

TSEFET'S PERICOPE #78^B

אִשָּׁה כִּי תִזְרִיעַ

“Ishá Ki Taz’riá”

“A woman if has conceived”

Vayiqra (Leviticus) 12:1 – 13:28

N.C.: I Tsefet (Peter) 4:12-19

Commentary by Dr. Eliyahu Ben Avraham (Walter Oakley)

BESB^a

Greek

¹² ¶Beloved do not be surprised at the fiery trial which is testing you as if something strange was happening to you. ¹³ But as *you* share in Messiah’s suffering rejoice; so that you can rejoice at the revelation (*apokalupsei*) of his honor with exultation. ¹⁴ If you are reproached for the name of Messiah, blessed *are you* because the glory of G-d’ spirit is resting on you. (Isa 11.2) ¹⁵ Let none of you suffer *because he is a murderer, thief, or criminal or as an informer (false witness)*^b. ¹⁶ But if any of you *suffer* as a follower (talmid) of Messiah, *you are to not to be* ashamed, but let *him* glorify G-d’s in that name. ¹⁷ Because the time to begin the judgment from the house of G-d *has come*: but if it begins with us first, what will be the outcome of those who disobey the Mesorah (*Oral Torah*) of G-d. ¹⁸ And “ **If the righteous will be recompensed on the earth, How much more the ungodly and the sinner.**” (Pro 11:31) ¹⁹ And so suffering *is* according to the will of G-d the Faithful Creator therefore, commit *your* soul to *Him* (G-d) in moral excellence.

² Ἀγαπητοί μὴ ξενίζεσθε τῇ ἐν ὑμῖν πυρώσει πρὸς πειρασμὸν ὑμῖν γινομένη ὡς ξένου ὑμῖν συμβαίνοντος
¹³ ἀλλὰ καθὼ κοινωνεῖτε τοῖς τοῦ Χριστοῦ παθήμασιν χαίρετε ἵνα καὶ ἐν τῇ ἀποκαλύψει τῆς δόξης αὐτοῦ χαρῆτε ἀγαλλιώμενοι
¹⁴ εἰ ὀνειδίξεσθε ἐν ὀνόματι Χριστοῦ μακάριοι ὅτι τὸ τῆς δόξης καὶ τὸ τοῦ θεοῦ πνεῦμα ἐφ’ ὑμᾶς ἀναπαύεται
¹⁵ μὴ γὰρ τις ὑμῶν πασχέτω ὡς φονεὺς ἢ κλέπτης ἢ κακοποιὸς ἢ ὡς ἀλλοτριεπίσκοπος·
¹⁶ εἰ δὲ ὡς Χριστιανὸς μὴ αἰσχυνέσθω δοξαζέτω δὲ τὸν θεὸν ἐν τῷ ὀνόματι τούτῳ
¹⁷ ὅτι [ὁ] καιρὸς τοῦ ἄρξασθαι τὸ κρῖμα ἀπὸ τοῦ οἴκου τοῦ θεοῦ· εἰ δὲ πρῶτον ἀφ’ ἡμῶν τί τὸ τέλος τῶν ἀπειθούντων τῷ τοῦ θεοῦ εὐαγγελίῳ
¹⁸ καὶ εἰ ὁ δίκαιος μόλις σώζεται ὁ [δέ] ἀσεβῆς καὶ ἁμαρτωλὸς ποῦ φανεῖται
¹⁹ ὥστε καὶ οἱ πάσχοντες κατὰ τὸ θέλημα τοῦ θεοῦ πιστῶ κτίστη παρατιθέσθωσαν τὰς ψυχὰς ἐν ἀγαθοποιΐᾳ

DELITZSCH HEBREW TRANSLATION

¹² חֲבִיבֵי בְּבִאֲכֶם בְּתוֹדָה כּוֹר עָנִי לְמַעַן נִסְתַּכֶּם אֶל־נְאֻ תַתְּמֶהוּ בְּאֵלֵי קָרָה אֶתְכֶם מִקָּרָה זָר׃ ¹³ כִּי אִם־שִׁמְחוּ עַל־אֲשֶׁר חָלַק לְכֶם בְּעַנְוֵי הַמְּשִׁיחַ לְמַעַן גַּם־תִּשְׂמְחוּ וְתַעֲלֶצוּ בְּהַגְלוֹת כְּבוֹדוֹ׃ ¹⁴ אִם־יִחְרְפוּ אֶתְכֶם לְמַעַן־שִׂם הַמְּשִׁיחַ אֲשֶׁר־כֶּם כִּי נָחָה עֲלֵיכֶם רוּחַ הַכְּבוֹד וְהַגְּבוּרָה רוּחַ אֱלֹהִים אֲצֵלְכֶם מִנְּאֻף הוּא וְאֲצֵלְכֶם נִכְבָּד׃ ¹⁵ כִּי

^a Beth El Study Bible – Notes and translation by Dr. Eliyahu Ben Avraham

^b In the Nazarene Codicil Hakham Tsefet alone uses this word. Similarly, in extra-biblical writing the word is used infrequently. Consequently, the meaning is ambiguous. The bet working definition we have of this word is found in Adolf Jülicher’s work. (Adolf Jülicher, Introduction to the New Testament, London Smith Elder & Co, 1904 pg 213) Here Jülicher defines the word as judicial informer or delator. Based on the vocabulary of the rest of the verse I have translated as “informer” or “false witness.” I will elaborate later in this commentary.

