

HALAKHA

One who is not commanded to do so and performs a mitzva – אינה מצווה ועושה – A woman is not commanded to learn Torah. However, if she does learn Torah, she is rewarded as one who performs a mitzva in which one is not obligated (Rambam *Sefer HaMadda, Hilkhot Talmud Torah* 1:1, 13; *Shulhan Arukh, Yoreh De'a* 246:6).

NOTES

This is referring to the time of death – זו מיתה – Some commentaries explain that the Torah one learns protects one from a painful death. Others explain that it protects one from punishment in the grave. The Meiri explains that the Torah watches over one's soul in heaven between death and the time to come after the resurrection of the dead.

Of the thorns and of the pits, etc. – מן הקוצים ומן הפחיתים וכו' – These represent three types of spiritual dangers that one encounters during one's lifetime. Thorns, pits, and thistles are obstacles one encounters while walking; they allude to worldly temptations that do not entice one unless one engages in them of his own accord. Thieves and wild animals represent dangers that creep up on a person; they allude to wicked individuals who might persuade one to follow evil paths. The third danger, losing one's way, alludes to the fundamental question of whether one is following the right path in life (Rabbi David Luria).

הן תהיו ארכא לשלותך, וכתוב: "כלא מטא על נבוכדנצר מלכא", וכתוב: "לקצת ירחין תרי עשר!"

לעולם רבי ישמעאל, ואשבח קרא דאמר ותני, דכתוב: "כה אמר ה' על שלשה פשעי אדם."

ומאי אף על פי שאין ראיה לדבר זכר לדבר? דלמא שאני גוים, דלא מפקיד דנא עליהו.

"ויש זכות תולה שלש שנים" כו'. זכות דמאי? אילימא זכות דתורה – הא אינה מצווה ועושה היא! אלא זכות דמצוה,

זכות דמצוה מי מגנא כולי האי והתניא, את זו דרש רבי מנחם בר יוסי: "פי גר מצוה ותורה אור" – תלה הפתוב את המצוה בגר ואת התורה באור. את המצוה בגר, לומר לך: מה גר אינה מגינה אלא לפי שעה, אף מצוה אינה מגינה אלא לפי שעה.

ואת התורה באור, לומר לך: מה אור מגין לעולם, אף תורה מגינה לעולם. ואומר: "בהתהלךך תנחה אתך" וגו'. "בהתהלךך תנחה אתך" – זה העולם הזה; "בשכבך תשמור עליך" – זו מיתה; "והקיצות היא תשיחך" – לעתיד לבא.

משל לאדם שהיה מהלך באישון לילה ואפילה, ומתירא מן הקוצים ומן הפחיתים ומן הברקנים ומחיה רעה ומן הלסטין, ואינו יודע באיזה דרך מהלך.

and then there shall be an extension to your tranquility" (Daniel 4:24). And it is written: "All this came upon King Nebuchadnezzar" (Daniel 4:25), and it is written in the following verse that this occurred: "At the end of twelve months" (Daniel 4:26). None of the opinions in the *baraita* are in accordance with the mishna's statement that merit can delay punishment for up to three years.

The Gemara answers: **Actually**, the mishna is in accordance with the opinion of Rabbi Yishmael, who states that merit delays punishment for one year, and he found a verse which states and repeats the possibility that punishment can be delayed, indicating that merit can delay punishment up to three times, as it is written: "Thus says the Lord: For three transgressions of Edom, yes, but for four, I will not reverse it" (Amos 1:11). Punishment can therefore be delayed for three consecutive periods of one year.

The Gemara asks: **And what does Rabbi Yishmael mean by stating: Although there is no explicit proof for the concept of merit delaying punishment for twelve months, there is an allusion to the concept?** The verses he cites state explicitly that punishment can be delayed for twelve months. The Gemara answers: The proof is not explicit, as **perhaps gentiles are different, as swift judgment is not administered upon them as readily as it is upon the Jewish people, with whom God is more precise in executing judgment.**

§ The mishna states: **And there is a merit that delays punishment for three years.** The Gemara asks: **Which merit** can delay the punishment of a *sota*? **If we say it is the merit of the Torah** that she has studied; **but a woman who studies Torah is one who is not commanded to do so and performs a mitzva,**^h whose reward is less than that of one who is obligated? Therefore, it would be insufficient to suspend her punishment. **Rather, perhaps it is the merit of a mitzva** that she performed.

