

## מסורת הש"ס

that if [the land] remained with the *sikrikon* for twelve months, **כל הקודם ליקח וזה** – whoever is first to acquire it from the *sikrikon*, acquires it permanently.<sup>[34]</sup> **אבל נותן לבעלים רביע** – But he [the purchaser] must still give one-quarter to the original owner.

**Gemara** The literal meaning of the first part of the Mishnah is: *There was not a sikrikon in Judah when [people were being] slain [as a result] of the war. But from [the period in which people were] slain [as a result] of the war and on, there is a sikrikon in [Judah].* The Gemara points out that this is the opposite of what one would expect:

**Now if during the period in which people were being slain as a result of the war, there was not a sikrikon in [Judah], מהרורי – how can the Mishnah say that after the period in which people were slain as a result of the war, there is a sikrikon in [Judah]? Ceding of land to a sikrikon was surely more frequent during the war than after the war! – ? –**

The Gemara explains the Mishnah:

**Rav Yehudah said:** When the Mishnah says, “there was not a *sikrikon* in Judah [during the war],” **לא דנו בה** – it means that the law of a *sikrikon* (i.e. the laws outlined in the continuation of the Mishnah) was not applied in [Judah] during the war.<sup>[35]</sup>

Rav Yehudah continues by explaining why the law of the *sikrikon* did not apply in Judah during the war:

**They [Titus and his officers, who led the war on Judah] issued three edicts.** The first two edicts were issued during the war and the last one after the war. **The first edict was:** **Whoever does not kill a Jew whenever he has the opportunity to do so shall be executed.** **The second**<sup>[36]</sup> **edict was:** **Whoever kills a Jew must pay a penalty of four zuz.**<sup>[37]</sup> **The last edict was:** **Whoever kills a Jew shall be executed.** **Therefore, when the first and second edicts were in effect (i.e. during the war), ביון – since [idolaters] could kill Jews without fear of meaningful retribution, אגב אונסיה גמר ומקני – a Jewish land-owner whose life was threatened by a sikrikon would, as a result of his duress, sincerely transfer ownership of**

his land to the *sikrikon*. Thus, the *sikrikon* definitely assumes legal ownership of the land.<sup>[38]</sup> Under such circumstances, the law of the *sikrikon* is not applicable.<sup>[39]</sup> **בתרייתא אמרי – But when the last edict was in effect (i.e. after the war), and Jews were afforded proper protection, they [Jewish land-owners whose lives were threatened by a sikrikon] would say: למחר תבענא ליה – Let him take my land today, האידנא לישקול – and I will claim it from him in court tomorrow.** The owner does not necessarily cede his land permanently to the *sikrikon*.<sup>[40]</sup> Under such circumstances, the law of the *sikrikon* is applicable.

Having mentioned the war waged by the Romans on Judah, the Gemara deals with this topic at length:

**R' Yochanan said:** **מאי דכתיב – What is an illustration of that which is written:** **אשרי אדם מפחד תמיד – Fortunate is the man that always fears [the consequences of his actions]; and he that hardens his heart will come to harm?**<sup>[41]</sup> This verse is illustrated by the following three episodes in which tragedy struck because people failed to consider the consequences of their actions:<sup>[42]</sup>

**As a result of the incident involving Kamtza and Bar Kamtza,**<sup>[43]</sup> **Jerusalem was destroyed.** **As a result of the incident involving a rooster and a hen, Har HaMelech**<sup>[44]</sup> **was destroyed.** **As a result of the incident involving the side of a carriage, Bethar**<sup>[45]</sup> **was destroyed.**

The Gemara recounts the incident involving Kamtza and Bar Kamtza:

**As a result of the incident involving Kamtza and Bar Kamtza, Jerusalem was destroyed.**<sup>[46]</sup> **A certain man, דרחמיה קמץא ובעל דבביה בר – who had a friend named Kamtza and an enemy named Bar Kamtza, עבר סעודתא – made a banquet. אמר ליה – He told his attendant, “Go and bring Kamtza to join me at the banquet.” אול אייתי ליה בר**

## NOTES

34. He is not required to return it to the original owner even when the latter attains the means to pay compensation (see note 32; see also 58b note 14).

35. [Our elucidation of the Mishnah reflects Rav Yehudah's explanation.]

36. Literally: the middle one.

37. [Four zuz was not a large sum of money. Hence, although this edict banned the murder of Jews, the law was commonly flouted.]

According to *Tosefos Rid*, the second edict was that whoever kills a Jew is rewarded with four zuz.

38. The Gemara, *Bava Basra* 47b, states that if one agrees to make a sale in order to avoid an intolerable circumstance, the sale is valid (*Rashi*). Since the sale is the only means the owner has to avoid serious harm, we assume that his consent to the sale is sincere. The owner might not want to convey his property, but he willingly does so in order to avoid harm. [Generally, this rule applies only where the owner receives payment. In our case, however, where the owner has absolutely no recourse to claim back his property, he sincerely agrees to the transfer, even without any monetary compensation (see *Rashba*).]

39. Since the *sikrikon* is the absolute owner of the property, one who wishes to buy it from him would not have to deal with the original owner at all.

The first and second edicts were in effect only in Judah (see *Tosafos*

and note 19). This is why the Mishnah stated above that the law of the *sikrikon* did not apply in Judah during the war.

