

וְהַכָּא בַּמְאֵי עַסְקִין – בְּגֹזֶן דָּאֲתָא  
אַשְׁהָ מִשְׁקָרָא.

וַתַּרְצָחָ לְדָרְבֵי נְחִמָּה הַכִּי – רַבִּי נְחִמָּה  
אָוּרָה: כֹּל מִקּוּם שַׁהְאָמִינָה תָּזַהַע עַד  
אַחֲרָה, וְלֹא אַחֲרָה רַוב דִּיעָות. וְעַשְׂוֵו שְׁתִּי  
נְשִׁים בְּאַשְׁהָ אַחַת כְּשַׁנִּי אֲנָשִׁים בְּאַיִשׁ  
אַחֲרָה, אַבְלָל שְׁתִּי נְשִׁים בְּאַיִשׁ אַחֲרָה – כִּי  
פָּלָגָה וּפָלָגָה דָּמֵי.

וַתִּרְצָחָ בְּפִסְיוּלִי יְדֹות לְמֹה לִי? מַהוּ  
דִּתְמָא, כִּי אַזְלָעַנְתָּ בְּהָרָר רַוב דִּיעָות –  
לְחוֹמְרָא, אַבְלָל לְקוֹלָא לֹא אַזְלָעַנְתָּ. קָא  
מִשְׁמָעָ לָן.

הַדָּרָן עַלְקָמִינָא

**And with what are we dealing here** in the mishna? A case where a woman, who is generally disqualified from bearing witness, came initially,<sup>n</sup> and testified that the woman committed adultery, and two witnesses say that she did not.

And according to this interpretation you must **amend the statement of Rabbi Nehemya** so that it reads **like this**: Rabbi Nehemya says: Wherever the Torah relies on one witness, follow the majority of opinions. And the Sages established that two women against one woman are like two men against one man. But two women in opposition to one man that is a valid witness, is like half of a pair of witnesses and a half of a pair of witnesses, and the mishna did not address that case.

The Gemara poses a question on these two interpretations of the mishna: **And why do I need two cases in the mishna to teach the halakha that the majority opinion of those disqualified from bearing witness is followed?** The Gemara explains: It is necessary, lest you say that when we follow the majority opinion in the case of invalid witnesses, this is **to be stringent** to force the woman to drink the bitter water, e.g., if one witness said that she committed adultery and two said that she did not, **but to be lenient**<sup>n</sup> and absolve her from having to drink the water we do **not** follow the majority opinion, and she would still drink the water even if there is one witness saying that she did not commit adultery, therefore the mishna teaches us that there is no difference in this regard, and the majority opinion is followed in any case.

### NOTES

דָּאֲתָא אַשְׁהָ מִשְׁקָרָא – The Gemara does not explicitly rule in an instance where a woman or any other invalid witness testified and afterward a single valid witness refuted her testimony. Consequently, the halakha in that case is a matter of dispute. According to the Rambam and Rashi, the testimony of a single valid witness, and likewise any number of invalid witnesses, are all considered to be equal. However, according to the Ra'avad a single valid witness is deemed credible only if the valid witness testifies initially, before others arrive.

לְחוֹמְרָא...לְקוֹלָא – Rashi explains that the lenient ruling refers to a case where the majority claims that she committed adultery, and as their testimony is accepted, she does not drink the bitter water. A stringent ruling refers to a case where the majority claims she did not commit adultery. Consequently, she is obligated to drink the bitter water. Others question this application of the terms lenient and stringent. Therefore, they explain the terms conversely (*Keren Ora*). Others maintain that concerning these matters, there is no actual leniency or stringency in any particular instance, but that every hypothetical scenario has a lenient aspect and a stringent aspect, whether the ruling is that she drinks or that she does not drink. The Sages therefore teach that they accept the majority testimony on either side in each case (*Torat HaKenot*).

**מְתָנִי** אֲלֹו נָאָמְרִין בְּכָל־לֶשׁוֹן: פָּרָשַׁת סֻוֹתָה, וַיִּדְעֵי מַעַשָּׂר, קְרִיתָת שְׁמָעָה וְתִפְלָלָה, בְּרִכַּת הַמּוֹזֵן, וְשִׁבּוּעַת הַדּוֹרוֹת וְשִׁבּוּעַת הַפִּיקְדוֹן.

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

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

#### NOTES

These are recited – **אֲלֹו נָאָמְרִין בְּכָל־לֶשׁוֹן:** Tosafot ask why the tanna lists only some of the examples that fall under this category while leaving out other examples. They answer in accordance with their version of the mishna, that the mishna's statement is: These are recited in their own language, and explain that this refers specifically to those recitations that must be in a language the person reciting understands. This excludes other recitations that may be recited in any language, but not because of an imperative to understand the text.