The Gemara asks: **Does the merit of a mitzva protect one so much as to delay her punishment? But isn't it taught in a baraita: Rabbi Menahem bar Yosei interpreted this verse homiletically: "For the mitzva is a lamp and the Torah is light" (Proverbs 6:23). The verse associates the mitzva with a lamp and the Torah with the light of the sun. The mitzva is associated with a lamp in order to say to you: Just as a lamp does not protect one by its light extensively but only temporarily, while the lamp is in one's hand, so too, a mitzva protects one only temporarily, i.e., while one is performing the mitzva.**

And the Torah is associated with light in order to say to you: Just as the light of the sun protects one forever, so too, the Torah one studies protects one forever; and it states in the previous verse with regard to the Torah: "When you walk, it shall lead you; when you lie down, it shall watch over you; and when you awake, it shall talk with you" (Proverbs 6:22). The Gemara explains: "When you walk, it shall lead you"; this is referring to when one is in this world. "When you lie down, it shall watch over you"; this is referring to the time of death,ⁿ when one lies in his grave. "And when you awake, it shall talk with you"; this is referring to the time to come after the resurrection of the dead. The Torah that one studies protects and guides him both in this world and in the next world.

This can be illustrated by a parable, as it is comparable to a man who is walking in the blackness of night and the darkness, and he is afraid of the thorns, and of the pits,ⁿ and of the thistles, which he cannot see due to the darkness. And he is also afraid of the wild animals and of the bandits that lurk at night, and he does not know which way he is walking.

A transgression extinguishes the merit of a mitzva – עֵבִירָה מְכַבֵּה מִצְוָה: This does not mean that one's mitzvot are offset by one's transgressions, as the reward for one's mitzvot always remains. Rather, it means that one's mitzvot will not be sufficient to protect one from punishment, due to the punishment one deserves for his transgressions (Meiri).

Doeg and Ahithophel, did they not engage in the study of Torah – דּוֹעַג וְאַחִיתוֹפֵל מִי לֹא עָסְקוּ בַתּוֹרָה: Ahithophel's wisdom is mentioned explicitly in the Bible, while the description of Doeg as: "The chief of the herdsman of Saul" (I Samuel 21:8), is interpreted by the Sages as referring to the fact that he was head of the Sanhedrin. The Gemara (*Sanhedrin* 106b) describes his vast wisdom and Torah knowledge. Although the Gemara concludes that Torah study protects one from misfortune even when one is not engaged in it, the Maharsha explains that Doeg and Ahithophel were not saved from an untimely death, as the Torah protects one only from suffering but not from death. Some commentaries add that the merit of their Torah study did not extend their life, as an early death is beneficial to the wicked because it saves them from further sin (*Torat HaKenaot*).

Causing their sons to read the Written Torah and to learn the Mishna – דִּמְקָרְוּ וּמְתַנִּיין בְּנֵיהֶם: The Gemara refers to the mothers causing their sons to study Torah and Mishna, but not to studying Talmud. The reason for this is that when the children are young, it is the mother who persuades and entices them to go and study even when they are reluctant to go. However, once they are older and reach the age of studying Talmud, it is the father who generally uses his authority to ensure that they continue learning (*Iyyun Ya'akov*).

HALAKHA

Granted, she is not commanded to study Torah herself, etc. – נְהִי דְפָקְדֵי לָא מִפְקֵדָא וְכוּ': If a *sota* has the merit of Torah study, even though she is not commanded to study, this merit delays her punishment and she does not die immediately. The *Arukh HaShulhan* explains that the Rambam is referring to the merit of Torah that she acquired by assisting her sons and her husband to study, as explained by Ravina (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:20; *Arukh HaShulhan*, *Even HaEzer* 178:66).

If a torch of fire comes his way, which is analogous to a mitzva, he is safe from the thorns and from the pits and from the thistles, but he is still afraid of the wild animals and of the bandits, and still does not know which way he is walking. Once the light of dawn rises, which is analogous to Torah study, he is safe from the wild animals and from the bandits, which no longer roam the roads, but he still does not know which way he is walking. If he arrives at a crossroads and recognizes the way, he is saved from all of them.

Alternatively, the verse associates the mitzva with a lamp and the Torah with the light of the sun in order to teach that a transgression extinguishes the merit of a mitzvaⁿ one performed, but a transgression does not extinguish the merit of the Torah one studied, as it is stated: "Many waters cannot extinguish the love, neither can the floods drown it" (Song of Songs 8:7). The Torah is compared to love several times in the Song of Songs. One can conclude from the *baraaita* that the merit of performing a mitzva is insufficient to suspend punishment.

Rav Yosef said that with regard to a mitzva, at the time when one is engaged in its performance it protects one from misfortune and saves one from the evil inclination; at the time when one is not engaged in its performance, it protects one from misfortune but it does not save one from the evil inclination. With regard to Torah study, both at the time when one is engaged in it and at the time when one is not engaged in it, it protects one from misfortune and saves one from the evil inclination. Therefore, the merit of the woman's mitzvot does protect her from misfortune and delay her punishment.

Rabba objects to this explanation: If that is so, then with regard to Doeg (see I Samuel, chapters 21–22) and Ahithophel (see II Samuel, chapter 16), who were both wise scholars despite their wickedness, did they not engage in the study of Torah?ⁿ Why did it not protect them from sinning? Rather, Rava said: With regard to Torah study, at the time when one is engaged in it, it protects one from misfortune and saves; at the time when one is not engaged in it, it protects one from misfortune but it does not save one from the evil inclination. With regard to a mitzva, both at the time when one is engaged in its performance and at the time when one is not engaged in its performance, it protects one from misfortune but it does not save one from the evil inclination.