אֶל־יְעֹנָה אִישׁ מִכֶּם כְּרָצַח אוֹ כְּגֵב אוֹ־כַפֵּעַל אֶן אוֹ־כְגֵבִיס בְּתַחוּם שְׁאִינוֹ שְׁלוֹ: ¹⁶ וְכִי־יְעֹנָה כְּאֶחָד הַמְּשִׁיחִים
 אֶל־יְבוֹשׁ כִּי אִם־יִזְדֶּה לְאֱלֹהִים עַל־הַדְּבָר הַזֶּה: ¹⁷ כִּי עַתָּה הִחַל הַמְּשַׁפֵּט מִבֵּית אֱלֹהִים וְאִם־מִמֶּנּוּ רָאשְׁנָה
 מִה־תִּהְיֶה אַחֲרֵית הַמַּמְרִים אֶת־בְּשׂוֹרַת אֱלֹהִים: ¹⁸ הֵן צָדִיק כִּמְעַט לֹא יִשָּׁע אִף כִּי־רָשָׁע וְחוֹטֵא: ¹⁹ לָכֵן
 גַּם־הַמְּעֹנִים כְּרָצוֹן אֱלֹהִים יִפְקִידוּ אֶת־נַפְשֵׁיהֶם בְּיַד אֱלֹהִים הַבֵּרָא הַנְּאֻמָּן וְיִוְסִיפוּ לַעֲשׂוֹת הַטּוֹב:

MURDER, THIEF, CRIMINAL AND INFORMER

Let none of you suffer *because he is a murderer, thief, or criminal or as a informer (false witness)*

This verse is laid out in such a way to make and break certain word connections and chains of thought. For example, *ōs phoneus ē kleptēs ē kakopoios* demonstrates the continuity and similarity between words. Consequently, the *ōs* is not repeated in the text. The three words murder, thief and criminal are all connected. The murderer and thief are specific criminal activities. *Kakopoios* is used to cover all other criminal activities.

I have translated *ōs phoneus* **because he is a** murderer because this is being as faithful to the Greek idea expressed as possible.

I find it very amazing to note that Hakham Tsefet makes such a contrasted connection. The evil perpetrated on the Nazarene converts is most likely some form of verbal persecution. However, the root of this persecution is some form of verbal slander, as we will discuss. The reason that I draw attention to this contrast is that the persecutor uses “*lashon hara*” as a weapon against the Nazarenes and new converts. Hakham Tsefet makes the contrast to show the severity of “*lashon hara*.” In the mind of Hakham Tsefet, it appears that “*lashon hara*” is equal to the three criminal activities of this verse deserving the death penalty.

ē ōs allotriepiskopos stands alone from the other three criminal activities.^c While it is associated with the other three because it is in the same sentence, it stands by itself grammatically. As noted in the footnote, this word is hard to translate. This is because the word is seldom use in extra-biblical sources and used only by Hakham Tsefet here. Several ideas concerning the etymology of the word exist. However, the etymology of the word offers little help with exactly how to translate the word. Varied sources try to unfold the etymology and translate the words intent, most with little or no real insight into the word’s meaning. Because the criminal activity of the verse is very harsh, I have looked for the appropriate translation. Likewise, it is compulsory to use Corral Hermeneutics in our interpretation and commentary. Therefore, our interpretation must be found within the context of all the reading material. The Torah Seder this week centralizes on three fundamental issues. The three issues can be narrowed down into two basic issues.