In any language – **בְּכָל־לֶשׁוֹן:** This is the version of Rashi. Tosafot, however, as well as the Jerusalem Talmud, have a different version of the text, which states: In their own language. Tosafot write that Rashi's version indicates that it does not matter what language is used, whereas the version that states: In their own language, implies that it must be a language that is understood by the one speaking it. However, Rashi apparently agrees that it must be a language that one understands; he simply holds that the novel element of this halakha is that there is no requirement that these statements be recited in Hebrew (see *Keren Ora*).

#### BACKGROUND

The declaration of tithes – **וַיִּדְעֵי מַעַשָּׂר:** This declaration is stated on the last day of Passover of the fourth and seventh years of the Sabbatical cycle. It states that one's obligations with regard to *teruma* and the titling of his produce were properly fulfilled. The text of this declaration is in Deuteronomy 26:13–15. During the Second Temple period, Yoḥanan the High Priest discontinued the practice of reciting this declaration due to a concern that since agricultural halakhot were not being properly observed, many of those making the declaration would not be speaking the truth.

First fruits – **בִּיכּוּרִים:** The first fruits of a new harvest are given to the priests (see Deuteronomy 26:1–11). During the period of the Temple, a farmer would select the first of the seven types of fruit with which Eretz Yisrael is favored (see Deuteronomy 8:8). He would bring them to the Temple in a basket, place them before the altar, and recite prayers of thanks to God. Afterward, the fruit was given to the priests and eaten under the same restrictions governing *teruma*. First fruits were brought to the Temple between the festivals of *Shavuot* and *Sukkot*. If they were not brought during that period, an extension was granted until Hanukkah. An entire tractate of the Mishna, *Bikkurim*, is devoted to the details of this mitzva.

*Halitza* – **הַלִּיטָּזָה:** *Halitza* is the ceremony whereby a *yevama*, the widow of a man who died without children, is freed from the obligation to marry one of her deceased husband's brothers, referred to as a *yavam*, and is consequently allowed to remarry (see Deuteronomy 25:7–10). The term *halitza* is derived from the central element of this ceremony, which involves the removal by the *yevama* of a special sandal from the foot of the *yavam*. *Halitza* must be performed before a rabbinical court. The halakhot governing this ceremony are discussed in detail in tractate *Yevamot*.

#### HALAKHA

The portion of *sota* can be recited in any language – **פָּרָשַׁת סֻוֹתָה בְּכָל־לֶשׁוֹן:** The priest speaks to the woman in a language she understands, explaining that she is in her current situation due to her husband's warning and her seclusion with another man. He says to her in her own language: If a man did not sleep with you, etc. (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:7).

The declaration of tithes – **וַיִּדְעֵי מַעַשָּׂר:** The declaration of tithes may be recited in any language (Rambam *Sefer Zera'im*, *Hilkhot Ma'aser Sheni* 11:5).

*Shema* – **קְרִיתָת שְׁמָעָה:** One may recite *Shema* in any language, and just as one must be careful to pronounce the words accurately in Hebrew, so too, one must be careful to recite it precisely in another language. The *Mishna Berura* notes that while it is permitted to recite *Shema* in any language, the preferable way to fulfill the mitzva is to recite it in Hebrew, even if one does not understand the words (Rambam *Sefer Ahava*, *Hilkhot Keriat Shema* 2:10; *Shulhan Arukh*, *Orah Hayyim* 62:2).

*Amida* prayer – **תְּפִילָה:** If one is praying in a quorum of ten men, one may pray in any language that he desires. Otherwise, one must pray in Hebrew (*Rif*). Some say this is only the case when one is praying for his personal needs, but a fixed communal prayer may be recited in any language (*Rabbeinu Yona*). Others hold that even when praying for one's own needs one may pray in any language other than Aramaic, according to the subsequent *Gemara* (*Rosh*). Even a fixed communal prayer should preferably be recited in Hebrew. The *Mishna Berura* rules that a communal prayer should not be recited in another language on a regular basis (*Shulhan Arukh*, *Orah Hayyim* 101:4).

Grace after Meals – **בְּרִכַּת חַזּוֹן:** One may recite the Grace after Meals in any language. The *Mishna Berura* rules that it is preferable to recite it in Hebrew (Rambam *Sefer Ahava*, *Hilkhot Berakhot* 1:6; *Shulhan Arukh*, *Orah Hayyim* 185:1).

An oath of testimony – **שִׁבּוּעַת הַשִׁוּעָות:** Witnesses are not liable to bring a sin-offering for falsely taking an oath of testimony

unless the oath was administered to them in a language they understand (Rambam *Sefer Hafla'a*, *Hilkhot Shevuot* 9:12).

An oath on a deposit – **שִׁבּוּעַת הַפִּיקְדוֹן:** One is not liable to bring a sin-offering for falsely taking an oath on a deposit unless the oath was administered to him in a language he understands (Rambam *Sefer Hafla'a*, *Hilkhot Shevuot* 7:7).