Ravina said: Actually, the merit that delays the punishment of the *sota* is the merit of Torah study, and with regard to that which you say, i.e., that she is not commanded to do so and performs a mitzva, the mishna is not referring to the merit of her own Torah study. Granted, she is not commanded to study Torah herself;^h however, in reward for causing their sons to read the Written Torah and to learn the Mishna,ⁿ and for waiting for their husbands until they come home from the study hall, don't they share the reward with their sons and husbands? Therefore, if the *sota* enabled her sons and husband to study Torah, the merit of their Torah study can protect her and delay her punishment.

With regard to the aforementioned parable, the Gemara asks: What is the meaning of the crossroads, which provide clarity? Rav Hisda says: This is referring to a Torah scholar and his day of death. Due to his continued commitment to the Torah, when the time comes for him to die, it is clear to him that he will go to the place of his eternal reward. Rav Nahman bar Yitzhak says: This is a Torah scholar who has also acquired fear of sin, as his fear of sin guides him to the correct understanding of the Torah. Mar Zutra says: This is a Torah scholar who reaches conclusions from his discussion in accordance with the *halakha*, as that is an indication that he is following the right path.

נִדְמָנָה לוֹ אֲבוּקָה שֶׁל אֹר, נִיצֵל מִן הַקּוֹצִים וּמִן הַפְּחָתִים וּמִן הַבְּרָקִים, וְעַדִּין מִתִּירָא מִחַיָּה רָעָה וּמִן הַלֵּיסְטִין וְאִינוּ יוֹדְעַי בְּאִיזָה דְרֶךְ מְהַלֵּךְ. כִּיּוֹן שֶׁעֲלָה עִמּוּד הַשָּׁחַר נִיצֵל מִחַיָּה רָעָה וּמִן הַלֵּיסְטִין, וְעַדִּין אִינוּ יוֹדְעַי בְּאִיזָה דְרֶךְ מְהַלֵּךְ. הַגֵּיעַ לְפָרֶשֶׁת דְרֹכִים נִיצֵל מִכּוֹלָם.

דָּבָר אַחֵר: עֵבִירָה מְכַבֵּה מִצְוָה, וְאִין עֵבִירָה מְכַבֵּה תּוֹרָה, שְׁנֵאָמַר: "מִים רַבִּים לֹא יוֹכְלוּ לְכַבּוֹת אֶת הָאֵהָבָה!"

אָמַר רַב יוֹסֵף: מִצְוָה, בְּעִידָנָא דְעָסִיק בָּהּ – מְגַנָּא וּמְצַלָּא; בְּעִידָנָא דְלֹא עָסִיק בָּהּ – אֲגוּנֵי מְגַנָּא, אֲצוּלֵי לֹא מְצַלָּא. תּוֹרָה, בֵּין בְּעִידָנָא דְעָסִיק בָּהּ וּבֵין בְּעִידָנָא דְלֹא עָסִיק בָּהּ – מְגַנָּא וּמְצַלָּא.

מְתַקִּיף לָהּ רַבָּה: אֵלָא מִעֲתָה, דּוֹאָג וְאַחִיתוֹפֵל מִי לֹא עָסְקוּ בַתּוֹרָה? אֲמַאי לֹא הִגִּינָה עֲלֵיהֶוּ? אֵלָא אָמַר רַבָּא: תּוֹרָה, בְּעִידָנָא דְעָסִיק בָּהּ – מְגַנָּא וּמְצַלָּא. בְּעִידָנָא דְלֹא עָסִיק בָּהּ – אֲגוּנֵי מְגַנָּא, אֲצוּלֵי לֹא מְצַלָּא. מִצְוָה, בֵּין בְּעִידָנָא דְעָסִיק בָּהּ וּבֵין בְּעִידָנָא דְלֹא עָסִיק בָּהּ – אֲגוּנֵי מְגַנָּא, אֲצוּלֵי לֹא מְצַלָּא.

רַבִּינָא אָמַר: לְעוֹלָם זְכוּת תּוֹרָה, וְדִקְאָמְרַתְ אִינָה מִצְוָה וְעוֹשָׂה, נְהִי דְפָקְדֵי לֹא מִפְקֵדָא, בְּאִגְרָא דְמְקָרְוּ וּמְתַנִּיין בְּנֵיהֶוּ וְנִטְרָן לְהוּ לְגַבְרֵיהֶוּ עַד דְאָתוּ מִבֵּי מְדַרְשָׁא, מִי לֹא פְלָגָן בְּהַדִּיחָהּ?

