹק לִהְיוֹת נִמְנִין [[66]](#footnote-66): אִם הַמְקִלִּים יוֹתֵר הָיוּ קוֹבְעִים הֲלָכָה כְמוֹתָם, וְאִם הַמַּחְמִירִים יוֹתֵר הָיוּ קוֹבְעִין הֲלָכָה כְמוֹתָם. וַחֲכָמֵֽינוּ זַ"ל אָמְרוּ כִּי אֵין {מא} הָאֱמֶת אֱמֶת, מִפְּנֵי הָרֹב; כִּי יֵשׁ אֶחָד שֶׁיַּכְרִֽיעַ הַכְּלָל בְּבַקָּשָׁתוֹ וּבְאַהֲבָתוֹ הָאֱמֶת. וְהַכְּלָל אֲשֶׁר לָהֶם לְהַכְחִישׁ אֲפִלּוּ הָאֱמֶת מֵעִקָּרוֹ בִּהְיוֹתָם רוֹדְפִים אַחֲרֵי בַקָּשַׁת הַשְּׂרָרָה וְהַנִּצּֽוּחַ. | 10 In chapter 23, at the beginning, it says: Thou shalt not follow a multitude to do evil; [neither shalt thou speak in a cause to decline after many to wrest judgment] [Exodus 23:2]. Our sages explained this verse as meaning that you should not follow the majority to help facilitate evil, nor should you help a fight or altercation to the point that you decline after many to wrest judgment of a certain man or a certain manner, away from the appropriate customary [judgment] for it. Even if you are only one, and among a thousand people that are wresting judgment and agreeing to do evil, do not go along with them; do not fear to acknowledge the truth. Thus, in accordance with our sages’ interpretation, the entire verse is a single commandment, a prohibition. On the other hand, the Talmudites turned this verse into three commandments: Thou shalt not follow a multitude to do evil – one commandment, a prohibition; neither shalt thou speak in a cause – a second commandment, another prohibition; to decline after many – a third commandment, an obligation. They have made this a legal principle, and say: “If there is an individual [arguing against] the majority, the law follows the majority.”[[67]](#footnote-67)xiv This is the way of all their masters of Gemara, who look carefully into the debates of the masters of the Mishna, the House of Hillel and the House of Shammai and other disputants, regarding the interpretations of the commandments. For the masters of the Gemara have established an arithmetical principle for themselves: if more [of their sages] are lenient, then they establish the lenient position as the law; whereas if more [of their sages] are stringent, then they establish the law in accordance with their position. But our sages, of blessed memory, say {41} “Love the truth more than the majority,” for sometimes one individual can outweigh the majority in his quest and love for the truth. But the principle of [the Rabbanites] is that they should deny even the fundamental truth, for they pursue domination and winning. | #2:j |
| יא עוֹד בְּסֵֽדֶר הַנַּ"ל כְּתִיב: "לֹא תְבַשֵּׁל גְּדִי בַּחֲלֵב אִמּוֹ" (כג:יט), וְנִכְפְּלָה מִצְוָה זוֹ בְּסֵֽדֶר ל"ד (פסוק כו), וְנִשְׁלְשָׁה בְּסֵֽפֶר חֲמִישִׁי סֵֽדֶר י"ד (פסוק כא). חֲכָמֵֽינוּ זַ"ל קִיְּמוּ כְּפִי עֶֽצֶם הַכָּתוּב שֶׁדַּוְקָא בַּחֲלֵב אִמּוֹ אָסוּר, וְחִיְּבוּ לָֽנוּ לְהִשָּׁמֵר בֵּין הַכֵּלִים שֶׁיְּבֻשַּׁל בּוֹ חֲלֵב הָאֵם וּבֵין הַכֵּלִים שֶׁיְּבֻשַּׁל בּוֹ בְּשַׂר הַבֵּן, וְכֵן אֲפִלּוּ בִּכְלֵי הָאֲכִילָה כְּגוֹן קְעָרוֹת וְכַפּוֹת שֶׁלֹּא יְשֻׁתָּֽפוּ וְלֹא יִשְׁתַּמְּשׁוּ בָזֶה תְּמוּרַת זֶה. אֲבָל הַתַּלְמוּדִיִּים הוֹסִֽיפוּ עַל הַכָּתוּב וְאָסְרוּ כָל בָּשָׂר בְּכָל חָלָב שֶׁבָּעוֹלָם, וַאֲפִלּוּ בְשַׂר עוֹף בַּחֲלֵב בְּהֵמָה, וְהֶחְמִֽירוּ בֵין הַכֵּלִים יוֹתֵר וְיוֹתֵר מִן חֻמְרַת טֻמְאַת הַכֵּלִים מִנְּבֵלוֹת וּשְׁרָצִים וְטֻמְאַת מֵת וְזָב וְנִדָּה, שֶׁהֵם טֻמְאוֹת חֲמוּרוֹת, כְּמוֹ שֶׁיִּתְבָּאֵר. וּבָזֶה עָבְרוּ עַל מִצְוַת "לֹא תוֹסִֽיפוּ וְלֹא תִגְרְעוּ." | 11 In that same chapter, it is written: Thou shalt not seethe a kid in its mother’s milk [Exodus 23:19]. This commandment is repeated also in chapter 34, and stated a third time in the fifth book [Deuteronomy], chapter 14. Our sages, of blessed memory, have established, in accordance with the very meaning of the verse, that this is forbidden specifically with the mother [of the specific kid]; and they have obligated us to be careful [to keep separate] the pots in which the mother’s milk is boiled and those in which the offspring’s meat is boiled, and even eating utensils, such as bowls and spoons, that we not use them together, and not use one for the other.[[68]](#footnote-68)xv But the Talmudites have added to Scripture and forbidden all meat with all milk in the world, even the meat of birds with the milk of mammals. They are stringent about [separating] the pots even more than the impurity of vessels caused by carcasses and vermin and corpses and genital flows, which are serious impurity, as shall be explained [below]. And thus, they have violated the commandment: Ye shall not add [unto the word which I command you], neither shall ye diminish ought from it [Deuteronomy 4:2]. | #2:k |
| יב בְּסֵֽדֶר ל' (פסוק לד), בְּמִצְוַת קְטֹֽרֶת הַסַּמִּים, הַתּוֹרָה צִוְּתָה אַרְבָּעָה מִינֵי סַמִּים. וְהֵם הוֹסִֽיפוּ עוֹד שִׁבְעָה סַמִּים, וְהֵם: מֹר, קְצִיעָה, שִׁבֹּֽלֶת נֵרְדְּ, וְכַרְכֹּם, וְקֹשְׁטְ, וְקִנָּמוֹן, וְקִלּוּפִי, וְעוֹד הוֹסִֽיפוּ עֵֽשֶׂב שֶׁמַּעֲלֶה עָשָׁן, וְכִפַּת הַיַּרְדֵּן, וּמֶֽלַח סְדוֹמִית, וְתִשְׁעָה קַבִּין בּוֹרִית כַּרְשִׁינָה שֶׁשָּׁף בּוֹ אֶת הַצִּפֹּֽרֶן. וְזוֹ הוֹסָפָה עַל מִצְוֹת הַתּוֹרָה בְּזָדוֹן; שֶׁאִם הָיָה רְצוֹן הַשֵּׁם יִתְבָּרַךְ בָּאֵֽלּוּ, לָֽמָּה לֹא כְתָבָם? | 12 In chapter 30 [verse 34], in the commandment of the spices for the incense, the Torah commands four types of spices. But the [Talmudites] add seven more spices: myrrh, cassia, spikenard, saffron, costus, cinnamon, and qillufa [aromatic bark]; and they have also added an herb that causes the smoke to rise, and Jordan resin, and Sodomite salt, and nine qav-­measures of Carshina lye, with which to rub the onycha.[[69]](#footnote-69)xvi This is willfully adding to the commandments of the Torah, for if God wanted these, why did He not write them? | #2:l |
| מִצְוֹת מִסֵּֽפֶר שְׁלִישִׁי מֵחֲמֵֽשֶׁת סִפְרֵי תוֹרַת מֹשֶׁה | Commandments from the Third Book  of Moses’s Torah [Leviticus] | #3 |
| א בְּסוֹף סֵֽדֶר ב' (פסוק יד) מַה שֶּׁכָּתוּב: "וְאִם תַּקְרִיב מִנְחַת בִּכּוּרִים לַה' אָבִיב קָלוּי בָּאֵשׁ גֶּֽרֶשׂ כַּרְמֶל" – חַכְמֵי הַתַּלְמוּד אָמְרוּ כִּי הַמִּצְוָה הַזֹּאת הִיא מִצְוָה אַחַת עִם מַה שֶּׁכָּתוּב בְּזֶה הַסֵּֽפֶר סֵֽדֶר כ"ג (פסוק י): "כִּי תָבֹֽאוּ אֶל הָאָֽרֶץ אֲשֶׁר אֲנִי[[70]](#footnote-70) נֹתֵן לָכֶם וּקְצַרְתֶּם אֶת קְצִירָהּ, וַהֲבֵאתֶם אֶת עֹֽמֶר רֵאשִׁית קְצִירְכֶם אֶל הַכֹּהֵן". כִּי לְדַעְתָּם נִכְפְּלָה מִצְוָה אַחַת, כְּמוֹ שֶׁהַרְבֵּה מִן הַתּוֹרָה נִכְפְּלוּ וְנִשְׁלְשׁוּ בַּתּוֹרָה. וַחֲכָמֵֽינוּ זַ"ל לֹא הוֹדוּ לָזֶה, רַק אָמְרוּ כִּי הַכָּתוּב בְּסֵֽדֶר כ"ג הִיא מִצְוַת צִבּוּר וְהִיא חוֹבָה, אֲבָל זֹאת הִיא מִצְוַת יָחִיד בְּחוֹבָה, כְּדִכְתִיב סֵֽפֶר ב' סֵֽדֶר כ"ג (פסוק יט): "רֵאשִׁית בִּכּוּרֵי אַדְמָתְךָ תָּבִיא {מב} בֵּית ה' אֱלֹהֶֽיךָ." וַאֲשֶׁר בְּסֵֽדֶר כ"ג אֵינָהּ נִקְרֵאת מִנְחָה, רַק עֹֽמֶר; וְזֹאת נִקְרֵאת מִנְחָה, וּבָאָה אֵֽצֶל שְׁאָר מִנְחוֹת יְחִידִים אֵֽצֶל מִנְחוֹת נִדְבוֹת יְחִידִים, לְהוֹרוֹת עַל אֹֽפֶן הַקְרָבָתָהּ שֶׁיַּקְרִיבֶֽנָּה גֶּֽרֶשׂ כַּרְמֶל וְלֹא עֹֽמֶר. וַהֲבָאָתָהּ אַחַר הֲנָפַת הָעֹֽמֶר, כִּי הֲנָפַת הָעֹֽמֶר הִיא[[71]](#footnote-71) מַתֶּֽרֶת[[72]](#footnote-72) לֶאֱכֹל מֵהַתְּבוּאָה הַחֲדָשָׁה לְכָל יִשְׂרָאֵל; וְאִם יְבִיאֶֽנָּה קֹֽדֶם הֲנָפַת הָעֹֽמֶר, יֵאָסֵר לַכֹּהֵן לֶאֱכֹל שְׁיָרֵי הַמִּנְחָה. | 1 At the end of chapter 2, it is written: And if thou offer a meal offering [minḥa] of thy firstfruits unto the Lord, thou shalt offer for the meal offering of thy firstfruits green ears of grain dried by the fire, even grain beaten out of full ears (Leviticus 2:14). The sages of the Talmud say that this commandment is the same as the one written in this book, chapter 23: When ye be come into the land which I give unto you, and shall reap the harvest thereof, then ye shall bring a sheaf of the first-­fruits of your harvest unto the priest (Leviticus 23:10). For in their opinion, this commandment is repeated, just as many commandments in the Torah are mentioned two or three times. But our sages, of blessed memory, do not agree with [this interpretation of the verse]; rather, they say that the verse in chapter 23 is a commandment incumbent upon the community, and is obligatory; whereas this one [in chapter 2] is a commandment upon individuals, obligatory, as is written in book 2 [Exodus], chapter 23: The first of the firstfruits of thy land thou shalt bring {42} into the house of the Lord thy God [Exodus 23:19]. [Moreover,] the [offering mentioned] in chapter 23 is not called minḥa (meal-­offering), but ‘omer (sheaf), whereas this one [in chapter 2] is called minḥa, and is discussed among the other meal-­offerings of individuals, the voluntary meal-­offerings of individuals, to teach how to offer it, namely, as beaten dried grain, not as a sheaf. [Moreover,] it is to be brought [only] after the waving of the ‘omer, for the waved ‘omer is [the first grain that it is] permitted to eat from the new crop for the whole Jewish people; and if one would bring [a private minḥa-­offering] before the waving of the ‘omer, it would be forbidden for the priest to eat the relevant portion of the offering. | #3:a |
| ב בְּסֵֽדֶר ג' בְּמַה שֶּׁכָּתוּב (פסוק ו ואילך): "וְאִם מִן הַצֹּאן קָרְבָּנוֹ לְזֶֽבַח שְׁלָמִים לַה', וגו', אִם כֶּֽשֶׂב הוּא מַקְרִיב וגו'" – כְּתִיב שָׁם: "וְהִקְרִיב מִזֶּֽבַח הַשְּׁלָמִים אִשֶּׁה לַה' חֶלְבּוֹ הָאַלְיָה תְמִימָה לְעֻמַּת הֶעָצֶה יְסִירֶֽנָּה וגו'"; וְכֵן מִמַּה שֶּׁכָּתוּב בְּסִימָן ט' (פסוק ט): "וְאֶת הַחֲלָבִים מִן הַשּׁוֹר, וּמִן הָאַֽיִל הָאַלְיָה וְהַמְכַסֶּה וְהַכְּלָיֹת וְיֹתֶֽרֶת הַכָּבֵד" – נִרְאֶה וּמְפֻרְסָם לַכֹּל כִּי הַכָּתוּב קוֹרֵא בְשֵׁם "חֵֽלֶב" אֶת אַלְיָתָן שֶׁל מִין הַכְּשָׂבִים, בֵּין זְכָרִים בֵּין נְקֵבוֹת, וְכֵן קוֹרֵא בְשֵׁם "חֵֽלֶב" יוֹתֶֽרֶת הַכָּבֵד וְהַכְּלָיוֹת שֶׁל כָּל הַמִּינִין הַנֶּאֱכָלִין. אֲבָל הַחֲלָבִים בְּמִין הַבָּקָר וּבָעִזִּים הֵם חֲמִשָּׁה: הַמְכַסֶּה, וַאֲשֶׁר עַל הַקֶּֽרֶב, וַאֲשֶׁר עַל הַכְּלָיוֹת, וְהַכְּלָיוֹת עַצְמָן, וְיוֹתֶֽרֶת הַכָּבֵד. אֲבָל בְּמִין הַכְּשָׂבִים הֵם שִׁשָּׁה, רוֹצֶה לוֹמַר: אֵֽצֶל חֲמִשָּׁה הַנִּזְכָּרִים, הָאַלְיָה הִיא שִׁשִּׁית, וְהַתַּלְמוּדִיִּים הִתִּֽירוּ הָאַלְיָה שֶׁל מִין כְּשָׂבִים לַאֲכִילָה, וְלֹא חָשְׁשׁוּ מַאֲמַר הַכָּתוּב בְּסֵֽדֶר ז' [[73]](#footnote-73) מִזֶּה הַסֵּֽפֶר (פסוק כג, כה): "דַּבֵּר אֶל בְּנֵי יִשְׂרָאֵל לֵאמֹר, כָּל חֵֽלֶב שׁוֹר וְכֶֽשֶׂב וָעֵז לֹא תֹאכֵֽלוּ. [...] כִּי כָּל אֹכֵל חֵֽלֶב מִן הַבְּהֵמָה אֲשֶׁר יַקְרִיב מִמֶּֽנָּה אִשֶּׁה לַה' וְנִכְרְתָה הַנֶּֽפֶשׁ הָאֹכֶֽלֶת מֵעַמֶּֽיהָ." וְהֵם הִתִּֽירוּ הָאַלְיָה מִן הַכְּבָשִׂים, וְגַם הַיּוֹתֶֽרֶת מִן הַכָּבֵד וְהַכְּלָיוֹת מִכָּל הַמִּינִין; וְהֶחֱטִֽיאוּ אֶת נַפְשׁוֹת הֲמוֹנָם בְּכָרֵת. | 2 In chapter 3, in the passage: And if his offering for a sacrifice of peace offering unto the Lord be of the flock [ . . . ​] If he offer a lamb for his offering [Leviticus 3:6–7], it is written there [verse 9]: And he shall offer of the sacrifice of the peace offering, an offering made by fire unto the Lord: the fat thereof and the whole rump, it shall he take off hard by the backbone [ . . . ​]. And in chapter 9, it says: And the fat of the bullock and of the ram, the rump, and that which covereth the inwards, and the kidneys, and the caul above the liver [Leviticus 9:19]. From this, it is apparent and obvious to all that Scripture includes the rump [alya] of sheep, whether male or female, in the category “fat” [ḥelev]; and moreover, this category includes the caul above the liver and the kidneys in all species that may be eaten. The fats of cattle and goats are of five kinds: that which covers [mekhassé], and that which is on the innards [qerev], and that which covers the kidneys, and the kidneys themselves, and the caul above the liver. But the fats of sheep are six: the five listed above, and the rump is the sixth. But the Talmudites permit the rump of sheep for consumption, and disregard the words of Scripture in chapter 7 of this book [verses 23, 25]: Speak unto the children of Israel, saying: Ye shall eat no manner fat of ox, or of sheep, or of goat. [ . . . ​] For whosoever eateth the fat of the beast, of which men offer an offering made by fire unto the Lord, the soul that eateth it shall be cut off from his people. And they, by permitting the rump of sheep, and the caul above the liver and the kidneys of all species, have caused their masses to sin, bringing upon their souls kareth [being cut off]. | #3:b |
| ג בְּסֵֽדֶר י"א (פסוק ב) כְּתִיב: "זֹאת הַחַיָּה אֲשֶׁר תֹּאכְלוּ מִכָּל הַבְּהֵמָה אֲשֶׁר עַל הָאָֽרֶץ." מִזֶּה הַמּוּבָן כִּי הַבְּהֵמָה הַטְּהוֹרָה שֶׁהִיא חַיָּה, רוֹצֶה לוֹמַר בְּרִיאָה, שֶׁהֲלִיכָתָהּ כָּרָאוּי וַאֲכִילָתָהּ כַּאֲכִילַת שְׁאָר הַבְּהֵמוֹת הַבְּרִיאוֹת שֶׁאֵין הֵן חוֹלוֹת, מֻתֶּֽרֶת לְהִשָּׁחֵט וּלְהֵאָכֵל. וְכָךְ פָּסְקוּ חֲכָמֵֽינוּ, וְכָךְ גַּם אָֽנוּ נוֹהֲגִים, שֶׁלֹּא אָסְרוּ לֶאֱכֹל אֶֽלָּא הַבְּהֵמָה הַמֻּכָּה וְהַפְּצוּעָה בַּעֲלַת שְׁחִין, וְשֶׁאֵינָהּ יְכוֹלָה לֵילֵךְ אוֹ מִתְגַּלְגֶּֽלֶת וְשֶׁאֵינָהּ יְכוֹלָה לֶאֱכֹל שֶׁכָּל אֵֽלּוּ אֵינָן יְכוֹלוֹת לְהִקָּרֵא חַיָּה, אֲבָל הַשְּׁאָר שֶׁאֵין בָּהֶן מֵאֵֽלּוּ הַדְּבָרִים, מֻתֶּֽרֶת לְהִשָּׁחֵט וּלְהֵאָכֵל. וְהַתַּלְמוּדִיִּים הוֹסִֽיפוּ מִצְוַת בְּדִיקָה, שֶׁאֲפִלּוּ אִם תִּהְיֶה בְהֵמָה מְפֻטֶּֽמֶת מְרַקֶּֽדֶת, וְיִהְיוּ רֵיאוֹתֶֽיהָ חָסֵר כָּנָף אֶחָד מֵחֲמֵשׁ הַכְּנָפַֽיִם שֶׁבָּרֵיאָה, אוֹ תִהְיֶה סִרְכָה מִכָּנָף אֶל כָּנָף, שֶׁהִיא כְּחוּט דַּק מָשׁוּךְ מִכָּנָף אֶל כָּנָף, אָסְרוּ לֶאֱכֹל בְּשַׂר הַבְּהֵמָה. וְהִמְצִֽיאוּ י"ח {מג} טְרֵפוֹת שֶׁמִּסִּבָּתָן מִתְנַבְּלוֹת הַבְּהֵמוֹת הַנִּשְׁחָטוֹת, הַנִּקְרֵאת בִּלְשׁוֹנָם "סִרְכָא". וְזֶה מַה שֶּׁלֹּא עָלָה עַל לֵב נוֹתֵן הַתּוֹרָה. | 3 In chapter 11, it is written: These are the beasts [ḥayya] which ye shall eat among all the beasts that are on the earth [Leviticus 11:2]. From this, it is understood that the kosher animals are those that are ḥayya [literally “living”], that is, healthy, which can walk properly and eat as other healthy animals do, not the sick ones. These are the ones that are permitted to slaughter and eat. This is how our sages have ruled, and this is how we observe, for they forbade only animals that have wounds or boils or that is unable to walk, or rolls around [rather than being able to walk], or that is unable to eat – all these cannot be called living [ḥayya]; but others, which do not have these issues, may be slaughtered and eaten. But the Talmudites added a commandment to check [the lungs], such that even if an animal is plump and dancing around, but its lungs are missing a single lobe of the five lobes of the lungs, or there is a sirkha from one lobe to another, that is, a thin string stretched between them – they have forbidden to eat the meat of such an animal. They have invented eighteen {43} invalidating conditions [ṭerefoth], which make not kosher [the consumption] of slaughtered animals, and they call them sirkhoth.[[74]](#footnote-74)xvii None of these was ever considered by the Giver of the Torah. | #3:c |
| ד עוֹד בְּסֵֽדֶר י"א (פסוק ג) נָתְנָה הַתּוֹרָה שְׁנֵי סִימָנִים לְטָהֳרַת בְּהֵמוֹת: הָאֶחָד[[75]](#footnote-75) פַּרְסָה שְׁסוּעָה, וְהַשֵּׁנִי[[76]](#footnote-76) מַעֲלַת גֵּרָה. וְהֵם הוֹסִֽיפוּ סִימָן שְׁלִישִׁי, וְאָמְרוּ: כֹּל שֶׁבְּשָׂרוֹ הֹלֵךְ שְׁתִי וָעֵֽרֶב הוּא מֻתָּר לַאֲכִילָה. וְחָכָם אֶחָד מֵהֶם אָמַר: "וַהֲלֹא גַם עָרוֹד בְּשָׂרוֹ הֹלֵךְ שְׁתִי וָעֵֽרֶב?" עַל כֵּן קָבְעוּ הֲלָכָה: כֹּל שֶׁבְּשָׂרוֹ הֹלֵךְ שְׁתִי וָעֵֽרֶב מֻתָּר לַאֲכִילָה, לְבַד שֶׁיַּכִּיר עָרוֹד בְּמַרְאִית עֵינַֽיִם, וְלֹא יִשְׁחֲטֵֽהוּ, כִּי הוּא אָסוּר. | 4 Further on in chapter 11 [verse 3], the Torah gives two signs for the kosher status of mammals, namely split hoof and chewing the cud. But [the Rabbanites] added a third sign; they claim that any [mammal] whose flesh runs crosswise is permitted for consumption.[[77]](#footnote-77) But one of their sages noted that the ‘arod [wild ass] also has flesh that runs crosswise [and it is obviously not kosher], so they established the law that any [mammal that one finds] whose flesh runs crosswise is kosher for consumption, as long as one is familiar with the appearance of the wild ass, so that one will not come to slaughter it, for it is not kosher.[[78]](#footnote-78)xviii | #3:d |
| ה עוֹד בְּסֵֽדֶר הַזֶּה נָתְנָה הַתּוֹרָה שְׁנֵי סִימָנִים לְטָהֳרַת דָּגִים: הָאֶחָד סְנַפִּיר וְהַשֵּׁנִי קַשְׂקַשִּׂים. וְהֵם הוֹסִֽיפוּ סִימָן אֶחָד, וְאָמְרוּ: הַדָּג שֶׁזְּנָבוֹ אֵינוֹ בְשִׁוּוּי אָרְכָּן שֶׁל שְׁתֵּי פֵאוֹתָיו טָמֵא, אֲבָל אִם זְנָבוֹ שָׁוֶה הוּא טָהוֹר. וְזֶה לֹא נִזְכַּר בַּתּוֹרָה. | 5 Further on in this chapter, the Torah gives two signs for the kosher status of fish, namely fins and scales. But [the Rabbanites] added another sign, saying that a fish whose tail is not of equal length at both edges is not kosher, whereas a fish whose tail is of equal length [at both edges] is kosher. But this is not mentioned in the Torah. | #3:e |
| ו עוֹד בַּסֵּֽדֶר הַזֶּה נָתְנָה הַתּוֹרָה סִימָן לְטָהֳרַת הָעוֹפוֹת, שֶׁהָעוֹפוֹת הַטְּמֵאוֹת קְרָאָן הַכָּתוּב בִּשְׁמָן; וַאֲשֶׁר אֵינָהּ נִקְרָא בְשֵׁם הָעוֹף הָאָסוּר הַנִּזְכָּר בַּתּוֹרָה, הוּא בְהֶתֵּר. וְהֵם הוֹסִֽיפוּ סִימָנִים אֲחֵרִים אַרְבַּע, וְהֵם שֶׁאִם יִהְיֶה בָעוֹף זֶֽפֶק, וְקֻרְקְבָן נִקְלָף, וְאֶצְבַּע יְתֵרָה, וְשֶׁאֵינָהּ דֹּרֵס וְאֹכֵל – מֻתָּר. | 6 Further on in this chapter, the Torah gives a sign for the kosher status of birds; namely, it lists all the non-­kosher birds by name, and whatever is not on this list is permitted. But [the Rabbanites] have added four other signs: that if the bird has a crop, a gizzard that can be peeled, and an extra toe, and does not tear prey when it eats, it is permissible. | #3:f |
| ז עוֹד בַּסֵּֽדֶר הַזֶּה אָסַר שֶֽׁרֶץ הָעוֹף, חוּץ מֵאַרְבָּעָה מִינִים שֶׁהִתִּירָם, וְהַשְּׁאָר אֲסוּרִים. וְהֵם אֵינָם חוֹשְׁשִׁים אִם יִפֹּל שֶֽׁרֶץ הָעוֹף לְמַאֲכָלֵיהֶם וְיִתְבַּשֵּׁל וְיִמּֽוֹחַ, אוֹ בְמַשְׁקֵיהֶם. אֲבָל אֶצְלֵֽינוּ, הַמַּאֲכָל וְהַמִּשְׁתֶּה מִתְנַבְּלִים מִנְּפִילַת שַׁרְצֵי הָעוֹף וּמֵעֵרוּב רְטִיבוּתָם לָהֶם. | 7 Further on in this chapter, [the Torah] forbids flying insects, except for four species [of locusts], which it permits. All others are forbidden. But [the Rabbanites] are not concerned if flying insects fall into their food or drinks, and are cooked and disintegrated into them.[[79]](#footnote-79)xix But among us, we consider food to become forbidden if flying insects fall into the food or their fluids mix in with it. | #3:g |
| ח עוֹד בַּסֵּֽדֶר הַזֶּה כְּתִיב אִסּוּר נִבְלַת בְּהֵמוֹת וְחַיּוֹת שֶׁיֵּשׁ בָּהֶן סִימָן אֶחָד מִשְּׁנֵי סִימָנֵי טָהֳרַת בְּהֵמוֹת, כְּגוֹן <החזיר>[[80]](#footnote-80) וְהַשָּׁפָן וְהָאַרְנֶֽבֶת וְהַגָּמָל שֶׁהֵם מַעֲלֵי גֵרָה, וְהַחֲזִיר מַפְרִיס פַּרְסָה; אָסַר הַכָּתוּב לָגַֽעַת בְּנִבְלָתָם אַחַר מוֹתָם מִכֹּל וָכֹל, כְּדִכְתִיב: "מִבְּשָׂרָם לֹא תֹאכֵֽלוּ וּבְנִבְלָתָם לֹא תִגָּֽעוּ" (יא:ח). וְכֵן נִבְלַת חַיּוֹת וּבְהֵמוֹת שֶׁאֵין בָּהֶם שׁוּם סִימַן טָהֳרָה, כְּגוֹן סוּס חֲמוֹר עָרוֹד אַרְיֵה דֹּב זְאֵב כֶּֽלֶב חֲתוּל שׁוּעָל, שֶׁהִתִּיר הַכָּתוּב לָגַֽעַת בָּהֶם אֶֽלָּא בִתְנַאי שֶׁיִּטְמָא הַנֹּגֵֽעַ בָּהֶם, כְּדִכְתִיב: "וּלְאֵֽלֶּה תִּטַּמָּֽאוּ" (יא:כד). וְכֵן נִבְלַת שְׁמוֹנָה שְׁרָצִים, שֶׁהֵם הַחֹֽלֶד וְהָעַכְבָּר וְהַצָּב וְהָאֲנָקָה וְהַכֹּֽחַ וְהַלְּטָאָה וְהַחֹֽמֶט וְהַתִּנְשֶֽׁמֶת – הַתּוֹרָה חִיְּבָה בְכָל אֵֽלֶּה לַנֹּגֵֽעַ בָּהֶם אַחֲרֵי מוֹתָם, אִם בְּכָל גּוּפָם אוֹ בְחֵֽלֶק מֵהֶם, לִטְמָא עַד הָעֶֽרֶב וְלִרְחֹץ בְּשָׂרוֹ בַמַּֽיִם וּלְכַבֵּס בְּגָדָיו; וְאִם יִגְּעוּ בָהֶם מַאֲכָלִים {מד} וּמַשְׁקִים שֶׁיִּטְמְאוּ לְעוֹלָם, וְלֹא יֵצְאוּ לְטָהֳרָה; וְאִם יִגְּעוּ בָהֶם בְּגָדִים וְכֵלִים, שֶׁיִּטְמְאוּ עַד הָעֶֽרֶב וְיֻרְחֲצוּ וְיֻשְׁטְפוּ בַמַּֽיִם בָּעֶֽרֶב וְיֻטְהָֽרוּ; וְאִם כְּלֵי חֶֽרֶשׂ יִגְּעוּ בָהֶם, שֶׁיִּשָּׁבְרוּ לְגַמְרֵי וְלֹא יִטְהָֽרוּ. וְכָךְ אָֽנוּ הַקָּרָאִים נוֹהֲגִים. אֲבָל הַתַּלְמוּדִיִּים הִתִּֽירוּ כָל הַטֻּמְאוֹת הַלָּֽלוּ, וְאֵינָם חוֹשְׁשִׁים אִם יִגַּע אֶחָד מִכָּל אֵֽלֶּה לְמַאֲכָלָם וּלְמַשְׁקֵיהֶם אוֹ לְגוּפָם אוֹ לְבִגְדֵיהֶם וּכְלֵיהֶם, אֶֽלָּא שֶׁאֵינָם אֹכְלִים אֶת בְּשָׂרָם. כַּנִּרְאֶה שֶׁאֵינָם חוֹשְׁשִׁים אֲפִלּוּ בַאֲכִילָה, כְּגוֹן אִם יִתְבַּשֵּׁל וְיִמּֽוֹחַ בְּתַבְשִׁיל גַּס אוֹ בִירָקוֹת הַנִּקְרָא בִלְשׁוֹנָם צִימֶעס, אֲזַי מְבַטְּלִים בְּשִׁשִּׁים וְהַנּוֹתָר אֹכְלִים; וְגַם בָּזֶה אָמְרוּ בָטֵל בְּשִׁשִּׁים, רוֹצֶה לוֹמַר אִם יִהְיֶה מַאֲכָל בְּתוֹךְ כְּלִי וְיִפֹּל בּוֹ חֲתִיכַת בְּשַׂר נְבֵלָה מִכָּל אֵֽלֶּה הַנִּזְכָּרִים הַטְּמֵאִים וְהַמְטַמְּאִים, אִם יִהְיֶה הַמַּאֲכָל שִׁשִּׁים חֲלָקִים כְּשִׁעוּר חֲתִיכַת הַנְּבֵלָה, וְהַנְּבֵלָה תִּהְיֶה עוֹדֶֽפֶת עַל הַשִּׁשִּׁים – הַמַּאֲכָל אוֹ הַמַּשְׁקֶה טָהוֹר הַנּוֹתָר מֵחֵֽלֶק הַשִּׁשִּׁים; וְאִם יִהְיֶה הַמַּאֲכָל פָּחוּת מִשִּׁשִּׁים חֲלָקִים מִשִּׁעוּר הַנְּבֵלָה, וְהַנְּבֵלָה תִהְיֶה בְּמִסְפַּר הַשִּׁשִּׁים – הַמַּאֲכָל אוֹ הַמַּשְׁקֶה אָסוּר. וְכֵן בִּכְלִי חֶֽרֶשׂ שֶׁיִּגַּע בִּנְבֵלָה, שֶׁאָמַר עָלָיו הַכָּתוּב "וְאֹתוֹ תִשְׁבֹּֽרוּ" (יא:לג), רוֹצֶה לוֹמַר שֶׁלֹּא יִצְלַח לַכֹּל, וְלֹא יֵעָשֶׂה בוֹ שׁוּם מְלָאכָה בַטְּהוֹרִים; וְהֵם אָמְרוּ שְׁבִירָתוֹ טָהֳרָתוֹ, רוֹצֶה לוֹמַר: לִשְׁבֹּר מִמֶּֽנּוּ חֲתִיכָה אַחַת מִשְּׂפָתוֹ אָז יִהְיֶה הַכְּלִי טָהוֹר. וְעַל זֶה ה' יִלְעַג לָֽמוֹ. | 8 Further on in this chapter is written the prohibition of carcasses of mammals that have only one of the two signs of kosher animals, such as <the pig>[[81]](#footnote-81) and the hyrax and the cony and the camel, which chew their cud, and the pig, which has a split hoof. Scripture forbids touching their carcasses after their death, in any situation, as it is written: Of their flesh shall ye not eat, and their carcass shall ye not touch: they are unclean to you [Leviticus 11:8]. And similarly, [regarding] the carcasses of all the mammals with no signs of kosher status, such as a horse, an ass, a wild ass, a lion, a bear, a wolf, a dog, a cat, or a fox, Scripture permits touching them, but with the qualification that whoever touches them will become impure, as it is written: and for these ye shall be unclean [Leviticus 11:24]. And similarly, [regarding] the eight types of crawly creatures, namely the weasel, the mouse, the tortoise, the ferret, the chameleon, the lizard, the snail, and the mole [Leviticus 11:29–30]. Regarding all these, the Torah obligates all that touch their corpses, whether the whole corpse or only part of it, to be impure until evening, and then to wash one’s body in water and launder one’s clothes. And if foodstuffs or drinks come {44} in contact with them, they become impure forever, and can never be purified. And if clothes or vessels come in contact with them, they become impure until evening, and then must be washed and cleaned with water in the evening, at which point they will become pure. And if earthenware vessels come in contact with them, they must be totally broken and will never become pure. This is how we Karaites behave. On the other hand, the Rabbanites have permitted all these impurities, and are not concerned if any of these fall into their food, drinks, bodies, clothes, or vessels; [the Rabbanites are concerned] only with refraining from eating their flesh.[[82]](#footnote-82) And it seems that they are not concerned even about eating them, if it is in a case such that [these animals] are cooked and disintegrated into a thick cooked dish or into [a] vegetable [dish], which they call tsimmes in their language;[[83]](#footnote-83) in such a case, they nullify it in sixty, and eat the rest. Here, too, they say: “It is null-­and-­void in sixty.” That is, if a food is inside a container, and a piece of non-­kosher meat falls in from any of the above-­mentioned species, which are impure and confer impurity – if the amount of kosher food is sixty times that of the non-­kosher carcass, and the carcass is not counted in those sixty, then [the Rabbanites consider] the food or drink kosher, [including] the one-­sixtieth that remains [of non-­kosher food]. But if the food is less than sixty times the amount of the non-­kosher carcass, and the carcass is counted in the sixty, then the food or drink is forbidden. And regarding an earthenware vessel that touches a carcass, Scripture says that it must be broken; that is, it cannot ever be used for anything, and no pure substances may be handled with it; but [the Rabbanites] say that breaking it makes it pure; that is, if one piece from the side is chipped off, then the vessel is pure. But God laughs at them for this.[[84]](#footnote-84) | #3:h |
| ט וְכֵן בְּסִימָן הַזֶּה כְּתִיב בְּעַד שַׁרְצֵי הָאָֽרֶץ, רוֹצֶה לוֹמַר נְחָשִׁים עַקְרַבִּים תּוֹלָעִים וּרְמָשִׂים, כְּדִכְתִיב: "כֹּל הוֹלֵךְ עַל גָּחוֹן וְכֹל הוֹלֵךְ עַל אַרְבַּע עַד כָּל מַרְבֵּה רַגְלַֽיִם לְכָל הַשֶּֽׁרֶץ הַשֹּׁרֵץ עַל הָאָֽרֶץ לֹא תֹאכְלוּם ... אַל תְּשַׁקְּצוּ אֶת נַפְשֹׁתֵיכֶם בְּכָל הַשֶּֽׁרֶץ הַשֹּׁרֵץ וְלֹא תִטַּמְּאוּ בָּהֶם וְנִטְמֵתֶם בָּם ... וְלֹא תְטַמְּאוּ אֶת נַפְשֹׁתֵיכֶם בְּכָל הַשֶּֽׁרֶץ הָרֹמֵשׂ עַל הָאָֽרֶץ" (יב:מב-מד). רְצוֹן הַכָּתוּב בָּזֵֶה שֶׁאִם יִפְּלוּ לְמַאֲכָלִים וּמַשְׁקִים וְיִמָּחוּ, שֶׁאָסְרוּ הַמַּאֲכָל וְהַמַּשְׁקֶה. וְהֵם אֵינָם חוֹשְׁשִׁים, רַק מַשְׁלִיכִים הַשֶּֽׁרֶץ, אֲפִלּוּ נִמְרַח לַחֲתִיכוֹת, וְאֹכְלִים הַמַּאֲכָל וְשׁוֹתִים הַמַּשְׁקֶה. אֲבָל הַתּוֹלָעִים הַנִּמְצָאִים בִּגְבִינָה אֵינָם אוֹסְרִים אֲפִלּוּ לַאֲכִילָה מַמָּשׁ, וּמַמְרִיחִים עַל הַגְּבִינָה וְאוֹכְלִים. וְזֶה מֶֽרֶד וְהִתְנַגְּדוּת כְּנֶֽגֶד רְצוֹן הַתּוֹרָה. | 9 Similarly, in the same chapter, Scripture says about the creatures that crawl on the land – serpents, scorpions, worms, and other crawling creatures: Whatsoever goeth upon the belly, and whatsoever goeth upon all four, or whatsoever hath more feet among all creeping things that creep upon the earth, them ye shall not eat [for they are an abomination]. Ye shall not make yourselves abominable with any creeping thing that creepeth [ . . . ​] upon the earth [Leviticus 11:42–44]. Scripture means by this that, if they fall into foods or drinks and disintegrate into them, then the food or drink is forbidden. But [the Rabbanites] are not concerned about this; they take the creature, even if it has been crushed into pieces, and they toss it out, and then eat the food or drink the drink. And when it comes to the worms that are found in cheese, they do not even forbid eating them directly, and they rub them over the cheese, and eat it. This is rebellion and opposition to the will of the Torah. | #3:i |
| י בְּסֵֽדֶר י"ב צִוְּתָה הַתּוֹרָה שֶׁהַיּוֹלֶֽדֶת תִּטְמָא שִׁבְעָה יָמִים לְזָכָר וְאַרְבָּעָה–עָשָׂר לִנְקֵבָה, כְּנִדָּה. מַה נִּדָּה טְמֵאָה וּמְטַמְּאָה לַנֹּגְעִים בָּהּ, כֵּן הַיּוֹלֶֽדֶת. וְהֵם אֵינָם נִשְׁמָרִים כְּלָל וּכְלָל, וְהַיּוֹלֶֽדֶת נוֹגַֽעַת בְּכָל כְּלֵי הַבַּֽיִת וּבְכָל הַמַּאֲכָלִים וְהַמַּשְׁקִים, וְאֹכְלִים כֻּלָּם וְשׁוֹתִים עִם הַיּוֹלֶֽדֶת בְּלִי שׁוּם הֶבְדֵּל וַחֲשַׁשׁ. וְכֵן אַחַר עֲבוֹר שִׁבְעָה לְזָכָר וְאַרְבָּעָה–עָשָׂר לִנְקֵבָה תֵּשֵׁב שְׁלֹשִׁים–וּשְׁלֹשָׁה יָמִים לְזָכָר וְשִׁשִּׁים–וְשִׁשָּׁה לִנְקֵבָה עַל דְּמֵי טָהֳרָה, וְאַחַר אֵֽלּוּ הַיָּמִים תַּקְרִיב קָרְבָּן {מה} וְתִטְהַר. וְהֵם הִתִּֽירוּ הַיּוֹלֶֽדֶת לְבַעְלָהּ בְּאֵֽלּוּ הַשְּׁלֹשִׁים–וּשְׁלֹשָׁה יָמִים לְזָכָר וְהַשִּׁשִּׁים–וְשִׁשָּׁה לִנְקֵבָה, אֲפִלּוּ תִהְיֶה שׁוֹפַֽעַת דָּם כְּנָהָר. וּבְעֵֽסֶק זֶה אֲפִלּוּ הַגּוֹיִם נִשְׁמָרִים. אֲבָל חֲכָמֵֽינוּ זַ"ל הִזְהִֽירוּ שֶׁלֹּא תִגַּע הַיּוֹלֶֽדֶת לְשׁוּם דָּבָר, כְּמוֹ הַנִּדָּה, וּמִשְׁכָּבָהּ וּמוֹשָׁבָהּ וּמֶרְכָּבָהּ טְמֵאִים טֻמְאַת שִׁבְעָה וּמְטַמְּאִים לַנֹּגְעִים בָּהֶם טֻמְאַת יוֹם; וּשְׁאָר דְּבָרִים שֶׁתִּגַּע בָּהֶם, כְּגוֹן כֵּלִים וּבְגָדִים, יִטְמְאוּ טֻמְאַת יוֹם וְיֻרְחֲצוּ בַמַּֽיִם; וְאָדָם הַנֹּגֵֽעַ בָּהּ יִטְמָא יוֹם וְיִרְחַץ; וּמַאֲכָלִים וּמַשְׁקִים שֶׁתִּגַּע בָּהֶם הַיּוֹלֶֽדֶת יִטְמְאוּ לְעוֹלָם; וּכְלִי חֶֽרֶשׂ שֶׁתִּגַּע בּוֹ הַיּוֹלֶֽדֶת אֵין לוֹ טָהֳרָה. | 10 In chapter 12, the Torah commands that a woman who gives birth becomes impure for seven days for a boy and fourteen days for a girl, just like a menstruant woman. That is, just as a menstruant woman is impure and confers impurity to all who touch her, so too the woman who has given birth. But [the Rabbanites] are not concerned at all about this, and their women who have given birth touch all items in the house, and all foods and drinks, and they all eat and drink with the woman, without any concern or separation. Moreover, after the seven days for a boy and the fourteen for a girl, [the Torah commands that] she must sit thirty-three days for a boy and sixty-six for a girl, on “pure blood,” and after these days, she must offer a sacrifice, {45} and then she becomes pure. But [the Rabbanites] permit a woman who has given birth [to sleep with] her husband during these 33 days for a boy and 66 for a girl, even if she is gushing blood like a river. Even gentiles avoid such behavior! And our sages forbid the woman who has given birth to touch anything, just like a menstruant; and where she lies down and where she sits and where she rides are all impure for seven days, and confer one-­day impurity on all who touch them. And all other items that she touches,[[85]](#footnote-85)xx such as vessels or clothes, contract one-­day impurity, and must be washed in water; and all who touch them contract one-­day impurity and must bathe. And foods and drinks that the woman touches become impure for eternity, and an earthenware vessel that she touches can never become pure.[[86]](#footnote-86) | #3:j |
| יא בְּסֵֽדֶר י"ג הַתּוֹרָה צִוְּתָה מַרְאוֹת נְגָעִים לִטָּמֵא בָהֶם נִגְעֵי עוֹר בְּשַׂר הָאָדָם וְנִגְעֵי הָרֹאשׁ וְהַזָּקָן, וְכֵן נִגְעֵי בְגָדִים. חֲכָמֵֽינוּ חִיְּבוּ אִם יִהְיֶה כֹהֵן בָּקִיא בְהוֹרָאָתָם לְהִשָּׁמֵר מֵהֶם. אֲבָל הַתַּלְמוּדִיִּים בִּטְּלוּם בַּגָּלוּת מִכֹּל וָכֹל. | 11 In chapter 13, the Torah gives instruction regarding the appearance of various afflictions that confer impurity – skin afflictions, in human flesh; and afflictions in the head and the beard; and afflictions in clothing. Our sages obligate us to be concerned about them,[[87]](#footnote-87)xxi if there is a kohen [priest] who is knowledgeable about them [who can declare them impure; for the Torah does not consider the afflictions to confer impurity until a priest declares them impure]. But the Talmudites have completely done away with this in the diaspora.[[88]](#footnote-88) | #3:k |
| יב בְּסֵֽדֶר ט"ו טֻמְאַת הַזָּב הַזָּכָר וְטֻמְאַת שִׁכְבַת זֶֽרַע, וְהֵם בִּטְּלוּם מִכֹּל וָכֹל. | 12 In chapter 15 are the rules of impurity of genital flows from males and of seminal emission. [The Rabbanites] have completely done away with these.[[89]](#footnote-89) | #3:l |
| יג עוֹד בְּסֵֽדֶר ט"ו הַכָּתוּב חִיֵּב לַנִּדָּה שֶׁתִּטְמָא שִׁבְעָה יָמִים מִשֶּׁתִּרְאֶה הַדָּם, וְתִטְמָא לְמוֹשָׁב וּלְמִשְׁכָּב טֻמְאַת שִׁבְעָה; וּשְׁאָר דְּבָרִים כֵּלִים וּבְגָדִים שֶׁיִּטְמְאוּ יוֹם אֶחָד בְּנָגְעָהּ בָּהֶם; וְאָדָם הַנֹּגֵֽעַ בָּהּ יִטְמָא יוֹם אֶחָד וְיִרְחַץ וִיכַבֵּס; וְהַשּׁוֹכֵב עִמָּהּ וּתְהִי נִדָּתָהּ עָלָיו שֶׁיִּטְמָא שִׁבְעַת יָמִים; וְאִם תִּגַּע בְּמַאֲכָלִים וּמַשְׁקִים אֵין לָהֶם טָהֳרָה; וְכֵן כְּלִי חֶֽרֶשׂ. וְכֵן אָֽנוּ שׁוֹמְרִים גַּם הַיּוֹם. אֲבָל הֵם בִּטְּלוּ זֶה מִכֹּל וָכֹל, אַף–עַל–פִּי בְּבֵירוּר. וּמַה שֶּׁלֹּא כָתוּב הוֹסִֽיפוּ וּבָדוּ מִלִּבָּם, וְהוּא שֶׁאִם יִמְלְאוּ לַנִּדָּה אַחֲרֵי רְאוֹתָהּ הַדָּם הָרִאשׁוֹן שִׁבְעָה יָמִים, חִיְּבוּ לָהּ לִסְפֹּר עוֹד שִׁבְעָה יָמִים נְקִיִּים, שֶׁבְּאֵֽלּוּ הָאַרְבָּעָה–עָשָׂר יָמִים תִּהְיֶה אֲסוּרָה לְבַעְלָהּ, שֶׁלֹּא תִשְׁכַּב עִמּוֹ; אֲבָל אֹכְלִים בְּיַֽחַד עַל הַשֻּׁלְחָן מִקְצֵה קְעָרָה. אֲבָל חֲכָמֵֽינוּ חִיְּבוּ לַנִּדָּה שֶׁתִּטְמָא לְבַד שִׁבְעָה יָמִים כְּעֶֽצֶם הַכָּתוּב, בְּלִי תוֹסֶֽפֶת וּמִגְרַֽעַת, וּלְבַד בְּאֵֽלּוּ הַיָּמִים הִיא אֲסוּרָה לְבַעְלָהּ בְּחִיּוּב כָּרֵת אִם יִהְיֶה מֵזִיד, וְאִם בְּשׁוֹגֵג חַיָּב קָרְבָּן וְטֻמְאַת שִׁבְעָה. וְלֹא חִיְּבֽוּנוּ בַּנִּדָּה שִׁבְעָה נְקִיִּים, כִּי שִׁבְעָה נְקִיִּים לֹא חִיְּבָה הַתּוֹרָה אֶֽלָּא לַזָּבָה, שֶׁהִיא אַחַר הַנִּדָּה; כִּי אֵין זָבָה אִם לֹא תִהְיֶה נִדָּה. וְהֵם לֹא הִפְרִֽישׁוּ בֵּין פָּרָשַׁת נִדָּה לְפָרָשַׁת זָבָה, וְהַכָּתוּב הִפְרִישָׁן בְּבֵרוּר, וְלַזָּבָה חִיּוּב קָרְבָּן וְלַנִּדָּה לֹא. | 13 Further on in chapter 15, Scripture declares a menstruant impure for seven days from the time that she sees blood; and that she confers seven-­day impurity to any object on which she sits or lies down, and one-­day impurity to any other items that she touches, such as vessels or clothes; and if other people touch her, they contract one-­day impurity, and must then wash themselves and launder their clothes; and if someone sleeps with her while she is menstruating, he contracts seven-­day impurity;[[90]](#footnote-90)xxii and if she touches foodstuffs or drinks, they can never become pure; and so also regarding an earthenware vessel. We keep all these [rules] even today, but [the Rabbanites] have completely done away with all this, even though [it is written] clearly. But they added [rules] that are not in Scripture, and invented them out of their own hearts; namely, if the menstruant completes her seven days after her first sighting of blood, they require her to count another seven clean days. And in these fourteen days, she is forbidden to her husband; [that is,] she may not sleep with him. But they eat together at the table, from sides of the same plate. [On the other hand,] our sages declare the menstruant to be impure for only seven days, in accordance with the very words of Scripture, without adding or subtracting from them; only in these days is she forbidden to her husband, on penalty of kareth [having their souls cut off], if they do so intentionally, and on penalty of bringing of a sacrifice, if accidentally, and [conferring] seven-­day impurity [to the man]. But they do not obligate us to keep seven clean days for a menstruant, for the Torah requires seven clean days only for a zava [a woman with a flow], which comes after menstruation, for a woman cannot be a zava unless she has already been menstruating. But [the Rabbanites] do not distinguish between the rules for a menstruant and those for a zava, even though Scripture clearly distinguishes them, and requires the zava to bring a sacrifice, which is not the case for a menstruant.[[91]](#footnote-91)xxiii | #3:m |
| יד בְּסֵֽדֶר י"ח בְּמִצְוַת הָעֲרָיוֹת הַכְּתוּבָה בְּאַחַד–עָשָׂר פְּסוּקִים, מַחֲלֹֽקֶת גְּדוֹלָה בֵּין חֲכָמֵֽינוּ וּבֵינֵיהֶם, וְחֻבָּֽרוּ בָזֶה סְפָרִים, וְיֶאֱרַךְ הַדִּבּוּר בְּסִפּוּרָם; רַק בְּכַאן נַגִּיד הַמְפֻרְסָם לַכֹּל. וְהוּא כִּי הַתּוֹרָה אָמְרָה: {מו} "עֶרְוַת בַּת אֵֽשֶׁת אָבִֽיךָ מוֹלֶֽדֶת אָבִֽיךָ אֲחוֹתְךָ הִיא לֹא תְגַלֵּה", שֶׁהָרָצוֹן בְּ"מוֹלֶֽדֶת אָבִֽיךָ" מְגֻדֶּֽלֶת שֶׁל אָבִֽיךָ הִיא, רוֹצֶה לוֹמַר שֶׁגָּדְלָה בְּבֵיתוֹ, כְּמוֹ "גַּם בְּנֵי מָכִיר בֶּן מְנַשֶּׁה יֻלְּדוּ עַל בִּרְכֵּי יוֹסֵף" [בראשית נ', פסוק כג], וְכֵן "חֲמֵֽשֶׁת בְּנֵי מִיכַל אֲשֶׁר יָלְדָה לְעַדְרִיאֵל" [שמואל ב' כא, פסוק ח], כִּי בִשְׁמוּאֵל ב' ו' [[92]](#footnote-92) (פסוק כג) כְּתִיב: "וּלְמִיכַל בַּת שָׁאוּל לֹא הָיָה וָלָד עַד יוֹם מוֹתָהּ"; וּקְרָאָהּ אֲחוֹתְךָ לְאָסְרָהּ עָלָיו כָּאָחוֹת הָאֲמִתִּית. וְהֵם אָמְרוּ כִּי מוֹלֶֽדֶת וַדַּאי לְשׁוֹן הוֹלָדָה. וַחֲכָמֵֽינוּ זַ"ל טָעֲנוּ לָהֶם שֶׁאִם כֵּן לָמָה אָמַר "עֶרְוַת בַּת אֵֽשֶׁת אָבִֽיךָ", וְהָיָה לוֹ לוֹמַר "עֶרְוַת בַּת אָבִֽיךָ מֵאִשָּׁה שֶׁהִיא[[93]](#footnote-93) זוּלַת אִמֶּֽךָ." וְעוֹד שֶׁכְּבָר אָמַר לְעֵיל: "עֶרְוַת אֲחוֹתְךָ בַת אָבִֽיךָ אוֹ בַת אִמֶּֽךָ." | 14 In chapter 18, in the laws of forbidden sexual relationships, which is written in eleven verses,[[94]](#footnote-94) there is a great dispute between our sages and theirs. Many books have been written about this matter, and it would take a long time to tell all about it. Here we shall tell only the most famous [parts of the debate]. The Torah says: {46} The nakedness of thy father’s wife’s daughter, begotten of thy father [moledeth avikha], she is thy sister, thou shalt not uncover [her nakedness] (Leviticus 18:11). The meaning of “begotten of thy father” is that she has been raised by your father – that is, that she grew up in his house; this usage is found, similarly, regarding the sons of Machir son of Menasseh: they were begotten upon Joseph’s knees (Genesis 50:23); and about the five sons of Michal, whom she begat for Adriel (II Samuel 21:8), for [we know from] II Samuel [6:23] that Michal the daughter of Saul had no child unto the day of her death. The text calls [your step-­sister] thy sister, to indicate that she is as forbidden to you as your real sister. But [the Rabbanites] say that this word moledeth [“begotten”] means literally begotten. Our sages argue against them, for if so, why would Scripture call her thy father’s wife’s daughter, rather than simply “thy father’s daughter from a woman that is not thy mother”? Moreover, Scripture has already mentioned [the biological sister], when it says [in verse 9]: The nakedness of thy sister, the daughter of thy father, or daughter of thy mother (Leviticus 18:9). | #3:n |
| וְהֵם הִקְשִׁיחוּ עָרְפָּם וְהִתִּֽירוּ אֶת אֵֽשֶׁת הָאָב, וְלוֹקֵֽחַ הָאָב אֶת הָאֵם וְהַבֵּן אֶת בַּת הָאֵם שֶׁלְּקָחָהּ הָאָב. | Thus, [the Rabbanites] stubbornly permit [a man to marry his] father’s wife; and a father will marry a woman, and his son marry her daughter.[[95]](#footnote-95) |  |
| וְכֵן הִתִּֽירוּ שֶׁיִּקַּח הָאִישׁ אֶת בַּת אֲחוֹתוֹ; וְאַף–עַל–פִּי שֶׁאֵינוֹ זֶה כְּתִיב בַּתּוֹרָה, סוֹמֵךְ אַחֲרֵי שֶׁהוּא יוֹצֵא בְהֶקֵּשׁ גְּזֵרָה שָׁוָה, שֶׁאִם אָסוּר לְאִישׁ לִקַּח אֲחוֹת אָבִיו וַאֲחוֹת אִמּוֹ, כַּכָּתוּב בַּתּוֹרָה, כֵּן אָסוּר לְאִשָּׁה לְהִנָּשֵׂא לַאֲחִי אָבִֽיהָ וְאִמָּהּ. | Moreover, they permit a man to marry his sister’s daughter. Now, although this is not explicitly mentioned in the Torah, [it is clearly forbidden] based on analogy: if it is forbidden for a man to marry his father’s or mother’s sister [i.e., his aunt], as written in the Torah, then it must also be forbidden for a woman to marry her father’s or mother’s brother [i.e., her uncle]. |  |
| וְכֵן הִתִּֽירוּ כְּשֶׁתָּמוּת אִשְׁתּוֹ שֶׁל אִישׁ שֶׁיִּקַּח אֲחוֹת אִשְׁתּוֹ, מִמַּה שֶּׁכָּתוּב: "וְאִשָּׁה אֶל אֲחוֹתָהּ לֹא תִקָּח, לִצְרֹר לְגַלּוֹת עֶרְוָתָהּ עָלֶֽיהָ בְּחַיֶּֽיהָ" (ויקרא יח:יח), וְלֹא יָדְעוּ כִּי מְכֻוַּן הַכָּתוּב אֵינוֹ עַל אֲחָיוֹת אֲמִתִּיּוֹת אֶֽלָּא עַל אֲחָיוֹת בַּדִּין, כְּמוֹ שֶׁיֵּשׁ מִזֶּה הַמִּין הַרְבֵּה בַּמִּקְרָא; וַאֲפִלּוּ עַל מִי שֶׁאֵינוֹ חַי, כָּךְ הַכָּתוּב אוֹמֵר: "אִישׁ אֶל אָחִיו", "אִשָּׁה אֶל אֲחוֹתָהּ"; וּרְצוֹן הַכָּתוּב שֶׁלֹּא יִקַּח אִישׁ אִשָּׁה חֲדָשָׁה אֵֽצֶל אִשְׁתּוֹ הָרִאשׁוֹנָה כְּדֵי לִצְרוֹר הָרִאשׁוֹנָה, שֶׁתֵּשֵׁב צְרוּרָה וּשְׂנוּאָה וַעֲגוּנָה בְּחַיֶּֽיהָ, וְרוֹאָה בְעֵינֶֽיהָ שֶׁאִישָׁהּ חוֹשֵׁק הַחֲדָשָׁה וְשׁוֹכֵב עִמָּהּ וְאוֹכֵל וְשׁוֹתֶה עִמָּהּ וּמִתְרַחֵק מֵהָרִאשׁוֹנָה, כִּי זֶה לָהּ צַֽעַר גָּדוֹל; וְהוּא הַמְכֻוָּן בְּמַאֲמַר "לִצְרוֹר". וְהֵם פֵּרְשׁוּ מִלַּת "לִצְרוֹר" – "לֹא צָרוּר", רוֹצֶה לוֹמַר: לֹא הִיא וְלֹא צָרָתָהּ וְלֹא צָרַת צָרָתָהּ, רוֹצֶה לוֹמַר, שֶׁלֹּא יִקַּח אִישׁ אֲחוֹת אִשְׁתּוֹ בְּעוֹד שֶׁאִשְׁתּוֹ חַיָּה, לֹא אֲחוֹתָהּ שֶׁל אִשְׁתּוֹ וְלֹא צָרָתָהּ שֶׁל אֲחוֹת אִשְׁתּוֹ בְּעוֹד שֶׁהִיא חַיָּה; אֲבָל אַחֲרֵי מוֹתָהּ מֻתָּר שֶׁיִּשָּׂא. וְהֶחֱלִֽיפוּ הַכָּתוּב בִּמְפֻרְסָם. | Moreover, they permit a man to marry the sister of his late wife, after the death of said wife; [they base this] on the verse: Neither shalt thou take a wife to her sister, to be her rival wife, to uncover her nakedness, beside the other in her lifetime (Leviticus 18:18).[[96]](#footnote-96) And they do not understand that the [true] meaning of this verse is not about actual sisters, but about “sisters in judgment.” This usage is found many times in Scripture, which says, even about inanimate objects, “one man to his fellow,” “one woman to her fellow” [see, e.g., Exodus 26:3]. The meaning of [our] verse is that a man may not marry a new wife, in addition to his first wife, in order to rival (liẓror) the first one, such that she will sit bound up (ẓerura) and hated and chained in her lifetime, while she sees in front of her eyes that her husband loves the new wife and sleeps with her and eats and drinks with her, and stays away from the first wife, for this would cause great anguish [to the first wife]. This is what is meant by the word liẓror. But [the Rabbanites] interpret liẓror as lo ẓaror, that is, not [lo] she, nor her rival wife [ẓara], nor the rival wife of her rival wife; in other words, he may not marry his wife’s sister while his wife is alive, nor may he marry a woman who has been together with his wife’s sister in a polygamous marriage, while she is alive; but after her death, it is permitted to marry them. [The Rabbanites] have changed [the meaning of] Scripture in an obvious way. |  |
| וּמִפְּנֵי שֶׁמִּתְחַתְּנִים בְּאִסּוּר, יַלְדֵיהֶם מַמְזֵרִים נִקְרָאִים; אֲבָל הֵם רְאוּיִים הִקָּרֵא מַמְזֵרִים, וְלֹא אֲנַֽחְנוּ. וּמִפְּנֵי הַמַּחְלֹֽקֶת גְּדוֹלָה בֵּינֵֽינוּ וּבֵינֵיהֶם בָּעֲרָיוֹת, עַל כֵּן אָסְרוּ חֲכָמֵֽינוּ לְהִתְחַתֵּן בָּם כְּלָל וּכְלָל. | And because they contract forbidden marriages, their children are called bastards.[[97]](#footnote-97)xxiv But they [themselves] deserve to be called bastards, and not we. Because of the great debate between us and them regarding sexual relationships, our sages have forbidden us to ever marry them. |  |
| טו בְּסֵֽדֶר י"ט (פסוק יא) כְּתִיב: "לֹא תִּגְנֹֽבוּ, וְלֹא תְכַחֲשׁוּ וְלֹא תְשַׁקְּרוּ אִישׁ בַּעֲמִיתוֹ." וְנִכְפְּלָה זֹאת הַמִּצְוָה גַּם בְּסֵֽדֶר כ"ה (פסוק טו): וְכִי תִמְכְּרוּ מִמְכָּר לַעֲמִיתֶֽךָ אוֹ קָנֹה מִיַּד עֲמִיתֶֽךָ, אַל תּוֹנוּ אִישׁ אֶת אָחִיו. וְהֵם הָרְסוּ הַמִּצְוָה הַזֹּאת, וְאָמְרוּ: כָּל הַקּוֹנֶה וּמָצָא בוֹ תַּעֲרֹֽבֶת צְרוֹר אֲבָנִים {מז} וְעָפָר וָאֵֽפֶר, אֵין עַל הַמּוֹכֵר כְּלוּם, כִּי הָיָה לוֹ לַקּוֹנֶה לְפַשְׁפֵּשׁ. וַחֲכָמֵֽינוּ זַ"ל אָמְרוּ: וַהֲלֹא יֵשׁ סְחוֹרוֹת שֶׁאִי אֶפְשָׁר לְפַשְׁפְּשָׁן, כְּגוֹן חֲבִיּוֹת שֶֽׁמֶן וּגְלוּמֵי מַסָּכוֹת, הַצְּרוּרִים וּמְכֻפָּתִין בַּעֲבוֹתוֹת. וְקוֹנֶה אוֹתָם עַל נֶאֶמְנוּת הַמּוֹכֵר – הַאִם תַּסְכִּים הַתּוֹרָה שֶׁהַמּוֹכֵר יְזַיֵּף סְחוֹרָתוֹ?! וְכֵן הִתִּֽירוּ לְנוֹתֵן סְחוֹרָה בְהַקָּפָה לָתֵת שְׁוֵה מֵאָה בְּמֵאָה וַחֲמִשִּׁים, וְזֶה אוֹנָאָה גְדוֹלָה וַעֲבֵרַת נֶֽשֶׁךְ וְתַרְבִּית. וְכֵן הִתִּֽירוּ לַעֲשׂוֹת אוֹנָאָה בְּמֶקָּח וּמִמְכָּר עַד חֵֽלֶק הַשִּׁשִּׁי מִסַּךְ הַמִּמְכָּר. | 15 In chapter 19, it is written: Ye shall not steal, neither deal falsely, neither lie one to another [Leviticus 19:11]. This commandment is repeated in chapter 25: And if thou sell ought unto thy neighbour, or buyest ought of thy neighbour’s hand, ye shall not oppress one another [Leviticus 25:14]. But [the Rabbanites] have completely done away with this commandment, for they say: If one buys an item, and finds garbage in it, [such as] rocks {47} or dirt or ashes, the seller is not responsible, for the buyer should have examined it [before buying]. But our sages say: Aren’t there items of sale that are impossible to check, such as jugs of oil or bundles of fabric that are tightly rolled up and tied? When one buys those, one relies on the trustworthiness of the seller. Would the Torah agree that a seller may counterfeit the merchandise?! Moreover, [the Rabbanites] permit selling merchandise on credit, to give what is worth 100 [monetary units] for 150. But this is great [financial] oppression, and the sin of usury. Moreover, they permit oppression in business, up to [overcharging] one-­sixth the value of the merchandise. | #3:o |
| טז עוֹד בְּסֵֽדֶר י"ט (פסוק כ) כְּתִיב בְּשִׁפְחָה חֲרוּפָה: "בִּקֹּֽרֶת תִּהְיֶה." הֵם פֵּרְשׁוּ שֶׁהָאִשָּׁה תִהְיֶה לוֹקָה בִּרְצוּעָה שֶׁל בָּקָר עַל שֶׁשָּׁכַב אִישׁ עִמָּהּ; אֲבָל הָאִישׁ הַשּׁוֹכֵב יִהְיֶה פָטוּר. וְכָל מַשְׂכִּיל יִלְעַג עַל הַמִּשְׁפָּט הַזֶּה, וְחָלִֽילָה שֶׁשּׁוֹפֵט כָּל הָאָֽרֶץ יֹאמַר לָרָשָׁע "צַדִּיק אַתָּה"! אֲבָל חֲכָמֵֽינוּ זַ"ל פֵּרְשׁוּ "בִּקֹּֽרֶת" לְשׁוֹן בִּקּוּר וַחֲקִירָה, רוֹצֶה לוֹמַר לְחַפֵּשׂ וְלִדְרוֹשׁ אִם חֻפְשָׁה לֹא נִתַּן לָהּ עֲדַֽיִן הִיא אֵינָהּ אֵֽשֶׁת אִישׁ, עַל כֵּן אִם יִהְיֶה מְפַתֶּה חַיָּב הָאִישׁ הַשּׁוֹכֵב עִמָּהּ לְקַחְתָּהּ לוֹ לְאִשָּׁה, כְּדִכְתִיב בְּסֵֽפֶר שֵׁנִי סֵֽדֶר כ"ב (פסוק טו): "וְכִי יְפַתֶּה אִישׁ בְּתוּלָה אֲשֶׁר לֹא אֹרָֽשָׂה וְשָׁכַב עִמָּהּ, מָהֹר יִמְהָרֶֽנָּה לּוֹ לְאִשָּׁה"; וְאִם יִהְיֶה אוֹנֵס חַיָּב לָתֵת עֹֽנֶשׁ חֲמִשִּׁים כֶּֽסֶף וְשֶׁיִּשָּׂאֶֽנָּה לְאִשָּׁה וְלֹא יוּכַל שַׁלְּחָהּ כָּל יָמָיו, כְּדִכְתִיב בְּסֵֽפֶר ה' בְּסוֹף סֵֽדֶר כ"ב (פסוקים כח-כט). אֲבָל אִם תִּהְיֶה הַשִּׁפְחָה מְחֻפָּשָׁה בִּכְתָב חֹֽפֶשׁ, שֶׁהוֹצִיאָהּ הָאָדוֹן הַקּוֹנֶה אוֹתָה מִשִּׁפְחוּת לִגְבִירוּת, כְּבָר הִיא מְאֹרָשָׂה וְאֵֽשֶׁת אִישׁ; וְהַשּׁוֹכֵב אוֹתָהּ אִם יִהְיֶה מְפַתֶּה אוֹ אוֹנֵס הוּא חַיַּב מִיתָה, כִּי נָאַף אֶת אֵֽשֶׁת רֵעֵֽהוּ; וְהָאִשָּׁה אִם תִּהְיֶה מְפֻתָּה חַיֶּֽבֶת מָֽוֶת, וְאִם תִּהְיֶה אֲנוּסָה פְּטוּרָה מֵהַמָּֽוֶת, כְּדִכְתִיב בְּסֵֽפֶר ה' סִימָן כ"ב[[98]](#footnote-98) (פסוק כו): "לַנַּעֲרָה לֹא תַעֲשֶׂה דָבָר, אֵין לַנַּעֲרָה חֵטְא מָֽוֶת"; רַק חַיֶּֽבֶת לְהִתְגָּרֵשׁ בְּגֵט מֵאֲדוֹנָהּ הַמְאָרְסָהּ וְהַמְיַעֲדָהּ לוֹ אוֹ לִבְנוֹ. וְזֶהוּ הַבִּקּוּר הַנִּפְלָא שֶׁאָמְרָה הַתּוֹרָה, לְבַקֵּר וְלִדְרוֹשׁ שֶׁלֹּא תוּמַת הָאִשָּׁה בְּלִי חֲקִירָה וּדְרִישָׁה, שֶׁאֶפְשָׁר תּוּמַת וְהִיא אֵינָהּ חַיֶּֽבֶת מִיתָה, אוֹ תִפָּטֵר וְהִיא חַיֶּֽבֶת מִיתָה. | 16 Further in chapter 19, it is written about a betrothed female slave: there shall be biqqoreth [Leviticus 19:20]. The Rabbanites interpret this to mean that the woman must be lashed with an ox[tail]-­whip because the man has slept with her, but the man that has slept with her is not punished in any way.[[99]](#footnote-99) Anyone intelligent will mock such a judgment; and far be it from the Judge of the Whole World to tell a guilty man that he is innocent! But our sages, of blessed memory, interpret biqqoreth as meaning an examination, an investigation – that is, [we] must investigate to see whether or not her freedom has been given to her yet; for, if not, then she is not considered a married woman. And therefore, if a man has seduced her, he must marry her, as is written in the second book [Exodus], chapter 22 [verse 16]: And if a man entice a maid that is not betrothed, and lie with her, he shall surely endow her to be his wife [Exodus 22:16]. And if he rapes her, then he must pay a penalty of fifty pieces of silver and marry her, and he may never divorce her, as is written in the fifth book [Deuteronomy], at the end of chapter 22 [verse 29]. On the other hand, if the female servant has been freed, with a writ of manumission that her master has sent her out from slavery to freedom, then she is betrothed, and thus has the legal status of a married woman; and if a man sleeps with her, whether by seduction or rape, he must receive the death penalty, for he has committed adultery with his neighbor’s wife; and if the woman has been seduced, she too must receive the death penalty, and if she has been raped, she is exempt from death, as is written in the fifth book [Deuteronomy], chapter 22: But unto the damsel thou shalt do nothing; there is in the damsel no sin worthy of death: for as when a man riseth against his neighbour, and slayeth him, even so is this matter [Deuteronomy 22:26]. But [in the case of the betrothed slave-­woman], she needs a writ of divorce from the master, who designated her for himself or for his son. This is the elusive biqqoreth of which the Torah speaks, that [we] must investigate carefully, so that the woman should not be put to death without a careful investigation. For [otherwise,] she might be put to death without being worthy of it, or acquitted, but actually deserving of death. | #3:p |