^c See Diagram 1

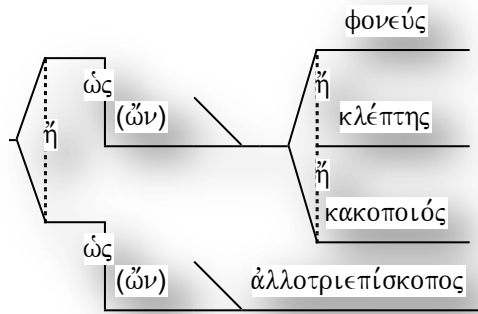


Diagram 1

1. Childbearing and the appropriate rituals (Chapter 12:1-8)
2. The condition and judgment concerning the leper (Chapter 13)

The rituals of childbearing and the ritual of the leper are within the same Torah Seder. There is no evil in childbearing. This mechanism is vital for the procreation of the species. Likewise, Judaism usually looks at being “barren” as if it were some form of curse. Therefore, childbearing is a great joy to Jewish families. This beautiful action is the result of the family altar having been re-enforced and strengthened, as we have been encouraged to do over the past weeks in the words Hakham Tsefet. The creation of life is one of the most sublime phenomena found in our universe. The Chazzal tell us that this activity is the result of a threefold partnership. While the mother and father contribute to the child’s physical development, HaShem places the correct *neshama* within that child. This process demonstrates the sanctity of life.

A lesson that taught by our present Torah Seder ...

*Human life is more than the absence of contamination. Human aspirations must rise above the elimination of the negative. One has not been completely cleansed until one has come to the **resting place^d** of G-d’s presence with an offering that represents atonement for the past and dedication for the future.^e*

As noted above, the teachings of the present Torah Seder teach the aspirations of the *neshama*. Likewise, the circumcision of the eight-day-old male demonstrates the covenantal connection between that *neshama* and HaShem. This connection tells us that the *neshama* of that child must work diligently to become a *Beit haMikdash* (**resting place** for HaShem).

It is also noteworthy at this point to quote Ramban quoting the p’shat of Rashi and Abraham Ibn Ezra on the woman’s status of cleanliness.

She sits in isolation, not speaking with people at all, for even her speech was considered by them to be contaminated.^f

^d Emphasis mine

^e The Stone Edition Chumash, Mesorah Publications, Ltd., Artscroll Series. Pg 608ff

^f Ramban, The Torah; with Ramban’s Commentary Translated, Annotated, and Elucidated, Sefer Vayikra, Artscroll Series, Mesorah Publications Ltd, June 2008 pg. 291

This connection of contaminated speech originated long before the time of Ramban. The footnote in his notes suggests that the origin of this idea came from “the ancients.”^g This theme fits the connections we are making with Hakham Tsefet and the “*lashon hara*” this week.

The value of a man’s *neshama* is described in the Mishnah as being equal to the whole world.

*San 4:5 How do they admonish witnesses in capital cases?... Therefore, man was created alone, to teach you that whoever destroys a single Israelite soul is deemed by Scripture as if he had destroyed a whole world. And whoever saves a single Israelite soul is deemed by Scripture as if he had saved a whole world. And it was also for the sake of peace among people, so that someone should not say to his fellow, “My father is greater than your father.” And [it was also on account of the **minim**,] so that the **minim** should not say, “There are many domains in Heaven.”ⁱ(See Endnote for entire Mishnah)*

Here the Mishnah also connects the sanctity of life to the elevation of the Talmidim to the status of a Hakham and the testimony of a witness in the cases of death penalty. Likewise, we see the *Minim* – informers heretic. The sayings of the *minim* here is one of heresy. Rather than believe in the One G-d (*Shema*) the *minim* attribute the cosmos to many power or dignities i.e. gods. Therefore, the *minim* of our Mishnah is heretics. It seems very plausible to think that Hakham Tsefet may have had this very Mishnah in mind when he made his Sabbath Sermon. Alternatively, perhaps, as I would conjecture, we have the Master’s Mesorah in this pericope.

The opening of the above cited Mishnah begins “How do they admonish witnesses in capital cases?” might better read or be understood to say, how do they instill fear in the witness in capital cases? (My interpretation based on comments of the Artscroll Mishnah series.)^h Time is spent with the witness before their testimony is given to instill fear in the witness. The witness MUST know the consequences of being a “false witness.” A similar procedure is carried out in civil cases.ⁱ The full procedure is described by Rambam in Hilchot Sanhedrin 12:1,³ⁱⁱ (See Endnotes)

Rambam’s commentary and hilchot demonstrate what Hakham Tsefet is describing in his Sabbath Sermon.

The progression of the Torah Seder from childbearing to Leper is very interesting. The great interest is that the Chazzal teaches us that the Leper has brought the disease of leprosy on himself through his own crimes. The primary crime of the Leper is one of “*lashon hara*” specifically malicious talk.

Rashi says, "Since afflictions come about because of malicious talk, which is an act of verbal twittering, therefore, there was required for [the sufferer's] purification, birds that constantly twitter with chirping of sound."

Rashi here invokes the crime of "*lashon hara*" or malicious speech.^j According to the Jerusalem Talmud,^k the crime of "*lashon hara*" is the equivalent of idolatry, licentiousness, and murder COMBINED. Soiling someone else's reputation by spreading such speech is a major criminal offense; the punishment of leprosy fits this crime by spreading sores over the body of the gossiper (informer – heretic). Just as gossip infects and taints the lives of its subjects, so does leprosy infect and taint the gossiper (informer – heretic). Therefore, the purification rite must include twittering birds to symbolize the leper's missteps.