40. The owner feels that eventually he will be able to appeal to the authorities and retrieve his property from the *sikrikon*. Therefore, although he goes through the motions of giving the property to the *sikrikon*, he does not mean to cede it to him permanently. Accordingly, the transfer is void.

[Had the owner been paid for the land, the sale would have been valid (see note 38). In this case, however, the land was seized without payment (*Rashba*).]

41. *Proverbs* 28:14.

42. In each of these episodes, people acted recklessly, complacently assuming that their current state of relative peace and prosperity would continue. They failed to consider that [since they had sinned] their fortunes might change for the worse (*Tosafos*; see *Maharal*).

43. The names of two Jews (*Rashi*; cf. *Maharsha*).

44. A heavily populated province in Judah.

45. Bethar was a large city with an immense population. Fifty two years after the destruction of the second Temple, the Romans captured Bethar and massacred all its inhabitants. This was considered a calamity as great as the destruction of the Temple (*Rambam, Hil. Taaniyos* 5:3).

46. The following narrative illustrates that the Temple was destroyed as

עין משפט  
נר מצוה

**פ** א מיי פ"ה מלכות  
 אסוריו מנחם ה' ז סג  
 לנאור שיה שער:  
**פ** ב מיי פ"ב מהל'  
 גביה ה' ו סג עשן  
 עמ:  
**פ** ג ד ה מיי פ"ח מהל'  
 מעשה הקדשנות הלכה  
 יד:  
**פ** ד מיי פ"ב מהל'  
 ארבות ה' ו פ"ל מהל'  
 מכירה ה' ג סג עשן מח  
 טוש"ע א"ה ע"פ ס' סקף ח  
 וסמן ק סקף ג:  
**פ** ד ז מיי פ"י מהל'  
 גזילה הלכה ג סג  
 עשן ע"פ טוש"ע ח"מ סימן  
 קל סקף א:

**נה:**

**שְׁלֵחַ** יֹאמְרוּ מִזֶּבֶחַ אֹהֶב גִּילּוֹת.  
עֲקוּר דָּבָר מִן הַמִּזְבֵּחַ בְּקֵן  
לְבָבָהּ קִבְּנוּ אֶחָד וְיָ"ל דְּלוּקָא וְנֹעַד  
לְבָבָהּ לְחֹמֶר וְיִקְרָא שְׂכָר מִתְכַּפֵּר לֹא הָא  
וְהִיב לְדִיחִיב עֲלֵה. פִּסְרָה בְּקִינְטֵרס  
לְקִנְטִסְקוֹר בְּרִצֵּן וְקִשָּׁה דְּמִי לֹא עֲסִיקִין  
אֲפִילוּ שְׁמִטָּה אֶחָד בְּחֹק דְּחִיב  
לְאֵלָּא כִּיּוֹן דְּלֹא נֹעַדְהָ לְרִצִּים חֲקִימָה  
לְרִשְׁמוּמָה שְׁלָא יְהוּ כְּהִיט עֲזִיטִים  
מִמֶּנּוּ מִמִּילָא מִחִיב הַשְׁמֹטָה בְּחֹק:  
וְהַדְוִתִּיה. וְלֹא"ם אִפִּי  
קִדְּשׁ הַקֹּדֶשׁ הֵן שְׁלֹ  
לְרִשְׁמוּמָה שְׁלָא יְהוּ כְּהִיט עֲזִיטִים

## הניזקין

יש כח ציד חכמים  
מן התורה אין צריך  
דיקה אינה מכפרת  
ביא אחרת (א): רי

## חמישי

ומה טעם אמרו נודעה אי  
מכפרת הא נודעה אינה מ  
חשאת. דאיכא חכילת כה  
גזילות: איפכא מיבעי ליה.

# גיפּיז

דקתני מתניתין שלא נודעה  
אינה קריבה: היינו דקתני  
היא. ואמרי מוזבא אוכל  
מזולה שנודעה לרבים שאינה

## מסורת הש"ס

(צ"ק סח: [עד:],  
(צרכות יט: נדה נ:),  
(יבמות לב: וש"נ),  
(צ"ב מז: מח, ה) שם  
שם: כחצות לה, ו) [גי'  
הערוך דדייסיפיק].

## הנהגות מהר"ב

רנשבורג  
[א] מתני' לא הי'  
זיקריקון וכו' אבל  
ש בידן ליקח כו'. עי'  
מז"ט:

## גליון הש"ס

מ' אקמבא ובר  
אמבא. אסמכיה אקרא  
משלי ענין מעשה שהיה  
ת"כ וכן סנהדרין דף נד  
"ז. מארת ה' ציט רשע  
ה פקה בן רמליה וכו'  
ענין לקמן דף סח ע"א  
ע"ש צמוס' ד"ה וקצי:

תורה אור השלם

וְאִשְׁרֵי אָדָם מִפֶּחַד  
תִּמְדוֹ וּמִקְשָׁה לְבֹי יִפּוֹל  
בְּרָעָה: [משלי כח, יד]

לעזי רעז"י

ישובג"א. פירוש מרכזה  
לגשים) (עיין רש"י ז"מ  
ף ע"ג ע"ז ד"ה גוהרקא  
רש"י חעניח דף כ ע"ז  
ד"ה דוהרקה):