| יז בְּסוֹף סִימָן כ"ב (פסוק כח) כְּתִיב: "וְשׁוֹר אוֹ שֶׂה אֹתוֹ וְאֶת בְּנוֹ לֹא תִשְׁחֲטוּ בְּיוֹם אֶחָד." וּמִזֶּה אָסְרוּ חֲכָמֵֽינוּ זַ"ל לִשְׁחֹט גַּם הַבְּהֵמָה הָהָרָה. וְהֵם הִתִּֽירוּ וְאָמְרוּ כִּי הָעֻבָּר עִם אִמּוֹ הֵם גּוּף אֶחָד, וְאִם תִּשָּׁחֵט הָאֵם וְיִמָּצֵא הָעֻבָּר חַי וְיִגְדַּל, הוּא כְּאִלּוּ נִשְׁאָר אֵֽבֶר אֶחָד חַי מֵאִמּוֹ, וְעַל כֵּן אֵינוֹ צָרִיךְ אֲפִלּוּ לִשְׁחִיטָה; שֶׁאֲפִלּוּ אִם יוּמַת, מֻתָּר לֶאֱכֹל נִבְלָתוֹ, וְאִם הָעֻבָּר יִמָּצֵא מֵת בְּבֶֽטֶן אִמּוֹ, הִתִּֽירוּ לְאָכְלוֹ, וְאָמְרוּ: הַנֶּֽפֶשׁ הַיָּפָה תֹּאכְלֶֽנּוּ. וּמִפְּנֵי זֶה אָסְרוּ חֲכָמֵֽינוּ זַ"ל לֶאֱכֹל הַבָּשָׂר מִשְּׁחִיטָה שֶׁלָּהֶם, כִּי שְׁחִיטָתָם מְנֻבֶּֽלֶת. | 17 At the end of chapter 22, it is written: And whether it be cattle or sheep, ye shall not slaughter it and its young both in one day (Leviticus 22:28). For this reason, our sages, of blessed memory, forbid slaughtering a pregnant animal. But [the Rabbanites] permit this, and they say that a fetus counts as one body along with the mother. So, if the mother is slaughtered, and the fetus is found alive, and then it grows up, it still remains [in the status of] a limb of its mother, and, therefore, it does not even need to be slaughtered; and if it dies, it is permissible to eat its carcass; and if the fetus is found dead in its mother’s womb, they permit eating it, and say that a person that is not disgusted by it should eat it.[[100]](#footnote-100)xxv Therefore, our sages, of blessed memory, forbid eating any meat slaughtered by [the Rabbanites], for their slaughter is not kosher. | #3:q |
| {מח} יח בְּסֵֽדֶר כ"ג בְּמִצְוַת הֲנָפַת הָעֹֽמֶר, שֶׁזְּמַן הֲנָפָתוֹ בְּתוֹךְ שָׁבֽוּעַ שֶׁל חַג הַמַּצּוֹת כְּתִיב (פסוק יא): "מִמָּחֳרַת הַשַּׁבָּת יְנִיפֶֽנּוּ הַכֹּהֵן." בַּזֶּה פְּלֻגְתָּא גְדוֹלָה וְעִקָּרִית בֵּינֵֽינוּ וּבֵינֵיהֶם. כִּי חֲכָמֵֽינוּ זַ"ל פֵּרְשׁוּ כִּפְשׁוּטוֹ שֶׁל מִקְרָא, שֶׁהַהֲנָפָה תִהְיֶה מִמָּחֳרַת הַשַּׁבָּת בְּרֵאשִׁית דַּוְקָא. וְהֵם הֶחֱלִֽיפוּ הַכָּתוּב, וְאָמְרוּ מִמָּחֳרַת יוֹם טוֹב הָרִאשׁוֹן שֶׁל חַג הַמַּצּוֹת. וְלֹא שָֽׂמוּ לֵב כִּי לֹא נִקְרָא שׁוּם מוֹעֵד בְּשֵׁם שַׁבָּת חוּץ מִמּוֹעֵד יוֹם הַכִּפּוּרִים; וּשְׁאָר הַמּוֹעֲדִים נִקְרְאוּ שַׁבָּתוֹן וְלֹא שַׁבָּת; וְגַם בְּשֵׁם שַׁבָּתוֹן לֹא נִקְרְאוּ כָּל הַמּוֹעֲדִים אֶֽלָּא מוֹעֵד יוֹם תְּרוּעָה בְּאֶחָד לַחֹֽדֶשׁ הַשְּׁבִיעִי; וּמַהוּ שֶׁגַּם בַּשַּׁבָּת וּבְכִפּוּר כְּתִיב שַׁבַּת שַׁבָּתוֹן, הוּא מוֹרֶה עַל הַהוֹסָפָה שֶׁמּוֹסִיפִים מֵחוֹל עַל קֹֽדֶשׁ. וּכְמוֹ כֵן לֹא שָֽׂמוּ לֵב לְמַה שֶּׁכָּתוּב (פסוקים טו-טז): "וּסְפַרְתֶּם לָכֶם מִמָּחֳרַת הַשַּׁבָּת מִיּוֹם הֲבִיאֲכֶם אֶת עֹֽמֶר הַתְּנוּפָה שֶֽׁבַע שַׁבָּתוֹת תְּמִימוֹת תִּהְיֶֽינָה. עַד מִמָּחֳרַת הַשַּׁבָּת הַשְּׁבִיעִית תִּסְפְּרוּ חֲמִשִּׁים יוֹם", וְיוֹם הַחֲמִשִּׁים הוּא חַג הַשָּׁבוּעוֹת. וּלְפִי פֵרוּשָׁם הָיָה צָרִיךְ שֶׁיִּהְיֶה אֵיזֶה מוֹעֵד גַּם לִפְנֵי הַשָּׁבוּעוֹת, כְּדֵי שֶׁיִּהְיֶה גַם יוֹם הַחֲמִשִּׁים מִמָּחֳרַת יוֹם טוֹב. וּכְשֶׁרָאוּ זֶה, נִדְחֲקוּ וּפֵרְשׁוּ "מִמָּחֳרַת הַשַּׁבָּת יְנִיפֶֽנּוּ הַכֹּהֵן", הַנִּרְצֶה בוֹ מָחֳרַת יוֹם טוֹב; וְאָמְרוּ "עַד מִמָּחֳרַת הַשַּׁבָּת הַשְּׁבִיעִית תִּסְפְּרוּ", הַנִּרְצֶה בוֹ עַד מִמָּחֳרַת הַשָּׁבֽוּעַ הַשְּׁבִיעִי. וַחֲכָמֵֽינוּ זַ"ל טָעֲנוּ לָהֶם כִּי "מָחֳרַת" לֹא נֶאֱמַר בְּשׁוּם לָשׁוֹן לֹא עַל סוֹף שָׁבֽוּעַ וְלֹא עַל סוֹף חֹֽדֶשׁ וְלֹא עַל סוֹף שָׁנָה אֶֽלָּא[[101]](#footnote-101) עַל סוֹף יוֹם הָאֶתְמוֹל, רוֹצֶה לוֹמַר: כְּשֶׁיַּעֲבֹר יוֹם הָאֶתְמוֹל, הַיּוֹם הַבָּא אַחֲרָיו הוּא מָחֳרָתוֹ. וּמִפְּנֵי זֶה, מוֹעֵד חַג הַשָּׁבוּעוֹת אֶצְלֵֽנוּ לְעוֹלָם בְּיוֹם רִאשׁוֹן לַשָּׁבֽוּעַ, וּבָהֶם נוֹפֵל בְּכָל יְמֵי הַשָּׁבֽוּעַ. וּבְעַד זוֹ הַמִּצְוָה, קַדְמוֹנֵֽינוּ עָרְכוּ אִתָּם מִלְחָמוֹת, וְהָיוּ רוֹצִים לְהַכְנִיעֵֽנוּ, וְלֹא נְתָנָֽנוּ הַשֵּׁם יִתְבָּרַךְ לְיָדָם. | {48} 18 In chapter 23, in the commandment of waving the ‘omer [sheaf-­offering], the time of its waving [is stated as being] within the week of the Festival of Maẓẓoth. It is written: on the morrow after the Sabbath the priest shall wave it (Leviticus 23:11). Regarding this, there is a great, fundamental debate between us and them. For our sages, of blessed memory, interpret the verse in accordance with its plain meaning: the waving should be on the day after Saturday. But [the Rabbanites] change [the meaning of] Scripture, and say that it means the day after the first festival day of the Festival of Maẓẓoth.[[102]](#footnote-102)xxvi But they did not notice that no festival is called “shabbath” other than Yom Ha-­kippurim [the Day of Atonement]; all other festivals are called only “shabbathon,” but not “shabbath.” Moreover, even the term “shabbathon” is used only for Yom Teru‘a, on the first of the seventh month, not for any other festivals.[[103]](#footnote-103) And though the Sabbath and Kippur are called “shabbath shabbathon” in Scripture, this refers to the supplement that is added from the secular [days] to the sacred.[[104]](#footnote-104) Similarly, they did not notice what is in what is written [in the following passage]: And ye shall count unto you from the morrow after the Sabbath, from the day that ye brought the sheaf of the wave offering; seven Sabbaths shall be complete: Even unto the morrow after the seventh Sabbath shall ye number fifty days (Leviticus 23:15–16) – where the fiftieth day is the Festival of Shavu‘oth [Pentecost]. According to their understanding [of the phrase “the morrow after the Sabbath”], there would need to be a festival immediately before Shavu‘oth, so that the fiftieth day would also be the morrow of a festival. And when they did notice it, they came up with the following forced explanation: [the first use of the phrase “the morrow after the Sabbath”] in the verse on the morrow after the Sabbath the priest shall wave it, means the day after a festival, but [the second use of the phrase] in the verse even unto the morrow after the seventh Sabbath, it means the day after the [end of the] seventh week. But our sages argue against them that the word moḥorath, “the morrow,” is never used to refer to the end of a week, or the end of a month, or the end of a year, but only the end of the previous day; that is, when the previous day is over, the next day is called its morrow. Therefore, we always observe the Festival of Shavu‘oth on Sunday, whereas for them it can fall on any day of the week.[[105]](#footnote-105) Our early [sages] waged wars against them regarding this commandment; they wanted to make us submit, but God did not give us into their hands. | #3:r |
| יט עוֹד בְּסֵֽדֶר כ"ג (פסוק כד) כְּתִיב: "בַּחֹֽדֶשׁ הַשְּׁבִיעִי בְּאֶחָד לַחֹֽדֶשׁ יִהְיֶה לָכֶם שַׁבָּתוֹן זִכְרוֹן תְּרוּעָה מִקְרָא קֹֽדֶשׁ." חֲכָמֵֽינוּ זַ"ל פֵּרְשׁוּ "תְּרוּעָה" לְשׁוֹן שֶֽׁבַח וּתְהִלָּה וְהַלֵּל, כְּדִכְתִיב תִּלִּים צ"ה[[106]](#footnote-106) (פסוק א): "לְכוּ נְרַנְּנָה לַה' נָרִֽיעָה לְצוּר יִשְׁעֵֽנוּ." "הָרִֽיעוּ לַה' כָּל הָאָֽרֶץ" (תִּלִּים ק' (פסוק א)). וְהַתַּלְמוּדִיִּים אָמְרוּ: דַּוְקָא תְרוּעַת שׁוֹפָר. וֶאֱמֶת שֶׁבַּמִּקְרָא בִּמְקוֹמוֹת רַבּוֹת זוֹכֵר "תְּרוּעָה" אֵֽצֶל תְּקִיעַת שׁוֹפָר וַחֲצוֹצְרָה. אֲבָל בְּכָל מָקוֹם שֶׁיִּזְכֹּר זֶה אֵין שָׁם בְּלִי זֵֽכֶר שׁוֹפָר אוֹ חֲצוֹצְרָה עַצְמָם. וּמֵאַחַר שֶׁלֹּא זָכַר כַּאן לֹא שׁוֹפָר וְלֹא חֲצוֹצְרָה, מוּבָן שֶׁאֵין רְצוֹן הַכָּתוּב לִתְרוּעַת שׁוֹפָר, אֶֽלָּא בְקוֹל. | 19 Further on in chapter 23, it is written: Speak unto the children of Israel, saying, In the seventh month, in the first day of the month, shall ye have a day of rest, a remembrance of teru‘a, a holy convocation (Leviticus 23:24). Our sages, of blessed memory, explain the word teru‘a as meaning praise and words of glory, as is written in Psalms 95: O come, let us sing unto the Lord: let us sing out praise [nari‘a] to the rock of our salvation (Psalms 95:1). And in Psalms 100: Sing out praise [hari‘u] to the Lord, all ye lands (Psalms 100:1). But the Talmudites say that this teru‘a must be performed specifically with a shofar [ram’s horn]. And indeed, in many places in Scripture, it uses the word teru‘a to refer to blasts of a shofar or a trumpet; but wherever that is the case, it never uses [the word on its own] without specifically mentioning the shofar or the trumpet. And since here it does not mention either shofar or trumpet, it is understood that Scripture is not talking about teru‘a with a shofar, but with a voice.[[107]](#footnote-107)xxvii | #3:s |
| אֲבָל הֵם, כְּפִי פֵרוּשָׁם, חִיְּבוּ לִתְקֽוֹעַ בַּשּׁוֹפָר קֹֽדֶם זֶה הַמּוֹעֵד וּבַמּוֹעֵד עַצְמוֹ וְגַם אַחֲרָיו. וְהִמְצִֽיאוּ מִצְוֹת בְּאוֹפַנֵּי הַתְּקִיעָה, מַה שֶּׁלֹּא כָתוּב. וְהֵם אָמְרוּ כִּי בַיּוֹם הַזֶּה נֶעֱקַד יִצְחָק לְעוֹלָה, וְהַשָּׂטָן הֵבִיא מִטַּת מֵת לְשָׂרָה, וְאָמַר: "רְאִי, {מט} מֵת בְּנֵךְ." וְאִמֵּֽנוּ שָׂרָה צָעֲקָה בִצְוָחוֹת; וּלְזֵֽכֶר זֶה תּוֹקְעִים בְּקֶֽרֶן הָאַֽיִל, לְהַזְכִּיר בְּאֵילוֹ שֶׁל יִצְחָק וּלְעַרְבֵּב הַשָּׂטָן, שֶׁלֹּא יְקַטְרֵג אֶת יִשְׂרָאֵל. וְאוֹמְרִים שֶׁקּוֹל תְּקִיעַת שׁוֹפָר כְּקוֹל צִוְחַת שָׂרָה אִמֵּֽנוּ. מִי יִשְׁמַע וְלֹא יִלְעַג עַל זֶה? כִּי אֵיךְ לֹא נִשְׁכְּחוּ הַקּוֹלוֹת שֶׁבָּכְתָה שָׂרָה עַד שֶׁנִּתְּנָה הַתּוֹרָה בְּמֶֽשֶׁךְ שע"ד שָׁנִים? כִּי לְפִי דַֽעַת הָאוֹמֵר כִּי בִשְׁנַת כ"ו לְלֵידַת יִצְחָק הָיְתָה עֲקֵדָתוֹ, הֲלֹא הִיא הַשָּׁנָה שְׁנַת ע"ד לָאֶֽלֶף הַשְּׁלִישִׁי מִבְּרִיאַת הָעוֹלָם, וְהַתּוֹרָה נִתְּנָה בִּשְׁנַת תמ"ח לָאֶֽלֶף הַשְּׁלִישִׁי; אִם כֵּן מֵעֲקֵדָה עַד מַתַּן תּוֹרָה שע"ד שָׁנִים. וְכָל זֶה בְּדִיאָה מִלִּבָּם, כְּמִנְהַג נְבִיאֵי הַשֶּֽׁקֶר הָאוֹמְרִים ה' דִּבֶּר, וְהוּא לֹא דִבֵּר. | But [the Talmudites], in accordance with their interpretation, state an obligation to blow the shofar before this festival and on the festival itself, and also after it.[[108]](#footnote-108) They invented commandments regarding the ways of blowing, which are not written [in Scripture]. And they say that, on this day, Isaac was bound to be a burnt ­offering, and the Satan brought a bier to Sarah, and said: “See, {49} your son is dead.” And our mother Sarah cried out, wailing; and in memory of this, they blow a ram’s horn, to remember the ram [that was substituted as a sacrifice instead of Isaac], and to confuse the Satan, so that he will not prosecute the Jewish people [in the divine courtroom]. And they say that the sound of the shofar blasts is like the cry of Sarah, our mother. Who can hear this [argument], and not mock it? For how is it that the sounds that Sarah cried were not forgotten for all the 374 years until the Torah was given? For according to the opinion that Isaac was 26 at the time of the ‘Aqeda [the binding on the altar], that would be year 2074 since Creation, and the Torah was given in the year 2448; if so, from the ‘Aqeda through the giving of the Torah was 374 years. But [in fact, the Rabbanites] invented all this [about Sarah’s cries and the shofar] in accordance with the custom of false prophets, who say that God has spoken, though [in fact] He has not. |  |
| כ עוֹד בְּסֵֽדֶר כ"ג (פסוקים מ-מג), בְּמִצְוֹת חַג הַסֻּכּוֹת, כָּתוּב: "וּלְקַחְתֶּם לָכֶם [...] פְּרִי עֵץ הָדָר וגו' וְחַגֹּתֶם אֹתוֹ חַג לַה' וגו' בַּסֻּכּוֹת תֵּשְׁבוּ שִׁבְעַת יָמִים וגו'" – כֵּיוָן שֶׁאַחַר מִצְוַת לְקִיחַת הַדְּבָרִים צִוָּה לָשֶֽׁבֶת בַּסֻּכּוֹת, מִזֶּה מְבֹאָר וְנִגְלֶה כִּי הַתּוֹרָה צִוְּתָה לָקַֽחַת הַדְּבָרִים לַעֲשׂוֹת מֵהֶם סֻכּוֹת וְלָשֶֽׁבֶת בָּהֶן שִׁבְעַת יָמִים. וְכֵן כְּתִיב גַּם בְּעֶזְרָא בְּסֵֽפֶר שֵׁנִי סִימָן ח' (נחמיה ח:טו): "צְאוּ הָהָר וְהָבִֽיאוּ עֲלֵי זַֽיִת וַעֲלֵי עֵץ שֶֽׁמֶן וַעֲלֵי הֲדַס וַעֲלֵי תְמָרִים וַעֲלֵי עֵץ עָבֹת לַעֲשֹׂת סֻכֹּת כַּכָּתוּב" – רוֹצֶה לוֹמַר, כְּמוֹ שֶׁכָּתוּב בַּתּוֹרָה שֶׁתִּקְחוּ דְבָרִים אֵֽלּוּ לַעֲשׂוֹת מֵהֶם סֻכָּה. הֲרֵי עֶזְרָא הַכֹּהֵן פֵּרֵשׁ לָֽנוּ אֹֽפֶן קִיּוּם הַמִּצְוֹת, וְהֵם לֹא שָׁמְעוּ לְפֵרוּשׁוֹ שֶׁל עֶזְרָא, רַק אָמְרוּ שֶׁמַּאֲמַר "וּלְקַחְתֶּם בַּיּוֹם הָרִאשׁוֹן" הִיא מִצְוָה בִּפְנֵי עַצְמָהּ, חוּץ מִמִּצְוַת סֻכּוֹת, רַק חוֹבָה לִקַּח הַדְּבָרִים וְלִשְׂחֹק בָּהֶם. וּמִפְּנֵי שֶׁאֵין הַדְּבָרִים נִמְצָאִים בְּאֵֽלּוּ הָאֲרָצוֹת, הִתִּֽירוּ לְחַלֵּל שַׁבָּתוֹת וְלֶאֱכֹל מַאֲכָלִים אֲסוּרִים כְּדֵי לְהָבִיא הַדְּבָרִים. אָמְנָם חֲכָמֵֽינוּ אָמְרוּ כִּי הַדְּבָרִים שֶׁנּוּכַל לְמָצְאָם מִן הַכְּתוּבִים לַעֲשׂוֹת סֻכּוֹת נִקַּח וְנַעֲשֶׂה, אֲבָל בְּמַה שֶּׁאֵין יָדֵֽינוּ מַשֶּֽׂגֶת בִּמְצִיאוּתוֹ אָֽנוּ פְטוּרִים מִמֶּֽנָּה, כְּמוֹ שֶׁפְּטוּרִים אָֽנוּ בְּגָלוּת בְּאֶֽרֶץ מַרְחַקִּים מִמִּצְוַת הָאָבִיב. וְלָֽמָּה נְחַלֵּל שַׁבָּתוֹת, שֶׁהָעֹבֵר בָּהֶן חַיַּב מִיתָה וְכָרֵת, וְנַתִּיר לֶאֱכֹל נְבֵלוֹת, בְּעַד מִצְוַת עֲשֵׂה אַחַת? | 20 Further, in chapter 23, in the commandment of the Festival of Sukkoth, it is written: And ye shall take you on the first day the fruit of goodly trees [ . . . ​] And ye shall keep it a feast unto the Lord [ . . . ​] ye shall dwell in booths seven days, [ . . . ​] (Leviticus 23:40–42). Right after the commandment to take these [plant] materials, it commands to dwell in sukkoth [booths]; from this, it is clear and obvious that the Torah commands to take those materials in order to make sukkoth out of them, in which to dwell for seven days. And indeed, it is written in Ezra in the second book [i.e., Nehemiah], chapter 8: Go forth unto the mount, and fetch olive branches, and pine branches, and myrtle branches, and palm branches, and branches of thick trees, to make booths, as it is written [Nehemiah 8:15] – that is, as it is written in the Torah, to take these [plant] materials to build a sukka. Thus, Ezra the Priest interpreted the manner of performing the commandment for us. But [the Rabbanites] do not heed Ezra’s interpretation; rather, they say that the verse, ye shall take you on the first day, is a separate commandment, aside from that of the sukka, an obligation to take these [plant] items and play with them.[[109]](#footnote-109) And because these species are not found in our lands, they permit violation of the Sabbath and eating of forbidden foods in order to obtain them.[[110]](#footnote-110)xxviii But our sages say that we should take species, whichever of the species in the verse, that we can find, and build sukkoth out of them; and as for whatever we are unable to obtain, we are exempt from it, just as we are exempt here in the distant exile from the commandment of aviv [the spring grain]. And why should we violate the Sabbath, which incurs the death penalty and kareth [being cut off], and permit eating forbidden foods, just in order to fulfill a single positive commandment? | #3:t |
| מִצְוֹת מִסֵּֽפֶר רְבִיעִי מֵחֲמֵֽשֶׁת סִפְרֵי תוֹרַת מֹשֶׁה | Commandments from the Fourth Book  of Moses’s Torah [Numbers] | #4 |
| א בְּסוֹף סֵֽדֶר ט"ו מִזֶּה הַסֵּֽפֶר כְּתוּבָה מִצְוַת צִיצִית. וּבִפְתִיל תְּכֵֽלֶת שֶׁעַל הַצִּיצִית כְּמוֹ כֵן הַתַּלְמוּדִיִּים חִדְּשׁוּ דָבָר שֶׁלֹּא[[111]](#footnote-111) עָלָה עַל לֵב נוֹתֵן הַתּוֹרָה, וְאָמְרוּ כִּי הַתְּכֵֽלֶת צֶֽבַע יָרֹק, וְשֶׁהוּא הָיָה צָבֽוּע בְּדַם {נ} חִלָּזוֹן, שֶׁהוּא תוֹלָע נִמְצָא בִכְרַכֵּי הַיָּם, וְהַתּוֹלָע אֵינוֹ נִמְצָא עַכְשָׁו. וְזֶה זוּלַת מְכֻוַּן הַכָּתוּב, כִּי הַתְּכֵֽלֶת אֵינוֹ צֶֽבַע יָרֹק רַק דּוֹמֶה לְעֵין הַשָּׁמַֽיִם, שֶׁהוּא צֶֽבַע בֵּין הַלָּבָן וּבֵין הַשָּׁחֹר. וּבְכֵן בִּטְּלוּ הַמִּצְוָה, וְעוֹשִׂים צִיצִיּוֹתֵיהֶם לְבַד חוּטִים לְבָנִים. אֲבָל בְּצִיצִיּוֹתֵֽינוּ[[112]](#footnote-112) יֵשׁ פְּתִיל תְּכֵֽלֶת. | 1 At the end of chapter 15 of this book is written the commandment of ẓiẓith (tassels) and the tekheleth string on the ẓiẓith. Here, too, the Talmudites have invented something that the Giver of the Torah never considered. They say that tekheleth is a green (yaroq) dye, and that it was dyed with the blood of {50} the ḥillazon, which was a kind of worm that was found in the cities near the sea, and that it cannot be found now.[[113]](#footnote-113)xxix And this is not Scripture’s intention, for tekheleth is not a green dye, but rather is similar to the color of the [blue] sky, which is between black and white. And thus, they have abolished this commandment, and make their ẓiẓith only white threads. But our ẓiẓith have a tekheleth thread.[[114]](#footnote-114)xxx | #4:a |
| ב בְּסֵֽדֶר י"ט (פסוק יד) כְּתִיב: "זֹאת הַתּוֹרָה אָדָם כִּי יָמוּת בְּאֹֽהֶל, כָּל הַבָּא אֶל הָאֹֽהֶל וְכָל אֲשֶׁר בָּאֹֽהֶל יִטְמָא שִׁבְעַת יָמִים" וגו'. מְפֹרָשׁ בַּכָּתוּב כִּי טָהֳרַת טֻמְאַת הַמֵּת תְּלוּיָה בִּשְׁנֵי דְבָרִים: בְּחִטּוּי אֵֽפֶר הַפָּרָה, וּבִרְחִיצָה וְכִבּוּס הַמַּֽיִם. וְכֵן זֶה הָעִנְיָן בְּסֵֽדֶר ל"א, גַּבֵּי שְׁבִי מִדְיָן. וְאַחַר שֶׁבַּגָּלוּת מִפְּנֵי הֶעְדֵּר הַמִּקְדָּשׁ וְכֹהֲנֵי הַקֹּֽדֶשׁ בָּטְלָה מִצְוַת אֵֽפֶר הַפָּרָה, אָֽנוּ פְטוּרִים מִמֶּֽנָּה; אֲבָל הָרְחִיצָה וְהַכִּבּוּס לֹא בָטְלוּ בְּכָל מְקוֹמוֹת מֵהָעוֹלָם, עַל כֵּן חִיְּבֽוּנוּ חֲכָמֵֽינוּ זַ"ל לִטָּהֵר אַחַר שִׁבְעַת יָמִים בַּמַּֽיִם, בִּרְחִיצָה וְכִבּוּס, וְכֵן לְטַהֵר הַכֵּלִים וְהַבְּגָדִים הַנּוֹגְעִים וְהַמִּתְאַהֲלִים עִם הַמֵּת בַּמַּֽיִם אַחַר שִׁבְעַת יָמִים. אֲבָל הַתַּלְמוּדִיִּים בִּטְּלוּ טֻמְאַת מֵת בַּגָּלוּת מִכֹּל וָכֹל, בְּאָמְרָם מִפְּנֵי כִי אֵֽפֶר הַפָּרָה בָטְלָה עַל כֵּן גַּם הַטֻּמְאָה שֶׁל מֵת בָּטְלָה. וְכֹל זֶה עָשׂוּ כְּדֵי לְהָקֵל בַּמִּצְוֹת. כִּי הִנֵּה שְׁאָר הַטֻּמְאוֹת הַכְּתוּבוֹת בְּסֵֽפֶר שְׁלִישִׁי, כְּדִלְעֵיל, אֵינָן תְּלוּיוֹת בְּאֵֽפֶר הַפָּרָה בְּטָהֳרָתָן, וְהֵם עַל כָּל פָּנִים בִּטְּלוּם מֵעִקָּרָן – כָּל זֶה כְּדֵי שֶׁלֹּא יִכְבַּד עֲלֵיהֶם עֹל הַדָּת. וְכֵן אָמְרוּ כִּי מֵתֵי הַגּוֹיִם אֵינָם מְטַמְּאִים, כִּי כְתִיב "אָדָם כִּי יָמוּת בְּאֹֽהֶל", וְיִשְׂרָאֵל לְבַדּוֹ קָרוּי "אָדָם", כְּדִכְתִיב בִּיחֶזְקֵאל סִימָן ל"ד בְּסוֹפוֹ (פסוק לא): "וְאַתֵּן צֹאנִי צֹאן מַרְעִיתִי אָדָם אַתֶּם"; עַל כֵּן מֵתֵי גוֹיִם בְּחֶזְקַת נִבְלַת בְּהֵמָה. וַחֲכָמֵֽינוּ מַרְאִים לָהֶם בְּהַרְבֵּה מְקוֹמוֹת מֵהַתּוֹרָה שֶׁהַגּוֹיִם קְרוּיִין אָדָם. | 2 In chapter 19, it is written: This is the law, when a man dieth in a tent: all that come into the tent, and all that is in the tent, shall be unclean seven days (Numbers 19:14). It is explicit in Scripture that the purification of corpse-­impurity is dependent on two things: sprinkling with the ashes of the [Red] Heifer, and bathing and laundering with water. This comes up also in chapter 31, about the [soldiers, who] returned from Midian. In exile, we have no Temple or active priests, so the commandment of the ash of the Heifer is impossible, and, therefore, we are exempt from it – but bathing and laundry are not unavailable in any place in the world. Therefore, our sages, of blessed memory, instruct us to purify ourselves after seven days through bathing and laundry, and also to purify all vessels and clothes that have touched a corpse or been under a tent with it, [by washing them] in water after seven days. But the Talmudites have entirely done away with corpse-­impurity in the exile, for they say that the absence of the ashes of the Heifer means that corpse-­impurity is inoperative. They did all this in order to make the commandments easier, for the other kinds of impurity, which are discussed in the third book [Leviticus], as we have mentioned above, are not dependent on ashes of the Heifer for their purification, but [the Rabbanites] have nonetheless entirely done away with them – all so that the yoke of the law would not be too difficult for them. Moreover, they say that the corpses of gentiles do not impart impurity, for Scripture speaks of a man [adam] who dieth in a tent, and only Jews are called adam, as it is written in Ezekiel, at the end of chapter 34: And ye my flock, the flock of my pasture, are men [adam] (Ezekiel 34:31); therefore, [argue the Rabbanites,] corpses of gentiles can be assumed to be like animal carcasses. But our sages show them that, in many places, the Torah calls gentiles “adam.” | #4:b |
| ג בְּסֵֽדֶר כ"ז כְּתוּבָה מִצְוַת יְרֻשּׁוֹת. גַּם בְּזוֹ הַמִּצְוָה בְּמַה שֶּׁכָּתוּב (פסוק כז:יא) "וּנְתַתֶּם אֶת נַחֲלָתוֹ לִשְׁאֵרוֹ הַקָּרֹב אֵלָיו מִמִּשְׁפַּחְתּוֹ וְיָרַשׁ אֹתָהּ", פֵּרְשׁוּ הֵֽפֶךְ רְצוֹן הַכָּתוּב, וְאָמְרוּ כִּי מַאֲמַר "וְיָרַשׁ אֹתָהּ" הִיא מִצְוָה בִּפְנֵי עַצְמָהּ, וְהָרָצוֹן שֶׁהַבַּֽעַל יֹרֵשׁ אֶת אִשְׁתּוֹ. וְלֹא שָֽׂמוּ לֵב כִּי אֵין בְּזֶה הַפֶּֽרֶק זֵֽכֶר לְאִשָּׁה, אֶֽלָּא זֵֽכֶר נַחֲלָה; וּרְצוֹן הַכָּתוּב לְיוֹרֵשׁ אוֹתָהּ הַנַּחֲלָה. וְהֵם הֶחֱלִֽיפוּ הַכָּתוּב מֵעִקָּרוֹ, וּמַה שֶּׁלֹּא עָלָה עַל לֵב נֹתֵן הַתּוֹרָה הֵם חִדְּשׁוּ מֵעַצְמָם. וַאֲפִלּוּ חַכְמֵיהֶם הָאַחֲרוֹנִים אֵינָם מַסְכִּימִים לְפֵרוּשׁ זֶה, אֲבָל מִפְּנֵי גֵאוּתָם אֵינָם יְכוֹלִים לָשׁוּב מִסִּכְלוּתָם. | 3 In chapter 27 is written the commandment of inheritance. Scripture says: Ye shall give his inheritance unto his kinsman that is next to him of his family, and he shall inherit it [veyarash othah] (Numbers 27:11). Here, too, [the Rabbanites] interpret Scripture in a way opposite to its intent; they say that the words he shall inherit her are a commandment on their own, and they mean that the husband inherits his wife[’s property].[[115]](#footnote-115) But they did not notice that this chapter never mentions a wife, but rather mentions inheritance; Scripture is referring to the man that inherits that inheritance, but they have reversed Scripture’s meaning, and they have invented what the Giver of the Torah never considered. Even their later sages do not agree with this explanation, but because of their haughtiness, they are unable to give up their folly. | #4:c |
| ד בְּסֵֽדֶר ל' (פסוק ג) כְּתִיב: "אִישׁ כִּי יִדֹּר נֶֽֽדֶר לַה' אוֹ הִשָּֽׁבַע שְׁבוּעָה לֶאְסֹר אִסָּר עַל נַפְשׁוֹ לֹא יַחֵל דְּבָרוֹ, כְּכָל הַיֹּצֵא מִפִּיו יַעֲשֶׂה" – רְצוֹן הַכָּתוּב מְפֹרָשׁ שֶׁנִּדְרֵי אִישׁ בּוֹגֵר שָׁלֵם בְּדַעְתּוֹ אֵין נְדָרָיו תְּלוּיִין {נא} בְּשׁוּם בִּרְיָה שֶׁיַּתִּיר לוֹ, רַק "כְּכָל הַיֹּצֵא מִפִּיו יַעֲשֶׂה", בְּלִי שִׁנּוּי וְהִתְנַצְּלוּת. אֶֽלָּא נִדְרֵי הָאִשָּׁה תְּלוּיִין בַּבַּֽעַל, וְנִדְרֵי הַבַּת תְּלוּיִין בָּאָב, אִם לַהֲקִימָן אוֹ לַהֲפֵרָן, כְּמוֹ שֶׁמְּפֹרָשׁ מֵהַכָּתוּב. אֲבָל הַתַּלְמוּדִיִּים הִמְצִֽיאוּ תַחְבּוּלָה, וְהוֹסִֽיפוּ עַל הַכָּתוּב, וְאָמְרוּ: הוּא לֹא יַחֵל דְּבָרוֹ, אֲבָל אֲחֵרִים מוֹחֲלִין לוֹ; רוֹצֶה לוֹמַר, כְּשֶׁיֵּלֵךְ הַנֹּדֵר אֵֽצֶל תַּלְמִידֵי חֲכָמִים, יַתִּֽירוּ לוֹ נִדְרוֹ. וּמִפְּנֵי זֶה הִמְצִֽיאוּ בְדִיּוֹת, מַה שֶּׁאֵין הַשֵּֽׂכֶל סֹבֵל אוֹתָן: שֶׁאִם יָבוֹא בַּֽעַל הַנֶּֽֽדֶר לִפְנֵי תַלְמִידֵי חֲכָמִים וְיִשְׁאֲלוּ לוֹ "עַל מְנָת כָּךְ נָדַֽרְתָּ, אוֹ עַל מְנָת כָּךְ נָדַֽרְתָּ?", וְיַעֲנֶה "הֵן", לֹא יוּכְלוּ לְהָפֵר; וְאִם יִמָּצֵא בְּתוֹךְ דְּבָרָיו שֶׁיֹּאמַר "לָאו", מִיָּד מַתִּירִין נִדְרוֹ. וְהֵבִֽיאוּ בְתַלְמוּדָם מִמַּעֲשֵׂה קַדְמוֹנֵיהֶם, כִּי רִבִּי שִׁמְעוֹן הָיָה לוֹ נֶֽֽדֶר לְהָפֵר, וּבָא לוֹ אֵֽצֶל תַּלְמִידֵי חֲכָמִים. אָמְרוּ לוֹ: "עַל מְנָת כָּךְ נָדַֽרְתָּ?" עַל כָּל מַה שֶּׁשְּׁאֵלֽוּהוּ אָמַר "הֵן". וְהָיוּ תַלְמִידֵי חֲכָמִים מִצְטַעֲרִין שֶׁלֹּא מָצְאוּ אֹֽפֶן לְהַתִּיר נִדְרוֹ. אָמַר לוֹ רִבִּי בִּטְנִית: "אֵי רִבִּי שִׁמְעוֹן, אִם עַל מְנָת כָּךְ נָדַֽרְתָּ שֶׁיִּצְטַעֲרוּ תַלְמִידֵי חֲכָמִים?" אָמַר לוֹ: "לָאו." מִיָּד הֵפֵֽרוּ. וְכֵן רִבִּי יִשְׁמָעֵאל הָיָה עָלָיו נֶֽֽדֶר וְלֹא יָכֹל לְהַתִּירוֹ. בָּא לוֹ לִפְנֵי תַלְמִידֵי חֲכָמִים; אָמְרוּ לוֹ: "עַל מְנָת כָּךְ נָדַֽרְתּ, אוֹ עַל מְנָת כָּךְ נָדַֽרְתָּ?" עַל דִּבְרֵיהֶם הֵשִׁיב: "הֵן." בָּא כוֹבֵס אֶחָד וְהִכָּה לוֹ לְרִבִּי יִשְׁמָעֵאל. שְׁאֵלֽוּהוּ: "עַל מְנָת כָּךְ נָדַֽרְתָּ, שֶׁיַּכָּךְ הַכֹּבֵס?" אָמַר לָהֶם: "לָאו." מִיָּד הִתִּֽירוּ לוֹ נִדְרוֹ. מִי חָכָם וְיָבֵן אֵֽלֶּה וְיִשְׁמַע וְלֹא יַלְעִיג וְיִשְׂחַק מֵהֶם? כִּי בְזָדוֹן עָמְדוּ לִסְתֹּר הַכְּתוּבִים מֵעִקָּרָם בְּמִרְמוֹת וְעָרְמוֹת, וְיִחֲסוּ לְעַצְמָם חָכְמָה גְדוֹלָה בָזֶה, כְּאִלּוּ חָכְמָתָם גָּדְלָה מֵחָכְמַת נֹתֵן הַתּוֹרָה יְתֵרָה וִיתֵרָה. | 4 In chapter 30, it is written: If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word; he shall do according to all that proceedeth out of his mouth (Numbers 30:3). This verse is clear that the vows of an adult sane man are not dependent {51} on anyone else who might release him of them; rather, he shall do according to all that proceedeth out of his mouth, without any change or excuse. Only a wife’s vows are dependent on her husband, and a daughter’s vows are dependent on her father, who can affirm them or annul them, as is explained in Scripture. But the Talmudites have invented a trick and added to Scripture, saying: he shall not break his word, but others can absolve him of it; that is, the man that made the vow can go to sages, who will annul his vow. And regarding this, they have invented falsehoods that the mind cannot bear. For example, if the man that made the vow goes to the sages, they ask him: “Would you have made your vow with such-­and-­such situation in mind?” If he says “yes,” then they cannot absolve him; but if they find a question to which he says “no,” then they absolve him immediately. And they have a story in their Talmud from one of their early [sages] that R. Simeon had a vow that he wanted to get absolved, so he went to the sages, and they asked him: “Would you have made your vow with such-­and-­such situation in mind?” He kept saying “yes” to all their questions, so the sages were sad that they could find no way to annul his vow. Then R. Biṭnith asked him: “R. Simeon, would you have made your vow if you knew that it would make the sages sad?” He said: “No.” Immediately, they annulled his vow.[[116]](#footnote-116) [And another story:] R. Ishmael had a vow which he could not [find a way to] annul. He came to the sages, and they asked him: “Would you have made your vow with such-­and-­such situation in mind?” He kept responding: “Yes.” Then a launderer came, and slapped R. Ishamel. [The sages] asked him: “Would you have made your vow if you knew that the launderer would slap you?” He said: “No.” Immediately, they annulled his vow.[[117]](#footnote-117) What wise person will hear these and understand them, and not mock them and laugh at them? For they wantonly arise to topple the Scriptures from their foundation, with tricks and guile, and they take pride in their own great wisdom in doing so, as if their wisdom were greater than the wisdom of the Giver of the Torah. | #4:d |
| מִצְוֹת מִסֵּֽפֶר חֲמִישִׁי מֵחֲמֵֽשֶׁת סִפְרֵי תוֹרַת מֹשֶׁה | Commandments from the Fifth Book  of Moses’s Torah [Deuteronomy] | #5 |
| א בְּסֵֽדֶר ד' (פסוק ב) כְּתִיב: "לֹא תוֹסִֽיפוּ עַל הַדָּבָר אֲשֶׁר אָנֹכִי מְצַוֶּה אֶתְכֶם וְלֹא תִגְרְעוּ מִמֶּֽנּוּ." וְהַתַּלְמוּדִיִּים הוֹסִֽיפוּ וְגָרְעוּ, כְּמוֹ שֶׁעֵינֵי כָל מַשְׂכִּיל רוֹאוֹת בְּכָל מַה שֶּׁכָּתַֽבְתִּי וְאֶכְתֹּב. | 1 In chapter 4, it is written: Ye shall not add unto the word which I command you, neither shall ye diminish ought from it (Deuteronomy 4:2). But the Talmudites have added and subtracted, as anyone with intelligence can see from all that I have written [above], and will continue to write [below]. | #5:a |
| ב בְּסֵֽדֶר ו' (פסוקים ה-ו) כְּתִיב: "וּקְשַׁרְתָּם לְאוֹת עַל יָדֶֽךָ וְהָיוּ לְטֹטָפוֹת בֵּין עֵינֶֽיךָ. וּכְתַבְתָּם עַל מְזוּזוֹת בֵּיתֶֽךָ וּבִשְׁעָרֶֽיךָ." וְכֵן זוֹ הַמִּצְוָה כְּתִיב גַּם בְּסֵֽפֶר שֵׁנִי סֵֽדֶר יג שְׁתֵּי פְעָמִים (פסוקים ט, טז); וְכֵן בְּסֵֽפֶר חֲמִישִׁי הַזֶּה עוֹד כָּתוּב בְּסֵֽדֶר י”א. בְּזוֹ הַמִּצְוָה נָפְלָה חֲלֻקָּה גְדוֹלָה בֵּין חֲכָמֵֽינוּ וּבֵינֵיהֶם, כִּי הֵם אָמְרוּ שֶׁצָּרִיךְ דַּוְקָא לְקַיֵּם הַמִּצְוָה כִּפְשָׁטוֹ, וְעַל כֵּן חִיְּבוּ לְהַנִּֽיחַ {נב} תְּפִלִּין בַּיָּד וּבַמֵּֽצַח וּמְזוּזוֹת פְּתָחִים. וְאִלּוּ הָיוּ כוֹתְבִין בַּתְּפִלִּין וּבִמְזוּזוֹת הַפְּתָחִים כָּל הַתּוֹרָה כֻלָּהּ, אֲזַי הָיוּ צוֹדְקִים מַעֲשֵׂיהֶם. אֲבָל עַכְשָׁו לְבַד הָאַרְבָּעָה מְקוֹמוֹת שֶׁבָּהֶם כְּתוּבָה הַמִּצְוָה הַזֹּאת הֵם כּוֹתְבִים בַּתְּפִלִּין; וּלְפִי הָאֱמֶת אֵין צֹֽרֶךְ לִכְתֹּב הָאַרְבָּעָה מְקוֹמוֹת הַלָּֽלוּ, אֶֽלָּא כָּל הַמִּצְוֹת שֶׁבַּתּוֹרָה, שֶׁבַּעֲבוּרָן מַזְהִיר בְּאֵֽלּוּ הָאַרְבָּעָה מְקוֹמוֹת. אֲבָל חֲכָמֵֽינוּ עֲלֵיהֶם הַשָּׁלוֹם בִּרְאוֹתָם כִּי בְאֶחָד מֵאֵֽלּוּ הָאַרְבָּעָה מְקוֹמוֹת כְּתִיב "וּלְזִכָּרוֹן בֵּין עֵינֶֽיךָ", רוֹצֶה לוֹמַר בְּסֵֽדֶר י"ג מִסֵּֽפֶר שֵׁנִי, וּבִשְׁלֹשָׁה מְקוֹמוֹת כְּתִיב "לְטֹטָפוֹת בֵּין עֵינֶֽיךָ", מִזֶּה לָמְדוּ שֶׁמּוּבַן "טֹטָפוֹת" הַכְּתוּבִים בִּשְׁלֹשָׁה מְקוֹמוֹת הוּא "זִכָּרוֹן". וְאָמְרוּ כִּי הַבִּינָה הִיא בְרֹאשׁ הָאָדָם בְּמִצְחוֹ, לְמַֽעְלָה מִנִּקְבֵי הָאַף בֵּין הָעֵינַֽיִם, עַל כֵּן צִוְּתָה הַתּוֹרָה שֶׁיְּבִינֵם הָאָדָם בְּבִינָתוֹ, וְיִתְמְכֵם בְּזִכְרוֹנוֹ, כְּמוֹ שֶׁלֹּא יִשְׁכַּח דָּבָר שֶׁיִּהְיֶה נָתוּן בְּמִצְחוֹ בֵּין עֵינָיו. וְיִהְיֶה מַאֲמַר "וּקְשַׁרְתָּם לְאוֹת עַל יָדֶֽךָ וּלְטֹטָפוֹת בֵּין עֵינֶֽיךָ" וְ"עַל מְזֻזוֹת בֵּיתֶֽךָ וּבִשְׁעָרֶֽיךָ" עַל דֶּֽרֶךְ מָשָׁל, כְּמַאֲמַר שְׁלֹמֹה הַמֶּֽלֶךְ עָלָיו הַשָּׁלוֹם בְּמִשְׁלֵי ו' (פסוק כא): "קָשְׁרֵם עַל לִבְּךָ תָמִיד, עָנְדֵם עַל גַּרְגְּרֹתֶֽיךָ"; וְכֵן בְּסִימָן ז'[[118]](#footnote-118) (פסוק ג): "קָשְׁרֵם עַל אֶצְבְּעֹתֶֽיךָ, כָּתְבֵם עַל לֽוּחַ לִבֶּֽךָ", שֶׁאָמַר זֶה בְּמָשָׁל עַל רֹב הַהֶתְמֵד וְהַהֶשְׁקֵד בָּהֶם וְהָעֲלָצָה וְהַהִשְׁתַּעְשְׁעוּת בָּהֶם, כְּמַאֲמַר דָּוִד הַמֶּֽלֶךְ עָלָיו הַשָּׁלוֹם: "וְאֶשְׁתַּעֲשַׁע בְּמִצְוֹתֶֽיךָ אֲשֶׁר אָהָֽבְתִּי" (תהלים קיט:מז), וּכְדוֹמֶה לָזֶה. וְזֶה הַמִּנְהָג אֲשֶׁר בַּמִּקְרָא יֵשׁ בְּהַרְבֵּה מְקוֹמוֹת, שֶׁבְּמָקוֹם שֶׁלֹּא נוּכַל לַעֲשׂוֹת הַמִּצְוָה כִפְשׁוּטָהּ הַנִּגְלֶה נִקָּחֶֽהָ עַל דֶּֽרֶךְ מָשָׁל, כְּמוֹ שֶׁכָּתוּב בַּסֵּֽפֶר הַזֶּה סֵֽדֶר י' (פסוק טז): "וּמַלְתֶּם אֵת עָרְלַת לְבַבְכֶם", שֶׁאַחֲרֵי שֶׁאִי–אֶפְשָׁר לִכְרוֹת חֵֽלֶק מִן הַלֵּב, כִּי לֹא יִחְיֶה הָאָדָם; וְכֵן בְּסֵֽפֶר חֲמִישִׁי סִימָן ו' (פסוק ו): "וְהָיוּ הַדְּבָרִים הָאֵֽלֶּה אֲשֶׁר אָנֹכִי מְצַוְּךָ הַיּוֹם עַל לְבָבֶֽךָ"; וְכֵן בְּסֵֽדֶר י"א[[119]](#footnote-119) (פסוק יח) כְּתִיב: "וְשַׂמְתֶּם אֶת דְּבָרַי אֵֽלֶּה עַל לְבַבְכֶם וְעַל נַפְשְׁכֶם", וְאֵיךְ יוּכַל אָדָם לָשֵׂאת יוֹמָם וָלַֽיְלָה אֶת הַתּוֹרָה עַל לִבּוֹ וְעַל נַפְשׁוֹ? רַק כָּל זֶה דֶּֽרֶךְ מָשָׁל לְהַתְמָדַת הַזְּכִירָה וְהַשְׁקֵד שְׁמִירַת הַמִּצְוֹת, כַּאֲשֶׁר יֵשׁ דּוֹמֶה לָזֶה גַּם בְּגַבֵּי מִצְוַת צִיצִית, כְּמוֹ שֶׁכָּתוּב שָׁם בְּסֵֽפֶר ד' סֵֽדֶר ט"ו[[120]](#footnote-120) (פסוק לט): "וְלֹא תָתֽוּרוּ אַחֲרֵי לְבַבְכֶם וְאַחֲרֵי עֵינֵיכֶם", אֶֽלָּא אֵין זֶה אֶֽלָּא[[121]](#footnote-121) הֵיאַךְ אֶפְשָׁר לְאָדָם לְפָרֵשׁ אֵֽלֶּה הַכְּתוּבִים עַל פִּי מַשְׁמָעָן הַפָּשׁוּט, רַק לֹא יִמָּלְטוּ מִלְּהִתְפָּרֵשׁ כְּדֶֽרֶךְ שֶׁפֵּרְשׁוּ חֲכָמֵֽינוּ זַ"ל כַּנִּזְכָּר לְעֵיל, וְכֵן תַּקִּישׁ עַל שְׁאָר דְּבָרִים, וְעַל כֵּן נְפָרְשֵֽׁהוּ עַל שְׁבִירַת וַהֲסָרַת הָעַקְשָׁנוּת וְהַסַּרְבָנוּת שֶׁיֵּשׁ בְּלֵב הָאָדָם. כָּךְ – מִפְּנֵי שֶׁאִי–אֶפְשְָׁר לִנְשׂוֹא כָל הַתּוֹרָה כֻלָּהּ עַל הַמֵּֽצַח וְעַל הַיָּד, כִּי יִלְאֶה הָאָדָם, עַל כֵּן נְפָרְשֵֽׁהוּ שֶׁהַמְכֻוָּן בּוֹ הַזִּכָּרוֹן וְהָאַהֲבָה שֶׁלֹּא יָלִֽיזוּ מִלִּבֵּֽנוּ וּמִמַּחֲשַׁבְתֵּֽנוּ וּמֵרְצוֹנֵֽנוּ, שֶׁנְּקַיְּמֵם בַּבַּֽיִת וּבַחוּץ מִבַּֽיִת, וְכֵן בַּמִּצְוֹת הַשִּׂכְלִיּוֹת שֶׁעִקָּרָן בָּרֹאשׁ וּבַמִּצְוֹת הַמַּעֲשִׂיּוֹת שֶׁנַּעֲשׂוֹת בַּיָּד. כָּךְ הִיא דַֽעַת חֲכָמֵֽינוּ זַ"ל, וְעַל כֵּן לֹא חִיְּבֽוּנוּ לְהַנִּֽיחַ תְּפִלִּין וּמְזוּזָה. וְכֵן נוּכַל לִטְעוֹן עֲלֵיהֶם מִדִּבְרֵיהֶם, כֵּיוָן שֶׁאוֹמְרִים שֶׁמִּצְוַת מְזוּזָה מֻכְרַֽחַת {נג} לְהִתְקַיֵּם עַל פְּשׁוּטָהּ, לָמָה אֵינָם כּוֹתְבִים עַל הַמְּזוּזוֹת הַדְּבָרִים, כַּכָּתוּב "וּכְתַבְתָּם עַל מְזוּזוֹת בֵּיתֶֽךָ וּבִשְׁעָרֶֽיךָ", רַק מַנִּיחִים כָּתוּב חֲתִיכַת גְּוִיל עַל נְיָר? וְעוֹד טַעֲנָה אַחֶֽרֶת: לָמָה אֵינָם מְקַיְּמִים[[122]](#footnote-122) מִצְוַת "וּבִשְׁעָרֶֽיךָ", שֶׁגַּם בִּשְׁעָרֶֽיךָ צָרִיךְ לִכְתֹּב כְּפִי דַעְתָּם, וְהֵם אֵינָם כּוֹתְבִים וְאֵינָם מַנִּיחִים, רַק הַנִּֽיחַ כְּלָל וּכְלָל. | 2 In chapter 6, it is written: And thou shalt bind them for a sign upon thine hand, and they shall be as frontlets between thine eyes. And thou shalt write them upon the posts of thy house, and on thy gates (Deuteronomy 6:8–9). This commandment is written also in the second book [Exodus], chapter 13, in two places; as well as another time in this fifth book, in chapter 11. There is a great debate between our sages and [the Rabbanites] regarding this commandment. [The Rabbanites] say that one needs to fulfill this commandment literally; therefore, they say that it is obligatory to place {52} tefillin on the hand and the forehead, and mezuzoth for the doorways. Now, if they would write the entire Torah in the tefillin and in the mezuzoth of the doorways, then this action would be right; but now they write in the tefillin only the four passages where this commandment is stated. But in truth, there is no need to write specifically these four passages; but rather, all the commandments in the Torah, for it speaks about [all of] them in these four passages. But, [anyway,] when our sages, peace be upon them, saw that one of these four passages said and for a memorial between thine eyes, in the second book [Exodus], chapter 13 [verse 9], whereas the other three passages say frontlets between thine eyes, from this they learned that the word frontlets [ṭoṭafoth], which is written in the three passages, means “memory.” And they say that [the seat of] understanding is in the head, [specifically] in the forehead, above the nostrils of the nose, between the eyes; therefore, the Torah commands that one should understand [the commandments] with understanding, and support them in one’s memory, just as one would not forget something that is placed on one’s forehead, between one’s eyes. So, [when Scripture says:] And thou shalt bind them for a sign upon thine hand, and they shall be as frontlets between thine eyes, and thou shalt write them upon the posts of thy house, and on thy gates, the meaning is metaphorical, just as when King Solomon, peace be upon him, says in Proverbs 6: Bind them continually upon thine heart, and tie them about thy neck [Proverbs 6:21], and in chapter 7: Bind them upon thy fingers, write them upon the table of thine heart [Proverbs 7:3]; this is a metaphor, referring to the constancy with which one should eagerly study [the words of wisdom], and the joy and delight [that one should take] in them, as King David, peace be upon him, says: And I will delight myself in thy commandments, which I have loved (Psalms 119:47), and similar such statements. And this is Scripture’s habit [to talk in this metaphorical way], for there are a number of places where it is impossible to perform the commandment according to the literal meaning of the words, so we take it metaphorically. For example, it is written in this book [Deuteronomy], chapter 10: Circumcise therefore the foreskin of your heart (Deuteronomy 10:16); for it is impossible to cut off a piece of the heart, for one would die from that. And similarly, in [this] fifth book [Deuteronomy], chapter 6: And these words, which I command thee this day, shall be in thine heart (Deuteronomy 6:6). And in chapter 11, it says: Therefore shall ye lay up these my words in your heart and in your soul (Deuteronomy 11:18); and how can someone bear the Torah, night and day, on one’s heart and soul? Rather, all this is metaphorical, to indicate how constant one must be in one’s memory and diligence in observing the commandments. And [we find language] similar to this in [the passage] about the commandment of ẓiẓith, as is written there in the fourth book [Numbers], chapter 9: And that ye seek not after your own heart and your own eyes, after which ye go astray (Numbers 9:34). It is impossible to interpret these verses according to their literal meaning; they can be interpreted only as our sages, of blessed memory, explained them, as stated above. And we can extend this to the other matters; and thus, we explain [the circumcision of the heart as meaning] breaking and removing all the stubbornness and rebellion that is in the heart. And similarly, because it is impossible to bear the entire Torah on the forehead or the hand, for it would exhaust people, therefore we explain that it means that memory and love of God should never depart from our hearts and thoughts and wills, for we should fulfill them at home and away from home; and similarly, [we fulfill] the commandments for the intellect, which are based in the head, and the practical commandments, which are performed with the hand. This is the opinion of our sages, of blessed memory, and, therefore, they do not obligate us to put up tefillin or mezuzoth. And we can argue against [the Rabbanites] from their own words; for if they say that the commandment of mezuza must be {53} performed literally, why do they not just write the words directly, as it is written: thou shalt write them upon the posts of thy house, and on thy gates? Rather, they place a piece of leather or paper [onto the doorpost]. And another argument: why do they not fulfill the commandment “and on their gates”? For according to their opinion, it should be necessary to place them also on thy gates; but they do not write [mezuzoth for their gates] and do not place them there at all. | #5:b |
| ג בְּסֵֽדֶר י"ז (פסוק יא) כְּתִיב: "עַל פִּי הַתּוֹרָה אֲשֶׁר יוֹרֽוּךָ וְעַל הַמִּשְׁפָּט אֲשֶׁר יֹאמְרוּ לְךָ תַּעֲשֶׂה, לֹא תָסוּר מִן הַדָּבָר אֲשֶׁר יַגִּֽידוּ לְךָ יָמִין וּשְׂמֹאל." גַּם עַל זֶה אָמְרוּ הַתַּלְמוּדִיִּים: אֲפִלּוּ יֹאמְרוּ לְךָ עַל יָמִין שְׂמֹאל וְעַל שְׂמֹאל יָמִין, אֲפִלּוּ יִהְיוּ שׁוֹגְגִין אֲפִלּוּ יִהְיוּ מֻטְעִין[[123]](#footnote-123) חַיָּבִין יִשְׂרָאֵל לִשְׁמֹֽעַ לָהֶם. וַחֲכָמֵֽינוּ זַ"ל אָמְרוּ: אֵין אָֽנוּ חַיָּבִין לִשְׁמֹֽעַ אִם יִהְיוּ שׁוֹגְגִין אוֹ מֻטְעִין וְאוֹמְרִים עַל יָמִין שְׂמֹאל וְעַל שְׂמֹאל יָמִין, כִּי בְמִנּוּי הַשּׁוֹפְטִים צִוְּתָה הַתּוֹרָה שֶׁיְּהוּ חֲכָמִים וּנְבוֹנִים אַנְשֵׁי אֱמֶת יִרְאֵי אֱלֹהִים שׂוֹנְאֵי בָֽצַע, אֲבָל עַל הַמְהַפְּכִים שְׂמאֹל לְיָמִין וְיָמִין לִשְׂמֹאל אָמַר הַנָּבִיא יְשַׁעְיָה (סימן) ה' (פסוק כ): "הוֹי הָאֹמְרִים לָרַע טוֹב וְלַטּוֹב רָע, שָׂמִים חֹֽשֶׁךְ לְאוֹר וְאוֹר לְחֹֽשֶׁךְ, שָׂמִים מַר לְמָתוֹק וּמָתוֹק לְמָר."[[124]](#footnote-124) וְעַל הַשּׁוֹגִים וְעַל הַמֻּטְעִין אָמַר הַנָּבִיא יְשַׁעְיָה, סִימָן כ"ח (פסוק ז): "כֹּהֵן וְנָבִיא שָׁגוּ בַשֵּׁכָר נִבְלְעוּ מִן הַיַּֽיִן, תָּעוּ מִן הַשֵּׁכָר שָׁגוּ בָּרֹאֶה פָּקוּ פְּלִילִיָּה."[[125]](#footnote-125) וְיִרְמְיָה הַנָּבִיא[[126]](#footnote-126) אָמַר, סִימָן ב' (פסוק ח): "הַכֹּהֲנִים לֹא אָמְרוּ אַיֵּה ה' וְתֹפְשֵׂי הַתּוֹרָה לֹא יְדָעֽוּנִי וְהָרֹעִים פָּשְׁעוּ בִי, וְהַנְּבִיאִים נִבְּאוּ בַבַּֽעַל וְאַחֲרֵי לֹא יוֹעִֽלוּ הָלָֽכוּ." [[127]](#footnote-127) וּבִנְבוּאַת מַלְאָכִי הַנָּבִיא סִימָן ב' (פסוקים ח-ט) כְּתִיב לַכֹּהֲנִים: "וְאַתֶּם סַרְתֶּם מִן הַדֶּֽרֶךְ הִכְשַׁלְתֶּם רַבִּים בַּתּוֹרָה, שִׁחַתֶּם בְּרִית הַלֵּוִי אָמַר ה' צְבָאוֹת. וְגַם אֲנִי נָתַֽתִּי אֶתְכֶם נִבְזִים וּשְׁפָלִים לְכָל הָעָם, כְּפִי אֲשֶׁר אֵינְכֶם שֹׁמְרִים אֶת דְּרָכַי וְנֹשְׂאִים פָּנִים בַּתּוֹרָה."[[128]](#footnote-128) מִכַּאן שֶׁאֵין לְעַם ה' לִשְׁמֹֽעַ לְבֵית דִּין הַגָּדוֹל הַשּׁוֹגִין וְהַמֻּטְעִין וְהָאוֹמְרִין עַל יָמִין שְׂמֹאל וְעַל שְׂמֹאל יָמִין. | 3 In chapter 17, it is written: According to the sentence of the law which they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do: thou shalt not decline from the sentence which they shall show thee, to the right hand, nor to the left (Deuteronomy 17:11). Here, too, the Talmudites have said: “Even if they tell you that right is left, and that left is right. Even if they be mistaken, and even if they be led astray, the Jews are obligated to listen to them.”[[129]](#footnote-129) But our sages, of blessed memory, say that we are not obligated to listen if they are mistaken or led astray, or if they say that right is left or that left is right. For the Torah gives instructions about appointing judges: they must be wise and understanding men of truth, who fear God and hate covetousness. But regarding people that flip right and left, and left and right, the prophet Isaiah said in chapter 5: Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness (Isaiah 5:20). And regarding those who are mistaken or in error, the prophet Isaiah said in chapter 28:7: The priest and the prophet have erred through strong drink, they are swallowed up of wine [they are out of the way through strong drink; they err in vision, they stumble in judgment] (Isaiah 28:7). And Jeremiah the prophet said in chapter 2: The priests said not, Where is the Lord? and they that handle the law knew me not (Jeremiah 2:28). And in the prophecy of the prophet Malachi, chapter 2, addressing the priests, it is written: But ye are departed out of the way; ye have caused many to stumble at the law [ . . . ​] Therefore have I also made you contemptible and base before all the people (Malachi 2:8–9). From [all] this, [we learn] that the people of the Lord should not listen to the great court if they are mistaken and wrong and say that right is left and left is right. | #5:c |
| ד בְּסֵֽדֶר י"ח (פסוקים י-יא) כְּתִיב: "לֹא יִמָּצֵא בְךָ מַעֲבִיר בְּנוֹ וּבִתּוֹ בָּאֵשׁ, קֹסֵם קְסָמִים מְעוֹנֵן וּמְנַחֵשׁ וּמְכַשֵּׁף. וְחֹבֵר חָֽבֶר, וְשֹׁאֵל אוֹב וְיִדְּעֹנִי וְדֹרֵשׁ אֶל הַמֵּתִים." וְהַתַּלְמוּדִיִּים מְעוֹנְנִים, כִּי בוֹחֲרִים הָעִתִּים בְּאָמְרָם אֵין מַקִּיזִים דָּם בְּאֶחָד וּבַעֲשָׂרָה לַחֹֽדֶשׁ וּבִשְׁלֹשָׁה לַחֹֽדֶשׁ, וְלֹא בְיוֹם אַרְבָּעָה לַחֹֽדֶשׁ שֶׁנָּפַל בְּיוֹם אַרְבָּעָה לַשָּׁבֽוּעַ; וְאֵין יוֹצְאִין לִסְחוֹרָה וְלֹא מְגַלְּחִין סְפַר רֹאשׁ וְלֹא פוֹרְשִׂים נֵס וְיוֹרְדִים עַל הַיָּם וְלֹא נוֹשְׂאִים אִשָּׁה. וְכֵן אָמְרוּ: בְּיוֹם שְׁלִישִׁי וּבְיוֹם שִׁשִּׁי בַשַּׁבָּת אֵין מַקִּיזִין דָּם, כִּי מְאַדִּים[[130]](#footnote-130) בְּזָוִיּוֹת[[131]](#footnote-131) רְבִיעִית בְּאֵֽלּוּ הַיָּמִים. וְכֵן מְנַחֲשִׁים בְּנִחוּשִׁים הַרְבֵּה, כִּי חִיְּבוּ בְּשָׁעַת הַתְּקוּפָה לָשׂוּם עַל כָּל כְּלֵי מַשְׁקֶה וּמַאֲכָל דַּק חֲתִיכַת בַּרְזֶל, שֶׁלְּדַעְתָּם אִם לֹא יוּשַׂם בַּרְזֶל יֵהָפֵךְ הַדָּבָר לְדָם. וְכֵן קוֹסְמִים קְסָמִים עַל דֶּֽרֶךְ הוֹבְרֵי שָׁמַֽיִם הַחוֹזִים בַּכּוֹכָבִים, שֶׁאוֹמְרִים: מִי שֶׁנּוֹלַד בְּמַזָּל פְּלוֹנִי יִהְיֶה כָּךְ וְכָךְ. וְכָךְ אָמְרוּ: חַיֵּי בָנֵי וּמְזוֹנֵי לָא בִזְכוּתָא תַּלְיָא מִלְּתָא אֶֽלָּא בְמַזָּלָה. וְכֵן הֵם דּוֹרְשִׁים אֶל הַמֵּתִים, כְּמוֹ שֶׁכָּתְבוּ סִפְרֵיהֶם, שֶׁנִּקְבָּצִים לְקֶֽבֶר רִבִּי יוֹסֵי הַגָּלִילִי וּמַקְטִירִים קְטֹֽרֶת וּמַדְלִיקִים נֵרוֹת שֶֽׁמֶן; וְכָל אִשָּׁה עֲצוּרָה מִלֵּילֵד, לוֹקְחִים מִשְּׁאֵרִית הַשֶּֽׁמֶן, וְסָכָה {נד} אֶת בִּטְנָהּ, וְאוֹמֶֽרֶת: "אֵי רִבִּי יוֹסִי, הַבְטִינֵֽנִי הַבְטִינֵֽנִי וְתֵן לִי הֵרָיוֹן!" וְכֵן בְּקִבְרֵי שְׁאָר חֲכָמִים שֶׁבָּאָֽרֶץ הַקְּדוֹשָׁה, וְכֵן יֵשׁ הַרְבֵּה בֵינֵיהֶם בַּעֲלֵי שֵׁמוֹת שֶׁהֵם חוֹבְרֵי חָֽבֶר. | 4 In chapter 18, it is written: There shall not be found among you any one that maketh his son or his daughter to pass through the fire, or that useth divination, or an observer of times, or an enchanter, or a witch. Or a charmer, or a consulter with familiar spirits, or a wizard, or a necromancer (Deuteronomy 18:10–11). But the Talmudites are “observers of times” [me‘onenim], but they choose specific times, saying that one should not undergo bloodletting on the eleventh day of any month, or the third day, or the fourth day that falls on Wednesday, and one should not go do business or shave the side[[132]](#footnote-132) of the head, nor should one spread out a sail and go to sea, nor should one get married. And similarly, on Tuesday and Friday, one should not do bloodletting because Mars is in the fourth corner on these days.[[133]](#footnote-133)xxxi And they do much enchantment, for they require [their constituents], at the time of the equinoxes and solstices, to place a piece of iron on every dish containing a drink or a thin [i.e., liquidy] food; and according to their belief, if this iron is not placed, the [food or drink] will turn into blood. Moreover, they engage in divination, by means of astrologers, who gaze at the stars, and say: “He who was born under such-­and-­such constellation will be such and such.” They also say: “[Length of] life, children, and sustenance are dependent not on merit, but on the constellation.”[[134]](#footnote-134) And they do necromancy, as they have written in their books; for they gather around the grave of R. Yosé the Galilean, and burn incense, and light oil lamps, and any woman with difficulty conceiving children takes the leftovers of the oil and rubs {54} it on her belly, and says: “Oh R. Yosé, do my belly, do my belly, and give me pregnancy!”[[135]](#footnote-135) And [they do] similarly at the graves of other sages in the Holy Land. And many of them are charmers, using [divine or magical] names. | #5:d |
