

מקראות גדולות

*The*  
COMMENTATORS'  
BIBLE

THE JPS MIQRA'OT GEDOLOT

LEVITICUS ויקרא

*With the 1917 and 1985 English translations of  
The Jewish Publication Society TANAKH, the questions of Abarbanel,  
the commentaries of Rashi, Rashbam, Ibn Ezra, and Nahmanides,  
and selections from the Masorah and from the commentaries of  
Bekhor Shor, Kimhi, Hizkuni, Gersonides, Abarbanel, and Sforino*

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**NJPS** <sup>3</sup>Remove male and female alike; put them outside the camp so that they do not defile the camp of those in whose midst I dwell.

<sup>4</sup>The Israelites did so, putting them outside the camp; as the LORD had spoken to Moses, so the Israelites did.

<sup>5</sup>The LORD spoke to Moses, saying:

<sup>6</sup>Speak to the Israelites: When a man or woman commits any wrong toward a fellow man, thus breaking faith with the LORD, and that person realizes his guilt, he shall confess the wrong that he has done. He shall make restitution in the principal amount and add one-fifth to it,

**RASHI** camp of the Shekhinah. Our Sages derived all this from various biblical texts in their discussion on B. Pes. 67-68. Do not mistake the word Onkelos uses, *tamei*, for the Hebrew word *tamei* meaning "defiled." The Aramaic word means "bones." It occurs often in Genesis Rabbah, as in the episode where Hadrian grinds "bones" into dust.

**6 Breaking faith with the LORD.** This repeats the passage about "when a person sins and commits a trespass against the LORD by dealing deceitfully with his fellow" (Lev. 5:21). The repetition here is in order to add two new points. First, "he shall confess the wrong that he has done" (v. 7), not being obligated to bring a guilt offering or add one-fifth simply on the testimony of witnesses, but only if he admits what he has done. Second, if the wronged man is a convert and therefore "has no kinsman to whom restitution can be made" (v. 8), it is paid instead to the priests.

**7 He shall make restitution in the principal amount.** As NJPS recognizes, "his guilt" (OJPS) means the amount he is guilty of misappropriating. **To him whom he has wronged.** Him "in respect of whom he hath been guilty" (OJPS)—the one to whom he owes the money.

**NAHMANIDES** **6 When a man or woman commits any wrong.** Now that the Israelites have been counted and distinguished from the mixed multitude that accompanied them out of Egypt, the rules against wronging a convert are given. [A] Since this is otherwise similar to the rules given in Lev. 5:20-26, they are referenced rather than repeated. "Woman" is specifically mentioned because this sort of crime is not usual among them, and we might have thought the text did not mean to obligate them to pay the one-fifth penalty and bring the guilt offering to which men are subject. **Breaking faith with the LORD.** By swearing in His name to a lie.

[A] See Rashi's comment to "to whom restitution can be made" of v. 8.

passage adds to the similar passage in Lev. 5:20-26 is the situation in which "the man has no kinsman" (v. 8). **7 He shall confess the wrong that he has done.** The Hebrew verbs in this part of the verse are plural (see OJPS) as a way of saying "he or she, whichever it is." **The principal amount.** Whatever the amount happens to be—but not less than the full amount. **And add**

**ADDITIONAL COMMENTS** move from most to least severe, being removed from all three, the two innermost, or only the single innermost of the three camps (Gersonides). In fact, it is from the three uses of the word "camp" in vv. 2-3 that the whole notion of three "camps" derives. The camp of the Levites is within that of the Israelites, and the camp of the Shekhinah is within that, like the heart inside a living body—and, like the heart, requiring that nothing but the cleanest and choicest get anywhere near it (Abarbanel).

**3 Male and female.** Not "man and woman," but "male and female"—the same rules apply to children as well (Hizkuni). Literally, "from male to female"; obviously hermaphrodites are also included, since they fall in between these two extremes (Gersonides). **So that they do not defile the camp of those in whose midst I dwell.** Literally, the (plural) "camps"—for each of the groups listed in v. 2 is excluded from a different number of the three camps (Bekhor Shor).

**4 The Israelites did so ... so the Israelites did.** The repetition teaches us that those who were to be removed cooperated (Hizkuni).

