

**דִּבְרֵי אִשָּׁה מְעִיקָרָא – לְחִימְרָא...לְקוּלָּא**  
Where a woman came initially – 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.

**לְחִימְרָא...לְקוּלָּא – לְחִימְרָא...לְקוּלָּא**  
To be stringent...but to be lenient – 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 HaKenaot*).

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 Neḥemya so that it reads like this: **Rabbi Neḥemya 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.**

וְהָכָא בְּמֵאֵי עֲסָקִינָּן – בְּגוֹן דְּבִתְרֵיהּ  
אִשָּׁה מְעִיקָרָא.

וְתִרְצָה לְדַרְבֵּי נְחֵמְיָה הָכִי – רַבִּי נְחֵמְיָה  
אוֹמֵר: כָּל מְקוֹם שֶׁהָאִמְיָנָה תּוֹרָה עֵד  
אֶחָד, הֵלֵךְ אַחֵר רֹב דִּיעוֹת. וְעָשׂוּ שְׁתֵּי  
נָשִׁים בְּאִשָּׁה אַחַת בְּשְׁנֵי אַנְשִׁים בְּאִישׁ  
אֶחָד, אֲבָל שְׁתֵּי נָשִׁים בְּאִישׁ אֶחָד – כִּי  
פְלִגָּא וּפְלִגָּא דְּמִי.

וְתִרְתִּי בְּפִסּוּלֵי יְעוּדוֹת לְמָה לִּי? מֵהוּ  
דְּתִימָא, כִּי אֲזִלִּינָּן בְּתֵר רֹב דִּיעוֹת –  
לְחִימְרָא, אֲבָל לְקוּלָּא לֹא אֲזִלִּינָּן. קָא  
מְשַׁמְעֵ לָן.

הדרן עלך מי שקינא

**מתני'** אלו נאמרין בכל לשון: פְּרִשְׁתָּהּ, סוֹטָה, וּיְדוּי מַעֲשֵׂר, קְרִיַת שְׁמַע וְתַפְלָה, וּבְרַכַּת הַמְּזוּן, וְשְׁבוּעַת הָעֵדוּת וְשְׁבוּעַת הַפִּיקְדוֹן.

ואלו נאמרין בלשון הקודש: מְקָרָא בִּיבּוּרִים, וְחִלְיָצָה, וּבְרַכּוֹת וּקְלָלוֹת, וּבְרַכַּת כְּהֵנָם, וּבְרַכַּת כְּהֵן גְּדוֹל, וּפְרִשְׁתָּהּ הַמֶּלֶךְ, וּפְרִשְׁתָּהּ עֵגְלָה עֵרוּפָה, וּמִשְׁחַת מִלְחָמָה בְּשָׁעָה שְׁמֹדֵבֵר אֶל הָעָם.

**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.**

#### HALAKHA

**The portion of *sota* can be recited in any language – פְּרִשְׁתָּהּ – סוֹטָה:** 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 – וּיְדוּי מַעֲשֵׂר:** The declaration of tithes may be recited in any language (Rambam *Sefer Zera'im*, *Hilkhot Ma'aser Sheni* 11:5).

***Shema* – קְרִיַת שְׁמַע:** 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 – תְּפִלָּה:** 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 – בְּרַכַּת הַמְּזוּן:** 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 – שְׁבוּעַת הָעֵדוּת:** 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 – שְׁבוּעַת 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 – מְקָרָא בִּיבּוּרִים:** 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* – חִלְיָצָה:** 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 – בְּרַכַּת כְּהֵנָם:** 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 – פְּרִשְׁתָּהּ 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 – פְּרִשְׁתָּהּ עֵגְלָה – עֵרוּפָה:** 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 – מִשְׁחַת 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).

#### NOTES

These are recited – אֵלּוּ נֶאֱמָרִין – *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 לָשׁוֹן:** 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 – וּיְדוּי מַעֲשֵׂר:** 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 tithing of his produce were properly fulfilled. The text of this declaration is in Deuteronomy (26:13–15). During the Second Temple period, Yohanan 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 – בִּיבּוּרִים:** 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* – חִלְיָצָה:** *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*.

מִקְרָא בְיָבוּרִים בִּיצֵד? וְעֵנִית וְאָמַרְתָּ לְפָנֵי ה' אֱלֹהֶיךָ, וְלֵהֲלֹן הוּא אוֹמֵר: וְעֵנִי הַלּוֹיִם וְאָמְרוּ, מִה לֵהֲלֹן בִּלְשׁוֹן הַקּוֹדֶשׁ, אִף כָּאן בִּלְשׁוֹן הַקּוֹדֶשׁ.

