

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 Sforno*

*Edited, translated, and annotated by*

MICHAEL CARASIK



2009 • 5770

**NJPS 21** The LORD said to Moses: Speak to the priests, the sons of Aaron, and say to them:

None shall defile himself for any [dead] person among his kin, <sup>2</sup>except for the

**RASHI 21:1** **Speak to the priests.** But not to the “sons of Aaron” who do not have priestly status. [A] **The sons of Aaron.** Not the daughters, but the sons. Nonetheless, any son of Aaron who is a priest is included, even if disqualified from serving by a physical defect. **Say to them.** “Speak” to the adults and make sure that they “say” to their children. **None shall defile himself for any dead person among his kin.** But for a dead person who is not “among his kin”—if there are no other Jews who can see to the burial—he may do so.

**2 Except for the relatives that are closest to him.** Rather, “except for the flesh that is closest to him”—his wife.

[A] If a priest marries a woman who is forbidden to him (see v. 7), he is disqualified from serving and their sons are not priests.

**NAHMANIDES 21:1** **Speak to the priests, the sons of Aaron, and say to them.** The English conceals a difficulty in the Hebrew. It is more literally translated, “Say to the priests ... and say to them.” Rashi’s explanation, taken from rabbinic literature, is to be understood as follows: We must certainly not do anything that would cause children to become ritually impure. But we learn from many commandments in the Torah (as interpreted by our Sages) that, though we should not assist children to come in contact with anything forbidden by the Torah, if they do so of their own accord we need not stop them. In our verse, the repetition of “say” (following this interpretation) would be to tell the priests that not only must they avoid impurity, but they must tell their children to avoid it also. Ibn Ezra’s explanation, that the priests were to “say” the preceding rules to the Israelites and the following ones to themselves alone, is simply incorrect. In my opinion, the English translations are correct in making the first “say” into “speak.” The Hebrew roots can be used interchangeably: “Moses spoke to Aaron and to his remaining sons, Eleazar and Ithamar, ‘Take the meal offering that is left over.’” (10:12); “Go to Pharaoh and speak to him, ‘Thus says the LORD’” (Exod. 9:1). Moreover, there are many examples of repetition like that of our verse: “Speak to the Israelites and say to them.” The redundancy of “speak and say” is for emphasis, either because the commandment is particularly important or because the people were in the habit of violating it. The same applies here, with “say and say” (see also Jer. 34:2). The emphasis derives from the essential meaning of the expression: speak to them *in My name* and say to them. Many people would say that (both in the regular expression and here) the first verb is a summons: “Call them and say to them.” **The priests, the sons of Aaron.** Note that the instructions about the sacrifices are given “to Aaron and his sons” (e.g., 6:18), not to “the priests.” The rules given here, however, apply permanently, even when they are not coming to serve in the Temple; they apply to the priests themselves. Since they are “Priests of the LORD and ... servants of our God” (Isa. 61:6), they must act respectably and as distinguished persons would do, and never allow themselves to become unclean. Notice that this rule does *not* apply to those who have disqualified themselves from priestly status through an improper marriage, nor to the children of such a marriage. **None shall defile himself.** The switch to the singular here may imply what the translations say, or they may mean that the “kinsman” of v. 4 (but see my comment there) should not defile himself.

**ADDITIONAL COMMENTS 21:1** **Speak to the priests.** In 20:24, God explains that the Israelites are “set apart” from the other peoples; now the priests are set apart from the ordinary Israelites (Bekhor Shor). This section was said on the day the Tabernacle was set up, at which time the priests were obliged to begin their service. It is juxtaposed to 20:27, “A man or a woman who has a ghost or a familiar spirit shall be put to death,” because Jews have no need of spirits—if you must ask, “speak to the priests” and they will inquire of the Urim and Thummim for you (Hizkuni). “Speak to the priests” to summon them, “and say” to the ordinary priests the rules that apply to them; the specific rules for the High Priest come later. But I prefer to explain it as repetition. People are very upset when their relatives die, so the priests must be told over and over again not to mourn for them (Abarbanel). **None shall defile himself for any dead person among his kin.** This tells us that corpse uncleanness is not operative among gentiles, and that the priests are to loathe materiality except when it provides some benefit to the human essence (Gersonides). Rather, “none shall defile himself among his kin with regard to his soul”; compare Deut 4:15. The continued contact of the spiritual soul with the dead material body is a source of uncleanness (Abarbanel). He shall not defile himself for anyone among “his people,” the mass of Jews, except for close relatives (Sforno).