^g Ramban, The Torah; with Ramban’s Commentary Translated, Annotated, and Elucidated, Sefer Vayikra, Artscroll Series, Mesorah Publications Ltd, June 2008 pg. 291

^h The Mishnah, Artscroll Mishnah Series, A New Translation with Commentary Yad Avraham Anthologized from Talmudic Sources and Classic Commentators, Seder Nezakim Vol II (a)pg 100ff

ⁱ Sanhedrin 3:6

^j Lev 14:4

^k Peah 4a-b

Birkat haMinim

When I talked with His Eminence Rabbi Dr. Yoseph Ben Haggai about the translation of the Greek word *ἀλλοτριεπίσκοπος* (*allotriepiskopos*) we decided on the information researched that *ἀλλοτριεπίσκοπος* had to be informers or *Minim*. The commentary provided by His Eminence reflects this in translation and explanation.

Dr. David Flusser discusses the *Birkat haMinim* in his work on the “Judaism and the Origins of Christianity.”¹ His comments are worth noting here. Dr. Flusser begins by quoting W.H.C. Frend’s work “Martyrdom and Persecution in the Early Church.” Here we are told the story of the persecutions that Pliny brought on Jews, the Essenes and Early followers of Messiah. Pliny designed a “test” to determine the identity of each. Josephus attests to similar situations in his account of Jewish wars.ⁱⁱⁱ The “informer” of cited “Wars” v47 is without a doubt a “false witness” or outright liar.

Rather than the “sacrifice-test” many were also forced to perform a “blaspheme test.” Oddly enough, the 14th verse of the present pericope of Hakham Tsefet was later didacticed to reflect this test. The words “On their part He is blasphemed, but on your part He is glorified” were undoubtedly added as the result of these violent persecutions at some later date.

The idea that the followers of Messiah were the “*Minim*” was not accepted until about the year 400. The Cairo Genizah mentions the *Nozrim* (Nazarenes) and the *minim*. However, in my opinion they distinguished as two different groups. Likewise, we must realize that at this late date there was dissension between the Orthodox Jewish groups and what at this time in history should truthfully be called “Christianity.” This is because by the year 400 “Christianity” has abandoned its Jewish heritage. However, what’s more interesting is the fact that as we will see the *Birkat haMinim* was added to the *Amidah* long before Yeshua or any of his Talmidim.

“The Birkat haMinim is coined against dissidents, apostates and traitors including those Jews who delivered other Jews over to Gentile government.”^m

Flusser suggests that this group may have included the Essenes at one point in time. He further points out that according to the Talmudic and rabbinic sources Shmuel haKatan’s *Birkat haMinim* did NOT make any mention of the *Nozorim*.

The Tosefta in Sanhedrin 13:5 defines the *Minim* as follows.

The heretics, apostates, traitors (informers) Epicureans, those who deny the Torah, those who separate from the ways (Traditions i.e. Mesorah) of the community, those who deny the resurrection of the dead and whoever both sinned and caused the public to sin.ⁿ

Here again, the vocabulary of the Tosefta is very much like that of Hakham Tsefet. We have informers, sinners and criminals along with those who deny the Mesorah as a valid lifestyle. The *minim* are not the Nazarenes. The in the case of our text are some form of informant.

Interestingly enough the Tosefta also includes a composition where the “*minim*” are mentioned with the *prusihm*.^o

¹ David Flusser, *Judaism and the Origins of Christianity*, Magnes Press, The Hebrew University 1988, pg 637ff

^m Ibid, pg 639ff

ⁿ Tosefta Sanhedrin 13:5

^o Ibid Berakot 3:25

There are many variants of Birkath ha-Minim, but the essential similarity among them is astonishing. For the readers' convenience, I shall suggest the following hypothetical reconstruction of the original text:

For the "separatists" (parushin), for the apostates, and for the traitors let there be no hope. and the heretics (minim) shall perish as in a moment, and the dominion of arrogance (zadon) do Thou speedily uproot. Blessed art Thou, O Lord, who humblest the arrogant.^p

Flusser suggests that the idea for *Birkat haMinim* was originally initiated in the times of the Maccabeans. In the Maccabean period, the *Birkat haMinim* would have been a malediction to the Sadducees.^q

Therefore, as suggested by Flusser, I would resolve that the *Birkat haMinim* was edited periodically to fit the evil of the day.