## תוספות ישנים

**מבט"י**  
(ג) חבל לעולה אפי' אחר  
דיקה צריך להציא קרבן  
אחר.

ליהנמי רעז"י

ושלם תשלומי כפל.  
בעלים. ואינו משלם  
משלומי ד' וד'. דהא כי  
זבח להקדש טבח ורעהו  
הוא חטאת עולה עמו

מזד צווייטער

והתשלומי ארבעה וחמשה  
וממחר רחמנא ולא שלשה  
שלשה וכו' מדלית כפל  
שלשה הוה ליה שלשה  
ארבעה [ב"ק פח:]. כיון  
שהכל נצטר להו  
ומוכר ככלל תשלומי ד' וה' [ב"מ  
פז:]. סיקריקון. נשעה  
מופקרין להשיגו  
לעצמם ש' ארבעה ו

י"י הורג נפשות על עסק

[illegible]

ומה מעם אמרו נודעה אינה מכפרת שלא  
ואמרו מזבח אוכל גזילות בשלמא לעולא  
היינו דקתני חטאת אלא לרב יהודה מאי  
איריא חטאת אפי' עולה נמי לא מיבעיא  
קאמר לא מיבעיא עולה דכליל היא אלא  
"אפי' חטאת נמי דחלב ודם הוא דסליק  
לגבי מזבח ואידך כהנים אכלי ליה אפי'  
הכי גזר שלא יאמרו מזבח אוכל גזילות  
תני על חטאת הנולדה שלא נודעה לרבים  
שהיא מכפרת מפני תיקון המזבח בשלמא  
לעולא נחא אלא לרב יהודה איפכא מיבעי  
ליה הכי נמי קאמר לא נודעה מכפרת  
נודעה אינה מכפרת מפני תיקון המזבח  
ממתוב רבא <sup>6</sup> נגב והקדיש ואחר כך טבח  
ומכר משלם תשלומי כפל ואינו משלם  
תשלומי ארבעה וחמשה ותני עלה <sup>7</sup> בחון  
כי האי גוונא ענוש כרת ואי אמרת יאוש  
דכרי לא קני כרת מאי עבידותיה אמר רב  
שיזכי כרת מדבריהם אחיכו עליה כרת  
מדבריהם מי איכא אמר להו רבא <sup>8</sup> גברא  
דבה אמר מילתא לא תחוכו עליה כרת  
ששעל ידי דבריהן באתה לו <sup>9</sup> אוקומה רבנן  
ברשותיה כי הכי דליהיב עליה אמר רבא  
היינו דקתני חטאת אלא לרב יהודה מאי

# בִּיהוּדָה

בגור גזרה על יהודה לפי שמסורת  
בדם מנחום סיפוריה הרע עשו  
דכתיב (בראשית מט) ידן צעורף  
אחיבין ומתא נמי כספרי ידיו רב  
כן כעשה עדין את עשו וצוקו  
פ"ק דסוטה (דף י"ג.) דלמור חושם  
בן דן שקל קולפא ומחיה ארישה  
ועשו ומרור עמיה ופלוו אכרעיה  
עקד שמח לא מתא בזהות הכאה  
דע שערמ עליו יהודה והרגו:

**אֲשֶׁרִי אָדָם מִפְּחַד תְּמִיד. צפ'**

הרואה (כרתוס ס.) אמרין  
 תחיה להרואה גזרה מפחד  
 איל מטאה את דתבי פדור  
 תטאיים ופרין מקרה דהכא  
 דדברי חורה שדואה שלם יסכה  
 תלמודו וחוחר על משנתו ומדי והכא  
 ממיי עלי האי טעדי צבטו  
 רוב טובסח ושלוסם לבייס את ר  
 קמאם ולעמוד על בת קיסר והיה  
 לפחד ולדא מן הפורענות  
 דמי לאדם המתפחד בתס:  
 עגלה

זיכרון המינימל של ד"ר

[illegible]

אל אומר לו שא קרקע והניחני מפני  
אבל מהרוגי מלחמה ואילך יש בה  
הוא ואילך יש בה סקריקון והרי יותר  
דין סקריקון דאמר רב יוסף שלש

[illegible]

ללוקח (רש"ש ב"ב מז:). "לָקַח מִן הָאִישׁ וְכִי מִקְחוֹ בָטֹל" – שמעו  
 אחריות של שדות או ייחודה לה לכונומה או כח לה כחן הכינומה  
 עשומי משעובדים לכונומ אשמו והיום ולמחר אם ימות או יגרשנה  
 בסי אחרתיו וערביתיו לכונומך במסכת כחובות (נא). (המשך בדף נר.)

שהוא מסקריקון אין מקחו קיים שכלל שעה יכול לבואו ישראל בעל  
 יגה הלא בכל כל וחלקן שישא שנת ממנו קנינו קין אבל מהונו  
 פחד העובר כוכבים הקנינו לך ולא בכל לב אבל אם לקח תחילה  
 שתוכל לומר נחית רצו עשיתי לבעלי והקנינו לך בכל לב  
 שיתקבל נותן בלעליים ידוע ומקחו קין דקל' מסקריקון רבעא מוהיל  
 לא אדם אבל מיהו בתנא אינו יכולין להוציא מידן כמו שהיו עושין  
 יאצאו יכול להוציא השדה מירו אפילו בדמים שלקח מסקריקון וכו'.