**2 The relatives that are closest to him.** Literally, the “flesh” that is closest to him. According to Gen 2:24, “a man leaves his father and mother and clings to his wife, so that they become one flesh” (Bekhor Shor).

**OJPS 21** And the LORD said unto Moses: Speak unto the priests the sons of Aaron, and say unto them:

There shall none defile himself for the dead among his people; <sup>2</sup>except for his kin,

כֹּהן וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה אָמַר  
אֶל־הַכֹּהֲנִים בְּנֵי אַהֲרֹן וְאָמַרְתָּ אֲלֵיהֶם  
לִנְפֹשׁ לֹא־יִטְמָא בְּעַמִּיו : <sup>2</sup> בִּי אִם־לִשְׂאֵרוֹ

**ABARBANEL'S QUESTIONS** ♦ Since the priest is equally defiled no matter which dead person he receives defilement from, why does the text specify (vv. 1-4) that he should defile himself for some but not for others? ♦ Why may he defile himself for these six relatives only, but not (e.g.) for his grandfather and grandmother? ♦ If it is indeed permissible to defile oneself for a brother (v. 2), why did Moses make Mishael and Elzaphan bury Nadab and Abihu rather than letting their brothers do it?

**RASHBAM 21:1** **None shall defile himself for any dead person among his kin.** The sense is more precisely, “None among his kin, his fellow priests, shall defile himself for any dead person.” (The same sense applies to “a virgin of his own kin” in v. 14.) The verse says “among” his kin, not “for” his kin. Contrast “Even if his father or mother, or his brother or sister should die, he must not defile himself for them” (Num. 6:7)—not “among” them as in our verse. [A]

[A] The comment goes on to say, “But ‘among his kin’ may also modify ‘any dead person,’ as in the English translations.” This concession to the standard interpretation contradicts the interpretation Rashbam has just given, and may be an interpolation.

**IBN EZRA 21:1** **Speak to the priests ... and say to them.** Literally, “Say to the priests ... and say to them.” After having warned both the priests and the ordinary Israelites that they must be holy, Moses goes on to warn the priests specifically that there are still other things they must keep away from, because they are in the service of the Lord. Or it may be that the first “say” refers to Moses telling the preceding chapters to the priests (who were supposed to preserve God’s teaching for the people) and the second “say” means that he was to explain to them the reasons for the commandments that they alone were to follow. **None shall defile himself.** The verb is a Hitpael; the n assimilates to v of the root, causing it to be doubled with a *dagesh*. **For any dead person.** The Hebrew merely says “for any person,” but the translations interpret this correctly as referring to a dead person. **Among his kin.** Rather, “among his people,” all of Israel.

**2 Except for the relatives that are closest to him.** More precisely, “except for his flesh that is close to him.” It would seem

**NJPS** relatives that are closest to him: his mother, his father, his son, his daughter, and his brother; <sup>3</sup>also for a virgin sister, close to him because she has not married, for her he may defile himself. <sup>4</sup>But he shall not defile himself as a kinsman by marriage, and so profane himself.

<sup>5</sup>They shall not shave smooth any part of their heads, or cut the side-growth of their beards, or make gashes in their

**RASHI** 3 Close to him. She is still considered "close to him" even if she is engaged, as long as she is not yet married. **Because she has not married.** More literally, "because she has not been with a man" for sex. **For her he may defile himself.** Rather, "he must defile himself" for her. He is commanded to do so.