Personally, I draw an analogy and connection between the Leper, and the Informer of Hakham Tsefet's pericope. The leper is afflicted with the sores and skin disease to demonstrate to other his crime. The criminal offenses of Hakham Tsefet's Pericope are meted out in one of two primary ways. Either the criminal is put to death, through the predetermined methods suggested in the Mishnah or he is excommunicated as mentioned by His Eminence Rabbi Dr Yoseph Ben Haggai. The Leper is separated (excommunicated) from others so his poison cannot continue to affect the community. It is interesting that the Hebrew word *karet* (usually translated "cut off") translates to English as, ex-communicated.^r Etymology suggests, "to expel from communion," or the "common." The "excommunicated" is expelled from the community where he can no longer communicate^s with others. The etymology of "communicate" seems to imply that the communicator was able to transmit or share disease. Consequently, the leper could transmit his gossip through communication. Hakham Tsefet was fully aware of the subversive action of these "informers" and did not want the poison of their chattering to bring a reproach on the community of the Master.

The Theme of Proverbs, Hakham Tsefet and Sanhedrin 4:5

Hakham Tsefet's words sound so similar to the words of Sholomo in Mishle (Proverbs). The entire 31st chapter deals with a mother's Torah to her son. (previous pericope) Do not let drunkenness rule your life. Secondly, she talks of the Woman of Valor. (matching and connecting the two subjects together with this week's pericope) This week Hakham Tsefet directly quotes Mishle 11. Hakham Tsefet applies the Hermeneutic of *Kal Vchomer* to his sermon. Firstly, his own reasoning and then the *kal vachomer* from Mishle 11:31. However, the above-cited Mishnah also quotes from the same chapter of Mishle.

*But has it not already been said, **When the wicked perish there is rejoicing** (Prov. 11:10).*

This chapter of Mishle discusses the great damage of the wicked.

"Pro 11:9 The hypocrite with his mouth destroys his neighbor, But through knowledge the righteous will be delivered."

^p David Flusser, *Judaism and the Origins of Christianity*, Magnes Press, The Hebrew University 1988, pg 641ff

^q Ibid 638

^r Excommunication - late 15c., from L.L. *excommunicatus*, pp. of *excommunicare*, in Church L. "to expel from communion," lit. "put out of the community," from ex- "out" (see ex-) + *communis* "common"

^s Communicate - 1520s, "to impart" (information, etc.), from L. *communicat-*, pp. stem of *communicare* (see communication). Meaning "to share, transmit" (diseases, etc.) is from 1530s. Related: Communicated; communicating.

Perhaps Mishnah and Mishle were lurking in the back of Hakham Tsefet's mind when he lectured that Shabbat. It is so noteworthy that Hakham Tsefet suddenly moves to the idea of capital offence in his lecture to the informer or "false witness." The Mishle equates the wicked hypocrite (painted ones - חַנְפָּה chaneph {khaw-nafe'}) with murderers and the destruction (שַׁחַת shachath {shaw-khath'}) of his neighbor.

In short, I believe that Hakham Tsefet does not believe that the congregation of the Nazarenes contains murderers, thieves or other types of criminals. What I do see is that his view of the "lashon hara" equates it with the severity of the above-mentioned crimes. It seems evident that Hakham Tsefet is drawing a contrast to equate the two evils with one another. The evil of "lashon hara" is equal to murder, kidnapping and sorcery as His Eminence Rabbi Dr. Yoseph Ben Haggai has pointed out.

Because the time to begin the judgment from the house of G-d has come: but if it begins with us first, what will be the outcome of those who disobey the Mesorah (Oral Torah) of G-d.

Here the time ἀρχομαι (arkhomai) for judgment has come. We used the word ἐγγίζω (eggizō) as a temporal reference.^t Now we see that the time has come. It was already upon the Talmidim of the Master. Here Hakham Tsefet seems to be making a play on the word κρίμα (krima). This word is rooted in κρίνω (krinō). The basis for the idea is that one could be judged for criminal activities as mentioned above. However, the idea of judgment also means that it is time to make a decision. Many scholars suggest that the time has come for judgment to begin "in the house of G-d." Actually, the text reads that the judgment comes "from" or "out of" the house of G-d. If "with" is understood from this intention there is no problem using "with" "the house of G-d." My close friend Joseph Good has done exhaustive research on the Second Temple. His writings and research expound on Rabbinic sources concerning the Second Temple. Joe has taught me that the Sanhedrin sat in the *Lishkat haGazit* (Chamber of Hewn Stone) in Temple precincts. It was here that the Sanhedrin judged capital cases. It was ONLY from this Chamber that such decisions could be mad. There was a brief period of time when this Chamber was being remodeled. During this time, the Sanhedrin sat in another location. While seated in this location the Sanhedrin could NOT judge capital cases. This period matched the year of Yeshua's death. The chamber of Hewn Stone sat on the southeast corner of the Temple. It was divided by a partition that connected to more sanctified areas of the Temple or the "House of G-d." Consequently, judgments came **from** the "House of G-d."