חֲלִיצָה בִּיצֵד? וְעֵנִיתָ וְאָמַרְתָּ, וְלֵהֲלֹן הוּא אוֹמֵר: וְעֵנִי הַלּוֹיִם וְאָמְרוּ, מִה לֵהֲלֹן בִּלְשׁוֹן הַקּוֹדֶשׁ, אִף כָּאן בִּלְשׁוֹן הַקּוֹדֶשׁ;

רַבִּי יְהוּדָה אוֹמֵר: וְעֵנִיתָ וְאָמַרְתָּ כְּכֹה, עַד שֶׁתֹּאמַר בִּלְשׁוֹן הַזֶּה.

בְּרֻכּוֹת וּקְלָלוֹת בִּיצֵד? בֵּינָן שְׁעָבְרוּ יִשְׂרָאֵל אֶת הַיַּרְדֵּן, וּבָאוּ אֶל הַר גְּרִזִים וְאֶל הַר עֵיבֵל שְׁבַשׁוּמְרוֹן שְׁבַצְד שָׁכַם שְׁבַאֲצֵל אֵלוֹנֵי מוֹרָה, שְׁנַאֲמַר: הֲלֹא הִמָּה בְּעֵבֶר הַיַּרְדֵּן וְגו', וְלֵהֲלֹן הוּא אוֹמֵר: וְיַעֲבֹר אַבְרָם בְּאַרְץ עַד מְקוֹם שָׁכַם עַד אֵלוֹן מוֹרָה, מִה אֵלוֹן מוֹרָה הָאֵמֹר לֵהֲלֹן - שָׁכַם, אִף אֵלוֹן מוֹרָה הָאֵמֹר כָּאן - שָׁכַם.

שֵׁשׁ שְׁבֻטִים עָלוּ לְרֹאשׁ הַר גְּרִזִים וְשֵׁשׁ שְׁבֻטִים עָלוּ לְרֹאשׁ הַר עֵיבֵל, וְהַכֹּהֲנִים וְהַלּוֹיִם וְהָאָרוֹן עוֹמְדִים לְמִטָּה בְּאֶמְצַע. הַכֹּהֲנִים מְקִיפִין אֶת הָאָרוֹן וְהַלּוֹיִם אֶת הַכֹּהֲנִים וְכָל יִשְׂרָאֵל מִכָּאן וּמִכָּאן, שְׁנַאֲמַר: וְכָל יִשְׂרָאֵל וְזִקְנָיו וְשֹׁטְרֵים וְשֹׁפְטָיו עוֹמְדִים מִזֶּה וּמִזֶּה לְאָרוֹן וְגו'.

הִפְכוּ פְּנֵיהֶם כְּלָפֵי הַר גְּרִזִים וּפְתַחוּ בְּבִרְכָה: בְּרוּךְ הָאִישׁ אֲשֶׁר לֹא יַעֲשֶׂה פֶסֶל וּמִסְכָּה, וְאֵלֹו וְאֵלֹו עוֹנִין אָמֵן. הִפְכוּ פְּנֵיהֶם כְּלָפֵי הַר עֵיבֵל וּפְתַחוּ בְּקִלְלָה: אָרוּר הָאִישׁ אֲשֶׁר יַעֲשֶׂה פֶסֶל וּמִסְכָּה, וְאֵלֹו וְאֵלֹו עוֹנִין אָמֵן, עַד שֶׁגִּמְרִין בְּרֻכּוֹת וּקְלָלוֹת.

וְאַחַר כֵּן הֵבִיאוּ אֶת הָאֲבָנִים וּבְנוּ אֶת הַמִּזְבֵּחַ, וְסִדְּוּהוּ בְּסִיד, וְכָתְבוּ עָלָיו אֶת כָּל דְּבָרֵי הַתּוֹרָה בְּשִׁבְעִים לָשׁוֹן, שְׁנַאֲמַר: בְּאֵר הַיֵּטֵב, וְנָטְלוּ אֶת הָאֲבָנִים וּבָאוּ

How is it derived that the recitation of 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 *halitzta* ceremony must be in Hebrew? The verse in the Torah portion discussing *halitzta* 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 – את כל דברי התורה – 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 be 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? **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 – פְּרִשְׁת סוֹטָה מִנִּלְוּ: *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 *ḥalitza* 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 – ויודי מעשר:** 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.

**גמ'** פְּרִשְׁת סוֹטָה מִנִּלְוּ? דְּכַתִּיב: “וַיֹּאמֶר הַכֹּהֵן לְאִשָּׁהּ, בְּכֹל לְשׁוֹן שְׁהוּא אוֹמֵר.

תנו רבנן: משמיעין אותה בכל לשון שהיא שומעת, על מה היא שותה ובמה היא שותה, על מה נטמאת ובמה היא נטמאת.

על מה היא שותה? על עסקי קינוי וסתירה. ובמה היא שותה? במקידה של חרש.