קמץא – [The attendant] went and mistakenly brought him Bar Kamtza. אתא אשכחיה דהנה יתיב – When [the host] arrived at the banquet and found [Bar Kamtza] sitting there, אמר ליה – he said to [Bar Kamtza], מכדי ההוא גברא בעל דבבא דההוא – מבדי ההוא גברא בעל דבבא דההוא – “Look here, that man [you] is the enemy of that

man [me]. מאי בעית דבא – What do you want here? קום פוק – Get up and get out!” אמר ליה – [Bar Kamtza] said to him, הואיל ואתאי שבקן – “Since I have come, let me stay, ויהיבנא לך דמי מה דאכילנא ושתינא – and I will give you the value of whatever I eat and drink.”

## NOTES

a result of שגאת דהזמ, *baseless hatred*. The Gemara, *Yoma* 9b, states: “In [the era of] the second Temple, the people studied Torah and performed

mitzvos, [so] why was the second Temple destroyed? Because there was baseless hatred among the people” (*Maharsha*).

אמר ליה – [The host] said to [Bar Kamtza], לא – “No, I will not let you stay!” אמר ליה – [Bar Kamtza] said to him, “I will give you the value of half your banquet.” אמר ליה – Again [the host] said to him, לא – [Bar Kamtza] said to [the host], “No!” אמר ליה – “No!” אמר ליה – [Bar Kamtza] said to himself: Since the Rabbis were seated at the banquet and did not rebuke him for the way he treated me, it is evident that [what he did] was acceptable to them.<sup>[1]</sup> I will go and spread slander<sup>[2]</sup> against [the Rabbis] in the royal palace. He went and told Caesar,<sup>[3]</sup> אמר – “The Jews have rebelled against you!” אמר – [Caesar] said to him, מי יומר – [Bar Kamtza] said to [Caesar], שדר להו קורבנא – and see whether they offer it in their Temple!<sup>[4]</sup> אמר – [Caesar] went and sent a fine<sup>[5]</sup> calf with [Bar Kamtza]. As he was going to Jerusalem, שדר – [Bar Kamtza] caused a blemish in [the calf’s] upper lip, or, as some say, he

caused a cataract in the eye.<sup>[6]</sup> Either way, he ensured that the blemish was in a place where it is considered a blemish for us, i.e. for offering in the Temple, but is not considered a blemish for them, i.e. for offering outside the Temple.<sup>[7]</sup> Although the animal was unfit to be offered in the Temple, the Rabbis considered offering it – for the sake of peaceful relations with the Roman government.<sup>[8]</sup> אמר להו – R’ Zechariah ben Avkulas said to them, יאמרו בשלי מומין קריבין לגבי מזבח – “But [people] will then say that blemished [animals] may be offered on the Altar!” אמר להו – [The Rabbis] considered killing [Bar Kamtza] – so that he would not be able to go and tell Caesar that the offering had been refused.<sup>[9]</sup> אמר להו – R’ Zechariah said to them, יאמרו מטיל מום בקדשים – “But [people] will then say that one who blemishes consecrated [animals] is put to death!”<sup>[10]</sup>

R’ Yochanan interrupts his narrative with the following observation:

ענותנותו של רבי זכריה בן – אמר רבי יוחנן – The tolerance displayed by R’ Zechariah ben Avkulas in refusing to have Bar Kamtza put to death<sup>[11]</sup> – אבקולס – החרבה – ושרפה את היכלנו – את ביתנו – destroyed our Temple, and exiled us from our land.<sup>[12]</sup>

## NOTES

1. In fact, the Rabbis were not in a position to protest [possibly due to the host’s great power] (see *Maharsha*).

2. *אכילת קורצין*, *eating kurtzin*, is an idiomatic expression for spreading slander. When a slanderer went to someone’s house to tell him some gossip, they would eat a snack – known as *קורצין*, *kurtzin* – to symbolically confirm the talebearer’s words. *Kurtzin* is from the root *wink* – for talebearers wink as a means of imparting their message to its intended recipient without letting anyone else understand it (*Rashi* to *Leviticus* 19:16).

3. [The term *קיסר*, *Caesar*, is sometimes used not for the Roman emperor, but for those who acted as his representatives in the far-flung empire. It is not clear whether the reference here is to the emperor himself (Nero) or to the Roman proconsul in Syria.]

At that time, the Jews had succeeded in driving Flavius Flavianus, the local Roman procurator (an extraordinarily cruel tyrant), from Jerusalem. Agrippa II (the grandson of Herod and ruler of Eretz Yisrael), who had allied himself with Flavius, attempted to persuade Cestius Gallus, the Roman proconsul in Damascus, that the Jewish resistance was directed not against Flavius but against Rome. It was in this context that Bar Kamtza approached the Roman authorities with his scheme to slander the Jews, and why his slander found such a receptive audience in Rome (see *Doros HaRishonim* vol. 3 pp. 1-40).

4. A gentile may voluntarily bring offerings to be sacrificed on the Altar in the Temple, the same as a Jew (*Rashi*).

5. *Tosafos*; cf. *Rashi* to *Eruvin* 63a עגלא ר"ה.