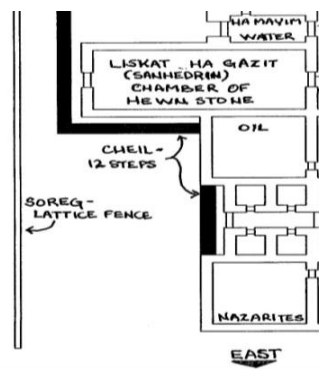


Diagram 2

^t <http://www.torahfocus.com/triennial/tsefet78a.pdf> see pg 7-8

The beginning of the judgments must begin with those who are followers of the Mesorah of G-d. Greater punishments were pronounced on the violators or followers of the Mesorah. This is because they are possessed with the “chokmah” “bina” and “da’at,” of G-d. Here Hakham Tsefet makes a classical *kal vachomer*. If judgment begins with those following the Oral Traditions which, in a matter of speaking are more stringent than the Torah’s 613, what will be the outcome for those who do not follow the oral traditions. To drive his point home he uses a *kal vachomer* from Mishle as mentioned above.

The question always presents itself while making these notes of how the Pericope of Hakham Tsefet connects to the Triennial Torah Sederim. In contemplating this problem, I have offered much of the above material. However, I see another connection through this passage. Judgment comes “from the House of G-d.” In the case of the Leper, the judgment came from the “House of G-d.” The Cohen (from the House of G-d) pronounced (judged) the Leper as unclean. Likewise, the Cohen declared (judged) the leper clean in the appropriate circumstances.

In Conclusion:

Hakham Tsefet contrasts the informer (heretic – false witness – traitor – lashon hara - minim) with the criminal activities deserving the death penalty. I believe that Hakham Tsefet was right on queue with his remarks this week. He contrasted the life giving ceremonies with the *lashon hara* of the leper.

The menstruant woman has an issue of blood or flow of blood after the birth of a child because she has brought life into the world. This is the entire goal of procreation. If we look at related mishnayot, we will see that the laws of a woman’s purity are located in the Tractate of the Mishnah called “*Niddah*.” The “laws” contained in “*Niddah*” are found in the Vayikra, chapters 12 and 15. The tractate of “*Niddah*” is closely associated with the Tractate “*Zabim*.” Tractate “*Zabim*” deals with discharge of men and women’s genital fluids. Bodily fluids such as blood and semen are fluids that are to either remain inside the body or be passed from vessel to vessel, as is the case with sexual intercourse. Blood outside of the body is a picture of death as is semen outside its intended vessel. Both fluids outside their respective vessels render uncleanness. Both fluids not appropriately contained within their respective vessels are fluids that have failed to reach their potential.

I would like to cite the reference from the Stone Chumash again here.

*Human life is more than the absence of contamination. Human aspirations must rise above the elimination of the negative. One has not been completely cleansed until one has come to the **resting place**^u of G-d’s presence with an offering that represents atonement for the past and dedication for the future.^v*

Human life is more than the removal of uncleanness. Human life is invested with potential and purpose. When the “*neshamah*” does not reach its intended potential, innate teleology is circumlocuted. The inspirational message here is not hard to figure out. Anything that circumvents our intended purpose is damaging to the soul. All of Hakham Tsefet’s listed crimes including the *ἀλλοτριεπίσκοπος* (*allotriepiskopos*) are forms where lives are destroyed and teleological purpose is annulled.

Judgment has begun... Elul is here and we MUST begin the process of introspection. Where have we failed and where have we succeeded? Hakham Tsefet knows we are in the 4th week of *Nachamu* and that Elul has begun.

^u Emphasis mine

^v The Stone Edition Chumash, Mesorah Publications, Ltd., Artscroll Series. Pg 608ff

MITZVOT

P76 For a woman after childbirth to bring a sacrifice after she becomes clean, as it is written "and when the days of her purification are fulfilled" (Leviticus 12,6).

P215 To circumcise the son, as it is written "and on the eighth day the flesh of his foreskin shall be circumcised" (Leviticus 12,3).