**4 But he shall not defile himself as a kinsman by marriage, and so profane himself.** He shall not defile himself for a wife by whom, when she was still living, he was disqualified from the priesthood. This is the rabbinic ruling, and it is in fact the straightforward sense of the Hebrew: a husband shall not defile himself for his "flesh" (that is, his wife) while he is still "among his people" (OJPS), for there are others who can bury her in that case. And what kind of wife are we talking about? One through whom he has managed "to profane himself" (OJPS) from his priestly status.

**5 They shall not shave smooth any part of their heads.** In mourning for the dead. — But are not all the Israelites forbidden to do this? — Yes, but they are told, "You are children of the LORD your God. You shall not gash yourselves or shave the front of your heads because of the dead" (Deut. 14:1). From our verse, we learn that such shaving is forbidden (even for ordinary Israelites) not just on "the front" of the head, but on "any part," while we learn from that verse what such shaving is about: it is "because of the dead." **Or cut the side-growth of their beards.** All the Israelites are instructed, "You shall not ... destroy the side-growth of your beard" (19:27). One might think that any such "destruction" is prohibited, even by plucking out the beard with tweezers. But our verse restricts the prohibition to one who "shaves" (see OJPS), that is, with a razor. **Or make gashes in their flesh.** More precisely, "or gash a gash." When the Israelites are instructed, "You shall not make gashes in your flesh for the dead" (19:28), we might not

**NAHMANIDES** 4 As a kinsman by marriage. The correct translation is that of OJPS, "being a chief man among his people." The word *baal* means "lord," referring (like the English word) both to one who is greatly respected and to one who is a master (as when Exod. 22:13 refers to an animal's "master," or in the expression "master of the house"). Such a "chief man" must not defile himself and thereby treat himself disrespectfully. The text explains that since a priest is fit to have the highest rank among his people, he must therefore not defile himself by contact with the dead. We should not think this applies only when they enter the Tent of Meeting for sacred service. Vv. 9 and 15 make clear that this entire passage has to do with the status of the priests. But the Sifra interprets this phrase to mean "a husband," as Rashi and NJPS have it.

that any chief man among the Israelites, priest or not, shall not defile himself except for the relatives mentioned in vv. 2 and 3. **Profane himself.** Grammatically, the verb is the Niphal infinitive construct of חלל, the *dagesh* resulting from the assimilation of the second ל.

**5 They shall not shave smooth any part of their heads.** For the dead. **Or cut the side-growth of their beards.** Again, for the dead, as is the custom in certain places in Babylonia. This clarifies why you are not to "destroy the side-growth of your beard" (19:27). **Or make gashes in their flesh.** More precisely, "or make a gash in their flesh"—not even a single one. All of the Israelites have previously

**ADDITIONAL COMMENTS** 3 A virgin sister, close to him because she has not married. But if she is married, her husband defiles himself to bury her even if he is a priest—further evidence that the "flesh" of v. 2 does indeed mean one's wife (Bekhor Shor). A half-sister is "close to him" if she is his father's daughter, but not if she is his mother's daughter, since she would not inherit from him in that case (Gersonides).

**4 But he shall not defile himself as a kinsman by marriage.** Rather, "He shall not defile himself, being a chief man among his people" (OJPS). But I have seen this explained to mean that he should not defile himself even for a chief man among his people—the High Priest (Bekhor Shor). Being a chief man, he must not give honor to the dead except for his relatives, for their honor is his honor (Sforno).

**5 They shall not shave smooth any part of their heads.** According to the straightforward interpretation, the rules given here for the priests are somewhat more restrictive than those given to the Israelites as a whole in 19:27–28. But a linguistic link between the two sets of verses, handed down to us as a legitimate interpretation from Moses at Sinai, makes clear that the straightforward interpretation is to

**OJPS** that is near unto him, for his mother, and for his father, and for his son, and for his daughter, and for his brother; <sup>3</sup>and for his sister a virgin, that is near unto him, that hath had no husband, for her may he defile himself. <sup>4</sup>He shall not defile himself, being a chief man among his people, to profane himself.