| ה בְּסֵֽדֶר כ"א (פסוק יא-יג) כְּתִיב: "וְרָאִֽיתָ בַּשִּׁבְיָה אֵֽשֶׁת יְפַת תֹּֽאַר וְחָשַׁקְתָּ בָהּ וְלָקַחְתָּ לְךָ לְאִשָּׁה. וַהֲבֵאתָהּ אֶל תּוֹךְ בֵּיתֶֽךָ" וגו', עַד "וְאַחַר כֵּן תָּבוֹא אֵלֶֽיהָ וּבְעַלְתָּהּ".[[136]](#footnote-136) מִכָּל הַסֵּֽדֶר גָּלוּי וּמְפֹרָשׁ כִּי אַחַר שֶׁיְּקַיֵּם הַתְּנָאִים מֻתָּר לָבוֹא עָלֶֽיהָ; אֲבָל קֹֽדֶם הַתְּנָאִים אָסוּר. וְהֵם הִתִּֽירוּ בִּיאָה רִאשׁוֹנָה קֹֽדֶם הַתְּנָאִים. | 5 In chapter 21, it is written: And thou seest among the captives a beautiful woman, and hast a desire unto her, that thou wouldest take her to thee as a wife, then thou shalt bring her home to thine house [ . . . ​] and after that thou shalt go in unto her, and be her husband (Deuteronomy 21:11–13). And from the order [of these verses], it is absolutely clear that only after one fulfills the conditions [bringing her into his house, cutting her nails, and more] is it permitted to sleep with her; but before fulfilling the conditions, it is forbidden. But [the Rabbanites] permit one act of sex before fulfilling the conditions. | #5:e |
| ו בְּסֵֽדֶר כ"ב (פסוק כג) כְּתִיב: "וְכֵן תַּעֲשֶׂה לְכָל אֲבֵדַת אָחִֽיךָ אֲשֶׁר תֹּאבַד מִמֶּֽנּוּ וּמְצָאתָהּ, לֹא תוּכַל לְהִתְעַלֵּם." וְהַתַּלְמוּדִיִּים אָמְרוּ: הַמּוֹצֵא מְעוֹת חֲבֵרוֹ בְּבָתֵּי כְנֵסִיּוֹת וּבְבָתֵּי מִדְרָשִׁיּוֹת, מָקוֹם שֶׁהָרַבִּים מְצוּיִין שָׁם, הֵם שֶׁלּוֹ וְלֹא שֶׁל חֲבֵרוֹ. וְכֵן אָמְרוּ: אֲבֵדָה שֶׁשְּׁטָפָהּ הַנַּֽחַל, אֵין מוֹצְאָהּ חַיָּב לַהֲשִׁיבָהּ, כִּי הַכָּתוּב אָמַר: אֲשֶׁר תֹּאבַד מִמֶּֽנּוּ וּמְצָאתָהּ – רוֹצֶה לוֹמַר, שֶׁיֵּדַע מִמִּי נֶאֶבְדָה הָאֲבֵדָה וּמִי הוּא מוֹצְאָהּ; אֲבָל אִם יִשְׁטְפוּ הַמַּֽיִם נִכְסֵי עִיר אַחַת אוֹ עֲיָרוֹת רַבּוֹת, הֲלֹא יֵשׁ שָׁם אֲבֵדוֹת רַבּוֹת וּמוֹצְאִים רַבִּים, אִם כֵּן בָּטְלָה מִצְוַת "אֲשֶׁר תֹּאבַד מִמֶּֽנּוּ וּמְצָאתָהּ." | 6 In chapter 22, it is written: and with every lost thing of thy brother’s, which he hath lost, and thou hast found, shalt thou do likewise: thou mayest not hide thyself (Deuteronomy 22:3). But the Talmudites say: If one finds someone else’s coins in the synagogue or the house of study, a place where many people are found, then they belong to [the finder], and not to the other person.[[137]](#footnote-137)xxxii And they say: If a lost item has drowned in a river, then the person that finds it is not obligated to return it; for Scripture says which he hath lost and thou hast found, which [they interpret as meaning] that one must know who has lost the item and who has found it; but if water comes and drenches the possessions of a whole city, or many cities, then there are many lost items, and many finders, and, therefore, the commandment which he hath lost and thou hast found is inoperative. | #5:f |
| ז בְּסֵֽדֶר כ"ד (פסוק א): "כִּי יִקַּח אִישׁ אִשָּׁה וּבְעָלָהּ, וְהָיָה אִם לֹא תִמְצָא חֵן בְּעֵינָיו כִּי מָצָא בָהּ עֶרְוַת דָּבָר וְכָתַב לָהּ סֵֽפֶר כְּרִיתוּת". חֲכָמֵֽינוּ זַ"ל פֵּרְשׁוּ בְּ"עֶרְוַת דָּבָר" שֶׁהָרָצוֹן בּוֹ אִם תִּהְיֶה מוֹרֶֽדֶת בְּאִישָׁהּ אוֹ בַעֲלַת מִדּוֹת מְגֻנּוֹת, אֵינָהּ שׁוֹמֶֽרֶת אֱמוּנָתָהּ, אוֹ שֶׁיִּהְיוּ בָהּ מוּמִין שֶׁלֹּא יוּכַל לִסְבֹּל בַּעֲלָהּ כְּגוֹן עִוָּרוֹן גָּמוּר, סִרְחוֹן הַפֶּה, וְדוֹמֵיהֶם. אֲבָל הַתַּלְמוּדִיִּים אָמְרוּ: אֲפִלּוּ הִקְדִּֽיחַָה תַבְשִׁילָהּ, אֲפִלּוּ מָצָא נָאָה הֵימֶֽנָּה. | 7 In chapter 24 [it is written]: When a man hath taken a wife, and married her, and it come to pass that she find no favor in his eyes, because he hath found some nakedness in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house (Deuteronomy 24:1). Our sages, of blessed memory, explained the words found some nakedness as meaning that she has betrayed her husband; or she has bad character traits and is faithless; or she has physical blemishes that her husband cannot stand, such as complete blindness, foul breath, or the like. But the Talmudites say: even if she has burned his food, or even if he has found a prettier woman than she is.[[138]](#footnote-138)xxxiii | #5:g |
| ח בְּסֵֽדֶר כ"ה (פסוק ב) כְּתִיב: "וְהָיָה אִם בִּן הַכּוֹת הָרָשָׁע וְהִפִּילוֹ הַשֹּׁפֵט וְהִכָּֽהוּ לְפָנָיו כְּדֵי רִשְׁעָתוֹ בַּמִּסְפָּר. אַרְבָּעִים יַכֶּֽנּוּ, לֹא יוֹסִיף" – וְהֵם אָמְרוּ שֶׁלֹּא יַכֶּה אַרְבָּעִים שְׁלֵמִים אֶֽלָּא פָחוֹת אַחַת, כְּמִנְיַן פָּסוּק "וְהוּא רַחוּם" שָׁלשׁ פְּעָמִים. | 8 In chapter 25, it is written: And it shall be, if the wicked man be worthy to be beaten, that the judge shall cause him to lie down, and to be beaten before his face, according to his fault, by a certain number. Forty stripes he may give him, and not exceed . . . (Deuteronomy 25:2–3). But [the Rabbanites] say that one should not give a full forty lashes, but one fewer [i.e., 39],[[139]](#footnote-139)xxxiv three times the number of the words in the verse: But he, being merciful (Psalms 78:38).[[140]](#footnote-140) | #5:h |
| ט עוֹד בְּסֵֽדֶר כ"ה (פסוק ה) כְּתִיב: "כִּי יֵשְׁבוּ אַחִים יַחְדָּו וּמֵת אַחַד מֵהֶם וּבֵן אֵין לוֹ לֹא תִהְיֶה אֵֽשֶׁת הַמֵּת הַחֽוּצָה לְאִישׁ זָר יְבָמָהּ יָבֹא עָלֶֽיהָ וּלְקָחָהּ לוֹ לְאִשָּׁה וְיִבְּמָהּ." וגו'. הַתַּלְמוּדִיִּים אָמְרוּ כִּי הָאַחִים אַחִים אֲמִתִּיִּים, וְלָקְחוּ רְאָיָה מֵאוֹנָן בֶּן יְהוּדָה, שֶׁיִּבֵּם אֵֽשֶׁת עֵר אָחִיו, כַּכָּתוּב סֵֽפֶר א' סִימָן ל"ח (פסוק ח). אֲבָל חֲכָמֵֽינוּ זַ"ל טָעֲנוּ לָהֶם כִּי אֵין לָקַֽחַת רְאָיָה מֵעֵר וְאוֹנָן, כִּי זֶה הָיָה קֹֽדֶם מַתַּן תּוֹרָה; וַהֲלֹא גַם שְׁתֵּי אֲחָיוֹת מֻתָּר הָיָה לָשֵׂאת {נה} קֹֽדֶם מַתַּן תּוֹרָה, כִּי יַעֲקֹב נָשָׂא שְׁתֵּי אֲחָיוֹת, וְעַמְרָם נָשָׂא דוֹדָתוֹ. אֲבָל אַחַר מַתַּן תּוֹרָה נֶאֱסַר הַדָּבָר. וְהִנֵּה מֵאַחַר שֶׁהַתּוֹרָה הִזְהִֽירָה בְּסֵֽפֶר ג' סִימָן יח (פסוק טז), בְּמַאֲמַר "עֶרְוַת אֵֽשֶׁת אָחִֽיךָ לֹא תְגַלֵּה, עֶרְוַת אָחִֽיךָ הִיא", וְכֵן בְּסֵֽדֶר כ' (פסוק כא) אָמַר "וְאִישׁ אֲשֶׁר יִקַּח אֶת אֵֽשֶׁת אָחִיו, נִדָּה הִיא, עֶרְוַת אָחִיו גִּלָּה, עֲרִירִים יִהְיוּ" – אֵיךְ תָּבוֹא הַתּוֹרָה בְּמָקוֹם אַחֵר וְתַתִּיר מַה שֶּׁאָסְרָה כְבָר? כִּי תִהְיֶה סְתִירָה בְדִבְרֵי הַתּוֹרָה! עַל כֵּן חֲכָמֵֽינוּ אָמְרוּ כִּי כַוָּנַת הַכָּתוּב בַּאֲחֵי מִשְׁפָּחָה, בְּמָשָׁל שֵׁנִי בְשֵׁנִי אוֹ שְׁלִישִׁי בִשְׁלִישִׁי אוֹ דוֹדוֹ הַקָּרוֹב בְּמִשְׁפַּחְתּוֹ. וְרַאֲיָתָם שֶׁל חֲכָמֵֽינוּ זַ"ל מֵעִנְיַן רוּת הַמּוֹאֲבִיָּה, שֶׁלְּקָחָהּ בֹּֽעַז הַנָּשִׂיא, וְהוּא לֹא הָיָה אָח אֲמִתִּי לְמַחְלוֹן בֶּן אֱלִימֶֽלֶךְ, אֶֽלָּא[[141]](#footnote-141) אַח מִשְׁפָּחָה הָיָה. וְכֵן אָמְרוּ חֲכָמֵֽינוּ זַ"ל, מֵאַחַר שֶׁהַיִּבּוּם נִתְלֶה עַל הַנַּחֲלָה בְאֶֽרֶץ יִשְׂרָאֵל, פְּטוּרִים אָֽנוּ מֵהַמִּצְוָה הַזֹּאת בַּגָּלוּת. אֲבָל הַתַּלְמוּדִיִּים עוֹשִׂים חֲלִיצָה גַּם בַּגָּלוּת, בְּאַחִים אֲמִתִּיִּים. | 9 Further in chapter 25, it is written: If brethren dwell together, and one of them die, and have no child, the wife of the dead shall not marry without unto a stranger: her husband’s brother shall go in unto her, and take her to him to wife, and perform the duty of a husband’s brother unto her (Deuteronomy 25:5). The Talmudites write that this means actual [biological] brothers, and they bring evidence from Onan son of Judah, who performed levirate marriage with the widow of his brother Er, as is written in the first book [Genesis], chapter 35. But our sages, of blessed memory, argue against them that we cannot bring evidence from Er and Onan, for they were before the giving of the Torah. After all, it was also permitted to marry two sisters {55} before the giving of the Torah, for Jacob married two sisters. And Amram married his aunt,[[142]](#footnote-142) but this was forbidden after the giving of the Torah. Now, the Torah prohibits [a man from marrying his brother’s wife], in the third book [Leviticus], chapter 18, in the verse: Thou shalt not uncover the nakedness of thy brother’s wife: it is thy brother’s nakedness [Leviticus 18:16]; and again in chapter 20: And if a man shall take his brother’s wife, it is an unclean thing: he hath uncovered his brother’s nakedness; they shall be childless [Leviticus 20:20]. So how could the Torah come in another place and permit what it has already forbidden? That would be a contradiction in the words of the Torah! Therefore, our sages say that the verse [in Deuteronomy] refers to brethren of one clan, for example, first cousins, or second cousins, or an uncle who is close in his clan. And our sages bring evidence from the story of Ruth the Moabite, whom Boaz the chieftain married, for he was not a true brother of Maḥlon son of Elimelech, but they were only[[143]](#footnote-143) brethren in the clan. And our sages said further that because levirate marriage is dependent on the inheritance in the Land of Israel, we are exempt from it in the exile. But the Talmudites perform the ḥaliẓa ceremony[[144]](#footnote-144) even in the diaspora, for true brothers. | #5:i |
| אָמַר הֶחָכָם הַמְחַבֵּר זֶה הַסֵּֽפֶר: עַד הֵֽנָּה הִגִּֽיעוּ הַמִּצְוֹת אֲשֶׁר נֶחְלְקוּ בָהֶן הַקָּרָאִים וְהַתַּלְמוּדִיִּים. וְאַף עַל פִּי שֶׁיֵּשׁ מַחְלֹֽקֶת גַּם בְּמִצְוֹת אֲחֵרוֹת, לֹא הֲבִיאוֹתִים, כִּי אֵין מַחְלֻקְתָּם[[145]](#footnote-145) מְבִיאָה לְהִפָּרֵד לִשְׁתֵּי אֻמּוֹת. וְהִנְנִי כוֹתֵב עוֹד עִנְיָנִים שֶׁהֶאֱמִינוּם הַתַּלְמוּדִיִּים וְלֹא הֶאֱמִינוּם הַקָּרָאִים, כִּי הֵם מְקַעַקְעִים יְסוֹדוֹת הַתּוֹרָה וְהָאֱמוּנָה; וּקְצָתָם אַף עַל פִּי שֶׁאֵינָם מְקַעַקְעִים מַמָּשׁ, אֵין שְׁפִיטַת הַשֵּֽׂכֶל סוֹבֶֽלֶת אֹתָם, וְטֶֽבַע הָעוֹלָם אֵינוֹ גוֹזֵר לְהִמָּצְאָם, וְהֵם שֶֽׁקֶר גָּמוּר וְשָׁוְא שֶׁאֵין לוֹ רַגְלַֽיִם. עַד כַּאן דִּבְרֵי הֶחָכָם הַנִּזְכָּר לְעֵיל[[146]](#footnote-146), וְעוֹד מַתְחִיל וְאוֹמֵר:[[147]](#footnote-147) | The sage, the author [of this book], says: Up to here, [we have listed] the commandments about which the Karaites and Talmudites disagree. And though there are also debates about other commandments, I have not included them here, for those debates do not cause us to be two peoples. Now I will write about further matters, which the Talmudites believe, but the Karaites do not, for these beliefs tear down the foundations of Torah and faith, or, in some cases, do not tear down [foundations], but nonetheless are intolerable to a logical mind, and the nature of the universe does not allow their existence, and they are complete falsehood and baseless lies. Thus far, the [introductory] words of the above-­mentioned sage.[[148]](#footnote-148) [And then] he begins and says: Philosophical Differences | #6 |
| בְּסֵֽפֶר חֲמִישִׁי סִימָן ו' (פסוק ד) כְּתִיב: "שְׁמַע יִשְׂרָאֵל ה' אֱלֹהֵֽינוּ ה' אֶחָד." וּבְסִימָן ד' (פסוק טו) כְּתִיב: "וְנִשְׁמַרְתֶּם מְאֹד לְנַפְשֹׁתֵיכֶם כִּי לֹא רְאִיתֶם כָּל תְּמוּנָה בְּיוֹם דִּבֶּר ה' אֲלֵיכֶם בְּחֹרֵב מִתּוֹךְ הָאֵשׁ." וְזֹאת הִיא אֱמוּנַת יִשְׂרָאֵל, כִּי הַבּוֹרֵא יִתְבָּרַךְ אֶחָד מִכָּל צַד, וְאֵין לוֹ שׁוּם רִבּוּי, לֹא בְּפֹֽעַל וְלֹא בְמַחֲשָׁבָה, וְלֹא יֻגְדַּר בִּגְדָרִים גַּשְׁמִיִּים, כִּי אֵין לוֹ גוּף וְלֹא כֹֽחַ בַּגּוּף, כִּי הוּא מְשֻׁלָּל מֵהַגַּשְׁמוּת וּמִמַּשִּׂיגֵי הַגַּשְׁמוּת, וְלֹא יִתְחַלַּק וְלֹא יְשֹׁעַר בְּשׁוּם שִׁעוּר, לֹא בְשִׁעוּר כַּמּוּת מִתְדַּבֵּק וְלֹא בְשִׁעוּר כַּמּוּת מִתְפָּרֵק. אֲבָל הַתַּלְמוּדִיִּים אָמְרוּ יֵשׁ שְׁתֵּי רְשׁוּיוֹת, שֶׁשְּׁנֵיהֶם נִקְרָאִים בַּשֵּׁם הַנִּכְבָּד וְהַנּוֹרָא, הָאֶחָד הַבּוֹרֵא יִתְבָּרַךְ שֶׁהוּא ה' הַגָּדוֹל, וְהַשֵּׁנִי מְטַטְרוֹן שַׂר הַפָּנִים שֶׁנִּקְרָא ה' הַקָּטֹן, וְגַם קוֹרִין אוֹתוֹ שַׁדַּי, וְאָמְרוּ: שְׁמוֹ כְּשֵׁם רַבּוֹ. וַהֲלֹא הַבּוֹרֵא יִתְבָּרַךְ אָמַר בְּסֵֽפֶר שֵׁנִי סִימָן ג' (פסוק טו): "זֶה שְׁמִי לְעֹלָם וְזֶה זִכְרִי לְדֹר דֹּר". וִישַׁעְיָה אָמַר, סִימָן מ"ב (פסוק ח(: "אֲנִי ה' הוּא שְׁמִי, וּכְבוֹדִי לְאַחֵר לֹא אֵתֶּן." | In the fifth book [Deuteronomy], chapter 6, it is written: Hear O Israel, the Lord our God is one Lord [Deuteronomy 6:4]. And in chapter 4, it is written: Take ye therefore good heed unto yourselves; for ye saw no manner of similitude on the day that the Lord spake unto you in Horeb out of the midst of the fire [Deuteronomy 4:15]. And this is the faith of Israel: the Creator, blessed be He, is one, from all aspects, and He has no multiplicity, whether in deed or in thought, and He cannot be defined by physical boundaries, for he has no body, and no bodily force, for He is utterly lacking any physicality or anything that physicality can touch. And he cannot be divided, nor can He be estimated by any quantitative estimate, neither of amount nor of number. But the Talmudites say that there are two powers, which are each called by the dignified awesome Name; one is the Creator, who is the Great Name [the Great Y • H • W • H], and the other is Meṭaṭron, the Prince of [God’s] Presence, who is called the Lesser Name [the Lesser Y • H • W • H], and they call [Meṭaṭron] also “Shaddai,” and say that his name is like that of his Master.[[149]](#footnote-149)xxxv But does not the Creator, blessed be He, say in the second book [Exodus], chapter 3: This is my name for ever, and this is my memorial unto all generations [Exodus 3:15]? And in chapter 42 of Isaiah: I am the Lord, that is my name; and my glory will I not give to another [Isaiah 42:8]. |  |
| וְהֵם נָתְנוּ שִׁעוּר לְיוֹצֵר הָעוֹלָם יִתְבָּרַךְ. אָמְרוּ: | And [the Rabbanites] give a measurement of the Creator of the Universe, blessed be He. For [they say, in their work Shi‘ur Qoma]: |  |
| רִבִּי יִשְׁמָעֵאל כֹּהֵן גָּדוֹל וְרִבִּי עֲקִיבָה חֲבֵרוֹ, כְּשֶׁעָלוּ לַמָּרוֹם רָאוּ לְיוֹצֵר הַכֹּל יוֹשֵׁב בְּכִסְאוֹ. {נו} וְקָרְבוּ שְׁנֵיהֶם לְפָנָיו, וּבָֽאוּ הַמַּלְאָכִים לְדָחֳפָם לָאָֽרֶץ, וַה' גָּעַר בָּם וְאָמַר לָהֶם: הַנִּֽיחוּ לַזָּקֵן רִבִּי יִשְׁמָעֵאל, שֶׁהוּא כָשֵׁר לְפָנַי לְשָׁרְתֵֽנִי מִכֶּם! וְגַם לַזָּקֵן זֶה רָזִי לִי וַאֲגַלֵּֽהוּ לִמְטַטְרוֹן מְשָׁרְתִי וְנַעֲרִי זֶה, וְהוּא יְגַלֶּה לַזָּקֵן רִבִּי יִשְׁמָעֵאל. וְאָז בָּא מְטַטְרוֹן וְגִלָּֽהוּ ה' שִׁעוּר קוֹמָתוֹ, וְהוּא גִלָּֽהוּ לַזָּקֵן רִבִּי יִשְׁמָעֵאל, וְרִבִּי יִשְׁמָעֵאל לְרִבִּי עֲקִיבָה. וְזֶהוּ הַשִּׁעוּר: אָמְרוּ כִי רֹאשׁוֹ עָגֹל וְשִׁעוּרוֹ שְׁלֹשׁ מֵאוֹת אֲלָפִים פַּרְסָאוֹת. וּפַרְסָאוֹת אִלֵּין[[150]](#footnote-150) מִדָּתָן שְׁמֹנָה מִילִין בְּמִדַּת אַמַּת בֶּן אָדָם, (וכל פרסא)[[151]](#footnote-151) וְכָל מִיל אַרְבַּֽעַת אֲלָפִים אַמָּה, כָּל אַמָּה אַרְבַּע זְרָתוֹת בְּזֶֽרֶת אַמַּת[[152]](#footnote-152) בֶּן אָדָם. זֶרְתּוֹ שֶׁל יוֹצֵר מִקְצֵה מִזְרָח וְעַד קֵץ מַעֲרָב. מִצְחוֹ – אָרְכּוֹ וְרָחְבּוֹ י"ב אֲלָפִים רִבּוֹת מִפַּרְסְאוֹת בְּנֵי אָדָם. שַׁחֲרוּת עֵינוֹ שֶׁל יְמִינוֹ וּשְׂמֹאלוֹ שְׁנֵי רִבּוֹא וְאַלְפַּֽיִם וְחָמֵשׁ פַּרְסָאוֹת; לֹֽבֶן עֵינָיו שְׁתֵּי רְבָבוֹת וְאַלְפַּֽיִם אַמּוֹת בְּאַמַּת אִישׁ. שִׁעוּר לְשׁוֹנוֹ עִם גֹּֽדֶל זְקָנוֹ מִקְצֵה עוֹלָם וְעַד קְצֵה הָעוֹלָם. שִׁכְמוֹ הַיְמָנִי וְרָחְבּוֹ עַד שְׂמֹאלוֹ שֵׁשׁ רְבָבוֹת פַּרְסָאוֹת. זְרוֹעוֹתָיו מִדַּת שְׁתֵּי יָדָיו י"ב אֲלָפִים רְבָבוֹת פַּרְסָאוֹת. מִדּוֹת שֶׁל שְׁתֵּי הַכְּתֵפוֹת שִׁבְעָה אַלְפֵי רְבָבוֹת פַּרְסָאוֹת. מִדּוֹת אֶצְבְּעוֹתָיו מֵהֶן יְתֵרוֹת מֵהֶן חֲסֵרוֹת, עָבְיָן וְגָדְלָן אַלְפַּֽיִם רְבָבוֹת פַּרְסָאוֹת, הָאֲחֵרוֹת קְטַנּוֹת וַחֲסֵרוֹת עֲשֶֽׂרֶת אֲלָפִים פַּרְסָאוֹת. גִּוְיָתוֹ מִשִּׁכְמוֹ עַל צִדּוֹ שְׁלֹֽשֶׁת אֲלָפִים רִבּוֹא פַרְסָאוֹת וַחֲמֵֽשֶׁת אֲלָפִים פַּרְסָאוֹת. יְרֵכֵי רַגְלָיו כ"ד אֶֽלֶף רְבָבוֹת פַּרְסָאוֹת. אַרְכֻּבּוֹתָיו י"ב אֶֽלֶף רִבּוֹא פַרְסָאוֹת וְאֶֽלֶף פַּרְסָה. בִּרְכַּֽיִם עַד קַרְסֻלַּֽיִם תִּשְׁעָה אֲלָפִים רִבּוֹא פַרְסָאוֹת וְחָמֵשׁ פַּרְסָה. אֹֽרֶךְ רַגְלוֹ עַד קֵץ קַרְסֻלּוֹ אֶֽלֶף רִבּוֹא פַרְסָאוֹת וְחָמֵשׁ אֲלָפִים פַּרְסָה פַּרְסְאוֹתָיו עִם כְּלַל אֶצְבְּעוֹתָיו מִמִּזְרָח עַד מַעֲרָב. וְרַב נָתָן (ל)תַּלְמִידוֹ[[153]](#footnote-153) שֶׁל רִבִּי יִשְׁמָעֵאל אָמַר שֶׁמִּדַּת חוֹטָמוֹ שֶׁל יוֹצֵר מָסַר מְטַטְרוֹן לְיִשְׁמָעֵאל. וְשִׂפְתוֹתָיו – אָרְכָּן חֲמֵשׁ מֵאוֹת אֲלָפִים פַּרְסָאוֹת, וְרָחְבָּן חֲמִשִּׁים אֶֽלֶף פַּרְסָאוֹת. | R. Ishmael the High Priest and R. ‘Aqiva, his colleague, ascended to heaven, and they saw the Creator of all, sitting on His throne. {56} The two of them drew near to them, and the angels tried to push them away to earth. [But] the Lord rebuked [the angels], and said to them: “Leave the old man R. Ishmael alone, for I find him more proper to serve me than you are. And for this old man, my secret is mine, and I will reveal it to Meṭaṭron, this servant and boy of mine, and he will reveal it to the old man, R. Ishmael.” Then Meṭaṭron came, and the Lord revealed the measurement of His height to him, and he revealed it to the old man, R. Ishmael, and R. Ishmael to R. ‘Aqiva. And [the Rabbanites] say that this is the measurement: His head is round, and it measures 300,000 parasangs, and these parasangs measure 8 mil in human measurements; (and each parasang)[[154]](#footnote-154) and each mil measure 4,000 cubits; and every cubit measures four hand-­spans in the hand-­span of a human arm. The hand-­span of the Creator is from the farthest east to the farthest west. His forehead is 1,200,000 parasangs of humans. The eyeballs of His right and left [eyes] are [each] 22,005 parasangs; the whites of His eyes are 22,000 cubits of human cubits. His tongue, along with His great beard, measures from one edge of the universe to the other. His right shoulder, and the width to His left shoulder, are 60,000 parasangs of His arms. The measure of His two hands is 12,000 myriad parasangs. The measure of His two shoulders is 70 million parasangs. The measurement of His fingers [is variable], some are longer and some are shorter; their width and size is 20 million parasangs; and the other ones, which are shorter, are 20,000 parasangs. His torso, from His shoulder on His side, is 30 million and five parasangs. The thighs of His legs are 240 million parasangs; His knees are 120 million and 1,000 parasangs. [The distance from] His knees through His ankles is 900 million and five parasangs. The length of His legs [or: feet] through the edge of His ankles is 100 million and five parasangs, [of] His parasangs, including the extent of His fingers from east to west. And Rav Nathan, the student of R. Ishmael, said that the measurement of the Creator’s nose was transmitted by Meṭaṭron to Ishmael; and His lips are 500,000 parasangs long and 50,000 parasangs wide.[[155]](#footnote-155) |  |
| וְאָמַר רִבִּי יִשְׁמָעֵאל: רָאִֽיתִי אַכַּתְרִיאֵל יָהּ ה' צְבָאוֹת וְנִעֲנַע לִי רֹאשׁוֹ, וְאָמַר: "בָּרְכֵֽנִי, בְּנִי יִשְׁמָעֵאל." | And R. Ishmael said: I saw Akkathriel Yah Y • H • W • H Sabaoth [=of Hosts], and He nodded to me with His head, and said: “Bless me, O my son Ishmael.”[[156]](#footnote-156) |  |
| וְאֵֽלּוּ הַהֲבָלִים כְּתוּבִים קְצָתָם בְּמַסֶּֽכֶת חֲגִיגָא וּקְצַָתָם בְּבָבָא בַתְרָא וּקְצָת בְּמַסֶּֽכֶת יוֹמָא. וַהֲלֹא הַנָּבִיא יְשַׁעְיָה צֹוֵֽחַ וְאֹמֵר בְּסִימָן מ'[[157]](#footnote-157) (פסוק יח): "וְאֶל מִי תְדַמְּיוּן אֵל, וּמַה דְּמוּת תַּעַרְכוּ לוֹ"; (פסוק כה): "וְאֶל מִי תְדַמְּיֽוּנִי וְאֶשְׁוֶה – יֹאמַר קָדוֹשׁ." וְהַבּוֹרֵא יִתְבָּרַךְ אָמַר לְמֹשֶׁה (שמות לג:כ): "כִּי לֹא יִרְאַֽנִי הָאָדָם וָחָי." וְהַחוֹתֵם הַנְּבוּאָה אָמַר (מלאכי ג:ח): "הֲיִקְבַּע אָדָם אֱלֹהָיו"[[158]](#footnote-158) וגו'. | And these nonsensical ideas are written [in various places in the Babylonian Talmud]; some in Tractate Ḥagiga,[[159]](#footnote-159) and some in Tractate Bava Bathra, and some in Tractate Yoma. But did not Isaiah cry out and say, in chapter 40: To whom then will ye liken God? or what likeness will ye compare unto Him? [ . . . ​] To whom then will ye liken me, or shall I be equal? saith the Holy One (Isaiah 40:18, 25). And the Creator, blessed be He, said to Moses: for there shall no man see me, and live [Exodus 33:20]. And the seal of prophecy [that is, the last prophet, Malachi] says: Will a man establish God? [Malachi 3:8]. |  |
| עוֹד אָמְרוּ כִּי הַבּוֹרֵא יִתְבָּרַךְ פַּֽעַם נִרְאֶה בָחוּר וּפַֽעַם זָקֵן. וְאָמְרוּ שֶׁהַמַּלְאָכִים מְמֻנִּים עַל כָּל אֵֽבֶר וָאֵֽבֶר שֶׁל הַשֵּׁם יִתְבָּרַךְ. וְאָמְרוּ שֶׁמְּטַטְרוֹן הוּא חֲנוֹךְ, וְהוּא קוֹשֵׁר תְּפִלִּין בְּרֹאשׁוֹ שֶׁל הַבּוֹרֵא יִתְבָּרַךְ, וְשֶׁהַקָּדוֹשׁ בָּרוּךְ הוּא מִתְעַטֵּף בְּטַלֵּית לָבָן וְעֹסֵק בַּתַּלְמוּד, וְאַחַר כָּךְ בְּטַלֵּית אָדֹם וְעֹסֵק בְּדִבְרֵי נְבִיאִים, וְשֶׁהוּא יִתְבָּרַךְ מְלַמֵּד נְפָשׁוֹת שֶׁל תִּינוֹקוֹת הַמֵּתוֹת. {נז} וַחֲנוֹךְ, שֶׁהוּא מְטַטְרוֹן, יֵשׁ לוֹ כִּסֵּא כְמוֹ לְרַבּוֹ, וְיוֹשֵׁב עָלָיו וּמַקְטִיר נַפְשׁוֹת הַצַּדִּיקִים בַּמִּזְבֵּֽחַ שֶׁל מַֽעְלָה. | [The Rabbanites] say further that the Creator, blessed be He, has been seen sometimes as a young man and sometimes as an old man. And they say that [there are] angels appointed over each limb of God. And they say that Meṭaṭron is Enoch, and that he ties tefillin on the head of the Creator, blessed be He, and that God enwraps himself in a white ṭalleth [long rectangular cloak] and studies Talmud, and then in a red ṭalleth, and studies the words of the Prophets, and that He, blessed be He, teaches the souls of dead children.[[160]](#footnote-160) {57} And Enoch, who is Meṭaṭron, has a throne, just as his Master does; and he sits on it, and burns the souls of the righteous on the heavenly altar. |  |
| וּבְמַסֶּֽכֶת עֲבוֹדָה זָרָה אָמְרוּ כִי רוּחוֹת שֶׁאֵין הוֹגוֹת תַּלְמוּד – מְטַטְרוֹן וּמִיכָאֵל הַשַּׂר הַגָּדוֹל שׂוֹרְפִין אֹתוֹ בָאֵשׁ וּמַקְטִירִין אֹתוֹ כְרֵֽיחַ נִיחֽוֹחַ. וְאָמְרוּ כִי הַקָּדוֹשׁ בָּרוּךְ הוּא בוֹכֶה בְכָל יוֹם וּמוֹרִיד שָׁלֹשׁ דְּמָעוֹת, וְאוֹמֵר: "אוֹי לִי שֶׁהֶחֱרַֽבְתִּי אֶת בֵּיתִי וְהִגְלֵֽיתִי אֶת בָּנַי", וִימִינוֹ הֵשִׁיב לַאֲחוֹרָיו, וּמִתְאַבֵּל עַל עַמּוֹ בְאֹֽרֶךְ גָּלוּתָם, וּמַלְאָכָיו בּוֹכִים עִמּוֹ בְצָרָתוֹ, שֶׁאֵינוֹ יָכוֹל לְהוֹשִֽׁיעַ אֶת עַמּוֹ. וַהֲלֹא יְשַׁעְיָֽהוּ הַנָּבִיא בְּסֵֽדֶר נ"ט (פסוקים א-ב) צֹוֵֽֽחַ וְאוֹמֵר: "הֵן לֹא קָצְרָה יַד ה' מֵהוֹשִֽׁיעַ, וְלֹא כָבְדָה אָזְנוֹ מִשְּׁמֽוֹעַ. כִּי אִם עֲוֹנֹתֵיכֶם הָיוּ מַבְדִּלִים בֵּינֵכֶם לְבֵין אֱלֹהֵיכֶם", וְכָל הַפֶּֽרֶק הַהוּא. הַאִם[[161]](#footnote-161) הוּא יִתְבָּרַךְ חָסֵר לְכָל דָּבָר מִפְּנֵי שֶׁהֶחֱרִיב אֶת בֵּיתוֹ, אוֹ אִם בָּא לוֹ שׁוּם שִׁנּוּי מִזֶּה, חָלִֽילָה, עַד שֶׁיִּתְאַבֵּל וְיִבְכֶּה וְיִצְטַעֵר?! וְכֵן, הַאִם הַבּוֹרֵא יִתְבָּרַךְ נִבְרָא מֵאֲחֵרִים, עַד שֶׁיִּצְטָרֵךְ שֶׁיִּהְיוּ מְמֻנִּים עַל אֵיבָרָיו?! וְכֵן, הַאִם יֵשׁ עֶלְיוֹן מִמֶּֽנּוּ, יִתְבָּרַךְ, שֶׁיְּצַוֶּה לוֹ לִשְׁמוֹר מִצְוֹתָיו, וְשֶׁלְּזֵֽכֶר מִצְוֹתָיו יַנִּֽיחַ תְּפִלִּין בְּרֹאשׁוֹ וְיִלְבַּשׁ טַלֵּית בְּצִיצִית?! הֲלֹא הַשֵּׁם יִתְבָּרַךְ צִוָּה אֵֽלּוּ הַמִּצְוֹת לָאֲנָשִׁים, כְּדֵי שֶׁלֹּא יִשְׁכְּחוּ מִצְוֹתָיו; שֶׁהֵם חַיָּבִים לַעֲשׂוֹת מִצְוֹת קוֹנֵיהֶם, אֲבָל הוּא יִתְבָּרַךְ אֵין עָלָיו עֶלְיוֹן שֶׁיְּצַוֶּה לוֹ מִצְוֹת, וְיִצְטָרֵךְ כְּדֵי לְשָׁמְרָם בְּזִכְרוֹנוֹ לְהַנִּֽיחַ תְּפִלִּין וְלִלְבּוֹשׁ טַלֵּית! אֵין זֶה אֶֽלָּא נִשְׁאַר[[162]](#footnote-162) בְּיָדָם מֵהֶבְלֵי נְבִיאֵי הַשֶּֽׁקֶר הַמַּהֲבִילִים אֶת הָעָם בְּשִׁקְרֵיהֶם וּבְפַחֲזוּתָם אֲשֶׁר בַּעֲוֹנוֹתֵיהֶם חָרַב בֵּית הַמִּקְדָּשׁ שֶׁהוּא בֵּית קָדְשֵֽׁנוּ וְתִפְאַרְתֵּֽנוּ. כֵּן בַּעֲוֹנוֹת הֲזָיוֹתֵיהֶם שֶׁל אֵֽלּוּ מִתְאָרֶֽכֶת גָּלוּתֵֽנוּ, וְכֵן הָיָה גַם בִּזְמַנִּים קַדְמוֹנִים, בְּמַלְכוּת אֶפְרַֽיִם אֲשֶׁר בְּשֹׁמְרוֹן, כְּדִכְתִיב, מלכים ב' י"ז (פסוק ט): "וַיְחַפְּאוּ בְנֵי יִשְׂרָאֵל דְבָרִים[[163]](#footnote-163) אֲשֶׁר לֹא כֵן עַל ה' אֱלֹהֵיהֶם" וגו', וּכְתִיב אַחֲרָיו (פסוק יח): "וַיִּתְאַנַּף ה' מְאֹד בְּיִשְׂרָאֵל וַיְסִרֵם מֵעַל פָּנָיו", וּכְתִיב אַחֲרָיו (פסוק כ): "וַיִּמְאַס ה' בְּכָל זֶֽרַע יִשְׂרָאֵל וַיְעַנֵּם וַיִּתְּנֵם בְּיַד שֹׁסִים עַד אֲשֶׁר הִשְׁלִיכָם מִפָּנָיו." | And in Tractate ‘Avoda Zara, they say about the souls that do not study Talmud that Meṭaṭron and Michael the Great Prince burn them in fire, and offer them as a sweet savor. And they say that God cries every day, and sheds three tears, and says: “Woe unto me, for I have destroyed My House and exiled My children.” And he places His right hand behind Him [so that He cannot use it to redeem His people], and bewails the long exile of His people, and His angels cry with Him, because of His sorrow that He is unable to rescue His people.[[164]](#footnote-164) [This is what the Rabbanites say; but] doesn’t Isaiah the prophet cry out, in chapter 59: Behold, the Lord’s hand is not shortened, that it cannot save; neither his ear heavy, that it cannot hear: But your iniquities have separated between you and your God [Isaiah 59:1–2] – and that whole chapter. But is He lacking anything, because He has destroyed His House, and has any change occurred to Him from this – heaven forbid [that we should believe such a thing]! – such that He would mourn and cry and feel sorry?! And has the Creator been created by others, such that He would need [angels] appointed over His limbs?! And is there anyone above Him, who would command Him to keep their commandments, and to wear tefillin on his head, and wear a ṭalleth with ẓiẓith, in order to remember [the commandments]?! Did not God command these commandments to men, so that they would not forget His commandments, for they are obligated to keep the commandments of their Maker? But He has no one above Him to command Him, such that He would need to keep the commandments in His memory by wearing tefillin and a ṭalleth. All this is like the other [claims] in the hands [of the Rabbanites], from the nonsense of the false prophets, who wantonly lie to cause the people to hold nonsensical [beliefs] and due to their sins, the Temple was destroyed, which had been our holy, glorious house. And it is on account of these sinful hallucinations of these people that our exile is prolonged. This happened also in olden times, in the Kingdom of Ephraim, which was [based] in Samaria, as written in II Kings 17: And the children of Israel invented things about the Lord their God, which were not true [II Kings 17:9]; and afterwards, it says: Therefore the Lord was very angry with Israel, and removed them out of his sight [II Kings 17:17]; and after that it says: And the Lord rejected all the seed of Israel, and afflicted them, and delivered them into the hand of spoilers, until he had cast them out of his sight [II Kings 17:20]. |  |
| עוֹד אֱמוּנָתֵֽנוּ הִיא כִי הַבּוֹרֵא יִתְבָּרַךְ לְבַדּוֹ בָּרָא כָל הָעוֹלָם, וְלֹא עָזַר לוֹ שׁוּם דָּבָר לִבְרוֹא כֻלּוֹ אוֹ קְצָתוֹ, וְכָךְ אֵין שׁוּם בִּרְיָה יְכוֹלָה לִבְרוֹא דָבָר זוּלָתוֹ יִתְבָּרַךְ. וְהֵם אָמְרוּ: אֵין הַקָּדוֹשׁ בָּרוּךְ הוּא עוֹשֶׂה דָבָר אֶֽלָּא נִמְלַךְ בְּפָמַלְיָא שֶׁל מַֽעְלָה. וְאָמְרוּ כִי בְחָכְמָה נִמְלָךְ הַשֵּׁם יִתְבָּרַךְ, עַל כֵּן כְּתִיב: (משלי ג:יט) "ה' בְּחָכְמָה יָסַד אָֽרֶץ" וגו'. וְכֵן אָמְרוּ בְמַסֶּֽכֶת סַנְהֶדְרִין שֶׁאִם הָיוּ הַחֲכָמִים רוֹצִים, הָיוּ בוֹרְאִים עוֹלָם. וְכֵן אָמְרוּ שֶׁרָבָא בָרָא אָדָם אֶחָד וּשְׁלָחוֹ לִפְנֵי רִבִּי זֵירָא, וְהָיָה רִבִּי זֵירָא שׁוֹאֵל מִמֶּֽנּוּ שְׁאֵלוֹת, וְלֹא הֵשִׁיב לוֹ. אָמַר לוֹ רִבִּי זֵירָא: "אֶחָד מִן חוֹבְרֵי חֶֽבֶר בָּרָא אוֹתָךְ. שׁוּב לְעַפְרָךְ!" וְכֵן רִבִּי הוֹשַׁעְיָה וְרִבִּי {נח} חֲנִינָא יוֹשְׁבִים בְּכָל עֶֽרֶב שַׁבָּת, וְהָיוּ עוֹסְקִין בַּהֲלָכוֹת שֶׁל יְצִירָה וְהָיוּ בוֹרְאִים עֶגְלָה בַת שָׁלֹשׁ שָׁנִים, וְהָיוּ אוֹכְלִים אֹתָהּ. וְהַנָּבִיא יְשַׁעְיָה בְּסִימָן מ' (פסוקים יג-יד) צֹוֵֽחַ: "מִי תִכֵּן אֶת רֽוּחַ ה', וְאִישׁ עֲצָתוֹ יוֹדִיעֶֽנּוּ? אֶת מִי נוֹעָץ וַיְבִינֵֽהוּ וַיְלַמְּדֵֽהוּ בְּאֹֽרַח מִשְׁפָּט וַיְלַמְּדֵֽהוּ דַֽעַת וְדֶֽרֶךְ תְּבוּנוֹת יוֹדִיעֶֽנּוּ." וְכֵן בְּסִימָן מ"ד (פסוק כד) הוּא אוֹמֵר: "אָנֹכִי ה' עֹשֶׂה כֹּל נֹטֶה שָׁמַֽיִם לְבַדִּי רֹקַע הָאָֽרֶץ מֵאִתִּי." וּבְסֵֽדֶר מ"ג (פסוק י) כְּתִיב: "לְמַֽעַן תֵּדְעוּ וְתַאֲמִֽינוּ לִי וְתָבִֽינוּ כִּי אֲנִי הוּא, לְפָנַי לֹא נוֹצַר אֵל וְאַחֲרַי לֹא יִהְיֶה" – שֶׁפֵּרוּשׁוֹ: לְפָנַי אֵין נוֹצָרוֹ שֶׁל שׁוּם אֵל, וְאַחֲרֵי בָרְאִי הָעוֹלָם לֹא יִהְיֶה בוֹרֵא אַחֵר. וְכֵן בְּסִימָן מ"ד (פסוק ח) כְּתִיב: "הֲיֵשׁ אֱלֽוֹהַּ מִבַּלְעָדַי וְאֵין צוּר בַּל יָדָֽעְתִּי" – רוֹצֶה לוֹמַר: אֵין שׁוּם בּוֹרֵא וּמַמְצִיא שֶׁלֹּא אֵדָעֵֽהוּ וְשֶׁיִּהְיֶה יָכוֹל לְהַמְצִיא שׁוּם בִּרְיָה. | Another [article of] our faith is that the Creator created the whole universe on His own, and nothing helped Him create either all or part of it; and that no other creature can create anything, other than He. But [the Rabbanites] say that God does not do anything without consulting with the heavenly council [pamalya shel ma‘la]; and they say that God consulted with Wisdom, and that this is why Scripture says: The Lord by wisdom hath founded the earth [Proverbs 3:19]. And they say in Tractate Sanhedrin that, if the [Rabbanite] sages wanted, they could create a universe. And they say that Rava created a man, and sent him to R. Zera, and R. Zera asked [the created man] questions, but he did not respond; so R. Zera said to him: “One of the charm-­workers created you! Go back to your dust!” And that R. Hosha‘ya and R. {58} Ḥanina used to sit every Friday afternoon and study “the laws of creation” [hilkhoth yeẓira]; and they would create a three-­year-­old calf, and eat it.[[165]](#footnote-165) Yet, Isaiah the Prophet cries out in chapter 40: Who hath directed the Spirit of the Lord, or being his counsellor hath taught him? With whom took he counsel, and who instructed him, and taught him in the path of judgment, and taught him knowledge, and shewed to him the way of understanding? (Isaiah 40:13–14). And in chapter 44, he says: Thus saith the Lord, thy redeemer, and he that formed thee from the womb, I am the Lord that maketh all things; that stretcheth forth the heavens alone; that spreadeth abroad the earth by Myself [Isaiah 44:24]. And in chapter 43: that ye may know and believe Me, and understand that I am He: before Me there was no god formed, neither shall there be after Me [Isaiah 43:10]; this means that “before Me, there was nothing formed by any god; and now that I have created the universe, there will be no other creator.” And in chapter 44, it is written: Is there a God beside me? Yea, there is no God; I know not any [Isaiah 44:8]; this means that there is no other creator or inventor for me not to know, who could invent any creations. |  |
| עוֹד אֱמוּנָתֵֽנוּ בְנֶֽפֶשׁ הָאָדָם שֶׁהִיא מִכַּת הַמַּלְאָכִים; וּכְשֶׁתִּנְהַג כְּפִי[[166]](#footnote-166) הַכָּתוּב בַּתּוֹרָה בְּעוֹדָהּ בְּגוּפָהּ, תָּשׁוּב לִמְקוֹמָהּ לֵאוֹר בְּאוֹר חַיִּים; וְאִם תֶּחֱטָא, תִּנָּזֵף מִמְּקוֹמָהּ וְלֹא תוּכַל לְהַגִּֽיעַ אֵלָיו עַד שֶׁיִּתְכַּפְּרוּ עֲוֹנוֹתֶֽיהָ, וְהַנִּזּוּף הַהוּא יֶאֱרַךְ לָהּ כְּפִי רֹב וְגֹֽדֶל עֲוֹנוֹתֶֽיהָ. וְהַנִּזּוּף הַהוּא נִקְרָא בְּפִי הַחֲכָמִים גֵּיהִנּוֹם.[[167]](#footnote-167) כִּי הַנִּזּוּף לְדָבָר רוּחָנִי יוֹתֵר צַֽעַר גָּדוֹל מִכָּל הָעִנּוּיִם שֶׁיִּסְבֹּל הַגּוּף. וְנֶֽפֶשׁ הָאָדָם יֶשְׁנָהּ קֹֽדֶם בְּרִיאַת הַגּוּף, וְנִשְׁאֶֽרֶת אַחֲרֵי מוֹת הַגּוּף, אִם לְעֹֽנֶג אִם לְצַֽעַר, וְאֵין מִטִּבְעָהּ לְהִפָּסֵד לְגַמְרֵי. אֲבָל נֶֽפֶשׁ הַבַּעֲלֵי–חַיִּים אִלְּמִים הִיא נִבְרֵאת בְּהִבָּרֵא הַגּוּף, וְגַם נִפְסֶֽדֶת בְּהִפָּסֵד הַגּוּף, וְאֵין לְנֶֽפֶשׁ הַָאָדָם שׁוּם הִתְיַחֲסוּת עִם נֶֽפֶשׁ הַבַּעֲלֵי–חַיִּים אִלְּמִים, כִּי הַבּוֹרֵא יִתְבָּרַךְ הוּא חָכָם וְיוֹדֵֽעַ כָּל דָּבָר לְמָה הוּא רָאוּי, וְלֹא יִתֵּן דָּבָר שֶׁאֵינוֹ רָאוּי לְדָבָר שֶׁאֵינוֹ רָאוּי. עַל כֵּן נֶֽפֶשׁ הַבְּהֵמוֹת נָתַן לְגוּף מְכֹעָר וְגַם בְּהַרְכָּבָתוֹ, אֲבָל גּוּף הָאָדָם מֻרְכָּב מֵהַחֹֽמֶר הַיּוֹתֵר זַךְ וְהַיּוֹתֵר מְשֻׁבָּח, עַל כֵּן הִשְׁכִּין בְּתוֹכוֹ נֶֽפֶשׁ רוּחָנִית קְדוֹשָׁה. וְעַל כֵּן אָמַר שְׁלֹמֹה (קהלת ג:כא): "מִי יוֹדֵֽעַ רֽוּחַ בְּנֵי הָאָדָם[[168]](#footnote-168) הָעֹלָה הִיא לְמָֽעְלָה, וְרֽוּחַ הַבְּהֵמָה הַיּוֹרֶֽדֶת הִיא לְמַֽטָּה." אֲבָל הַתַּלְמוּדִיִּים מַאֲמִינִים כִּי נֶֽפֶשׁ הָאָדָם אַחֲרֵי מוֹתוֹ תִּתְגַּלְגֵּל לִבְהֵמוֹת וּלְחַיּוֹת וּלְעוֹפוֹת, אוֹ לְאִישׁ אַחֵר מֵהָאֲנָשִׁים, וְכָֽכָה תִתְגַּלְגֵּל עַד כַּמָּה פְעָמִים, עַד שֶׁיִּתְכַּפְּרוּ עֲוֹנוֹתָיו. וַאֲפִלּוּ אוֹמְרִים שֶׁנַּפְשׁוֹת הַצַּדִּיקִים מִתְגַּלְגְּלִים לְצַדִּיקִים אֲחֵרִים לְלַמְּדָם תּוֹרָה וְחָכְמָה, וְאוֹמְרִים כִּי אֲפִלּוּ נֶֽפֶשׁ מֹשֶׁה רַבֵּֽינוּ עָלָיו הַשָּׁלוֹם הָיְתָה מִתְגַּלְגֶּֽלֶת לְרַבָּנֵיהֶם הַקַּדְמוֹנִים, וְהִיא הָיְתָה הַמְלַמֶּֽדֶת אֹתָם הַתּוֹרָה שֶׁבְּעַל פֶּה. וְכֵן אוֹמְרִים שֶׁנֶּֽפֶשׁ הַצַּדִּיק שֶׁיֵּשׁ לוֹ מְעַט עֲוֹנוֹת תִּכָּנֵס בַּבְּהֵמוֹת הַטְּהוֹרוֹת וּמִזְדַּמְּנוֹת לְהִשָּׁחֵט עַל יְדֵי בְרָכָה בְּיַד יִשְׂרָאֵל, וְאָז יוֹתֵר לֹא תִתְגַּלְגֵּל, כִּי יָצְאָה עַל יְדֵי בְרָכָה. וְהִרְבּוּ לְהַשְׁרִישׁ אֱמוּנָה כוֹזֶֽבֶת זוֹ בֵּינֵיהֶם עַד שֶׁפַּֽעַם אֶחָד בִּקְהִלָּה אַחַת הָיָה כֶֽלֶב אֶחָד {נט} שׁוֹקֵד; כָּל זְמַן שֶׁהָיוּ הַקָּהָל בְּבֵית הַכְּנֶֽסֶת הָיָה הַכֶּֽלֶב שׁוֹכֵב בְּאַסְקֻפַּת בֵּית הַכְּנֶֽסֶת, וְאָמְרוּ שֶׁיֵּשׁ בַּכֶּֽלֶב הַהוּא גִּלְגּוּל נֶֽפֶשׁ מֵאֵיזֶה רַב, עַל כֵּן כְּשֶׁנִּפְגַּר הַכֶּֽלֶב קְבָרֽוּהוּ בְקִבְרוֹתָם. | Another [article of] our faith is that the human soul is a colleague of the angels, and that when it behaves in accordance with what is written in the Torah, while it is still [alive] in its body, then [after death] it will return to its place, to be illuminated by the light of life; but if it sins, it will be rebuffed from its place, and unable to reach it until its sins are expiated, and the length of this rebuffment will be in accordance with the severity and amount of the sins – and our sages call this rebuffment “Gehinnom.” For being rebuffed from a spiritual matter is greater distress than any pain that the body can suffer. And the human soul is present before the creation of the body and survives after the body’s death, whether to [experience] pleasure or pain; it is not in its nature to die entirely. On the other hand, the soul of dumb animals is created along with the body and dies when the body dies. The human soul has no relationship to the soul of dumb animals, for the Creator, blessed be He, is wise, and knows what is proper for everything, and He will not place something in something that is inappropriate for it. Therefore, He gave the animal soul to the body that is ugly also in its composition; but the human body is composed of purer and better matter, and, therefore, he placed the holy spiritual soul in it. Therefore, Solomon says: Who knoweth the spirit of man that goeth upward, and the spirit of the beast that goeth downward to the earth? [Ecclesiastes 3:21]. But the Talmudites believe that the human soul, after death, is reincarnated into wild and domestic mammals and birds, or into another person, and, thus, it is reincarnated several times, until its sins are expiated. They even say that the souls of the righteous are reincarnated into other righteous people, to teach them Torah and wisdom. They say that even Moses’s soul was reincarnated into their early teachers, and that it told them the Oral Torah. They also say that the soul of a righteous person that has a few sins will enter kosher animals, and thus be ready to be slaughtered, with a [liturgical] blessing, by a Jew, after which point it will undergo no more reincarnation, for it has exited with a blessing. They inculcate this false belief very much, to the extent that there was once an incident in one community, in which a dog {59} constantly lay in the foyer of the synagogue whenever the congregation was there, and they said that the dog had been reincarnated from some rabbi or other; when the dog died, they buried it in their cemetery. |  |
| עוֹד אוֹמְרִים כִּי עָתִיד הַקָּדוֹשׁ בָּרוּךְ הוּא לַעֲשׂוֹת סְעוּדָה לַצַּדִּיקִים בְּגַן עֵֽדֶן, וְיָבִיא שׁוֹר הַבָּר הָרוֹעֶה אֶֽלֶף הָרִים בְּיוֹם אֶחָד, וְיִשְׁחָטֵֽהוּ; וְיָבִיא לִוְיָתָן מֶֽלֶךְ כָּל הַדָּגִים וִיכִינֵֽהוּ לָהֶם לַאֲכִילָה, וּשְׁאָר עוֹפוֹת וּבְהֵמוֹת, וְיַעֲשֶׂה לָהֶם מָחוֹל, וְיֵלֵךְ עַצְמוֹ הַבּוֹרֵא יִתְבָּרַךְ לְרַקֵּד, וְעַצְמוֹ יַעֲשֶׂה בִרְכַּת הַכּוֹס וּבִרְכַּת הַמּוֹצִיא, וְכָל הַצַּדִּיקִים יַעֲנוּ "אָמֵן", וְאַחַר יַעֲנוּ הָרְשָׁעִים "אָמֵן", וּבִזְכוּת זֶה יִנָּצְלוּ מִגֵּיהִנּוֹם.[[169]](#footnote-169) | Another [belief that] they state: At the end of days, God will make a feast for the righteous in Paradise, and He will bring the Wild Ox, which pastures on a thousand mountains in a single day, and He will slaughter [this ox]; and He will bring Leviathan, the king of all fish, and prepare it for their meal; and also other birds and beasts.[[170]](#footnote-170) And He will make a dance for them, in which He – the Creator Himself – will participate.[[171]](#footnote-171) And He Himself will recite the blessing over the wine, and the Ha-­moẓi blessing [over the bread], and all the righteous will respond “Amen.” And then all the wicked, [too,] will respond “Amen,” and through this they will merit to be spared from Gehinnom. |  |
| עוֹד אוֹמְרִים כִּי הַקָּדוֹשׁ בָּרוּךְ הוּא יוֹשֵׁב בַּשָּׁמַֽיִם, וּמִשְּׁנֵי צְדָדָיו יוֹשְׁבִים חַכְמֵי יִשְׂרָאֵל וְלוֹמְדִים תַּלְמוּד, אֲבָל הַמַּלְאָכִים עֹמְדִים לְפָנָיו. וּפַֽעַם אַחַת הָיְתָה פְלֻגְתָּא בַשָּׁמַֽיִם בְּעִנְיַן הַצָּרַֽעַת בְּבַהֶֽרֶת לְבָנָה, וְהַקָּדוֹשׁ בָּרוּךְ הוּא אוֹמֵר טָמֵא, וְהֵם אֹמְרִים טָהוֹר. וְלֹא הָיוּ מְקַבְּלִים נַפְשׁוֹת הַצַּדִּיקִים אֶת דַּעְתּוֹ שֶׁל הַקָּדוֹשׁ בָּרוּךְ הוּא מִפְּנֵי כִי הֵם הָיוּ רַבִּים וְהוּא יִתְבָּרַךְ יָחִיד. כִּי הֵם חָקְקוּ חֹק לְעַצְמָם, "יָחִיד וְרַבִּים הֲלָכָה כְרַבִּים", כְּמוֹ שֶׁכָּתַֽבְנוּ לְעֵיל בְּסֵֽפֶר שֵׁנִי בְּמִצְוָה תְשִׁיעִית. עַל כֵּן צִוָּה הַשֵּׁם יִתְבָּרַךְ לְאֶחָד מִמַּלְאָכָיו לֵירֵד לָעוֹלָם הַשָּׁפֵל לָקַֽחַת נַפְשׁוֹ שֶׁל רַבָּא בַר נַחְמָנִי, שֶׁעֲדַֽיִן הָיָה חַי בְּגוּפוֹ. בָּא הַמַּלְאָךְ וְלֹא יָכֹל לָקַֽחַת נִשְׁמָתוֹ מִפְּנֵי כִי הָיָה יוֹשֵׁב וְלוֹמֵד. בָּא הַמַּלְאָךְ וְאָמַר: "אֵינִי יָכֹל לָקַֽחַת נִשְׁמָתוֹ." אָמַר לוֹ הַקָּדוֹשׁ בָּרוּךְ הוּא: "תַּעֲרִים עַרְמָנוּת וְהָקֵם סְעָרָה בְרָאשֵׁי אִילָנוֹת שֶׁסְּבִיב מוֹשָׁבוֹ שֶׁל רַבָּא בַר נַחְמָנִי, וְהוּא יִשְׂתַּכֵּל בַּסְּעָרָה וְיִשְׁתֹּק מִלִּמּוּדוֹ, וּבָעֵת הַהִיא תִּקַּח נִשְׁמָתוֹ." וְעָשָׂה הַמַּלְאָךְ כֵּן, וְלָקַח הַנְּשָׁמָה, וְהָיָה מוֹלִיכָהּ לַמָּרוֹם. וּכְשֶׁהִרְגִּֽישָׁה הַנְּשָׁמָה בִּדְבַר עַל מָה מַעֲלִין אֹתָהּ לַמָּרוֹם, הִתְחִֽילָה לִזְעֹק, וְאֹמֶֽרֶת: "טָהוֹר, טָהוֹר!", כְּדֵי לַעֲזֹר לַחֲבֵרָיו. וְאָז שָׂחַק וְחִיֵּךְ הַשֵּׁם יִתְבָּרַךְ, וְאָמַר: "נִצְּחֽוּנִי בָנַי!" חָס הַשֵּׁם יִתְבָּרַךְ עַל גּוּפוֹ שֶׁל רַבָּא בַר נַחְמָנִי שֶׁלֹּא יֹאכְלֽוּהוּ כְלָבִים. כָּתַב אִגֶּֽרֶת וְהִפִּיל מִשָּׁמַֽיִם אֶֽרֶץ, לְעִיר נְהַרְדְּעָא, כָּתוּב בְּתוֹכָהּ: "רַבָּא בַר נַחְמָנִי נִתְבַּקַּשׁ לַיְשִׁיבָה אֲשֶׁר בַּשָּׁמַֽיִם, לְהוֹכִֽיח בֵּין הַבּוֹרֵא וְהַחֲכָמִים." מִיָּד צָֽמוּ אַנְשֵׁי נְהַרְדְּעָא וְחִפְּשׂוּ בְגֵאָיוֹת וּבֶהָרִים, וּמָצְאוּ גְוִיָּתוֹ, שֶׁהָיוּ עוֹפוֹת מְעוֹפְפוֹת וּמְגִנּוֹת עָלָיו. יָשְׁבוּ אֶצְלוֹ שִׁבְעַת יָמִים לַעֲשׂוֹת לוֹ כָבוֹד. בִּקְּשׁוּ לְהִפָּרֵד מִמֶּֽנּוּ; נָפְלָה אִגֶּֽרֶת שֵׁנִית, כָּתוּב בָּהּ: "כָּל מִי שֶׁיִּפָּרֵד מִכַּאן יִהְיֶה בְשַׁמְתָּא." יָשְׁבוּ עוֹד שִׁבְעָה יָמִים; נָפְלָה אִגֶּֽרֶת שְׁלִישִׁית, כָּתוּב בְּתוֹכָהּ: "עֲלוּ לְשָׁלוֹם וּלְכוּ לָכֶם." רָצָה הַשֵּׁם יִתְבָּרַךְ לְהַעֲלוֹת גְּוִיָּתוֹ בִּסְעָרָה הַשָּׁמַֽיְמָה לְהַגִּיד לָרַבִּים מַעֲלָתוֹ, וְהֵקִים רֽוּחַ סְעָרָה לָשֵׂאת הַגְּוִיָּה. וּכְשֶׁנִּסְעֲרָה הַסְּעָרָה, נָשְׂאָה {ס} לַעֲרָבִי אֶחָד שֶׁהָיָה גַמְלָן עִם גָּמָל שֶׁלּוֹ וְהֶעֱבִירוֹ מֵעֵֽבֶר אֶחָד שֶׁל נְהַר פַּפָּא לְעֶבְרוֹ הַשֵּׁנִי. שָׁאַל הָעֲרָבִי הַגַּמְלָן לַשָּׁבִים שָׁם, וְאָמַר: "מַה זֹּאת?" אָמְרוּ כִי סְעָרָה זֹאת בָּאָה לָקַֽחַת גְּוִיָּתוֹ שֶׁל רַבָּא בַר נַחְמָנִי. צָעַק הַגַּמָּל וְאָמַר: אֵה[[172]](#footnote-172) ה' אֱלֹהִים, אַתָּה בָרָֽאתָ רַבָּא בַר נַחְמָנִי וְאַתָּה לְקַחְתּוֹ, וְלָֽמָּה תַחֲרִיב אַרְצָךְ?" מִיָּד שָׁקְטָה הַסְּעָרָה. | Another [belief that] they state: God sits in heaven, and on either side of Him are Jewish scholars, studying Talmud, while the angels stand in front of Him. One time,[[173]](#footnote-173) there was a debate in heaven regarding skin-­afflictions, [specifically the matter of] a clear white spot. God said that this was impure, but [the scholars in heaven] said that it was pure. These souls of the righteous did not want to accept God’s opinion, for they were the majority and He was an individual. For they have the established rule for themselves: when the majority [argue] with an individual, the law follows the majority, as we have explained above, in the ninth commandment in the second book [Exodus]. Therefore, God instructed one of His angels to descend to the lower world, to take the soul of Rabba bar Naḥmani, who was still alive in his body. The angel came, but was unable to take his soul because he was sitting and [engrossed in] study. The angel came [back to God], and said: “I am unable to take his soul.” God told him: “Make a trick: cause a storm in the treetops that are around him, so he will pause from his study. At that moment, take his soul.” So the angel did so, and took his soul, and brought it to heaven. When the soul realized what was happening [and] why they were bringing it to heaven, it began to scream and said “Pure, pure!” in order to support his colleagues [in the heavenly study-­house]. Then God laughed and smiled, and said: “My children have defeated me!” God took concern that Rabba bar Naḥmani’s body not get eaten by dogs, so He wrote a letter, and threw it down from heaven to earth, to the city of Neharde‘a; in it was written: Rabba bar Naḥmani has been summoned to the heavenly study-­house in order to resolve [a dispute] between the Creator and the sages. At once, the men of Neharde‘a fasted, and they searched the valleys and mountains, and found his body, which was being protected by birds, which were hovering over it. [The men of Neharde‘a] stayed there for seven days, in order to show honor [to the body of Rabba bar Naḥmani]. When they wanted to take their leave, a second letter fell [from heaven], which said: Anyone that leaves here will be under the ban. So they stayed there another seven days. Then a third letter fell [from heaven], which said: Get up in peace, and head on your ways. God wanted to bring his body up to heaven in a whirlwind, in order to tell people how great he was. So He produced a powerful whirlwind to bring the body up, and this powerful storm blew {60} a certain Arab, who was a camel driver, along with his camel; it blew them from one side of the River Pappa to the other side. The Arab camel-­driver asked the passersby: “What is happening?” They said that this storm had come to take the body of Rabba bar Naḥmani. The camel-­driver cried: “Oh Lord God, you created Rabba bar Naḥmani, and you took him away. Why should you destroy your world?” Immediately, the storm quieted down. |  |
| כָּל זֶה כָתוּב בְּבָבָא בַתְרָא. מִי חָכָם לֹא יִשְׂחַק לָזֶה, שֶׁהַבְּרוּאִים נַעֲשׂוּ חֲכָמִים מִבּוֹרְאָם! | All this is written in [Tractate] Bava Bathra [in the Babylonian Talmud]. What wise person will not laugh at this [story], where the creations are made wiser than their Creator? |  |
| עוֹד אָמְרוּ כִי הַשֶּֽׁמֶשׁ וְהַיָּרֵֽח שְׁנֵיהֶם הָיוּ שָׁוִים בִּגְדֻלָּתָם בְּהִבָּרְאָם. הָלְכָה הַלְּבָנָה וְקִטְרְגָה לַחַמָּה לֵאמֹר: "שְׁנֵי מְלָכִים אֵיךְ יְשַׁמְּשׁוּ בְכֶֽתֶר אֶחָד?" אָמַר לָהּ הַקָּדוֹשׁ בָּרוּךְ הוּא: "לְכִי וְהַמְעִֽיטִי אֶת עַצְמֵךְ!" הָלְכָה וְנִמְעֲטָה, וְנֶעֶשְׂתָה מָאוֹר קָטָן. וְהַקָּדוֹשׁ בָּרוּךְ הוּא צִוָּה לְיִשְׂרָאֵל לְהָבִיא חַטַּאת רֹאשׁ חֹֽדֶשׁ לְכַפֵּר בְּעַד עַצְמוֹ, שֶׁהִקְטִין הַלְּבָנָה. | Another [story that] they tell: When the sun and moon were created, they were equal in size. The moon went and prosecuted the sun, saying: “How can two kings both serve with a single crown?” God said to her: “Then go and make yourself smaller.” She went and made herself smaller, and thus became the smaller luminary [see Genesis 1:16]. God then commanded Israel to bring a sin-­offering on the New Moon, in order to atone for His own act of making the moon small.[[174]](#footnote-174) |  |