The recitation of the verses of the first fruits – **מִקְרָא בִּיכּוּרִים:** The recitation over the first fruits must be performed in Hebrew, exactly as it is written in the Torah (Rambam *Sefer Zera'im*, *Hilkhot Bikkurim* 3:10).

*Halitza* – **הַלִּיטָּזָה:** Everything that the *yavam* and the *yevama* are required to recite during the *halitza* ritual must be recited in Hebrew (Rambam *Sefer Nashim*, *Hilkhot Yibbum* 4:8; *Shulhan Arukh*, *Even HaEzer* 169:29 and *Seder Halitza* 48).

The Priestly Benediction – **בְּרִכַּת פְּגָנִים:** The Priestly Benediction may be recited only in Hebrew (Rambam *Sefer Ahava*, *Hilkhot Tefilla* 14:11; *Shulhan Arukh*, *Orah Hayyim* 128:14).

The portion read by the king – **פָּרָשַׁת הַמֶּלֶךְ:** When the king reads from the Torah during the assembly he must recite the blessings and the verses in Hebrew (Rambam *Sefer Korbanot*, *Hilkhot Hagiga* 3:5).

The portion of a heifer whose neck is broken – **פָּרָשַׁת עֲגָלָה** – **טְרִיפָה:** After the neck of the calf is broken, the elders of the city recite: "Our hands did not spill this blood, neither have our eyes seen it" (Deuteronomy 21:7), and the priests say: "Forgive, O Lord, your people, Israel" (Deuteronomy 21:8). All of this must be recited in Hebrew (Rambam *Sefer Nezikin*, *Hilkhot Rotze'ah* 9:3).

A priest who is anointed for war – **מִשְׁחָת מִלְחָמָה:** A priest who is anointed for war stands on a high surface and calls out to the soldiers: Hear, O Israel, etc. The entire portion must be recited in Hebrew (Rambam *Sefer Shofetim*, *Hilkhot Melakhim* 7:3).

**מִקְרָא בַּכְּרֹוִים בַּיּוֹד?** “וְעַנְתָּה וְאָמַרְתָּ לְפָנֵי הָאֱלֹהִיךְ,” וְלֹהֲלֹן הוּא אֹמֵר: “וְעַנְתָּה הַלְּלִימִים אֶתְמָרָיו,” מִתְּהִלָּת בְּלַשׁוֹן הַקּוֹדֶשׁ, אָרְכָּא בְּלַשׁוֹן הַקּוֹדֶשׁ.

**חֲלִיצָה בַּיּוֹד?** “וְעַנְתָּה וְאָמַרְתָּ, וְלֹהֲלֹן הוּא אֹמֵר: ”וְעַנְתָּה הַלְּלִימִים וְאֶתְמָרָיו, מִתְּהִלָּת בְּלַשׁוֹן הַקּוֹדֶשׁ, אָרְכָּא בְּלַשׁוֹן הַקּוֹדֶשׁ;

**רַבִּי יְהוּדָה אֹמֵר:** “וְעַנְתָּה וְאָמַרְתָּ בְּכָה,” עַד שְׂתָא מָרוּ בְּלַשׁוֹן הַיּוֹם.

**בְּרִכּוֹת וּקְلִילָות בַּיּוֹד?** בֵּין שְׁעַבְרוּ שָׂרָאֵל אֶת הַיּוֹדֵן, בְּאֹא אֶל הַר גְּרִיזִים וְאֶל הַר עֲבָל שְׁבָרְשָׂמוֹן שְׁבָצֶד שְׁכָם שְׁבָאַצְלָל אַלְוִין מוֹרָה, שְׁנָאָמָר: “הַלָּא הַמָּה בַּעֲבָר הַיּוֹדֵן” וּגוֹ, וְלֹהֲלֹן הוּא אֹמֵר: “וַיַּעֲבֹר אֶבְרָם בָּאָרֶץ עַד מָקוֹם שְׁכָם עַד אַלְוִין מוֹרָה”, מִתְּהִלָּת אַלְוִין מוֹרָה הַאֲמָרָה לְהָלֹן – שְׁכָם, אָרְכָּא אַלְוִין מוֹרָה הַאֲמָרָה קָאָן – שְׁכָם.