MISHNAYOT

Tractate Niddah - Women's impurities

Tractate Nega'im - Plagues

Parah 1:4, 11:8

ⁱ **Sanhedrin 4:5** How do they admonish witnesses in capital cases? They would bring them in and admonish them [as follows]: “Perhaps it is your intention to give testimony (1) on the basis of supposition, (2) hearsay, or (3) of what one witness has told another; “[or you may be thinking], ‘We heard it from a reliable person.’ “Or, you may not know that in the end we are going to interrogate you with appropriate interrogation and examination. “You should know that the laws governing a trial for property cases are different from the laws governing a trial for capital cases. “In the case of a trial for property cases, a person pays money and achieves atonement for himself. In capital cases [the accused’s] blood and the blood of all those who were destined to be born from him [who was wrongfully convicted] are held against him [who testifies falsely] to the end of time. “For so we find in the case of Cain who slew his brother, as it is said, *The bloods of your brother cry* (Gen. 4:10). “It does not say, ‘The *blood* of your brother,’ but, ‘The *bloods* of your brother’—his blood and the blood of all those who were destined to be born from him.” Another matter:—The *bloods of your brother*—for his blood was spattered on trees and stones. Therefore man was created alone, (1) to teach you that whoever destroys a single Israelite soul is deemed by Scripture as if he had destroyed a whole world. And whoever saves a single Israelite soul is deemed by Scripture as if he had saved a whole world. And (2) it was also for the sake of peace among people, so that someone should not say to his fellow, “My father is greater than your father.” And (3) [it was also on account of the *minim*,] so that the *minim* should not say, “There are many domains in Heaven.” (4) to portray the grandeur of the Holy One, blessed be He. For a person mints many coins with a single seal, and they are all alike one another. But the King of kings of kings, the Holy One, blessed be He, minted all human beings with that seal of his with which he made the first person, yet not one of them is like anyone else. Therefore everyone is obligated to maintain, “On my account the world was created.” Now perhaps you [witnesses] would like now to say, “What business have we got with this trouble?” But it already has been written, *He being a witness, whether he has seen or known, if he does not speak it, then he shall bear his iniquity* (Lev. 5:1). And perhaps you might want to claim, “What business is it of ours to convict this man of a capital crime?” But has it not already been said, *When the wicked perish there is rejoicing* (Prov. 11:10).

ⁱⁱ **Rambam Hilchot Sanhedrin 12:1**

Halacha 1

How are cases involving capital punishment judged? When the witnesses come to the court and say: "We saw this person violate such-and-such a transgression," the judges ask them: "Do you recognize him? Did you give him a warning?"

If they answer: "We do not recognize him," "We are unsure of his identity," or "We did not warn him," the defendant is exonerated.

Halacha 3

If the witnesses say: "He was given a warning and we recognize him," the court intimidates them.

How do they intimidate them in cases involving capital punishment? They say: "Maybe you are speaking on the basis of supposition, or on the basis of hearsay, one witness from another witness, or maybe you heard from a trustworthy person?" "Maybe you do not know that ultimately we will subject you to questions and cross examination?"

"Know that cases involving capital punishment do not resemble those involving financial matters. With regard to financial matters, if there is any deceit, a person can make financial restitution and receive atonement. With regard to capital punishment, the victim's blood and the blood of his unborn descendants are dependent on the murderer until eternity. As it is said with regard to Cain, 'The voice of the blood of your brother is crying out.' The Torah uses the plural form of the word blood, implying his blood and the blood of his descendants.

"For this reason, man was created alone in the world. This teaches us that a person who eliminates one soul from the world is considered as if he eliminated an entire world. Conversely, a person who saves one soul is considered as if he saved an entire world.

"All the inhabitants of the world are created in the image of Adam, the first man, and yet no one person's face resembles the face of his colleague. Therefore each person can say: 'The world was created for me.'

"If you might say: 'Why should we enter this difficulty?' It is written Leviticus 5:1: 'If he witnessed, observed, or knew....' If you will say: 'Why should we become responsible for shedding the defendant's blood? It is already said: 'At the destruction of the wicked, there is joy.'

If they stand by their word, the witness of the greater stature is brought into the court alone and he is questioned and cross-examined, as will be explained in Hilchot Edut. If his testimony appears to be factual, the second witness is brought into the court, and he is questioned as the first one was. Even if there are 100 witnesses, each one is questioned and cross-examined.

If the testimony of all the witnesses is accurate, we begin the judgment with a statement that tends to acquittal as stated. We tell him: "If you did not transgress, do not fear their words." Then we judge him. If grounds for acquittal are found, he is released. If they do not find grounds for acquittal, the defendant is imprisoned until the following day.

On that day, the Sanhedrin divides itself into pairs and they examine the judgment. They eat little and do not drink wine throughout that entire day. They debate the matter throughout the night, each one with his comrade or alone. On the morrow, they come to the court early. Each of those who voted for acquittal state: "I am the one who voted for acquittal yesterday, and I still favor that ruling." Each of those who voted for conviction state: "I am the one who voted for conviction yesterday, and I still favor that ruling," or "...I have changed my mind and I vote for acquittal." If they erred in that regard, or did not know who voted for conviction or who voted for acquittal on the basis of one rationale and hence are considered only as one, as we explained, the two scribes of the court remind them, for they write down the rationale given by each one of them.