<sup>5</sup>They shall not make baldness upon their head, neither shall they shave off the corners of their beard, nor make any

**RASHBAM** 4 But he shall not defile himself as a kinsman by marriage. The straightforward sense is more properly, "No husband among his kin the priests shall defile himself" for his wife and so profane himself. Defiling himself in this way would profane his priestly status. According to the Sages, however, the verse means that he may not defile himself for a wife who is forbidden to him as a priest, but he does defile himself for a proper wife.

**5 They shall not shave smooth any part of their heads.** As a sign of mourning. But the same applies to all Jews.

**IBN EZRA** to us that (as in 18:6) this is a general term for one's relations, which are then specified: mother, father, and so forth. (His mother is mentioned first because ordinarily males live longer than females.) But our Sages transmitted the tradition that a priest defiles himself for his wife as well, and they explain "his flesh" as "his wife," as a mnemonic for this tradition. On this sort of mnemonic, see my comment to Exod. 21:8 on the word "outsiders."

**3 Close to him.** Being his full sister, daughter of both his father and his mother.

**4 But he shall not defile himself as a kinsman by marriage.** Some say that the Hebrew word *baal* refers to a superior ("its owner not being with it," Exod. 22:13), and not to a husband at all. Given the rabbinic tradition that a priest *does* defile himself for his wife, OJPS has the correct translation here—"He shall not defile himself, being a chief man among his people"—and the way one would understand v. 2 at first glance is refuted. The correct meaning of our verse is

**NJPS** sanctified in the midst of the Israelite people—I the LORD who sanctify you, <sup>33</sup>I who brought you out of the land of Egypt to be your God, I the LORD.

**OJPS** children of Israel: I am the LORD who hallow you, <sup>33</sup>that brought you out of the land of Egypt, to be your God: I am the LORD.

**23** The LORD spoke to Moses, saying: <sup>2</sup>Speak to the Israelite people and say to them:

These are My fixed times, the fixed times of the LORD, which you shall proclaim as sacred occasions.

**RASHI** 33 Who brought you out of the land of Egypt. With this proviso—that you be willing, if necessary, to sanctify My name. **I the LORD.** I can be relied on to give you your reward.

**23:2 Speak to the Israelite people.** Although these are My fixed times, nonetheless you, the Israelites, shall proclaim them. You must add a leap month whenever it is necessary, so that exiles who have uprooted themselves from their foreign locales but not yet made it to Jerusalem will have time to reach it before Passover.

**NAHMANIDES** 33 I who brought you out of the land of Egypt to be your God. This is the explanation (which applies to all the commandments) of why we must sanctify His name [C] for the commandments—we are His slaves, whom He redeemed from Egypt.