מֵאִי פְרָשֶׁת דְרֹכִים? אָמַר רַב חֲסָדָא: זֶה תְּלִמִיד חָכֵם וְיוֹם מִיתָהּ. רַב נַחְמָן בַּר יִצְחָק אָמַר: זֶה תְּלִמִיד חָכֵם וְיָרָאת חֲטָא. מַר זוּטְרָא אָמַר: זֶה תְּלִמִיד חָכֵם דְסִלְקָא לֵיהּ שְׂמֵתָתָא אֲלֵיבָא דְהַלְבָּתָא.

They would not have pursued David – לֹא רָדְפוּ בְּתֵר דָּוִד: The Rosh notes that actually, the Gemara's statement applies only to Ahithophel. Doeg's name should not appear here, since according to the Gemara elsewhere, Doeg was no longer alive at the time that the incident involving David and Bathsheba occurred. Ahithophel was still alive at the time, and in fact Bathsheba was his granddaughter (*Tosefot HaRosh*).

Shevna – שֶׁבְנָא: *Tosefot HaRash* cites Rabbeinu Tam, who says that the name here should actually read: Shekhna, as the Shevna mentioned in the Bible was wicked, and it is improper to name one's child after a wicked person. Others disagree, noting that there were two individuals by the name of Shevna, and one of them was not wicked. Therefore, the name may be used in naming the child after the other Shevna.

If a man would give all the fortune of his house – אִם יִתֵּן: The Gemara distinguishes between one who financially assists another to learn Torah, and one who wishes to acquire the reward for the Torah that another already studied under difficult financial conditions. One who assists another to learn does share in the merit of his Torah study; by contrast, after one has already learned Torah without assistance, his merit cannot be bought, and even entertaining the thought that it could be bought is worthy of condemnation (*Iyyun Ya'akov*).

PERSONALITIES

Shimon brother of Azarya – שִׁמְעוֹן אָחִי עֲזַרְיָה: Shimon, brother of Azarya, was a *tanna* who lived at the time of the destruction of the Temple, and he is mentioned several times in the Mishna. According to the Rambam, the Azariah mentioned here was the father of Rabbi Elazar ben Azarya. Azarya was a Torah scholar, but he was also very wealthy, and he supported his brother Shimon, who was a greater Torah scholar. Despite the fact that Shimon was a greater scholar, he is known as the brother of Azarya because Azarya supported him (see *Vayikra Rabba* 25:1).

Rabbi Yohanan of the house of the *Nasi* – רַבִּי יוֹחָנָן דְּבֵי – נְשִׂיאָה: Apparently, this is referring to a poverty-stricken scholar unknown to us, who was known by this appellation because the house of the *Nasi* supported him and enabled him to learn Torah. It is unlikely that this is referring to the great *amora* Rabbi Yohanan, as he sold all his vast possessions in order to devote himself to Torah study. In fact, the *Pesikta DeRav Kahana* (27:1) cites the verse mentioned here: "If a man would give all the fortune of his house for love" (Song of Songs 8:7), in reference to Rabbi Yohanan.

דָּבָר אַחֵר: עֲבִירָה מְכַבֶּה מִצְוָה, וְאִין עֲבִירָה מְכַבֶּה תּוֹרָה. אָמַר רַב יוֹסֵף: דְּרִישִׁיה רַבִּי מְנַחֵם בְּרַי יוֹסֵי לְהָאִי קִרְיָא כִּי סִינֵי, וְאִלְמָלָא דְרִישִׁיה דּוּאֵג וְאַחִיתוּפֵל הָכִי, לֹא רָדְפוּ בְּתֵר דָּוִד, דְּכַתְּבִיב: "לֹא מִר אֱלֹהִים עֲוֹבוּ" וּגו'.

מֵאִי דְרוּשׁ? "וְלֹא יִרְאֶה בְּךָ עֲוֹת דְּבָר" וּגו', וְהֵן אִינְן יוֹדְעִין, שְׁעֲבִירָה מְכַבֶּה מִצְוָה וְאִין עֲבִירָה מְכַבֶּה תּוֹרָה.

מֵאִי "בּוֹז יִבּוּזוּ לוֹ"? אָמַר עוּלָא: לֹא כְּשִׁמְעוֹן אָחִי עֲזַרְיָה, וְלֹא כְּרַבִּי יוֹחָנָן דְּבֵי נְשִׂיאָה.

אֲלֵא כְּהִלֵּל וְשֶׁבְנָא. דְּכִי אֲתָא רַב דִּימִי אָמַר: הִלֵּל וְשֶׁבְנָא אֲחִי הוּוּ. הִלֵּל עָסַק בְּתוֹרָה, שֶׁבְנָא עָבַד עִיסְקָא. לְסוּף אָמַר לִיה: תָּא נְעֻרֹב וְלִיפְלוּג. יִצְתָּה בֵּת קוּל וְאִמְרָה: "אִם יִתֵּן אִישׁ אֶת כָּל הוֹן בֵּיתוֹ" וּגו'.