6. *Rashi*. A cataract is a disqualifying blemish (see *Rashi* to *Leviticus* 21:20, *Mishnah*, *Bechoros* 38a).

A correspondent inquired of *Rashba* (*Teshuvos* 1:326, cited by *Maharatz Chayes* and *Yad David*): How is it possible to introduce a cataract in an animal’s eye? *Rashba* answers that Bar Kamtza knew how to strike the eye in such a manner as to cause a cataract to develop. He also characterizes as acceptable the correspondent’s own suggestion that Bar Kamtza substituted an animal that had a cataract for the animal sent by Caesar.

*Rashi* (*Bechoros* 16a וליבא ר"ה), in an alternative interpretation of the term *דוקין שבעין*, translates it as *eyelids*, but *Rashi* here follows the view that it means a cataract.

7. Unlike a Jew who may offer sacrifices only in the Temple, a gentile may do so either in the Temple or elsewhere. However, there is a difference between an offering brought by a gentile in the Temple and one brought elsewhere; a Temple offering is disqualified

if it is merely blemished, whereas an outside offering is not disqualified unless it is missing a limb (see *Rashi* here and to *Avodah Zarah* 51a ר"ה חז"א). Thus, the Rabbis could not refuse the animal on the basis of its blemish, for in Caesar’s eyes the animal was unblemished.

8. The Gemara seems to imply that it is permissible to violate even Biblical prohibitions for the sake of maintaining good relations with the government (*Magen Avraham* 656:8; cf. *Yad David*). [The reason for this is that a negative attitude on the part of a totalitarian government toward the Jewish people could very easily lead to bloodshed, a truth that history has sadly borne out many times. All prohibitions (with the exceptions of idolatry, murder and immoral acts such as adultery and incest) are permitted for the sake of saving a life.]

9. Anyone who is known to be inciting the government against his fellow Jews may be put to death (*Meiri*). [The Gemara, *Sanhedrin* 73a, states that if one sees someone about to commit a murder, one should kill the potential murderer to prevent him from carrying out his designs. Inciting a totalitarian government against one’s people is tantamount to attempted murder.]

10. It is Biblically prohibited to blemish an animal designated as an offering (*Bechoros* 33b). [This prohibition carries the penalty of lashes; it is not a capital offense.] People might [mistakenly] assume that Bar Kamtza was executed for violating this prohibition (*Rashi*).

11. *Rashi*. Alternatively: R’ Zechariah, because of his humility, did not feel himself qualified to make the determination that Bar Kamtza posed a mortal danger to the Jewish nation. [This explains the use here of the word *ענותנותו*, which usually means “his humility”] (*Geresh Yerachim*).

12. The word *היכל*, *Sanctuary*, usually refers to the chamber in the Temple that housed the Menorah, the Shulchan and the Golden Altar. Sometimes it is used to denote the Temple in its entirety (see *Tosefos Yom Tov* to *Midos* 4:6).

13. In fact, the destruction of the Temple had already been Divinely decreed. This incident was effective only in causing the destruction to take place at that particular time (*Maharam Schiff*).

Alternatively: Only the exile had already been decreed (as punishment for the unwarranted hatred that festered among the people – see 55b note 46). As far as the Temple was concerned, Caesar would have spared it had his sacrifice been offered in it. Now that his sacrifice was refused, he decided to destroy the Temple, arguing that it served him no purpose (*Maharsha*).

[illegible]

The narrative is resumed:

He sent against them (to) Nero Caesar.<sup>[14]</sup> Nero set out to attack Jerusalem. As he<sup>[15]</sup> approached Jerusalem, he shot an arrow towards the east, and it fell in Jerusalem. He shot one towards the west, and it fell in Jerusalem. He shot an arrow towards each of the four directions of the compass and [each one] fell in Jerusalem.<sup>[16]</sup> Then he asked a young boy, “Tell me your verse” [i.e. the verse you are currently studying].<sup>[17]</sup> [The boy] recited to him, “I will take My revenge against Edom through the agency of My people Israel etc.”<sup>[18]</sup> i.e. God will ultimately punish Edom<sup>[19]</sup> (for its treatment of the Jewish nation) through the agency of His people. He said to himself: קודשא בריך הוא בעי להרוגי – and he wants to wipe His hands clean on that man [myself].<sup>[20]</sup> He ran away and converted to Judaism,<sup>[21]</sup> and R’ Meir was descended from him.

[Caesar]<sup>[22]</sup> sent him, Vespasian Caesar,<sup>[23]</sup> against [the Jews]. – אָתָּא צַר עָלֵה תַלְתָּ שָׁנִי – [Vespasian] came and besieged [Jerusalem] for three years. There were three wealthy men in [Jerusalem]: נַקְדִּימוֹן בֶּן גּוּרִיּוֹן – Nakdimon ben Gurion, בֶּן כַּלְבָּא שָׁבוּעַ – Ben Kalba Savua – and Ben Tzitzis Hakeses.