| עוֹד אָמְרוּ: כְּשֶׁהָיוּ יִשְׂרָאֵל בֵּין רִגְעֵי הַיָּם, נִתְגָּאוּ הַמַּֽיִם, וְהָיוּ רוֹצִים לַעֲלוֹת הַשָּׁמַֽיְמָה לְהִתְיַשֵּׁב לִפְנֵי ה'. קָרַץ לָהֶם הַשֵּׁם יִתְבָּרַךְ בְּעֵינוֹ, וְאָמַר: "מַה לָּכֶם וּלְיִשְׂרָאֵל?" כִּסּוּ לְפַרְעֹה וּלְחֵילוֹ, וְאָז כִּסּוּם בַּמְּצוּלָה. אַחַר כָּךְ אָמַר לָהֶם: "הָקִֽיאוּ אֶת הַמִּצְרִיִּים לֶחָרָבָה, שֶׁיִּרְאוּם יִשְׂרָאֵל!" אָמַר הַיָּם: "אֵינָךְ שׁוֹמֵר אֱמוּנַת דְּבָרֶֽיךָ – מַתָּנָה נָתַֽתָּ לִּי, וְעַתָּה רוֹצֶה לְקַחְתָּהּ?" אָמַר לוֹ הָאֱלֹהִים: "אַל תִּירָא, כִּי עוֹד יוֹתֵר אֶתֵּן לָךְ מִשְּׁלַל אוֹיְבַי. וְאִם אֵינָךְ מַאֲמִין, הִנֵּה נַֽחַל קִישׁוֹן יִהְיֶה עוֹרֵב בַּעֲבוּרִי, שֶׁלֹּא אֲשַׁנֶּה תְנַאי." וְכֵן כְּתִיב (שופטים ה:כא): "נַֽחַל קִישׁוֹן גְּרָפָם." הֵקִיא הַיָּם לַמִּצְרִיִּים לַיַּבָּשָׁה. עָמְדָה הַיַּבָּשָׁה וְאָמְרָה: "רִבּוֹנוֹ שֶׁל עוֹלָם, אֵינָךְ נֹהֵג בְּצֶֽדֶק? לֹא נָתַֽתָּ לִּי שֶׁאַהֲרֹג הַמִּצְרִיִּים, וְעַתָּה לָֽמָּה תַשְׁלִיכֵם אֵלַי?" קָֽמָה הַיַּבָּשָׁה וְהָיְתָה מַשְׁלֶֽכֶת אֹתָם לַיָּם, וְהַיָּם הָיָה מַשְׁלִיךְ לַיַּבָּשָׁה, וְהַקָּדוֹשׁ בָּרוּךְ הוּא רֹאֶה. מָה עָשָׂה הַקָּדוֹשׁ בָּרוּךְ הוּא? נִשְׁבַּע לָאָֽרֶץ וְאָמַר: "קַבְּלִי, אַרְצִי, שָׁעָה קַלָּה אֶת זֶה, לְמַֽעַן יִרְאוּ עַמִּי פְלָאַי." אָמְרָה הָאָֽרֶץ: "אֵיךְ אֲקַבֵּל מַה שֶּׁלֹּא הָרַֽגְתִּי?" אָז הַקָּדוֹשׁ בָּרוּךְ הוּא הִכָּה לָאָֽרֶץ בִּימִינוֹ, וְהֻכְרָֽחָה לְקַבֵּל, דִּכְתִיב בְּשִׁירַת מֹשֶׁה (שמות טו:יב): "נָטִֽיתָ יְמִינְךָ, תִּבְלָעֵֽמוֹ אָֽרֶץ." כָּל אֵֽלּוּ הַבְּדוּיוֹת בְּסֵֽדֶר עֵרוּבִין. וְהַכָּתוּב צֹוֵֽחַ (תהלים עז:יז): "רָאֽוּךָ מַּֽיִם יָחִֽילוּ, אַף יִרְגְּזוּ תְהֹמוֹת." (שופטים ה:ד-ה) "אֶֽרֶץ רָעָֽשָׁה גַּם שָׁמַֽיִם נָטָֽפוּ, גַּם עָבִים נָטְפוּ מָֽיִם. הָרִים נָזְלוּ מִפְּנֵי ה'" – וְאִם כֵּן אֵיךְ אֶפְשָׁר שֶׁהַבְּרוּאִים יִסְתָּרְבוּ לְבוֹרְאָם יִתְבָּרַךְ?! | Another [story that] they tell: When the Israelites were [crossing through] the middle of the Sea, [which had been] settled down, the waters became haughty, and they wanted to ascend to heaven to settle in front of God. God winked at them with His eye, and said: “What business do you have [against] the Israelites? Go cover Pharaoh and his soldiers!” So [the waters] covered them in the depths. Then He told them: “Vomit out the Egyptians onto dry land, so that the Israelites will see them.” The Sea said: “Do You not keep the promise of Your words? You gave me a gift, and now You want to take it from me?” God said to [the Sea]: “Fear not, for I will give you more of the plunder of My foes. And if you do not believe Me, the River Kishon will be My guarantor, [to assure] that I will not change the conditions.” As it is written: The river of Kishon swept them away (Judges 5:21). So, the Sea vomited out the Egyptians onto the Dry Land. The Dry Land stood up and said: “Master of the Universe, You are not behaving justly! You did not allow me to kill the Egyptians, so now why are You throwing them on me.” The Dry Land arose, and [started] hurling them to the Sea, and the Sea would hurl them back to the Dry Land. God saw this, and what did He do? He said: “O My Land, accept this for a brief while, so that My people may see my miracle.” The Land said: “How can I accept what I did not kill?” Then God smote the Land with His right hand, and she was forced to accept it, as is written in the Song of Moses: Thou stretchedst out thy right hand, the earth swallowed them [Exodus 15:12]. All these made-­up [stories] are in the order [i.e., Tractate] ‘Eruvin.[[175]](#footnote-175) Yet Scripture states: The waters saw thee, O God, the waters saw thee; they were afraid: the depths also were troubled. The clouds poured out water: the skies sent out a sound: thine arrows also went abroad. The voice of thy thunder was in the heaven: the lightnings lightened the world: the earth trembled and shook [Psalms 77:16–18]. So how could it be possible for the creations to refuse [the commands of] their Creator?! |  |
| בִּפְטִירַת מֹשֶׁה רַבֵּֽנוּ עָלָיו הַשָּׁלוֹם הִרְבּוּ הֲבָלִים. אָמְרוּ: שָׁלַח הַשֵּׁם יִתְבָּרַךְ מַלְאָךְ לִטֹּל נִשְׁמָתוֹ. בָּא הַמַּלְאָךְ וְאָמַר לוֹ: "תֵּן לִי נִשְׁמָתָךְ, כִּי לְכָךְ שְׁלָחַֽנִי אֲדוֹנֵֽינוּ." אָמַר לוֹ מֹשֶׁה: "מִי אַתָּה שֶׁתְּדַבֵּר אֵלַי כַּדְּבָרִים הָאֵֽלּוּ?! אֲנִי יוֹשֵׁב וְכוֹתֵב תּוֹרַת ה'!" שָׁלַח מֹשֶׁה יָדוֹ בְקֻלְמוֹסוֹ, וְעִוֵּר עֵינוֹ שֶׁל הַמַּלְאָךְ. הָלַךְ הַמַּלְאָךְ בִּמְרִירוּת נַפְשׁוֹ, וְאָמַר: "רִבּוֹנוֹ שֶׁל עוֹלָם, גָּעַר בִּי מֹשֶׁה!" עוֹד שְׁלָחוֹ הַבּוֹרֵא. {סא} בָּא הַמַּלְאָךְ וְרָאָה גְבוּרָתוֹ שֶׁל מֹשֶׁה, וְהֻכְרַח לְהִתְחַנֵּן לוֹ שֶׁיִּתֵּן נִשְׁמָתוֹ, וְלֹא נַָתַן. שָׁב הַשָּׁלִֽיחַ לְשׁוֹלְחוֹ, וְסִפֵּר. אָז נִתְוַכַּח הַשֵּׁם יִתְבָּרַךְ עִם מֹשֶׁה, וְאָמַר: "לָמָה אַתָּה מִסְתָּרֵב? לֹא טוֹב אַתָּה מֵאָדָם הָרִאשׁוֹן, שֶׁלֹּא תָמוּת כָּמֹֽהוּ?" עָנָֽהוּ מֹשֶׁה: "אֲנִי טוֹב מְאֹד מֵאָדָם וּמִנֹּֽחַ וּמִשְּׁלֹֽשֶׁת הָאָבוֹת, שֶׁכֻּלָּם חָטְאוּ לְפָנֶֽיךָ, וַאֲנִי לֹא חָטָֽאתִי." עָנָֽהוּ: "אַף אַתָּה חָטָֽאתָ, בְּהָרְגָךְ הַמִּצְרִי וּטְמַנְתָּֽהוּ בַחוֹל." סָפַק מֹשֶׁה כַף אֶל כַּף וְאָמַר: "אֵה שָׁמַֽיִם, אַתָּה הָרַֽגְתָּ אֶֽלֶף אֲלָפִים מִמִּצְרַֽיִם, וְלֹא תַחְשֹׁב לְעַצְמָךְ – וְלִי תַחְשֹׁב נֶֽפֶשׁ אַחַת?!" עוֹד שָׁלַח הַבּוֹרֵא מַלְאָךְ לִטּוֹל נִשְׁמָתוֹ, וּבִקְּשׁוֹ וְלֹא מְצָאוֹ בְכָל הָאָֽרֶץ. הָלַךְ אֶל הַיָּם, וְאָמַר: "הֲרָאִֽיתָ אֶת מֹשֶׁה?" עָנָֽהוּ הַיָּם: "מִיּוֹם שֶׁהֶעֱבִיר בְּתוֹכִי אֶת יִשְׂרָאֵל לֹא רְאִיתִיו עַד הֵֽנָּה." הָלַךְ לַמִּדְבָּר וְשָׁאַל; עָנָֽהוּ: "מִיּוֹם שֶׁהוֹלִיךְ בִּי אֶת יִשְׂרָאֵל לֹא רְאִיתִיו יוֹתֵר." הָלַךְ לַמִּשְׁכָּן וְשָׁאַל; עָנָֽהוּ: "מִיּוֹם שֶׁתִּקֵּן אֹתִי לֹא רְאִיתִיו יוֹתֵר." עַד שֶׁיָּרַד הַקָּדוֹשׁ בָּרוּךְ הוּא עַצְמוֹ וּמְצָאוֹ וְחִבְּקוֹ וּנְשָׁקוֹ וּבָכָה עַל פְּרִידָתוֹ, וְאָמַר לוֹ: "הֵן קָרְבוּ יָמֶֽיךָ לָמוּת." אָמַר מֹשֶׁה: "מִפְּנֵי מָה אֲנִי קָרוֹב לָמוּת?" אָמַר לוֹ: "מִפְּנֵי מַזָּלוֹ שֶׁל יְהוֹשֻֽׁעַ שֶׁעָלָה לְהִשְׂתָּרֵר." אָמַר מֹשֶׁה: "יִכָּנֵס יְהוֹשֻֽׁעַ לִשְׂרָרָה, וַאֲנִי אֵצֵא. רַק לֹא אָמוּת!" אָמַר לוֹ הַקָּדוֹשׁ בָּרוּךְ הוּא: "אִם כֵּן, שַׁמֵּשׁ לוֹ כְּשֶׁשִּׁמֵּשׁ לָךְ." אָמַר: "הֵן." וְעָמַד מֹשֶׁה וְשִׁמֵּשׁ לִיהוֹשֻֽׁעַ בְּכָל צְרָכָיו, וְהִלְבִּישׁוֹ אַרְגָּמָן וְהוֹשִׁיבוֹ עַל כִּסֵּא זָהָב. שְׁלֹשִׁים וְשִׁשָּׁה יָמִים שִׁמֵּשׁ כֵּן מֹשֶׁה לְתַלְמִידוֹ, כְּתַלְמִיד לְרַבּוֹ. אָמַר מֹשֶׁה לְהַקָּדוֹשׁ בָּרוּךְ הוּא: "יִכָּנֵס יְהוֹשֻֽׁעַ לָאָֽרֶץ כָּרַב, וַאֲנִי אֶצְלוֹ כַתַּלְמִיד." הֵשִׁיב לוֹ יִתְבָּרַךְ: "נִשְׁבַּֽעְתִּי שֶׁלֹּא תִכָּנֵס." אָמַר לוֹ: "אֶהְיֶה כְעוֹף שֶׁיָּעוּף בַּשָּׁמַֽיִם, וְרוֹאֶה כָל מַה שֶּׁבְּתַחְתָּיו; אוֹ אֶהְיֶה כְדָג פּוֹרֵשׁ בַּיָּמִים וּבַנְּחָלִים בְּאֶֽרֶץ יִשְׂרָאֵל; אוֹ אֶרְכַּב עַל גַּבֵּי עֲנָנִים. וְאִם לֹא תַנִּיחֵֽנִי לַעֲבֹר הַיַּרְדֵּן, חַתְּכֵֽנִי אֵבָרִים אֵבָרִים וְהַשְׁלִיכֵֽנִי לְעֵֽבֶר הַיַּרְדֵּן, וּמִיכָאֵל יְכַנֵּס אֵבָרַי וִיחַיֵּֽנִי, וְאֶרְאֶה אֶת הָאָֽרֶץ." וְלֹא הִסְכִּים הַשֵּׁם יִתְבָּרַךְ. | Regarding the death of Moses, [the Rabbanites] have made many follies.[[176]](#footnote-176) They said that God sent an angel to take his soul. The angel came and said to him: “Give me your soul, for my Master sent me for this.” Moses replied: “Who are you, that you speak such words to me? I am sitting [occupied in] writing God’s Torah!” Moses stretched out his hand, with the pen in it, and blinded the eyes of the angel. The angel went back, bitterly, and said: “Master of the Universe, Moses rebuked me!” God sent him again.{61} The angel came and saw Moses’s strength, and was forced to plead with [Moses] to give him his soul – but [Moses] refused. The emissary went back to the One that had sent him, and told [what had happened]. Then God argued with Moses, and said: “Why are you refusing? Are you better than Adam, that you should not die, as he did?” Moses responded: “Yes, I am much better than Adam and than Noah and than the three patriarchs, for they all sinned before You, but I did not sin.” He replied: “But you, too, sinned, when you killed the Egyptian, and buried him in the sand!” Moses clapped his hands together, and said: “Oh, God, You killed thousands of thousands of Egyptians, and You don’t consider this [a sin] on Your part, but You consider the killing of a single soul to be [a sin] on my part!” God sent another angel to take his soul; [the angel] looked for him, but did not find him anywhere on the land. So he went to the Sea, and asked: “Have you seen Moses?” The Sea replied: “Since the day when he led Israel through me, I have not seen him.” [The angel] went to the Wilderness, and asked [about Moses]. [The Wilderness] replied: “Since the day when he led Israel through me, I have not seen him anymore.” [The angel] went to the Mishkan [wilderness tabernacle], and asked [about Moses]. [The Mishkan] replied: “Since the day when he built me, I have not seen him anymore.” Finally, God Himself came down, and found [Moses], and embraced him, and kissed him, and wept about his passing. [God] said to him: “Behold, your days are drawing near to death.” Moses said: “Why I am near to death?” [God] said: “Because of Joshua’s fortune, for his time has come to rule.” Moses said: “Let Joshua enter the position of authority, and I will leave – as long I don’t die.” God said to him: “If so, serve him, just as he has served you.” Moses said: “All right.” So Moses got up and served Joshua for all his needs; he clothed him in purple and placed him on a golden throne. For thirty-­six days, Moses served his disciple, as a disciple [typically] serves the master. Moses said to God: “Let Joshua enter the Land as the master, and may I be with him as a disciple.” God replied: “I have sworn that you may not enter.” [Moses] said to him: “Let me be like a bird, flying through the heavens and seeing all that is below; or let me be like a fish, swimming through the seas and rivers of the Land of Israel; or let me ride the clouds. If You do not let me cross the Jordan, cut me up into pieces and hurl me across the Jordan, and [then the angel] Michael may bring my limbs together and resurrect me, so that I may see the Land.” But God did not agree. |  |
| אָמַר מֹשֶׁה עוֹד: "אֵשֵׁב עִם בְּנֵי גָד וּבְנֵי רְאוּבֵן בְּעֵֽבֶר הַיַּרְדֵּן, וּבָזֶה אֵין שׁוּם קֻשְׁיָה עַל שְׁבוּעָתָךְ." אָמַר לוֹ, יִתְבָּרַךְ: "אֵי מֹשֶׁה, אַתָּה רוֹצֶה לַעֲשׂוֹת פְּלַסְתֵּר בִּי? כְּשֶׁיָּבוֹא זְמַן שָׁלֹשׁ רְגָלִים, לֹא יַעֲלוּ בְנֵי גָד וּבְנֵי רְאוּבֵן לַמָּקוֹם הַנִּבְחָר בַּעֲבוּרָךְ." אָמַר לְמֹשֶׁה: "אַל תָּֽצַר[[177]](#footnote-177) הַרְבֵּה, כִּי לֹא נִשְׁאָר לָךְ לִחְיוֹת רַק שְׁתֵּי שָׁעוֹת." אָז סַמָּאֵל רֹאשׁ הַשְּׂטָנִים הָיָה מְצַפֶּה לִטֹּל נִשְׁמָתוֹ, וְהָיָה שׂוֹחֵק. רָאָֽהוּ מִיכָאֵל הַשַּׂר הַגָּדוֹל וְגָעַר עָלָיו, וְאָמַר: "אֵי רָשָׁע, אֲנִי בוֹכֶה וְאַתָּה שׂוֹחֵק?!" כְּשֶׁרָאָה מֹשֶׁה זֶה, הִתְחַנֵּן לַשֵּׁם יִתְבָּרַךְ שֶׁיִּהְיֶה כְעוֹף אֲשֶׁר מְעוֹפֵף וּמִתְלַקֵּט בָּעוֹלָם, אוֹ כְחַיַּת הַשָּׂדֶה שֶׁאֹכֶֽלֶת {סב} עִשְׂבוֹת הָרִים וְשׁוֹתָה מַֽיִם, רַק יִחְיֶה וְיַעֲבֹר לָאָֽרֶץ. וְלֹא קִבֵּל הַשֵּׁם יִתְבָּרַךְ. עוֹד בִּקֵּשׁ מֹשֶׁה וְאָמַר: "כְּשֶׁאֶשְׁכַּב בְּקִבְרִי, עֵינִי הָאַחַת תִּהְיֶה לִּי נִשְׁאֶֽרֶת וְרוֹאָה דֶֽרֶךְ הַחֹר שֶׁתַּשְׁאִיר בְּקִבְרִי, וּמִמֶּֽנּוּ אֶרְאֶה הֲלִיכַת שָׁלֹשׁ רְגָלִים בַּשָּׁנָה." וְלֹא קִבֵּל הַשֵּׁם יִתְבָּרַךְ. הָלַךְ מֹשֶׁה אֶל הָאָֽרֶץ וּבָכָה וְהִתְחַנֵּן, וְאָמַר: "אֵי אֶֽרֶץ, בַּקְּשִׁי עָלַי רַחֲמִים!" עָנְתָה לוֹ הָאָֽרֶץ: "אֵינִי יְכוֹלָה לְבַטֵּל מַה שֶּׁנִּגְזַר עָלַי [ישעיה נ"א] (פסוק ו): 'וְהָאָֽרֶץ כַּבֶּֽגֶד תִּבְלֶה' – וּלְךָ אוֹעִיל?!" הָלַךְ אֶל הַשָּׁמַֽיִם וְאָמַר: "בַּקְּשׁוּ עָלַי רַחֲמִים!" אָמְרוּ לוֹ הַשָּׁמַֽיִם: "עָלַי כְּתִיב [שם ל"ד] (פסוק ד): 'וְנָגֹֽלּוּ כַסֵּֽפֶר הַשָּׁמָֽיִם'[[178]](#footnote-178), וְאֵינִי יָכֹל מַה לַּעֲשׂוֹת – וְעָלֶֽיךָ אֶתְחַנֵּן?!" הָלַךְ אֶל הַכּוֹכָבִים, וְאָמַר: "בַּקְּשׁוּ עָלַי רַחֲמִים!" אָמְרוּ לוֹ: "עָלֵֽינוּ כְתִיב [יחזקאל ל"ב] (פסוק ח): 'כָּל מְאוֹרֵי אוֹר בַּשָּׁמַֽיִם אַקְדִּירֵם' – וְאֵיךְ נוֹעִיל לָךְ?!" הָלַךְ לַחַמָּה וּלְבָנָה; אָמְרוּ לוֹ: "עָלֵֽינוּ כְתִיב [ישעיה כ"ד] (פסוק כג): 'וְחָפְרָה הַלְּבָנָה וּבוֹשָׁה הַחַמָּה' – וּלְךָ נוֹעִיל?!" הָלַךְ לוֹ לְהַר סִינַי וּלְכָל הֶהָרִים. אָמְרוּ לוֹ: "עָלֵֽינוּ כְתִיב [ישעיהו נ"ד] (פסוק י): 'כִּי הֶהָרִים יָמֽוּשׁוּ' וגו', וְכֵן כְּתִיב [שם מ'] (פסוק ד): 'וְכָל הַר וְגִבְעָה יִשְׁפָּֽלוּ' – וּלְךָ נוֹעִיל?!" הָלַךְ לוֹ אֶל הַיָּם וְאֶל כָּל הַנְּהָרוֹת וְהָאֲגַמִּים; אָמְרוּ לוֹ: "עָלֵֽינוּ כְתִיב [ישעיהו מ"ג] (פסוק טז): 'הַנּוֹתֵן בַּיָּם דָּֽרֶךְ', וְשָׁם [יא] (פסוק טו): 'וְהֶחֱרִים ה' אֵת לְשׁוֹן יָם מִצְרַֽיִם' – וּלְךָ מַה נּוֹעִיל?" | Moses said further: “Let me live among the tribes of Gad and Reuben, on the [east] side of the Jordan. This way, there will be no problem with Your oath [to not let me into the Land proper].” God replied: “Moses, do you want to make a fraud out of Me? When the time comes for the three pilgrimage festivals [each year], the Gadites and Reubenites will refrain from going up to the chosen place [of the Temple, out of sensitivity] to you, [since you will be forbidden to enter].” [God] continued: “Moses, don’t implore me too much, for you have only two hours left to live.” Then Sammael, chief of the accusers, was waiting to take [Moses’s] soul, and laughing. Michael, the great prince, saw him and rebuked him. He said: “Woe, O wicked one! I cry, but you laugh?!” When Moses saw this, he begged God to let him be like a bird, which flies and gathers [food] in the world, or like a wild beast, which eats {62} grass from the mountains and drinks water – as long as he may get to live!” But God did not agree to this. Moses asked further: “When I am lying in my grave, let me have one eye still [alive], which will look through a hole, which you can leave in my grave; through it, I will see [the Israelites] walk [to Jerusalem] on the three pilgrimage feasts each year.” But God did not agree to this. Moses went to the Earth and begged, in tears: “O Earth, beg mercy for me!” The Earth responded to him: “I cannot annul what has been decreed upon me: The earth shall wax old like a garment [Isaiah 51:6]. Yet [you think that] I could help you [annul what has been decreed upon you]?!” He went to the Heavens, and said: “Beg mercy for me!” The Heavens said to him: “It is written about me: the heavens shall be rolled together as a scroll [Isaiah 34:4], and there is nothing that I can do about that – but [you think that] I could plead for you?!” He went to the stars and said: “Beg mercy for me!” They said to him: “It is written about us: All the bright lights of heaven will I make dark [Ezekiel 32:8]. So how could we help you?!” He went to the Sun and the Moon, and they said to him: “It is written about us: Then the moon shall be confounded, and the sun ashamed [Isaiah 24:23]. So how could we help you?!” He went to Mt. Sinai and to all the mountains; they said to him: “About us it is written: For the mountains shall depart, and the hills be removed [Isaiah 54:10], and: Every mountain and hill shall be made low [Isaiah 40:4]. So how could we help you?” He went to the Sea, and all the rivers and lakes. They said to him: “About us it is written: He maketh a way in the sea [Isaiah 43:16], and The Lord shall utterly destroy the tongue of the Egyptian sea [Isaiah 11:15]. So how could we help you?” |  |
| כְּשֶׁרָאָה מֹשֶׁה שֶׁלֹּא עֲזָרֽוּהוּ אֵֽלּוּ, הָלַךְ לוֹ לִיהוֹשֻֽׁעַ וְחִבֵּק אֶת רַגְלָיו. בָּכָה וְהִתְחַנֵּן לוֹ וְאָמַר: "זְכוֹר אֵת אֲשֶׁר לִמַּדְתִּֽיךָ מִשְׁנָה וְתַלְמוּד, וְאֶל הַגְּדֻלָּה הַזֹּאת הֲבִיאוֹתִֽיךָ. בַּקֵּשׁ עָלַי רַחֲמִים שֶׁנִּכָּנֵס שְׁנֵֽינוּ לָאָֽרֶץ!" בִּקֵּשׁ יְהוֹשֻֽׁעַ רַחֲמִים. בָּא סַמָּאֵל וְסָגַר אֶת פִּיו, וְאָמַר לוֹ: "גְּזַר דִּין הוּא מֵה', וְאַתָּה רוֹצֶה לְבַטֵּל הַגְּזֵרָה?!" הָלַךְ וְנָפַל לְרַגְלֵי אֶלְעָזָר הַכֹּהֵן, וְאָמַר: "אֲנִי כַמָּה תְפִלּוֹת הִתְפַּלַּֽלְתִּי בַּעַדְכֶם בַּעֲוֹן הָעֵֽגֶל; עַתָּה בַקֵּשׁ עָלַי רַחֲמִים!" הִתְחִיל לְבַקֵּשׁ; בָּא סַמָּאֵל וְקָפַץ פִּיו. הָלַךְ לְכָלֵב וּלְשִׁבְעִים זְקֵנִים; הִתְחִֽילוּ לְבַקֵּשׁ רַחֲמִים. בָּֽאוּ מֵאָה וּשְׁמוֹנִים וְאַרְבַּֽעַת רִבּוֹא מַלְאָכִים, וְהָיוּ חֹטְפִים דִּבְרֵיהֶם, שֶׁלֹּא יִשָּׁמְעוּ לִפְנֵי הַשֵּׁם יִתְבָּרַךְ. שְׁנֵי רָאשִׁים הָיוּ עַל הַמַּלְאָכִים, אֶחָד שְׁמוֹ צָקוּן וְשֵׁנִי שְׁמוֹ לַֽחַשׁ. צָקוּן הָיָה מֹנֵֽעַ תְּפִלָּתָם, וְלַֽחַשׁ הָיָה מַחֲזִירָהּ שֶׁתִּשָּׁמַע לִפְנֵי הָאֱלֹהִים. בָּא סַמָּאֵל וַאֲסָרוֹ בְשַׁלְשְׁלָאוֹת שֶׁל בַּרְזֶל, וֶהֱבִיאָֽהוּ לִפְנֵי הַבּוֹרֵא, וְהִכּֽוּהוּ בְשִׁשִּׁים שַׁלְשְׁלָאוֹת שֶׁל בַּרְזֶל בֹּעֵר בָּאֵשׁ, וְהִשְׁלִיכֽוּהוּ מִלִּפְנֵי הַבּוֹרֵא. וְעַל זֶה אָמַר יְשַׁעְיָה (כו:טז): "צָקוּן לַֽחַשׁ מוּסָרְךָ לָֽמוֹ." | When Moses saw that they had not helped him, he went to Joshua and embraced his feet. He tearfully implored him: “Remember that I have taught you the Mishna and the Talmud, and that I have brought you to this [position of] greatness. Plead for me, so that we may both enter the Land.” Joshua pleaded [to God] on his behalf. Sammael came and closed his mouth, and said: “This is a decree from God, and you want to annul the decree?!” [Moses] went and fell at the feet of Eleazar the priest, and said: “I prayed so many prayers on behalf of you [Israelites], after the sin of the [Golden] Calf. Now, please plead for me.” [Eleazar] began to plead, and Sammael came and closed his mouth. [Moses] went to Caleb and the seventy elders, and they began to plead [for him]. But 1,840,000 angels came, and grabbed the words of [Caleb and the elders], so that they would not be heard by God. There were two chiefs over the angels: one was named Ẓaqun, and the other was named Laḥash. Ẓaqun would push off their prayer, but Laḥash would bring it back, so that it could be heard by God. Sammael came and chained up [Laḥash] in iron shackles, and brought him in front of the Creator, and they smote him with sixty red-­hot iron shackles, and they hurled out, away from the Creator’s presence. About this, Isaiah says: They poured out [ẓaqun] a prayer [laḥash] when thy chastening was upon them [Isaiah 26:16]. |  |
| רָאָה מֹשֶׁה שֶׁלֹּא עֲזָרֽוּהוּ, בָּכָה וְקָרַע חֲלוּקוֹ[[179]](#footnote-179) וְתָלַשׁ אֶת זְקָנוֹ וּפִלֵּשׁ אֶת רֹאשׁוֹ בָּאֵֽפֶר, וְאָמַר: "אוֹי לִי שֶׁלֹּא זָכִֽיתִי לִרְאוֹת הָאָֽרֶץ הַטּוֹבָה וְלֶאֱכֹל מִפֵּרוֹתֶֽיהָ וּלְהִשְׁתַּעֲשַׁע בְּשַׁעֲשׁוּעֶֽיהָ!" אָז נִשְׁאַר לְמֹשֶׁה מֵחַיָּיו לְבַד חֲצִי שָׁעָה. אָמַר הַקָּדוֹשׁ בָּרוּךְ הוּא לְגַבְרִיאֵל: "צֵא וְהָבֵא נִשְׁמָתוֹ!" אָמַר גַּבְרִיאֵל: "מִי שֶׁהוּא שָׁקוּל כְּנֶֽגֶד שִׁשִּׁים רִבּוֹא, אֵיךְ אֶהְיֶה חָצוּף לְפָנָיו?! {סג} אֵינִי יָכֹל לִרְאוֹת בְּמוֹתוֹ." אָמַר לְמִיכָאֵל: "צֵא וַהֲבֵא נִשְׁמָתוֹ!" בָּכָה מִיכָאֵל וְהֵשִׁיב כְּדִבְרֵי גַבְרִיאֵל. אָמַר לִזְגַנְזַגְאֵל רַבּוֹ שֶׁל מֹשֶׁה: "צֵא אַתָּה וַהֲבֵא לִי נִשְׁמָתוֹ!" בָּכָה וְאָמַר לוֹ: "אֵיךְ אוּכַל, וַהֲלֹא הוּא תַלְמִידִי?" אָמַר לְסַמָּאֵל רֹאשׁ הַשְּׂטָנִים: "צֵא אַתָּה וַהֲבֵא[[180]](#footnote-180) לִי נִשְׁמָתוֹ!" שָׂמַח לַהֲלֹךְ, וְחָגַר חַרְבּוֹ וְלָבַשׁ אַכְזְרִיּוּת. בָּא לְפָנָיו וְנִסְתַּכַּל בִּדְמוּתוֹ – וְהִנֵּה זִקֵּי אֵשׁ יוֹצְאִין מִפִּיו, וְזֹֽהַר דְּמוּתוֹ כַּחַמָּה בִזְרִיחָתוֹ! נִבְהַל מִלְּפָנָיו, וְאָמַר בְּלִבּוֹ: "בְּטוֹב אָמְרוּ הַמַּלְאָכִים שֶׁאֵין אָֽנוּ יְכוֹלִים לִטֹּל נִשְׁמָתוֹ!" נָשָׂא מֹשֶׁה עֵינָיו, וְרָאָֽהוּ בְמַרְאִית עֵינָיו. יִרְאָה וָרַֽעַד וְאֵימָה אֲחָזַֽתְהוּ לְסַמָּאֵל, וְחָשְׁכוּ שְׁתֵּי עֵינָיו מִזְּרִיחַת אוֹר פָּנָיו. וְאָמַר לוֹ מֹשֶׁה: "אֵין שָׁלוֹם אָמַר ה' לָרְשָׁעִים! (ישעיה מח:כב) – מַה לְּךָ פֹה, אֵי רָשַָׁע?" אָמַר לוֹ: "שְׁלָחַֽנִי שׁוֹלֵֽחַ, כִּי סוֹף כָּל הַנְּשָׁמוֹת הֵן בְּיָדִי, שֶׁגַּם אַתָּה תִתֵּן נִשְׁמָתָךְ לוֹ." אָמַר לוֹ: "מִי שְׁלָחָךְ?" אָמַר לוֹ: "הַבּוֹרֵא." אָמַר לוֹ: "אֵינִי מֹסֵר נִשְׁמָתִי בְיָדָךְ, כִּי עָדִיף אֲנִי מִכָּל בָּאֵי הָעוֹלָם! אֲנִי עָשִֽׂיתִי נִסִּים וְנִפְלָאוֹת בְּמִצְרַֽיִם וְעַל הַיָּם וּבְסִינַי וּבַמִּדְבָּר. הֶאֱכַֽלְתִּי מָן לְיִשְׂרָאֵל, וְהֵבֵֽאתִי לָהֶם תּוֹרָה. וְאַתָּה, רָשָׁע, רֹצֶה לְנַצְּחֵֽנִי?! לֵךְ מִמֶּֽנִּי, פֶּן אֲמִתָּךְ!" הָלַךְ וּבָרַח מִלְּפָנָיו, וּבָא לִפְנֵי הַקָּדוֹשׁ בָּרוּךְ הוּא, וְאָמַר: "אֵינִי יָכֹל לַעֲשׂוֹת לוֹ מְאֽוּמָה. שָׁלְחֵֽנִי לַהֲפֹךְ גֵּיהִנּוֹם,[[181]](#footnote-181) וְאֶהֱפֹךְ – אֲבָל זֶה לֹא אוּכַל לַעֲשׂוֹת!" כָּעַס עָלָיו הַבּוֹרֵא, וְאָמַר: "מֵאֵשׁ שֶׁל גֵּיהִנּוֹם נִבְרֵֽאתָ וּלְאֵשׁ שֶׁל גֵּיהִנּוֹם אַתָּה שָׁב! בַּתְּחִלָּה בְשִׂמְחָה יָצָֽאתָ מִלְּפָנַי לִטֹּל נִשְׁמָתוֹ, וְעַכְשָׁו בְּבוּשָׁה שַֽׁבְתָּ פַעֲמַֽיִם. לֵךְ וַהֲבֵא נִשְׁמָתוֹ!" בָּא לְפָנָיו בְּבַקָּשָׁה וְאָמַר: "מֹשֶׁה מֹשֶׁה, גָּזַר לִי בוֹרְאָךְ לְהָבִיא נִשְׁמָתָךְ." אָז לָקַח מֹשֶׁה מַטֵּה הָאֱלֹהִים וְרָדַף אַחֲרָיו, וְהִדְבִּיקוֹ, וְהִכָּֽהוּ בְרֹאשׁוֹ, וְעִוֵּר אֶת עֵינוֹ. | Moses saw that they had not helped him; he wept and tore his robe,[[182]](#footnote-182) and plucked out his beard, and put ashes on his head, and said: “Woe unto me, for I have not merited to see the Good Land and to eat of its fruit and to take pleasure in its delights.” At this point, Moses had no more than half an hour left to live. God said to [the angel] Gabriel: “Go and bring his soul.” Gabriel said: “He is equivalent [in merit] to 600,000 [Israelites]; how could I be impudent in front of him?! {63} I cannot see his death.” [God] said to Michael: “Go and bring his soul.” Michael wept, and responded as Gabriel had done. [God] said to Zeganzag’el, Moses’s teacher: “You go and bring me his soul.” He wept and said to Him: “How can I? Is he not my student?” [God] said to Sammael, the chief of accusers: “You go and bring me his soul.” He was happy to go; he girded his sword and clothed himself in cruelty. He went to [Moses] and looked at his appearance, and lo, sparks of fire were shooting from his mouth, and the brightness of his appearance was like the shining of the sun! [Sammael] was intimidated by him, and said in his heart: “No wonder the angels said that they couldn’t take his soul!” Moses raised his eyes, and saw [Sammael] in his line of vision. Sammael was grabbed by fear and trembling and dread, and his two eyes went dark from the light shining from [Moses’s] face. Moses said to him: “There is no peace, saith the Lord, to the wicked [[183]](#footnote-183) – so what are you doing here, O wicked one?” He replied: “The Sender has sent me, for the end of all souls is in my hands, and you, too, will give your soul to Him.” [Moses] asked: “Who sent you?” He replied: “The Creator.” [Moses] said to him: “I will not give my soul into your hand, for I am greater than all that have passed through the world. I performed miracles and wonders in Egypt, and at the Sea, and in the wilderness. I sustained Israel with manna, and I brought them the Torah. And you, O wicked one, want to defeat me?! Go away from me, lest I kill you!” [Sammael] went and fled from him, and came to God, and said: “I cannot do anything to him. Send me to overturn hell, and I will do it; but I cannot do this!” God became enraged at him, and said: “You were created from hell-­fire, and you will return to hell-­fire! At first you were so happy when you went forth from me to take his soul; but now you have returned in shame, twice. Go and bring his soul!” He came before [Moses] and pleaded with him: “Moses, Moses, your Creator has decreed upon me that I bring your soul.” Then Moses took the Staff of God and chased him, and overtook him, and smote him over the head, and blinded his eye. |  |
| יָצְתָה בַת קוֹל וְאָמְרָה לְמֹשֶׁה: "מֹשֶׁה, לָֽמָּה תִצְטַעֵר? הִגִּֽיעַ רֶֽגַע מִיתָתָךְ!" עָמַד מֹשֶׁה לְהִתְפַּלֵּל, וְאָמַר: "זְכֹר ה' אֲשֶׁר הִתְהַלַּֽכְתִּי לְפָנֶֽיךָ לְכֹל אֲשֶׁר שְׁלַחְתָּֽנִי, אַל תִּמְסְרֵֽנִי בְיַד מַלְאַךְ הַמָּֽוֶת!" אָז קִבֵּל הַשֵּׁם יִתְבָּרַךְ אֶת תְּפִלָּתוֹ, וְאָמַר: "עַצְמִי אֲנִי מֻטְפָּל בָּךְ וְקוֹבְרָךְ." אָז יָרַד הַשֵּׁם יִתְבָּרַךְ עִם מַלְאָכָיו הַשְּׁלֹשָׁה, גַּבְרִיאֵל מִיכָאֵל זַגְנַזְגְאֵל.[[184]](#footnote-184) גַּבְרִיאֵל הִצִּֽיעַ מִטָּתוֹ, מִיכָאֵל הִנִּֽיחַ כֶּֽסֶת מֵילָתִין בִּמְרַאֲשׁוֹתָיו, עָמַד הַקָּדוֹשׁ בָּרוּךְ הוּא בְרֹאשׁוֹ, וְזַגְנַזְגְאֵל בְּרַגְלָיו, מִיכָאֵל וְגַבְרִיאֵל בִּשְׁנֵי צְדָדָיו. גָּזַר לוֹ הַשֵּׁם יִתְבָּרַךְ לְתַקֵּן אֵבָרָיו וּלְכַסּוֹת עַפְעַפָּיו וְלִסְתֹּם פִּיו. קָרָא לְנִשְׁמָתוֹ מִתּוֹךְ גּוּפוֹ, וְאָמַר: "צְאִי בִתִּי!" וְאָז הִתְחִֽילָה הַנְּשָׁמָה לְהִתְבַּקֵּשׁ, לֵאמֹר: "אֱלֹהֵי הָרוּחוֹת לְכָל בָּשָׂר, אַל תִּקָּחֵֽנִי מֵהַגּוּף הַזֶּה, כִּי הוּא זַךְ וְנָקִי מִכָּל הַגּוּפִים שֶׁבָּעוֹלָם! הוּא עָשָׂה כָּל כָּךְ צְדָקוֹת בָּעוֹלָם, הוּא עָשָׂה כָּל כָּךְ נִסִּים וְנִפְלָאוֹת בָּעוֹלָם!" אֲזַי בְּשָׁמְעוֹ, יִתְבָּרַךְ, דְּבָרֶֽיהָ, הֻטְפַּל בְּעַצְמוֹ – חִבְּקוֹ וּנְשָׁקוֹ, וּבְרַחֲמִים נָטַל נִשְׁמָתוֹ בִנְשִׁיקָה. אַחַר כָּךְ בָּכָה עָלָיו הַקָּדוֹשׁ בָּרוּךְ הוּא עַצְמוֹ, וּבָכוּ מַלְאָכָיו וְכָל סִדְרֵי בְרֵאשִׁית, הַשָּׁמַֽיִם {סד} וְכָל צְבָאָם, הָאָֽרֶץ וְכָל הַבְּרוּאִים עָלֶֽיהָ. וִיהוֹשֻֽׁעַ תַּלְמִידוֹ בָכָה וְצָעַק וְחִפֵּשׂ, וְלֹא מָצָא לְרַבּוֹ; עָשָׂה עָלָיו הֶסְפֵּדִים גְּדוֹלִים. | Then, a heavenly voice (bath qol) went forth and said: “Moses, Moses! Why should you be upset? The moment of your death has come.” Moses stood up to pray and said: “Remember, O Lord, that I have walked before You in for all that you have sent me [to do]. Do not hand me over to the Angel of Death!” Then, God accepted his prayer and said: “I myself will take care of you and bury you.” So God descended with his three angels, Gabriel, Michael, and Zagnazge’el.[[185]](#footnote-185) Gabriel spread out a bed for him, and Michael placed a pillow of fine wool at the spot for his head. God stood at [Moses’s] head, and Zagnazge’el at his feet, and Michael and Gabriel at his two sides. God commanded [Moses] to straighten his limbs, and close his eyes and close his mouth. [God] called for his soul [to come out] from his body, saying: “Come out, my daughter!” Then the soul began to plead: “O God of souls of all flesh, do not take me out of this body, for it is purer than all bodies in the world, and it performed – so much righteousness in the world, and it performed so many miracles and wonders in the world.” When God heard her words, He Himself took care of [Moses’s death]; He embraced him, and kissed him, and with compassion, He removed his soul with a kiss. Then God Himself wept over him, and [with Him] wept the angels and all aspects of the universe: the heavens {64} and all the hosts [of angels and planets] in them, and the earth and all the creations in it. And Joshua, his disciple, wept and cried; he searched for his master, and could not find him, so he made many laments over him. |  |
| וְסִפְּרוּ הֲבָלִים בִּלְתִּי מוֹעִילִים, מִי יוּכַל לְכָתְבָם וּלְסַפְּרָם? וְכָל זֶה בְסֵֽפֶר רִבִּי תַּנְחוּמָא, וּבִקְרוֹבוֹת שֶׁמְּזַמְּרִים בְּסֻכּוֹת. | And [the Rabbanites] have told many follies, which are useless; who could write them and tell them? All this is in the book of R. Tanḥuma, and in the qerovoth [liturgical poetry] that they sing on Sukkoth.[[186]](#footnote-186) |  |
| עוֹד כָּתְבוּ הֲבָלִים בְּמִיתַת רִבִּי יְהוֹשֻֽׁעַ בֶּן לֵוִי. כְּשֶׁעָלָה זְמַן מִיתָתוֹ, שָׁלַח הַקָּדוֹשׁ בָּרוּךְ הוּא לְסַמָּאֵל לִטֹּל נִשְׁמָתוֹ. בָּא לְפָנָיו וְאָמַר: "גָּזַר הַבּוֹרֵא שֶׁתִּתֵּן לִי נִשְׁמָתָךְ." אָמַר לוֹ: "מִי אַתָּה?[[187]](#footnote-187) לֵךְ מִמֶּֽנִּי! אֵין אֲנִי מֵת כִּשְׁאָר בְּנֵי אֱנָשָׁא." פָּחַד הַמַּלְאָךְ, וּבָרַח מִפָּנָיו, וְשָׁב אֶל שׁוֹלְחוֹ. אָמַר לוֹ: "אֵינִי יָכֹל לִמְחוֹת בְּיָדוֹ לִטֹּל נִשְׁמָתוֹ." צִוָּה לוֹ הַקָּדוֹשׁ בָּרוּךְ הוּא: "לֵךְ בְּהֶכְרֵֽחַ – לְקַח נִשְׁמָתוֹ וַהֲבִיאָהּ לִי!" הָלַךְ הַמַּלְאָךְ וְהִתְחַנֵּן לְרִבִּי יְהוֹשֻֽׁעַ. כִּשְׁמֹֽעַ רִבִּי יְהוֹשֻֽׁעַ שֶׁהִגִּֽיעָה גְזֵרָתוֹ, נוֹעַץ בְּחָכְמָתוֹ, וְאָמַר: "אִם כֵּן שְׁאֵלָה קְטַנָּה אֲנִי שׁוֹאֵל מִמָּךְ, אַל תִּמְנַע מִמֶּֽנִּי בְּטֶֽרֶם אָמוּת. הַרְאֵֽנִי נָא אֶת גַּן עֵֽדֶן וְאֵֶתְעַדֵּן בּוֹ, וְאַחַר כָּךְ תַּעֲשֶׂה שְׁלִיחוּתָךְ." הַבּוֹרֵא קִבֵּל תְּחִנָּתוֹ, וְאָמַר לַמַּלְאָךְ: "עֲשֵׂה שְׁאֵלָתוֹ!" הוֹלִיכָֽהוּ הַמַּלְאָךְ לְגַן עֵֽדֶן, וְעָמְדוּ שְׁנֵיהֶם בְּפִתְחוֹ. חָפֵץ לְהִסְתַּכֵּל בְּכָל הַגָּן, וְלֹא יָכֹל. אָמַר לַמַּלְאָךְ: "בְּבַקָּשָׁה מִמָּךְ, תֵּן לִי חַרְבָּךְ וְאֶשָּׁעֵן עָלֶֽיהָ[[188]](#footnote-188), כְּדֵי שֶׁאֶתְנַשֵּׂא לְמַֽעְלָה מֵעַל הַחוֹמָה וְאֶרְאֶה כֹל." נָתַן לוֹ הַמַּלְאָךְ חַרְבּוֹ, וְנִשְׁעַן עָלָיו וְקָפַץ וְדִלֵּג לְתוֹךְ גַּן עֵֽדֶן. כֵּיוָן שֶׁנָּפַל לְתוֹךְ גַּן עֵֽדֶן, נִשְׁבַּע וְאָמַר: "בְּחַי הָעוֹלָם שֶׁלֹּא אֵצֵא מִכַּאן!" כִּשְׁמֹֽעַ הַמַּלְאָךְ, הָלַךְ בְּעִצָּבוֹן לְשׁוֹלְחוֹ, וְאָמַר: "יְלוּד אִשָּׁה רִמַּֽנִי." אָמַר הַבּוֹרֵא לַמַּלְאָךְ: "לֵךְ וּשְׁאַל לְאַנְשֵׁי מְקוֹמוֹ וּלְכָל יוֹדְעָיו – אִם מִיָּמָיו חִלֵּל שְׁבוּעָתוֹ, תּוּכַל לְהָפֵר לוֹ שְׁבוּעָתוֹ; וְאִם לָאו, לֹא נוּכַל, וְאִם חִלֵּל שְׁבוּעָתוֹ בְעַל כָּרְחוֹ יֵצֵא וְיָמוּת." הָלַךְ הַמַּלְאָךְ וְשָׁאַל לְכָל בָּאֵי עוֹלָם, וְלֹא נִמְצָא מִי שֶׁיֹּאמַר שֶׁרִבִּי יְהוֹשֻֽׁעַ חִלֵּל שְׁבוּעָתוֹ. שָׁב לוֹ לְשׁוֹלְחוֹ, אָמַר: "לֹא מָצָֽאתִי לוֹ פֶֽשַׁע." אָמַר לוֹ הַבּוֹרֵא: "מֵעַתָּה הוּא יִהְיֶה חַי לְעוֹלָם, כַּחֲנוֹךְ וְאֵלִיָּֽהוּ. עַתָּה שׁוּב קַח חַרְבָּךְ מִיָּדוֹ." בָּא לוֹ הַמַּלְאָךְ וְאָמַר: "כְּבָר אַתָּה גָנוּז בְּחַיֵּי גַן עֵֽדֶן לְעוֹלָמִים. הָשֵׁב לִי חַרְבִּי." אָמַר לוֹ: "לֹא אֲשִׁיבָךְ, כִּי אִם תִּשָּׁבַע לִי שֶׁלֹּא תִשְׁלֹף חַרְבָּךְ זוֹ עַל עַמִּי וְעַל עֲדָתִי לַהֲרֹג מֵהֶם אֲשִׁיבָךְ, וְאִם לָאו לֹא אָשִׁיב." נִשְׁבַּע לוֹ הַמַּלְאָךְ, וְהֵשִׁיב לוֹ חַרְבּוֹ, וְהוּא נִשְׁאַר בְּגַן עֵֽדֶן בְּחַיֵּי עוֹלָם. כָּךְ רִמּוּ אֲפִלּוּ לַמַּלְאָכִים, וְנִצְּחוּ לְבוֹרֵא עוֹלָם! מִי פֶֽתִי יָסוּר הֵֽנָּה וְיַאֲמִין לַהֲזָיוֹתֵיהֶם?! | They have also written follies about the death of R. Joshua ben Levi.[[189]](#footnote-189) When the time came for him to die, God sent Sammael to take his soul. He came before him and said: “God has decreed that you give me your soul.” [R. Joshua ben Levi] replied: “Who are you? Leave me. I shall not die like other people.” The angel was afraid and fled from him, and returned to the One that had sent him. [The angel] said to Him: “I am unable to force him [to let me] take his soul.” God commanded him: “Go and take his soul by force, and bring it to me.” The angel went and pleaded with R. Joshua. When R. Joshua heard that his decreed [time] had come, he came up with a plan, using his wisdom. He said: “If so, I have a small request; do not withhold it from me before I die. Please show me the Garden of Eden, so I may take pleasure in it, and then do your assigned task [of taking my soul].” God accepted his request and said to the angel: “Do what he asked.” The angel walked him to the Garden of Eden, and the two of them stood at its entrance. He wanted to look at the whole garden, but he could not [see it all]. He said to the angel: “I beseech you, give me your sword, and I will lean on it, so that I may be high above the wall to see everything.” The angel gave him the sword, and he leaned on it, and bolted over into the Garden of Eden. When he had fallen into the Garden of Eden, he swore by the Eternally Living One that he would not leave. When the angel heard, he returned sadly to the One that had sent him, and said: “The one born of woman has tricked me.” God said to the angel: “Go and ask the people of his town, and all that know him, if he has ever violated an oath. [If so,] you may annul [this] oath, but if not, we cannot [annul it]. And if he has violated his oath unwillingly, he should come out and die.” The angel went and asked all the inhabitants of the universe, but nobody could be found who would say that R. Joshua had ever violated an oath. [The angel] went back to the One that had sent him and said: “I have found that he has no sin.” God said: “From now on, he will live forever, like Enoch and Elijah. Now go and take your sword from his hand.” The angel came to him and said: “Now that you are protected in your eternal life in the Garden of Eden, give me back my sword.” He responded: “I will not give it back to you unless you swear to me that you will not pull out this sword to use against my people, my congregation, to kill any of them. [If so,] I will give it back to you; but if not, I will not give it back.” The angel swore to him, and he gave him the sword, and he remains in the Garden of Eden, eternally alive. So [the Rabbanites] have even tricked angels and defeated the Creator of the World? What fool will turn here and believe their hallucinations?! |  |
| עוֹד חִפְּאוּ דְבָרִים אֲשֶׁר לֹא כֵן עַל נְבִיאֵי ה' וְעַל צַדִּיקֵי עוֹלָם. עַל אָדָם הָרִאשׁוֹן אָמְרוּ שֶׁבְּרָאוֹ הַשֵּׁם יִתְבָּרַךְ גָּדוֹל כָּל כָּךְ עַד שֶׁהָיָה רֹאשׁוֹ מַגִּֽיעַ עַד הָרָקִֽיעַ, וַיְקַנְאוּ בוֹ מַלְאֲכֵי הַשָּׁרֵת עַד שֶׁמִּעֲטוֹ בְאֶֽלֶף {סה} אַמָּה. וְאָמְרוּ עָלָיו שֶׁהָיָה מוֹשֵׁךְ בְּעָרְלָה, רוֹצֶה לוֹמַר שׁוֹפֵךְ זַרְעוֹ לְבַטָּלָה, וְשֶׁמִּזֶּה הוֹלִיד שֵׁדִים וְשֵׁדוֹת בָּעוֹלָם. עַל נֹֽחַ הַצַּדִּיק אָמְרוּ שֶׁרְבָעוֹ חָם בְּנוֹ בִּרְאוֹתוֹ עֶרְוָתוֹ. בְּאַבְרָהָם אָבִֽינוּ אָמְרוּ שֶׁהָיָה חוֹזֶה בַכֹּכָבִים, וְעַל יִצְחָק אָבִֽינוּ אָמְרוּ שֶׁהָיָה אֹהֵב אֶת בְּנוֹ הָרָשָׁע, וְהָיָה אֹכֵל טְרֵפוֹת, שֶׁהָיָה לוֹ עֵשָׂו מֵבִיא גוּרֵי כְלָבִים וּמְבַשֵּׁל וּמַאֲכִיל לְאָבִיו. בְּיַעֲקֹב אָמְרוּ כִי גַנָּב הָיָה וְרַמַּאי, שֶׁרִמָּה אֶת לָבָן בַּמַּקְלוֹת שֶׁשָּׂם לִפְנֵי הַצֹּאן, וְגָזַל אֶת צֹאנוֹ וְנִתְעַשַּׁר. בְּיוֹסֵף הַצַּדִּיק אָמְרוּ כִי בִקֵּשׁ לַעֲשׂוֹת זִמָּה עִם אֵֽשֶׁת אֲדוֹנָיו, וּבָעֵת הַהִיא רָאָה דְיֻקְנוֹ[[190]](#footnote-190) שֶׁל אָבִיו עַל הַכֹּֽתֶל, וְאָז נָפַל מֵעָלֶֽיהָ וְנָעַץ יָדָיו בַּקַּרְקַע, וְנִפְזַר זַרְעוֹ בֵּין צִפָּרְנֵי יָדָיו. וְעַל בְּנֵי יַעֲקֹב אָמְרוּ שֶׁהָיוּ אֹכְלִים אֵֽבֶר מִן הַחַי, וְעַל מֹשֶׁה רַבֵּֽנוּ עָלָיו הַשָּׁלוֹם אָמְרוּ שֶׁחֲשָׁדֽוּהוּ בְאֵֽשֶׁת אִישׁ וּבְכֶֽסֶף שֶׁל תְּרוּמַת הַמִּשְׁכָּן. וְשֶׁנִּתְגָּאָה מֹשֶׁה בְאָמְרוֹ (דברים א:יז) "אֶת הַדָּבָר הַקָּשֶׁה תַּקְרִיבוּן אֵלַי וּשְׁמַעְתִּיו", וְעַל כֵּן נֶעֶלְמוּ מִמֶּֽנּוּ כַמָּה הֲלָכוֹת. וּבְחַלּוֹתוֹ אֶת פְּנֵי ה' בַּעֲוֹן הָעֵֽגֶל אָמַר לוֹ הַשֵּׁם יִתְבָּרַךְ (שמות לב:י) "וְעַתָּה הַנִּֽיחָה לִּי" – אָמְרוּ: מִזֶּה יָּדַֽעְנוּ שֶׁתָּפַשׂ מֹשֶׁה בִכְנַף בִּגְדוֹ שֶׁל הַקָּדוֹשׁ בָּרוּךְ הוּא. וְעַל אַהֲרֹן אָמְרוּ כִי בַֽעַל שֵׁם הָיָה, וְעָשָׂה צוּרוֹת: הִשְׁלִיךְ צוּרָה אַחַת לַיְאֹר, וְלֹא עָלָה אֲרוֹנוֹ שֶׁל יוֹסֵף הַצַּדִּיק; צוּרָה שֵׁנִית, וְלֹא עָלָה; הִשְׁלִיךְ צוּרָה שְׁלִישִׁית, שֶׁהִיא צוּרַת שׁוֹר – מִיָּד צָף הָאָרוֹן, וְגַם הַצּוּרָה צָֽפָה, וְאִשָּׁה אַחַת חָטְפָה הַצּוּרָה. וּכְשֶׁהָיוּ תַֽחַת הַר סִינַי וְרָאוּ כִי בֹשֵׁשׁ מֹשֶׁה בָהָר, אָמְרוּ (שמות לב:א): "קוּם, עֲשֵׂה לָֽנוּ אֱלֹהִים", וְאָמַר לָהֶם (שם פסוק ב): "פָּרְקוּ נִזְמֵי הַזָּהָב", כְּשֶׁהִשְׁלִיךְ הַזָּהָב לָאֵשׁ הֶרְאֲתָה הָאִשָּׁה הַלּֽוּחַ כְּנֶֽגֶד הָאֵשׁ, וְיָצָא הָעֵֽגֶל שֶׁבּוֹ צוּרַת הַשּׁוֹר. עַל יְהוֹשֻֽׁעַ תַּלְמִידוֹ שֶׁל מֹשֶׁה אָמְרוּ כִי חִלֵּל שַׁבָּת בִּירִיחוֹ, וְלֹא הִקְרִיב קָרְבַּן תָּמִיד, וּבִטֵּל לִמּוּד תּוֹרָה. וְעַל פִּינְחָס הַכֹּהֵן אָמְרוּ שֶׁטִּמֵּא וְחִלֵּל כְּהֻנָּתוֹ, שֶׁכְּשֶׁהָרַג לְזִמְרִי עִם כָּזְבִּי הֱרִימָם עַל הָרֹֽמַח לְמַֽעְלָה, וַיֵּז נִצְחָם עַל בְּגָדָיו. עַל בֹּֽעַז הַצַּדִּיק נְשִׂיא וְשׁוֹפֵט יִשְׂרָאֵל אָמְרוּ כִי כַמָּה בְעִילוֹת בָּעַל בְּרוּת כְּשֶׁשָּׁכְבָה בְמַרְגְּלוֹתָיו. בְּיָעֵל אֵֽשֶׁת חֶֽבֶר הַקֵּינִי אָמְרוּ כִי סִיסְרָא בָעַל אֹתָהּ כַּמָּה בְעִילוֹת, כִּי כַמָּה פְעָמִים כְּתִיב (שופטים ה:כז): "בֵּין רַגְלֶֽיהָ נָפַל כָּרַע." בְּחַנָּה הַנְּבִיאָה אָמְרוּ שֶׁהֶחְצִֽיפָה פַֽעַם נֶֽגֶד הַשֵּׁם, וְאָמְרָה: "אִם תִּתֵּן לִי בֵן, הֲרֵי טוֹב; וְאִם לָאו – הֲרֵֽינִי נִסְתֶּֽרֶת בְּאִישׁ זָר, כְּדֵי שֶׁיּוֹלִיכֵֽנִי בַעְלִי לִבְדֹּק בְּמֵי שׂוֹטָה, וְאָז שֶׁלֹּא בִרְצוֹנָךְ תִּתֵּן לִי בֵן." בִּשְׁמוּאֵל אָמְרוּ[[191]](#footnote-191) כִי בְהִתְנַצְּלוֹ לִפְנֵי יִשְׂרָאֵל בְּמַאֲמַר "אֶת שׁוֹר מִי לָקַֽחְתִּי וְאֶת חֲמוֹר מִי לָקַֽחְתִּי" לָֽמָּה לֹא הִזְכִּיר יוֹתֵר? מִכַּאן שֶׁדְּבָרִים אֲחֵרִים הָיָה לֹקֵֽחַ שֹֽׁחַד וְגֹזֵל. עַל דָּוִד הַמֶּֽלֶךְ עָלָיו הַשָּׁלוֹם אָמְרוּ כִי בְשִׁשָּׁה חֳדָשִׁים שֶׁמָּלַךְ בְּחֶבְרוֹן נִצְטָרֵֽעַ. וְכֵן אָמְרוּ כִי בְּבָרְחוֹ בִפְנֵי אַבְשָׁלוֹם רָצָה לַעֲבֹד עֲבוֹדָה זָרָה, דִּכְתִיב (שמואל ב טו:לב): {סו} "וַיְהִי הוּא[[192]](#footnote-192) בָּא עַד הָרֹאשׁ אֲשֶׁר יִשְׁתַּחֲוֶה שָׁם" – אָמְרוּ: אֵין רֹאשׁ אֶֽלָּא עֲבוֹדָה זָרָה, כַּכָּתוּב (דניאל ב:לב): "צַלְמָא רֵאשֵׁהּ דִּי דְהַב טָב." בְּאִיּוֹב הַצַּדִּיק אָמְרוּ שֶׁהָיָה כֹפֵר בָּעִקָּר, דִּכְתִיב (איוב ב:י): "בְּכָל זֹאת לֹא חָטָא אִיּוֹב בִּשְׂפָתָיו" – אָמְרוּ: בִּשְׂפָתָיו לֹא חָטָא, אֲבָל בְּלִבּוֹ הָיָה כֹפֵר. עַל שְׁלֹמֹה הַנֶּחְכָּם אָמְרוּ כִי הַכְּרוּבִים שֶׁעָשָׂה בַמִּקְדָּשׁ עֲשָׂאָם דְּמוּת זְכָרִים וּנְקֵבוֹת, וְהִצִּיגָם זֶה לִקְרַאת זֶה הַבֹּעֲלִים. כֵּיוָן שֶׁרָאוּ הָאוֹיְבִים, חֵרְפוּ וְגִדְּפוּ לֶאֱמֶת[[193]](#footnote-193) יִשְׂרָאֵל; וְעַל זֶה כְתִיב בַּקִּינוֹת: "כָּל מְכַבְּדֶֽיהָ הִזִּילֽוּהָ כִּי רָאוּ עֶרְוָתָהּ." עַל יִרְמְיָה הַנָּבִיא אָמְרוּ כִי הִרְהֵר וְהִפִּיל זַרְעוֹ בַמֶּרְחָץ; בָּֽאָה בִתּוֹ וְיָשְׁבָה בַמָּקוֹם הַהוּא, וְנִכְנַס הַזֶּֽרַע לְרַחְמָהּ וְהָרְתָה, וְנוֹלַד מִזֶּה בַּר סִירָא. וּבָעֵת שֶׁהִקְרִֽיבָה לָלֶֽדֶת, עָמַד הַיֶּֽלֶד בְּפִתְחֵי הָרֶֽחֶם וְהִתְחִיל לְדַבֵּר, וְאָמַר: "הַגִּֽידוּ לִי שְׁמִי, מַה תִּקְרְאוּ לִי?" וְאָמְרוּ לוֹ הַרְבֵּה שֵׁמוֹת וְלֹא הִסְכִּים, עַד שֶׁהוֹדִֽיעַ בְּעַצְמוֹ וְאָמַר: "קִרְאוּ לִי בַר סִירָא, כִּי בֶן יִרְמְיָֽהוּ אֲנִי." וְעַל יְחֶזְקֵאל כֹּהֵן וּנְבִיא ה' אָמְרוּ כִי הָיָה לוֹ גָבִֽיעַ שֶׁל עֶֽצֶם, מֵרֹאשׁוֹ שֶׁל אָדָם, וְהָיָה שׁוֹתֶה בוֹ. כֵּיוָן שֶׁהִגִּֽיעַ נְבוּאַת תְּחִיַּת הַמֵּתִים אֲשֶׁר בַּבִּקְעָה, כַּכָּתוּב: "וַתִּקְרְבוּ עֲצָמוֹת אַחַת אֶל אַחַת" (השוו יחזקאל לז:ז)[[194]](#footnote-194), קָפַץ הַגָּבִֽיעַ וְהִכָּֽהוּ לַנָּבִיא בְּפָנָיו בִּשְׁנֵי סַנְטְרוֹתָיו, וְהָלַךְ וְנִדְבַּק אֶל עַצְמוֹתָיו. וְכֵן עַל מָרְדֳּכַי אָמְרוּ כִי מַה שֶּׁכְּתִיב בְּאֶסְתֵּר (ב:ו) "לְקָחָהּ מָרְדֳּכַי לוֹ לְבַת" – לֹא לְבַת לְקָחָהּ, אֶֽלָּא לְאִשָּׁה, וּבְחֵיקוֹ הָיְתָה שֹׁכֶֽבֶת; וַאֲפִלּוּ בִהְיוֹתָהּ בְּבֵית אֲחַשְׁוֵרוֹשׁ הָיְתָה שֹׁכֶֽבֶת בְּחֵיקוֹ שֶׁל אֲחַשְׁוֵרוֹשׁ, וְחֹזֶֽרֶת וְטֹבֶֽלֶת וְשֹׁכֶֽבֶת בְּחֵיקוֹ שֶׁל מָרְדֳּכַי; זֶהוּ שֶׁכָּתוּב (אסתר ב:כ): "וְאֶת מַאֲמַר מָרְדֳּכַי אֶסְתֵּר עֹשָׂה כַּאֲשֶׁר הָיְתָה בְאָמְנָה אִתּוֹ." | They have also invented falsehoods about God’s prophets and the righteous ones of long ago. They say about Adam that God created him so large that his head reached the sky, and the ministering angels were jealous of him, so [God] decreased his height by a thousand {65} cubits. And they say that he pulled out his foreskin – God forbid! – that is, that he spilled his seed in vain,[[195]](#footnote-195) and that thereby he sired male and female demons in the world. They say about Noah the righteous that his son Ham sodomized him when he saw his nakedness.[[196]](#footnote-196) About Abraham, they say that he was a stargazer [i.e., astrologer];[[197]](#footnote-197) and that Isaac loved his evil son [Esau], and that he would eat non-­kosher food, for Esau would bring puppies and cook them and feed them to his father.[[198]](#footnote-198) They say about Jacob that he was a thief and a trickster, for he tricked Laban with the sticks that he placed in front of the sheep, and that he stole [Laban’s] sheep and became rich.[[199]](#footnote-199) About Joseph the righteous, they say that he wanted to fornicate with his master’s wife, but at that moment he saw his father’s image on the wall, so he pulled himself from her and stuck his hands into the ground, and his semen spread out between his fingernails.[[200]](#footnote-200) About Jacob’s sons, they say that they would eat limbs from living animals.[[201]](#footnote-201) About Moses, they said that he was suspected of adultery[[202]](#footnote-202) and of appropriating the money that had been contributed to the Mishkan [wilderness Tabernacle];[[203]](#footnote-203) and that Moses acted haughtily in saying the cause that is too hard for you, bring it unto me, and I will hear it [Deuteronomy 1:17], and therefore [he received divine punishment] of forgetting many laws.[[204]](#footnote-204) And when he pleaded to God after the sin of the [Golden] Calf, and God said to him: Now therefore, let me alone [Exodus 32:10], they say that from this, we know that Moses grabbed the corner of God’s cloak.[[205]](#footnote-205) About Aaron, they say that he was a [sorcerer who] used [divine or magical] names, and that he would make [magical] forms. He threw one form into the [Nile] River, but the coffin of Joseph the righteous did not ascend; [he threw] a second one, but it did not ascend; then he threw a third one, which was the form of an ox, and the coffin floated, as did the form [of the ox]. Then a certain woman stole the form. When [the people] were at the foot of Mt. Sinai, and they saw that Moses was tarrying on the mountain, they said: “Up, make us gods,” and he told them: “Tear off the golden earrings;” he threw the gold into the fire, and the woman placed the form to face the fire, and out came the calf, which was in the form of an ox.[[206]](#footnote-206) About Joshua, Moses’s disciple, they say that he violated the Sabbath in Jericho, and that he did not offer the daily sacrifice, and that he neglected Torah study.[[207]](#footnote-207) About Phineas the priest, they say that he profaned his priestly status, for when he slew Zimri with Cozbi, he lifted them up on the spear, up high, and their lifeblood dripped on his clothes.[[208]](#footnote-208) About Boaz the righteous, a chieftain and judge of Israel, they say that he had sex with Ruth several times while she was lying at his feet.[[209]](#footnote-209) About Jael, wife of Heber the Kenite, they say that Sisera had sex with her several times, for Scripture says several times: Between her legs, he fell, he bowed [Judges 5:27].[[210]](#footnote-210) About Hannah the prophetess, they say that she once spoke insolently to God, and said: “If you give me a child, this is good; and if not, I will hide away with another man, so that my husband will lead me to drink the waters of the soṭa [woman suspected of adultery], and then You must give me a child against Your will.”[[211]](#footnote-211) About Samuel, they say that when he defended himself before Israel and said: whose ox have I taken? or whose ass have I taken? [I Samuel 2:3], he did not mention anything else, for he had, indeed, taken other items as bribes and through thievery.[[212]](#footnote-212) About King David, they say that, for six months while he was reigning in Hebron, he suffered from skin afflictions.[[213]](#footnote-213) Moreover, they say that, when he was fleeing from his Absalom, he wanted to perform idolatry, as it is written: {66} And it came to pass, that when he was come to the head, where he would prostrate himself before them [II Samuel 15:32]; they say that the word “head” refers to idolatry, as it is written: the image’s head was of fine gold [Daniel 2:32].[[214]](#footnote-214) About Job the righteous, they say that he was in denial of the fundamental [God], as it is written: In all this did not Job sin with his lips [Job 2:10]; they say that it was only “with his lips” that he did not sin, but in his heart he was in denial.[[215]](#footnote-215) About Solomon the wise, they say that the cherubim that he made in the Temple were in the forms of a male and a female, and that he made them one facing the other, in the act of intercourse. When the enemies saw [this, at the time of the destruction of the Temple], they blasphemed the truth of Israel; and [the Rabbanites claim that] it is about this that Scripture says in Lamentations [1:8]: all that honored her despise her, because they have seen her nakedness.[[216]](#footnote-216) About Jeremiah the prophet, they say that he had a seminal emission in a bathtub, and that his daughter then came along and sat in that [tub], and the semen entered her womb, and she became pregnant, and the child born was Ben Sira.[[217]](#footnote-217) And when she was about to give birth, the child stood up at the opening of her womb, and began to speak, and said: “Tell me my name. What will you call me?” They told him several names, but he did not agree [to any of them], until he himself made it known, saying: “Call me Ben Sira, for I am the son of Jeremiah.”[[218]](#footnote-218) About Ezekiel, the priest and prophet of God, they say that he had a bone goblet made out of a human skull, and he would drink out of it. When he had the prophecy of resurrection of the bones in the valley, as it is written: and the bones came together, bone to his bone (Ezekiel 37:7),[[219]](#footnote-219) the goblet jumped up and hit the prophet in his face, at the two sides of his chin, and then went and joined up with the other bones.[[220]](#footnote-220) About Mordecai, they say that, when it says of Esther that Mordecai took her for his own daughter (Esther 2:7), it was not as a daughter that he took her, but as a wife, and that she would lie in his bosom; and even when she was living in the house of Ahasuerus, she would sleep in Ahasuerus’s bosom, and then go and immerse herself [in water], and sleep in Mordecai’s bosom. And [they say] that this is what Scripture [means when it says]: for Esther did the commandment of Mordecai, like as when she was brought up with him (Esther 2:20).[[221]](#footnote-221) |  |
| וְכָאֵֽלֶּה רַבּוֹת הֲוָיוֹת וַהֲוָיוֹת, מִי יוּכַל לְסַפְּרָם? אִלּוּ הָיָה כָל הָרָקִֽיעַ נְיָרִים וְכָל הַיָּם דְּיוֹ וְכָל הָאִילָנוֹת קֻלְמוֹסִים וְכָל הַמְבִינִים כּוֹתְבִים, יִלְאוּ לִכְתֹּב וְלִמְנוֹת כָּל הֶבְלֵיהֶם, אֲשֶׁר בְּכָל אֵֽלּוּ הַכְּתוּבִים לֹא יַאֲמִֽינוּ הַקָּרָאִים – וְגַם בְּהַרְבֵּה מִמַּה שֶּׁלֹּא יָכֹֽלְנוּ לִכְתֹּב מִפְּנֵי הָאֲרִיכוּת. | And they say many, many stories like these. Who could tell them all? Even if all the heaven were paper, and all the sea were ink, and all the trees were pens, and all that understand would write, they would be unable to write and count all the follies that are in all these books, which the Karaites do not believe. And there are many more [follies], which we have not been able to write, for they are too long. |  |
| עַד כַּאן הִגִּֽיעַ מַה שֶּׁקִּוִּֽיתִי וְאִוִּֽיתִי לְמַלֹּאת רְצוֹן הָאָדוֹן הַנִּזְכָּר בִּתְחִלַּת הַמַּאֲמָר, וּרְצוֹן חֲכָמָיו, יָרוּם הוֹדוֹ . . . | Here, I finish what I [have written], hoping and desiring to completely satisfy the will of the prince who has been mentioned at the beginning of this work, and the will of his scholars. May his glory be great . . . ​ |  |
| \* | \* \* \* |  |
| נִגְמְרָה בְמֶֽשֶׁךְ שֵֽׁשֶׁת יְמֵי הַמַּעֲשֶׂה, כְּהַיּוֹם עֶֽרֶב שַׁבַּת קֹֽדֶשׁ וְהַלֵּל הַגָּדוֹל, י"א לְרֹאשׁ חֹֽדֶשׁ נִיסָן, שְׁנַת תזר"ח הַשֶּֽׁמֶשׁ לִפְרָט קָטָן, פֹּה בִקְהַל הַקֹּֽדֶשׁ טְרוֹק, יִשְׁמְרֶֽהָ עֶלְיוֹן אָמֵן, בַּעֲדַת בְּנֵי מִקְרָא, יָרוּם הוֹדָם, עַל יָדַי, אֲנִי הֶעָנִי קָרָא וַה' שָׁמֵֽעַ, לַמִּתְאַבֵּק בַּאֲבַק רַגְלֵי תַלְמִידֵי חֲכָמִים וְהַיּוֹצֵק מַֽיִם עַל יְדֵיהֶם, הַצָּעִיר חֲנַנְיָה הַמִּתְלַמֵּד וְחַזָּן מִשְׁנֶה, בֵּן לַאדוֹנִי אָבִי כְּבוֹד מַעֲלַת דָּוִד, זצ"ל, אַבְּקוֹוִיץ. | This has been completed over the course of the six workdays of a week. Today is the eve of the holy Sabbath and the Great  Hallel;[[222]](#footnote-222) the eleventh day after the New Moon of Nisan, in the year “Tizraḥ Hashemesh.”[[223]](#footnote-223) Here, in the holy  congregation of Trok, may God protect it, Amen, in the community of the Karaites, by me, the poor man who calls out and God listens, who rolls in the dust of the feet of the scholars, and pours water on their hands, the young Hananiah, who  studies and is an assistant ḥazzan, son of my father David Abkovitz, of blessed saintly memory.[[224]](#footnote-224) |  |