**6 Commits any wrong toward a fellow man.** Rather, "any sin that men commit" (OJPS). It is Lev. 5:21 that describes one who deals deceitfully "with his fellow [Israelite]"; that is another way, besides v. 8, that we know that our Numbers passage involves a convert (Hizkuni).

**7 He shall confess the wrong that he has done.** This too involves banishing from the camp any evil behavior that might lead to quarreling or contention (Gersonides).

**OJPS** <sup>3</sup>both male and female shall ye put out, without the camp shall ye put them; that they defile not their camp, in the midst whereof I dwell."

<sup>4</sup>And the children of Israel did so, and put them out without the camp; as the LORD spoke unto Moses, so did the children of Israel.

<sup>5</sup>And the LORD spoke unto Moses, saying: "Speak unto the children of Israel: When a man or woman shall commit any sin that men commit, to commit a trespass against the LORD, and that soul be guilty; then they shall confess their sin which they have done; and he shall make restitution for his guilt in full, and add unto it the fifth part thereof, and give it unto him

**RASHBAM** **6 Any wrong toward a fellow man.** Those trespasses listed in Lev. 5:21-22. The repetition of these rules here serves to include as well the convert with no kinsman of v. 8. [A]

**7 He shall make restitution in the principal amount.** The Hebrew adds "for his guilt" (OJPS), but as NJPS recognizes, [A] See Rashi's comment to v. 8.

**IBN EZRA** that is relatively small; with no women; where the Ark is among them and they are encamped around it. For in such a camp, there are no separate areas for priests and Levites; the Shekhinah is directly at the center of the Israelite camp. See further my comment to Deut. 23:10.

**3 Female.** In addition to the three categories mentioned in v. 2, this also applies to a woman who is menstruating.

**4 The Israelites did so.** Immediately, before they set out. When they were on the march, those who were unclean would march in between the division of Ephraim and that of Dan. At least this is what logic would dictate; it is not spelled out.

**6 When a man or woman commits any wrong.** This follows naturally because discharges and eruptions occur as a result of **breaking faith with the LORD.** What this

צְרוּעַ וְכַל־זָב וְכָל טְמֵא לְנֶפֶשׁ: <sup>3</sup> מִזִּבְחֵי  
עֵד-וְנִקְבָה תִשְׁלְחוּ אֶל-מְחוּץ לַמַּחֲנֶה  
תִּשְׁלְחוּם וְלֹא יִטְמְאוּ אֶת-מַחֲנֵיהֶם אֲשֶׁר  
אָנֹכִי שֹׁכֵן בְּתוֹכָם:  
<sup>4</sup> וַיַּעֲשׂוּ כֵן בְּנֵי יִשְׂרָאֵל וַיִּשְׁלְחוּ אוֹתָם  
אֶל-מְחוּץ לַמַּחֲנֶה כַּאֲשֶׁר דִּבֶּר יְהוָה אֶל-  
מֹשֶׁה בֶּן עֶשְׂרֵי בְּנֵי יִשְׂרָאֵל: <sup>5</sup> וַיְדַבֵּר  
יְהוָה אֶל-מֹשֶׁה לֵאמֹר: <sup>6</sup> דַּבֵּר  
אֶל-בְּנֵי יִשְׂרָאֵל אִישׁ אוֹ-אִשָּׁה כִּי יַעֲשֶׂה  
מִכָּל-חַטָּאת הָאֵלֶּם לְמַעַל מֵעַל בִּיהוָה  
וְאָשְׁמָה הַנֶּפֶשׁ הַהִוא: <sup>7</sup> וְהִתְוַדָּה אֶת-  
חַטָּאתָם אֲשֶׁר עָשׂוּ וְהָשִׁיב אֶת-אֲשָׁמוֹ  
בְּרֵאשׁוֹ וְחִמִּישְׁתּוֹ יִסֹּף עָלָיו וְנָתַן לְאִשֶּׁר

**ABARBANEL'S QUESTIONS** + Why is the passage starting "When a man or woman commits any wrong" (v. 6) found in this context? + Since the same passage is also found in Leviticus 5, why is it repeated at all?

**NJPS** giving it to him whom he has wronged.<sup>8</sup>If the man has no kinsman to whom restitution can be made, the amount repaid shall go to the LORD for the priest—in addition to the ram of expiation with which expiation is made on his behalf.<sup>9</sup>So, too, any gift among the sacred donations that the Israelites offer shall be the priest's.