**23:2 Speak to the Israelite people.** The festivals are not the priests' business more than they are the business of the rest of Israel, so this section is addressed to the Israelites as a whole and not specifically to Aaron and his sons. The reason they are mentioned here in Leviticus, which ordinarily deals with things that concern the priests, is that special sacrifices must be made on those days. Indeed some allusions are made to these sacrifices, e.g., v. 8 and v. 37. But they were not treated at length because in fact they were not intended to be carried out while the Israelites were in the wilderness. Only after Num. 26:53, when those who would enter the land have been counted and God tells Moses, "Among these shall the land be apportioned," are the sacrifices (other than the regular daily offerings) that they were to perform as soon as they entered the land (and ever after) described, in Numbers 28–29. Only on the Day of Atonement did Aaron do "as the LORD had commanded Moses" (16:34) in the wilderness. The sacrifices mentioned here in v. 12 and vv. 18–20 clearly are intended only to happen "When you enter the land that I am giving to you and you reap its harvest" (v. 10). But the festival days themselves went into effect immediately. **These are My fixed times.** In my opinion, this is an introduction to what follows after v. 4: the dates of the various festivals ("in the first month" and so forth). As the beginning of that verse shows, the topic of the festivals, which is interrupted by the mention of the Sabbath in v. 3, resumes there. The purpose of mentioning "My fixed times" here—days on which certain types of work may nevertheless be done—is to contrast them to the Sabbath, which must remain a day "of complete rest" (v. 3) on which no work whatsoever may be done. The warning to do no work on the Sabbath is given many times throughout the Torah. Here the insistence on "complete rest" alludes to the rule that, though food preparation is ordinarily allowed on festival days, it is forbidden if the festival day should fall on the Sabbath. Note that Exodus 35, describing the building of the Tabernacle, is similarly interrupted, right at the beginning, by a reference to the Sabbath, whose observance takes priority. There too, Exod. 35:4 repeats what Exod. 35:1 had said before the interruption. The fact that the phrase "you shall make offerings by fire to the LORD" (vv. 8, 25, 27, 36, 37) does not occur with the Sabbath commandment is further confirmation that the Sabbath is to be viewed as separate from the festivals; moreover, the summary at the end of the chapter says, "Those are the set times of the LORD that you shall celebrate as sacred occasions, bringing offerings by fire to the LORD ... apart from the sabbaths of the LORD" (vv. 37–38). Further confirmation comes from the fact that v. 4 is not introduced by "the LORD spoke to Moses, saying" (v. 1) as is the paragraph for each of the subsequent festivals. V. 5 is introduced by v. 1, but the Sabbath verse intervenes to make clear that the rules for festivals do not apply to it—not to give the rules for the Sabbath itself. There is in fact a rabbinic interpretation that follows these same lines. **Which you shall proclaim as sacred occasions.** "Holy convocations" (OJPS) comes a bit closer to the sense. They are occasions of "calling," on which everyone is called to gather and sanctify them. It is in fact a commandment for all Jews to gather in the house of God on festival days in fresh clothing to sanctify them publicly with prayer and praise to God, and to make them days of feasting. For our tradition applies Ezra's words on Rosh Hashanah to all the festivals in general: "Go, eat choice foods and drink sweet drinks and send portions to whoever has nothing

[C] "Sanctification of the Name" is the Hebrew idiom for religious martyrdom.

**ADDITIONAL COMMENTS** 33 I who brought you out of the land of Egypt to be your God. I brought you out to lead you without an intermediary between us, as if following My holy ways made you into transcendent, incorporeal beings (Sforno).

**23:2 Speak to the Israelite people and say to them.** God says this to Moses 13 times in the Torah, and once to Moses and Aaron together (Masorah). **These are My fixed times.** They are sacred to the Lord whether Israel sanctifies them or not (Abarbanel). On Sabbath and festivals alike, you must occupy yourselves with study of Torah and other holy things. If instead you occupy yourselves with weekday affairs and human pleasures alone, they are not My fixed times but yours. In that case, as Isa. 1:14 puts it, "Your new moons and fixed seasons fill Me with loathing; they are become a burden to Me, I cannot endure them" (Sforno).

מְקַדְשֵׁכֶם: <sup>33</sup>הַמּוֹצֵיא אֶתְכֶם מֵאֶרֶץ  
מִצְרַיִם לְהִיּוֹת לָכֶם לְאֱלֹהִים אֲנִי  
יְהוָה: פ

כג וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר:  
וַיְדַבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם  
מוֹעֲדֵי יְהוָה אֲשֶׁר־תִּקְרְאוּ אֹתָם מִקְרָאֵי  
קֹדֶשׁ אֵלֶּה הֵם מוֹעֲדָי:

**23** And the LORD spoke unto Moses, saying: <sup>2</sup>Speak unto the children of Israel, and say unto them:

The appointed seasons of the LORD, which ye shall proclaim to be holy convocations, even these are My appointed seasons.