1. Charles XII (reigned 1697–1718). [↑](#footnote-ref-1)
2. This is a flowery allusion to Deuteronomy 33:11. [↑](#footnote-ref-2)
3. Our author was a subject of Prince Konstanty Władysław Sobieski (lived 1680–1726), son of King John III Sobieski of Poland (reigned 1674–1696). [↑](#footnote-ref-3)
4. The abbreviation, כמוהר"ר, pronounced “kemoharar”, used here for both the author and his father, is a term of honor used for Jewish scholars, and stands for כבוד מורינו הרב רבינו “the honor of our teacher, the master, our master.” It is simplest to render it in English as “Rabbi.” [↑](#footnote-ref-4)
5. This expression, may his soul be bound in the bond of the living, is from I Samuel 25:29, and is common in medieval and modern Jewish terms as an honorific for the dead. Thus, these words are clearly not written by Mordecai ben Nisan himself, but were added by some later copyists. Similarly, the reference to the author as “wonderful” and “great,” and the high praise of his wisdom, were presumably added by later copyists. [↑](#footnote-ref-5)
6. Following all MSS; Ed. Neubauer has ואחת, which makes no syntactical sense. [↑](#footnote-ref-6)
7. This word is missing from the verse in Ezra. [↑](#footnote-ref-7)
8. Following MS C; Ed. Neubauer has כדכתוב. [↑](#footnote-ref-8)
9. In fact, Tiglath-­Pil’eser (reigned 745–727 BCE) and Sennacherib (reigned 705–681 BCE) were two different Assyrian kings. The Bible mentions the first as having exiled many cities of the Kingdom of Israel (II Kings 15:19), whereas the second tried to conquer Jerusalem, but failed (II Kings 18:13). However, according to rabbinic literature, Sennacherib and Tiglath-­Pil’eser were the same individual, who was called eight names aside from Sennacherib: Tiglath-­Pil’eser, Tiglath Pilne’eser, Pul, Shalmaneser, Sargon, Osnappar, Rabba, and Yaqqira (Babylonian Talmud, Sanhedrin 94a). [↑](#footnote-ref-9)
10. That is, the biblical Book of Ezra. Because the author here is explaining Karaite Judaism to a Christian, he adopts the terminology used in the Latin Vulgate version of the Bible, where the Hebrew Ezra is called “I Ezra,” Nehemiah is called “II Ezra,” and two books not found in the Hebrew are called “III Ezra” and “IV Ezra.” [↑](#footnote-ref-10)
11. i The idea that the Second Temple stood 420 years is from the Babylonian Talmud, Yoma 9a. In fact, modern scholarship tells us that it stood for over 585 years, for its construction was completed in the sixth year of Darius I (Ezra 6:14), which we now know to be 516 BCE, and it was destroyed in 70 CE.