The Gemara explains these names:

נַקְדִּימוֹן בֶּן גּוּרִיּוֹן – Nakdimon ben Gurion was so called שְׁנָקְדָה – because it once happened that the sun miraculously pierced (*nakdah*) the clouds on his behalf.<sup>[24]</sup> בֶּן כַּלְבָּא שָׁבוּעַ – Ben Kalba Savua was so called שָׂכַל הַנֶּכֶס – because anyone who entered his house – left – יוֹצֵא כְּשֶׁהוּא שָׂבַע – as hungry as a dog (*kalba*)<sup>[25]</sup> – Ben Tzitzis Hakeses was so called שְׁהִיְתָה צִיצִיתוֹ נִגְרָרָת עַל גְּבֵי כְּסוּתוֹ – because wherever he walked, his tzitzis trailed behind him on cushions (*keses*); he walked only on cushions fashioned from fine fabric. Some say that he was given this name – אֵיכָּא דְאָמְרִי – because his seat cushion (*keses*) was placed among those of the nobles of Rome

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14. [This sentence is very obscure. It could be translated “he sent against them Nero Caesar,” or “he sent against them to Nero Caesar.” The first translation is problematic, because it is difficult to imagine who the subject of the sentence (“he”) might be who “sent” the emperor Nero. For this reason, the second translation seems more plausible. The meaning would then be that following Bar Kamtza’s ploy with the animal, and the rejection of the sacrifice by the Temple authorities, he – Bar Kamtza – sent a report of the rejection to Nero in Rome. This report convinced Nero that a rebellion was afoot and he set out toward Jerusalem.

There are various other explanations of this phrase. *Seder HaDoros* (3829) explains it as follows: *Nero Caesar sent* [a general] *against them*. *Yuchasin* (s.v. מאיר) has a variant text of the Gemara, which reads: שָׁדֵר עֲלֵיהֶוּ לְגִירוֹן שֶׁר צָבָא, He [Caesar] sent Nero his general against them. *Ein Yaakov* has the reading קִיסָר נִירוֹ, Nero Caesar sent [an army] against them (see also *Tzemach David* part 2, year 3830; *Maharsha*; *Maharam Schiff*).

15. From *Maharsha* it is apparent that this pronoun signifies Nero Caesar. According to the views cited in the second paragraph of the previous note, the reference is to a Roman general.

16. [Nero made use of these divinations to see whether his campaign would be successful.]

What message was conveyed by the arrow that was shot in the direction of Jerusalem?

Nero was not close enough to the city for the arrow to reach it naturally. The arrow was amazingly carried by the wind all the way to Jerusalem (*Maharsha*).

An alternative approach: Nero was afraid that although the Jews had sinned, God, out of His love for His people, might interfere with the natural course of events to save them. Nero therefore shot an arrow towards Jerusalem to see whether it would keep its course. The fact that this arrow reached its target and was not diverted by some miracle signified to Nero that God was not going to intervene on the Jews’ behalf. Then he shot arrows in the other directions. When they miraculously fell in Jerusalem, Nero divined that, on the contrary, it was God’s will that Jerusalem be destroyed (*Anaf Yosef*).

17. Having ascertained that the destruction of Jerusalem had been decreed by God, Nero now wished to know whether he would be rewarded for fulfilling God’s will in this matter. To this end, he asked a child to recite the verse he was studying (*Anaf Yosef*; see 68a note 4).

18. *Ezekiel* 25:14.

19. Rome is regarded as heir to the Biblical nation of Edom (see *Rashi* to *Genesis* 36:43 מגריאל (ד”ר)).

20. *Anaf Yosef* asks: Since God had decreed that Jerusalem be destroyed (see note 16), why would Nero be punished for, in effect, fulfilling God’s will?

A similar question was raised by the Rishonim regarding the

enslavement of the Jewish people in Egypt: Considering that this slavery had been Divinely ordained – as God said to Abraham (*Genesis* 15:13), וְעַבְדוֹם וְעָנּוּ אֹתָם, *They will enslave them and oppress them* – why were Pharaoh and the Egyptians punished?

The following is a synopsis of some of the approaches to this problem:

*Rambam* (*Hil. Teshuvah* 6:5) explains that God’s decree did not apply to any particular individual. Each Egyptian could have chosen not to abuse the Jews. Thus, each one who did harm a Jew was deserving of punishment.

*Ramban* (*Genesis* 15:13), though not disputing the premise that an individual can choose to avoid carrying out a preordained Divine decree, disagrees with the general approach of *Rambam*. For, he argues, if God issues a decree (through a prophet), it is surely meritorious to obey the decree, and an individual who ignores it transgresses God’s will. Rather, Pharaoh and the Egyptians were punished because they oppressed the Jews to a greater extent than mandated by the decree. Alternatively, one who fulfills such a decree for ulterior motives, rather than for the sake of Heaven, is deserving of punishment. [Thus, since Nero’s reasons for destroying Jerusalem had nothing to do with God’s will, he would have been punished for destroying it.]

*Raavad* (*Hil. Teshuvah* *ibid.*) seems to be of the opinion that once a decree has been passed, the individual who was chosen to carry it out is unable to refrain from doing so. However, God arranges that a decree of a harmful nature is performed only by one who is anyway deserving of punishment. (As an alternative, *Raavad* mentions an approach similar to that of *Ramban*.)

21. [According to some opinions, the Gemara refers to Nero Caesar (see note 14). Although secular history records Nero Caesar as having died in office in the year 68 C.E. (two years before the destruction of the Temple), it is possible that in fact he disappeared and it was merely assumed that he had died. (*Maharsha* to *Taanis* 23a gives a similar explanation for certain historical accounts of the death of Choni HaMe’agel; see Schottenstein Edition *ibid.* note 32).]