The *baraita* states: **Alternatively: A transgression extinguishes the merit of a mitzva, but a transgression does not extinguish the merit of the Torah.** Rav Yosef says: Rabbi Menaḥem bar Yosei interpreted this verse as it was given on Mount Sinai, and had Doeg and Ahithophel only interpreted it in this way they would not have pursued David,^N as it is written: "For my enemies speak concerning me... saying, God has forsaken him; pursue and take him, for there is none to deliver" (Psalms 71:10–11). Doeg and Ahithophel incorrectly thought that since David had sinned, his sins had extinguished his merits and God had forsaken him.

The Gemara asks: **What verse did Doeg and Ahithophel interpret incorrectly, causing them to err?** They interpreted this verse: "For the Lord your God walks in the midst of your camp...to give up your enemies before you... that He see no licentious matter in you, and turn away from you" (Deuteronomy 23:15), to indicate that God turns away from one who engaged in forbidden relations, and since David had sinned with Bathsheba God must have turned away from him. **But they did not know that a transgression extinguishes the merit of a mitzva, but a transgression does not extinguish the merit of the Torah.**

The Gemara interprets the continuation of the verse cited by the *baraita* with regard to Torah study: **What is the meaning of:** "Many waters cannot extinguish the love...if a man would give all the fortune of his house for love, he would utterly be condemned" (Song of Songs 8:7)? The Torah is compared to love several times in the Song of Songs. Therefore, the verse indicates that one cannot acquire a share in the reward for Torah study with money. Ulla says: The verse is **not** speaking of individuals like Shimon, brother of Azarya,^P whose brother Azarya supported him and enabled him to study Torah. **And it is not** speaking of individuals like Rabbi Yohanan of the house of the *Nasi*,^P whom the *Nasi* supported so that he could study Torah.

Rather, it is speaking of individuals like Hillel and Shevna,^N as when Rav Dimi came^B to Babylonia he said: Hillel and Shevna were brothers; Hillel engaged in Torah study and remained impoverished, whereas Shevna entered into a business venture and became wealthy. **In the end, Shevna said to Hillel: Come, let us join our wealth together and divide it between us; I will give you half of my money and you will give me half of the reward for your Torah study.** In response to this request a Divine Voice issued forth and said: "If a man would give all the fortune of his house^N for love, he would utterly be condemned" (Song of Songs 8:7).

BACKGROUND

When Rav Dimi came – כִּי אֲתָא רַב דִּימִי: Rav Dimi was one of the Sages of Eretz Yisrael who would often travel to Babylonia, primarily in order to transmit the Torah learned in the study halls of Eretz Yisrael to the Torah centers of the Diaspora, although occasionally he traveled on business as well. Many questions,

particularly those concerning the opinions of the Sages of Eretz Yisrael, remained unresolved in Babylonia until one of these messengers from Eretz Yisrael arrived and elucidated the *halakha*, explained a novel expression, or clarified the unique circumstances pertaining to a particular statement.

Perek III

Daf 21 Amud b

"אוֹמֵר בֶּן עֲזַאי: חַיִּיב אָדָם לְלַמֵּד אֶת וְכו'. רַבִּי אֱלִיעֶזֶר אוֹמֵר: כָּל הַמְלַמֵּד אֶת בֵּתוֹ תּוֹרָה מְלַמְּדָה תִּפְלוּת." תִּפְלוּת סְלִיקָא דְעֵתְךָ? אֲלֵא אִימָא: כְּאִילוּ לְמַדָּה תִּפְלוּת.

S The mishna states: From here ben Azzai states: **A person is obligated to teach his daughter Torah, so that if she drinks and does not die immediately, she will know that some merit of hers has delayed her punishment.** Rabbi Eliezer says: **Anyone who teaches his daughter Torah is teaching her promiscuity.** The Gemara asks: **Could it enter your mind to say that teaching one's daughter Torah is actually teaching her promiscuity? Rather, say: It is considered as if he taught her promiscuity.**

Rabbi Eliezer says: What is the reason for Rabbi Eliezer's statement? It is as it is written: "I, wisdom, dwell with cunning" (Proverbs 8:12), which indicates that once wisdom enters into a person, cunning enters with it.^N Rabbi Eliezer fears that the woman will use the cunning she achieves by learning the wisdom of the Torah to engage in promiscuous behavior.

The Gemara asks: And the Rabbis who disagree with him, what do they do with this verse: "I, wisdom, dwell with cunning [orma]"; how do they interpret it? The Gemara responds: He requires that verse for that which Rabbi Yosei, son of Rabbi Hanina, states, interpreting the word "orma" as nakedness rather than cunningness, as Rabbi Yosei, son of Rabbi Hanina, says: The matters of Torah do not endure except in one who stands naked for them,^N as it is stated: "I, wisdom, dwell with nakedness [orma]" (Proverbs 8:12). This means that wisdom dwells only in one who is prepared to give away all of his possessions for the sake of Torah study. Rabbi Yoḥanan says: The matters of Torah do not endure except in one who considers himself as one who does not exist, as it is stated: "But wisdom, it can be found in nothingness" (Job 28:12).