    If the date of the destruction of the Second Temple is assumed to be 70 CE (in accordance with pre-¬modern and modern calculations), then Levush Malkhuth, along with rabbinic literature, places the year of its building 420 years earlier, in 350 BCE, as opposed to 518 BCE. This discrepancy is not surprising, for pre-¬modern Jewish knowledge of Second Temple chronology was inaccurate. From this date, we can calculate the Common Era equivalents of the other dates that Levush Malkhuth calculates for Second Temple events.

    Note that rabbinic calculations date the destruction of the Second Temple to 68 BCE. Because Levush Malkhuth is essentially following rabbinic chronology, he may also date the destruction to this date. If so, all subsequent dates that we note in the footnotes should have two years subtracted from them. Nonetheless, we have used the date 70, currently accepted by historians, because it is a more round number, and a difference of two years is hardly significant. [↑](#footnote-ref-11)
12. The idea that this Darius was the son of Ahasuerus, the husband of Esther, is not historically accurate, but appears in the commentary Tosafoth (created by the descendants and students of Rashi and their students, in French and German lands, in the twelfth and thirteenth centuries) on Babylonian Talmud, Rosh Ha-­shana 3b. [↑](#footnote-ref-12)
13. Not only the splitting of Alexander’s empire, but also the preceding story, about Alexander and the high priest, are in Josippon, ed. Flusser, §10, pp. 54 f., 59 f. Josippon is a medieval Hebrew history of Second Temple times, based mainly on material in the Apocrypha and in Josephus, which the author, a Jew living in tenth-­century Italy, read in Latin (which the Christians had preserved), and adapted into Hebrew for Jewish readers. David Flusser, ed., Sefer Yosippon, edited with an introduction and notes, Bialik Institute, 1981. [↑](#footnote-ref-13)
14. We do not know of this claim from any source other than Levush Malkhuth; and it is very strange, for it is clear from Genesis 10:2 that Yavan is the son of Japheth, not Ham. [↑](#footnote-ref-14)
15. Following MS B; Ed. Neubauer has ותלמודיהם. [↑](#footnote-ref-15)
16. The story of Ptolemy’s ordering of the Septuagint translation is reported in many sources, both in sources preserved by Christians, such as the Letter of Aristeas (the oldest source) and Josephus (who copies from Aristeas), and in Jewish sources, such as rabbinic literature and Josippon. Because Levush Malkhuth has mentioned its dependence on Josippon earlier, this is his most likely source for this story. Nonetheless, I am not familiar with the claim that the copy of the Torah in Ptolemy’s library was the only copy that survived Antiochus’s persecutions. [↑](#footnote-ref-16)
17. The original meaning of the name Machabaeus or Maccabaeus is completely unknown; it was an epithet specifically for Judah, son of Mattathias (in I Maccabees 2:4), not for any of the other brothers or warriors. In much later times, various dubious explanations were proposed for the name. The etymology of it as an acronym, as explained by Levush Malkhuth, is medieval Ashkenazic; one of the earliest sources where we find it is in a fourteenth-­century manuscript Ashkenazic maḥzor (MS Kaufmann A 384, Southern Germany, about 1320, folio 20r), in the commentary. [↑](#footnote-ref-17)
18. Following the chronology of Levush Malkhuth, this year comes out to 138 BCE. The actual date of the Hasmonaean rebellion was 168 BCE. [↑](#footnote-ref-18)
19. The idea that Mattathias himself was ever king is not accurate. He started the rebellion, but died shortly into it (I Maccabees 2:49 ff.). His sons Judah and Jonathan became military leaders who actually controlled territory, and only his son Simeon, more than two decades later, really became a monarch. [↑](#footnote-ref-19)
20. This duration of the Hasmonaean monarchy is given in the ancient rabbinic chronographical work Seder ‘Olam, chapter 30. This means, according to the chronology of Levush Malkhuth, that the Hasmonaean dynasty came to an end in 35 BCE. In actual fact, the last Hasmonaean king, Aristobulus II, was deposed by Pompey in 63 BCE (see Josephus, Jewish War I.141). [↑](#footnote-ref-20)
21. According to the chronology of Levush Malkhuth, this corresponds to 116 BCE; in fact, John Hyrcanus reigned from 134 to 104 BCE. [↑](#footnote-ref-21)
22. The story of this feast is told in Josippon, ed. Flusser, p. 119, §30, based on Josephus, Antiquities, XIII.172. [↑](#footnote-ref-22)
23. If such an act of fornication produced John Hyrcanus, he would not be a priest, because priesthood is transmitted from father to son. Moreover, a woman who has committed sexual impropriety is forbidden to marry a priest (see Leviticus 21:7); according to rabbinic halakha, any descendant of a priest and such a woman is not a priest (Babylonian Talmud, Qiddushin 77a). Thus, even if John Hyrcanus was not descended from this act of fornication, but from a union between his mother and his father after the fornication, rabbinic halakha would not consider him a priest. [↑](#footnote-ref-23)
24. According to the chronology of Levush Malkhuth, this corresponds to 184 BCE; in fact, Alexander Yannai reigned from 103 to 76 BCE. [↑](#footnote-ref-24)
25. We have found no other source that claims that the differences of opinion in interpreting the commandments began during the reign of John Hyrcanus. [↑](#footnote-ref-25)
26. Josippon does not mention any difference of opinion regarding the lulav and ethrog; he says merely that “it is a rule for the Jews to play with fruit of the beautiful tree and palm-­[branches].” Levush Malkhuth adapts this to fit the Karaite opinion, not to hold or play with these species, into the story. Indeed, Josippon does not mention any inter-­sectarian dispute about the laws of Sukkoth as the reason that the people pelted Alexander Yannai; there seems to be no direct impetus, other than the allegations of his descent from a fornicatrix, which is explicitly mentioned there. On the other hand, a similar, yet different, story is told in the Babylonian Talmud, Sukka 48b; in this story, the conflict is not about the question of whether to hold lulav and ethrog, but a different inter-­sectarian dispute, namely the water-­libation on Sukkoth: the rabbinic view is that, in addition to the daily wine-­libation, there is a special water-­libation on Sukkoth; but the “Sadducee” priest refused to perform it, and the people pelted him with their ethrogim. [↑](#footnote-ref-26)
27. I do not know whence Levush Malkhuth derives this number; Josippon (loc. cit.) says 50,000. [↑](#footnote-ref-27)
28. This is evidently based on Babylonian Talmud, Berakhoth 48a, which says that King Yannai killed all the sages, and the only one left to recite grace after the meal of the king and the queen was Simeon ben Shaṭaḥ, the queen’s brother. We have not found anywhere else that the king also spared Judah ben Ṭabbai; however, Judah ben Ṭabbai is a character known from rabbinic literature, where he is always portrayed as Simeon ben Shaṭaḥ’s partner and opponent in matters of specific rabbinic laws, not as his opponent regarding rabbinic halakha as a whole. (See Mishna Avoth 8–9, Mishna Ḥagiga 2:2.) There is a particularly interesting story in Ḥagiga 16b, where Judah ben Ṭabbai condemns a certain man to death (as a legal point to prove the Sadducees wrong), and Simeon ben Shaṭaḥ tells him that he has spilled innocent blood. Judah ben Ṭabbai is so horrified that he spends the rest of his life begging forgiveness at the condemned man’s grave, and he accepts upon himself never again to rule on any matter of halakha without consulting with Simeon ben Shaṭaḥ. [↑](#footnote-ref-28)
29. I have found no other source that claims that Simeon ben Shaṭaḥ fled to Egypt or built a temple there. Josephus (Jewish War, VII. 420 ff.) tells us that Onias went to Egypt and built a temple there, but this was much earlier, several generations before the time of Yannai. The Babylonian Talmud, too, tells us about this temple in Egypt (and disapproves of it, just like Levush Malkhuth), and attributes it, like Josephus, to Onias; see Babylonian Talmud, Menaḥoth 109b for the story, and Mishna Menaḥoth 13:10 for mention of “the Temple of Onias [Ḥonyo].” In the Palestinian Talmud, Mo‘ed Qaṭan 2:2, it tells a story that Judah ben Ṭabbai flees to Egypt (when the people of Jerusalem try to appoint him to a high office, for which he is too modest); but not Simeon ben Shaṭaḥ, and with no connection to the temple in Egypt. [↑](#footnote-ref-29)
30. Text follows the manuscripts; Ed. Neubauer has the mistaken reading הקל. [↑](#footnote-ref-30)
31. Text follows the manuscripts; Ed. Neubauer has the nonsensical reading הנהרגרם. [↑](#footnote-ref-31)
32. Text follows the manuscripts; Ed. Neubauer has the mistaken reading הפירושים. [↑](#footnote-ref-32)
33. MS B has this line in the body of the text, not in a note. [↑](#footnote-ref-33)
34. Text follows all MSS; Ed. Neubauer has שהיא. [↑](#footnote-ref-34)
35. MS A and Ed. Neubauer add: ומשנה זו התרט"ו לפרט גדול, אלף תתקנ"ג שנים. [↑](#footnote-ref-35)
36. Cf. Avoth de-­Ribbi Nathan 5:2, where it tells a story that Antigonos of Sokho had two students, Zadok and Boethius, who rejected the idea of divine punishment or afterlife, and thus created two sectarian groups, Sadducees (=Zadokites) and Boethusians. [↑](#footnote-ref-36)
37. The text uses the Polish form of the city name, Lejda. [↑](#footnote-ref-37)
38. This line appears as a footnote in the original Hebrew, both in the manuscripts and in Ed. Neubauer, evidently composed by some copyist over the course of the transmission of the work.