22. [From *Doros HaRishonim* it seems that the reference is to Nero Caesar. If this is so, it is clear that Nero did not run away and convert to Judaism until after he dispatched Vespasian.]

23. At that time, Vespasian was not yet the emperor. He is identified here as Vespasian Caesar because ultimately he did reach this position, as the Gemara will record on 56b (*Doros HaRishonim* vol. 3 p.3).

24. The sun was made to shine in the sky after the time for it to set had passed, so that Nakdimon’s repayment of a loan (that he had incurred on behalf of the people) would not be considered late. The full incident is recounted in *Taanis* 19b-20a.

25. The dog has less food available to him than any other animal (*Shabbos* 155b).

בדוקין. טלי"א כגן  
הנוטה דרום שמים (ישעיה  
(מ) וגבי קרבן מוס הוא  
כדכתיב (ויקרא כה) או דק  
או תכלול צעינו [פסחים  
עג.]. י"א דוקין יש לו  
מוס צעפעפס ולהכי קרי  
לצעפעפס  
[צעפעפס] על העין  
בכרע דהכי אמרינן  
בספרי אגודות העין דומה  
לעין חיה

[illegible]

whenever he went there for an audience with the emperor.<sup>[26]</sup>

The narrative is continued:

One of these three rich men said to [the Rabbis], **“I will sustain [the people] with wheat and barley.”** – And another one said to [the Rabbis], **“I will supply them with wine, salt and oil.”** – And another one said to [the Rabbis], **“I will supply them with wood.”** The Rabbis gave special praise to the one who promised wood. His pledge was the most generous, inasmuch as wood is required in greater quantity than other staples, as borne out by the following: Rav Chisda entrusted all his keys to his attendant, except for [the key] to his storehouse of wood. For Rav Chisda said: To bake a storehouse full of wheat into bread requires sixty storehouses of wood. [These three men] had enough supplies to sustain the residents of Jerusalem for twenty-one years. However, there were these *baryonei* among [the people]. The Rabbis had said to [the *baryonei*], **“Let us go out and make peace with [the Romans].”** – They said to [the Rabbis], **“Let us go out and wage war against [the Romans].”** – It will not be successful. [The *baryonei*] arose and burned down those storehouses of wheat, barley and wood, and there was a famine in the city.<sup>[28]</sup>

The Gemara relates one of the tragic effects of the famine:

Martha the daughter of Boethus was the wealthiest woman in Jerusalem. She sent out her agent, saying to him, **“Go and bring me some bread made of fine flour.”** – By the time he went, [the bread made of fine flour] had been sold. He went back to Martha and told her, **“There is no more bread made of fine flour, but there is white bread.”** – She said to him, **“Go and bring me some white bread.”** – By the time he went, [the white bread] had been sold. He went back to Martha and told her, **“There is no more white bread, but there is coarse bread.”** – She said to him: **“Go and bring me some coarse bread.”** – By the time he went, [the coarse bread] had been sold. He went back to Martha and told her, **“There is no more coarse bread, but there is barley flour.”** – She said to him: **“Go and bring me**

some barley flour.” – By the time he went, [the barley flour] had been sold. Although she was not wearing her shoes, she said: **“I will go out and see whether I can find anything to eat.”** – Some animal dung stuck to her foot, she became nauseated and died. Rabban Yochanan ben Zakkai recited the following verse about her: **“The delicate and pampered [woman] amongst you, who never ventured to set the sole of her foot upon the ground.”**<sup>[29]</sup>

An alternative version of the cause of Martha's death:

She ate the dried figs of R' Tzadok, became nauseated and died.

The reference to R' Tzadok is explained:

For R' Tzadok fasted for forty years so that Jerusalem should not be destroyed. – He was so thin that when he ate anything, it could be seen from the outside going down his throat. When he nourished himself after concluding his fasts, since he was not able to consume solids, they brought him dried figs; he would suck out their moisture and then discard them.

The Gemara concludes the story of Martha the daughter of Boethus:

As [Martha] was dying, she took out all her gold and silver and threw it into the marketplace. – What do I need this for? – This is a fulfillment of that which is written: **“They will throw their silver into the streets.”**<sup>[31]</sup>

The Gemara returns to the central narrative:

Abba Sikra, the head of the *baryonei* in Jerusalem, was the son of Rabban Yochanan ben Zakkai's sister. [Rabban Yochanan ben Zakkai] sent the following message to him, **“Come to me in secret.”** – [Abba Sikra] came. – [Rabban Yochanan ben Zakkai] said to him, **“How long are you going to act in this way and kill everyone through starvation?”**<sup>[32]</sup> – [Abba Sikra] said to him, **“What can I do?”** – [Rabban Yochanan ben Zakkai] said to him, **“If I say anything to [the *baryonei*] that is contrary to their agenda, they will kill me!”** – [Rabban Yochanan ben Zakkai] said to him, **“Find a way for me to get out of the city, perhaps there will be a small measure of salvation.”** – [Abba Sikra] said to him, **“Make yourself out to be sick,”**<sup>[34]</sup>

#### NOTES

26. According to this explanation, “Ben Tzitzis” was his real name. “Hakeses” was added in recognition of his prestigious position (*Rashi*).