**שְׁשָׁה שְׁבָטִים עַלְוָה לְרֹאשׁ הַר גְּרִיזִים וּשְׁשָׁה שְׁבָטִים עַלְוָה לְרֹאשׁ הַר עֲבָל, הַכְּהָנִים וְהַלְּלִימִים וְהַאֲרוֹן עַוְמָרִים לְמִתְּחָה בָּאַמֵּצעַ. הַכְּהָנִים מִקְיָּפִין אֶת הַאֲרוֹן וְהַלְּלִימִים אֶת הַכְּהָנִים וּכְלִי יְשָׂרָאֵל מִבְּאָנוֹן וּמִפְּאָן, שְׁנָאָמָר: ”וְכָל יְשָׂרָאֵל וּזְקִינּוֹ וְשְׁטָרִים וּשְׁפָטִים עַזְמָדִים מִזָּה וּמִזָּה לְאָרוֹן” וּגוֹ.**

**הַפְּכוּ פְנֵיכֶם כְּלַפְיִם הַר גְּרִיזִים וּפְתַחְוּ בְּבִרְכָה:** ”בָּרוּךְ הָאִישׁ אֲשֶׁר לֹא יַעֲשֶׂה פְּסָל וּמִסְכָּה”, וְאַלְוִין וְאַלְוִין עֻזְנִין ”אָמֵן”. הַפְּכוּ פְנֵיכֶם כְּלַפְיִים הַר עֲבָל וּפְתַחְוּ בְּקִלְלָה: ”אָרוּר הָאִישׁ אֲשֶׁר יַעֲשֶׂה פְּסָל וּמִסְכָּה”, וְאַלְוִין וְאַלְוִין עֻזְנִין ”אָמֵן”, עַד שְׁגָרְמוֹן בְּרִכּוֹת וּקְלִילָות.

**וְאַחֲרֵיכֶן הַבִּיאוּ אֶת הַאֲבָנִים וּבְנֵוּ אֶת הַמִּבְּחָרָה, וְסִדְחוּוּ בְּסִיד, וְכִתְבּוּ עַלְיוֹ אֶת כָּל דְּבָרֵי הַתּוֹרָה בְּשְׁבָעִים לְשׁוֹן,** שְׁנָאָמָר: **בָּאָרְכָּא הַיּוֹדֵן**, וְנִתְלָוּ אֶת הַאֲבָנִים וּבְאֹו

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

How is it derived that the recitation at a *halitza* ceremony must be in Hebrew? The verse in the Torah portion discussing *halitza* states: “And she shall speak and say” (Deuteronomy 25:9), and below it states: “And the Levites shall speak and say” (Deuteronomy 27:14). Just as there, the Levites speak in the sacred tongue, so too here, the recitation is in the sacred tongue.

**Rabbi Yehuda says:** This can be derived from a different word in the verse: “And she shall speak and say: So shall it be done to the man that does not build up his brother’s house” (Deuteronomy 25:9). The word “so” indicates that her statement is ineffective unless she says it in these exact words.

How did the ceremony of the blessings and curses take place? When the Jewish people crossed the Jordan River they came to Mount Gerizim and Mount Ebal, which are in Samaria alongside the city of Shechem, which is near the oaks of Moreh, as it is stated: “Are they not beyond the Jordan, behind the way of the going down of the sun, in the land of the Canaanites that dwell in the Arabah, over against Gilgal, beside the oaks of Moreh?” (Deuteronomy 11:30), and there it states: “And Abram passed through the land until the place of Shechem, until the oaks of Moreh” (Genesis 12:6). Just as the oaks of Moreh mentioned there with regard to Abraham are close to Shechem, so too, the oaks of Moreh mentioned here are close to Shechem.

Six tribes ascended to the top of Mount Gerizim and six tribes ascended to the top of Mount Ebal, and the priests and the Levites and the Ark were standing at the bottom in the middle, between the two mountains. The priests were surrounding the Ark and the Levites were surrounding the priests, and all the rest of the Jewish people were standing on the mountains on this side and on that side, as it is stated: “And all Israel, and their elders and officers, and their judges, stood on this side of the Ark and on that side before the priests the Levites that bore the Ark of the Covenant of the Lord” (Joshua 8:33).

The Levites then turned to face Mount Gerizim and opened with the blessing: Blessed be the man who does not make a graven or molten image (see Deuteronomy 27:15), and these people and those people, i.e., the two groups standing on either mountain, answered: Amen. Then they turned to face Mount Ebal and opened with the curse: Cursed be the man who makes a graven or molten image” (Deuteronomy 27:15), and these people and those people answered: Amen. They continued in this manner until they completed reciting all of the blessings and curses.

And afterward they brought the stones as commanded in the Torah, and they built the altar and plastered it with plaster, and they wrote on it all of the words of the Torah<sup>N</sup> in seventy languages, as it is stated: “And you shall write on the stones all the words of this law clearly elucidated” (Deuteronomy 27:8), indicating that it was to be written in every language. And they then took the stones from there and came

#### NOTES

All of the words of the Torah – **אֲזֶת בְּלַבְבֵי הַתּוֹרָה** – According to the Ramban and Rabbeinu Bahyei, this is to be taken literally; the entire Torah was written on these stones. In *Tiferet Yisrael* it is explained that for that to be the case, a miracle must have taken place, as otherwise it would impossible to write out the entire

Torah on stones and in such a short period of time. Rav Se'adya Gaon is quoted in the Meiri and in *Tosefot Yom Tov* as explaining that they did not write out the entire Torah, but rather they wrote a list of the mitzvot, similar to the various lists of mitzvot composed by the sages of his time.