**OJPS** in respect of whom he hath been guilty.<sup>8</sup>But if the man have no kinsman to whom restitution may be made for the guilt, the restitution for guilt which is made shall be the LORD's, even the priest's; besides the ram of the atonement, whereby atonement shall be made for him.<sup>9</sup>And every heave-offering of all the holy things of the children of Israel, which they present unto the priest, shall be his.

אָשֶׁם לוֹ : וְאִם-אֵין לְאִישׁ גֹּאֵל לְהָשִׁיב  
הָאָשֶׁם אֵלָיו הָאָשֶׁם הַמּוֹשֵׁב לַיהוָה לְכֹהֵן  
מִלֵּבָד אֵיל הַכֹּפָרִים אֲשֶׁר יִכְפְּרֵבּוּ עֲלֵיוֹ :  
וְכָל-תְּרוּמָה לְכֹל-קֹדֶשׁ בְּיַד-יִשְׂרָאֵל

**RASHI 8 If the man has no kinsman.**

If the man who was wronged, who sued the guilty person, has died and has no heirs. **To whom restitution can be made.** Once the person who committed the wrong thinks better of it and confesses his crime. Our Sages said: Is there anyone in Israel who has no kinsmen? Every Jew has some Jewish relative, whether it is a son or a brother or some other relative in his ancestral line—going back all the way to Jacob if necessary. So this verse about one who “has no kinsman” must refer to a convert. **The amount repaid.** This “amount” is the principal plus the extra one-fifth. **To the LORD for the priest.** The Lord acquires it and gives it to a priest of the watch that is currently on duty. **In addition to the ram of expiation.** Which he must bring according to Lev. 5:25.

**9 Any gift among the sacred donations that the Israelites offer shall be the priest's.** Said R. Ishmael: And do the Israelites “offer” these? The priest comes to the granary and collects them! So what is it that is “offered,” that the Israelites actually bring to the priest? Exod. 23:19 says, “The choice first fruits of your soil you shall bring to the house of the LORD your God,” but I cannot tell from this what is to be done with them. The answer is given in our verse: they “shall be the priest's.”

**RASHBAM** his “guilt” here is a technical term for the amount of the crime.

**8 The amount repaid.** Literally, “the guilt that is returned” (compare OJPS), the principal amount. It “returns” to the priests in this case. **In addition to the ram.** This is the “ram without blemish from the flock ... as a guilt offering” of Lev. 5:25.

**9 Any gift among the sacred donations.** This refers both to the first fruits separated by ordinary Israelites from their crops and also to the tithes separated by the Levites themselves, as explained in ch. 18. [B]

[B] The single known MS of Rashbam's commentary—now lost—had a mistaken citation here.

**NAHMANIDES 9 Any gift among the sacred donations that the Israelites offer shall be the priest's.**

It belongs personally to the priest, and anyone who steals it from him falls into the category described in v. 6, which is why it is mentioned here. Or perhaps the intent was to add to the rules previously given an explicit mention of the “sacred donations,” which up until now have been mentioned only allusively: “You shall not put off the skimming of the first yield of your vats” (Exod. 22:28); “a person who is a priest's property by purchase may eat of them” (Lev. 22:11). The rules about the priestly donations, however, have not yet been given at all. Only the tithes have been mentioned: “All tithes from the land, whether seed from the ground or fruit from the tree, are the LORD's; they are holy to the LORD” (Lev. 27:30). Now the text commands that those who give these donations have the right to give them to whichever priest they wish. Our passage goes on to mention the meal offering of the suspected wife, which was not listed with the other meal offerings in Leviticus, for “it is a meal offering of jealousy” (v. 15) and does not serve for expiation. Besides, once everyone had been recorded by clan and ancestral house, they could be given regulations to determine (when a husband suspected his wife) those of illegitimate descent, who were not in fact children of their mothers' husbands. The offerings of the nazirite, too, round out what one might have thought would belong in Leviticus. It makes sense, as well, for the laws of the nazirite to follow those of the woman suspected of adultery; see my introduction to ch. 6. **Any gift among the sacred donations that the Israelites offer.** Since there is no specified amount for these donations, the text makes clear that the Israelites are to bring them and give them to the priests—the priests are not allowed to take them by force. That is the straightforward explanation of the verse. But the Sifrei adds a number of comments. R. Akiva says that one is permitted to offer his whole crop as a sacred donation (as long as he leaves a little something for himself). Also from the Sifrei is the comment of R. Ishmael cited by Rashi. What Rashi does not clarify is that, in R. Ishmael's opinion, in the Torah this verb of “offering” or “presenting” (see OJPS) applies only to things that are literally brought to the altar. His point is that it is not until our verse that we realize the first fruits of Exod. 23:19 are not an offering to God, but are to be among the “sacred donations” given to the priests. (This will be stated explicitly in 18:13, where we also learn that everyone of the priest's household who is clean may eat them.) **Shall be the priest's.** We learn that first fruits must be given to the priests of the watch on duty, who will offer them; they cannot be given as a “sacred donation” to any priest the owner wants.