    MS A and Ed. Neubauer update this by adding: “And until this year, 5615, there have been 1953 years.” [↑](#footnote-ref-38)
39. Or “Czar.” The Hebrew qesar, from Latin “Caesar,” can refer in this period either to the Emperor of the Austrian Empire or to that of the Russian Empire, both of whose titles are derived from the Latin “Caesar.” Both empires had large Jewish communities in the eighteenth century. [↑](#footnote-ref-39)
40. This word is missing from Ed. Neubauer, but present in MS B and in the verse from Genesis. [↑](#footnote-ref-40)
41. ii Mishna Shabbath 19:6:

    מל ולא פרע את המילה, כאילו לא מל.

    If one has performed a circumcision, but not exposed the circumcision, it is as if one has not performed the circumcision at all. [↑](#footnote-ref-41)
42. iii Note from Tomer Mangoubi: The author explains that the laws for setting the month were passed down through oral tradition “from the instruction of our master Moses.” This “instruction” is not to be confused with an oral law, which the Rabbanites believe God gave Moses. According to the classical Karaite framework, there are many laws – such as the setting of the month – that were only transmitted orally. Unlike the Rabbanite Oral Law, however, these laws did not originate with the revelation to Moses, and, in fact, they pre-dated the revelation at Sinai. The Karaite sages viewed these laws as reflecting the historical context in which the Torah was given. In the case of the start of the month, the Israelites already had been setting their calendar through lunar observation, and the Torah incorporated this practice without further elaboration. In a similar fashion, one might expect a modern American work to reference July 4, 1776, without explaining the meaning of the word “July” or how the start of the month was computed.

    The following texts reflect the Karaite view that some practices pre-dated Sinai:

    Ḥakham Aaron Ben Joseph, Sefer Ha-mivḥar, Bo El Par‘o, p. 13b:

    עכשיו אם זו המצוה לא נתבארה כמנהג רבי התורות להזכיר 'דבר אל בני ישראל ויעשה כך וכך', לא נאמר שאינה מסורה לכל איש ואיש אלא לבית דין הגדול; כי הכתוב לא פרט בדברים שהיו האבות נוהגים בהם, כגון השחיטה, שסמך מצוה התורות על סבל היורשים.

    Now, this commandment [of setting the month] is not elaborated upon [in the written Torah] as is the custom for most of the commandments, [for which] it [generally] states: Speak to the Israelites, that they should do such and such. [Nonetheless,] it should not be said [as the Rabbanites do] that this is because [this commandment] is not given to every person, but exclusively [the duty of] the High Court; for Scripture does not give details regarding matters that the patriarchs [already] practiced, such as [kosher] slaughter, for the commandments to act according to these teachings rely on the burden of those that have ‘inherited the tradition’ [a Karaite term referring to traditions that contain legal information].

    Ḥakham Aaron Ben Elijah, Gan ‘Eden, ‘Inyan Qiddush Ha-ḥodesh, chapter 9, p. 10a, col. 1:

    אמנם דרכי החלוקה שיש בינינו ובין הרבנים בענין ראיית הירח בעבור שהלבנה לא תראה שוה לכל העולם מפני שתשתנה קשת הראייה לפי המקומות [ . . . ] ולכן חכמי הרבנים אומרים כי קביעת החדשים לא תהיה כי אם לפי מקום ירושלם, ואומרים כי הרחוקים מירושלם שאין השלוחין מגיעים אליהן מפני הספק היו עושים שני ימים מפני שלא היו יודעים איזה יום קבעו בירושלם. וחכמי הקראים, עליהם השלום, אומרים: הואיל וקדוש החדש תלוי על פי ראיית הירח בכל מקום שתהיה ראיית הירח, ראוי לקבוע כפי המקום ההוא. והנה תראה הלבנה לאנשי מערב קודם אנשי ארץ ישראל, ואיך אפשר שלא לקבוע החדש בו ביום זה, דבר שאי אפשר? ואין להקשות בזה שמהם יהיו עושים היום ומהם עושים למחר, שהמצות נתנו לפי היכולת, וכל אחד יהיה עושה כפי שיראה לו. הלא אין קדוש החדש בראיית הירח מצוה מחודשת, אלא מנהג קדום היה, כפי שהעיר במאמר 'והיו לאותות ולמועדים'. ונותן התורה העמידנו בו ע"פ אותו המנהג, שלא היה בהסגל מקום.

    Indeed, the ways that the Rabbanites are different from us regarding the sighting of the moon are a result of [the fact that] the moon is not seen equally to the whole earth because the arc of sight is different in different places. [ . . . ] Therefore, the Rabbanite sages say that the establishment of the months must be based only on [the appearance of the moon in] Jerusalem; they say that the people far from Jerusalem, whom emissaries [from Jerusalem] did not reach, would observe two days [of the festivals], because they did not know which day had been established [as the first of the month] in Jerusalem. But the Karaite sages, peace be upon them, say: Because the establishment of the month is dependent on the sighting of the moon, therefore, wherever the moon be seen, it is appropriate to establish [the calendar] in accordance with that place. For it is impossible [that everyone would see the moon simultaneously]. And one should not challenge this by noting that this would mean that some people would observe the festival on one day, and some people the next day; for the commandments were given [to be observed] in accordance with one’s ability, so each person should act in accordance with what is visible to him. Is not the sanctification of the month by sighting the moon not a new commandment, but rather an ancient practice, as [the Torah] notes in the verse: And they [the heavenly luminaries] shall be as signs for the appointed times (Genesis 1:14)? The Giver of the Torah enjoined us to follow that practice, which was not limited to any specific place.

    Finally, Ḥakham Elijah Bašyachi (fifteenth century) writes in Addereth Eliyyahu, ‘Inyan Qiddush Ha-ḥodesh, chapter 10, p. 8a:

    ועוד שלא מצאנו בכתוב שיסגיל זאת המצוה בארץ ישראל, אמנם זאת המצוה היתה מימים קדומים, מזמן נח ואברהם אבינו עליהם השלום, בקִדּוּשׁ הירח לפי מקום ומקום.

    Furthermore, we do not find in Scripture that this commandment is limited to the Land of Israel. Rather, this commandment is from earlier times, from the times of Noah and Abraham, peace be upon them, who sanctified the month according to [the appearance of the moon in] whatever place [they were]. [↑](#footnote-ref-42)
43. See Mishna Rosh Ha-­shana 1:3–3:1, and both Babylonian and Palestinian Talmud ad loc., for extensive discussions of this whole process. [↑](#footnote-ref-43)
44. This comes out to 78 CE, which is an early estimate for the time of Rabban Gamliel, but no more than a few years before his rise to office. [↑](#footnote-ref-44)
45. iv Presumably, the author attributes this change to Rabban Gamliel because of a passage in the Babylonian Talmud, Tractate Rosh Ha-¬shana (25a): the Mishna states that Rabban Gamliel would show the witnesses various images, to ask if they saw “like this” or “like this.” If they said that they saw the shape that could not possibly be the new moon, he rejected their testimony. This already shows that he did not just accept anyone who claimed to have seen the new moon. The Babylonian Talmud comments on this Mishnaic passage by citing the following report:

    תניא אמר להם ר"ג לחכמים כך מקובלני מבית אבי אבא פעמים שבא בארוכה ופעמים שבא בקצרה [ . . . ] ת"ר פעם אחת נתקשרו שמים בעבים ונראית דמות לבנה בעשרים ותשעה לחדש כסבורים העם לומר ר"ח ובקשו ב"ד לקדשו אמר להם ר"ג כך מקובלני מבית אבי אבא אין חדושה של לבנה פחותה מעשרים ותשעה יום ומחצה ושני שלישי שעה וע"ג חלקים [ . . . ].

    It is taught: Rabban Gamliel said to the sages: I have received a tradition from my grandfather’s house that sometimes [the new month] comes in after a longer period, and sometimes after a shorter. [ . . . ] The rabbis taught: One time, the sky was full of clouds, and a white form was seen on the twenty-¬ninth of the month. The people thought that it was the New Moon, and the court wanted to sanctify [the day as the first day of the new month]. But Rabban Gamliel told them: I have received a tradition from my grandfather’s house that the new moon cannot appear before 29 days and a half [day] and two-¬thirds of an hour and 73 ḥalaqim (1 ḥeleq = 1/1080 of an hour, so this is 73/1080 of an hour) [ . . . ].

    This shows that Rabban Gamliel had a calculation. Nonetheless, it is clear that he still relied on witnesses to sight the moon, but he rejected witnesses if they claimed that they sighted it at a time when his astronomical calculations showed that this would be impossible.

    In fact, the determination of the new month by witnesses of the moon continued among the Rabbanites long after the time of Rabban Gamliel. It is unclear when, why, and how the change to the fixed, calculated calendar took place, and the process seems to have occurred over time. (See Sacha Stern, Calendar and Community: A history of the Jewish calendar, second century BCE–¬tenth century CE, Oxford University Press, 2001.)

    Rabbanites today, and for the past several hundred years, say that the change occurred at the time of Hillel II (mid-¬fourth century CE); this claim first appears in the twelfth century, in a work by Abraham bar Ḥiyya (Sefer Ha-¬‘ibbur, ed. Phillipowsky, London, 1851 ma’amar 3, sha‘ar 7), but there is no evidence to support it. [↑](#footnote-ref-45)
46. v These rules do not appear explicitly in the Talmud, though some vague references to a primitive form of some of them occur in the Babylonian Talmud, Rosh Ha-¬shana 20a. The formulation that Levush Malkhuth cites is in the law codes Ṭur and Shulḥan ‘Arukh (both in section Oraḥ Ḥayyim §428, for the two codes use the same organization system). Though the Ṭur was written in the fourteenth century and the Shulḥan ‘Arukh in the sixteenth, these rules predate the Ṭur by several hundred years, though they are later than the Talmud.

    Shulḥan ‘Arukh §428:

    אלו הימים שאין ראויין לקבוע בהן המועדים לא אד"ו ראש השנה, ולא גא"ו צום כפור, ולא זב"ד פורים, ולא בד"ו פסח, ולא גה"ז עצרת והושענא רבה, לא ג' חנוכה, ולא אג"ו צום אסתר, ולא בד"ו צום תמוז ואב.

    These are the days when it is not right to establish the festivals. Rosh Ha-¬shana must not be on Sunday, Wednesday, or Friday; the fast of Kippur must not be on Tuesday, Sunday, or Friday; Purim must not be on Saturday, Monday, or Wednesday; Pesaḥ must not be on Monday, Wednesday, or Friday; ‘Aẓereth [=Shavu‘oth] and Hosha‘na Rabba [=the seventh day of Sukkoth] must not be on Tuesday, Thursday, or Saturday; Ḥanukka must not be on Tuesday; the fast of Esther must not be on Sunday, Tuesday, or Friday; and the fasts of Tammuz and Av must not be on Monday, Wednesday, or Friday. [↑](#footnote-ref-46)
47. vi Note from Tomer Mangoubi: As the author explains, Karaite Jews historically sanctified the month according to the testimonies of witnesses who saw the new moons. Unlike the Rabbanites, who relied only on sightings of the moon from Jerusalem and later on a pre--calculated calendar, each Karaite community began the month according to the appearance of the new moon in the area where that community resided – just as the day begins at nightfall according to the time zone of wherever one resides. The reason for this is simple. As explained above (endnote iii), the practice of sanctifying the month according to the moon predates the giving of the Torah at Sinai and the entry of the Israelites into the land of Israel. Thus, according to the classical Karaite sages, the calendar does not give special relevance to Jerusalem or the land of Israel with regards to setting the month. [↑](#footnote-ref-47)
48. vii Cf. Ḥakham Judah Hadassi (twelfth century, Constantinople), Eshkol Ha-¬kofer, Eupatoria Crimea, 1836 Edition, folio 96b, alphabet §188, letters daleth and hé:

    אבל הרחוקי[ם] מראיית עדות בשולו מארץ קדושתו דינם לחקור ולשאול לבאים שם, אולי ישמעו ויתבררו מן שוכניה ראיה בעדותו. [ . . .] וע"כ אין אנחנו יודעים אי זו שנה י"ב חדש ואי זו י"ג לערכה אלא מעיון העד, ושמע ארץ הקדושה בגלותנו זו אשר בחטאתינו ובעונות אבותינו עלינו ארכה.

    But those who are far from eyewitness testimony about the ripening [of the aviv] in its Holy Land – the law is that they must examine and interrogate the people who travel there [to the Holy Land and back], for perhaps they have heard and clarified from its inhabitants [about] eyewitness testimony. [ . . . ] Therefore, we know which years are of twelve months and which number thirteen only from investigating the witness, who has heard from the Holy Land, [and can tell us] in our exile, which has lasted so long due to our sins and the iniquities of our ancestors.

    Cf. also Ḥakham Israel Ha-ma‘aravi (Egypt, 1313), cited in Sh. Asaf and L. E. Meyer, Sefer Ha-yishuv, volume 2, Jerusalem, 1944, p. 107:

    הודו משכילי רוב ישראל כי טוב ללכת על דרך חשבון עבור של מחזור, כי דרך קרוב הוא על האביב הנמצא בארץ ישראל. אבל ישראל הקראים בעלי מקרא היושבים קרוב לארץ ישראל, הקהל של מצרים ושל אסכנדריאה, הוא נא אמון, והקהל של דמשק ושל חלפ, שהם ארם צובא וארם נהרים, אלו הקהלות בכל שנה ושנה שולחים שליחים אנשים נאמנים לארץ ישראל, ומבקשים ודורשים וחוקרים ומחפשים אותו בכל המקומות הידועים בקבלה כי יש שם ימצא קודם מכל המקומות. ואם ימצא אחד כי נתבשל לוקחים כמו שני עמרים מן שבלי השעורים ומביאים להם עדות האביב ומראים להם האביב ועושים פסח, ועד עשרה בניסן מגיעים אלו השלוחים לכל אלו הקהלות.

    The scholars of the majority of the Jewish people are in consensus that it is good to follow a calculation for the intercalation of the calendar, for this is close to the aviv that is found in the Land of Israel. However, the Karaite Jews, who follow Scripture, who live close to the Land of Israel – the community in Egypt, and in Alexandria [known also as] No-Amon, and the community in Damascus and in Aleppo [known also as] Aram-Ẓova and Aram--Naharayim – these communities send emissaries, reliable men, each year, to the Land of Israel, and they ask and seek and search and investigate each of the places where they know from tradition that [the aviv] is [typically] found there before [it appears in] other places. If one of them finds that it has ripened, they take two sheaves from the stalks of barley, and they bring them as evidence of the aviv; they show the aviv to [their communities], and establish Pesaḥ [in the appropriate month]. These emissaries come to all these communities by the tenth of Nisan. [↑](#footnote-ref-48)
49. viii This is an adaptation of Babylonian Talmud, Sanhedrin 11a:

    תנו רבנן: אין מעברין את השנה אלא אם כן היתה צריכה מפני הדרכים ומפני הגשרים ומפני תנורי פסחים ומפני גליות ישראל שנעקרו ממקומן ועדיין לא הגיעו אבל לא מפני השלג ולא מפני הצינה ולא מפני גליות ישראל שלא עקרו ממקומן.

    תנו רבנן: אין מעברין את השנה לא מפני הגדיים ולא מפני הטלאים ולא מפני הגוזלות שלא פירחו אבל עושין אותן סעד לשנה כיצד רבי ינאי אומר משום רבן שמעון בן גמליאל מהודעין אנחנא לכון דגוזליא רכיכין ואימריא דערקין <צריך לומר: דעדקין, וכן הוא בכל כתבי היד> וזימנא דאביבא לא מטא ושפרת מילתא באנפאי ואוסיפית על שתא דא תלתין יומין.

    Our sages taught: We may not declare a leap year unless it is necessary for the roads; or for the bridges; or for the ovens for the Pesaḥ sacrifice; or for the exiles of Israel who have been displaced from their homes and not arrived yet. But not on account of the snow, or the cold, or the exiles of Israel who have not been displaced from their homes.

    Our sages taught: We may not declare a leap year on account of the kids, or the lambs, or the baby birds that have not yet flown; but we may use those as auxiliary reason to make a [leap] year [if we already have a legitimate reason]. How so? Ribbi Yannai said in the name of Rabban Simeon ben Gamliel: “We inform you that the baby birds are still young, and the sheep are still small, and the time of spring has not yet come.” And this is correct in my opinion, and I have added thirty days to this year.

    Rashi (French commentator on the Bible and Talmud, 1040–1105) explains that the words, “auxiliary reason to make a [leap] year,” mean that we may not use these causes on their own as a reason to make a leap year, but they may be used in conjunction with any of the main three causes, mentioned on Sanhedrin 11b, the next page: The aviv, the (new spring) fruits of trees, and the equinox. If any two out of the main three are relevant – that is, if the aviv, the new fruit, or the equinox have not yet arrived – then a leap year may be declared; but if only one out of the main three is relevant, then the kids, lambs, or baby birds may be used as the second cause, and the leap year may be declared. [↑](#footnote-ref-49)
50. The words "שבעת ימים" do not actually appear in this verse; the author is probably citing from memory, and has confused this verse with the verse from Deuteronomy which he cites next. [↑](#footnote-ref-50)
51. The words “for seven days” do not actually appear in this verse; the author is probably citing from memory, and has confused this verse with the verse from Deuteronomy which he cites next. [↑](#footnote-ref-51)
52. ix Talmudic Rabbanite law requires Jews to destroy all their leavened matter before Pesaḥ. Any leaven that they sell before the designated time does not belong to them any longer, so they are not obligated to destroy it; for this is a permanent sale, and the Jew will never again possess this leaven.

    In a case where it is impossible for the Jew to destroy their leaven, for the Jew is on a ship in the middle of the sea, the Tosefta (a Talmudic-era rabbinic source) allows a Jew to sell or gift their leaven to a non-Jewish co-traveler, and then, if the non-Jew is willing to sell it back after Pesaḥ, the Jew may buy it back. This is an extreme situation, where the Jew may have nothing else to eat if they cannot buy back their leaven, and yet even here, the Jew must sell or gift the leaven as a true, complete sale, and it is up to the non-Jew to sell it back, if they so choose.

    Tosefta Pesaḥim 1:24 (ed. Zuckermandel):

    ישראל וגוי שהיו באין בספינה והיה חמץ ביד ישראל הרי זה מוכרו לנכרי ונותנו במתנה וחוזר ולוקח הימנו אחר הפסח ובלבד שיתנו לו במתנה גמורה.

    If a Jew and a non-Jew were together in a ship, and the Jew had leaven in their possession, they may sell it or gift it to the non-Jew, and then get it back after Pesaḥ, as long as they gave it as a true gift.

    In the late Middle Ages, we see in the halakhic work Terumath Ha-deshen of R. Israel Isserlein (1390–1460) that he permits selling or gifting leaven even if there is no expectation that the non-Jew wants it at all, and the non-Jew will not consume any of it, but will give it back to the Jew:

    שאלה: מי שיש בידו ענייני חמץ סמוך לפסח, וקשה עליו לבערם ורוצה לתתם לנכרי חוץ לבית במתנה גמורה. ואותו נכרי הישראל מכירו ויודע בו שלא יגע בהן כלל, אלא ישמרם לו עד לאחר הפסח ויחזור ויתנה לו. שרי כהאי גוונא או לאו? תשובה: יראה דשרי, רק שיתנם לו במתנה גמורה בלי שום תנאי, או שימכרם לו מכירה גמורה בדבר מועט.

    A question: If one has leavened matter in one’s house shortly before Pesaḥ, and is displeased with the idea of destroying it, but wants to give it to a non-Jew out of the house as a true gift. But the Jew knows the non-Jew, and knows that he will not touch [the leavened matter] at all, but will keep it for [the Jew] until after Pesaḥ, and give it back to him – is this permitted, or not? Answer: It seems that it is permitted, as long as one gives it as a complete gift, without any conditions attached, or one sells it as a complete sale for a small amount [of money] (Terumath Ha-deshen §120).

    Later still, this activity became a routine practice for many Rabbanite Jews before Pesaḥ. This was because many Jews owned stores of liquor made from fermented grain, and they would lose their whole livelihood if they would destroy it all. Today, it is standard for rabbis of Rabbanite communities to fill out forms enabling the sale of all their congregants’ leaven to a non-Jew for a week, even though it is understood that the non-Jew will not eat any of it and will return the sale at the end of the week.

    Nonetheless, this practice is hardly universal; many punctilious Rabbanites refrain from it completely, and indeed destroy their leaven. Famously, R. Elijah, the Gaon of Vilna (1720–1797), opposed such sale of leaven. (See Elijah of Vilna, Be’ur Ha-Gra [Commentary on Shulḥan ‘Arukh], Oraḥ Ḥayyim §448, comment 10; Issachar Baer, Ma‘asé Rav, §180.) [↑](#footnote-ref-52)
53. Text follows MSS B and C. Ed. Neubauer is missing the words והם אמרו כי בין הערבים הוא מזמן שיטה השמש; MS A is missing those words, as well as the continuation of the sentence, through the end. (The version in Ed. Neubauer is clearly an accidental omission, due to the fact that the word שמש appears multiple times, and the copyist’s eye skipped from one to another. The version in MS A is probably a further development of this corrupted version; because the end of the sentence no longer made sense, the copyist of MS A simply left it out.) [↑](#footnote-ref-53)
54. x The author of Levush Malkhuth is claiming that Abraham ibn ‘Ezra accepts the Karaite understanding of the expression “ben ha‘arbayim.” This is only partly true. In fact, though ibn ‘Ezra admits that the expression “ben ha‘arbayim” can allow either meaning, he says that, because “those that transmit the law” (the Rabbanite sages) explain it as meaning the time between noon and sunset, this must be the meaning that it has in the relevant passages in the Torah.

    Abraham ibn ‘Ezra, Short Commentary on Exodus, 12:6 (printed in Torath Ḥayyim, Jerusalem: Mossad Harav Kook, 1993, Exodus, vol. 1, pp. 126 f.):

    ודע, כי 'בין הערבים' הוא על שני דרכים: האחד – מעת שתחשך השמש עד עת סור האור הנראה בעבים, וזאת העת -­ שעה ושליש שעה [ . . . ] והדרך השני – להיות פירוש 'בין הערבים' בפסח – מעת שתבוא השמש אל תחלת פאת מערב. ומעתיקי התורה אמרו, שהלכה למשה, ש'בין הערבים' בפסח הוא הדרך השני, והוא האמת ואין בו ספק.

    Know that “ben ha‘arbayim” can be [understood] in two ways: the first [possible meaning] is the time from when the sun sets until no more light can be seen in the clouds, a period of an hour and a third; [ . . . ] and the second way is that “ben ha‘arbayim” on Pesaḥ is the time from when the sun starts to go down until it reaches the edge of the west. Those that transmit the law have said that the halakha has been transmitted since Moses that “ben ha‘arbayim” on Pesaḥ is [in accordance with] the second way, and this is the truth, without a doubt. [↑](#footnote-ref-54)
55. This translation reflects our author’s view (see Ma’amar Mordokhai, St. Petersburg – Inst. of Oriental Studies of the Russian Academy C 104 239b–240b). Like the medieval Karaite interpretation, he deems the verse to forbid causing a fire to burn on the Sabbath, even if the fire was lit prior to the Sabbath. Rabbinic halakha forbids kindling on the Sabbath itself; and, therefore, permits keeping a lit flame (such as that of a candle or an oven) on the Sabbath, if the flame was lit before the Sabbath. The meaning of this verse was the source of many polemics between Karaites and Rabbanites. [↑](#footnote-ref-55)
56. xi Note by Tomer Mangoubi: Not all the Karaite sages believed in an absolute prohibition on carrying. Ḥakham Levi ben Yefeth (eleventh century) argued that while one should strive to be as prepared as possible before the Sabbath to avoid carrying on the Sabbath, one is permitted to carry items outside of one’s house.

    Levi ben Yefeth, Sefer Miẓvoth, p. 248:

    וכבר זכרנו באשר נקדם כי אמר 'ולא תוציאו משא מבתיכם' לא יורה על זה, וכי יהיה זה כן יעבור לנשוא מאכל וספרי חמשים והכלים אשר יעשה בהם ב[ש]בת מן חצר אל חצר. [ . . . ] והטוב להשתמר בו.

    And we have already mentioned above that when Scripture says Do not carry forth a burden out of your houses (Jeremiah 17:22), it is not referring to [an absolute prohibition on carrying from domain to domain on the Sabbath], and because this is so, it is permissible to carry food, or copies of the five books [of the Torah], or utensils that are used on the Sabbath from one courtyard to another. [ . . . ] but it is best to be careful about this.

    (Ḥakham Levi’s work was originally written in Judeo-¬Arabic. Students of rabbinic literature might understand the word יעבור to mean it is forbidden; but the word יעבור is the translation of the Judeo-¬Arabic word יגוז, which means it is permissible. The root of the Arabic word means to pass, which is also the root of the Hebrew word יעבור. This explains why the word יעבור was chosen for the translation.)

    Moreover, Ḥakham ‘Anan Ben David held it permissible to carry anything that is not so heavy as to require being carried on one’s shoulders (see Nemoy, L., Karaite Anthology: Excerpts from the Early Literature, Yale Judaica Series, 1952, p. 17). [↑](#footnote-ref-56)
57. This is a reference to the rabbinic practice of ‘eruv. Note that the theoretical basis behind rabbinic ‘eruv is not to turn a public street into a private domain, but rather to mark certain areas that are already private domains, though in joint ownership of a few people. Thus, for example, within a shared courtyard or apartment building, it should theoretically be permitted to carry from the residences into the hallways or the courtyard, and vice versa, because it is not a public domain; but because it is too similar to a public domain, rabbinic law requires creating an ‘eruv by collecting flour or money from all residents and using it to bake a single loaf of bread, which sits in the house of one of the residents, and each resident is permitted to eat from the loaf, such that the whole residential complex becomes a single commune. In order to mark the outside boundary of the complex, a string or post (leḥi) is put up at the entrance.

    Later on, some rabbinic groups came up with the idea that even public streets are not truly public domains in the halakhic sense, and, therefore, they allow the creation of an ‘eruv even in larger communities, enclosing whole streets or even cities. Other rabbinic groups consider this to be a blatant violation of the Sabbath, and this is often a point of great, bitter conflict between different rabbinic groups today, not just between Karaites and Rabbanites. [↑](#footnote-ref-57)
58. These words, le-­hadber gevuloth ‘ammim, are a pun on Deuteronomy 32:8: He set the bounds of the peoples. Here, they refer to the fact that the ‘eruv strings enclose communities. [↑](#footnote-ref-58)
59. It is unclear what this word means. [↑](#footnote-ref-59)
60. xii The author of Levush Malkhuth is alluding here to a passage in the Babylonian Talmud, Sanhedrin 72a, about the case of “one who comes in stealth” (ha-ba ba-maḥtereth, from Exodus 22:1). The claim in Levush Malkhuth that rabbinic halakha simply allows a thief to keep the item he stole is not correct when understood in context.

    אמר רב: הבא במחתרת ונטל כלים ויצא – פטור. מאי טעמא? בדמים קננהו. אמר רבא: מסתברא מילתיה דרב בששיבר, דליתנהו; אבל נטל – לא. והאלהים, אמר רב אפילו נטל! [ . . . ] ולא היא [...].

    Rav said: “If one came in stealth [to rob one’s neighbor’s house], and took items, and left – one is exempt [from paying for the items].” Why? For he has acquired it with his blood. Rava said: “It seems that Rav’s words refer only to a case where [the thief] broke [the items], such that they are no longer in existence; but if [the thief] took them along – then [Rav’s words do] not [refer to such a case].” But by God, Rav said even “one took [items]”! [ . . . ] Nonetheless, this is not [the actual halakha] [. . . . ]

    These passages relate to the rabbinic concept of qim leh bi-derabba minneh (קים ליה בדרבה מיניה) – if one commits an act that bears both a lenient and a stringent penalty, the stringent penalty is sufficient, and one does not have to incur the lighter penalty. Thus, if one commits an action where one is sentenced to both the death penalty and lashes, one does not need to undergo the lashes, just the execution.

    In the case of the thief who comes stealthily, the “stringent penalty” is getting killed by the homeowner (“with his blood”), and the “lenient penalty” is having to pay restitution for the stolen property. Rav says that even though the thief did not actually get killed, a court cannot impose the lesser penalty, because one never incurs two penalties at once.

    Rava then interprets Rav’s words as referring only to a case where the property has been destroyed, so paying restitution to the homeowner would actually be “a penalty,” a more lenient one than getting killed. But in a case where the whole item still survives, of course the thief would need to give it back – giving it back is not a “penalty” at all, but merely returning what the homeowner owns.

    The anonymous editorial layer of the Talmud (the “sethama di-gemara”) then says: no, Rav would mean even in a case where the property has not been destroyed – but nonetheless, it concludes, the halakha does not follow Rav.

    In any event, Rav’s statement, “[the thief] has acquired it with his blood,” does not simply mean that because one has put oneself in danger to commit the robbery, one somehow deserves the property. Rather, it is a highly complicated application of the principle that two penalties cannot be incurred in one act. An unfair application, to be sure, but sometimes legal systems are such that, in certain circumstances, courts are unable to mete out a certain penalty – in this case, to force the thief to return the stolen object. (As another example of where a court simply cannot mete out a fair penalty, consider a case where there is only one witness to a crime, a very reliable, trusted witness; in such a case, the court simply cannot punish the crime, for the Torah insists on two witnesses.)

    Finally, as noted above, the conclusion of the anonymous editors of the Talmud goes against their interpretation of Rav’s statement – indeed, the thief would need to return the item if it is still in existence. And because this is the conclusion of the passage, normative rabbinic halakha follows this; only in a case where the item has been destroyed, the court cannot force the thief to pay restitution (Maimonides, Hilkhoth Geneva 9:13). [↑](#footnote-ref-60)
61. The author uses the abbreviation ḤZ”L, for ḥakhamenu za”l, that is, ḥakhamenu zikhronam livrakha, “our sages, of blessed memory.” This abbreviation is commonly used by Rabbanite Jews to refer to the sages of the Talmud, and pronounced ḥazal. It is entirely natural for a Karaite author to use the term for Karaite sages of previous generations; however, because the abbreviation is known today as a term for the sages of the Talmud, we have wanted to avoid confusion. So, rather than writing ḥaza”l in the Hebrew each time, we have expanded the author’s acronym to ḥakhamenu za”l, here and throughout our edition of Levush Malkhuth. [↑](#footnote-ref-61)
62. xiii Note from Tomer Mangoubi: Ḥakham Aaron ben Elijah, in Gan ‘Eden, understands “intentional” cases to include two separate scenarios. First, the obvious case in which one intends to maim his fellow and succeeds in doing so. Second, cases in which one engages in risky behavior such that he knows it is very likely for him to maim his fellow.

    Importantly, Ḥakham Aaron ben Elijah does not apply the punishment of “a life for a life” in cases in which a man intends to strike his fellow but without the intention to kill, and in a way not likely to kill him:

    Gan ‘Eden, Diné Mumin, p. 179b, column 1:

    אמר הכתוב על ההורג רעהו בשגגה, הוא מי שכיוון להכות את רעהו ומתוך מכתו מת, אם היה הדבר שהכהו בו אין ראוי לההרג בו אדם, ונהרג, זה יִקָּרֵא 'מכה נפש בשגגה'. ועל כן חבר ואמר: 'ואם בכלי ברזל הכהו וימות', וכו'; כי הואיל שהכהו בדבר שימות בו אדם, העלה עליו הכתוב שהוא רוצח מזיד.

    Scripture says that one who kills his fellow accidentally includes one who intended to strike his fellow, and because of the strike, [his fellow] dies, for if he hits him with something that is not [usually] liable to cause death, and he is killed – this is what is called one who kills a man accidentally [Numbers 35:11]. For this reason, Scripture continues and says: And if with a metal tool he hits him and he dies, [he is a murderer] [Numbers 35:16]; for [Scripture] informs us that if one hits another with a tool that is liable to kill a man, then he is an intentional murderer.

    Ḥakham Aaron ben Joseph, in Sefer Ha-¬mivḥar, holds the same way; see Sefer Ha-¬mivḥar, Parashath Mishpaṭim, p. 43a, on Exodus 22:21–27:

    אבל אם נתכוון לעשות בו פגם, עין תחת עין. וכי מה נפש אם הרגו בשגגה גולה ממקומו, אם כן במומים שאין מכוון יתן כפר.

    If he intends to give him a blemish, [the ruling is] an eye for an eye. However, regarding injuries without intent, he gives monetary compensation (kofer). [↑](#footnote-ref-62)
63. This is the correct number, following all MSS. Ed. Neubauer has סדר הג'. [↑](#footnote-ref-63)
64. Following all manuscripts; Ed. Neubauer has כבים, a clear misprint. [↑](#footnote-ref-64)
65. Following MSS B and C. Ed. Neubaeur has מצות, and MS A is unclear. [↑](#footnote-ref-65)
66. Ed. Neubauer has ונמנין, but the initial vav makes no sense. All MSS read נ' מנין, which I am unable to explain. I believe that the original text was probably נמנין, and somehow the word got split into two in the copying tradition. [↑](#footnote-ref-66)
67. xiv A number of rabbinic sources present this reading of Exodus 32:2 as a principle to follow the majority in legal debates. See the sources assembled by M. M. Kasher in Tora Shelema, vol. 18, pp. 161 ff. Here let us suffice with one source,

    Palestinian Talmud, Sanhedrin 4:2:

    א"ר ינאי אילו ניתנה התורה חתוכה לא היתה לרגל עמידה. מה טעם וידבר ה' אל משה אמר לפניו רבונו של עולם הודיעני היאך היא ההלכה אמר לו אחרי רבים להטות רבו המזכין זכו רבו המחייבין חייבו כדי שתהא התורה נדרשת מ"ט פנים טמא ומ"ט פנים טהור מיניין ודגל"ו.

    R. Yannai says: If the Torah had been given in a clear-cut manner, there would be no room for the foot to stand. Why so? The Lord spoke to Moses, and [Moses] said to Him: “O Master of the Universe, please tell me what the halakha is.” He replied: “Decline after many – if there are more [opinions] that say exempt, then it is exempt; if there are more [opinions] that say it is liable, say liable.” Thus, the Torah is expounded in forty-nine ways to declare [a given case] impure and forty-nine ways to declare [the given case] pure, in accordance with the numerical value of the word ve-diglo [=“and his banner,” Song of Songs 2:4]. [↑](#footnote-ref-67)
68. xv Note from Tomer Mangoubi: To the best of my knowledge, none of the classical Karaite sages held that Jews are to separate pots in which a mother’s milk is boiled from pots in which the offspring’s meat is boiled. With few exceptions (unrelated to milk and meat), Karaite jurists were generally concerned with the ritual purity of utensils (see Leviticus 11:32), not with whether utensils came into contact with ritually pure items that were nevertheless forbidden from consumption. [↑](#footnote-ref-68)
69. xvi Babylonian Talmud, Karethoth 6a:

    ת"ר פיטום הקטרת הצרי והציפורן והחלבנה והלבונה משקל שבעי' של שבעים מנה מור וקציעה שיבולת נרד וכרכום משקל ששה עשר של ששה עשר מנה הקושט שנים עשר קילופה שלשה וקנמון תשעה בורית כרשינה תשעה קבין יין קפריסין סאין תלתא קבין תלתא אם אין לו יין קפריסין מביא חמר חיוריין עתיק מלח סדומית רובע מעלה עשן כל שהוא ר' נתן אומר אף כיפת הירדן כל שהוא ואם נתן בה דבש פסלה חיסר אחת מכל סממניה חייב מיתה.

    The sages taught [in a baraitha]: The recipe for the incense is: balsam, onycha, galbanum, frankincense, each of seventy mané-measures; myrrh, cassia, sweet spikenard, saffron, each of sixteen mane-measurements; costus, twelve [mané-measures]; cinnamon, nine; Carshina lye, nine qav-measures; Cypriot wine, three se’a-measures and three qav-measures; and if one has no Cypriot wine, one brings aged white wine; Sodom salt, a quarter [of a qav]; and a small bit of ma‘alé ‘ashan [an herb that causes the smoke to rise]. R. Nathan says: Even a small amount of resin from [the banks of] the Jordan. And if one adds honey to it, this renders it invalid. And if one leaves out any of its spices, one incurs the death penalty.

    Because the incense may be made and burned only in the Temple, the debate about its recipe is not actually a matter of practical import for Karaites or Rabbanites. Nonetheless, most Rabbanite groups have traditionally included this Talmudic passage about the incense in their daily or weekly liturgy, which gives it a certain prominence in their lives. (See, for example, Philip Birnbaum, ed., Daily Prayer Book: Ha-Siddur HaShalem, Hebrew Publishing Company, 1949, p. 407.) This may be why the author of Levush Malkhuth has chosen to include it in his book. [↑](#footnote-ref-69)
70. Following MSS A and B, and the biblical text; MS C and Ed. Neubauer read אנכי. [↑](#footnote-ref-70)
71. Following all MSS; Ed. Neubauer reads הוא. [↑](#footnote-ref-71)
72. Following MSS A and C; MS B and Ed. Neubauer read מותרת, which does not make syntactical sense here. [↑](#footnote-ref-72)
73. Following all MSS; Ed. Neubauer reads ג', which is a clear mistake. [↑](#footnote-ref-73)
74. xvii The eighteen ṭerefoth are listed in Mishna Ḥullin 3:1. (They are very technical, and there is no reason to list them here.) The author of Levush Malkhuth says that a sirkha and a ṭerefa are synonymous terms for the Rabbanites, but this is actually not so. In fact, a ṭerefa is an invalidating condition (as Levush Malkhuth accurately states), whereas a sirkha is a kind of string on the outside of the lungs (as Levush Malkhuth states earlier), which is not itself a ṭerefa; in some cases, this presents no problem, but in many technical cases, rabbinic halakha is concerned that the sirkha might be concealing a ṭerefa underneath it. See Maimonides, Mishné Tora, Hilkhoth Sheḥiṭa 11:4 ff. [↑](#footnote-ref-74)
75. Following all MSS (הא'); Ed. Neubaer reads הוא. [↑](#footnote-ref-75)
76. Following all MSS; Ed. Neubauer reads יהשני, a clear misprint. [↑](#footnote-ref-76)
77. See Babylonian Talmud, Ḥullin 59a. [↑](#footnote-ref-77)
78. xviii As the author explicitly notes here, the source for this idea is in the Babylonian Talmud, Ḥullin 59a:

    ואמר רב חסדא היה מהלך במדבר ומצא בהמה שפיה גמום ופרסותיה חתוכות בודק בבשרה אם מהלך שתי וערב בידוע שהיא טהורה ואם לאו בידוע שהיא טמאה ובלבד שיכיר ערוד לאו אמרת איכא ערוד איכא נמי מינא אחרינא דדמיא לערוד גמירי דליכא והיכא בודק אמר אביי ואיתימא רב חסדא בכנפי העוקץ.

    And Rav Ḥisda said: If one is walking in the wild and finds an animal whose mouth and hooves are injured [such that one cannot check for cud-chewing or split hooves], one should check its flesh: if it runs crosswise, then it is definitely kosher; and if not, then it is definitely not kosher – as long as one is familiar with [the appearance of] the ‘arod [wild ass]. But [the Talmud challenges this]: Once you say that the ‘arod [is an exception], maybe there are other exceptions, similar to the ‘arod? No [the Talmud resolves this challenge], we have a tradition that there are no others. And where does one check [the flesh]? Abbayyé, and some say Rav Ḥisda, said: In the edges of the tail. [↑](#footnote-ref-78)
79. xix This is referring to the Rabbinic principle of biṭṭul (nullification of small amounts).

    Babylonian Talmud, Ḥullin 98a:

    אמר ר' חייא בר אבא אמר ר' יהושע בן לוי משום בר קפרא: כל איסורין שבתורה בששים. אמר לפניו ר' שמואל בר רב יצחק: רבי, אתה אומר כן? הכי אמר רב אסי אמר ר' יהושע בן לוי משום בר קפרא: כל איסורין שבתורה במאה. ושניהם לא למדוה אלא מזרוע בשלה, דכתיב: ולקח הכהן את הזרוע בשלה וגו' (במדבר ו, יט). ותניא: בשלה [ . . . ] – ר' שמעון בן יוחאי אומר אין בשלה אלא שנתבשלה עם האיל. [ . . . ] מאן דאמר בששים סבר בשר ועצמות בהדי בשר ועצמות משערינן, והוה ליה בששים; מאן דאמר במאה סבר בשר בהדי בשר משערינן, והוה ליה במאה.

    R. Ḥiyya bar Abba says in the name of R. Joshua ben Levi in the name of Bar Qappara: “All prohibited foods in the Torah are [nullified] in sixty.” But R. Samuel bar Rav Isaac said to him: “My master, do you teach thus? [But] Thus said Rav Assi in the name of R. Joshua ben Levi in the name of Bar Qappara: All prohibited foods in the Torah are [nullified] in one hundred.” The two opinions are each derived from the “cooked leg” [of the ram offered by a Nazirite], as it is written: The priest shall take the cooked leg [Numbers 6:19]. And it is taught [in a baraitha]: “Cooked [ . . . ] – R. Simeon b. Yoḥai says that it is cooked together with the ram.” [ . . . ] The opinion that says sixty says that we measure the flesh and bones [of the leg] against the flesh and bones [of the entire ram], whereas the opinion that says one hundred says that we measure just the flesh [of the leg] against the flesh [of the ram].

    That is, the leg of the ram is to be eaten by the priests, and is forbidden to ordinary Jews. However, the rest of the ram is eaten by the ordinary Jews. If the leg is cooked together with the rest of the ram, then there will be a transfer of fat and fluids between them, such that some of the essence of the leg will be present in the rest of the ram. Thus, when some small amount of forbidden food is mixed into permitted food, the mixture is permitted. The two sides in the Talmudic debate differ on how exactly to calculate this amount, but they agree on the principle. [↑](#footnote-ref-79)
80. This word does not belong here, but rather only in the second half of the sentence. Nonetheless, it appears in all manuscripts (in both parts of the sentence), and the slip may go back to the original author, not just to a copyist. [↑](#footnote-ref-80)
81. This word appears in all MSS and in Ed. Neubauer, but it is clearly out of place and does not belong here. Pigs do not chew their cud, and anyway are mentioned separately in the second half of the sentence. [↑](#footnote-ref-81)
82. The Rabbanites understand these laws of impurity as creating a state that prevents entering the Temple or eating sacrifices (or some other limited circumstances), but they do not view them as absolute prohibitions. Thus, for example, if an earthenware vessel comes in contact with an impure insect, then anyone who eats from that vessel will be prohibited to enter the Temple until undergoing purification; but, according to the Rabbanite understanding, there is no prohibition to use such a vessel at home, far from the Temple. Because the Temple is not standing, this effectively means that Rabbanites do not worry about these laws today. [↑](#footnote-ref-82)
83. Yiddish, spoken by the Rabbanite Jews of much of Europe. [↑](#footnote-ref-83)
84. This expression is based on Psalms 2:4. [↑](#footnote-ref-84)
85. xx Note from Tomer Mangoubi: Perhaps the author misspoke in his haste to complete his work. To the best of my knowledge, all other Karaite sages held that, when one touches an object upon which a menstruant has sat or lain, one becomes impure. Their view is in accordance with the plain meaning of the biblical text (Leviticus 15:22–23). However, the author states without justification that, even if one touches what a menstruant has touched, without her having sat or lain on the object, one becomes impure. [↑](#footnote-ref-85)
86. As explained above, Rabbanites view the laws of where a menstruant woman may sit and what she may touch as being relevant only to the question of contamination that prevents people from entering the Temple. Because the Temple is not standing, they are not concerned about them today. However, they view the rule against menstruant sexual intercourse as an absolute. [↑](#footnote-ref-86)
87. xxi Note from Tomer Mangoubi: Like our author, Addereth Eliyyahu and Gan ‘Eden hold that a priest must declare whether one is impure with afflictions. Unlike Levush Malkhuth, however, both works insist that only a priest with a definitive pedigree may accomplish this task.

    Addereth Eliyyahu, ‘Inyan Ṭum’a Ve-ṭohora, chapter 14, p. 75a:

    בנגעי צרעת, להיות שטומאת מצורע וטהרתו תלויות לכהן, ועתה בגלות אין לנו כהנים מיוחסים בכתב . . .

    With regard to the ẓara‘ath-afflictions: the impurity and purification of the afflicted one are dependent on a priest, and here in our exile, we have no priests whose lineage can be demonstrated with [family] documents. . . .

    Gan ‘Eden, ‘Inyan Ṭum’a Ve-ṭohora, Diné Nig‘é Ẓara‘ath, p. 119a:

    ועתה בגלות, כיון שאין כהן ידוע שהוא מבני אהרן, שהרי בזמן בית שני כשהיו כהנים כשבקשו כתבם המתיחס ולא נמצא ויגואלו מן הכהונה; וזה היה בזמן שבית המקדש קיים, כל שכן עתה בגלותנו. אך לפי הנראה אם יהיה כהן מיוחס עתה יש לו לטמא ולטהר.

    But today, in the exile, there is no priest that is known [for certain] to be from the descendants of Aaron. For behold, in the time of the Second Temple, they would investigate the documents of priestly lineage; and when they could not find them, [the relevant priests] were expelled from the priesthood. This was at the time when the temple stood; all the more so today in our exile [when we are more distant from the time of Aaron]. But it seems that if, [theoretically,] there should [happen to] be a priest with a pedigree even today, he would be able to declare impure, and purify [people with ẓara‘ath-afflictions].