**RASHBAM** 23:2 Which you shall proclaim as sacred occasions. Which you shall schedule as sacred times. "Proclamation" of sacred occasions always refers to scheduling them: "The Lord ... has proclaimed a set time against me" (Lam. 1:15). The translation of Onkelos is to be understood this way, as is the reference in Eccles. 2:15 to a "destined" fate. [C]

[C] Rashbam apparently relates the key word here not to קרא, "proclaim," but to קרה, "occur."

**IBN EZRA** 33 I who brought you out of the land of Egypt to be your God, I the LORD. The whole concludes with "I am the Lord," the first of the Ten Commandments and the essence of all the commandments.

**23:2 These are My fixed times.** The text now moves from discussing which animals may be offered to the occasions on which they are offered, beginning with the Sabbath. "These" sabbaths—the many sabbaths of each year—are My fixed times.

**NJPS** 17If anyone kills any human being, he shall be put to death. 18One who kills a beast shall make restitution for it: life for life. 19If anyone maims his fellow, as he has done so shall it be done to him: 20fracture for fracture, eye for eye, tooth for tooth. The injury he inflicted on another shall be inflicted on him. 21One who kills a beast shall make restitution for it; but one who kills a human being shall be put to death.

**RASHI** pronounces the Tetragrammaton. The rule does not apply to one who blasphemes using one of the other words for God. Note that in our verse the verb does mean "blaspheme" (see OJPS), not merely "pronounce," as it does in v. 11. "How can I damn whom God has not damned" (Num. 23:8) is another example with that meaning.

**17 If anyone kills any human being.** Exod. 21:12 applies the death penalty specifically to one "who fatally strikes a man." How am I to know that the same rule applies to one who kills a woman or a child? From our verse, which mentions "any human being."

**20 The injury he inflicted on another shall be inflicted on him.** Our Sages interpreted this rule to say that the same injury is not inflicted on him *physically*, but financially. The Hebrew does not say "inflicted," but "rendered" (OJPS). It is the word commonly used in commerce to mean "sold." The injured man is treated as if he were to be sold as a slave, and he is paid the difference in his value caused by the injury.

**21 One who kills a beast shall make restitution for it.** Literally, one who "smites" a beast. It is v. 18 that refers to one who kills a beast. Our verse refers to one who strikes a beast and injures it. **But one who kills a human being shall be put to death.** Again, the verb merely says "smites," and does not specify that the smiting is a mortal blow, as do vv. 17-18 (see OJPS); it refers to one who merely injures a person. If this nonetheless leads to his being put to death, it can only refer to one who smites his parents. The technical comparison serves to show that, just as striking an animal only matters if the animal is alive, so too striking one's parents is not a capital crime unless they are alive. Since cursing one's parents after death *is* a capital crime, the text must show that striking them is not. The comparison further indicates that, just as one does not pay for striking a beast unless it actually causes injury, one is not culpable for striking one's father unless the blow actually injures him.

**NAHMANIDES** 18 **Life for life.** Even with regard to animals, this is not literally true—he need not buy him an animal like the one he previously had. What he must do is pay him the amount of the damage he did to him. The same is true for "fracture for fracture, eye for eye, tooth for tooth" (v. 20), according to our Sages.

"X for X" phrases is that the person owes a payment to the one he has injured, and would deserve to have (e.g.) his eye put out if he did not discharge his debt. The argument can be raised that the one who caused the injury might be too poor to pay, to which we would respond that a poor person might one day become richer. In any case, the text speaks of a standard occurrence, not a special case. (The same response covers the case where the person who caused the injury was blind in one eye.)

**20 The injury he inflicted on another shall be inflicted on him.** "Upon" him as an obligation, which the Hebrew preposition *b-* can mean: "no other beast than the one upon which I was riding" (Neh. 2:12). This usage is quite common. Or possibly it literally means that the injury is inflicted on his body—but only if he does not pay the debt he has incurred.