ולנו במקומן.

to Gilgal and slept in their lodging place.

**GEMARA** From where do we derive that the portion of the warning and the oath administered by the priest to a *sota* can be recited in any language?<sup>n</sup> As it is written: “And the priest shall say to the woman” (Numbers 5:21), which indicates: In any language that he speaks.

The Sages taught (*Tosefta* 2:1): The priest informs the *sota* in any language that she can hear and understand for what reason she must drink the bitter water of a *sota*, and from what vessel she will drink, on account of what actions she is considered to be defiled and in what way she defiled herself.

For what reason must she drink the bitter water? She must drink it on account of the matter of the warning given to her by her husband, and her subsequent seclusion. And from what vessel does she drink? She drinks from a *mekeida*, a simple vessel, of clay.

On account of what actions is she considered to be defiled? It is on account of matters of levity and immaturity. And in what way did she defile herself? The priest must explain to her that there is a difference between whether she acted unwittingly or intentionally, and whether she acted due to circumstances beyond her control, or whether she acted willingly. And why does all of this need to be explained to her? In order not to cast aspersions on the bitter water of a *sota*, as, if she committed adultery unwittingly or due to circumstances beyond her control, the water will not affect her.

From where do we derive that the declaration of tithes<sup>n</sup> may be recited in any language? As it is written: “Then you shall say before the Lord your God: I have put away the hallowed things out of my house” (Deuteronomy 26:13). And derive a verbal analogy from the saying mentioned in this verse, and the saying mentioned in the verse with regard to a *sota* (Numbers 5:21), that one is permitted to recite the declaration of tithes in any language that he speaks.

Rav Zevid said to Abaye: But let us derive a verbal analogy from the saying mentioned in the verse: “And the Levites shall speak and say” (Deuteronomy 27:14). Just as there, the Levites recited the blessings and curses in the sacred tongue, so too here, one must recite the declaration of tithes in the sacred tongue.

Abaye answered: One derives a verbal analogy from the term saying in a verse where the word “say” appears alone and another instance where the word saying appears alone. And one does not derive a verbal analogy from the word saying when it appears alone, as it does in the verse about the declaration of tithes, and in a verse that mentions speaking and saying, such as the verse concerning the Levites.

The distinction between merely saying, and speaking and saying, is significant, as it is taught in a *baraita* that Rabbi Shimon ben Yoḥai says: A person should say his own praise in a soft voice, and say that which is to his discredit in a loud voice.

That one should say his praise in a soft voice is derived from the portion of the declaration of tithes, where one declares that he has acted appropriately, and the verse does not state: And you shall speak. That one should say that which is to his discredit in a loud voice is derived from the recitation of the first fruits, concerning which the verse states: “And you shall speak and say” (Deuteronomy 26:5), i.e., it should be recited loudly. The portion recited when bringing the first fruits details the hardships that the Jewish people suffered and denigrates Laban the Aramean, who is a progenitor of the Jewish people.

## NOTES

From where do we derive that the portion of a *sota* can be recited in any language – **פרק סותה מניין**? *Tosefot HaRash* point out that the discussion in the mishna and the Gemara is predicated on the question, raised later in the Gemara, of whether the Torah must be recited in Hebrew in public readings in the synagogue, or if it can be recited in any language. They therefore say that the Gemara is difficult in any event: If the discussion is predicated on the assumption that the Torah may be recited in any language, then why is there a need to provide explanations for the recitations that may be recited in any language, as they simply follow the standard *halakha*? Conversely, if the Torah must be recited in Hebrew, why is it necessary to provide proof for those recitations that one is required to recite in Hebrew, as they simply follow the standard *halakha*?

They explain that according to the *tanna* of the mishna, the entire Torah may be recited in any language; this is apparent, as the mishna offers proof only for those recitations that must be recited in Hebrew. The Gemara, however, explains the *halakhot* of the mishna even according to the opinion that the Torah must be recited in Hebrew, and offers proof that in certain cases it is permitted to recite Torah verses in any language.

According to *Tosefot HaRosh*, the Gemara’s discussion is an attempt to resolve this issue according to both opinions.

However, Rashi’s commentary on the mishna seems to present a different opinion, as he explains that it is necessary for the mishna to state that the portion of a *sota* may be recited in any language, lest one compare it to the *halitza* ceremony, which must be recited in Hebrew. This could indicate that according to Rashi, every one of the recitations cited in the mishna has a specific reason requiring that it be taught that it can be recited in any language.