§ The mishna states that Rabbi Yehoshua says: A woman desires to receive the amount of a kav of food and a sexual relationship rather than to receive nine kav of food and abstinence. The Gemara asks: What is he saying? This is what Rabbi Yehoshua is saying: A woman desires to receive the amount of a kav of food and with it a sexual relationship,^N i.e., her husband's availability to fulfill her sexual desires, rather than nine kav of food and with it abstinence, and since her desires are of a sexual nature, it is undesirable for her to study Torah.

§ The mishna continues: He, Rabbi Yehoshua, would say: A foolish man of piety,^N and a conniving wicked person, and an abstinent woman, and those who injure themselves out of false abstinence; all these are people who erode the world. The Gemara asks: Who is considered a foolish man of piety? For example, it is one who sees that a woman is drowning^N in a river, and he says: It is not proper conduct to look at her while she is undressed and save her.

NOTES

Cunning enters with it – נבנקה עמו ערמומית: According to Rashi, who explains the term *tiflut* as referring to licentious behavior, the connection between cunning and *tiflut* is that a woman might use the ingenuity she achieves by learning Torah in order to hide her immorality. The Meiri, who explains *tiflut* as meaning worthless matters, interprets the connection differently. Although she attains a little wisdom by learning Torah, she comprehends her studies only partially. Yet she believes herself to have understood fully, and attempts to show off her wisdom to all.

One who stands naked for them – מי שמעמיד עצמו ערום עליהן: Rashi, in his first interpretation, explains that this statement refers to one who relinquishes all his possessions in order to acquire wisdom. The Meiri adds that only when one does not care at all about physical possessions can he be sure that nothing will prevent him from learning. In his second interpretation, Rashi explains that in order to attain the wisdom of the Torah, one must view himself as bare and devoid of all knowledge, as this enables him to learn from everyone, even from those of lesser stature. The Meiri offers an alternative explanation as well, suggesting that Rabbi Yosei, son of Rabbi Hanina, also interprets *orma* in the sense of cunning and states that the matters of Torah do not endure except in one who renders himself cunning for them. One must use cunning in order to discover the methods and techniques of learning that best suit him. For example, some memorize their learning through repetition, but there are others who find other methods more efficient.

The amount of a kav of food and with it a sexual relationship,

etc. – בקב ותפלות עמו וכו': Women generally prefer a less luxurious lifestyle that involves more sexual intercourse to a life of greater luxury that involves a lack of sexual intercourse, possibly due to a husband's extended absences from home for work. *Tosafot* cite Rabbeinu Hananel, who illustrates this concept by means of a halakhic ruling. The Gemara states elsewhere that a donkey driver may not become a camel driver without his wife's consent, since although a camel driver earns more than a donkey driver, he arrives home less frequently. Alternatively, the Meiri explains that a woman generally prefers that her husband attain only minimal knowledge of Torah and be at home with her, rather than attain great wisdom but be distant from her.

A foolish man of piety – חסיד שוטה: Also included in this category are those whose concepts of piety cause them to neglect mitzvot that are incumbent upon them, and those who behave with exaggerated piety, e.g., one who fasts every single day (Rambam; Meiri).

One who sees that a woman is drowning, etc. – דקא טבעה וכו' איתתא וכו': Some of the commentaries raise the question that this behavior is not merely foolish but wicked, as the Torah explicitly obligates one to save those whose lives are in danger, as stated in the verse: "You shall not stand idly by the blood of your neighbor" (Leviticus 19:16). The commentaries therefore explain that the Gemara is referring to a case where there are others present who can perform the rescue but he, due to his misplaced piety, does not hasten to perform this mitzva (*Minḥa Hareva*; see *Eshel Avraham*).

אמר רבי אבהו: מאי טעמא דרבי אליעזר? דכתיב: "אני חכמה שכנתי ערמה" – מיון שנכנסה חכמה באדם, נכנסה עמו ערמומית.

ורבנן, האי "אני חכמה" מאי עבדי ליה? מיבעי ליה לכדרבי יוסי ברבי חנינא. דאמר רבי יוסי ברבי חנינא: אין דברי תורה מתקיימין אלא במי שמעמיד עצמו ערום עליהן, שנאמר: "אני חכמה שכנתי ערמה". אמר רבי יוחנן: אין דברי תורה מתקיימין אלא במי שמשים עצמו כמי שאינו, שנאמר: "והחכמה מאין תמצא".

"רבי יהושע אומר: רוצה אשה וכו'. מאי קאמר? הדי קאמר: רוצה אשה בקב ותפלות עמו, מתשעת קבין ופרישות.