**21 One who kills a beast.** Again, the repetition from v. 18 adds the further information that "stranger and citizen" (v. 22) are to be treated alike. This is necessary because the rules of vv. 19-20 apply only to "his fellow" Israelite. But with regard to killing, whether of an animal or a man, stranger and citizen are the same. **One who kills a human being.** In both cases, the Hebrew uses the verb "smite," which does not always imply killing; here, however, it certainly does, since obviously no one is put to death for striking someone unless the person dies. With regard to the animal, it is in v. 18 that he smites it "mortally" (see OJPS). Our verse only says that he "strikes" the animal, not necessarily in a vital organ. Nonetheless, if it dies, he must make restitution for it. This is another reason for the repetition.

[A] He paid them back for what they had done, but not by doing exactly the same thing that had been done to him.

**ADDITIONAL COMMENTS** (Hizkuni). The blasphemer was not being punished *because* he was a stranger; punishment would also have applied to a citizen (Sforno).

**17 If anyone kills any human being, he shall be put to death.** Having made clear that the one who "came forth" to quarrel was to be put to death, the text takes the opportunity to discuss similar actions for which one is put to death (Hizkuni).

**OJPS** 17And he that smiteth any man mortally shall surely be put to death. 18And he that smiteth a beast mortally shall make it good: life for life. 19And if a man maim his neighbor; as he hath done, so shall it be done to him: 20breach for breach, eye for eye, tooth for tooth; as he hath maimed a man, so shall it be rendered unto him. 21And he that killeth a beast shall make it good; and he that killeth a man shall be put to death.

**RASHBAM** 18 **One who kills a beast.** Literally "smites" it (see OJPS), but the sense is "kills" it, as NJPS translates.

**21 One who kills a beast shall make restitution for it.** Here the sense is merely "smites"—one who merely injures the beast, even though he does not kill it.

**IBN EZRA** 17 **If anyone kills any human being, he shall be put to death.** Apparently this section appears here in the context of the fight described in v. 10. We have learned this principle already, in Exod. 21:12; what is added here is that "You shall have one standard for stranger and citizen alike" (v. 22). This applies not only to the murderer, but also to the victim: "If anyone kills any human being," as long as he does so deliberately (and not in military combat).

**18 Life for life.** This phrase applies (*mutatis mutandis*) both to killing a person (v. 17) and to killing an animal.

**19 So shall it be done to him.** As Samson said, "As they did to me, so I did to them" (Judg. 15:11). [A] Saadia presented many philosophical proofs that "fracture for fracture" (v. 20) cannot be meant literally. The original person might have caused the fracture unintentionally—how could one deliberately cause exactly the same injury? If the injury occurs in the wrong place, the person might even die. All the more so in the case of "eye for eye." Suppose the original injury causes the person to lose one-third of his sight. How can he do precisely this to the one who caused the injury? You must therefore accept willy-nilly that the words of tradition are true. The explanation of all the

וְאִישׁ כִּי יַכֶּה בְּלִפְנֵי אָדָם מוֹת יוּמָת׃  
 17 וּמִכָּה נֶפֶשׁ בְּהֵמָה יִשְׁלַמְנָהּ נֶפֶשׁ תַּחַת  
 נֶפֶשׁ׃ 19 וְאִישׁ כִּי יַיִתֵּן מוֹם בְּעַמִּיתוֹ  
 כַּאֲשֶׁר עָשָׂה כֵּן יַעֲשֶׂה לוֹ׃ 20 שֶׁבֶר תַּחַת  
 שֶׁבֶר עֵינַי תַּחַת עֵינַי שֶׁן תַּחַת שֶׁן כַּאֲשֶׁר  
 יִתֵּן מוֹם בְּאָדָם כֵּן יִנָּתֵן לוֹ׃ 21 וּמִכָּה  
 בְּהֵמָה יִשְׁלַמְנָהּ וּמִכָּה אָדָם יוּמָת׃

**ABARBANEL'S QUESTIONS** † Why are the rules about killing a human being or a beast (vv. 17-18) mentioned here, since they have already been given? † Why does v. 21 repeat these rules yet again?