**Declaration of tithes** – **יְדִיוֹ מַעֲשֵׂךְ**: It is explained in *Be’er Sheva* that it is necessary to offer a proof that the declaration of tithes may be recited in any language, as it is juxtaposed with the verses recited when bringing the first fruits, and one might have concluded that the declaration of tithes must be said in Hebrew, just like the recitation of the first fruits.

דָנִין אָמִרָה גּוּרִידָתָא מִאָמִרָה גּוּרִידָתָא,  
ואַיִן דָנִין אָמִרָה גּוּרִידָתָא מִעֲנִינָה  
ואָמִרָה.

תְנִינָא. רַבִי שְׁמֻעוֹן בֶן יוֹחָי אָמָר: אַדְם  
אָמַר שְׁבָחוּ בְּקוֹל נָמוֹךְ, אֲגַנּוּתוֹ - בְּקוֹל  
רָם;

שְׁבָחוּ בְּקוֹל נָמוֹךְ - מִן וַיִּהְיוּ הַמְשֻׁרָה;  
גַּנְוַתּוּ בְּקוֹל רָם - מִפְקָרָא בִּכּוּרִים.

## HALAKHA

**תפלה בלחשות:** One should recite the Amida prayer in a whisper, in a manner that is audible to his own ears but is inaudible to the ears of others. If one is unable to concentrate properly while praying silently, it is permitted for him to pray in a louder voice. However, this is the halakha only when one is praying alone; when praying with the community it is prohibited to do so because it will interrupt others. The Rema writes, based on the Jerusalem Talmud, that one is permitted to pray in a louder voice in order to teach the members of his family how to pray (Rambam Sefer Ahava, Hilkhos Tefilla 5:9; Shulchan Arukh, Orah Hayyim 101:2).

**And will cry: Impure, impure – צטמא טמא קרוּא:** Not only lepers, but anyone who is ritually impure in a way that can be transmitted to others is obligated to publicize his impurity so that people will distance themselves from him (Rambam Sefer Tahara, Hilkhos Tumat Tzara'at 10:8).

The verse does not differentiate between the place, etc. – **לְאֵין חֲלָק הַכְּתָב בְּקָרָם וּכְרִים:** Offerings of the most sacred order are slaughtered and their blood is collected on the northern side of the altar. There is no difference in this regard between a sin-offering, a guilt-offering, and a burnt-offering (Rambam Sefer Avoda, Hilkhos Ma'aseh HaKorbanot 5:2).

**The blood of a sin-offering is sprinkled above – דם חטאת הנולאה:** The blood of a sin-offering that is eaten is sprinkled four times on the four corners of the upper half of the altar (Rambam Sefer Avoda, Hilkhos Ma'aseh HaKorbanot 5:7).

**The blood of a burnt-offering is sprinkled below – דם עזלה לנטשה:** The priest sprinkles the blood of a burnt-offering twice on two corners of the lower half of the altar (Rambam Sefer Avoda, Hilkhos Ma'aseh HaKorbanot 5:6).

**A sin-offering is female and a burnt-offering is male – חטאת נקרת עזלה וזכר:** An animal brought for a burnt-offering must be male, whether it is a ram, a goat, or a bull. With the exception of a king or a High Priest, an individual brings as a sin-offering a female lamb or goat (Rambam Sefer Avoda, Hilkhos Ma'aseh HaKorbanot 1:8, 15).

## NOTES

**אלא אינמא צערו:** The Maharsha asks that if the purpose of publicizing one's pain is so that others will pray on his behalf, how does this explain the requirement to state the recitation of the first fruits loudly, as there one does not mention any personal pain, but merely notes the tribulations the Jewish people underwent in Egypt? The Maharsha gives an admittedly forced answer, that one who brings the first fruits mentions the tribulations the Jewish people underwent so that others will pray that he should not experience similar troubles in the future.

## BACKGROUND

**Tail – אליה:** This refers to the thick, fatty tail of the breed of sheep found in Israel and in neighboring countries. The tails of these sheep cover them so that their genitals are not visible, especially when the sheep are young.



Fat-tailed sheep

גַּנוֹתָו בְּקוֹל רַם? וְהִאמֶר רַבִּי יוֹחָנָן  
מִשּׁוּם רַבִּי שְׁמֻעוֹן בָּן יוֹחָן: מִפְנֵי מִה  
תָּקִנָּה תִּפְלָה בְּלָחֵשׁ? כִּי שְׁלָא לְבִישׁ  
אֶת עֲוֹבֵד עַבְירָה, שְׁהָרִי לֹא חָלָק  
הַכְּתָב מִקּוֹם בֵּין חַטָּאת לְעַלְלָה!