**IBN EZRA one-fifth to it.** The singular verb here makes clear that he adds one-fifth only if he confesses on his own. But if witnesses testify against him, he must add two-fifths. [A] Those who handed down our tradition, however, say that the “fifths” of that verse refer to extra penalties (should he deny that he owes the fifth) of one-fifth of the one-fifth (and so on ad infinitum). [B] And their understanding of such things was broader than ours.

**8 The amount repaid shall go to the LORD for the priest.** Rather, “the amount he repaid—for the Lord's sake—shall go to the priest.” It is because of his fear of the Lord that he repaid it.

[A] See Ibn Ezra's comment to Lev. 5:24. [B] See Rashi's comment to Lev. 5:24.

**ADDITIONAL COMMENTS 8 If the man has no kinsman to whom restitution can be made.** Then the Torah awards him the most respected kinsmen in Israel (Gersonides). **The amount repaid shall go to the LORD for the priest.** The Holy One is the convert's father and rightfully inherits from him; that is why this repayment is given to the priest, who is a member of the Holy One's household (Hizkuni). As the Sages say, “When the servant dies, his property reverts to his Master” (Sforno).

**9 Any gift among the sacred donations that the Israelites offer shall be the priest's.** Rather, “shall be his”—his own. He retains the right to give them to whichever priest he likes. We are told this here because the restitution of v. 8 must specifically be given to the priests of the watch on duty at the time (Bekhor Shor).

**NJPS** subject to punishment. <sup>18</sup>He shall bring to the priest a ram without blemish from the flock, or the equivalent, as a guilt offering. The priest shall make expiation on his behalf for the error that he committed unwittingly, and he shall be forgiven. <sup>19</sup>It is a guilt offering; he has incurred guilt before the LORD.

<sup>20</sup>The LORD spoke to Moses, saying:

<sup>21</sup>When a person sins and commits a trespass against the LORD by dealing deceitfully with his fellow in the matter of a deposit or a pledge, or through robbery, or by defrauding his fellow, <sup>22</sup>or by finding,

**RASHI** who nonetheless afflicts himself on the Day of Atonement—how much the more so must he certainly win reward not merely for himself and his descendants, but for the descendants of his descendants, straight through to the last generation. R. Akiva said: According to Deut. 17:6, “a person shall be put to death only on the testimony of two or more witnesses.” If two witnesses are enough, why does the text have to mention “more”? It can only be to make clear that if a third witness perjures himself along with the first two in an attempt to send an innocent man to his death, he is punished for it along with the two witnesses whose testimony would have been enough. If the text is so concerned to punish one who joins with evildoers like the evildoers themselves (though the third man’s testimony had no legal effect), how much more must it be concerned to reward those who assist the doers of a good deed as if they had done the good deed themselves! R. Eleazar b. Azariah said, “When you reap the harvest in your field and overlook a sheaf in the field, do not turn back to get it; it shall go to the stranger, the fatherless, and the widow—in order that the LORD your God may bless you in all your undertakings” (Deut. 24:19). The text grants blessing to one who overlooks something and does a good deed inadvertently! One can deduce that if a man drops a coin and a poor person picks it up, the Holy One grants blessing to the one who dropped it! [N]

**18 Or the equivalent.** See v. 15. For the error that he committed unwittingly. Again, the guilt offering does not make expiation for him if it later turns out that he actually did commit the violation; in this case he must also bring a sin offering. There is a similar rule in the case of a murder victim whose killer is not known. There is an intricate procedure described in Deuteronomy 21 to clear the town nearest the murder of any guilt. Yet if the actual murderer is later found, he is put to death.