    Thus, either the author of Levush Malkhuth had access to priests with pedigrees in his community, or he did not believe that a pedigree was necessary for priests in order to adjudicate matters of impurity due to ẓara‘ath-afflictions. [↑](#footnote-ref-87)
88. Here, too, Rabbanites view these rules as relevant only to the question of who may attend the Temple, and, therefore, as not relevant today. [↑](#footnote-ref-88)
89. As above, Rabbanites view these rules as relevant, from a strict point of view, only to the time of the Temple. However, there is a Talmudic tradition (Babylonian Talmud, Berakhoth 22b) that Ezra, in early Second Temple times, made a decree extending these laws also to one who wishes to pray or study the Torah. The Talmud (ibid., 22a) reports that the Rabbanite community abolished Ezra’s decree in the time of Ze‘eri (third century CE); but nonetheless, many Rabbanite men continue to immerse after seminal emission before praying or studying Torah. [↑](#footnote-ref-89)
90. xxii Note from Tomer Mangoubi: Most Karaite sages held that a man who sleeps with a menstruant on the first day of her blood flow is impure for seven days, whereas one who sleeps with a menstruant on latter days is impure only for one. This is because they believed the blood on the first day (dam rishon) to be more impure than the blood on latter days.

    Addereth Eliyyahu, ‘Inyan Ṭum’a Ve-ṭohora, chapter 9, p. 73b:

    ובעלי התלמוד לא הבדילו בין דם ראשון לדם שאר הימים, היות מוסיפים שבעה ימים נקיים. אמנם בעלי מקרא, בהיותם אינם מוסיפים שבעה נקיים, הוכרחו להבדיל בין דם ראשון לדם שאר הימים, כי אמרו שטומאת שבעת ימי נידה אינם כי אם בעבור הדם הראשון, ולא בעבור דם שאר הימים; כי אפילו שלא תראה דם שני היא טמאה טומאת שבעה, וזה הוא בעבור הדם הראשון.

    The Talmudites do not differentiate between the blood of the first day and the blood of the rest of the days, since they add seven purification days [after any time a woman sees vaginal bleeding]. However, the Karaites, because they do not add seven purification days, must differentiate between blood of the first day and blood of the rest of the days; for they said that the impurity of the seven days of menstruation are due to the blood of the first day, not the blood of the rest of the days. For even if she does not see blood of the second day, she is nonetheless impure seven days; this is because of the blood of the first day. [↑](#footnote-ref-90)
91. xxiii Originally, the Rabbanites distinguished between the menstruant and the zava, just as the Karaites do. However, because of concern of not being expert in identifying what flow counts as menstruation and what as that of a zava, the Rabbanites became progressively more strict in applying the stringencies of both kinds of flow on every flow – not because they interpret the biblical verses thus, but as a stringency to be extra careful.

    This is explained in the Babylonian Talmud, Nidda 66a:

    אמר רב יוסף אמר רב יהודה אמר רב: התקין רבי בשדות: ראתה יום אחד – תשב ששה והוא. שנים – תשב ששה והן. שלשה – תשב שבעה נקיים. אמר ר' זירא: בנות ישראל החמירו על עצמן, שאפילו רואות טפת דם כחרדל – יושבות עליה שבעה נקיים.

    Rav Yosef said in the name of Rav Yehuda, who said it in the name of Rav: Ribbi [i.e., Judah Ha-nasi, around the year 200 CE] instituted in the fields: If a woman sees [blood] for a single day – she must sit [=remain impure] for that day, and six more [following the biblical rule for a menstruant]. [If she sees blood] for two days – she must sit for those days, and six more [for a total of eight – seven in case she is a menstruant, but counting these seven only starting the second day, in case the first day she was a zava, not a menstruant]. [If she sees blood] for three days – she must sit seven clean days [following the biblical rule for a zava, thus adding up to a total of ten days]. R. Zera [around the year 300] said: The daughters of Israel have taken a stringency upon themselves, such that even if they see only a single drop of blood, like [the size of] a mustard-seed – they sit seven clean days after it. [↑](#footnote-ref-91)
92. We have printed 6, the proper chapter reference, here; however, Ed. Neubauer and all manuscripts read 7. [↑](#footnote-ref-92)
93. Following all MSS; Ed. Neubauer has שהוא. [↑](#footnote-ref-93)
94. Note from Tomer Mangoubi: The eleven verses are Leviticus 18:7–17. A twelfth verse, Leviticus 18:18, states: Neither shalt thou take a woman to her sister to be her rival wife, to uncover her nakedness, beside the other in her lifetime. This verse was not considered by the Karaite sages as one of the prohibitions on incest, because they interpreted the term “sister” here to mean “fellow.” By contrast, the Rabbanites interpreted it to mean a literal sister. This concept is explained in greater detail below. [↑](#footnote-ref-94)
95. Our author writes: “[The Rabbanites] stubbornly permit [a man to marry his] father’s wife; and a father will marry a woman, and his son marry her daughter.” In fact, Rabbanite halakha does not allow marriage between a man and his father’s wife. This is prohibited in Leviticus 18:8, and it is clear that Rabbinic halakha views it as a terrible sin; see Mishna Sanhedrin 7:4, which states that the punishment is stoning. In the Babylonian Talmud, on that passage (Sanhedrin 54a), it states that this such marriage is prohibited whether or not the father is still alive.

    On the other hand, Rabbanite halakha does permit marriages between a man and his father’s wife’s daughter, that is, his step-sister. Leviticus 18:11 states: Thou shalt not uncover the nakedness of the daughter of thy father’s wife, moledeth of thy father. Rabbanite tradition understands “moledeth of thy father” as meaning “born of your father”, that is, one’s actual sister or half-sister. Because a man’s step-sister is not a biological daughter of his father, Rabbanite halakha permits a marriage between the two. (This is assumed throughout Talmudic literature, but the clearest explanation of the exegesis of the verse can be found in Maimonides, Mishné Tora, Hilkhoth Issuré Bi’a 2:3.)

    Nonetheless, in the Palestinian Talmud, Yevamoth 2:4, it states that if two step-siblings have grown up in the same house, they should not marry one another – not because it is inherently forbidden, but because it will look like two siblings have married. In that passage in the Palestinian Talmud, R. Ḥanina bar Abbahu permits such a couple may move to somewhere where nobody knows them, and get married there. [↑](#footnote-ref-95)
96. Note from Tomer Mangoubi: Karaite sages historically held it forbidden for a man to marry two sisters even after the death of one sister. They viewed marrying two sisters to be equivalent to the prohibited case of marrying a woman and her daughter: Thou shalt not uncover the nakedness of a woman and her daughter . . . they are near kinswomen (Leviticus 18:17). The Karaite sages concluded that just as one may not marry a woman and her daughter because they are near kin, so too one may not marry a woman and her sister because they are near kin. Indeed, the Torah refers to a sibling relationship as being one of close kinship: Thou shalt not uncover the nakedness of thy mother’s sister, for she is thy mother’s near kinswoman (Leviticus 18:13). [↑](#footnote-ref-96)
97. xxiv The word here is mamzerim, a word that first appears in Deuteronomy 23:3, which rabbinic tradition understands as “children born as the result of illicit sexual relationships,” and the author of Levush Malkhuth seems to agree with this rabbinic understanding.

    According to the Karaite sage Jacob ben Reuben (eleventh century), there were at least seven definitions of mamzer known in his day, some of which also correspond to the Rabbanite understanding. His yet unpublished commentary (Sefer Ha-‘osher) on Deuteronomy 23:3 is cited from manuscript in Zvi Ankori, Karaites in Byzantium: The Formative Years, 970-1100, (Columbia University Press, 1959), p. 72, n. 40, and lists the following interpretations of the word:

    והם: (1) גוים כופרים ונתיהדו. (2) ד[בר] א[חר] . . . הוא הידוע מאמו ולא ידוע מאביו . . . (3) וכל מי שנולד מן ער[י]ות אסורות גם הוא יקרא ממזר. אבל ישראל נקרא ממזר מפני שנתגרשו מנחלת אברהם, שנ[אמר]: "וישב ממזר באשדוד". (4) ד[בר] א[חר] והנולד מן הנדה . . . (5) ד[בר] א[חר] היא משפחה מהגוים קרואה ממזר . . . (6) ד[בר] א[חר] הם כל הגוים המתיהדים, ולא כן הוא. (7) ד[בר] א[חר] הם שאינם מזרע אברהם

    (1) Gentiles, who reject [God], but [nonetheless] become Jewish; (2) another interpretation: [ . . . ] one whose mother is known, but whose father is unknown; [ . . . ] (3) anyone who is the offspring of forbidden sexual relations; but a Jew is called mamzer on account of being banished from Abraham’s inheritance, as it is written: and the mamzer will dwell in Ashdod [Zechariah 9:6]; (4) another interpretation: one who is conceived by a menstruant woman; (5) the name of a specific gentile clan is mamzer; (6) all gentiles that become Jewish – but this is not correct; and (7) anyone who is not of the seed of Abraham. [↑](#footnote-ref-97)
98. Neubauer and all MSS read כ"ה (25) but this citation is clearly incorrect. [↑](#footnote-ref-98)
99. See Babylonian Talmud, Karethoth 11a. [↑](#footnote-ref-99)
100. xxv Mishna Ḥullin 4:5:

     השוחט את הבהמה, ומצא בה בן שמונה חי או מת, או בן תשעה מת – קורעו, ומוציא את דמו. מצא בה בן תשעה חי – טעון שחיטה, וחייב משום "אותו ואת בנו". דברי רבי מאיר; וחכמים אומרין, שחיטת אימו מטהרתו.

     If one has slaughtered an animal, and finds in it a not-quite-fully-formed fetus [literally, “an eight-month-old,” because a human fetus would be of that level of readiness after eight months of gestation], whether alive or dead, or a fully-formed fetus [literally, “a nine-month-old”] that is dead – one may tear it out, and remove its blood [and then it will be kosher to eat]. If one finds a fully-formed fetus, and it is alive – it needs to undergo [kosher] slaughter, and [if one slaughters it that day], one violates [the law against slaughtering] it and its young [both in one day]. These are the words of R. Meir; but the sages say: the slaughter of its mother makes it fit [for consumption by Jews].

     Rabbanite law follows the opinion of R. Meir; see, for example, Maimonides, Hilkhoth Ma’akhaloth Asuroth 5:13. [↑](#footnote-ref-100)
101. Following all MSS; Ed. Neubauer reads אל, an obvious error. [↑](#footnote-ref-101)
102. xxvi See Babylonian Talmud, Menaḥoth 65a–b:

     שהיו בייתוסין אומרים עצרת אחר השבת. ניטפל להם רבן יוחנן בן זכאי, ואמר להם: שוטים, מנין לכם? ולא היה אדם אחד שהיה משיבו, חוץ מזקן אחד שהיה מפטפט כנגדו ואמר: משה רבינו אוהב ישראל היה, ויודע שעצרת יום אחד הוא; עמד ותקנה אחר שבת כדי שיהו ישראל מתענגין שני ימים. קרא עליו מקרא זה: 'אחד עשר יום מחורב דרך הר שעיר' – ואם משה רבינו אוהב ישראל היה, למה איחרן במדבר ארבעים שנה?! אמר לו: רבי, בכך אתה פוטרני?! אמר לו: שוטה, ולא תהא תורה שלמה שלנו כשיחה בטילה שלכם? כתוב אחד אומר 'תספרו חמשים יום', וכתוב אחד אומר 'שבע שבתות תמימות תהיינה'. הא כיצד? כאן ביום טוב שחל להיות בשבת, כאן ביום טוב שחל להיות באמצע שבת.

     For the Boethusians said: ‘Aẓereth [a name for Shavu‘oth, standard in Talmudic literature] is after the Sabbath [i.e., on Sunday]. Rabban Yoḥanan ben Zakkai went to deal with them, and said to them: “Fools, what is your reasoning?” None of them responded to him, except one old man who started babbling at him, saying: “Moses our teacher loved the Jewish people, and knew that ‘Aẓereth was only a single day; so he instituted it after the Sabbath, so that the Jews could have a two-day period of enjoyment.” [Rabban Yoḥanan ben Zakkai] cited the following verse with regard to this: It is an eleven-day journal from Horeb, by way of Mt. Se‘ir [until Qadesh-Barnea‘] (Deuteronomy 1:2) – “If Moses our teacher loved the Jews, why did he delay them in the wilderness for forty years [rather than bringing them over the short way of eleven days]?!” [The Boethusian man] responded: “My teacher, do you dismiss with [such a flimsy response]?!” [Rabban Yoḥanan ben Zakkai] said: “You fool, is our complete Torah like your idle chatter? One verse says: Ye shall count fifty days [Leviticus 23:16], and another verse says: they will be seven complete weeks [Leviticus 23:15]. How does this work? One verse [complete weeks] speaks of [a year when] the festival [the first day of the Festival of Maẓẓoth] falls on the Sabbath; whereas the other verse refers to [a year when] the festival falls during the week. [↑](#footnote-ref-102)
103. The author is mistaken on this point: The first day of Sukkoth and Shemini ‘Aẓereth are also referred to as shabbathon (Leviticus 23:39). Nevertheless, the author’s point remains: the first day of the Festival of Maẓẓoth is not referred to as a shabbath or even a shabbathon, as these other holidays are. [↑](#footnote-ref-103)
104. That is, the extra minutes that are added to the Sabbath and Yom Kippur before and after the technical beginning of the holiday. [↑](#footnote-ref-104)
105. It was certainly the case historically, for the Rabbanites and their Temple-era predecessors, that Shavu‘oth could fall on any day of the week. However, the Rabbanites today use a calendar, in which the Festival of Maẓẓoth cannot begin on Sunday, Tuesday or Wednesday nights. As mentioned by our author, the Rabbanites start counting the fifty days leading up to Shavu‘oth on the second day of the Festival of Maẓẓoth. Accordingly, under the current rabbinic calendar, Shavu‘oth can only fall on Sunday, Monday, Wednesday, or Friday. [↑](#footnote-ref-105)
106. Following all MSS; Ed. Neubauer reads ק"ה, which is an error. [↑](#footnote-ref-106)
107. xxvii Note from Tomer Mangoubi: To the best of my knowledge, among the classical Karaite sages, only Ḥakham Daniel al-Qumisi (tenth century) advocated blowing the shofar on Yom Teru‘a. Although he did not assert that blowing the shofar was required, Ḥakham Daniel believed the shofar would inspire Israelites to repent in advance of Yom Kippur.

     As adapted from the text of Qumisi’s commentary on Leviticus 23:24 in the Maagarim database of the Academy of the Hebrew Language:

     ומן דעתי ביום תרועה חוץ מן תקיעת קרבנות הריעו בכל עיר למען להכריז עליהם ולהזכיר אתם: שובו מדרכיכם ותטהרו את מעשיכם כי בא יום כפרים. כי כל צום בלא תשובה אין בו יתרון [ . . . ] על כן אשרי איש אשר בשמעו קול שופר תרועה ידע כי עליו להכין את מעשיו. ככתוב "אשרי העם יודעי תרועה". ויוליכם ה' באור פניו. ככתוב: "ה' באור פניך יהלכון".

     And it is my opinion that on Yom Teru’a, aside from the sounding [of the trumpets] [accompanying the Temple] sacrifices, they would sound in every city in order to proclaim to them and to remind them: “Return from your ways and purify your deeds because Yom Ha-kippurim is coming.” For every fast without repentance has no benefit. [ . . . ] Therefore, happy is the man who, when he hears the voice of the sounding shofar, knows that it is upon him to prepare his deeds, as it is written, “happy is the nation who knows the sounding,” and the Lord will make them walk in the light of his countenance, as it is written, “O Lord, in the light of your countenance they walk” (Psalms 89:16). (The text, as found in the Maagarim database, has the actual Tetragrammaton, which is unusual for this time period.) [↑](#footnote-ref-107)
108. In fact, Rabbanite Judaism considers the blowing of the shofar to be a commandment only on the holiday itself, and only this is mentioned in the Talmud. A later tradition, attested in the work Pirqé De-­ribbi Eli‘ezer (chapter 46), of approximately the eighth century, mentions a custom of blowing the shofar starting from the first day of Elul, a month before the holiday; this is widely practiced among Rabbanite communities today, but is by no means universal, and certainly not viewed as an obligation. [↑](#footnote-ref-108)
109. The source of the dispute between the Karaites and the Rabbanites arises from the fact that the Torah does not expressly command the Israelites to build sukkoth, only to dwell in them. The Torah says that on the first day of the holiday, the Israelites are to “take” the fruit of the splendid tree [or a splendid fruit tree], fronds of date palms, and branches of thick trees, and brook-­willows; and ye shall rejoice before the Lord your God seven days (Leviticus 23:40). As noted by the author of Levush Malkhuth, the Jews living at the time of Ezra and Nehemiah (see Nehemiah 8:15) understood this to indicate that there was a commandment to build sukkoth with the items mentioned. The majority of Karaite sages have adopted this interpretation. A minority of Karaite sages believe that the items mentioned in Leviticus were intended to fulfill the requirement to rejoice before the Lord your God, which appears in the verse immediately after the list of greenery. According to these sages, the Israelites would make bundles of greenery and fruits of all kinds to eat throughout the festival. A description of these practices is found in Aaron Ben Elijah, Gan ‘Eden, ‘Inyan Sukkoth, Chapter 1, pp. 65a–­65b. [↑](#footnote-ref-109)
110. xxviii This claim is very strange; presumably, he means that Rabbanites go through countries where it is impossible to observe the Sabbath or obtain kosher food, just to obtain these species. However, in fact no Rabbanite rabbis would approve of such behavior. Rabbanite halakha does not permit even carrying the species to the synagogue on the Sabbath (see Babylonian Talmud, Sukka 43a), let alone eating non-kosher food in order to obtain them. See also Tosfoth Yom Ṭov, commentary on the Mishna by Yom Ṭov Lipmann Heller (Prague, 1579–1654), on Mishna Rosh Ha-shana 4:8; the Mishna there states that one may not violate the restrictions of the festival in order to obtain a shofar, and Heller notes that the same applies also to obtaining the species of vegetation for Sukkoth. [↑](#footnote-ref-110)
111. The words חדשו דבר שלא follow all MSS; Ed. Neubauer prints חדששלאו דבר, which is nonsense. [↑](#footnote-ref-111)
112. Following all MSS; Ed. Neubauer reads בציצותינו. [↑](#footnote-ref-112)
113. xxix See Babylonian Talmud, Menaḥoth 44a:

     חלזון זהו גופו דומה לים, וברייתו דומה לדג, ועולה אחד לשבעים שנה, ובדמו צובעין תכלת; לפיכך דמיו יקרים.

     The ḥillazon [a kind of snail] – its body is similar to [the color of] the sea, and its form is similar to a fish, and it ascends [from the sea] once every seventy years, and we dye tekheleth from its blood; therefore, it is expensive.

     In the mid-ninth century, tekheleth still existed among Rabbanite Jews, for Rav Naṭronai Gaon, head of the academy of Sura (in Iraq) at the time, speaks about their method of tying the tekheleth strings among the white strings. (Cited in Abraham ben David, Critiques of the Ra’avad on the Rambam, on Maimonides, Hilkhoth Ẓiẓith 1:7.) However, at some point later in time, the identity of the ḥillazon was lost. In modern times, starting in the nineteenth century, various attempts to identify the ḥillazon were made; the most accepted today is the Murex trunculus snail, and indeed many rabbinic Jews since the mid-1980s have been dyeing strings of their ẓiẓith with dye from this snail. (See the “Tekhelet Timeline” on the website of the institute Ptil Tekhelet: http://tekhelet.com/tekhelet-timeline/. For more detail, see Baruch Sterman, Rarest Blue: The Remarkable Story Of An Ancient Color Lost To History And Rediscovered, Lyons Press, 2012.)

     We have rendered the word yaroq as green (see p. 89), simply out of convenience. Indeed, many rabbinic sages used the term yaroq to refer to the color of fringes. This is because up until recent times, Hebrew, like many languages, did not have a unique word for blue. We do not know whether our author intended to convey green or some specific shade of blue with his usage of yaroq. [↑](#footnote-ref-113)
114. xxx Note from Tomer Mangoubi: In addition to requiring a blue thread on ẓiẓith, some Karaite sages also believed that women, and not just men, were required to wear ẓiẓith. Ḥakham Levi ben Yefeth (eleventh century) was among these sages.

     Ḥakham Levi ben Yefeth, Sefer Miẓvoth, p. 786:

     ואשר אמר כי זה הדבור הוא על האנשים מבני ישראל, וכי זה המצוה מוסגלה בהם לבד משניהם אינו תמים, והוא כי אין לו ראיה על זה אלא כאשר אמר הכתוב 'דבר אל בני ישראל'. ואנחנו מצאנו כי יש על הנשים מצוות הרבה, וכבר מצאנו בתורות הרבה כי יבוא הדבור ויאמר 'דבר אל בני ישראל' ויכליל בו אנשים ונשים, הוא אשר אמר: 'דברו אל בני ישראל לאמר זאת החיה אשר תאכלו', והאכילה לכל. והטומאה הנזכרה בעניין, והוא חובה על הכל, וכן: 'דבר אל בני ישראל ואמרת אליהם אשה כי תזריע', רוב עניין על הנשים.

     One who says that this passage [Numbers 15:37–41] is addressed only to the men of the Israelites, and that the commandment [of ẓiẓith] is limited to them – neither of these two [claims] is correct, for there is no evidence for it other than that Scripture says speak to the Bené Yisra’el [Israelites, literally “sons of Israel”]. But we find that there are many commandments that apply to women, where Scripture says speak to the Bené Yisra’el, which include both men and women. [Thus, for example, in the laws of kosher animals], it says: Speak to the Bené Yisra’el, saying: This is the animal that ye shall eat [Leviticus 11:2] – and eating applies to all. And ritual impurity is discussed in a passage, and it is a matter that applies to all, and it begins: Speak to the Bené Yisra’el, and say to them: when a woman conceives . . . [Leviticus 12:2] – and most of the matter concerns women.

     Ḥakham Ya‘aqov Qirqisani (tenth century), too, arrived at the same conclusion (Kitāb al-Anwār wal-marāqib: Code of Karaite Law, ed. L. Nemoy, Vol. V, XII 42.4, p. 1260):

     وأَخبر بأنّ علّة الأمر بلًبْسه هى (במדבר ט"ו, ל"ט) וזכרתם את כל מצוות ה', ועשיתם אותם فَوَجب من ذلك ان يلبسه كل أحد من النساء والرجال اذا كان جميعهم يجب ان يذكرون فرائضَ الله ويعملونها وهذا بخلاف قول مَنْ أوجبه على الرجال دون النساء.

     I inform that the reason for the command to wear it is [Scripture’s statement]: And remember all the commandments of the Lord and do them [Numbers 15:39]. So, out of this, it is obligatory to be worn by every one of the women and men, since all of them are obliged to remember God’s obligations and do them; and this is different from him who says that it is obligated on men and not women.

     Ḥakham Judah Hadassi (twelfth century) likewise held that women were to wear ẓiẓith (Eshkol Hakofer, chapter 13, p. 14b, column 2):

     קשירתו כי גם היא בת ישראל מבני ישראל בדומה במצות ציצת.

     קול צווי: "דבר אל בני ישראל ואמרת אליהם ועשו להם ציצת."

     קדושת מצותו גם האשה בקיום כל המצות ככתוב: "וראיתם אותו וזכרתם את כל מצות ה' ועשיתם אותם" כצווי צורך.

     רמיזתו ככתוב: "הקהל את העם האנשים והנשים והטף וגרך אשר בשעריך."

     רפידתו "למען ישמעו ולמען ילמדו ויראו את ה' אלהיכם ושמרו לעשות את כל דברי התורה הזאת תורתך.

     The tying of ẓiẓith [includes also women], for a daughter of Israel is included in “Bené Yisra’el,” equivalent in the commandment of ẓiẓith.

     The words of the commandment are: Speak to the Bené Yisra’el and say to them that they should make ẓiẓith for themselves [Numbers 15:38].

     The holiness of its commandment is also [upon women], for women are [included in] fulfilling all the commandments, as it is written: And ye shall see it, and remember all the Lord’s commandments, and perform them in accordance with your Rock’s instruction.

     This is alluded in Scripture’s words: Gather the people, the men and the women and the children, and the sojourners within thy gates [Deuteronomy 31:12],

     And Scripture spreads out [what that means, in the continuation of this verse]: In order that they may hear, and in order that they may learn, so that they may fear the Lord your God, and diligently observe all the words of this Torah, Your Torah.

     However, the view that women should wear ẓiẓith appears to have fallen out of favor with latter Karaite sages. Both Ḥakham Aaron ben Elijah (fourteenth century), in Gan ‘Eden, ‘Inyan Tefilla, chapter 6, p. 80b, column 2, and Ḥakham Elijah Bašyachi (late fifteenth century), in Addereth Eliyyahu, ‘Inyan Tefilla, chapter 7, p. 99b, write that the commandment is limited to men. Ḥakham Bašyachi argues that this based on the instruction to speak to the “Bené Yisra’el”:

     מצות ציצת חיוב לאנשים הבוגרים, ובפרט לתלמידי חכמים, שחוששים בשכר מצות עשה, ולא לנשים ולקטנים, כי כתוב: 'דבר אל בני ישראל'.

     The commandment of ẓiẓith is an obligation for adult men, especially for disciples of the sages, who are concerned about the reward for [fulfilling] the commandments; and not for women or children, for Scripture says: Speak to the Bené Yisra’el [literally: “Sons of Israel”].

     Note from Gabriel Wasserman: Similarly, among the Rabbanites, there was an older view that the commandment of ẓiẓith applied also to women, but later rabbis ruled that it applied only to men. A baraitha in the Babylonian Talmud, Menaḥoth 43a states:

     הכל חייבין בציצית – כהנים, לוים, וישראלים, גרים, נשים, ועבדים. רבי שמעון פוטר בנשים, מפני שמצות עשה שהזמן גרמא הוא, וכל מצות עשה שהזמן גרמא נשים.

     All are obligated in ẓiẓith – priests, Levites, Israelites, converts, women, and slaves. R. Shim‘on [ben Yoḥai, second century CE] says that women are exempt, for it is a time-bound positive commandment [for, according to Rabbanite understanding, it does not apply during the night time], and women are exempt from all time-bound positive commandments.

     The later Rabbinic authorities follow R. Shim‘on’s exemption of women from ẓiẓith; see, e.g., Maimonides, Hilkhoth Ẓiẓith 3:10. [↑](#footnote-ref-114)
115. The word naḥala [inheritance] is feminine in Hebrew, and therefore, the word othah, “it,” is the same as the word meaning “her.” The Rabbanite understanding of the verse as meaning “he shall inherit her” is discussed in the Babylonian Talmud, Bava Bathra 111b. [↑](#footnote-ref-115)
116. This story is found in the Babylonian Talmud, Nedarim 22b–23a. [↑](#footnote-ref-116)
117. This story, too, is found in Nedarim 23a. Note that both of these stories are in Aramaic in the Talmudic source, but our author re-­tells them in Hebrew. [↑](#footnote-ref-117)
118. From after the numeral ו' through the opening of the second citation is missing from Ed. Neubauer, due to an accident in copying; thus, the first verse from Proverbs is entirely missing, and it seems to say, incorrectly, that the second verse is in chapter six. All manuscripts have the text correct. [↑](#footnote-ref-118)
119. All manuscripts and Ed. Neubauer read י"ד, but this is not the correct citation. [↑](#footnote-ref-119)
120. Following all MSS; Ed. Neubauer has just ט, which is a mistake. [↑](#footnote-ref-120)
121. The manuscripts and Ed. Neubauer all have the odd abbreviation אאז"א, which seems to stand for אלא אין זה אלא. [↑](#footnote-ref-121)
122. This word is present in all MSS, but missing in Ed. Neubauer. [↑](#footnote-ref-122)
123. Following all MSS (מוטעין), both here and in the occurrence of the word in the next sentence; Ed. Neubauer has מועטין (in both sentences), which seems to be an error. [↑](#footnote-ref-123)
124. Following all MSS, which give the full text of the verse; Ed. Neubauer has only up to the word ואור, followed by וגו' (=etc.). [↑](#footnote-ref-124)
125. Here, too, all MSS include the text through the end of the verse, while Ed. Neubauer has only up to the word היין, followed by וגו' (=etc.). [↑](#footnote-ref-125)
126. Following all MSS; Ed. Neubauer has the bizarre spelling הנביה. [↑](#footnote-ref-126)
127. Here, too, all MSS include the text through the end of the verse, while Ed. Neubauer has only up to the word ידעוני, followed by וגו' (=etc.). [↑](#footnote-ref-127)
128. All MSS include the full text of these two verses. Ed. Neubauer has just: ואתם סרתם מן הדרך הכשלתם רבים בתורה וגו' וגם אני נתתי אתכם נבזים וגו'. [↑](#footnote-ref-128)
129. Sifré Deuteronomy §154. [↑](#footnote-ref-129)
130. This word is equipped with vowel signs in MS A, and we have followed its vocalization. (On the other hand, Eliezer Ben-Yehuda, in his massive Hebrew dictionary, Thesaurus Totius Hebraitatis et Veteris et Recentioris, Jerusalem, 1908–1958, volume 6, s.v. מאדים, vocalizes the word as מַאֲדִים.) [↑](#footnote-ref-130)
131. This is the reading in all MSS and in Ed. Neubauer, but the syntax is problematic, and would be easier if it read בְּזָוִית (which may be what the author in fact wrote). [↑](#footnote-ref-131)
132. Hebrew sefar; this word is used to refer to the seashore, but I have never seen it used to refer to the side of the head, which it must mean here. [↑](#footnote-ref-132)
133. xxxi Babylonian Talmud, Shabbath 129b:

     ואמר שמואל: פורסא דדמא –­ חד בשבתא, ארבעה, ומעלי שבתא; אבל שני וחמישי -­ לא, דאמר מר: מי שיש לו זכות אבות יקיז דם בשני ובחמישי, שבית דין של מעלה ושל מטה שוין כאחד. בתלתא בשבתא מאי טעמא לא? משום דקיימא ליה מאדים בזווי.

     Shemuel said: The times to bloodlet are Sunday, Wednesday, and Friday – but not Monday or Thursday, for a teacher has stated: [Only] one who has ancestral merit may bloodlet on Monday or Thursday, when the heavenly court and earthly court are synchronized. Why not on Tuesday? Because Mars is then in the corner. [↑](#footnote-ref-133)
134. Babylonia Talmud, Mo‘ed Qaṭan 28a. [↑](#footnote-ref-134)
135. This ritual at the grave of R. Yosé the Galilean is known from no rabbinic sources, but is described in the work Tokhaḥath Megullé by the early Karaite author Sahl Ha-­kohen. (Published by Sh. Pinkser in Liqquṭé Qadmoniyyoth, volume 2, p. 32.) [↑](#footnote-ref-135)
136. The words כן and ובעלתה are missing in Ed. Neubauer, but present in all MSS. [↑](#footnote-ref-136)
137. xxxii Babylonian Talmud, Bava Meẓi‘a 21b:

     המוצא מעות בבתי כנסיות ובבתי מדרשות ובכל מקום שהרבים מצויין שם הרי אלו שלו מפני שהבעלים מתיאשין מהן.

     One who finds coins in synagogues or in study-¬houses, or in any place where many people are found – the [coins] belong to [the finder], for the [original] owner has lost all hope of [recovering] them. [↑](#footnote-ref-137)
138. xxxiii Mishna Giṭṭin 9:10:

     בית שמאי אומרין: לא יגרש אדם את אשתו אלא אם כן מצא בה דבר ערוה, שנאמר: 'כי מצא בה ערות דבר.' בית הלל אומרין: אפילו הקדיחה תבשילו, שנאמר 'דבר'. רבי עקיבא אומר: אפילו מצא אחרת נאה ממנה, שנאמר: 'והיה אם לא תמצא חן בעיניו'.

     The School of Shammai say: A man must not divorce his wife unless he has found her [guilty of] a sexual indiscretion, as it is said: for he has found some nakedness in her. The School of Hillel say: Even if she has burned his food, as it is said: some [that is, anything]. R. ‘Aqiva says: Even if he has found a prettier woman, as it is said: that she find no favor in his eyes.

     The normative Rabbanite halakha follows the opinion of the School of Hillel (see commentary of Obadiah of Bertinoro on that passage, in the standard editions of the Mishna). [↑](#footnote-ref-138)
139. xxxiv Mishna Makkoth 3:10:

     כמה מלקין אותו? ארבעים חסר אחת, שנאמר: במספר ארבעים – מניין שהוא סמוך לארבעים. רבי יהודה אומר: ארבעים שלמות.

     How many does one lash? Forty minus one [i.e., 39], as it is said Number forty [the last word of verse 2 and the first word of verse 3], meaning the number adjacent to forty. R. Judah says: A full forty. [↑](#footnote-ref-139)
140. According to the Mishna as it appears in the printed Babylonian Talmud, Makkoth 22b, this verse from Psalms is recited by a member of the court while the lashes are being administered. [↑](#footnote-ref-140)
141. The words אח אמתי למחלון בן אלימלך אלא are missing from Ed. Neubauer, but present in all MSS. [↑](#footnote-ref-141)
142. See Exodus 6:20; Amram and his aunt Jochebed were the parents of Moses. [↑](#footnote-ref-142)
143. These words are found in all MSS, but missing from Ed. Neubauer. [↑](#footnote-ref-143)
144. To get out of levirate marriage (see Deuteronomy 25:7–­10). Occasionally, even today, Rabbanites will perform actual levirate marriage, rather than the ḥaliẓa ceremony, but this is generally discouraged by the Rabbanite leaders, so it is rare; the author of Levush Malkhuth seems to be unaware of it. [↑](#footnote-ref-144)
145. Following MSS A and C (מחלוקתם); MS B and Ed. Neubauer have מחלקותם. [↑](#footnote-ref-145)
146. Following the abbreviation in MSS BC (הנ"ל); MS A and Ed. Neubauer have the abbreviation הנ"נ, which seems to be a simple mistake. [↑](#footnote-ref-146)
147. MS B sets this paragraph in a different font from the rest of the work. [↑](#footnote-ref-147)
148. This sentence, with its reference to the author as “the above-­mentioned sage,” is clearly the insertion of a later copyist. [↑](#footnote-ref-148)
149. xxxv See Babylonian Talmud, Sanhedrin 38b:

     אמר ההוא מינא לרב אידית: כתיב: ואל משה אמר עלה אל ה' – עלה אלי מיבעי ליה! אמר ליה: זהו מטטרון ששמו כשם רבו דכתיב: כי שמי בקרבו.

     A certain heretic said to Rav Idith: “It is written: And to Moses, He said: Ascend to the Lord. [Ex. 24:1] Should He not have said: ‘Ascend to me’?” [Rav Idith] responded: “This is Meṭaṭron, whose name is like that of his Master, as it is written: For my name is in him.”

     For the expressions, “the Great Name” and “the Lesser Name”, see the commentary Ḥizquni, by Hezekiah ben Manoaḥ, on Exodus 23:21. [↑](#footnote-ref-149)
150. Following all MSS; Ed. Neubauer erroneously reads פרסאות מלין, instead of “פרסאות ופרסאות אלין”. [↑](#footnote-ref-150)
151. These words appear in all MSS and in Ed. Neubauer, but they seem to be extraneous, so we have set them in parentheses to mark them for deletion. [↑](#footnote-ref-151)
152. Following all MSS; Ed. Neubauer has אמה, which is a mistake. [↑](#footnote-ref-152)
153. The initial letter lamed appears in all MSS and in Ed. Neubauer, but it seems to be extraneous, so we have set it in parentheses to mark it for deletion. [↑](#footnote-ref-153)
154. Though these words appear in Ed. Neubauer and in all MSS, they seem to be a mistake, and should be omitted. [↑](#footnote-ref-154)
155. For all this material, see the Shi‘ur Qoma literature. There are various texts and recensions in this literature; it is not widely transmitted among Rabbanites, nor considered as authoritative as the Talmud and classical midrashim; rather, it is transmitted, in various forms, among the members of various mystical circles. For an academic collection of Shi‘ur Qoma texts, see: Martin Samuel Cohen, ed., The Shiʻur Qomah: Texts and Recensions, Tübingen: J.C.B. Mohr (Paul Siebeck), 1985.

     Karaite attacks on Shi‘ur Qoma literature are old, going back to the tenth-­century Karaite author Salmon ben Yeruḥim, Milḥamoth Adonai (ed. Israel Davidson, New York, 1934, p. 125). Note that in addition to the Karaite opposition, there were also Rabbanite authors that fiercely attacked Shi‘ur Qoma literature, most prominently Maimonides, who writes that it is a great deed “to erase this book, and cut off any memory of it” (Responsa of Maimonides, ed. J. Blau, Jerusalem: Meqiẓé Nirdamim, 1958, §117, pp. 200 f.). [↑](#footnote-ref-155)
156. This statement of R. Ishmael appears in the Babylonian Talmud, Berakhoth 7a. [↑](#footnote-ref-156)
157. Following MSS B and C; Ed. Neubauer and MS A erroneously read ס"ו. [↑](#footnote-ref-157)
158. This is the reading (אלהיו) in all MSS and in Ed. Neubauer, but the biblical verse has אלהים. [↑](#footnote-ref-158)
159. There is a whole section of this tractate devoted to theological traditions and discussions, on folios 11b–16a. [↑](#footnote-ref-159)
160. Cf. traditions in the Babylonian Talmud, ‘Avoda Zara 3b. [↑](#footnote-ref-160)
161. Following all MSS; Ed. Neubauer has והם. [↑](#footnote-ref-161)
162. Following all MSS; Ed. Neubauer has כשאר. [↑](#footnote-ref-162)
163. Following MSS B and C, and the biblical verse; MS A and Neubauer have ויחפאו דברים בני ישראל, though in MS a there are dots above the words דברים and ישראל, which seem to indicate reversing the order of the words. [↑](#footnote-ref-163)
164. This tradition is found in the Babylonian Talmud, Berakhoth 3a. [↑](#footnote-ref-164)
165. Babylonian Talmud, Sanhedrin 65b. [↑](#footnote-ref-165)
166. Following all MSS (though the form of the kaf is not 100% clear in MS A); Ed. Neubauer reads בפי. [↑](#footnote-ref-166)
167. The spelling with vav follows the text in all manuscripts and in Neubauer. Though this spelling, with the pronunciation גֵּיהִנּוֹם, is common today, it is quite unusual and surprising for the early 18th century, when the usual spelling would have been גיהנם, with the pronunciation גֵּיהִנָּם, with qameẓ. Today’s spelling and pronunciation of the word became common only in the later 18th and early 19th century, and even then mainly only in Ashkenazic circles. [↑](#footnote-ref-167)
168. Following all MSS (and the biblical verse); Ed. Neubauer prints אדם, without the initial hé. [↑](#footnote-ref-168)
169. Following all MSS; Ed. Neubauer has מגיהנם, but the spelling with vav is consistent with the earlier appearance of the word in Levush Malkhuth. [↑](#footnote-ref-169)
170. Babylonian Talmud, Bava Bathra 75a. [↑](#footnote-ref-170)
171. Babylonian Talmud, Ta‘anith 31a. [↑](#footnote-ref-171)
172. Following the vocalization in all MSS (A,C: אֵה; B: אֵי). [↑](#footnote-ref-172)
173. This whole story is from the Babylonian Talmud, Bava Meẓi‘a 86a. [↑](#footnote-ref-173)
174. Babylonian Talmud, Ḥullin 60b. [↑](#footnote-ref-174)
175. This is found not in Tractate ‘Eruvin, but rather in the Babylonian Talmud, Pesaḥim 108b. [↑](#footnote-ref-175)
176. There are many rabbinic texts that tell stories of Moses’s death; it would be worthwhile to conduct a detailed study of the relationship between the account in Levush Malkhuth with the various versions. The casual reader would do well to compare the story in Levush Malkhuth to the standard printed editions of Deuteronomy Rabbah, Ve-­zoth Ha-­berakha §10. [↑](#footnote-ref-176)
177. In a number of textual witnesses, the word תצר is explained by a gloss: “כמו תפצר”. This gloss appears in parentheses in MS A and Ed. Neubauer, and in the margin in MS C. However, it does not appear at all in MS B, and appears not to be part of the original text of Levush Malkhuth, so we have not included it above. [↑](#footnote-ref-177)
178. Following MSS B and C (and the biblical verse); MS A and Ed. Neubauer have “ונגולו השמים כספר”, though MS A has dots above the words to indicate that the order should be reversed. [↑](#footnote-ref-178)
179. All textual witnesses read חלונו, but this yields nonsense; the reading that we have printed, חלוקו, is our own emendation. [↑](#footnote-ref-179)
180. Following all MSS; Ed. Neubauer reads והביא. [↑](#footnote-ref-180)
181. Following all MSS; Ed. Neubauer (here and in the next sentence) reads גיהנם. [↑](#footnote-ref-181)
182. All MSS and Ed. Neubauer read ḥallono, “his window,” but this seems to be an error for ḥaluqo, “his cloak,” a difference of only a single letter in Hebrew. [↑](#footnote-ref-182)
183. Isaiah 57:21. [↑](#footnote-ref-183)
184. Following MSS B and C; MS A has זגנזגאל here, and גזנזגאל in the next sentence; Ed. Neubauer hasוגנזגאל here, and גזנזגאל in the next sentence. [↑](#footnote-ref-184)
185. Apparently the same as Gazanzag’el; in fact, MS A reads “Gazanzag’el” here. [↑](#footnote-ref-185)
186. This is a reference to liturgical poems that were formerly recited in some Rabbanite communities on Simḥath Tora (observed on the second day of Shemini ‘Aẓereth, and thus at the end of the Festival of Sukkoth). For an example of one such composition, “Omen She-­lo Qam Kemotho,” attributed to the seventh-­century poet R. Eleazar b. Qillir, see Chaim Brody, Qoveẓ ‘Al Yad N. S. 1 (11), 1936, pp. 8 ff. [↑](#footnote-ref-186)
187. Following MSS B and C; Ed. Neubauer and MS A have מיתתה (word division uncertain). [↑](#footnote-ref-187)
188. Following MSS B and C. The reading in MS A and Ed. Neubauer is עליך, “[I will lean] on you.” Note that עליה (found in MSS B and C) construes the noun חרב as feminine, as it usually is in Hebrew, even though the author uses the masculine, עליו, to refer to it in the next sentence. Such inconsistencies in gender are not uncommon in eighteenth-century Hebrew. (It is unlikely that the word עליו refers to the angel, rather than the sword.) [↑](#footnote-ref-188)
189. This story is found in the Babylonian Talmud, Kethubboth 77b. [↑](#footnote-ref-189)
190. Following all MSS (דיוקנו); Ed. Neubauer reads דקיונו. [↑](#footnote-ref-190)
191. Following B and C. In MS A, the word is written in abbreviated form: אמ'; Ed. Neubauer reads אמר. [↑](#footnote-ref-191)
192. Following Ed. Neubauer and all MSS of Levush Malkhuth; the biblical text reads: ויהי דוד. [↑](#footnote-ref-192)
193. Perhaps this should be vocalized לְאֻמַּת; however, none of the texts spell the word with a vav, לאומת, which we would expect if that were the intention; and the phrase “אומת ישראל” is not a common name for the Jewish people. [↑](#footnote-ref-193)
194. Ed. Neubauer here gives a reference to [יחזק' לג'], which is incorrect. MS A gives some reference to Ezekiel in the margin, but the chapter number is unclear. MSS B and C have no reference here. In any event, in all sources, the verse (37:7) is quoted somewhat inexactly, probably from memory. [↑](#footnote-ref-194)
195. The standard rabbinic meaning of “to pull out one’s foreskin” is not masturbation, but undergoing an operation to un­do the effects of one’s circumcision. Adam is said to have done so in the Babylonian Talmud, Sanhedrin 38a. [↑](#footnote-ref-195)
196. Babylonian Talmud, Sanhedrin 70a. [↑](#footnote-ref-196)
197. In the Babylonian Talmud, Shabbath 156a, it says that Abraham saw foretold in the stars that he would never be able to sire children, and God told him to leave his astrology. [↑](#footnote-ref-197)
198. See Targum Pseudo-­Jonathan to Genesis 27:31. [↑](#footnote-ref-198)
199. This is a strange allegation against Rabbanite statements, for Scripture itself says that Jacob did this (Genesis 30:37 ff.). [↑](#footnote-ref-199)
200. Babylonian Talmud, Soṭa 36b. [↑](#footnote-ref-200)
201. Genesis Rabbah 84:7. [↑](#footnote-ref-201)
202. See Babylonian Talmud, Mo‘ed Qaṭan 18b. [↑](#footnote-ref-202)
203. See Tanḥuma ed. Buber, Parashath Pequdé, §4. [↑](#footnote-ref-203)
204. Babylonian Talmud, Sanhedrin 8a. [↑](#footnote-ref-204)
205. Babylonian Talmud, Berakhoth 32a. [↑](#footnote-ref-205)
206. Cf. Rashi on Exodus 32:4. [↑](#footnote-ref-206)
207. Babylonian Talmud, Megilla 3a. This source mentions only the failure to offer the daily sacrifice and the neglect of Torah study. The claim in Levush Malkhuth that the Rabbanites say that Joshua violated the Sabbath in Jericho seems to be based on the statement in the Palestinian Talmud, Shabbath 1:8, that Joshua’s conquest of Jericho was on the Sabbath. (However, the passage in the Palestinian Talmud says that this was not a sin at all; rather, it is permitted to continue a siege on the Sabbath, if one has begun it before the Sabbath.) [↑](#footnote-ref-207)
208. This is based on a statement in the Babylonian Talmud, where it states that Phineas managed to stab the two sinners through their genitalia, and that the two remained skewered on the spear. However, it seems that Phineas was not yet a priest, for he is granted priesthood only several verses later, in Numbers 25:13. In a tradition parallel to that of the Babylonian Talmud, in Targum Pseudo-­Jonathan to Numbers 25:8, it is stated that Phineas was already a priest, but that Zimri and Cozbi remained alive until he put down the spear, so he did not contract corpse-­impurity. [↑](#footnote-ref-208)
209. This claim is not known from any source other than Levush Malkhuth. In fact, the Babylonian Talmud, Sanhedrin 19b, says just the opposite. [↑](#footnote-ref-209)
210. Babylonian Talmud, Yevamoth 103a. [↑](#footnote-ref-210)
211. Babylonian Talmud, Berakhoth 31b. [↑](#footnote-ref-211)
212. This claim is not known from any source other than Levush Malkhuth. [↑](#footnote-ref-212)
213. Babylonian Talmud, Yoma 22b. [↑](#footnote-ref-213)
214. Babylonian Talmud, Sanhedrin 107a. [↑](#footnote-ref-214)
215. Babylonian Talmud, Bava Bathra 16a. [↑](#footnote-ref-215)
216. Babylonian Talmud, Yoma 44b. [↑](#footnote-ref-216)
217. Hebrew reads “Bar Sira;” but our translation follows the English (and usual Hebrew) convention. [↑](#footnote-ref-217)
218. This story does not appear in any rabbinic text, but in The Alphabet of Ben Sira, a medieval Jewish text that is hardly any more Rabbanite than it is Karaite. The text is printed in Judah D. Eisenstein’s anthology, Oẓar Ha-­midrashim, New York, 1915, pp. 35–50; the relevant story is on p. 43. [↑](#footnote-ref-218)
219. Ed. Neubauer here reads “Ezekiel 33” (which is incorrect). MS A gives some reference to Ezekiel, in the margin, but the chapter number is unclear. MSS B and C have no reference here. In any event, in all sources, the verse (37:7) is quoted somewhat inexactly, probably from memory. [↑](#footnote-ref-219)
220. In fact, Rabbanite sources say this about Nebuchadnezzar, not about Ezekiel; our author has gotten somewhat confused. See Babylonian Talmud, Sanhedrin 92b, and Rashi’s commentary thereon, s.v. ובאו עצמות. [↑](#footnote-ref-220)
221. Babylonian Talmud, Megilla 13b. [↑](#footnote-ref-221)
222. “The Great Hallel” (הלל הגדול) is the Karaite name for the Sabbath before Passover. Rabbanites use a similar name for this Sabbath: “The Great Sabbath” (שבת הגדול). [↑](#footnote-ref-222)
223. These words, which mean “the sun shines”, are a chronogram, indicating [5]615, that is, 1855 CE. [↑](#footnote-ref-223)
224. This concluding section is the colophon of the manuscript that Neubauer used. It is not by the author, but by the copyist. MSS A and C have different colophons; MS B has no colophon. [↑](#footnote-ref-224)