We begin the judgment. If they find a rationale to acquit him, they acquit him. If it is necessary to add judges, they add. If there is a majority of judges who seek to convict him, and he is convicted, he is taken out to be executed immediately.

The place where the court conducts the execution is outside the court and removed from it, as implied by Leviticus 24:14: "Take the blasphemer outside the camp...." It appears to me that it should be approximately 6 mil, the distance between the court of Moses our teacher which was before the entrance of the Tent of Meeting and the extremities of the camp of the Jewish people.

iii **Jewish Wars 7:42-62** ⁴² which I am obliged to describe without fail, though briefly, that I may the better connect my narration of future actions with those who went before.

⁴³ For, as the Jewish nation is widely dispersed over all the habitable earth among its inhabitants, so it is very much intermingled with Syria, by reason of its neighbourhood, and had the greatest multitudes in Antioch, by reason of the size of the city, wherein the kings, after Antiochus, had afforded them a habitation with the most undisturbed tranquillity;

⁴⁴ for though Antiochus, who was called Epiphanes, laid Jerusalem waste, and spoiled the temple, yet did those who succeeded him in the kingdom restore all the donations that were made of brass to the Jews of Antioch, and dedicated them to their synagogue; and granted them the enjoyment of equal privileges of citizens with the Greeks themselves;

⁴⁵ and, as the succeeding kings treated them after the same manner, they both multiplied to a great number, and adorned their temple {b} gloriously by fine ornaments, and with great magnificence, in the use of what had been given them. They also made proselytes of a great many of the Greeks perpetually, and thereby, after a sort, brought them to be a portion of their own body.

⁴⁶ But about this time, when the present war began, and Vespasian had recently sailed to Syria,

⁴⁷ and all men had taken up a great hatred against the Jews, then it was that a certain person, whose name was Antiochus, being one of the Jewish nation, and greatly respected on account of his father, who was governor of the Jews at Antioch, {c} came upon the theatre at a time when the people of Antioch were assembled together, and became an informer against his father; and accused both him and others that they had resolved to burn the whole city in one night; he also delivered up to them some Jews who were foreigners, as partners in their resolutions.

⁴⁸ When the people heard this, they could not refrain their passion, but commanded that those who were delivered up to them should have fire brought to burn them; who were, accordingly, all burnt in the theatre immediately.

⁴⁹ They did also fall violently upon the multitude of the Jews, supposing, that, by punishing them suddenly they should save their own city.

⁵⁰ As for Antiochus, he aggravated the rage they were in, and thought to give them a demonstration of his own conversion, and of his hatred of the Jewish customs, by sacrificing after the manner of the Greeks;

⁵¹ he persuaded the rest also to compel them to do the same, because they would by that means discover who they were that had plotted against them, since they would not do so; and when the people of Antioch tried the experiment, some few complied, but those who would not do so were slain.

⁵² As for Antiochus himself, he obtained soldiers from the Roman commander, and became a severe master over his own citizens, not permitting them to rest on the seventh day, but forcing them to do all that they usually did on other days;

⁵³ and to that degree of distress did he reduce them in this matter, that the rest of the seventh day was abolished, not only at Antioch, but the same thing which took there its rise was done in other cities also, in like manner, for some small time.

⁵⁴ Now, after these misfortunes had happened to the Jews at Antioch, a second calamity befell them, the description of which, when we were going about, we premised the account foregoing;

⁵⁵ for upon this accident, whereby the square market place was burnt down, as well as the archives, and the place where the public records were preserved, and the royal palaces, (and it was not without difficulty that the fire was then put out, which was likely, by the fury wherewith it was carried along, to have gone over the whole city,) Antiochus accused the Jews as the occasion of all the mischief that was done.

⁵⁶ Now this induced the people of Antioch, who were now under the immediate persuasion, by reason of the disorder they were in, that this calumny was true; and would have been under the same persuasion, even though they had not borne an ill will at the Jews before, to believe this man's accusation, especially when they considered what had been done before; and this to such a degree, that they all fell violently upon those who were accused;

⁵⁷ and this, like madmen, in a very furious rage also, even as if they had seen the Jews in a manner setting fire themselves to the city;

⁵⁸ nor was it without difficulty that one Gnaeus Collega, the legate, could prevail with them to permit the affairs to be laid before Caesar;

⁵⁹ for as to Caesennius Paetus, the governor of Syria, Vespasian had already sent him away; and so it happened that he was not yet come back there.

⁶⁰ But when Collega had made a careful inquiry into the matter, he found out the truth, and that not one of those Jews who were accused by Antiochus had any hand in it;

⁶¹ but that all was done by some vile persons greatly in debt, who supposed that, if they could once set fire to the market place, and burn the public records, they should have no further demands made upon them.

⁶² So the Jews were under great disorder and terror, in the uncertain expectations of what would be the upshot of these accusations against them."