**19 It is a guilt offering; he has incurred guilt.** If you think this is an unnecessary repetition, its significance has already been explained in the Sifra: the second reference to “guilt” points us to the ram that must be brought as a guilt offering by a man who has slept with a slave woman who has already been designated for another man (Deut. 19:21). Just as our ram must be worth two shekels, so must that one. But it does not refer to the ram brought by a leper (14:12) or a nazirite (Num. 6:12), because the doubling that implies extra information is then followed (in the Hebrew word order) by the limiting word “it”—this one extra rule, but no other. [O]

**21 Dealing deceitfully with his fellow.** R. Akiva said: In what way are these activities a trespass “against the LORD”? When one loans or borrows money or concludes a business deal, it is all done with contracts and before witnesses. If one of the parties later lies about it, he is denying the contracts and the witnesses. But in the case of one who leaves a deposit, you have a situation where he does not want a soul to know about it but “the third party who is between them.” When he lies about it, therefore, it is this “third party”—God—whom he is denying. A **pledge**. The Hebrew phrase literally means “putting [money] in someone’s hand,” whether as a loan or as an investment. **Through robbery**. Having taken something from him. **By defrauding his fellow**. The reference here is to withholding the pay of a hired worker.

**22 If he swears falsely.** Denying, in any of the cases, that he owes money.

[N] The point of this long passage (taken from the Sifra) is that the occasional conditional guilt offering that did not really need to be offered is more than made up for by the many rewards people get that are not entirely deserved. [O] See Special Topics, “Interpreting Biblical Law.”

**OJPS** is he guilty, and shall bear his iniquity. <sup>18</sup>And he shall bring a ram without blemish out of the flock, according to thy valuation, for a guilt-offering, unto the priest; and the priest shall make atonement for him concerning the error which he committed, though he knew it not, and he shall be forgiven. <sup>19</sup>It is a guilt-offering—he is certainly guilty before the LORD.

<sup>20</sup>And the LORD spoke unto Moses, saying: <sup>21</sup>If any one sin, and commit a trespass against the LORD, and deal falsely with his neighbor in a matter of deposit, or of pledge, or of robbery, or have oppressed his neighbor; <sup>22</sup>or have found that which

וְלֹא־יָדַע וְאִשָּׁם וְנִשְׂא עֲוֹנוֹ : 18 וְהָבִיא אֵיל  
תָּמִים מִן־הַצֹּאֵן בְּעֶרְפָּה לְאִשָּׁם אֶל־הַכֹּהֵן  
וְכִפֶּר עָלָיו הַכֹּהֵן עַל שְׁגִיתוֹ אֲשֶׁר־שָׁנַג  
וְהָיָא לֹא־יָדַע וְנִסְלַח לוֹ : 19 אִשָּׁם הָיָא  
אִשָּׁם אִשָּׁם לִיהוָה : פ  
וְיִדְבַר יְהוָה אֶל־מֹשֶׁה לֵאמֹר : 20  
כִּי תִחָטֵּא וּמָעַלָה מֵעַל בִּיהוָה וְכֹחַשׁ  
בַּעֲמִיתוֹ בְּפִקּוּדוֹן אֹרְבֵת־שׁוֹמֵת יָד אֹו בְגָזֵל  
אוֹ עֵשֶׂק אֶת־עֲמִיתוֹ : 22 אֹרְמָצָא אֲבָדָה

**RASHBAM** 18 He shall bring to the priest a ram without blemish from the flock, or the equivalent, as a guilt offering. But if he learns for certain that the fat he ate was forbidden fat, he must bring a sin offering.

**21 Dealing deceitfully with his fellow.** Vv. 20–26 deal with the guilt offering for robbery.

**IBN EZRA** offering of our passage refers to a case where he had known that the act was sinful, but forgot that it was so, and remembered again only after committing it. Or perhaps it does refer to the conditional guilt offering.

**19 He has incurred guilt before the LORD.** This explains why it is called a guilt offering.

**21 Commits a trespass against the LORD.** In these cases, the prohibited act he has committed falls into the realm of crimes against other human beings, by contrast to the previous passage, which dealt with sins with regard to sacred things. A **pledge**. Rather, “a partnership.” The Hebrew literally says “placing of the hand”—they shook hands on a deal. **Robbery**. By force. We find a verb from this root used when Benaiah “wrenched the spear out of the Egyptian’s hand” (1 Chron. 11:23). **Defrauding**. Rather, by theft, in secret. **His fellow**. It probably means just “someone else,” but the etymology of the Hebrew word suggests that it could possibly mean “his neighbor” (OJPS), that is, someone who is at hand.