לֹא תִּהְיֶה גַּנוֹתָו אֶלָּא אִימָּא צָעָר,  
כְּרִידְנִיא: וְטַמָּא טַמָּא יְקָרָא – אָרִיךְ  
לְהַזְׁדִּיעַ צָעָר לְרָבִים וּרְבִים מִבְּקָשִׁים  
עַלְיוֹ רְחִמִּים. וְלֹא מִשְׁאַרְיָע בְּדָבָר  
אָרִיךְ לְהַזְׁדִּיעַ לְרָבִים וּרְבִים מִבְּקָשִׁים  
עַלְיוֹ רְחִמִּים.

גּוֹפָא, אָמֵר רַבִּי יוֹחָנָן מִשּׁוּם רַבִּי שְׁמֻעוֹן?  
בָּן יוֹחָן: מִפְנֵי מִה תִּקְנֹן תִּפְלָה בְּלָחֵשׁ?  
שְׁלָא לְבִישׁ אֶת עֲוֹבֵד עַבְירָה, שְׁהָרִי  
לֹא חָלָק הַכְּתָב מִקּוֹם בֵּין חַטָּאת  
לְעַלְלָה.

ולֹא? וְהָא אִיכָּא: דָבִים, דם חַטָּאת  
לְעַלְלָה וְדָם עַלְלָה לְמַטָּה! הַתָּם כְּהֵן  
הָוֹא דִידָע.

וְהָא אִיכָּא: חַטָּאת נְקַבָּה, עַלְלָה זָכָר!  
הַתָּם מִיפְסִיא בְּאַלְיָה.

תִּנְהַח כְּבָשָׂה, שְׁעִירָה מַאי אִיכָּא  
לְמִימּוֹר? הַתָּם אֵינוֹ דָקָא מִיכְסִיר  
נְפִשְׁתָה, דָאִיכָּא לִיהְ לְאִיתּוֹי כְּבָשָׂה  
נְקָא מִיִּתְיָה שְׁעִירָה.

חַטָּאת דְעַבּוֹדָה וּרְהָה דָלָא סָגִיל דָלָא  
שְׁעִירָה, מַאי אִיכָּא לְמִימּוֹר הַתָּם  
יְיכְסִיר וְנִיּוֹיל, פִי הַיְכִינִי דְנִכְפֵּר לִיהְ.

קוֹרִית שְׁמָעַ. מַלְוִז? דְבָתִיב: "שְׁמָעַ  
שָׁרֶאָלִי, בְּכָל לְשׁוֹן שָׁאָתָה שׁוֹמֵעַ.

The Gemara asks: But should one really say that which is to his discredit in a loud voice? But didn't Rabbi Yoḥanan say in the name of Rabbi Shimon bar Yoḥai himself: For what reason did the Sages institute that the Amida prayer should be recited in a whisper?<sup>h</sup> So as not to embarrass transgressors who confess their transgressions during their prayer. There is proof that transgressors should not be embarrassed, as the verse detailing where different offerings are slaughtered does not differentiate between the place where a sin-offering is slaughtered and the place where a burnt-offering is slaughtered, so that it will not be recognized when one is bringing a sin-offering and the sinner will not be embarrassed. This shows that one should also say that which is to his discredit quietly.

The Gemara corrects the previous statement: Do not say that one should say that which is to his discredit in a loud voice; rather, say that one should publicize his pain<sup>n</sup> in a loud voice. As it is taught in a baraita: It is derived from the verse: "And will cry: Impure, impure" (Leviticus 13:45),<sup>h</sup> that a leper must publicize the fact that he is ritually impure. He must announce his pain to the masses, and the masses will pray for mercy on his behalf. And similarly, anyone to whom a painful matter happens must announce it to the masses, and the masses will pray for mercy on his behalf.

The Gemara returns to the aforementioned matter itself: Rabbi Yoḥanan said in the name of Rabbi Shimon bar Yoḥai: For what reason did the Sages institute that prayer should be said in a whisper? It is so as not to embarrass transgressors, as the verse does not differentiate between the place<sup>h</sup> where a sin-offering is slaughtered and the place where a burnt-offering is slaughtered.

The Gemara asks: But is there really no differentiation between the places where a burnt-offering and a sin-offering are sacrificed? But isn't there a difference with regard to the place where the blood is sprinkled, as the blood of a sin-offering is sprinkled above,<sup>h</sup> on the upper half of the altar, and the blood of a burnt-offering is sprinkled below,<sup>h</sup> on its lower half? The Gemara answers: There, the priest is the one who knows what offering it is, but other people who are not standing there do not know.

The Gemara asks: But isn't there a visibly apparent difference between the two offerings, as a sin-offering is female and a burnt-offering is male?<sup>h</sup> The Gemara answers: There, in the case of a sin-offering, its genitals are covered by the tail<sup>b</sup> and therefore the gender of the animal is not plainly obvious.