"הוא היה אומר: חסיד שוטה" וכו'. היכי דמי חסיד שוטה? כגון דקא טבעה איתתא בנהרא, ואמר: לא אורח ארעא לאיסתפולי בה ואצולה.

One who presents his statement to the judge, etc. – **הַמְטָעִים דְּבָרָיו לְדִין וְכוּ**: A judge who hears one litigant when the other litigant is not present transgresses the prohibition: “Do not accept a false report” (Exodus 23:1). The Sages expound this verse to apply to the litigant as well, prohibiting him from presenting his case when the other litigant is not present. The rationale behind this prohibition is that once a judge has heard the argument of one side while the other side is not present, the impression created is likely to remain fixed in his mind, making it difficult for him to accept the arguments of the other side (Rashi). *Ben Yehoyada* adds that the Gemara is not referring to an individual who openly states his case before the judge in this manner, as the judge will not be prepared to listen to him; rather, it refers to one who discusses the particulars of his case with the judge incidentally, or in the course of a Torah discussion.

One who persuades others with his ways – **הַמְכַרֵּיעַ הַמְכָּרִים בְּאוֹרוֹתָיו**: The Maharsha explains that this refers to one who gives advice to others, surreptitiously advising them to perform actions that benefit him and cause loss to others.

BACKGROUND

Gleanings – **לֶקֶט**: The Torah prohibits the owner of a field from gathering individual stalks that fell during the harvest (Leviticus 19:9). Less than three stalks that fell in one place are considered gleanings and belong to the poor.

Forgotten sheaves – **שִׁכְחָה**: If one forgot a sheaf in the field while harvesting, he may not return to collect it, as it must be left for the poor (Deuteronomy 24:19).

Pe'a – **פָּאָה**: The Torah states that one is prohibited from harvesting the produce in the corner of his field; rather, one must allow the poor to collect this produce themselves. The Sages decreed that the area of the corner must be at least one-sixtieth of the field. This mitzva is stated in the Torah (Leviticus 19:9, 23:22), and the details of the mitzva are explained in tractate *Pe'a*.

The poor man's tithe – **מַעֲשֵׂר עָנִי**: During the third and sixth years of the Sabbatical cycle, after one separates *teruma* from his produce, which is given to the priests, and first tithe, which is given to the Levites, one-tenth of the remaining produce is distributed to the poor. During the other years of the Sabbatical cycle, second tithe is separated instead of the poor man's tithe.

הַיְכִי דְמִי רְשָׁע עָרוּם? אָמַר רַבִּי יוֹחָנָן: זֶה הַמְטָעִים דְּבָרָיו לְדִין קוֹדֵם שְׂיָבֵא בְּעַל דִּין חֲבֵרוֹ. רַבִּי אֲבָהוּ אָמַר: זֶה הַגּוֹתֵן דִּינָר לְעַנִּי לְהַשְׁלִים לוֹ מֵאֲתָמִים לוֹ, דְּתַנְּנָן מִי שֵׁישׁ לוֹ מֵאֲתָמִים זֶו – לֹא יִטּוֹל לְקַטְשׁ שְׂכַחָה וּפָאָה וּמַעֲשֵׂר עָנִי. הִיא לֹא מֵאֲתָמִים חֶסֶר דִּינָר – אֲפִילוּ אֶלֶף נוֹתְנִין לוֹ בְּכַחַת הָיִי זֶה יִטּוֹל.

רַבִּי אֲסִי אָמַר רַבִּי יוֹחָנָן: זֶה הַמְשִׂיא עֵצָה לְמִכּוֹר בְּנִבְכָּסִים מוּעָטִין, דְּאָמַר רַבִּי אֲסִי אָמַר רַבִּי יוֹחָנָן: יְתוּמִים שְׂקָדְמוּ וּמִכְרוּ בְּבִבְכָסִים מוּעָטִין, מִה שְׂמָכְרוּ מְכָרוּ.

אֲבַיִי אָמַר: זֶה הַמְשִׂיא עֵצָה לְמִכּוֹר בְּבִבְכָסִים כְּרֵבָן שְׂמַעוֹן בֶּן גְּמְלִיאֵל, דְּתַנְּנָא: “נִבְכְּסִי לְךָ וְאֶחָרִיךְ לְפָלוּגִי”, וְיָרַד הָרֵאשׁוֹן וּמִכְרוּ וְאָכַל – הַשֵּׁנִי מוּצִיא מִיַּד הַלְקוֹחוֹת, דְּבָרֵי רַבִּי רַבֵּן שְׂמַעוֹן בֶּן גְּמְלִיאֵל אָמַר: אֵין לְשֵׁנִי אֶלָּא מִה שְׂשִׁייר רֵאשׁוֹן.