**22 If he swears falsely.** The translations have misunderstood this phrase. It is not a summary but still another kind of violation, false swearing in connection with money that someone is trying to get from him. The proof is v. 24, where the case of the lost object (which immediately precedes this phrase in our verse) is followed by the words

**ADDITIONAL COMMENTS** **19 It is a guilt offering.** One should not think that this conditional guilt offering turns out to be a sacrifice in vain in cases where he has not actually sinned. The verse makes clear that he has incurred guilt before the LORD by being so careless as to bring into consideration the possibility that he might have sinned (Sforno).

**21 With his fellow.** But not with God or with a non-Jew (Gersonides).

**NJPS** something lost and lying about it; if he swears falsely regarding any one of the various things that one may do and sin thereby—<sup>23</sup>when one has thus sinned and, realizing his guilt, would restore that which he got through robbery or fraud, or the deposit that was entrusted to him, or the lost thing that he found, <sup>24</sup>or anything else about which he swore falsely, he shall repay the principal amount and add a fifth part to it. He shall pay it to its owner when he realizes his guilt. <sup>25</sup>Then he shall bring to the priest, as his penalty to the LORD, a ram without blemish from the flock, or the equivalent, as a guilt offering. <sup>26</sup>The priest shall make expiation on his behalf before the LORD, and he shall be forgiven for whatever he may have done to draw blame thereby.

**RASHI 23** When one has thus sinned and, realizing his guilt ... NJPS is correct here. It is not merely that he has sinned but that he comes to the realization that he must repent, both understanding and confessing that he has sinned and is guilty.

**24 The principal amount.** Literally, "the head," the chief part of the money. **And add a fifth part to it.** [P] Literally, "and add its *fifths* to it." Torah law is such that many fifths can be added to a single principal amount. If, for example, he admitted what he had done and agreed that he owed the principal but swore that he did not owe the extra fifth part, but later repented and admitted he owed the fifth part as well, he must pay an extra fifth part of the fifth part. Hypothetically he could go on paying the principal and denying that he owed a fifth (which thereby becomes the new principal) until the disputed amount drops below a perutah. [Q] **He shall pay it to its owner.** NJPS is correct; the real owner of the original money is the one "to whom it appertaineth" (OJPS).

[P] See the note to Rashi's comment on v. 16. [Q] In the rabbinic system, this is the smallest unit of currency. Once the amount involved drops below a perutah, the legal system drops the case.

his being guilty" (OJPS) is actually the day on which he *repents* of his guilt. That is when he brings a ram.

**25 Or the equivalent.** Literally, "according to thy valuation" (OJPS). The sense is that he must bring a ram equivalent in value to that described in v. 15. As noted in my comment to the previous verse, he is fined two "fifth parts" because he committed the crime deliberately. The idea that this passage too refers to a conditional guilt offering is to be rejected as the minority opinion of a single individual.

[T] Ibn Ezra says there that one pays a single fine if he confesses, a doubled fine if convicted on the testimony of witnesses.

**ADDITIONAL COMMENTS 24 And add a fifth part to it.** The rule of "fifths" described by Rashi only applies when it is the testimony of others that proves he owes the principal amount. If he himself admits it, he pays only a single fifth (Hizkuni). The "fifth" part means 20 percent (Abarbanel). **He shall pay it to its owner when he realizes his guilt.** Literally, "on the day" when he realizes his guilt—he must repay it on the day he brings his offering, so that the offering will be acceptable (Hizkuni). It must be repaid directly to the owner, not to his son or other agent (Gersonides). He pays the principal to the owner and the fifth part to the priest (Abarbanel).

**26 For whatever he may have done to draw blame thereby.** More literally, "For each of all the things he may have done." If he swore falsely to 100 people, he must bring 100 guilt offerings (Abarbanel).