The Gemara asks: That works out well if one brings a female lamb for a sin-offering, as its long tail covers its genitals. However, if one brings a female goat, which does not have a tail, what can be said? The Gemara answers: If one brings a female goat, there he is the one who embarrasses himself, as he should have brought a female lamb if he wanted to hide the fact that he sinned, and instead he brought a female goat. It is therefore not necessary to be concerned about his embarrassment.

The Gemara asks: With regard to a sin-offering that is brought for idol worship, for which it does not suffice to bring any animal that is not a female goat, as it is explicitly stated that in that case one must bring a female goat as a sin-offering, what can be said? The Gemara answers: There, due to the severity of the sin, let him go and be embarrassed, so that his sin will be atoned for through his embarrassment as well.

§ The Gemara continues its discussion of the recitations that can be stated in any language. From where do we derive that Shema may be recited in any language? As it is written: "Hear, O Israel" (Deuteronomy 6:4), which is homiletically interpreted to mean that it can be recited in any language that you can hear and understand.

תנו ר' יונתן: קורית שמע בכתבה, דברי רבי.  
וחכמים אומרים: בכל לשון.

The Sages taught (*Tosefta* 7:7): *Shema* must be recited in Hebrew as it is written; this is the statement of Rabbi Yehuda HaNasi. And the Rabbis say: It may be recited in any language.

מאי טעם דרבנן? אמר קרא: "זה יי",  
בזהו יתן יה.

The Gemara asks: What is the reason for the opinion of Rabbi Yehuda HaNasi? The verse states: "And these words, which I command you this day, will be upon your heart" (Deuteronomy 6:6). "Will be" means as they are, so shall they be. They should remain unchanged, in their original language.

ר' יונתן אמר קרא: "שמע", בכל לשון  
שאותה שומע

The Gemara asks further: And what is the reason for the opinion of the Rabbis? The Gemara answers: The verse states: "Hear, O Israel" (Deuteronomy 6:4), which they explain to mean that *Shema* must be understood. Therefore, one may recite *Shema* in any language that you can hear and understand.

ר' יונתן נמי ה'א כתיב "זה יי" והוא, שלא  
יקראנה למפריע.

The Gemara asks: But according to the Rabbis as well, isn't it written: "And these words will be"? The Gemara answers: From that it is derived that one may not recite it out of order.<sup>h</sup> One may not begin reciting *Shema* from the end, but only in the order in which it is written.

ר' יונתן קראנה למפריע מיליה?  
פ' קרא לא לה מ"ד ברים, "הדברים". ור' יונתן?  
"דברים", "הדברים" לא משמע להו.

The Gemara asks: And from where does Rabbi Yehuda HaNasi derive the halakha that one may not recite it out of order? The Gemara answers: Rabbi Yehuda HaNasi derives it from an additional emphasis in the verse "And the words [hadevarim], which I command you this day, will be upon your heart." The verse could have conveyed the same idea had it written: Words, without the definite article. However, it says the words, employing the definite article, teaching that it must be recited in the specific order in which it is written. And the Rabbis do not learn anything from the difference between "words" and "the words."

ר' יונתן כתיב: "שמע" והוא מיביע  
לה: להשמיע לאויניך מה שאותה  
מוציא מאפיך. ור' יונתן סבריו לה במאן  
דאמרו: הקוזיא את שמע ולא השמע  
אינו – יצא.

The Gemara asks: But according to Rabbi Yehuda HaNasi as well, isn't the word "hear" written? The Gemara answers: He requires that for the halakha that you must have your ears hear<sup>h</sup> that which comes out of your mouth, i.e., one must recite *Shema* audibly so he hears it while reciting it. And from where do the Rabbis derive that one must recite *Shema* audibly? The Rabbis do not accept this literal interpretation of the word *Shema*. Rather, they hold according to the one who says: One who recites *Shema* in a manner inaudible to his own ears has fulfilled his obligation. The Rabbis therefore interpret the word "hear" as referring to the language that one uses.

לימא קסביר רבי:

The Gemara asks: Shall we say that Rabbi Yehuda HaNasi holds

#### HALAKHA

That one may not recite it out of order – *להשמיע לאויניך*: One who recites *Shema* changing the order of the verses within a portion has not fulfilled the mitzva. However, if one recites the portions in a different order than that established by the Sages, although he has not followed the ordinance of the Sages, he has fulfilled the mitzva (Rambam *Sefer Ahava, Hilkhot Keriat Shema* 2:11; *Shulhan Arukh, Orah Hayyim* 64:1).

*להשמיע לאויניך* – You must make your ears hear – *להשמיע לאויניך ab initio*: One is required to recite *Shema* in a manner that is audible to his own ears *ab initio*. However, if he does not recite it in this manner, he has still fulfilled the mitzva, as long as he pronounces the words orally (Rambam *Sefer Ahava, Hilkhot Keriat Shema* 2:8; *Shulhan Arukh, Orah Hayyim* 62:3).