על מה נטמאת? על עסקי שחוק וילדות, ובמה היא נטמאת? בשוגג או במזיד, באונס [או] ברצון. וכך כן למה? שלא להוציא לעו על מים המרים.

“ויודי מעשר.” מנלן דכתיב: “וַאֲמַרְתָּ לְפָנָי ה' אֱלֹהֶיךָ בְּעֶרְתִּי הַקֹּדֶשׁ מִן הַבַּיִת”, וְלִיף אַמִּירָה מִסוֹטָה, בְּכֹל לְשׁוֹן שְׁהוּא אוֹמֵר.

אמר ליה רב זביד לאבאי: ולילף אמירה מלוים, מה להלן בלשון הקודש אף כאן בלשון הקודש!

דנין אמירה גרידתא מאמירה גרידתא, ואין דנין אמירה גרידתא מענייה ואמירה.

תנאי, רבי שמעון בן יוחי אומר: אדם אומר שבחו בקול נמוך, וגגותו – בקול רם;

שבחו בקול נמוך – מן ויודי המעשר; גגותו בקול רם – ממקרא ביפורים.

The *Amida* prayer should be recited in a whisper – תפלה בלחש: 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, Hilkhot Tefilla* 5:9; *Shulhan Arukh, Orah Hayyim* 101:2).

And will cry: Impure, impure – וטמא טמא יקרא: 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, Hilkhot Tumat Tzara'at* 10:8).

The verse does not differentiate between the place, etc. – לא חלק הכתוב מקום וכו': 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, Hilkhot Ma'aseh HaKorbanot* 5:2).

The blood of a sin-offering is sprinkled above – למעלה: 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, Hilkhot Ma'aseh HaKorbanot* 5:7).

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

A sin-offering is female and a burnt-offering is male – וזר: 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, Hilkhot Ma'aseh HaKorbanot* 1:8, 15).

NOTES

Rather say that one should publicize his pain – אלא אימא: 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 – אלה: 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

וגנותו בקול רם; והאמר רבי יוחנן משום רבי שמעון בן יוחי: מפני מה תקנו תפלה בלחש? כדי שלא לבייש את עוברי עבירה, שהרי לא חלק הכתוב מקום בין חטאת לעולה!

לא תימא גנותו אלא אימא צערו, כדתנא: "וטמא טמא יקרא" – צריך להודיע צערו לרבים ורבים מבקשים עליו רחמים. וכל מי שאירע בו דבר צריך להודיע לרבים, ורבים מבקשים עליו רחמים.

גופא, אמר רבי יוחנן משום רבי שמעון בן יוחי: מפני מה תיקנו תפלה בלחש? שלא לבייש את עוברי עבירה, שהרי לא חלק הכתוב מקום בין חטאת לעולה.

ולא? והא איכא: דמים, דם חטאת למעלה ודם עולה למטה! התם בהו הוא דידע.

והאיכא: חטאת נקבה, עולה וזר! התם מיכסיא באליה.

תינח כבשה, שעירה מאי איכא למימר? התם איהו דקא מיכסיא נפשיה, דאיבעי ליה לאיתויי כבשה וקא מייתי שעירה.

חטאת דעבודה זרה דלא סגי דלאו שעירה, מאי איכא למימר? התם מיכסיא ומיזיל, כי היכי דנכפר ליה.

"קריית שמע". מנלן דכתיב: "שמע ישראל", בכל לשון שאתה שומע.

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>11</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>12</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>13</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>14</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>15</sup> on the upper half of the altar, and the **blood of a burnt-offering is sprinkled below**,<sup>16</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>17</sup> The Gemara answers: **There**, in the case of a sin-offering, its genitals are **covered by the tail**<sup>18</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.

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.

תנו רבנן: קריית שמע בכתובה, דברי רבי ויחזקו אומרים: בכל לשון.

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.

מאי טעמא דרבי? אמר קרא: “והיו”, בהווייתן יהו.

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.

ורבנן? אמר קרא: “שמע”, בכל לשון שאתה שומע.

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.

ורבנן נמי הא כתיב “והיו”! ההוא, שלא יקראנה למפרע.

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.”**

ורבי, שלא יקראנה למפרע מגליה? נפקא לה מ”דברים”, “הדברים”. ורבנן? “דברים”, “הדברים” לא משמע להו.

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.

ורבי נמי הכתיב: “שמע”! ההוא מיבעי ליה: להשמיע לאזניך מה שאתה מוציא מפיו. ורבנן סברי לה במאן דאמר: הקורא את שמע ולא השמיע לאזנו – יצא.

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

לימא קסבר רבי:

#### HALAKHA

That one may not recite it out of order – שלא יקראנה למפרע: 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, Oraḥ Hayyim* 64:1).

You must make your ears hear – להשמיע לאזניך: 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, Oraḥ Hayyim* 62:3).