וּכְחַשׁ בָּהּ וְנִשְׁבַּע עַל-שֹׁקֵר עַל-אֲחֵת  
מִכֶּל אֲשֶׁר-יַעֲשֶׂה הָאָדָם לְחֹטֵא בְהִנָּה:  
וְהָיָה כִּי-יִחָטֵא וְאָשָׁם וְהָשִׁיב אֶת-  
הַגְּנוּלָה אֲשֶׁר גָּזַל אֹ אוֹ אֶת-הָעֶשֶׂק אֲשֶׁר  
עָשָׂק אֹ אוֹ אֶת-הַפְּקֻדֹן אֲשֶׁר הִפְקֹד אֹתוֹ  
אוֹ אֶת-הָאֲבֵדָה אֲשֶׁר מָצָא: <sup>24</sup> אוֹ מִכֶּל  
אֲשֶׁר-יִשְׁבַּע עָלָיו לְשֹׁקֵר וְשָׁלַם אֹתוֹ  
בְּרֵאשׁוֹ וְהִמְשַׁתִּיו יָסַף עָלָיו לְאֲשֶׁר הוּא  
לוֹ יִתְּנֶנּוּ בַיּוֹם אֲשֶׁמְתוֹ: <sup>25</sup> וְאֶת-אֲשָׁמוֹ  
יָבִיא לַיהוָה אֵיל תְּמִים מִן-הַצֹּאן בְּעֶרְכָּךְ  
לְאָשָׁם אֶל-הַכֹּהֵן: <sup>26</sup> וְכִפֹּר עָלָיו הַכֹּהֵן  
לִפְנֵי יְהוָה וְנִסְלַח לוֹ עַל-אֲחֵת מִכֶּל  
אֲשֶׁר-יַעֲשֶׂה לְאֲשָׁמָה בָּהּ: פ

**OJPS** was lost, and deal falsely therein, and swear to a lie; in any of all these that a man doeth, sinning therein; <sup>23</sup>then it shall be, if he hath sinned, and is guilty, that he shall restore that which he took by robbery, or the thing which he hath gotten by oppression, or the deposit which was deposited with him, or the lost thing which he found, <sup>24</sup>or any thing about which he hath sworn falsely, he shall even restore it in full, and shall add the fifth part more thereto; unto him to whom it appertaineth shall he give it, in the day of his being guilty. <sup>25</sup>And he shall bring his forfeit unto the LORD, a ram without blemish out of the flock, according to thy valuation, for a guilt-offering, unto the priest. <sup>26</sup>And the priest shall make atonement for him before the LORD, and he shall be forgiven, concerning whatsoever he doeth so as to be guilty thereby.

**RASHBAM 24** When he realizes his guilt. Literally "in the day of his being guilty" (OJPS); but NJPS has the sense. The "day" is the day on which he repents of his robbery, fraud, and so forth, and confesses it.

**IBN EZRA** "or anything *else* about which he swore falsely."

**24 The principal amount.** It is irrelevant whether he returns exactly what he stole or its equivalent. **A fifth part.** The grammatical form of this word suggests that it is actually plural; he must pay *two* "fifth parts." See my comment to Num. 5:7. [T] **When he realizes his guilt.** "The day of

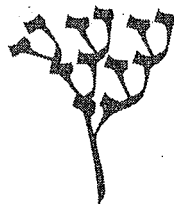
עץ חיים

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ETZ HAYIM

TORAH AND COMMENTARY

THE RABBINICAL ASSEMBLY  
THE UNITED SYNAGOGUE OF CONSERVATIVE JUDAISM



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men, "Gather stones." So they took stones and made a mound; and they partook of a meal there by the mound. <sup>47</sup>Laban named it Yegar-sahadutha, but Jacob named it Gal-ed. <sup>48</sup>And Laban declared, "This mound is a witness between you and me this day." That is why it was named Gal-ed; <sup>49</sup>and [it was called] Mizpah, because he said, "May the LORD watch between you and me, when we are out of sight of each other. <sup>50</sup>If you ill-treat my daughters or take other wives besides my daughters—though no one else be about, remember, God Himself will be witness between you and me."

<sup>51</sup>And Laban said to Jacob, "Here is this mound and here the pillar which I have set up between you and me: <sup>52</sup>this mound shall be witness and this pillar shall be witness that I am not to cross to you past this mound, and that you are not to cross to me past this mound and this pillar, with hostile intent. <sup>53</sup>May the God of Abraham and the god of Nahor"—their ancestral deities—"judge between us." And Jacob swore by the Fear of his father Isaac. <sup>54</sup>Jacob then offered up a sacrifice on the Height, and invited his kinsmen to partake of the meal. After the meal, they spent the night on the Height.