27. *baryonei* (from the root בור, *empty*), were empty men, with a propensity to violence; i.e. ruffians (*Rashi*). [The reference is to the ardently nationalist group whom secular history knows as the Zealots. As the Gemara relates presently, they advocated the overthrow of Roman rule through war, and violently resisted any attempts at reconciliation.]

28. The intent of the *baryonei* was to give the populace no choice but to go out and fight the Romans.

29. *Deuteronomy* 28:56. The verse appears in the context of the prophecy

that foretells the destruction of Jerusalem and the Temple.

30. He responded to omens of the destruction that were visible forty years before it actually occurred (*Maharsha*; see *Yoma* 39b).

31. *Ezekiel* 7:19. The verse refers to the impending Destruction of Jerusalem.

32. Rabban Yochanan ben Zakkai was the leading Rabbinic authority in Jerusalem at that time.

33. The *baryonei* did not allow anyone to leave the besieged city.

34. Put out word that you are sick (*Rashi*).

ר.י. על שם קינוח כדאמר  
ט. סנהדרין קי.]. **אבל בא.**

[illegible]

and let everyone come and ask about you.<sup>[35]</sup> וְאֵייתִי מִידֵי – סָרִיזָא וְאַגְנִי גַבְרָא – Then take something that smells bad, such as the carcass of an animal, and lay it down next to you in your bed וְלִימְרוּ דְנַח נִפְשָׁךְ – so that people will say that you have died and your body is beginning to smell. וְלִיעֵיילוּ – Then let your students enter and take hold of your bed and carry it out; וְלֹא לִיעוּל בְּךָ אִינִישׁ אַחֲרִינָא – and do not let anyone else enter and carry your bed, דְּלֹא לְרַגְשָׁן – so that they will not detect that you are unexpectedly light. – For [the *baryonei*] know that a living person feels lighter than a corpse.”<sup>[36]</sup>

[Rabban Yochanan ben Zakkai] did as he was advised. – עֲבִיד הָכִי – נִכְנַס בּוֹ רַבִּי אֱלִיעֶזֶר מִצַּד אֶחָד וְרַבִּי יְהוֹשֻׁעַ מִצַּד אֶחָד – R’ Eliezer entered and took hold of his bed on one side and R’ Yehoshua on the other side. They carried the bed to the gate of the city.<sup>[37]</sup> – כִּי מָטוּ לְפִיתְחָא בְּעוּ לְמִדְקְרִיָּה – When they reached the gate, [the *baryonei*] who were guarding the gate wanted to stab [Rabban Yochanan ben Zakkai] with spears to make sure

he was really dead. – אָמַר לְהוּ – [Abba Sikra] said to [them], – יֵאמְרוּ רַבִּין דְּקָרוּ – “Shall [the Romans] say that [the Jews] stabbed their Rabbi?” – בְּעוּ לְמִדְקְרִיָּה – [The *baryonei*] wanted to shove [Rabban Yochanan ben Zakkai] to see whether he would cry out. – אָמַר לְהוּ – [Abba Sikra] said to them, – יֵאמְרוּ – “Shall they say that [the Jews] shoved their Rabbi?” – פְּתַחוּ לִיָּה בְּבֵא נִפְקָא – [The *baryonei*] finally opened the gate for him, and he was carried out.<sup>[38]</sup> – כִּי מָטָא לְהֵתָם – When [Rabban Yochanan ben Zakkai] reached [the Roman camp], – אָמַר שְׁלָמָא עָלָךְ מַלְכָּא שְׁלָמָא עָלָךְ מַלְכָּא – he said to Vespasian, “Peace be upon you, O king! Peace be upon you, O king!” – אָמַר לִיָּה – [Vespasian] said to him, – מִיחֻיבָתָּ תְּרִי קָטָלָא – “You are liable to death on two accounts. – חֲדָא – First, – דְּלֹא מַלְכָּא – for I am not a king and you are mocking me by calling me a king.”<sup>[39]</sup> – וְתוּ – Furthermore, – אִי מַלְכָּא אָנָּא – if I am a king, – עַד הָאִידְנָא אָמַאי לֹא אָתִית לְגַבְאִי – why did you not come to me until today?” – אָמַר לִיָּה – [Rabban Yochanan ben Zakkai] said to him, – דְּקָאֲמַרְתָּ לֹא מַלְכָּא אָנָּא – “To that which you say, ‘I am not a king,’

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35. As if you were dying (*Rashi*).

36. [A living being automatically tends to balance its weight, making it easier to carry. A corpse (or inanimate object) of the same weight is harder to carry; hence the expression “dead weight.”]

37. It is forbidden to bury a human corpse inside Jerusalem (*Rambam*,

*Hil. Beis HaBechirah* 7:14, from *Tosefta Bava Basra* 1:7 and *Sifri* 26:25). This custom was observed even during the siege of Jerusalem (see *Rashi* to *Leviticus* 26:25 וְשִׁלַּחְתִּי; see also *Kli Chemdah* there).

38. Literally: he went out.

39. *Rashi*; cf. *Maharsha*, *Maharam Schif*.

זי.ט. סנהדרין קי.). **אבֿלֿבֿא.**

[illegible]