רַב יוֹסֵף בַּר חִמָּא אָמַר רַב שֵׁשֶׁת: זֶה הַמְכַרֵּיעַ אַחֲרֵים בְּאוֹרוֹתָיו. רַבִּי זְרִיקָא אָמַר רַב הוּנָא: זֶה הַמִּיְקַל לְעֵצְמוֹ וּמְתַמִּיר לְאַחֲרֵים. עוֹלָא אָמַר: זֶה

The Gemara asks: Who is considered a conniving wicked person? Rabbi Yoḥanan says: This is one who presents his statement to the judge^{NH} before the other litigant comes and thereby prejudices the judge in his favor. Rabbi Abbahu says: This is referring to one who gives a dinar to a poor man in order to complete the sum of two hundred dinars for him, so that he will no longer be entitled to receive charity, as we learned in a mishna (*Pe'a* 8:8): One who has two hundred^H dinars may not collect gleanings,^B forgotten sheaves,^B *pe'a*,^B and the poor man's tithe,^B since he is not defined as poor. However, if he has two hundred less one dinar, even if he is given one thousand dinars at once, he may collect.

Rabbi Asi says that Rabbi Yoḥanan says: A conniving wicked person is one who provides advice to male orphans to sell from the small quantity of property left to them by their father, before it is appropriated by the court for the purpose of providing for the daughters, who do not inherit property. This causes the daughters to lose their right to sustenance, because although it is improper to do so, the sale is valid, as Rabbi Asi says that Rabbi Yoḥanan says: With regard to male orphans who preemptively sold^H the property from a small estate, that which they sold, they sold, and the sons retain the money.

Abaye says: A conniving wicked person is one who provides advice to sell property^H in accordance with the ruling of Rabban Shimon ben Gamliel, as it is taught in a *baraita*: With regard to one who said: My property is given to you, and after you die, to so-and-so, and the first beneficiary entered the property and sold it and consumed the profits, the second beneficiary repossesses the property from the purchasers, as the property belongs to him after the death of the first beneficiary; this is the statement of Rabbi Yehuda HaNasi. Rabban Shimon ben Gamliel says: The second beneficiary receives only that which the first beneficiary left, since his sale is valid. However, it is not permitted to sell the property *ab initio*, since the giver intended for the second beneficiary to receive the property.

Rav Yosef bar Hama says that Rav Sheshet says: A conniving wicked person is one who persuades others with his ways,^N convincing others to mimic his seemingly righteous behavior, in order to hide his faults. Rabbi Zerika says that Rav Huna says: A conniving wicked person is one who is lenient in the *halakha* for himself and strict for others. Ulla says: This

HALAKHA

One who presents his statement to the judge, etc. – **הַמְטָעִים**: It is prohibited for a judge to hear the arguments of one litigant when the other litigant is not present. The litigants are also prohibited from presenting their claims in this manner (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 21:7; *Shulḥan Arukh*, *Hoshen Mishpat* 17:5).

One who has two hundred, etc. – **מִי שֵׁישׁ לוֹ מֵאֲתָמִים וְכוּ**: One who has two hundred dinars may not collect gleanings, forgotten sheaves, *pe'a*, or the poor man's tithe. If he has two hundred dinars less one, even if he is given one thousand dinars at once, he may collect. The same applies with regard to receiving charity. Some authorities say that these specific amounts applied only in the past; nowadays one may collect charity if one does not have sufficient funds to be able to earn a living from the profits thereof (Rambam *Sefer Zera'im*, *Hilkhot Mattenot Aniyyim* 9:13; *Shulḥan Arukh*, *Yoreh De'a* 253:1–2).

Orphans who preemptively sold, etc. – **יְתוּמִים שְׂקָדְמוּ וּמִכְרוּ וְכוּ**: If one dies and leaves insufficient property for his children to sustain themselves until his daughters reach the age of majority,

the court first appropriates funds to provide for the daughters and then gives the remainder to the sons. If the estate is sufficient only to provide for the daughters, the entire estate is given to the daughters. However, if the sons preemptively sold the property from a small estate, the sale is valid, in accordance with the opinion of Rabbi Yoḥanan. The Rema, citing the Rosh, holds that the sale is valid only if it took place prior to the court's appropriating the daughters' sustenance from the estate (Rambam *Sefer Nashim*, *Hilkhot Ishut* 19:19; *Shulḥan Arukh*, *Even HaEzer* 112:11, 14).

One who provides advice to sell property – **הַמְשִׂיא עֵצָה לְמִכּוֹר בְּבִבְכָסִים**: If one says: My property is given to you, and after you die, to so-and-so, the second beneficiary receives only that which the first beneficiary left. Although it is prohibited for the first beneficiary to sell or give away the property, if he does so, the second beneficiary does not repossess the property from the purchasers, in accordance with the ruling of Rabban Shimon ben Gamliel. One who advises the first beneficiary to sell the property is considered wicked (Rambam *Sefer Kinyan*, *Hilkhot Zekhiya UMattana* 12:8–9; *Shulḥan Arukh*, *Hoshen Mishpat* 248:3).