*they partook of a meal* See Comment to 26:30. It is likely that only the principals, Laban and Jacob, ate at this time.

<sup>47.</sup> *Yegar-sahadutha* This is the first appearance of Aramaic in the Bible.

<sup>48.</sup> *And Laban declared* Having initiated the pact, he speaks first.

*This mound is a witness* See Comment to 28:18.

*Gal-ed* A folk etymology for the regional name Gilead, the site of the treaty making as recorded in verses 21, 23, and 25. The name probably comes from the Arabic word *jal'ad*, "hard, rough," referring to the local limestone.

<sup>49.</sup> *Mizpah* See Comment to 31:25.

*May the LORD watch* Deities were appealed to as the highest authority for monitoring the enforcement of treaties in the ancient Near East.

<sup>50.</sup> *or take other wives* The restrictions imposed by Laban to safeguard the status of his

אֲבָנִים וַיִּקְחוּ אֲבָנִים וַיַּעֲשׂוּ גִל וַיֹּאכְלוּ  
שֵׁם עַל-הַגִּל: <sup>47</sup>וַיִּקְרָא-לוֹ לְבֵן יַגַּר  
שְׁהַדוּתָא וַיַּעֲקֹב קָרָא לוֹ גַלְעָד:  
<sup>48</sup>וַיֹּאמֶר לְבֵן הַגִּל הַזֶּה עַד בֵּינִי וּבֵינָהּ  
הַיּוֹם עַל-בֵּן קָרָא-שְׁמוֹ גַלְעָד:  
<sup>49</sup>וְהַמִּצְפָּה אֲשֶׁר אָמַר יִצְחָק יְהוּה בֵּינִי  
וּבֵינָהּ כִּי נִסְתַּר אִישׁ מֵרְעֵהוּ: <sup>50</sup>אִם-  
תַּעֲנֶה אֶת-בְּנֹתַי וְאִם-תִּקַּח נָשִׁים עַל-  
בְּנֹתַי אֵין אִישׁ עִמָּנוּ רֹאֵה אֱלֹהִים עַד  
בֵּינִי וּבֵינָהּ:

<sup>51</sup>וַיֹּאמֶר לְבֵן לִיעֲקֹב הַנֶּה הַגִּל הַזֶּה  
וְהַנֶּה הַמִּצְבָּה אֲשֶׁר יָרִיתִי בֵּינִי וּבֵינָהּ:  
<sup>52</sup>עַד הַגִּל הַזֶּה וְעַד הַמִּצְבָּה אִם-אֲנִי  
לֹא-אָעֵבֶר אֵלֶיךָ אֶת-הַגִּל הַזֶּה וְאִם-  
אָתָּה לֹא-תַעֲבֹר אֵלַי אֶת-הַגִּל הַזֶּה  
וְאֶת-הַמִּצְבָּה הַזֹּאת לְרַעְיָה: <sup>53</sup>אֱלֹהֵי  
אֲבֹרָהֶם וְאֱלֹהֵי נַחֹר יִשְׁפְטוּ בֵּינֵינוּ  
אֱלֹהֵי אֲבִיהֶם וַיִּשְׁבַּע יַעֲקֹב בְּפָחַד אָבִיו  
יִצְחָק: <sup>54</sup>וַיִּזְבַּח יַעֲקֹב זֶבַח בָּהָר וַיִּקְרָא  
לְאָחָיו לֵאכֹל-לֶחֶם וַיֹּאכְלוּ לֶחֶם וַיִּלְיֵנוּ  
בָּהָר:

daughters are not found elsewhere in the Bible but are similar to those in other Near Eastern texts.

<sup>53.</sup> *May the God of Abraham and the god of Nahor . . . judge* Everywhere in the ancient Near East, the national god was regarded as the protector of the boundary. The plural verb for "judge" in Hebrew indicates that Laban is invoking two separate deities.

*their ancestral deities* This phrase is the narrator's explanatory comment. Literally, the Hebrew means "the deities of their father," perhaps referring to Terah, who, according to Josh. 24:2, "worshiped other gods."

*Jacob swore* In response, Jacob ignores Laban's formula and invokes only the "Fear of his father Isaac."

<sup>54.</sup> *the meal* The entire treaty-making process is sealed by a sacrificial meal in which all partake.